

LEGISLATIVE ASSEMBLY

Wednesday 23 June 2010

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

The Speaker read the Prayer and acknowledgement of country.

CRIMES (SENTENCING LEGISLATION) AMENDMENT (INTENSIVE CORRECTION ORDERS) BILL 2010

Message received from the Legislative Council returning the bill without amendment.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

DEATH OF THE HONOURABLE DONALD DAY, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY AND A FORMER MINISTER OF THE CROWN

Mr STEVE WHAN (Monaro—Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs) [10.08 a.m.]: I move:

That this House extends to Mrs Day and family the deep sympathy of members of the Legislative Assembly in the loss sustained by the death on 18 May 2010 of the Honourable Donald Day, a former Minister of the Crown.

I am honoured to move this condolence motion to mark, with regret, the passing of the Hon. Donald Day. Unfortunately I did not know him but as one of his successors in the Primary Industries portfolio, and after having read the background information and some of his speeches in Parliament, I know that we shared many similar objectives as a member of Parliament representing rural and regional New South Wales. I acknowledge members of the family present in the public gallery—Suzanne, Shane, Joanna, Benjamin, Adam and Anna. In remembering the life and career of Don, I extend my condolence to his family members: his wife Marie, who was not able to travel to be here today and is at home; Jennifer Thomas, Bill Day, Suzanne Shultz, grandchildren Benjamin and Isabel, Bart Thomas, Clare Thomas, Shane Donald Day and Joanna, Adam Shultz, Nicholas and Anna Shultz.

In his long political career that spanned local and State governments, Don was the Labor member for Casino and then for Clarence. He was elected in 1971 against the odds. He won the seat of Casino for the Labor Party, which was then a safe Country Party seat. He served first in local government as deputy mayor of the Maclean municipality, then as deputy president of the shire council, and he was chairman of the Lower Clarence County Council. Then, after a career in business, Don won a seat in State Parliament. In those days the North Coast seats were dominated by great Country Party families such as the Pages and the Anthonys, yet Don blazed his way into the northern rivers seat on the back of a very strong local campaign.

Don was a strong voice in this Chamber for the rural communities and villages of the North Coast. In the Wran Government, Don served as a Minister of the Crown in various portfolios, including Primary Industries, Agriculture and Decentralisation. We will hear more about Don's record later but he was recognised, almost single-handedly, as rescuing the sugar and dairy industries on the North Coast, and worked tirelessly for those industries to open new markets for their produce.

His political successes were based on his great personality and affinity with the North Coast communities. I am told he usually caught the train from the northern rivers to Sydney to attend Parliament and back, which would have been a great way to travel in those days. I do not know how true this is but I gather he did not mind a drink on that long train ride—

Mr Thomas George: You had to or you would not get to sleep.

Mr STEVE WHAN: That might be right. Don was a real man of the people and had great contact with his community. Don grew up during the Depression. I quote from *The Untold Story: Labor in Rural NSW* by Jack Hallam, which contains a fairly good section about Don. It says of his early years:

I grew up in the metropolitan area of Melbourne during the depression. My father deserted us when we were kids, so we had a fairly rough upbringing; my mother had to bring up three of us without the benefit of any deserted wives' pension. We scabbled very hard and that sort of builds a fire in your guts. It leaves a mark on you really that never leaves you. The scars are there from charity handouts and all those rather soul-destroying experiences. That's why I'll always be Labor.

The book tells us that he married a girl from the country and they lived in Sydney for a while after the war before moving to northern New South Wales. It then tells how he entered his local Labor Party. On his first campaign and election to Parliament he said:

I was only endorsed some three and a half weeks before election because we couldn't get a candidate for Labor. When I stood I really didn't anticipate that I would win the seat. I rather thought it would be a practice run for the federal seat of Cowper which I proposed to seek endorsement for.

Now a lot of workers in the country vote Country Party because they are of the view that Labor is opposed to their interests and even ordinary toilers believe that the Country Party is really their party, but if you scratch many Country Party supporters in the bush you will find a Labor Party voter rather than a Liberal Party voter.

When you look back the Country Party often got their support from people who live around the bread-line. It's extraordinary but it's a fact that people who really live at or below the bread-line will vote Country Party. If you look at the number of shopkeepers or wealthy farmers there's very few, very few indeed. You have got to convince the small-holder, the small farmer, the ordinary toiler, that in fact Labor stands for him wherever he lives and this is what I set out to do in that election.

He was successful in that election and was able to hold that seat, which after redistribution became the seat of Clarence, until he retired in 1984. In the book Jack Hallam says:

At the election Don got a swing to Labor of 17.6 per cent, giving him a majority of 854. While it was a prodigious effort it is to be acknowledged that Country Party complacency was a factor, so at the 1973 elections they were desperate to defeat the 'oncer'—

As they called him. It tells of his success in local campaigning every Friday in Casino, Saturdays in Maclean and Mondays in Kyogle. The book continues:

Someone nicknamed him 'Mr Accessible' and the tag stuck.

He beat off the attack and successfully held the seat until 1984. There were some really impressive achievements in Don's life as a representative of rural New South Wales. As Minister for Agriculture he squared off to CSR when the company threatened to abandon the three sugar mills on the northern rivers and leave the area. He told CSR, "If you're going to scrap the mills, we'll give you scrap for them." The New South Wales cane growers of the northern rivers are in no doubt that Don was a strong representative and saved their industry. As I understand it, that was remembered for many years to come. In fact I noticed in some of the newspaper cuttings that representatives of the sugar industry still talk about Don's effort on their behalf. In Don's inaugural speech he said:

I am satisfied, as more and more country people are becoming satisfied, that the future welfare of the rural areas of this State and this nation must rest with the party of the common man—the party of a truly national policy not afraid to plan for progress—the Australian Labor Party.

He was very proud of his affiliation with the Labor Party and he was an incredible party representative in Cabinet. In his inaugural speech he accused the then government as being a government for Sydney, Newcastle, Wollongong, which seems to have been a constant refrain over many years to come. He undertook some very far-reaching initiatives to help promote decentralisation for the industries in his area. We will hear more about his great work in the dairy industry and the giving of access to the markets for the North Coast dairy industry. The member for Mount Druitt, a former Minister for Agriculture, who was closely involved with that, will tell us about it later. *The Untold Story: Labor in Rural NSW* continues:

As a Minister, Day took responsibility for the most far-reaching restructuring of any rural industry on government initiative, with the possible exception of Bill Dunn and the irrigation areas in the mid-1920s. The same humanitarian instincts were at work in both cases.

The story goes on to tell of some of Don's work in the restructuring of the dairy industry. As the Minister responsible for decentralisation, he came in with a huge burst and took the Wran Government into areas that had not been seen in predecessor governments. He saw new State Government office blocks created at Dubbo, Broken Hill and Gunnedah, and State Government services for country people with the newly established Department of Consumer Affairs in Goulburn, Wagga Wagga, Albury, Dubbo, Grafton, Tamworth, Armidale and Casino. He took initiatives in decentralisation and revitalisation of regional centres. He was able to give all country members a great deal of pride about their record as representing regional communities when they went to the 1978 election, which is a proud legacy.

I have read of some of the things he brought forward. For example, one is the Country Industries (Pay-roll Tax Rebates) Bill. Under that bill, payroll tax rebates would apply to eligible manufacturing or processing industries located in decentralised areas of the State, which was a program he had promoted through his work. When I read some of what he was talking about with decentralisation and payroll tax incentives, it rings very true when I think of the debates on how to promote rural and regional industries today.

The legacy of Don Day has lived on, and I think that is one of the proudest things you would want to be able to say when leaving politics. He retired in 1984—most politicians would like to be able to retire on their own terms, and that is something he was able to do. He won a very difficult seat to come into the Parliament, and he had a very proud record of standing up for rural and regional New South Wales and never taking a backward step in representing his area. I noticed in one press clipping that Bill told the local press:

Dad had as many fights within the Labor Party as outside, but if you had him on your side you had him 150 per cent.

I think that personifies what makes a good rural member of Parliament—a person who is willing to stand up for their local area and who the local people know is on their side, no matter what, and who through working as part of government is able to deliver for rural New South Wales. That has been a characteristic of country members of the Labor Party over many years. In Don's work we saw the sort of thing that Country Labor tries to emulate these days and he personifies the fact that over many years the Labor Party has been a strong representative of rural New South Wales, developed indeed in rural New South Wales, which is a fact that sometimes the party does not remember as much as it should.

In finalising my contribution, I express the condolences of this House as well as my personal sympathy to Don's family, his wife and all the family members who are with us today, whom I thank for coming to Sydney to hear this Parliament put on record its gratitude for Don's effort and to express its sympathy. It is always sad when someone leaves us, and obviously it is very sad for the family, but one of the satisfying things is to know that their loved one, Don, made an incredible contribution to the State of New South Wales. He is remembered with great fondness in the Labor Party, though regrettably not many of us remain who were here when he served.

It must be very satisfying to know that he lived a full life and achieved a lot—not only in politics and for country New South Wales, but obviously with his family, who will have many wonderful memories of Don to take forward into the years ahead. His family, and the people of New South Wales, particularly those who represent country New South Wales should be very proud of Don's wonderful achievements as a Minister and as a representative of rural New South Wales. On behalf of Ministers for agriculture gone by—and another one is going to speak—and as the current Minister for agriculture, I am very proud to move this motion expressing our sympathy and condolences on the passing of Don Day.

Mr STEVE CANSDELL (Clarence) [10.22 a.m.]: I welcome Suzanne, Shane, Joanna, Benjamin, Adam and Anna. Other family members could not make it, but my regards go to Bill and the rest of the family. A lot has been said about Don and his contribution. If I can finish my role as the member for Clarence with half the runs on the board that Don Day had, I think I will have been a very successful member of Parliament.

I recently attended the funeral of Don Day and was struck by the deep love and respect expressed in eulogies by his sons and grandchildren who spoke on behalf of the family. It was very touching. As I said, if I can finish my stint in Parliament with as much respect as a politician I will be a very proud man, but if I can finish my life with the same love and respect of my family as Don took with him I will believe I have done a great job. Congratulations to Don on being such a great man and the loving family person he was, and also on being, in politics, a very uncompromising and hard man to deal with if you stood against him.

I confess that I rang Ian Causley last night because he knew Don well over the years and asked, "Could you give me your perspective, so I can read something out in Parliament?" I can talk about Don and his past, but

I will read what Ian said. He finished by saying that Don softened in his old age. Well, as a man, he was always soft inside and tough outside, as we all are. One thing I will give him—he kept that bite and every now and then he would keep me on my toes. As a good Labor man, he never lost those hard, strong Labor feelings.

Don Day arrived in Maclean after the Second World War as the husband of Marie Davis. Marie's father Roy Davis owned a large motor garage in town and, interestingly enough, in regard to later events, was a very strong supporter of the Country Party. Don had served in the Australian Air Force as a pilot where he had met Marie and he returned with her to the business in Maclean. Don teamed up with Bob Mackay, who had been a mechanic-fitter on aircraft during the war, and they traded as Mackay and Day. After the untimely death of Bob Mackay, Don and Marie took over the business and built it into a very successful Ford dealership.

Don was always a bit of a rebel, certainly anti-establishment. He was never frightened to put forward his ideas regardless of whom he shocked. There were celebrated and long-running exchanges in the local paper with the late Alec Cameron over religion. Remember in those days the Lower Clarence was extremely conservative and he certainly caused waves. This did not stop the local community electing Don to the Maclean Shire Council. I suppose they thought this would channel his energy into community projects. This may have been the case, as Don threw himself into achieving a reticulated water supply to the Lower Clarence. It seems unbelievable today that in those days Grafton had reticulated water and the Lower Clarence had water tanks and, once they got reticulated water, the council encouraged people to get rid of their water tanks. Here we are today encouraging people to bring back water tanks and giving subsidies. Don was successful and served on the Lower Clarence County Council water supply authority, and also served as Deputy President of Maclean Shire Council.

In the early 1970s a new seat was created in the New South Wales Parliament called Casino. In fact it was a re-creation of the seat after much agitation by the local Country Party. The Country Party had been through a bruising preselection campaign between Lindsay Harvey from the Clarence and Charlie Yabsley from the Richmond. Yabsley had won, but many Country Party members were unhappy with the process and asked Don Day to stand for the seat. Don decided to take on the conservatives in their homeland and campaigned strongly on admitting North Coast dairy farmers to the lucrative milk zone. This was one of his great early victories, along with reticulated water for the Clarence. Some of the conservative Country Party members were selling out dairy farmers and Don stood up and ensured that they got a fair deal.

Don served as a Minister and was in the hot seat when CSR decided to exit the north coast sugar industry. As Minister for Decentralisation and Development, he was able to obtain a government loan to help the industry buy the mills. I know the industry was very grateful for his support and the cane industry today still holds Don in extremely high regard for basically saving the north coast sugar industry because CSR was going to scrap it and, in the finish, they were going to sell it for the cost of the steel, and Don was right in the middle negotiating a price for the scrap of the steel to keep the industry going.

The north coast timber industry also had strong support from Don—it did not have it from the Labor Government of the day—and he fought very hard, although he never had a lot of gains with the timber industry. It has been said that he had a big blue with Neville Wran in his office and, supposedly, Neville Wran threw an ashtray. It was a heated argument, but Don Day never stood back from arguing his side. He was uncompromising to the end in politics and in every other way. Don's support for the industry may not have been successful, but he always stood up for his electorate. We all hope to accomplish that in our time as politicians.

Don Day will be remembered as a strong advocate for his adopted area of the North Coast. Some might say that he mellowed over the years, as many of us do. But he still had a bite. If I was getting too many headlines in the paper, Don would write a letter to the editor to bring me back down and let me know that he was still around. Every time he did that my staff would say, "Are you going to reply?" I would say, "No, you don't reply to legends. There is no value in bashing up legends." On behalf of the constituents of the Clarence and Ian Causley, who had a great deal of respect for Don Day, and as the member for Clarence, I offer my condolences to the family and my total respect to Don. At the end of my political career if I am half the man that Don was, I will have served my community well.

Mr RICHARD AMERY (Mount Druitt) [10.31 a.m.]: It gives me great pleasure to speak on this condolence motion, following the Minister for Primary Industries and the member for Clarence. The Minister for Primary Industries continues Don Day's portfolio representation, as did I. Don Day was very much a Labor trailblazer in this area. It is with pleasure I say a few words in the presence of Don's family and put on the record the history of a Minister and a member of Parliament. Unfortunately, we do not get to do that often, particularly

for those who have had a very long retirement, as Don did. I believe that only John Aquilina, the member for Riverstone, who will also speak to this motion, and I were in this Chamber when Don Day was a member and a Minister.

Don was a great Labor man who did much to ensure the success of the Labor Party during the 1970s and early 1980s. A great deal has been said about the election of the Wran Government in that period. Many Ministers who were part of Wran's team are sometimes forgotten in the pages of history, such as Don Day, Peter Cox, who dealt with transport in Sydney, and Lin Gordon, who represented country issues. I was elected only five months before Don Day retired. Whilst I did not have a long association with him, I was here long enough to see him in this Chamber and to enjoy a few meals with him in the Members Dining Room, where Don would often dine with a group of people, including Lin Gordon, Ned Wade, Pat Flaherty and Mick Clough. Some members may not know that in those days the Members Dining Room was located in the function room on the right-hand side off the hallway, not the left as it is today. It was an old building when Don Day was elected.

When I became the Minister for Agriculture, I soon found out that Don Day's history in that portfolio was still prominent. Many farmers, especially dairy farmers and canegrowers on the North Coast, spoke very highly of him. I met him on a few occasions during my time as Minister. It was generally at events and functions, and we did not have time to have any deep and meaningful conversations. However, I was encouraged by his kind words and his support of me in my role in the portfolio for which he was once a great Labor trailblazer.

Recently I spoke on the condolence motion for Adrian Cruickshank, a former National Party member for Murrumbidgee. I highlighted that Adrian Cruickshank had won a seat from the Labor Party that we had held for some 30 years. Not only did he win it, he resisted all our attempts to win it back from him over many years. We still have not got it back, but we are working on it. The story of Don Day could start the same way—that is, his story or his path into this place. When Don won the seat of Casino, it was the reverse of the Murrumbidgee electorate win by the National Party. Before Don won Casino, the seat had never known a Labor member. I believe in his maiden speech Don mentioned that in the time of single-member electorates it had never known a Labor member. It must have had some other history in the multi-member days of the 1920s.

The Country Party won the seat in 1930. To get an idea of how strong that seat was for the Country Party, that election gave Labor a landslide win across the State and it was the start of the second term of Jack Lang as Premier. The Country Party held the seat until it was abolished in 1968 under one of the many redistributions conducted by then Premier Bob Askin. Following one of those many redistributions, the seat was recreated. Although this meant that there was no sitting member for Don Day to challenge, it was calculated that at the various polling booths Don would need a swing of more than 15 per cent to take the seat. Members should bear in mind that it was a general election, not a by-election. At the 1971 election Don Day secured a 17.6 per cent swing, giving him a majority of less than 1,000.

Polling experts such as Malcolm Mackerras and Anthony Green should undertake research on whether this is the most significant result ever. In the recent by-election there was a 25 per cent swing and in a previous by-election there was a 23 per cent swing. I came into this House when there were two-digit swings against the Labor Party. But they were by-elections. My point is that Don was contesting a general election. It should also be taken into account that Labor had never represented this seat and following this general election Don's opponents, the Liberal-Country Party Coalition under Bob Askin, retained government. I emphasise that it was not a general election when the government of the day was defeated. It was a general election when the government of the day retained government, and Don Day picked up a 17.6 per cent swing. I have yet to see a result as significant as that. We would have to go to the history books to check whether that result has been bettered.

Of course, Askin and the Country Party did not take kindly to this loss. The first reaction was for Askin to do what he always did: he had another redistribution. The redistribution in Casino took 1.5 per cent off Don Day, making the seat 1.5 per cent safer for the Country Party. The Country Party also took advantage of the rivalry between parts of the electorate. The member for Lismore may be able to talk about this point. Don Day in his maiden speech mentioned the rivalry between two towns—I think it is Lismore and Casino—in the electorate. The Country Party picked up on this and, rather than selecting one candidate for the electorate, it selected two candidates with an exchange of preferences. Electors in the north could vote for one Country Party candidate and electors in the south could vote for another. Although the Country Party put in its best efforts, I am pleased to report to the House, as we already know, that Don Day again was successful—although his margin was cut to about 1 per cent. In 1976 Don had another win, and he remained undefeated until his retirement in 1984. I add that the Wran Labor Government was elected in 1976.

When it comes to Don Day's ministerial responsibilities, one could talk at length about his many achievements. The one I would like to concentrate on is the dairy industry and the regulations and zones that were part of it until recent years. During my time as Minister for Agriculture dairy deregulation, the farm gate price and milk quotas were big issues. Driving that deregulation was competition policy requirements stemming from the Hilmer report. The size and power of the Victorian dairy industry, which controls approximately 64 per cent of the nation's dairy industry, was also a main component in driving deregulation when I was Minister. Don Day, however, was a Minister for Agriculture and Primary Industries before all these pressures were put on the State Government and the dairy industry. There was no requirement to comply with competition policy. There was no successful push from Victoria to crack into our market.

For Don Day it was not about national policies and trends, ideology or regulation versus deregulation, which we debate from time to time in this House. It was not about complying with competition policy or avoiding funding penalties from the national Government. For Don Day it was about justice and equity for dairy farmers whose industry was affected because they just happened to live in certain regions of the State, which meant that they did not have equal access to markets. I believe that more good comes out of a regulated industry than bad; however, there were some regulations that were not so positive. It is in this area that Don Day deserves his place in agricultural or rural political history.

In the 1970s, dairy farmers were to be found all over the State, mainly in the Sydney Basin and on the South Coast, the North Coast and the Illawarra—in fact, anywhere where there was a reliable source of water and green pastures. But depending on where you farmed, or what milk zone you lived in, access to our main consumer market was not available to all. In effect, regional farmers were denied access to the lucrative Sydney market. One of the many achievements that Don Day can take credit for was to allow access to the Sydney market by processors such as Norco on the North Coast and Bega in the south. The economic turnaround is clearly set out in the book by another former Minister for Agriculture, which already has been mentioned. It appears to be getting more of a run than a more recent book about State politics. Jack Hallam should see his publishers about getting a reprint after today's mentions. I refer to that great book about Labor in rural New South Wales, *The Untold Story*. Any reader of rural history or of the history of the dairy industry should consider the economic benefits of that Labor Government policy—that Don Day policy—to the dairy industry.

Some 120 million litres of quota milk were redistributed to milk producers outside the Milk Board zone. The impact of that decision by Don Day was dramatic. For example, in the financial year 1975-76, before the election of the Labor Government and before Don Day became Minister, the 550 dairy farmers in the Casino, Lismore, Murwillumbah and Raleigh districts, all supplying the Norco Co-op, received \$3.4 million. By 1980-81 that figure had grown to \$14.5 million. In the south of the State, 180 suppliers to the Bega Co-op received just \$916,000 in 1975-76. Yet by 1980-81, four or five years after the election of the Wran Government and Don Day's appointment as Minister, under the Day reforms this grew to \$6.6 million in quota milk money going to that region. In Finley, where dairy farmers supplied the Murray Goulburn Co-op, the figure grew from \$530,000 in 1975-76 to \$4.6 million in 1980-81. Don Day, as Minister Whan has already said, was all about decentralisation, yet I would argue that his dairy reforms shifted more wealth to the regions than any other decentralisation policy could ever hope to achieve. He will be forever remembered for that in this Parliament and in the history of that industry.

My deepest sympathies go to all who knew and worked with Don Day and especially to his family—many of whom are here today—his wife, Marie, and the children Jennifer Thomas, Bill Day and Suzanne Shultz. The loss of Don will also be hard felt by the grandchildren: Adam Shultz, Nicholas Shultz, Anna Shultz, Shane Donald Day—obviously Don's name has been carried on—Benjamin Thomas, Bart Thomas and Clare Thomas. Everyone has spoken of how proud Don was of his family and I also heard that said in the few months that I knew him. I understand that his grandson Bart had his birth announced in this very Parliament in 1974. That must have happened during a parliamentary sitting and Don found some way of getting it into the record. I join with all members in recognising an incredibly decent man and a very effective member of Parliament for the North Coast of New South Wales.

I must say that I am impressed by what I have heard in this condolence motion about a Labor man who represented the North Coast and who took on the Country Party very vigorously, and by the kind words of the member for Clarence. I refer also to the comments of Ian Causley, a former opponent, I suppose, of Don's politics. I would like to close my contribution with Don Day's own words, which have been published in the book so often referred to today. The quote probably explains one of the reasons that Don Day brought his political career to an end. He was not happy about the national parks policies and environmental policies that were being introduced under the Wran Government.

Let us bear in mind that these were early days, and sometimes the declaration of a national park had dramatic economic impacts on an area. They were not set up and managed in the way they are now. Don Day fought as a local member against particular policies. I remember my predecessor, Tony Johnson, being very supportive of what Don Day was doing. Don Day was worried about the economic impact on the country people he represented. I will read a short paragraph of Don Day's words from the book I have mentioned:

Some city people look upon country people as all those bludgers who get all those subsidies. Particularly I knew the dairy farmers who had never been well-off enough for a holiday. The majority of people in an electorate like Casino are ordinary toilers. They work on the farms; they are cane cutters; they are tractor contractors' employees; they work for the butcher, the baker, the candlestick maker; they work in the meatworks; they work in the saw-mill.

That is the sort of representation Don Day brought to this place and probably policy changes from a government that affected the types of people he talked about were one of the reasons he called it quits in 1984. I could be wrong, but I think it was one of the reasons. With those comments, I congratulate Don Day on his sterling political career and extend my condolences to all concerned, especially his family who are here today.

Mr THOMAS GEORGE (Lismore) [10.46 a.m.]: I rise to speak on this condolence motion for the late Hon. Don Day. I extend my condolences especially to Mrs Marie Day, who sadly is not here today, and to the grandchildren who are here. I know that they will pass on our sympathy to Mrs Day and to Jennifer, Bill and Suzanne and their families. There are only two or three members here who were also in this place when Don Day was in Parliament, but being a lifelong resident of Casino I have vivid memories of my association with the late Don Day through business and in other ways. As other members have said, he was elected to State Parliament in 1971 well and truly against the odds. I well remember that election for the seat of Casino, which later became Clarence. I have pleasure in supporting the member for Clarence and other members here today in recognising the efforts of Don Day.

The previous speaker, the member for Mount Druitt, mentioned that there were two candidates for the seat of Casino, and I well remember going to preselection meetings at the time. It was a hotly contested area. Casino and Maclean are only 70 or 80 kilometres apart but the party in those days could not agree to have one candidate. They felt they were such different communities that they had to run two candidates for the party to tie up the vote in both areas. The previous speaker referred to that, and there was an enormous difference between those areas at that time. We are talking about 1971, which is not that long ago. The lower river area had mainly sugar industry people and the Casino end of the electorate was mainly dairy farming, hence the need for two candidates.

The dairy industry has been talked about a lot today and it is probably the area in which Don Day is remembered most. As the member for Mt Druitt mentioned, the dairy industry changed because a quota was allocated to the dairy farmers in the Norco district and the Dairy Industry Authority set the guidelines. The dairy farmers were then faced with upgrading their dairies, which was no mean feat. At the time I was a stock and station agent and was well and truly confronted by dairy farmers who wanted to upgrade their dairies. They had to install vats and upgrade their dairy facilities so that they could achieve a certain standard of quality control and be able to enter the Sydney market. I can say without fear of contradiction that many dairy farmers ended up with better dairies than houses because the cost of improving their dairies was equal to the cost of a house. But that is what they had to do to take on the quotas. It certainly changed the dairy industry on the North Coast and in other parts of the State.

I also had an association with the late Don Day through the beef cattle industry. He had a Brahman stud—I do not know whether his grandchildren are old enough to remember their grandfather having Brahman cattle. It was through that industry and through an association with the late Earle Bulmer, who had the Mountana Brahman stud, that I first met Don Day. Earle Bulmer and Don Day were great friends. Sadly, the last time I saw Don Day was in the rehabilitation unit at St Vincent's hospital. Earle Bulmer and I were in Lismore so we made the effort to go and see him. I probably have not talked to many people about this—and I cannot repeat in the House the language he used—but I put on record now that he let me know in no uncertain terms that he should not have had to come all the way from Maclean to a hospital in Lismore for rehabilitation services. I remember him sitting in the chair and saying, "What's wrong with this Government?" When we left him, Earle Bulmer said, "He must be crook because I have never heard him speak like that before." I had no doubts about what Don meant and how he felt. He wanted to know why he was in the rehabilitation unit at St Vincent's when he lived at Maclean.

I had a strong association with Don during his time as Minister for Agriculture. The member for Mount Druitt will know what our association was all about—cattle ticks. I am sorry the member for Mount

Druitt did not remember to mention that issue because in the days when Don was the Minister for Agriculture, and Primary Industries, we still had buffer zones and the tick quarantine area was well and truly in operation. There were many meetings with Don about cattle tick control in his area. He was also Minister for Decentralisation. In those days it was always good when Labor Ministers came to open a show because they would leave you with a cheque. I do not see that happening much today, but Don would always get invited to open the local shows and would always leave the show society with a cheque. God help those Ministers who did not leave a cheque because they certainly knew about it for the next 12 months!

I was also associated with Don through the Hon. Jack Hallam. Jack is now one of my constituents at Uki, where he enjoys a very relaxed life. What issue did I first discuss with Jack Hallam? Cattle ticks. He was the next Minister for Primary Industries and he asked me where I came from. When I told him he asked whether I knew Don Day. We had a long association through that portfolio. Another legacy of Don Day that I would like to place on record—and I am sure the member for Clarence hears about it on many occasions—is that he was instrumental in having a new hospital built at Casino. Thank goodness we have that hospital, because the way the North Coast Area Health Service has been operating in the past few years if it were not for the Casino hospital I am sure the member for Clarence would have suffered a lot of headaches over local health issues.

I place on record those few thoughts about the late Don Day. If Don is listening I want to reassure him that we on this side of the House are not very happy with what is happening with national parks today—some 25 years later. So things have not changed. If Don were here he would say that he would not have been able to achieve in life without the support of his wife, Marie. I pay tribute to Marie and to his children, Jennifer, Bill and Suzanne, because each and every one of us in this place knows that unless our family supports our work in Parliament it is very difficult. I am sure that I speak for the constituents of the Lismore electorate when I ask Don's grandchildren to pass on our condolences to the family. On a personal note, I extend my sympathy and prayers to the family, and especially to Marie, as I pay tribute to the late Don Day.

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [10.55 a.m.]: I join the honourable Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs, the member for Clarence, the member for Mount Druitt and the member for Lismore in extending my condolences to the family of the Hon. Don Day and expressing to them my sympathy in their loss. I particularly mention Don's wife of 60 years, Marie, his children, Jenny, Bill and Suzanne, and also a number of grandchildren who are here today.

My colleagues have mentioned already the extensive legacy that Don Day has left all of us. I cannot speak with the same authority as can a number of them, such as the Minister for Primary Industries and the member for Mount Druitt, who was himself a Minister for Primary Industries in times gone by. My past portfolios were not rural portfolios, although on two occasions I was the Minister for Water and Lands and I had responsibility for the Water Resources Commission at one stage and State Forests at another. I place on record the outstanding character of Don Day and the tremendous champion he was for the people he represented.

My colleagues mentioned the great swing that saw Don Day elected in 1971. As the member for Casino said, there was a 17.6 per cent swing, which in those days was unheard of anywhere, let alone in a rural setting where traditionally you just do not get swings of anywhere near that size. For someone to achieve a 17.6 per cent swing was totally unfathomable. On that occasion he won against Charles Yabsley. It is an indication that he was a man of outstanding character and had outstanding support.

My colleagues have also mentioned how Don Day stood up for rural industries. He particularly safeguarded and fought very hard for the sugar, milk and timber industries. His major thrust in politics, and this dates back to his inaugural speech, was support for decentralisation. His opening remarks in his inaugural address in this place on 11 August 1971 were about decentralisation. I will quote briefly some of those remarks. He said:

In directing my remarks to His Excellency's Speech, I congratulate the honourable member for Wakehurst who moved the motion for the adoption of the Address in Reply, and the honourable member for Sturt, who seconded his colleague's motion. I wish I could share their confidence and that of His Excellency that, even with divine guidance, the labours of this Government would be so directed as to advance the best interests of all sections of the community.

Certainly our experience of the past six years would give the country people of New South Wales very little confidence that this Government can extend its myopic vision beyond the sprawling metropolis of Sydney, bounded by Newcastle, Penrith and Wollongong.

The Minister for Primary Industries referred earlier to that issue—a recurrent theme of all parties, irrespective of what side of the House they are on at the time. Don Day also said:

I am honoured indeed to speak to this House as the first Labor representative of the electorate of Casino since single representation electorates were introduced in 1927.

He went on to state:

I am proud to represent a party which, when in government in New South Wales, pioneered the cause of decentralisation by being the first government in this nation to recognise that something constructive had to be done and money had to be voted for the decentralisation of secondary industry, if we were not rapidly to become a continent largely devoid of population except for a handful of cities, where the people of this country had to live, one on top of the other, in a hopelessly polluted society, and if they were to find employment suitable to their talents and reasonable amenities such as fully equipped hospitals, specialist medical services, theatres, tertiary education institutions and a real future for their children.

His claims were very plain: he was a great advocate for decentralisation, for regional and rural New South Wales, and for safeguarding rural jobs. As has already been highlighted on a number of occasions, he did that emphatically in relation to major rural industries such as the sugar industry. We have already heard that CSR was going to scrap three of the mills that it owned in the Northern Rivers region. Don is quoted as having said, "If you are going to scrap the mills we will give you scrap for them", which demonstrated his strength of character. He led a dogged and determined fight that made CSR—a major company as it was in those days and as it is today—back down from its threat. As a result, the sugar industry continued its operations. In 1978 CSR finally agreed to sell the loss-making mills to the growers and the NSW Sugar Growers Cooperative was formed.

Earlier we heard about Don's great fight on behalf of the dairy industry in which he worked hard to abolish bulk milk quotas, which up until that stage had kept the Northern Rivers region out of the lucrative Sydney milk market. Don was able to provide continuity and support for dairy farmers in his area. He fought also for timber workers and for the timber industry—an issue to which I will refer later. These are the positive issues for which Don Day is well known. However, I would like now to deal with a personal aspect. When I was elected as a young member of Parliament in 1981, Don Day had already been a member of this Parliament for 10 years. Don Day was a formidable Minister, a person of great stature and who, even at that time, was a legend in his own right.

Picture the scenario at that time: there were many notable people and people of great substance in the Labor Government, any one of whom could have been Premier. Some of those members included the Hon. Pat Hills, a very close friend of the Hon. Don Day, and about whom I will have more to say in a moment. Other members included Ron Mulock, Peter Cox, Lin Gordon, Eric Bedford and Kevin Stewart—Labor Party members who in the history of New South Wales politics and in the history of this Parliament were men of great substance. In those days, when young members of Parliament were elected, they did not expect to be given a ministerial seat straightaway. They were expected to serve an apprenticeship as a backbencher, to learn the ropes for at least one term of Parliament before rising to the ranks of a Minister.

People like Don Day and the others to whom I have referred were treated with a great deal of respect. If newly appointed members happened to be walking down the corridor after their election and a Minister happened to look their way and to smile at them, their day was made. They really felt as though someone had taken notice of them. Don Day was that sort of person. Between 1981 and 1984, as a young, ambitious and eager member of Parliament, I well remember Don Day stopping on many occasions in the corridor to say hello or to speak to me. When we gathered for dinner in the evening—in the days when we had late night sessions and gathering together for dinner was a frequent occasion—and somebody like Don Day sat next to me and talked to me I felt as though I was making some kind of an impact, in particular, when I was given some heartfelt advice, as occurred on many occasions, by Don Day and by the other Ministers to whom I have referred.

Sometimes I was invited to visit their rooms to talk to them about certain matters and they would give me a bit of kind advice. Don Day certainly did that. Sometimes he would lead new members in the right direction if it were felt that they had said or done something that was not expected of them. Don Day did that in a thoughtful and kindly way. I express my thanks publicly for those occasions on which he assisted me. It is well known that Don Day had a colourful turn of phrase. As has been indicated, he was a tough man to have in opposition. His son, Bill, said of him, "Dad had as many fights within the Labor Party as outside, but if you had him on your side you had him 150 per cent." I can vouch for that. I can also vouch for the discussions Minister Don Day and I had around the dinner table between 1981 and 1984.

Don Day did not say very much in caucus because usually he was bound by Cabinet confidentiality. However, we knew of his views and we knew how hard he fought to maintain views. Despite the fact that he was humane and a man of great character, he also had a great deal of responsibility. His close friendship with the Hon. Pat Hills was common knowledge. In later years the Hon. Don Day said that, despite his friendship with Pat Hills, when Neville Wran stood for the leadership of the party prior to the election in 1976, he switched his vote from Pat Hills to Neville Wran. It is a matter of record that, in those days, when Neville Wran was a member of the upper House, he sat next to Don Day when the crucial vote was being taken.

The Hon. Don Day did that despite his close friendship with the Hon. Pat Hills, as he came to realise that there was a better chance of the party winning government under the leadership of Neville Wran. From time to time many of us have had to make decisions in the interests of the party and in the broader interest. Sometimes we have to sacrifice our friendship to an individual or to individuals for the better good, or for the wider or common good. It was an indication of Don Day's toughness, his strength and his depth of character that he was able to do that. History tells the story from then on.

Ironically, the person for whom he voted as his leader and the person who subsequently became Premier, was someone with whom he had many difficult times in the establishment of national parks and the threats that that posed to rural industries, in particular, the timber industry. In his final term in Parliament, Don Day's strong stand on behalf of rural workers and on behalf of the timber industry in opposition to the establishment of conservation movements and national parks became a notable feature.

Don Day was a firebrand but, as I said, he was also a very humane and kind man with a genuine character. One aspect that has not been referred to is his love for animals. I recall sitting around the dinner table on many occasions when he talked about his beloved parrot collection and how he used to enjoy going home to feed them and look after them. Notably, when he retired from Parliament he returned to Maclean, the place he had served as a member of Parliament, and once again pursued his interests as a farmer looking after the land and the interests he had cultivated and loved during his time as a member of Parliament.

This place is the lesser for the passing of the Hon. Don Day, but he has left behind a great legacy to the Parliament, to New South Wales, to rural New South Wales and to the Labor Party, which, in many ways, was his great love from the beginning. Because of his experiences whilst growing up during the Depression he said that the Labor Party was the party to always help the common man, but one in which he did not hesitate to be outspoken and in which he made enemies as well as friends because of the strength of his character and his strong opinions on many things. He was not afraid to differ with colleagues within the Labor Party as much as he differed with colleagues outside it. He was a strong advocate in this place where I stand now.

To all of his family, his friends, his community and his friends within the Labor Party and outside it, to all those who were as privileged as I was to have known the Hon. Don Day, I extend my sympathy and condolences. We are sorry to have lost him, but we are much richer for the legacy he has left us.

Mr DONALD PAGE (Ballina) [11.12 a.m.]: Even though Don Day retired from this Chamber four years before I was elected to it, I join with other members in supporting this condolence motion as the member for Ballina and also as the shadow Minister for the North Coast because Don Day made a significant contribution to the North Coast of New South Wales. I offer my condolences to the family of the Hon. Don Day, former member for Casino, and later Clarence, and one of the great characters of the Labor Party and the New South Wales Parliament from 1971 to 1984. To his wife, Marie, and his children, Jenny, Bill and Sue, and, indeed, all members of his family, some of whom are present in the gallery today, please accept my sympathy on the passing of Don Day.

Don Day was a well-known identity on the far North Coast and was regarded for his passion for the region, particularly for its rural industries. Don Day was a returned serviceman, joining the Army at 17 and then transferring to the Royal Australian Air Force to become a Catalina pilot during World War II. When Don returned to the North Coast with his wife, Marie, by his side he became the proprietor of Maclean Motors, a Ford dealership in Maclean. In his spare time he was occupied with raising his three children as well as maintaining interests in dairy farming and the sugar industry. He also operated a small Brahman stud.

Don ran for the seat of Casino in 1971, wresting it from the Country Party, as we have heard, with a 17.6 per cent swing. One of the Country Party candidates at that election was Charles Yabsley, whom I knew well. In fact, he seconded my endorsement when I first sought preselection for the National Party. Charles Yabsley was an honourable and good man, and was very popular. For Don Day to beat Charles Yabsley was

quite an achievement. Don held the seat until 1984, at one time having 60 per cent of the primary vote in the Maclean area. During his time in Parliament Don held numerous portfolios, including Agriculture, Primary Industries, Decentralisation and Industrial Development.

Don Day will be remembered for many achievements, many of which have been outlined by previous speakers in this condolence motion. One achievement was his commitment to the New South Wales sugar industry. He has been credited with saving the local industry when, in the late 1970s, CSR announced that it wanted to close the mills at Harwood, Broadwater and Condong. Don Day fought for their survival, a move that led to the formation of the NSW Sugar Milling Co-operative. Don Day also was a champion of the dairy industry in northern New South Wales. As the Minister for Agriculture in the Wran Government, he abolished the bulk milk quotas as a way of, to use his words, "elevating the dignity and prosperity of the family farm."

We heard in detail from the Minister and the member for Mount Druitt about Don's contribution to the dairy industry. His son, Bill Day, who, ironically, later ran for the seat of Clarence as a Liberal candidate, says his father also fought hard for the timber industry, campaigning against the establishment of national parks at Washpool and Terania Creek near the Channon. Don Day loved his community and was passionate about the North Coast of New South Wales. He will be remembered as a politician who spoke his mind and supported rural industries and the towns and people who depended on them.

As the shadow Minister for the North Coast, I wanted to recognise his achievements, particularly those relating to the North Coast of New South Wales. On a lighter note, even 26 years after he left this Chamber I am introduced sometimes as Don Day, not Don Page. Of course, I take this as a compliment. Don Day was a good State member of Parliament who always tried to act in the best interests of the people he represented. His family should be very proud of him. He served our nation in wartime and in peacetime, and he was highly respected on the North Coast and across the State. Again, I offer my condolences to his wife, Marie, his children, Jenny, Bill and Sue, and the whole family.

ACTING-SPEAKER (Mr Thomas George): I thank all members who have taken part in this condolence motion this morning. I trust that Don's family has been moved by those comments. They should know that every member of this House joins with me this morning in passing on our condolences to Don's family.

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

SUPERANNUATION LEGISLATION AMENDMENT BILL 2010

Agreement in Principle

Debate resumed from 11 June 2010.

Mr GERARD MARTIN (Bathurst) [11.18 a.m.]: I support the Superannuation Legislation Amendment Bill 2010. This bill provides for miscellaneous amendments to the New South Wales public sector employees defined benefits superannuation scheme, which is closed to new members. The purpose of the bill is to amend the Police Regulation (Superannuation) Act 1906, the State Authorities Superannuation Act 1987, the State Authorities Non-contributory Superannuation Act 1987 and the Superannuation Act 1916. I begin with the amendments applying to all the closed New South Wales public sector schemes: the Police Superannuation Scheme, the State Authorities Superannuation Scheme, the State Authorities Non-contributory Superannuation Scheme and the State Superannuation Scheme.

This amending legislation was requested by the trustee of the schemes, the SAS Trustee Corporation, to address the Commonwealth's tax on superannuation funds applicable to members who had not supplied their tax file number. The Commonwealth does not impose the tax on an individual member of a superannuation scheme. The additional tax at the rate of 31.5 per cent is borne by the superannuation fund. The additional tax is levied only on employer contributions, including salary sacrifice contributions, made on behalf of the relevant member. That additional tax is applied on top of the usual 15 per cent that is imposed on those contributions.

While it is relatively straightforward for accumulation funds to deduct the additional tax from the accounts of members who have not supplied their tax file numbers, it is more complex for defined benefits schemes, such as the closed New South Wales schemes in question. The trustee, the SAS Trustee Corporation,

advises that approximately 700 members have not provided their tax file numbers. In the State Authorities Superannuation Scheme, approximately 370 members are affected; in the State Superannuation Scheme, approximately 160 are affected; and in the Police Superannuation Scheme 110 members are affected.

The SAS Trustee Corporation advises that the Commonwealth levied approximately \$2.3 million as an additional tax on the fund in the 2007-08 financial year in relation to members who had not provided their tax file numbers. Overall, the State Authorities Superannuation Scheme has 47,000 active members, the State Superannuation Scheme has 20,000 active members, and the Police Superannuation Scheme has 2,200 active members. The proposed amendments have been developed in consultation with the trustees, the SAS Trustee Corporation. Consistent with the treatment of other taxes, the additional tax liability will be recovered by reducing the benefits of the relevant members.

While this measure allows the SAS Trustee Corporation to better manage the tax, the major aim of the proposal is to provide an incentive to encourage members to submit their tax file numbers. I am sure the bill will have that effect. We are permitted by the Commonwealth to mitigate the effect of the Commonwealth's tax on benefits. For those reasons, I commend the bill to the House.

Mr MIKE BAIRD (Manly) [11.22 a.m.]: I acknowledge at the outset that, in its context, the Superannuation Legislation Amendment Bill 2010 has some sensible provisions that the Opposition will support. However, I will make a couple of points in relation to unfunded superannuation schemes and the Government's treatment of that problem. The object of the bill is to amend legislation governing certain closed public sector defined benefits superannuation schemes to address Commonwealth tax changes and meet machinery provisions relating to benefits, and to amend the State Authorities Superannuation Act 1987 to facilitate death and disability award arrangements for New South Wales ambulance officers.

The Opposition acknowledges that this amending legislation is necessary for modernisation of the legislation and accordingly supports the bill, which will bring New South Wales into line with Commonwealth superannuation laws and employment arrangements. However, I note that the New South Wales Government has consistently ignored its unfunded superannuation liability. In fact it has gone well beyond ignoring it: I would argue, and have argued for a few years, that it has been manipulating its liability and accordingly has been underfunding superannuation liabilities. That has led to a position that was revealed recently in the State budget of the Government having to sell assets to begin meeting its obligations.

The amount of that liability at the end of January was \$29.4 billion. Admittedly that liability was reduced somewhat in the most recent budget, but it is a significant liability that must be meaningfully addressed. I argue that if the New South Wales Labor Government had followed the lead set by the former Federal Treasurer, Peter Costello, when the liability was first detected as a significant problem for public finances and had established a Futures Fund, it would have been able to begin making contributions towards this liability instead of having to sell State assets, such as NSW Lotteries, to address that liability. The scenario is a classic case of Labor failing to plan for the future and leaving problems to increase, with the result that we will all have to pay for it.

Well over 100,000 public sector employees are covered by defined benefit superannuation schemes. The last major defined benefit superannuation scheme in the New South Wales public service closed in the early nineties. The schemes affected by the bill include the Police Superannuation Scheme, the State Authorities Superannuation Non-contributory Superannuation Scheme, the State Authorities Superannuation Scheme and the State Superannuation Scheme. We understand the trustee, the SAS Trustee Corporation, requested this amending legislation to address the tax levied by the Commonwealth on superannuation funds in relation to members who have not provided their tax file number.

The Commonwealth will levy the tax on the superannuation fund rather than the individual member at 31.5 per cent, and that rate is on top of the usual 15 per cent levied by the Commonwealth on superannuation contributions. While standard superannuation funds can deduct that additional tax from the accounts of their members, it is not so easy for defined benefit schemes. The amendments in the bill will overcome the difficulty and allow the SAS Trustee Corporation to deduct any additional tax from members' entitlements. The Opposition understands that the object of the amending bill is to encourage members to provide their tax file numbers to streamline administration and reduce the tax obligation on the broader fund and wider membership. The Opposition supports those provisions.

The bill also provides further amendments to the State Authorities Superannuation Scheme to offer choice to members when they move to private sector in employment in relation to payment or transfer of

benefits. Former members of the scheme requested that. Schedule 3 to the bill facilitates death and disability award arrangements that were negotiated recently for ambulance officers. The bill provides regulations to enable ambulance officers with an opportunity to opt out of their State Authorities Superannuation Scheme additional benefits cover to become fully covered by the award. Similar amendments have been passed for firefighters and police officers.

As I have stated already, the Opposition supports the machinery provisions of the bill because they make sense. However, I turn now to ongoing liability in the broader context of this amending bill. Whenever legislation is introduced that touches on the broader policy approach of the Government, it is appropriate for the Opposition to comment. As the shadow Minister, I am obliged to discuss the State Labor Government's track record of ignoring unfunded superannuation liability of public servants who are members of defined benefit superannuation schemes. For a number of years I have highlighted that unfunded superannuation is an ongoing problem. That was before the global financial crisis emerged.

As the global financial crisis increased its grip on our economy, the Government adopted the most up-to-date accounting standards applicable to the treatment and determination of total liability for unfunded superannuation payouts. As a result of the impact of the global financial crisis, the Government's liability blew out to approximately \$32.1 billion. The bill is a good reminder for every member of the House that every State budget must do two things: It must provide for improved current services, and it must mitigate long-term liabilities for which families in the State are responsible and which ultimately become an obligation of the State Government. The State Labor Government has ignored its responsibilities and its liabilities. It ignored long-term obligations when it brought down the mini-budget, which provided for no increased contributions despite the fact that the global financial crisis was bearing down upon us.

The lack of offsetting contributions was revealed by logical extension in the Government's recent actions. For many years the New South Wales Labor Government has been creative with its accounting for the express purpose of underestimating its liability. I have stated that regularly on the public record. The discount rate used in the 2007-08 budget was significantly higher than the rate used in other States. The New South Wales rate was 7.3 per cent, the Federal Government's rate was 6 per cent, Victoria's rate was 5.95 per cent, Tasmania's rate was 5.7 per cent, South Australia's rate was 5.9 per cent and the Australian Capital Territory's rate was 6 per cent. It is interesting to consider those rates in the context of the current debate on the mining super profits tax.

The Government used the long-term bond rate as the appropriate discount rate, yet the New South Wales rate was significantly higher. The significance of that is that the Government underestimated its unfunded superannuation obligation. I contend that the State Labor Government was not being honest and transparent with the people of New South Wales in relation to a significant liability of the State. The Government also changed the investment return assumption from 7 per cent to 7.7 per cent, which had the impact of depressing the overall liability figure by creating the assumption that more would be received from investments than was the case. In contrast to that, the Federal Government applied a lower figure. Furthermore, the State Government increased pensioner mortality rates even though we have an ageing population.

Those factors suggest to me that the State Labor Government has not made a serious commitment to meet its unfunded superannuation obligations. As a matter of fact, the true position is worse than that. By adopting those assumptions, the Government has been hiding from the people of New South Wales a significant liability that the full glare of the global financial crisis revealed to the whole community. We must pay something toward that liability of more than \$30 billion. What is the impact? It is important that everyone in New South Wales understands the impact. It may sound like financial engineering or simply statistics and numbers, but this sort of approach has a real impact for people across New South Wales. That was shown by the Government's approach to the proceeds from the sale of New South Wales Lotteries.

Years of pursuing this sort of approach with unfunded superannuation obligations has obviously left a hole in the State's finances. Clearly, if the State is unable to meet those unfunded obligations it has a commitment to provide funds from the State budget. However, the Treasurer announced in the budget that the Keneally Government has decided to invest \$510 million of the \$850 million received from the sale of New South Wales Lotteries into the State's unfunded superannuation liability. That is an admission of guilt. The Government has admitted that the unfunded superannuation obligations have not been treated with the seriousness they deserve; they have been put aside and deferred for future generations to deal with. And the community of New South Wales has seen the costs of that today.

If a future fund had been set up all those years ago and if part of incoming surpluses—certainly, there was record revenue coming in during that period—had been put into that fund, the Government would be in a much better position. It would not have to put proceeds from the sale of New South Wales Lotteries towards this fund. If it had managed the unfunded superannuation liability appropriately on a yearly basis, rather than pushing it out, that \$510 million could have been invested in many worthwhile infrastructure projects across the State, whether they are roads, transport or health.

Every community across this State is entitled to say, "Why was that \$510 million not put into critical infrastructure that we deserve?" The answer is simple: At best, State Labor has ignored this long-term liability in unfunded superannuation. At worst, Labor has been manipulating assumptions to the point of saying that the liability is lower than it actually is. The full glare of the global financial crisis, together with adopting the most up-to-date accounting standards, has shown that the Government has no choice but to deal with its liability. So an opportunity has been lost to the people of New South Wales. The Government's lack of appropriate financial management means that \$510 million cannot be invested in local road requirements, hospital requirements or railway requirements.

In conclusion, I support the tenets of the bill, which bring the legislation up to date and in line with Commonwealth superannuation laws and employment arrangements. However, I note the difference between New South Wales Labor's approach and the Howard Government's approach to unfunded superannuation liabilities. I emphasise to members that it is important to deal with long-term liabilities in an appropriate manner. Every budget should be used as an opportunity to address long-term liabilities; if the Government does not do that, we saw what happened in the recent budget. The State Government has taken \$510 million that could have been invested in necessary infrastructure and put it into an unfunded liability existence it has denied during the whole time I have been in this place. We commend the bill, but we highlight that the State Labor Government has failed this State in the way it has dealt with unfunded superannuation liabilities generally.

Mr ALAN ASHTON (East Hills) [11.33 a.m.]: I will comment on the contribution of the shadow Treasurer shortly. First, in supporting the Superannuation Legislation Amendment Bill 2010, I will focus on a couple of aspects of it. I recognise that it is, in a sense, an attempt to bring some anomalies in superannuation legislation in line with Federal legislation. It is not just the result of changes under the Rudd Government but going back to the previous Howard-Costello regime. This bill also provides amendments related to the State Authorities Superannuation Scheme, commonly referred to as SASS, which was closed to new members in 1992. The first of these proposals applies to former members of SASS with deferred benefits in the scheme. Typically, these are benefits held in SASS when the member moves to private sector employment and must leave their benefits in SASS.

Often, part or all of these benefits are not immediately accessible under Commonwealth superannuation legislation. Currently deferred benefits must be paid out or transferred out of SASS when the former member reaches the retirement age of 58. The transfer is automatically to First State Super when the former member fails to nominate payment or transfer to another complying superannuation fund. Affected former members are unhappy with the current compulsory transfer. That is one reason the legislation has been introduced. Under the proposed amendments, they will no longer have to leave the fund with which they have a longstanding association. Former members will be able to elect to retain their deferred benefits in SASS past the age of 58.

The member for Manly gave us a history lesson. I recall the early 1990s when Nick Greiner, Bruce Baird and others sold off the banks and a lot of other public infrastructure. Suddenly, I was no longer able to go to the State Bank or have my insurance with GIO; my accounts were to be sent to Suncorp in Queensland or some other private organisation in Victoria, all at the whim of whomever the Government determined in a letter sent to me. Let us understand that some members—most of them are probably on this side of the House—still believe that governments have a role in insurance, owning ferries and the like. I note that the alternative Treasurer spoke about selling assets. The irony is that members opposite are on the record as not wanting to sell ferries and electricity. The Coalition will probably snatch defeat from the jaws of victory next March. It will be interesting to see what a Coalition government does with electricity—I mean no disrespect to the member for Baulkham Hills, because I know the significant and proper role he would play if he were still here in March—when the Opposition fought so hard not to sell electricity only 18 months previously.

I return to the bill but I will digress further, as is my wont. The changes reflect the discontent of former members at having to leave SASS. It also reflects the wider range of investment options that are now available because there are more players in the market. Let us understand that insurance in Australia has one big problem—it also relates to superannuation—that is, it is a very small player on the world stage. We found this

out years ago when we were trying to renegotiate payments for people who won compensation claims. Australia is only a small bit-part player on the world stage where money is moved around. Unfortunately, that also limits opportunities for people to invest their superannuation in other organisations. As I said, many of them want to remain loyal to a group they have been with for 30 or 40 years, especially if one has worked in a government instrumentality.

There are approximately 11,000 former members of SASS with deferred benefits in the scheme. The last amendment, involving SASS only, facilitates death and disability award arrangements for New South Wales ambulance officers. The award was negotiated to provide benefits for ambulance officers in the event of death and incapacity. I know that was supported on all sides of the House because it is a similar situation for police, fire brigade employees or anybody who dies or is incapacitated during their employment. The Ambulance Service of NSW Death and Disability (State) Award was made in February 2008 to provide benefits for ambulance officers in the event of death and incapacity. The award has transition arrangements for ambulance officer members of the SASS scheme to have additional benefits covered in the scheme.

Under the award transition arrangements, SASS members with additional benefit cover are entitled to their additional benefit from SASS plus a top-up amount to bring the total benefit up to the award benefit for death or total and permanent incapacity. The transition arrangements apply until these ambulance officers have an opportunity to elect to opt out of their additional benefit cover. The bill provides a regulation-making power to allow for such an election. SASS members are unable to revoke their additional benefit cover without the amendments. Obviously, that is why we have introduced the bill.

Ambulance officers who elect to opt for additional benefit cover will be fully covered for the award death and total and permanent incapacity benefits, as well as the award partial and permanent incapacity benefits. Ambulance officers who elect to remain with additional benefit cover will be entitled to the additional benefit death and total and permanent incapacity benefits from SASS, and the award partial and permanent incapacity benefits. About 870 ambulance officers are in SASS, with 535 having additional benefit cover.

The shadow Treasurer referred extensively to superannuation unfunded liabilities. This Government is prudent with its triple-A credit rating, which has never been threatened. The Government is maintaining that rating. It is not double-ABs or down to Cs. America was running at D-minus. I was interested to hear the shadow Treasurer refer to the global financial crisis—a term that the Opposition was not prepared to use because it says it did not happen. Why? It almost appears not to have happened because the Rudd Government saved the jobs of hundreds of thousands of Australians with various programs. If we listened to shock jocks, whinge-radio types and those who write in the local media—especially those who have jumped ship from the *Daily Telegraph* to the *Sydney Morning Herald* and vice versa—we would believe that there never was a crisis.

Mr Geoff Provost: Name them!

Mr ALAN ASHTON: I have named them previously.

Mr Geoff Provost: Do it again.

Mr ALAN ASHTON: Daryl Maguire, Jonathan O'Dea, and from now on I will call him Mr 125 per cent, the member for Tweed, and my good mate from Revesby.

Mr Daryl Maguire: Name the journos!

Mr ALAN ASHTON: I don't have to name the journos. They know who they are. I am not going to out those sorts of people, as it would be terribly unfair. Members of the Opposition know who they are because one of them was offered a job as media adviser to the Leader of The Nationals. Now that he is with the *Daily Telegraph* he may not have to take up that job. Opposition members do not believe this crisis occurred, yet the alternate Treasurer, the would-be Treasurer—and up until recently the would-be Premier—acknowledged that there was a global financial crisis. I noticed he looked rather glum yesterday when the Leader of the Opposition put on a very poor performance, I have to say. He was trying to be good Barry for six weeks—

Mr Daryl Maguire: Point of order: Opposition members have listened to the member for East Hills for quite some time and have interjected, but he is well and truly straying from the leave of the bill. I ask you to bring him back to the bill.

ACTING-SPEAKER (Mr Wayne Merton): Order! I have extended considerable latitude to the member for East Hills. I am absolutely certain that he is about to refer to the leave of the bill.

Mr ALAN ASHTON: To the point of order: Mr Acting-Speaker, you will note that when I was giving my erudite and wonderful speech I was the victim of interjections from the member for Wagga Wagga and the member for Tweed. I am entitled to reply to them. *Hansard* has a record of the interjections. While I take the point—and I do not disagree with the Chair—Opposition members take the risk if they interject on me.

ACTING-SPEAKER (Mr Wayne Merton): Order! The member for East Hills will return to the leave of the bill.

Mr ALAN ASHTON: I am also entitled to cover points raised by the shadow spokesman, as I am doing. He admitted that there was a global financial crisis, and the mantra being put out there by the Opposition is that there is no global financial crisis. There is always a degree of unfunded liabilities. I would like to have an opinion from the member for Manly, the alternate Treasurer, and from the erudite interjectors, including the member for Wagga Wagga, who is the leader of the pack today, on totally unfunded liability. That is unlike him because he is normally much more polite. One never puts all one's money into an unfunded superannuation liability because it will not necessarily be paid out when one reaches retirement age, which will prevent them from doing what they want. In today's newspaper an article said that a gentleman named Tony Abbott has a \$710,000 unfunded liability on his house that he did not declare in his pecuniary interests.

Mr Jonathan O'Dea: Point of order: Mr Acting-Speaker, the member for East Hills is flouting your ruling. He is straying from the leave of the bill.

ACTING-SPEAKER (Mr Wayne Merton): Order! Mr Abbott's mortgage is not relevant to this bill. I have extended a considerable degree of latitude to the member for East Hills. A man with his experience in this place understands that he must return to the leave of the bill. He will not talk about Mr Abbott, like many others.

Mr ALAN ASHTON: Yes, I guess they are. This bill is an attempt to bring into line something that this Government needed to do because of the Federal Government—it was started by the Howard-Costello Government and not by the Rudd-Gillard Government. The shadow Treasurer talked about the future fund. Superannuation is an increasing problem. I will end on the mining tax because it is in the news. People might pretend that it has nothing to do with New South Wales but we have coalmines in the Hunter Valley and other places and goldmines in other parts of New South Wales.

I was sad to see the big characters such as Clive Palmer—who looks as though he is from one of those Monty Python movies and keeps vomiting everywhere, so I will nominate him—say, "What do we want? No taxes"; "What do we want? No taxes now". It makes ordinary people realise that the Federal Government's mining tax will affect their superannuation. We will be able to go from 9 per cent to 12 per cent and maybe beyond, something that is critical for ordinary workers to understand. In the past it was 3 per cent until the Keating-Hawke governments increased it to 9 per cent.

As a country we need to save more and spend less. We need to recognise that when the baby boomers retire—including the member for Wagga Wagga and his cohorts, the member for Keira, the member for Macquarie Fields and me—we will face a massive problem paying out superannuation and other benefits if we are not more creative about people putting more money into superannuation schemes so that the money can be invested in productive enterprises in the country. Clearly, my speech has been well received and has impressed all, including members and guests in the rooms of Parliament House. My daughter is keenly watching, if she is not studying hard for university.

Mr JONATHAN O'DEA (Davidson) [11.46 a.m.]: We are currently debating the Superannuation Legislation Amendment Bill 2010. I appreciated the entertaining contribution of the member for East Hills, who is obviously rattled by the significant swing in the Penrith by-election on the weekend. While the Opposition does not oppose this bill, I will focus on a couple of aspects of it. Why was the bill not introduced earlier? Has the failure to introduce this bill earlier resulted in any financial exposure to either the fund or the New South Wales Government? I am not sure why ambulance officers were not covered in previous legislative changes covering police and firefighters. The delay in respect of the superannuation tax aspects is more potentially concerning as it may have resulted in a financial exposure to either the fund or the Government.

I understand that employer contributions, including salary sacrifice contributions made from 1 July 2007, have been taxed by the Commonwealth Government at an extra 31.5 per cent once those contributions

exceeded \$1,000 in an income year if the employee in question opened their superannuation account before 1 July 2007 and has not provided their fund with a tax file number. If someone has not provided their tax file number to the superannuation fund, the superannuation fund will pay extra tax of 31.5 per cent on top of the standard 15 per cent contributions tax. The superannuation fund is taxed rather than the individual. However, the superannuation fund generally will take the equivalent amount from the member's account. That tax has been imposed from 1 July 2008. I note in its current digest the Legislation Review Committee noted:

While it is relatively straightforward for accumulation funds to deduct the additional tax from accounts of members who have not supplied their tax file numbers, it is more complex for defined benefits schemes such as the closed New South Wales schemes in question.

The schemes in question include the Police Superannuation Scheme, the State Authorities Superannuation Scheme, the State Authorities Superannuation Non-contributory Scheme and the State Superannuation Scheme. The bill enables those schemes to reduce the benefits of relevant members in relation to superannuation obligations.

The apparent need for this bill suggests that the SAS Trustee Corporation has not been collecting or has had real difficulties in collecting the 31.5 per cent tax from 1 July 2008. As we approach the end of the 2009-10 financial year, some two years later, I ask the question of the Parliamentary Secretary: Why was this legislation not introduced earlier? I ask him to clarify the issue as to potential exposure for either the fund or the Government, and therefore the taxpayer, and also request that he state quite clearly when these amendments were first requested by the SAS Trustee Corporation. Certainly, I think, we deserve to know whether there is a financial exposure that has resulted from this possible hole in the law. In addition, it would also be appreciated if the Parliamentary Secretary would advise the House as to when the regulations for this bill will be completed, as they are required to give effect to the bill and may cause further problems with further delay.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [11.51 a.m.], in reply: I thank members for their support of the Superannuation Legislation Amendment Bill 2010. This bill introduces changes to the Police Regulation (Superannuation) Act 1906, the State Authorities Superannuation Act 1987, the State Authorities Superannuation Non-contributory Act 1987 and the Superannuation Act 1916. The amendments in the bill are in response to Commonwealth tax changes and requests from the trustee, the SAS Trustee Corporation. The bill also assists ambulance officers in New South Wales with their award death and disability arrangements.

The bill will allow the trustee, the SAS Trustee Corporation, to recoup the additional tax incurred for members who have not supplied their tax file numbers. The Commonwealth imposes this tax on the superannuation fund itself, not the member concerned. Without action, the liability from this tax is borne by the fund and consequently by all its members. The measures in the bill are expected to serve as an incentive for members to supply their tax file numbers to the SAS Trustee Corporation. Further amendments implement death and disability award arrangements for ambulance officers, which provide benefits in the event of their death or incapacity. The bill will facilitate ambulance officers, who are members of the State Authorities Superannuation Scheme, to opt out of their additional benefit cover from that scheme. If they elect to do so they will become fully covered by the newer award arrangements.

The final amendments will allow former members of the State Authorities Superannuation Scheme to retain their deferred benefits in the scheme when they reach the age of 58. The bill ceases the current compulsory transfer to First State Super by allowing former members to elect to keep their benefits in the State Authorities Superannuation Scheme and take advantage of the wider investment options now available in the scheme. Affected former members of the State Authorities Superannuation Scheme are expected to welcome the change, which will allow them to continue their longstanding association with the scheme. The bill was developed in consultation with the trustee, the SAS Trustee Corporation, and the Ambulance Service of 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.

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION AMENDMENT BILL 2010

Bill introduced on motion by Mr John Aquilina, on behalf of Mr Michael Daley.

Agreement in Principle

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [11.54 a.m.]: I move:

That this bill be now agreed to in principle.

The Parliamentary Contributory Superannuation Amendment Bill 2010 clarifies arrangements under the Parliamentary Contributory Superannuation Act 1971 for certain members of the Legislative Council and the treatment of a parliamentary pension when a beneficiary returns to the Parliament. Members would be aware that before amendments to the Parliamentary Contributory Superannuation Act 1971 can be passed in the Legislative Assembly, the Parliamentary Remuneration Tribunal must certify that the amendments are warranted. I am pleased to advise that, following assessment, such certification has been provided by the tribunal.

The bill corrects uncertainty arising from the Parliamentary Superannuation Legislation Amendment Act 2005, which closed the Parliamentary Contributory Superannuation Fund to members first elected at the 2007 general election. The fund was also closed at that time to former members re-elected after a break of more than three months from the Parliament. A member eligible to remain in the fund after the 2007 election is termed a continuing member under the Act. The bill firstly amends the definition of a "continuing member" to confirm that a member of the Legislative Council elected in 2003 may retain membership of the fund. This includes a person who filled a Legislative Council vacancy for a member elected in 2003. The person must, however, have been a member during the period of three months before polling day at the 2007 general election. The member also needs to serve the Parliament after that election without a break of more than three months to remain a continuing member of the fund.

The bill also clarifies the treatment of a parliamentary pension when a beneficiary returns to the Parliament. The bill ensures that the pension for a person who is not a continuing member is suspended when the person re-enters the Parliament. The pension then resumes once the latest period of parliamentary service ends. This would be the case, for example, if the person is a former member who re-enters the Parliament after a break of more than three months. The bill has been prepared with the assistance of the trustees and administrators of the Parliamentary Contributory Superannuation Fund. I thank them for their support. 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 later hour.

WORKERS COMPENSATION LEGISLATION AMENDMENT BILL 2010

Bill introduced on motion by Dr Andrew McDonald, on behalf of Mr Michael Daley.

Agreement in Principle

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [11.58 a.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the Workers Compensation Legislation Amendment Bill 2010. The bill contains measures that will improve dispute resolution processes at the Workers Compensation Commission and assist WorkCover to more efficiently administer the workers compensation system. I will first outline the provisions in the bill that will improve processes for dispute resolution at the commission. The Workers Compensation Commission provides an independent and impartial statutory tribunal for disputed workers compensation claims in New South Wales. The commission's non-adversarial processes are at the leading edge of dispute resolution in Australia. However, it is necessary to address a number of issues that could impact the ability of the commission to deliver prompt and effective dispute resolution services.

First, a presidential decision determined that the commission does not have jurisdiction to make determinations with regard to prospective medical treatment. This lack of jurisdiction has the potential to delay

treatment and cause hardship for workers. The bill includes an amendment to give the commission power to make determinations with regard to expenses for treatment not yet incurred. The bill also addresses recent case law, which has extended the grounds of appeals against the decisions of arbitrators and approved medical specialists. This has resulted in delays and increased costs without achieving any benefit to injured workers or employers. The bill includes an amendment to make it clear that an appeal against a decision of an arbitrator is not a full review of the arbitrator's decision and is limited to a determination as to whether the decision appealed against was affected by error. The bill also includes an amendment to make it clear that an appeal against a medical assessment by an approved medical specialist is limited to the ground on which the appeal is made and is not a review of any other aspect of the medical assessment.

The bill also clarifies the operation of provisions that enable certain matters in the Workers Compensation Commission to be reconsidered as an alternative to formal legal appeals or challenges. The reconsideration provisions as currently drafted have led to unintended outcomes, in particular the use of reconsideration powers to hear matters that have not satisfied any grounds of appeal. The bill will also increase the monetary threshold for appeals from \$5,000 to \$7,500, and make other changes to ensure that the appeal threshold remains current and appropriate to workers compensation disputes. In the last of the changes relevant to the operation of the commission, the bill provides for the appointment of one or more senior approved medical specialists to assist with the professional development, mentoring and appraisal of approved medical specialists. I will elaborate further on these changes before moving on to the amendments proposed by the bill to improve the operation of the workers compensation system.

Workers compensation legislation provides for the commission to approve the payment of expenses for reasonably necessary medical treatment. The intention of the legislation is to ensure that in the case of a dispute, the commission can order that insurers meet the costs of reasonably necessary medical or other treatment for workers. However, a presidential decision has determined that the commission has jurisdiction to make determinations for medical or other treatment only where the expense has already been incurred. This means that in instances where there is a dispute between the scheme agent or insurer and a worker with regard to whether treatment is reasonably necessary, workers are unable to have their dispute heard at the commission unless they first pay for the treatment themselves. Many injured workers do not have the financial capacity to pay for major treatment and wait for reimbursement from the insurer. The amendment will ensure that the commission has the power to make a decision about whether treatment requested, but not yet received, is reasonably necessary, medically appropriate and in the best interests of the injured worker. This will be achieved by ensuring that an approved medical specialist gives an opinion with regard to the treatment, and the opinion of the approved medical specialist is taken into account in the decision.

The Workers Compensation Commission is committed to providing a transparent and independent forum for the fair, timely and cost-effective resolution of workers compensation disputes in New South Wales. Processes used in the commission are designed to support its objective of providing a fair and cost-effective resolution service for disputed workers compensation claims. However, recent court decisions have impacted the way that appeal mechanisms in the commission operate. In *Sapina v Coles Myer Limited* [2009] NSWCA 71 the Court of Appeal extended the scope of appeal rights by determining that an appeal is to proceed by way of a full review of the arbitrator's decision, irrespective of the identification of any error by the arbitrator. The Sapina decision has the potential to lead to delays and increased costs in the commission, without achieving any benefit to workers in the system. To overcome this, the bill will restrict appeals under section 352 of the Workplace Injury Management and Workers Compensation Act 1998 to cases where there is "legal, factual or discretionary error". The amendment reverses the effects of the court's decision and reflects the original intent of the relevant appeal provisions.

Decisions by higher courts have also broadened the scope of appeals to the commission's Medical Appeal Panel and have the potential to undermine the registrar's role in determining whether grounds for appeal exist. The case of *Siddik v WorkCover Authority of NSW* [2008] NSWCA 116 decided that a medical appeal panel is not confined to considering the grounds of review under which the appeal was permitted to proceed or the grounds stated by the appealing party. It is proposed to amend section 328 of the 1998 Act to ensure that the issues considered by a medical appeal panel are limited only to those issues in the grounds of appeal. This amendment will also clarify that additional evidence will be admitted only when it was not available before the medical assessment and the evidence could not reasonably have been obtained before that medical assessment.

The bill will also clarify provisions that enable certain matters in the Workers Compensation Commission to be reconsidered as an alternative to formal legal appeals or challenges. Section 378 of the 1998 Act provides for reconsideration of an assessment made by the registrar, an approved medical specialist or a

medical appeal panel. The objective of section 378 is to lessen the need for formal appeal or review and to expedite resolution of matters by an approved medical specialist where relevant information was inadvertently overlooked or not passed on to the approved medical specialist by the registrar of the commission. The provision allows reconsideration for obvious error.

The bill also increases the monetary threshold for appeals from \$5,000 to \$7,500 and removes the current threshold requiring the amount being appealed to be more than 20 per cent of the amount awarded. The amendment also gives the commission discretion to hear appeals of an interlocutory nature and makes clear that appeals made within the required time frame that meet the monetary threshold of \$7,500 will automatically be referred by the registrar to a presidential member if procedural requirements are met. Increasing the threshold for appeals from \$5,000 to \$7,500 ensures that the threshold is the same as other thresholds for disputes at the commission; for example, the maximum amount for an interim payment direction for medical expenses is \$7,500.

Further, the bill contains a provision to index the threshold for appeal and the maximum amount for an interim payment direction for medical expenses, to ensure these thresholds continue to remain relative to the amount in dispute and the cost of medical treatment over time. To offset any loss of appeal right associated with the increase in the threshold, the bill will remove the requirement that the amount being appealed is at least 20 per cent of the amount in dispute. These worthy amendments to the appeal provisions at the commission will build upon the already streamlined appeal process and are consistent with its policy objectives of a speedy and efficient dispute resolution service that meets the needs of workers and employers.

The final measure aimed at improving the efficiency of the Workers Compensation Commission relates to the engagement of senior approved medical specialists by the president of the commission. These positions will come from the pool of existing approved medical specialists. Senior approved medical specialists will have additional responsibilities above their existing role as an approved medical specialist, including assisting with the professional development, mentoring and appraisal of approved medical specialists. These positions will play a key role in improving quality and consistency in decision-making by approved medical specialists. They will also assist in enhancing the interface between commission staff and approved medical specialists to improve the overall management and timeliness of dispute resolution in the commission.

I turn now to the other amendments in the bill that will benefit injured workers. Once a worker has settled a work injury damages claim, the worker is precluded from making any other claim with respect to that injury. This bill includes an amendment that will ensure that injured workers are not encouraged to settle a common law claim without knowing they had an entitlement to other statutory lump sum amounts. The amendment provides that injured workers who reach a threshold level of 15 per cent whole person impairment must have been paid their lump sum statutory entitlements before they are able to settle a work injury damages claim. This amendment protects workers by ensuring that they know about and are paid a statutory entitlement to a lump sum for which they are eligible and that any amount for work injury damages is paid separately. The amendment will promote transparency in the settlement of workers compensation and work injury damages claims between workers and scheme agents and insurers.

Importantly, the amendment does not prevent a work injury damages claim being made before the worker's statutory lump sum entitlement has been paid. Another amendment in the bill will ensure that injured workers will continue to be paid weekly benefits by scheme agents and insurers, pending an appeal. Where an arbitrator has determined that weekly benefits should be paid to a worker, a scheme manager or insurer can appeal that decision. In some instances the scheme agent or insurer has refused to pay the worker until the outcome of the appeal, in spite of the arbitrator's decision that benefits should be paid. At present there are inadequate enforcement mechanisms to ensure that injured workers receive their weekly benefits until the appeal is heard and determined.

The bill provides for insurers to pay injured workers once they have received a determination from an arbitrator, whether or not that decision is being appealed. This amendment reflects the general law where an appeal does not automatically stay the original decision, and this proposal will clarify that this is the case in relation to weekly workers compensation payments. However, the bill also makes it clear that decisions regarding medical expenses and permanent impairment are stayed pending an appeal. This approach protects injured workers from later debt recovery action for treatment not found to be reasonably necessary or lump sum payments found not to be compensable.

The bill includes an amendment that provides partially incapacitated workers with greater incentive to take up suitable duties in the workplace. Under the legislation, partially incapacitated workers may receive two

payments, the first being wages or salary from their employer for work that they are able to undertake. The second payment is a weekly benefit paid by their scheme agent or insurer to offset lost earnings resulting from their injury. The bill makes it clear that for partially incapacitated workers who are seeking employment or who return to work, the maximum weekly compensation amount is a limit on the compensation payable and not a limit on the combined total of compensation and earnings. The amendment allows workers to be paid up to the maximum weekly compensation amount in addition to the earnings from their employer. The current limit on maximum weekly payments for workers who unreasonably reject suitable payment is not changed.

I now turn to measures in the bill to assist WorkCover to more efficiently administer the workers compensation system. The first measure restricts the jurisdiction of the Workers Compensation Commission to review the Nominal Insurer's discretion to waive rights of recovery against uninsured employers. This amendment is necessary to overcome a court decision that found that under the current legislation the Workers Compensation Commission has the jurisdiction to override the Nominal Insurer's discretion with regard to waiving liability of an uninsured employer to reimburse the Workers Compensation Insurance Fund.

The Nominal Insurer is responsible for the management of the Workers Compensation Insurance Fund and any payment made for an uninsured liability claim comes out of the fund. The decision to waive liability for reimbursement to the Workers Compensation Insurance Fund essentially is a commercial one that rests properly with the Nominal Insurer as the body responsible for the management of the fund. Nevertheless, I draw the attention of members to existing controls in the workers compensation legislation and the general law that ensure that the Nominal Insurer's discretion is exercised fairly. The Workers Compensation Act 1987 sets out procedures that give protection to uninsured employers. These procedures include giving notice to uninsured employers and providing an opportunity for them to dispute liability and to address the matters set out in section 145 (2), including their capacity to meet the liability.

The Nominal Insurer carefully considers submissions made by employers in the course of determining whether recovery should be pursued. In addition, an employer can take proceedings in the Supreme Court challenging decisions of the Nominal Insurer to issue a recovery notice where it is considered that there is no legal basis for a notice to be issued, such as, for example, where it is contended that there was no employment relationship. The second of these measures is to allow self- and specialised insurers and retro-paid loss employers to give security to WorkCover by way of insurance bonds. I remind members of the significant reforms made in 2008 to the way premiums are calculated for large employers who choose to access the retro-paid loss premium calculation method.

Currently there are around 80 individual employer entities participating in this premium calculation method, demonstrating that it will be a popular and significant workers compensation premium reform. The amendment proposed in this bill will build on this reform, making it even more attractive for large employers operating within New South Wales. Self- and specialised insurers and employers participating in the retro-paid loss premium calculation method are required to give security to WorkCover to cover the cost of their claims liabilities should they become unable to meet them for any reason. Security is normally given by way of a direct deposit; however, the legislation allows for two alternative forms of security: Commonwealth and State bonds or bank guarantees.

Bank guarantees have been the most commonly used form of providing financial security. However, retro-paid loss employers have advised that the cost of a guarantee has increased significantly since the onset of the global financial crisis and their availability is limited. Some employers have reported that banks providing guarantees have required a deposit to the same value as the guarantee. This ties up capital in the same way as a direct deposit, leaving a bank guarantee of no value as an alternative form of giving security. Some large employers and self- and specialised insurers have expressed an interest in insurance bonds as an alternative form of providing financial security, and the bill contains a proposal to allow this to happen. Making this amendment ensures that the workers compensation system in New South Wales remains flexible and responsive to the needs of employers.

The use of insurance bonds will free up capital for these businesses and allow them to manage their day-to-day operations more efficiently. However, I can assure members that the level of security provided by insurance bonds is equal to that provided by the bank guarantees and Commonwealth and State bonds. Insurance bonds and bank guarantees have the same obligations at law when being called upon for payment and some insurance bonds are worded in the same way as bank guarantees. The Commonwealth and some State governments accept insurance bonds as security as long as the insurer meets certain regulatory and

creditworthiness requirements. For example, New South Wales Treasury allows agencies to accept insurance bonds if the provider is either regulated by the Australian Prudential Regulatory Authority or meets appropriate credit rating thresholds.

As part of this current proposal, WorkCover will require that insurance bonds given as security are issued by providers who are both regulated by the Australian Prudential Regulatory Authority and meet appropriate credit rating thresholds. This additional form of security will protect the interests of all New South Wales employers and employees and is the same level of security required for self-insurance under the Commonwealth Comcare Scheme. Finally, I note that the bill also contains miscellaneous amendments. The first of these amendments provides for a workers entitlement to reimbursement for the cost of obtaining a permanent impairment medical certificate to be part of the claim for permanent impairment.

The workers compensation legislation provides for insurers to meet the costs of permanent impairment medical certificates within 21 days of notification of the cost of the certificate. A minority of permanent impairment certificates do not meet the criteria set by WorkCover guidelines for determining permanent impairment, making it difficult for scheme agents and insurers to make decisions about applications for lump sum permanent impairment compensation. The bill provides for the cost of permanent impairment medical certificates to be met by insurers as part of the resolution of claims for lump sum permanent impairment. The amendment will ensure that scheme agents and insurers meet the cost of those reports, which form the basis of a determination for lump sum permanent impairment.

The second miscellaneous amendment aligns the maximum age for determining future economic loss due to deprivation or impairment of earning capacity under work injury damages to reflect the age of retirement under the Commonwealth Social Security Act 1991. The Commonwealth Social Security and Other Legislation Amendment (Pension Reform and Other Budget Measures) Act 2009 increases the age of entitlement for the age pension from 65 to 67 on a staged basis between 1 July 2017 and 1 July 2023. Currently, the work injury damages entitlement to economic loss compensation ceases at age 65, which was the age of retirement when the bill was drafted. This needs to be amended to ensure that workers retain their entitlement to economic loss up to the retiring age.

The bill will amend section 151A of the Workers Compensation Act 1987 to ensure that the change to the retiring age is appropriately recognised and accounted for in any decision or settlement of a claim for damages under part 5 of the Workers Compensation Act 1987. The third miscellaneous amendment provides that an applicant for a specialised insurer licence is not required to obtain an authority under section 12 of the Commonwealth Insurance Act 1973 if the applicant is exempt from the operation of the Commonwealth Act. Section 12 of the Commonwealth Act deals with the power of the Australian Prudential Regulatory Authority to issue licences to insurers, but it does not apply to some entities established by State laws.

Racing NSW, which is a specialised insurer, is established under State law and therefore is exempt from the operation of the Commonwealth Act. This amendment will allow Racing NSW to renew its specialised insurer licence. The bill contains administrative amendments to reflect the implementation by WorkCover of the Nationally Consistent Approval Framework for Workplace Rehabilitation Providers. All references to "occupational rehabilitation service" are replaced with references to "workplace rehabilitation service" and all providers of workplace rehabilitation services will be approved rather than accredited.

Further, the list of rehabilitation services will be removed from the legislation to reflect the model of workplace rehabilitation that has been adopted by the Nationally Consistent Approval Framework for Workplace Rehabilitation Providers. This model more accurately reflects the full range of services required to assist an injured worker back to work and currently is being adopted across the Commonwealth, States, Territories and New Zealand. The final amendment is the removal of the monetary review point for workplace rehabilitation services.

Currently, there is a monetary cap for these services beyond which WorkCover is required to review the necessity of the service. The amendment removes this cap, as in practice the insurer reviews all these services to ensure that they are reasonably necessary, regardless of the amount. Members will see from a close reading of the bill that it contains important measures for the benefit of workers and employers. It also contains measures that will assist the Workers Compensation Commission to deliver a more effective, efficient and streamlined workers compensation dispute resolution system that meets the needs of New South Wales workers and businesses. 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.

BUSINESS OF THE HOUSE**Suspension of Standing Orders: Routine of Business**

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [12.23 p.m.]: I move:

That standing orders be suspended to permit the introduction without notice, up to and including the agreement in principle speech forthwith, and passage through all remaining stages at a later hour of this sitting, of the Duties Amendment (NSW Home Builders Bonus) Bill 2010.

I move this motion because this is the last sitting week before the winter break and it is of urgent benefit to homebuyers that the Duties Amendment (NSW Home Builders Bonus) Bill 2010 be enacted during this session. Given that few sitting hours remain in which to debate the bill, it is necessary to proceed in this way. Shortly, I will introduce the bill and give the agreement in principle speech, but the full debate will not proceed until later in the day to enable Opposition and other members to look more comprehensively at the bill's details and to access the contents of the agreement in principle speech.

Mr DARYL MAGUIRE (Wagga Wagga) [12.24 p.m.]: On far too many occasions we have examples, as we have again today, of a Government that is intent on introducing legislation to this place without prior warning and without the traditional laying of legislation on the table for five days. The Opposition will not oppose this motion, but I state for the record that it is the convention of the House that when legislation is introduced the Opposition is given time to consider it and to consult widely with community members who may be affected by it. By introducing and forcing the bill through all stages today the Government is denying members of Parliament—those who represent New South Wales communities—the opportunity to talk with people upon whom this legislation will impact. This includes, dare I say, new members such as Stuart Ayres, the newly elected member for Penrith.

Stuart Ayres would want the chance to consult with builders and home owners in the great electorate of Penrith. He will be sworn in tomorrow at about 2.15 p.m. but, because this legislation is being rammed through today, he will not have the opportunity to voice his opinion on it. The bill will not go to our party room. In these cases we rely on our leadership team to ascertain details about the legislation's implementation. We have great confidence in our leadership team to read legislation and to interpret it. But the Government is denying backbenchers and others the opportunity to voice their communities' concerns. Too often the Government introduces legislation and then finds it contains flaws, which means it must then make more changes or even amend the legislation—as happened last night—before forwarding it to the other place.

This is a shoddy example of a Government that cannot get its act together. We want good legislation that provides benefits for the people of this State. We want an end to the current way in which the legislative process is managed. I am not blaming the Leader of the House; he is just part of a Government that is supposed to have a legislative program. I appreciate that limited parliamentary sitting time remains before the winter recess, but why on earth leave the introduction of legislation to the final week? The urgency of some legislation should have been evident and it should have been introduced so that due consideration could be given to important issues. The Coalition never opposes money bills and I assume from its title that the bill relates to monetary policy. This kind of mismanagement should not be tolerated. Traditionally, we would oppose this motion, but today we will tolerate it.

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

Motion agreed to.

DUTIES AMENDMENT (NSW HOME BUILDERS BONUS) BILL 2010

Bill introduced on motion by Mr John Aquilina, on behalf of Mr Michael Daley.

Agreement in Principle

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [12.29 p.m.]: I move:

That this bill be now agreed to in principle.

This year's budget introduces measures to get more houses built, to improve supply, and to make it easier for New South Wales families to realise their dreams of home ownership. Under the New South Wales Home

Builders Bonus initiative, from 1 July 2010 the Keneally Government will cut stamp duty to zero for purchases of homes worth up to \$600,000 bought off the plan in the pre-construction stage. Homebuyers can save up to \$22,490—money that goes straight back into the pockets of New South Wales families.

The Home Builders Bonus initiative represents a \$140 million investment in the New South Wales property sector. Furthermore, for purchases of homes worth up to \$600,000 that are under construction or newly completed, stamp duty will be reduced by 25 per cent. That is a saving of up to \$5,623. First home buyers will also benefit from the New South Wales Home Builders Bonus, with total benefits of up to \$29,490 giving young families an important head start. Following consultation with industry, some minor changes are proposed to the Duties Act 1997 to make further provisions in relation to the Home Builders Bonus.

The Duties Amendment (NSW Home Builders Bonus) Bill 2010 introduces minor, technical amendments that will ensure the scheme operates as intended. First, the bill removes completion date provisions for off-the-plan purchases. This will allow sufficient time for necessary developer application and finance approvals. It will remove any timing distortions for projects and allow flexibility in construction schedules. Secondly, in the case of a vendor that has acquired a development from the original builder or developer of the home or building, when not more than 25 per cent of the building work had been completed and construction has not re-commenced at the time of purchase, it will continue to be eligible for the New South Wales Home Builders Bonus.

Thirdly, in the case of multi-building developments on a common foundation, after the initial tower has been built, the off-the-plan exemption will continue to be available for subsequent buildings. The Home Builders Bonus will be delivered alongside our historic planning reforms. They are part of the Keneally Government's plans to energise the New South Wales housing and construction sector. 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 later hour.

ELECTRONIC TRANSACTIONS AMENDMENT BILL 2010

Bill introduced on motion by Mr Barry Collier, on behalf of Ms Carmel Tebbutt.

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.32 p.m.]: I move:

That this bill be now agreed to in principle.

The purpose of the Electronic Transactions Amendment Bill 2010 is to update the Electronic Transactions Act 2000 and to make consequential amendments to related legislation that will reflect internationally recognised legal standards. The bill aims to increase certainty for international and domestic transactions conducted by an electronic medium and encourage the growth of electronic commerce, such as online retailing. The bill strengthens our existing regime by recognising the use of automated message systems in contract formation and clarifying the rules in relation to invitations to treat, the determination of a party's location in an electronic environment, the time and place of dispatch and receipt of electronic communications, and electronic signatures.

The basis of New South Wales's current electronic transactions regime is the 1996 UNCITRAL Model Law on Electronic Commerce, which was developed by the United Nations Commission on International Trade Law. The Commonwealth and all other States and Territories have electronic transactions Acts based on this Model Law. The United Nations Convention on the Use of Electronic Communication in International Contracts, which was adopted by the United Nations in 2005, updates many of the concepts in the 1996 Model Law. These updates primarily are a result of a better understanding of the use of the Internet in electronic transactions in the intervening decade. It is the first United Nations Convention addressing legal issues arising from the digital economy.

As with the 1996 Model Law, the United Nations convention's primary aim is to facilitate international trade by enhancing legal certainty and commercial predictability when electronic communications are used in relation to international contracts. Its purpose is to facilitate international trade by removing possible legal obstacles or uncertainty in the use of electronic communications in the formation or performance of contracts

between parties located in different countries. In 2008, the Standing Committee of Attorneys-General agreed to the development of a public consultation paper on the Australian Government's proposal to accede to the convention. The paper discussed the differences between Australia's domestic electronic transactions laws and the United Nations convention, and the amendments that would be required to update Australia's laws to bring them into line with the convention.

The paper specifically sought comments on whether the convention rules should apply also to domestic contracts to avoid having different regimes for domestic and international contracts. Nine submissions were received. All submissions were generally supportive of Australia's accession to the United Nations convention and none addressed the issue of applying the convention's rules to domestic contracts. Subsequently, in 2009, the standing committee's Ministers agreed to the drafting of a model bill to implement obligations under the United Nations convention. At the May 2010 meeting, Ministers agreed to update their uniform electronic transactions legislation to adopt the model bill within 12 months.

It is proposed that Australia will accede to the convention when legislation based on the model bill is enacted in each jurisdiction. I am delighted to inform the House that New South Wales is the first jurisdiction to introduce such legislation. The amendments in this bill do not significantly change New South Wales's electronic transactions regime. However, they will ensure that our laws keep pace with developments in this rapidly evolving area of law. The amendments will enhance cross-border online commerce and increase certainty for international trade by electronic means, thereby encouraging further growth of electronic contracting.

Where the bill overlaps with our current regime, the amendments are of an updating or refining nature. The additional rules proposed in the bill clarify traditional rules on contract formation to address the needs of electronic commerce and will provide legal certainty on those matters. The main changes proposed are, first, new rules that recognise the use of automated message systems; secondly, a new rule about what is an invitation to treat in the electronic context; thirdly, minor amendments to the electronic signature provisions and other form requirements; fourthly, clarification of the location of parties' rules; and fifthly, minor amendments to the default rules for time and place of dispatch and receipt.

A careful assessment has been undertaken to ensure that the effects of the proposed amendments do not unduly disturb settled contract law or domestic practice since the enactment of the Electronic Transactions Act in 2000. The bill does not purport to vary or create contract law. Rather it includes a range of measures directed at improving the general operation of the current electronic transactions regime. The United Nations convention reflects the view that party autonomy is vital in contractual negotiations. Nothing in this bill affects the principle that contracting parties should be free to agree on matters affecting the formation and performance of a contract between them.

Although the United Nations convention is concerned only with international business contracts, the proposed amendments in this bill will apply to contracts concluded for personal, family or household purposes. This will ensure commonality of rules between domestic and international contracts involving electronic communications, and therefore will avoid problems that may arise if there were two different regimes. In the domestic sphere, these proposed provisions will supplement existing law by offering protection to consumers who are parties to contracts.

I now turn to key elements of the bill. The bill introduces a new part 2A into the current Electronics Transactions Act and moves the existing part 2A to schedule 1. This will ensure that the numbering of our legislation is consistent with other jurisdictions' equivalent legislation, once updated, in accordance with the national agreement. Proposed section 14A provides that the new part 2A is applicable to electronic contracts, where New South Wales contract law applies and where some or all of the parties reside in Australia. The contract may be for business, personal or other purposes. It has become commonplace for consumers to order goods through websites, email messages, online order forms and virtual shopping carts.

The bill transposes the accepted notion of offer into an electronic environment. Therefore, a vendor that advertises its goods or services on the Internet or through other open networks should be considered merely to be inviting those who access the site to make offers. Thus an offer of goods and services made through the Internet will not *prima facie* constitute a binding offer. This means that a vendor has not relinquished the right to refuse to sell to a customer including, for example, where the trader has already sold all the goods.

New section 14B confirms that a proposal to enter into a contract made by electronic means to the world at large is to be treated as an invitation to make an offer, unless there is a clear indication by the trader of

an intention to be bound. The purchase of goods through a website is often automated and therefore handled by a computer program, rather than the vendor themselves. This bill recognises this growing practice and inserts a definition of "automated message system". The critical element of the definition is that it covers transactions that lack human intervention on one or both sides of the transaction. New section 14C confirms that the absence of human intervention does not preclude contract formation.

Unlike face-to-face transactions, the opportunity to detect or correct a mistake made during an online transaction is limited because of the automated nature of the transaction. A customer making an online purchase may enter the wrong quantity of goods or incorrectly select an item; however, if no confirmation screen exists the customer does not have an opportunity to detect and rectify the mistake. New section 14D introduces a certain level of protection for consumers if a website does not provide an opportunity for correction, as it enables a person who makes an input error, which has been dealt with by an automated message system, to withdraw the portion of the electronic communication in certain circumstances. However, the person must notify the other party of the error as soon as possible, and must not have received any material benefit or value from any goods or services received from the other party.

New section 14D also clearly sets out that the right of withdrawal of a portion of an electronic communication under this section does not, in itself, confer a right to rescind or otherwise terminate a contract. The bill also amends the current default rules of time and place of dispatch and receipt of electronic communications. The amendments reflect the convention's formula, and provide that the time of dispatch of an electronic communication is the time when the electronic communication leaves an information system, and the time of receipt of an electronic communication is the time when the electronic communication becomes capable of being retrieved by the addressee at an electronic address designated by the addressee. The bill also updates the definition of both "place of business" and "transaction" so as to clarify the use of these terms in the context of contract formation and execution across an electronic medium.

The bill proposes minor amendments to the electronic signature provisions and other form requirements. The current regime provides that an electronic signature must be capable of identifying the signatory and indicating the signatory's approval of the information contained in the electronic communication. However, there are instances in which the law requires a signature, but that signature does not have the function of indicating the signing party's approval of the information contained in the electronic communication, for example, notarisation, attestation by commissioner of oaths and witnessing of documents. New section 9 therefore provides that an electronic signature must be capable of identifying the signatory and indicating the signatory's intention in respect of the information contained in the electronic communication. However, it removes the notion that a signature implies a party's approval of the entire content of the communication to which the signature is attached.

The bill also provides legal recognition of electronic signatures irrespective of the technology used. The Government recognises the need to support business operations in the global economy and the importance of maximising technology to promote international legal and business engagement. The bill will remove possible legal obstacles and uncertainty, and ensure that New South Wales's e-commerce laws reflect up-to-date, internationally recognised legal standards. The Government is committed to ensuring that New South Wales's laws meet the challenges of existing, new and emerging technology. 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.

PRIVATE MEMBERS' STATEMENTS

Private members' statements, by leave, taken forthwith for a period of up to 30 minutes.

TRIBUTE TO OWEN PATRIDGE

Mr KERRY HICKEY (Cessnock) [12.45 p.m.]: I draw to the attention of the House the passing away of Mr Owen Patridge of Cessnock. Owen worked tirelessly for the community. I met Owen in 1985 when I joined the Cessnock branch of the Australian Labor Party [ALP]; Owen helped me understand the factions and the comings and goings in the ALP. He was a good man. He died, at 83 years of age—a very young 83—only a few weeks ago. He was very active across the community. Owen often spoke about his work as a fitter and turner at Bellbird colliery. He made many lifelong friends, and many of them were speaking to him until the week before he died. None of us expected Owen to pass away at that time.

Owen was a recipient of the Order of Australia medal. He was a life member of the ALP. He worked tirelessly with young patients at Stockton Hospital, through the hospital's welfare association. He got great satisfaction from helping these people. He worked for the Cessnock Crippled Children's Society. Owen was always putting the community ahead of his own wellbeing. He will be sadly missed across the community. Owen could be seen regularly selling tickets for the Cessnock Crippled Children's Society, which is now known as Wheeling and Able. He worked alongside many people at Stockton Hospital and with many Ministers from this House. He tried to get Ministers to visit Cessnock, and he tried to have more money allocated to Stockton Hospital.

Owen regarded the changes made to Stockton Hospital over the past 30 to 40 years as inevitable. He thought the changes were for the greater good and were best for the patients. Owen regularly said that either our morals needed to catch up to medical science or we needed to look at what medical science was doing to some of the people whose lives had been saved at birth. I thought that was a strange comment from a man who spent most of his time working with people with many ailments. Owen was adamant that we should look at what medical science was doing because the lives of many of the people whose lives were being prolonged did not have much value. I thought a man of 83 would have much more compassion for these patients. Having said that, Owen had a lot of compassion for the patients. He did not want families to suffer.

When I first met Owen at the ALP branch meeting he looked at me and said, "What faction do you belong to?" I said, "I'm not sure. I'm not quite across where I should be placed in the ALP". He said, "Stick with me, son, and I'll help you through it." And he did. If it were not for Owen Patridge I would never have stood at the local council elections in 1991 and I would never have been the State member for Cessnock; he guided me through a lot of dilemmas. The Cessnock Crippled Children's Society was Owen's life. I think it held his life together in many ways. He helped many families, whether it was giving them the appliances they needed, such as wheelchairs, or distributing the nappies and so on used by many of the children.

Owen got great delight from helping families. He did not care who they were, what they voted on, or how they voted; he just wanted to see families in a much better situation. The passing of Owen Patridge is the worst thing that could happen to our community. No-one is filling his role, and that is sad. However, I am sure someone will take up his mantle later in life. The world was a much better place with Owen in it. His work at Stockton Hospital with the welfare association and with the ALP has left Cessnock a greater place than it was before he came along. Vale, Owen Patridge.

TUMUT REGIONAL FAMILY SERVICES CRISIS ACCOMMODATION UNIT

Mr DARYL MAGUIRE (Wagga Wagga) [12.50 p.m.]: The Tumut Regional Family Services runs a crisis accommodation unit that serves the needs of vulnerable women and children—many of whom are Indigenous—who have been the victims of domestic violence, and who need safe and secure accommodation. The service extends to places like Tumbarumba, Batlow, Adelong, Gundagai and as far as Cootamundra. It is indeed a regional service. The current refuge is located within walking distance to the Tumut central business district and schools. Neighbouring residents do not have issues with the refuge, and add to security by reporting any disturbances to the centre.

In November 2007 the Tumut Regional Family Services submitted a proposal for a new refuge of three, two-bedroom units with leasing to continue through the Community Housing Division, thus guaranteeing a long lease. In the 2009-10 Crisis Accommodation Program, ministerial approval was given to replace the existing refuge with three private leasehold properties. Consequently the refuge would be sold and replaced with three properties rented from the private market, with property management undertaken by Argyle Community Housing supported by Tumut Regional Family Services. Argyle Community Housing would have the responsibility to locate suitable rental properties, in conjunction with Tumut Regional Family Services.

The problems are no guarantee of a long lease, no guarantee of obtaining three units together. Centrally locating the units together is advantageous for quality of service delivery, case management, safety and security for clients escaping domestic violence. Current neighbours are supportive and add to the security. Tumut Regional Family Services understood that Community Housing would continue with its leasing arrangements and not put the sale of the refuge into the State budget. However, if there were a sale, that money would be spent on new units. The options are to renovate the existing property, keep the existing property and build three units at the rear of the property. As Tumut Regional Family Services currently leases two properties from Housing NSW for office space, the existing refuge could become the office if units were built at the rear. If Argyle were

to manage the properties, as has been proposed, they would be purpose-built to Tumut Regional Family Services requirements and payment would come from Community Housing, with no cost to Tumut Regional Family Services.

Tumut Regional Family Services provides quality service to vulnerable women and children in crisis. Over a three-year span, 63 crisis accommodation support periods were provided and 11 support periods were referred to another service outside their local government area due to no accommodation being available at their crisis accommodation unit. Some 28 clients required assistance to obtain/maintain medium-term accommodation, and 85 support periods required assistance to obtain/maintain independent housing. What Community Housing is offering will not fulfil what is required to protect vulnerable women and children.

Recently I visited the Tumut centre, which provides a wonderful service. The house to which I have referred needs substantial refurbishment. The Minister for Community Services, who funds this program, together with Housing and others should take an interest in providing the people of the Tumut region and the towns I have mentioned with a purpose-built refuge for women in crisis. Land has been identified for that purpose. I asked the Tumut Shire Council general manager to also identify a greenfield site so that a number of options can be put to the Government to solve what will be a further crisis. We do not want a number of houses utilised for crisis accommodation because they are not the right model for that community, let alone any community. We need purpose-built women's refuges that have office space and appropriate accommodation to meet the needs of the community.

Quite clearly Tumut Regional Family Services has exceeded all expectations in its provision of service under what I would describe as imperfect circumstances. I appeal to the Ministers who are involved with this funding to devise a model. The regional Department of Housing manager and I are more than prepared to help to solve this issue. It will not go away. We need genuine consultation and input from the Tumut community to ensure that necessary funding will bring about an outcome that continues this wonderful service and ensures that vulnerable people, particularly those in the Aboriginal community, have access to this service to guarantee their safety and security.

KAHIBAH TRAFFIC ARRANGEMENTS

Mr MATTHEW MORRIS (Charlestown—Parliamentary Secretary) [12.55 p.m.]: The debate over the proposed Waran Road extension has been ongoing in the community for several years. In fact, some years back council went through a fairly lengthy process of community consultation to understand the views and concerns about traffic arrangements in and around Kahibah and to test the concept of a Waran Road extension. At that time I was a councillor on Lake Macquarie City Council and the public debate was extensive. Unfortunately, the concept of constructing a Waran Road extension divided the community. The general thrust of the concept is to try to improve traffic movements in and around Kahibah in a way that is safe for local residents in the Guna Street area. The debate was lost and council resolved not to proceed with the Waran Road extension, and the concept was put to bed.

Several months ago an Independent member of council, Councillor Scarfe, raised the matter and set the council on a similar course of public debate about the concept of a Waran Road extension. That process has resulted in engaging consultants. I am not sure how much money council has burnt on this issue, but one can safely assume it would certainly be several thousand dollars. The consultant's report was on exhibition until last week, when it was closed for public comment. It is clear that the community has mixed views about the concept, but without a doubt the community has significant objections to the Waran Road extension.

More recently I attended a public meeting held at the Kahibah Public School together with several hundred other people, which was one of two public meetings on this issue. Without doubt, the overwhelming message from that public meeting was that the Kahibah community does not want the Waran Road extension. I thought council would pick up on that very loud and clear message, but it engaged a consultant to undertake a traffic study. Clearly, the message coming through my office from the Kahibah community is that it maintains its original position, which it has held for many years: It opposes the Waran Road extension.

Safety issues around Burwood Road and Guna Street, Kahibah, need to be attended to but, unfortunately, council has done little in that regard. Council has a range of measures it could use to improve safety in the area, such as additional line markings, deflative markers, speed humps or signage. Often these types of measures are used to improve traffic flow and safety in local government areas, but in this case little has been done to improve the situation. Nevertheless, we need to move on. The community's message through the consultation process on this particular report is that it does not want the Waran Road extension.

There are measures available to council to improve and manage traffic movement in and around Kahibah as it is. I encourage the council to put a bit more thought into those options and proceed to make some improvements, particularly to Guna Street, which seems to be the worst, without doubt, in traffic volume and safety. Let us pursue the available measures, put them in place, and give those actions an opportunity to demonstrate their long-term viability. The Waran Road extension should not be on the radar, it should be rejected by the council for the second time given that that is the clear and concise message from the community.

BALLINA DRAFT LOCAL ENVIRONMENTAL PLAN

Mr DONALD PAGE (Ballina) [1.00 p.m.]: I bring to the attention of the House my concerns about the draft local environmental plan template and the effects it will have on the Ballina electorate and, I am sure, many other electorates. The template has been developed by the New South Wales Department of Planning as a blanket measure for all councils in New South Wales to use to develop a new local environmental plan [LEP]. Whilst I appreciate the desire for consistency across the State, this local environmental plan template is a one-size-fits-all approach. Clearly, this is a ridiculous approach given that a council in central Sydney will have quite different land use planning issues from those on the North Coast of New South Wales or indeed at Broken Hill. Major issues arise from the lack of flexibility in the template, particularly as it applies to areas of environmental significance. I believe the template fails to address the individual needs and differences among New South Wales' councils.

The issue causing the most concern in the Ballina shire is the zoning for coastal Crown land. Under the New South Wales planning template, the highest level of protection able to be applied to Crown reserves is E2 environmental conservation. Under this zoning, activities that are allowed with council consent include bed and breakfast accommodation, eco-tourism, environmental facility, farm stay accommodation, information and education facilities, helipad, extractive industries, cemetery, dual occupancy, dwelling house, earthworks, emergency services facility, extensive agriculture, funeral chapel, sewerage reticulation system, signage and many other uses. I note that there is a State directive that, where agriculture is listed as an allowable use, extractive industries must be allowed also, hence the inclusion of these in the list.

An alternative environmental zoning is E1, but this is only for existing National Parks and Reserves. Unfortunately, E1 is unable to be applied to Crown reserves because they are not existing national parks or nature reserves. I believe there are Crown reserves that need to be zoned E1 or, if that is not possible, there needs to be an E1 (a) type zoning to protect Crown reserves from future development of the type just outlined. One such area is the coastal strip south of Lennox Head extending to Boulder Beach between the sea and the Coast Road. This strip of coastline includes the iconic Lennox headland. The Lennox National Surfing Reserve was declared in 2008 by the current lands Minister. This protects only the coastline between Lennox Head Main Beach and Flat Rock. The boundary of the surfing reserve is the high water mark and does not include the land along the coast.

Under the draft local environmental plan imposed by the State Government, E2 is the highest environmental zoning possible for the coastal strip from Lennox Head to Boulder Beach because it is a Crown reserve, not a national park or nature reserve. Under the current Ballina local environmental plan this coastal strip is zoned 7-(f) environmental protection—coastal lands. Under this zoning, the list of uses permitted with council consent is substantially less than on the new draft local environmental plan.

So there are many activities that are excluded under the current local environmental plan, which will be permitted with council consent under the new draft local environmental plan. I argue that this Crown reserve along the coastal strip and others like it need more protection—not less—than it has under the draft local environmental plan. I believe that the current Ballina council will not consent to inappropriate uses of this iconic piece of coastline. However, no-one can say what a future council might do over the next 20 years with continuing population growth and the pressure on councils everywhere to release land for development. It is extremely important that we get the new local environmental plan right because it is likely to be in place for the next two decades at least. The current local environmental plan has, after all, lasted 23 years.

The New South Wales Department of Planning and the planning Minister need to look carefully at this section of the draft local environmental plan template. These precious ecosystems in Crown reserves need protecting every bit as much as our national parks and nature reserves. I have already tabled a petition containing over 600 signatures in support of what I am saying. I am also concerned that this land will remain operational land. That means potentially it could be sold, developed or leased. Currently, a petition is circulating

calling for this land to be classified as community land. Not only should this land be protected for ecological reasons, but those who bought valuable properties in Angels Beach Estate and Headlands Estate did so believing that the Crown Reserves opposite could never be built on.

Another issue in the draft template is the loss of long-term building entitlements for some landowners who currently have them. If these landowners do not use their building entitlements within 18 months and then do not actually build within five years, they will lose their building entitlement permanently. This strikes me as grossly unfair and a direct attack on a person's property rights. If you have a building entitlement, you should be able to keep it. It is an important part of the value of the land. I call on the New South Wales Minister for Planning to review the current zoning restrictions and allow for flexibility within the template provided to councils, particularly as it applies to environmentally sensitive Crown reserves. These Crown reserves should be protected in perpetuity and not become subject to inappropriate development at some stage in the future.

WINTERSUN FESTIVAL

Mr NICK LALICH (Cabramatta) [1.05 p.m.]: I congratulate Ms Virginia Judge, Minister for Fair Trading, and Minister for the Arts, and also the State Government as a whole on their success in winning the Wintersun Festival for the State of New South Wales and, in particular, for regional New South Wales. I have received numerous phone calls and representations from my constituents asking me to congratulate the Keneally Labor Government on its initiative and determination in securing this important event for New South Wales. In 2011 the festival will be held in Port Macquarie and is expected to inject some \$20 million to \$25 million into the local economy. As Port Macquarie council spokesperson Linda Hall said:

... the festival will be a shot in the arm for local economy.

This annual festival has been held on the Gold Coast since 1978. It started as a local festival before it adopted the nostalgia theme of rock and roll in 1988. This premier rock and roll festival attracts some 60,000 to 80,000 people, many of whom take part in the nostalgia of rock and roll. Most just come to see the car show and admire the 1,500 to 2,000 vintage, hotrod and Mad Max type vehicles on show. The value of these vehicles alone would be in the tens of millions of dollars. The main part of the car show is the car parade that used to stretch one kilometre through the towns of Coolangatta and the Tweed. Rock-and-roll dancers and enthusiasts come from all over Australia and New Zealand, and take advantage of bands from the United Kingdom, Europe and America, as well as our wonderful home grown entertainers.

I know that this festival will be of great financial and economic benefit to Port Macquarie and a tremendous loss to the Gold Coast and the Tweed, as it has been the number one festival on their yearly calendar. I have been to the festival on a number of occasions over the past few years and have met many of my constituents there—in fact quite a number. I know that the promoter Mr Barry McNamara has expressed grave concern at his inability to continue the event at Coolangatta given the lack of long-term support from the Gold Coast and Tweed shire councils and the local business community, who have all reaped the financial benefit of this event for a long time.

Mr McNamara has explained to the business community on many occasions over the past six years that, if they did not get behind the festival financially, he could not guarantee the ongoing viability of the event and would be forced to look to other cities in which to hold the Wintersun program. The criticism of the local business community is not unwarranted. As I said, they have been reaping the financial benefits that this festival brings for a long time, with little financial input or support by them. I believe that the local business community has become complacent. The festival was there for some 20 years and their belief was that it would always be there, no matter what. That attitude reminds me of the old saying: familiarity breeds contempt.

Finally, I congratulate the State Government on this great initiative. I know that the people of New South Wales and Australia will continue to support this fantastic event, which will gain new supporters as it moves around the regional areas of New South Wales. I wish Wintersun and its promoter Mr Barry McNamara every success for the future.

LAND DEVELOPMENT COSTS

Mr RAY WILLIAMS (Hawkesbury) [1.09 p.m.]: I speak today about land in my electorate and north-west areas of Sydney that is proposed for development and some that should be released for development. I refer to areas that should be released, such as at South Dural, and areas that have been released, such as North Kellyville, Box Hill Nelson and Balmoral Road and Alex Avenue in the Riverstone area. The State Government

has made numerous announcements about the number of new blocks of land for housing that it is providing, but once again it is a case of all spin and certainly no substance. The Government has announced the release of 15,000 blocks of land in the north-west of the Riverstone precinct in areas such as Alex Avenue.

However, local landholders have been advised by council representatives that due to the high cost of section 94 contributions that have been assessed on those future blocks of land the land may never be brought onto the market. The reason is that the New South Wales Government has refused to purchase trunk drainage land, which is required for services such as large water pipes and sewerage pipes. This land is in riparian areas along creek lines and is not used for development, so there is no opportunity to offset the cost. However, it has been paid for by governments in the past and should always be purchased by governments given that it will be useful only for the large services previously mentioned, which are vital for future development.

Unfortunately, the State Government is trying to remove any responsibility it has for the cost of these services and to force the developers, and subsequently new home buyers, to pay for this land. This has forced the cost of section 94 contributions as high as \$55,000 per block of land in the Alex Avenue precinct. The Government recently announced that it would place a \$20,000 cap on section 94 contributions to reduce these costs on the blocks of land. However, they have not told anyone who is going to pick up the shortfall in funding for essential local infrastructure, such as parks, playing fields, local roads, community buildings and footpaths, all of which are paid for from these important section 94 contributions.

All the growth council areas, such as Camden, Blacktown and The Hills, have refused to continue to assess any future development applications because the Government has not advised who is going to pick up the shortfall in funding. Given that the section 94 contributions are currently between \$45,000 and \$55,000 in different areas, it will mean a shortfall of \$25,000 to \$35,000 per block of land. When that shortfall is multiplied by anything between 5,000 and 10,000 blocks of land we are looking at a shortfall of hundreds of millions of dollars.

The Australian Labor Party Mayor of Blacktown Council, Charlie Lowles, has commented that the council may have to double the rates for every ratepayer in the Blacktown Council area. I believe that may well and truly be the case for all the other council areas. However, if rates are pegged and the Government is not telling councils how they can be increased, who is going to pick up the shortfall? No-one denies that land development is very expensive. It has been made more expensive because the State Government has neglected its responsibility to bring enough land onto the market over the past decade. I have spoken many times in this House about that shortfall and the fact that the price of rural land has increased. Also, this Government has increased land tax to 2 per cent on land valued at over \$2 million. Therefore, developers who are holding back at present because development costs are excessive and they cannot bring the land onto the market are also incurring massive land tax costs for the land they hold that is valued in excess of \$2 million.

One developer in the Kellyville area will pay just under \$300,000 in land tax this year alone. He has been sitting on land that should have been developed and could have been developed if the State Government had been less greedy and reduced some Sydney Water charges and not tried to dupe the good people, the ratepayers and councils in areas such as Blacktown, The Hills and Camden, where good mayors such as Chris Patterson are trying to work through the issues they have in bringing land onto the market. They cannot do so because of the ridiculous situation that has arisen because this Government failed to advise them who will pick up the shortfall created by placing a cap of \$20,000 on section 94 contributions for each block of land.

Private members' statements concluded.

[The Assistant-Speaker (Mr Grant McBride) left the chair at 1.14 p.m. The House resumed at 2.15 p.m.]

LEGISLATIVE ASSEMBLY WIRELESS INTERNET ACCESS

The SPEAKER: As advised in a memorandum dated 11 June 2010 from the President and from me, wireless Internet access is now available to members in the Chamber and adjoining areas. As advised in that memorandum, in order for members to avail themselves of this new service, laptop computers and other devices are required to be registered through Parliamentary Information Technology Services. I also remind members that the existing cable connections in the Chamber will not be disabled until the end of the current sittings.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

Ms KRISTINA KENEALLY: I advise members that during the absence from the Chamber today of the Minister for Housing, Minister for Small Business, and Minister Assisting the Premier on Veterans' Affairs, the Minister for Roads, and Minister for Western Sydney will answer questions on his behalf.

QUESTION TIME

[Question time commenced at 2.23 p.m.]

HOME BUSH MOTOR RACING AUTHORITY

Mr BARRY O'FARRELL: My question is directed to the Premier. Given that today's Auditor-General's report reveals that the set-up costs for the Homebush Motor Racing Authority were three times original estimates, running costs were 10 times higher than budgeted and Treasury recommended to Cabinet that the proposal should not be supported, will the Premier now admit that this was a reckless waste of taxpayers' money or, as some of her colleagues are saying, is she living in fantasy land?

Ms KRISTINA KENEALLY: The Telstra V8 Supercars race at Homebush was a fantastic event that was held on 4 to 6 December 2009. It was an overwhelming success; the most successful major event for New South Wales in 2009. What a shame the Opposition cannot get on board with the 180,000 people who attended that event and support major events in New South Wales. V8 Supercars advises that more than 184,000 people attended that three-day event at Homebush and even larger crowds are expected in 2010.

The SPEAKER: Order! Yesterday I extended a degree of latitude to members. However, I will not allow members to continually interject.

Ms KRISTINA KENEALLY: I attended the V8 Supercars event with my children. They raved about it for weeks afterwards. An assessment of the economic benefits of the Sydney Telstra 500 shows a forecast contribution to the gross State product of around \$100 million to \$110 million over the next five years, with an attendance of up to 15,000 interstate and international tourists.

Mr George Souris: Why don't you gross it up to 10?

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

Ms KRISTINA KENEALLY: The member for Upper Hunter interjects. Boy, has he had a stellar day! Are his facts in order? I look forward to a question from him later today. The New South Wales Government welcomes the recommendations of the Auditor-General.

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

Ms KRISTINA KENEALLY: The report states that the \$35 million budget for the annual V8 Supercars event at the Sydney Olympic Park will be exceeded by \$10 million. However, the report states also that almost \$7 million of the estimated overrun is value-in-kind costs claimed by other government agencies. Value in kind is not an operational or tangible cost; it is a cost that generally is absorbed by agencies. In previous cases where the Government has provided exclusive access to roads or streets for an event, the value-in-kind contribution has not been identified as a cost. A comparable situation would be, for example, the Roads and Traffic Authority charging the organisers of the City to Surf event for every square metre of road used by the runners.

The SPEAKER: Order! The member for Upper Hunter will come to order.

Ms KRISTINA KENEALLY: It must be noted that the audit report concludes that there is no indication that the agreed contribution to the event proponent, V8 Supercars Australia, will be exceeded over the five-year period. The Telstra 500 V8 Supercars events confirm New South Wales as a premier location in Australia for major events.

PREVENTATIVE DETENTION ORDERS

Mr BARRY COLLIER: My question is addressed to the Premier. What is the latest information on preventative detention orders?

Ms KRISTINA KENEALLY: This Government has made counterterrorism a key priority of public safety in the wake of the 11 September 2001 attacks in the United States and the bombings in Bali, Madrid and London that tragically followed. Events over the past year, such as an attempted aeroplane attack on Christmas Day 2009, show us that the threat of terrorism remains current. While New South Wales remains one of the safest places anywhere in the world, we are not immune from the attention of those who would seek to intimidate our communities through the indiscriminate tactics of hate.

This Government has put laws in place and provided our police with the powers and resources they need to investigate, prevent and deter a terrorist attack. Part of our effort to safeguard the community was the Terrorism (Police Powers) Act 2002. This Act confers special powers on police officers to head off imminent threats of terrorist activity and to respond to terrorist attacks. Mercifully, our police have had few occasions when these powers have been required. However, they were a vital part of Operation Pendennis, which saw five dangerous offenders, who were involved in the planning of terrorist acts, sentenced in February this year. They received the longest sentences for terrorism offences in Australian history.

Since introducing the anti-terrorism powers, we have continued to review our laws and cooperate across jurisdictions, and to ensure that we have the most-effective means of bringing offenders to justice, while ensuring at the same time that we do not compromise our principles. Accordingly, reviews of the Terrorism (Police Powers) Act 2002 were carried out in 2005-06 and again in 2007. The Department of Justice and the Attorney General recently concluded a third review that began in 2009. This review incorporated a number of recommendations made by the NSW Ombudsman for the better operation of the Act.

The findings of the review are that the current terrorism legislation should remain in place, and that a series of amendments should be made to ensure that those detained by police on suspicion of terrorist activity have appropriate access to legal and other support. The New South Wales Government has accepted those recommendations and this week is introducing legislation accordingly. We will maintain our unapologetically strong laws to prevent terrorism. We will continue to grant police special emergency powers, such as preventative detention orders and covert searches. Obviously, they will be subject to sensible judicial oversight.

While we will continue to guard against the threat of terrorism, we must be equally strong in our commitment to due process, fairness and the presumption of innocence for all. That is why the amendments we will introduce will ensure that persons who are subject to preventative detention orders will be able to access legal assistance and accredited chaplains, if required. Those subject to preventative detention also will be directly informed of their general rights, such as access to the Ombudsman and the Police Integrity Commission, in the event that they seek to make a complaint.

The reforms also strengthen the monitoring regime regarding covert search warrants. The amendments ensure that the Ombudsman will continue to regularly review the use of warrants and will remove the current provision that requires the destruction of records relating to covert searches. Ensuring that records of covert searches are not destroyed will strengthen the monitoring and oversight of these powers. The quality of our criminal justice system will be judged by how it copes with an emergency. In the anti-terrorism laws that we are now extending and updating, we have struck the right balance between protecting our communities and protecting the principles that our communities rightly expect us to defend.

PACIFIC HIGHWAY FATALITIES

Mr ANDREW STONER: I direct my question to the Minister for Roads. With 18 deaths on the Pacific Highway to the end of May, which represents an increase of five on last year's figures, can he explain why only one highway patrol officer was rostered to work on the entire mid North Coast on the Queen's Birthday public holiday? Is that another example of his Government's incompetence, or further proof that all Government members are living on another planet?

Mr DAVID BORGER: I am more than happy to answer questions that fall within my bailiwick, including the questions asked by the Leader of The Nationals that refer to roads matters, such as road construction, road safety and other matters that are associated with the Roads portfolio. The Pacific Highway is

one of the largest infrastructure projects ever undertaken in this country. Right now there is not a single road in this country that is having more money invested in it. Frankly, these Opposition characters should be ashamed of their lack of effort. In more than a decade of neglect of the Pacific Highway by the Howard Government, they did not pick up the phone.

Together with the Rudd Labor Government, this Government will invest \$3.6 billion. It is fine for these Opposition characters to laugh, but frankly they should be absolutely ashamed of their lack of effort and the lack of effort by the Howard Government. In one budget cycle, the Rudd and Keneally governments have outstripped almost a decade of expenditure on the Pacific Highway by the Coalition and conservatives in this country. Labor is absolutely proud of more than 90 kilometres of dual divided road construction that is being undertaken as we speak and of road safety that every year is being improved on the Pacific Highway.

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

Mr DAVID BORGER: If the shadow Minister for Roads wants to ask a question about a policing matter, he should refer that question to the Minister for Police.

KIDNEY DISEASE PATIENT SERVICES

Ms ANGELA D'AMORE: I address my question to the Minister for Health. How is the New South Wales Government improving health services for people with kidney disease?

Ms CARMEL TEBBUTT: This morning the member for Drummoyne and I visited the Concord hospital where there will be an expansion of renal dialysis services for outpatients—a very welcome initiative that was very positively received by staff and patients at the hospital. I know the member for Drummoyne has a keen interest in these issues. Kidney disease is a serious chronic disease that can affect a large number of people across varying age groups. Kidney Health Australia estimates that one in three adults is at risk of developing chronic kidney disease and one in seven adults over the age of 25 has chronic kidney disease. These are disturbing figures. We know that the incidence could be even higher: many people do not show signs of kidney disease until quite late in the progression of the disease.

Chronic kidney disease has a very significant impact on our health system. It accounts for the highest number of visits by patients to our public hospitals—approximately 2,000 each day of the year. While the incidence has a significant impact on the health system, more importantly it has a significant impact on individuals who suffer from chronic kidney disease. The Government is responding on a number of fronts, as it does in relation to so many health issues, because the answer is always multi-faceted. We know that the best outcomes for kidney disease are through prevention. For example, type 2 diabetes and artery disease are significant contributors to the very high demand for renal dialysis. Both diseases are largely preventable and are lifestyle-related.

That is why the Government has invested in a whole range of measures that will encourage people to live a healthy lifestyle, which includes a healthy diet, nutrition and exercise. People can call on the Government's Get Healthy Information and Coaching Service for an advice on weight and exercise. It offers people assistance in making changes in their lifestyle that will result in healthier outcomes. But we also know that early detection is vital to the management of kidney disease. The Government has mandated the introduction of a kidney health check for at-risk people in New South Wales hospitals that is expected to lead to both earlier diagnosis and better management of people's conditions.

Unfortunately, despite all that the Government does on the prevention and early detection fronts, the reality is that for a lot of people the only answer will be either renal dialysis or a kidney transplant. They are necessary and life-saving treatments. Each year in Australia approximately 9,600 people receive renal dialysis and approximately 7,000 people are living with a transplanted kidney. Demand for these treatments is increasing in New South Wales by approximately 5 per cent each year. The Government has responded by undertaking substantial additional investment in renal services. In the recent budget, the Government provided funding for increased renal services—almost \$11 million.

I hear the interjections being made by members opposite, but Government members also heard the budget reply speech of the Leader of the Opposition. Was there any reference to renal disease in the budget reply speech made by the Leader of the Opposition? Was there any reference to any of the major health issues confronting our community? No! There was only a passing reference of two lines or fewer to health, which

demonstrates how seriously members opposite take New South Wales health issues. Health did not even warrant a comprehensive response from the Leader of the Opposition in his budget reply speech, despite being one of the most important issues for the New South Wales community. That speaks volumes about what the Opposition is really on about when it comes to health services in the State.

As I said earlier, this morning the member for Drummoyne and I visited the Concord hospital, which is one of the locations that will benefit from expanded funding for renal dialysis. The Government has allocated \$1.6 million for an outpatient renal dialysis satellite unit. The unit will have 14 dialysis chairs.

The SPEAKER: Order! Members will cease interjecting.

Ms CARMEL TEBBUTT: Members of the Opposition are very excited. They had the opportunity a few weeks ago to say what they would do about renal disease, but we heard nothing. Nonetheless, the Government is focused on solutions. The new unit at the Concord hospital will have 14 dialysis chairs and it will treat 56 renal patients each year in addition to patients who already are being treated in the hospital's existing in-centre renal dialysis unit. Members opposite may care to listen because there are many other locations that will benefit from the establishment or expansion of dialysis services across the State.

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

Ms CARMEL TEBBUTT: The centres include the Auburn Hospital, which will have 24 additional dialysis places; the Sutherland hospital, which will have an additional 12 dialysis places; the John Hunter Hospital in Newcastle, which will have an additional 24 dialysis places; the Griffith hospital, which will have an additional six places; and the Kempsey hospital, which will have an additional 10 places. Government members recognise that to address the increasing demand for dialysis services and the growing burden of kidney disease on our community, we need to focus on prevention, early detection and expansion of treatment options. That is exactly what the Government is doing—unlike members of the Opposition, who have no plans, no policy and no commitments.

ELECTIVE SURGERY

Mrs JILLIAN SKINNER: My question is directed to the Minister for Health. When four patients have revealed in recent days that their scheduled operations at Westmead Hospital, Liverpool Hospital and St Vincent's Hospital have been cancelled a total of 14 times between them, is the Minister not living in fantasy land when she claims that all is rosy in New South Wales hospitals?

Ms CARMEL TEBBUTT: It is the case that from time to time elective surgery—

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

Ms CARMEL TEBBUTT: From time to time planned surgery has to be postponed because more urgent emergency surgery needs to take place. That is unfortunate. In our health system we always prefer not to have to do that because we know the imposition it places on patients and their families. From time to time, when we are running a busy health system, it is essential that we respond to the most urgent cases first and foremost. If the member has details and she would like to provide them to me, I will be happy to provide a response on the individual cases to which she has referred. Given that the member has raised the issue of elective surgery, I take this opportunity to point out that at the end of last week and on the weekend further national reports relating to elective surgery were released.

Once again they demonstrate that New South Wales is doing better than any other State in treating patients within clinically appropriate times, within benchmark times. No doubt there is huge demand for planned surgery. Our surgery booking system indicates a 9.3 per cent growth in admissions for surgery over the period from 2004 to 2009, and the total amount of surgery, which includes both planned and emergency surgery, has increased between 2008-09 and the previous year; the number of emergency surgery procedures has increased by just over 4,000 cases. We have a program to address planned surgery and we have worked hard to tackle long-wait patients in particular. Our most recently released quarterly performance data as at March this year shows that New South Wales public hospitals performed 2,874 more planned surgical procedures in the last quarter, which is an increase of 6.7 per cent on the same quarter last year.

The nationally agreed guidelines tell us that the maximum acceptable wait time for a category one patient is 30 days; in New South Wales as at March this year the median wait time was down to only nine

days—well within the 30-day benchmark. Doctors have determined that the maximum acceptable wait time for a category three patient is one year. Again, in New South Wales the median wait time is six months—well within the national benchmark. For category two patients the benchmark is 90 days, and in New South Wales the median wait time is just 54 days—well within the benchmark. No doubt planned surgery, elective surgery, poses huge challenges for our health system. However, we are responding to that with increased investment and a focus on patients waiting longer times and through our predictable surgery program.

FIFA FAN FEST LIVE SITE

Mr NICK LALICH: My question is directed to the Minister for Gaming and Racing, Minister for Sport and Recreation, and Minister for Major Events. What is the latest information on the FIFA Fan Fest live site?

Mr KEVIN GREENE: I am pleased to respond to this question from the member for Cabramatta, and I note the enthusiasm of members opposite for the question. I am sure that, like everyone else, they are looking forward to the game tomorrow morning when the Australian Socceroos take on Serbia in what is undoubtedly a must-win game. What has been shown through the FIFA Fan Fest site is the great excitement about Australia's involvement in the football world cup being held in South Africa. The FIFA Fan Fest site, which is one of only six sites in the world, has provided an opportunity for many Sydneysiders and our international visitors and guests to participate as part of a large crowd at that site. Although the time frames have not been good in terms of making it easy for people to get to games, the Fan Fest site has proven to be very popular.

Capacity for the site is approximately 20,000, and it was filled to capacity for both of Australia's games—the game against Germany, which we will not talk about in detail, and the game against Ghana last Saturday night, when Australia had a hard-fought draw. Indeed, the site needed to be closed a couple of hours before the matches. It is great to see so many Sydneysiders attending the Fan Fest site and showing Australia's enthusiasm for football; I know that FIFA is pleased to see that as well. I am also pleased to see so many families taking the opportunity to attend the Fan Fest site. I know the Premier has been down there with her family, sharing in the excitement and being part of the crowds, both at Cockle Bay and at Tumbalong Park.

The SPEAKER: Order! The member for Wakehurst will contain himself.

Mr Brad Hazzard: I was just observing.

The SPEAKER: Order! The member for Wakehurst will observe in silence. The Minister has the call. I call the member for Wakehurst to order.

Mr KEVIN GREENE: I apologise to the people in the gallery for the behaviour of the member for Wakehurst. It is fair to say that the crowds have been good. Even this morning for the match between South Korea and Nigeria, although the weather conditions were poor, there was a strong group of Korean fans there to support their team. The teams from South Korea and Argentina have qualified through their group. The Argentina-South Korea game was also extremely popular with crowds at the Fan Fest site. While we wish the Socceroos the best tonight, we recognise that the Germany-Ghana game also has great significance to Socceroos' supporters. That game will also be shown at the FIFA Fan Fest site tonight so that we can keep track of the game because it is of great significance. No matter what the result or where Australia ends up in its group, whether we progress—and we hope we do—

The SPEAKER: Order! The member for Coffs Harbour will put away his red card.

Mr KEVIN GREENE: I encourage Sydneysiders—

The SPEAKER: Order! The member for Murrumbidgee might want to reflect on the standards expected of members in the House.

Mr KEVIN GREENE: It is great to see such enthusiasm from the crowds attending the FIFA Fan Fest site. Even if Australia does not qualify to the next stage, the FIFA Fan Fest site will still attract many thousands of Sydneysiders to support those teams that continue in the draw. Hopefully, those who attend will show better manners than the member for Murrumbidgee and share in the enthusiasm of the event. It is important that we continue to demonstrate, even with the difficult time slots, our interest, energy and enthusiasm for the world cup, because we look forward to hosting the event in 2022.

HOME BUILDERS BONUS

Mr MIKE BAIRD: My question is directed to the Premier. Given that less than 24 hours after the Premier pushed her budget through Parliament she has been forced to introduce additional legislation to fix mistakes in the Home Builders bonus, what fantasy land is she living in when she describes the rabble she leads as a "good Government"?

The SPEAKER: Order! I call the member for Bathurst to order. The member for Manly will resume his seat. The member for Bathurst will come to order.

Ms KRISTINA KENEALLY: We introduced in our budget an Australian first that provided the stimulus to housing construction starts in New South Wales. It included zero stamp duty for pre-construction and zero stamp duty for over 65s who are looking to downsize from the family home. It was all about stimulating the economy, stimulating housing construction and creating jobs, something those opposite would not understand with their plan to choke up the planning system should the Coalition ever win government. This program is an Australian first, so we are making sure that we get it right. The Government has been listening to the housing construction sector, again something those opposite do not do.

Since the budget we have met with industry and they have suggested some improvements to this new program, which is, as I have said, an Australian first. So we are making some minor amendments to maximise the benefit of the home builders bonus; after all, the whole point of this program is to kick start the housing construction sector. Of course, it is worth reflecting on the fact that our budget is back in the black two years earlier than forecast.

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

Ms KRISTINA KENEALLY: Our budget retains the triple-A credit rating. Perhaps it is worth remembering some of the facts of the last Liberal Government budget—six consecutive budget deficits cumulatively worth more than \$5 billion.

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

Ms KRISTINA KENEALLY: That is the wonderful record that they left the State.

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

Ms KRISTINA KENEALLY: In 1995 the Coalition left net debt at \$12.15 billion when it was last in government. They think it is funny. Let *Hansard* record their laughter at their own record. What did that net debt represent as a percentage of gross State product? Their net debt was 7 per cent of gross State product.

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

Ms KRISTINA KENEALLY: We all remember Moody's rating agency placing New South Wales on credit watch in 1991 and threatening to withdraw the triple-A credit rating as a result of the economic recklessness practised by those opposite. In contrast, our budget is back in the black two years earlier, our gross State product in 2009-10 is an \$11 billion turnaround; our budget is in surplus; our State final demand is growing at an annualised rate of 6.8 per cent. They laugh on the other side of the House but those strong economic results brought this State and nation through the global financial crisis. Had it not been for the economic stimulus package—supported by Labor and opposed by the Liberal-Nationals, and New South Wales leads the nation in the roll-out of that stimulus package—the people of this State and of this nation would not have come through the global financial crisis in such a strong position.

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

Ms KRISTINA KENEALLY: We on this side of the House stand proud of our record and our budget. Those on the other side of the House should rightly be ashamed of the debt in which they left this State.

[Interruption]

The member for Upper Hunter is such a coward.

The SPEAKER: Order! The member for Goulburn will contain herself. The House will come to order.

WORKPLACE HEALTH AND SAFETY

Mr NINOS KHOSHABA: My question is addressed to the Minister for Finance. How is the Government supporting workplace health and safety initiatives?

Mr MICHAEL DALEY: I note the comments of the member for Terrigal last week about WorkCover, and I say to him: Get some understanding of WorkCover.

The SPEAKER: Order! The member for Terrigal will contain himself.

Mr MICHAEL DALEY: As part of this year's State budget, the Government delivered big time for businesses. This is a budget back in the black two years earlier than first expected, a budget that protects our triple-A credit rating, a budget that sees New South Wales leading the way towards economic recovery in this nation. In 2010 this Government will deliver \$180 million in new tax cuts. We will abolish income protection tax and we will make a double cut to payroll tax, saving New South Wales businesses \$4 billion over six years. This will be the fourth time this Government has cut payroll tax in two years. Following on from the State budget, today the Government has announced more good news for businesses in New South Wales.

Members of the Opposition may not think this is important but people who know what they are talking about do. The Government has announced a reduction of up to 2.5 per cent in workers compensation premium rates for the safest and best performing employers in the State, a move that rewards businesses for showing sustained improvement in their workplace health and safety, injury prevention and management. This is the sixth premium rate reduction for New South Wales introduced by this Government since November 2005. The target premium collection rate now sits at 1.66 per cent, its lowest level in more than a decade. This represents an average 33 per cent reduction in WorkCover scheme rates over the past five years, that is, a total saving to business of around \$1 billion each year.

The SPEAKER: Order! There is too much audible conversation in the Chamber. I call the member for Hawkesbury to order.

Mr MICHAEL DALEY: This reduction, gazetted last week, will be enjoyed by more than 161,000 employers or 55 per cent of employers covered by the WorkCover scheme across the State. It will be available to small and large businesses and it will deliver significant savings to employers. For example, an egg farmer in country New South Wales who pays wages of over \$5 million will save more than \$22,500 each year. The business community has already welcomed this reduction in the workers compensation premium rates. The Chief Executive Officer of the New South Wales Business Chamber, Stephen Cartwright, today said that the reduction, along with the cuts to payroll tax announced in the budget, marked an "important improvement in the competitiveness of New South Wales businesses". He also noted, "... it is fair that the reductions have been targeted to those industry sectors which have been performing best when it comes to workers compensation".

I take this opportunity to remind the House that in December 2006 this Government introduced premium reductions for employer's with apprentices to help address the growing skills shortage in New South Wales. Under this scheme, wages paid to apprentices do not count towards an employer's workers compensation premium, representing an annual saving of \$40 million to New South Wales businesses. This is a great incentive for businesses to encourage them to take on additional apprentices, a move that is helping to secure employment for the next generation of New South Wales workers and helping to address the skills shortage in New South Wales and indeed across the country.

The good news is that these premium rate cuts have been enabled by improvements in the financial position of the WorkCover scheme, which has been achieved through measured and responsible changes to the way we provide workplace safety in New South Wales. Costs, delays and disputes have been significantly reduced, meaning injured workers are getting medical and financial support faster. This is our approach: We are currently enjoying in New South Wales the lowest rates of workplace injury since the WorkCover scheme began in 1987 and the incidence rate of fatalities has fallen sharply, declining by 41 per cent and 62 per cent respectively. We, on this side of the House, take all of the policies that relate to working families very seriously, if those opposite do not, laughing their way through this answer.

The focus of the Government and WorkCover is providing assistance and advice to business. In 2008-09 we conducted 668 free workshop advisory visits to small businesses and 643 workshops and presentations, reaching an audience of around 7,500 business owners. We have a safety solutions rebate program; industry specific websites to give advice and assistance to business; a drought recovery assistance package providing assistance to farmers; and a small business consultative framework. I could go on about the measures that this Government, through WorkCover, has adopted in conjunction with industry, working in partnership with industry to make sure that when workers go to work, they are safe, and they come home from work.

We contrast that with the venturing today of a small policy by those opposite in relation to workplace safety. The characters on the other side of the House do not pop their heads up out of the policy parapet very often, they do not venture out of their policy hole too often, but they have today. The *Australian Financial Review* reports today that:

Shadow treasurer Mike Baird said the government's move was "tokenism at best".

The New South Wales Business Chamber says that savings to businesses will be \$65 million a year. "Tokenism at best" is what the member for Manly says. His alternative is that the Opposition is planning to overhaul the scheme if it is elected next March. The member for Monaro has asked what does this mean. Mr Baird said, as reported in the *Australian Financial Review*:

We would look at every measure and remove all unnecessary imposts and costs.

What imposts and costs would they be? Would they be the ones that enable the scheme to work in partnership with industry? Would they be the ones that educate workers and educate employers on how to go about their business better? Would they be the ones that work towards lowest fatalities in the workplace in more than a decade? No. The Opposition is reverting to type. They popped their heads up today and this is what they would do, says the *Australian Financial Review*:

For example, the opposition would investigate whether employers should have to cover staff for their journey to the workplace.

That is the Opposition's answer to workplace safety—cut benefits to workers, and not simply any old workers, wait until they are injured and take them off workplace coverage to reduce benefits. That is the Opposition's answer to workplace safety.

The SPEAKER: Order! The House will come to order. The behaviour of members is unparliamentary. The member for Barwon will acknowledge that the Speaker is on his feet.

Mr MICHAEL DALEY: It is here in black and white. The Opposition says it will determine whether employers should cover workers, under the old common law rights extended and protected by statute, who are injured going to and from work.

The SPEAKER: Order! All members who have been called to order are now deemed to be on three calls to order.

Mr MICHAEL DALEY: In the past few weeks the Opposition Leader has been swanning around western Sydney making a pitch to working men and women of New South Wales and western Sydney. I challenge the Opposition leader to come clean now with the people of New South Wales, the working families, and tell them exactly what he is going to do with their WorkCover benefits; come clean with workers who have been injured, or will be injured, and enunciate his policies and what he would do to entitlements under WorkCover for injured workers in New South Wales.

TORONTO TRAFFIC ARRANGEMENTS

Mr GREG PIPER: My question is directed to the Minister for Roads. With the number of collisions on Cary Street in Toronto being above the State average and four children having been hit by cars this year at the Bay and Cary streets intersection, including three siblings last week, when will work move from the planning stage to actual widening and improvement of this main road?

Mr DAVID BORGER: I thank the member for Lake Macquarie for his question and his very genuine interest in this matter. It is refreshing to get a question from a member of Parliament about my portfolio duties

of roads. Compare that with the shadow Minister for Roads who first held that portfolio in 2005 and asked me random questions about police. We always knew that he had no roads policy, but I always assumed he would at least know the issues that are in the roads portfolio. He needs to spend more time at the job.

The SPEAKER: Order! I remind the member for Upper Hunter that he is on three calls.

Mr DAVID BORGER: I understand that emergency services and the Roads and Traffic Authority were on site quickly after the accident at the traffic lights at the intersection of Bay Street and Main Road 217 on 16 June and I understand that the Roads and Traffic Authority has already installed a school zone adjacent to Toronto Public School on both Bay Street and Renwick Street. The Government is taking several measures to improve road safety in this area.

As a priority, the Roads and Traffic Authority is upgrading the visibility of the traffic lights at the Bay Street intersection to newer technology LED displays. This is expected to be completed next month. This is relevant, as a recent accident at the site was said to have involved a person running a red light and we need clearer signalling in that area. Secondly, the Roads and Traffic Authority is reviewing the area around the school to determine whether we need to make any changes to that road. I have asked them today to urgently complete this review.

With regard to the proposed road upgrade, we have already allocated half a million dollars for the upgrade of Main Road 217 between Toronto and Booragul. We are already planning and a decision will be made on the upgrade once this process is complete. In the meantime, we will identify properties for acquisition along that strip for road widening. The Government is developing a proposal to widen Main Road 217 between Fennell Bay and Booragul. These plans will be put on public exhibition later this year and I will keep the member informed of updates on these developments.

DOMESTIC VIOLENCE PREVENTION

Ms TANYA GADIEL: My question is addressed to the Minister for Women. How is the New South Wales Government supporting community organisations working to prevent domestic violence?

Ms JODI McKAY: I thank the member for Parramatta for raising this very important issue. As we all know, domestic and family violence is a disgraceful crime and it certainly will not be tolerated. Everyone in the community has a responsibility to make sure that those at risk—and they are most often women and children—are protected. There are no reasons and no excuses for this terrible act. The New South Wales Government takes its responsibility very seriously, and that is why we are rolling out a program to protect those at risk or suffering from domestic violence. Parramatta is one of many communities in New South Wales to benefit from the Government's \$2.9 million domestic and family violence grants program.

Anglicare in Parramatta will receive \$1,400 for its Family Safety Family Violence program, which provides support for young mothers and their children in Parramatta and Granville. The program, I am told, has a very strong focus on early intervention and prevention to help young mums who are vulnerable and at risk to make the best choices for themselves and their children. A grant of \$5,455 has also been awarded to Soroptimist of the Hills district for its Building Healthy Relationships Forum to be held in November this year. I am told that this event will involve specialist speakers and workshops on domestic violence, and it will highlight the support available for women in Baulkham Hills, Castle Hill, Hawkesbury and Parramatta.

The Government is also funding the Domestic Violence Pro-active Support Service program in Parramatta, Granville, Baulkham Hills and Auburn with \$100,000 over two years. This program will support a domestic violence specialist to work with police in local area commands, including Parramatta. The specialists give immediate help to victims, providing them with security, safety and support where and when it is needed most. The latest New South Wales recorded crime statistics show 673 recorded domestic violence related incidents in Parramatta over the 12 months to March 2010, and I know that the member for Parramatta would agree that that is 673 too many.

The Government's \$2.9 million domestic violence grant funding program will help dozens of organisations in New South Wales support women at risk. As a society and as individuals we need to shift the way we think about the issue of domestic violence. The New South Wales Government recently announced its \$50 million five-year domestic and family violence action plan, Stop the Violence, End the Silence. This action

plan provides a strong, broad framework for prevention, early intervention, advice and support for victims. I doubt there are many members of this House who do not support the Government's resolute commitment to protect all those at risk from this terrible crime.

Question time concluded at 3.10 p.m.

VARIATIONS OF RECEIPTS AND PAYMENTS ESTIMATES AND APPROPRIATIONS 2009-2010

Mr Daley tabled, pursuant to section 24 of the Public Finance and Audit Act 1983, variations of the payments estimates and appropriations for 2009-10 flowing from the transfer of functions between various agencies.

Mr Daley tabled, pursuant to section 26 of the Public Finance and Audit Act 1983, variations of the receipts and payments estimates and appropriations for 2009-10 arising from the provision by the Commonwealth of specific purpose payments in excess of the amounts included in the State's receipts and payments estimates—Department of Transport and Infrastructure.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the Performance Audit Report of the Auditor-General entitled "Government Investment in V8 Supercar Races at Sydney Olympic Park: Industry & Investment NSW, Homebush Motor Racing Authority, Events NSW", dated June 2010.

JOINT STANDING COMMITTEE ON THE OFFICE OF THE VALUER GENERAL

Reference

Ms Marie Andrews informed the House, in accordance with Standing Order 299 (1), that the Joint Standing Committee on the Office of the Valuer General had resolved to conduct an inquiry into the provisions of the Valuation of Land Act 1916, the full details of which are available on the committee's home page.

PETITIONS

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

Hornsby Ku-ring-gai Hospital

Petition requesting the rebuilding of the Hornsby Ku-ring-gai Hospital, received from **Mrs Judy Hopwood**.

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**.

Wagga Wagga Respite Services

Petition requesting funding for a second respite house and the provision of accessible access to the existing respite premises in the Wagga Wagga electorate, received from **Mr Daryl Maguire**.

Mobile Breast Screening Units

Petition requesting that mobile breast screen units be reinstated in areas within the North Coast Area Health Service, received from **Mr Donald Page**.

Mona Vale Hospital Maternity Unit

Petition requesting that the maternity unit be restored at Mona Vale Hospital, received from **Mr Rob Stokes**.

South Coast Rail Services

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

South Coast Rail Line Staffing

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

Bus Service 311

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

Bus Service 389

Petition requesting improved services on bus route 389, received from **Ms Clover Moore**.

Walsh Bay Precinct Public Transport

Petition requesting improved bus services for the Walsh Bay precinct, and ferry services for the new wharf at pier 2/3, received from **Ms Clover Moore**.

Religious Education and School Ethics Classes

Petitions opposing the proposed ethics classes and requesting continuation of the scripture classes, received from **Mr Victor Dominello, Mrs Dawn Fardell, Mr Andrew Fraser, Mr Thomas George, Ms Pru Goward, Mr Kevin Greene and Mr Donald Page**.

Sydney Harbour Marina Developments

Petition opposing any proposed super marina for Elizabeth Bay and requesting that public consultation commence for a master plan for the whole of Sydney Harbour, received from **Ms Clover Moore**.

Burrill Lake

Petition requesting the opening of Burrill Lake, received from **Mrs Shelley Hancock**.

Australian Native Landscapes

Petition requesting a variation on the Australian Native Landscapes enterprise licence to restrict operations and reduce emissions, received from **Mr Greg Piper**.

Coffs-Clarence Local Area Command

Petition requesting increased police numbers for the Coffs-Clarence Local Area Command and furthermore requesting that Sawtell police station remain open, received from **Mr Andrew Fraser**.

Shoalhaven Police Station

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

Retail Electricity Pricing

Petitions objecting to the Independent Pricing and Regulatory Tribunal recommendations to increase retail electricity prices, received from **Mr Greg Aplin and Mr Greg Piper**.

Pet Shops

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

Princes Highway Rest Areas

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

Mental Health Services

Petition requesting increased funding for mental health services, received from **Ms Clover Moore**.

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

Warriewood Redevelopment Conception Plan

Petition opposing the current redevelopment conception plan and stage 1 project application at 14-18 Boondah Road, 23-27 Warriewood Road and Macpherson Street Warriewood under part 3A of the Environmental Planning and Assessment Act 1979, received from **Mr Rob Stokes**.

Dorrigo Policing

Petition requesting adequate police presence in Dorrigo, received from **Mr Andrew Stoner**.

Wilcannia Water Supply

Petition requesting the relocation of the existing weir structure upstream of Wilcannia to a more suitable position to create a permanent weir pool and emergency water supply for Wilcannia residents, received from **Mr John Williams**.

Centennial Park and Moore Park Trust Land

Petition opposing any transfer of land from Centennial Park and Moore Park Trust to the Sydney Cricket and Sports Ground Trust, and requesting increased funding to the trust and proper public consultation on any future proposals that affect public access to the parklands, received from **Ms Clover Moore**.

The Clerk announced that the following Ministers had lodged responses to petitions signed by more than 500 persons:

The Hon. Tony Kelly—Warriewood Redevelopment Conception Plan—lodged 13 May 2010 (Mr Rob Stokes)

The Hon. Steve Whan—Drought Relief Worker Job Protection—lodged 18 May 2010 (Mr Greg Aplin)

BUSINESS OF THE HOUSE

Reordering of General Business

Mrs JILLIAN SKINNER (North Shore—Deputy Leader of the Opposition) [3.12 p.m.]: I move:

That General Business Notice of Motion (General Notice) given by me this day [Western Sydney Hospitals] have precedence on Thursday 24 June 2010.

The motion of which I gave notice earlier highlights problems in a number of western Sydney hospitals. Blacktown Hospital got only 18 extra beds when the member for Blacktown indicated the hospital needed 110 beds—a figure that I agree with. Nurse vacancies remain unfilled at Nepean Hospital—20 in maternity and 14.5 in emergency. Blue Mountains Hospital's maternity unit is closed more often than it is open despite a promise by the Government to keep it open consistently. There have been claims of waiting list manipulation at Westmead Hospital, with 800 patients affected and all other hospitals in the Western Sydney Area Health

Service impacted, particularly Mount Druitt and Blacktown. According to a leaked document I received today, which is the surgical dashboard for May 2010—the indicator of how our hospitals are going in meeting their benchmarks—not one of the hospitals in western Sydney met any of its benchmarks for waiting list performance.

In some cases—for example, cancellations on the day of surgery—not one of the area health services across the State met its benchmarks. In western Sydney the cancellations were among the highest of all. That is why some of the patients referred to in question time today have come forward. I will inform the House who they are. A 25-year-old with a badly broken leg from a motorcycle accident had his surgery cancelled three times at Westmead Hospital before finally having surgery at Blacktown. A 63-year-old man requiring replacement heart valve surgery has had his operation cancelled five times and is still waiting for a new surgery date at St Vincent's. A 23-year-old man requiring nerve repair surgery on his leg had his surgery cancelled three times at Liverpool Hospital. A 20-year-old woman requiring back surgery had her operation cancelled on two occasions at Westmead and still requires corrective surgery.

If this is not an urgent matter that should be given priority and precedence for debate tomorrow, then this Government truly is in cloud-cuckoo-land, not just fantasy land. The Government tries to pretend that everything is fantastic in our hospital system. Clearly it is not. I know that Labor members opposite know it is not and I also know that a number of them would dearly like to have this debate tomorrow. That is why I am urging the House to support this motion to make sure we can bring on this debate and challenge the nonsense statement made by the Minister for Health in Parliament today that there was no mention of dialysis in the Leader of the Opposition's budget reply speech. The reality is that the Treasurer did not mention anything about dialysis or renal services in his Treasury document.

[Interruption]

In response to the interjection by the member for Bathurst, who has not even gone in to fight for his community in relation to lost private health services in the area—

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

Mrs JILLIAN SKINNER: Those doctors will now be lost to the area. The Government also has not funded renal chairs in Forbes, despite promising them to patients in my presence during a recent visit.

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

Mrs JILLIAN SKINNER: The Minister's statement in Parliament today in relation to her announcement about Concord Hospital renal dialysis was in fact a backflip. The renal dialysis unit at Concord Hospital was closed about 18 months ago. A very dear friend of mine and a good Liberal lady, Angela Carrick, was one of the patients at that hospital who has been put through much agony by having to go to Royal Prince Alfred Hospital for treatment. The unit at Concord will be restored only because of the fantastic work done by the community, the Liberals and Nationals, and by the nurses and doctors at the hospital. It is an utter disgrace that that unit was ever closed—

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

Mrs JILLIAN SKINNER: And it is a shame that the Minister now tries to claim this is a new announcement when it is simply a reversal of the closure of the unit that occurred some time ago. The member for Mount Druitt is being very vocal. Maybe he would like to tell us about the impact on Mount Druitt Hospital of the waiting list manipulation at Westmead and elsewhere.

The SPEAKER: Order! The member for Mount Druitt will come to order.

Mrs JILLIAN SKINNER: The doctors are now speaking out about the loss of doctors—

Mr Richard Amery: The patients say it is number one.

Mrs JILLIAN SKINNER: It is only number one because they have taken away emergency surgery and because of the fabulous work done by the doctors and nurses. It is certainly nothing to do with the Government. [*Time expired.*]

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [3.17 p.m.]: Time and again the member for North Shore rises in this place to make spurious statements in relation to health in New South Wales, and time and again she is proven wrong. I do not know how she has the effrontery to keep making these claims—

Mrs Jillian Skinner: Would you like the document?

Mr JOHN AQUILINA: The documents that she claims to be leaked documents are in many cases nothing of the sort. In other cases, the claims she makes are shown upon investigation to be totally false or completely baseless. Earlier this month the Government handed down the 2010-11 budget—and these are facts that everybody can see and debate—that delivers another record year of investment in health. It contained a massive \$16.4 billion for Health—an increase of 8.6 per cent, or \$1.3 billion, over the 2009-10 budget. The Opposition would have us believe that this is the action of a negligent government that has no concerns about health.

This year the Government increased the State's Health budget by \$1.3 billion on the figures in the 2009-10 budget—a massive increase of 8.6 per cent on the consumer price index—giving a high priority to Health. Compared with other budgetary allocations, the Health budget in this State received the largest funding allocation. The Health budget will strengthen this Government's ability to ensure that, no matter where a patient might live, he or she receives the right care in the right place at the right time. Most decidedly that will include patients in the western suburbs of Sydney and, in particular, the areas to which the Deputy Leader of the Opposition referred.

The Deputy Leader of the Opposition took much pleasure in denigrating the fine hospitals at Blacktown, Nepean and the Blue Mountains, and she made a number of other spurious claims. However, in reality, this Government has increased the Health budget in the western suburbs and in the areas the member purports to represent. The member's motion makes reference to Blacktown Hospital. After a meeting in April of the Council of Australian Governments [COAG], the Premier and the Prime Minister signed an historic healthcare agreement in the presence of the member for Blacktown, the Minister for Health and me. As a result of that agreement, Blacktown Hospital will receive the first new beds in New South Wales and those beds will support the New South Wales Government's investment in that hospital.

The member for North Shore would have us believe that is all that will happen at Blacktown Hospital. However, in reality, the new cardiac catheter laboratory that has been completed will treat more than 1,500 patients and enable the people of Blacktown and the surrounding areas to receive cardiac services locally. A new CT scanner for Blacktown Hospital will help to ensure that imaging services at that hospital remain at the forefront of technology. For a long time Blacktown has been at the forefront of imaging technology. The Deputy Leader of the Opposition completely ignored those facts and behaved as though they were non-existent because it suited her argument to do so. She is about tearing down the health system, whereas members of the Labor Party and of the Government are about building up and maintaining the health system.

Opposition members have clearly stated that they do not support the health reforms or the additional \$1.3 billion in funding that has been allocated to NSW Health and to our health system. Opposition members criticise everything this Government is doing, including its investment in beds at Blacktown Hospital flowing from the COAG reforms. The NSW Health Quarterly Hospital Performance report for the period between January and March this year shows that there were 8,783 attendances at Blacktown Hospital emergency department—an average of just over 100 attendances a day. Again, Opposition members are like ostriches with their heads in the sand: they do not accept the facts and they repeat spurious comments that have been made by others. They do not want to lead.

I have been informed that in triage category one patients were seen within two minutes—100 per cent of patients seen on time. In triage category two, 93 per cent of patients were seen within the benchmark of 10 minutes, and in triage category three, 85 per cent of patients were seen within the benchmark of 30 minutes. These are the facts that Opposition members choose to ignore. This motion is not urgent because nothing that the Deputy Leader of the Opposition has said in any way relates to the reality of the situation, and it does not deserve to be debated. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 39

Mr Aplin	Ms Hodgkinson	Mrs Skinner
Mr Baird	Mrs Hopwood	Mr Smith
Mr Baumann	Mr Humphries	Mr Souris
Ms Berejikian	Mr Kerr	Mr Stokes
Mr Besseling	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 J. D. Williams
Mrs Fardell	Mr Page	Mr R. C. Williams
Mr Fraser	Mr Piccoli	
Ms Goward	Mr Piper	
Mrs Hancock	Mr Provest	<i>Tellers,</i>
Mr Hartcher	Mr Richardson	Mr George
Mr Hazzard	Mr Roberts	Mr Maguire

Noes, 46

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

Question resolved in the negative.

Motion negatived.

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (General Notices) Nos 896 to 906 will lapse on 24 June 2010 pursuant to Standing Order 105 (3).

BUSINESS OF THE HOUSE**Withdrawal of Business**

General Business Notice of Motion (General Notice) No. 913 withdrawn by Mr Gerard Martin.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Police Resources**

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [3.31 p.m.]: I ask that the following motion be accorded priority:

That this House congratulates the Government on its record investment in resources for police across the State as part of the 2010-11 budget.

The New South Wales Government has a proud history of supporting the New South Wales Police Force and providing it with all the resources and equipment it needs.

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

Ms LYLEA McMAHON: Data from the latest New South Wales Bureau of Crime Statistics and Research quarterly crime report shows that our police are doing a fantastic job keeping New South Wales communities safe, and no more so than in the Shellharbour electorate. In the 24 months to March 2010, 16 out of 17 major crime categories were falling or were stable in New South Wales. These fantastic results show that the hard work of the New South Wales Police Force continues to have a significant impact on crime. The New South Wales Police Force is one of the largest and best equipped. The New South Wales Government will continue to provide more front-line officers with new state-of-the-art equipment as part of a record \$2.8 billion investment in the New South Wales Police 2010-11 budget. The mob opposite does not want to hear about that. They just want to make light of those facts and ridicule the New South Wales police. Shame on them!

This motion needs to be accorded priority as this record investment will continue to help us create a modern, mobile and responsive New South Wales Police Force. It will deliver more police and get them out on our streets to make communities across New South Wales safer. The New South Wales Police budget includes the provision of a new twin-engine helicopter, more mobile automatic numberplate recognition software, more mobile command units, and unique police equipment such as the trail bikes that were delivered to the Lake Illawarra Command to continue to target specific crimes at a local level.

If the lot opposite were in touch with their communities they would appreciate why the Shellharbour electorate has been calling for trail bikes. As the member for Shellharbour, I am absolutely delighted that the New South Wales Labor Government delivered those trail bikes to the Lake Illawarra Command to enable it to combat crime effectively. The Keneally Government will also invest \$34.9 million this year as part of our commitment to deliver an additional 400 front-line officers by December 2011. Those opposite will not commit to increased police numbers or to anything for which they can be held accountable. On the other hand, this Government is delivering not just for policing but for all areas across the New South Wales budget, particularly in the Shellharbour electorate, which called for trail bikes and had them delivered.

The DEPUTY-SPEAKER: Order! Opposition members will come to order. The member for Terrigal will come to order.

Ms LYLEA McMAHON: The good news is that this equipment has been rolled out already to local areas across the State and will be in operation shortly. As I have said, in my electorate of Shellharbour on the South Coast police soon will receive a new crime-fighting tool, with the local area command being presented with two state-of-the-art trail bikes valued at \$10,000 each. It should be noted also that the Shellharbour electorate—

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

Ms LYLEA McMAHON: The Shellharbour electorate has seen a significant increase in the number of front-line police.

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

Penrith By-Election Result

Mr RAY WILLIAMS (Hawkesbury) [3.36 p.m.]: Yesterday in this House during question time the Leader of the Opposition, Barry O'Farrell, asked the following question of the Premier: "Will you admit that the results of the Penrith by-election were due to your Government's failure to improve the M4 off ramps, Victoria Bridge, slow train services in Penrith and staffing to Nepean Hospital?" The answer from the Premier was that the people of Penrith were angry. That is the first thing the Premier has got right in six months. You can damn well guarantee that the people of Penrith are angry. As a matter of fact, they did not take to Labor with baseball bats last Saturday; they chopped it to pieces with machetes, carving out a huge 25.75 per cent margin that is now with the Liberals-Nationals Coalition. The Premier went on to say that she believed Penrith voters were angry because the previous member, Karyn Paluzzano, had betrayed their trust.

Mr Richard Amery: Point of order: The member for Hawkesbury is charged with arguing why his motion should be accorded priority.

The DEPUTY-SPEAKER: Order! I cannot hear the member's point of order.

Mr Richard Amery: What was said yesterday is not a reason for according priority as to what we should debate in the next 10 minutes. I ask that the member for Hawkesbury be directed to state why his motion should be accorded priority.

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

Mr RAY WILLIAMS: The Premier and her Government are the ones who betrayed the trust of the people of New South Wales. The Premier and her Government have abrogated their responsibility to provide basic services to the residents of western Sydney. She has been derelict in her role as a leader. The Premier lives in fantasy land, as mentioned today, especially after comments to her Australian Labor Party colleagues that "Labor's doing a great job"—which is a contradiction in terms.

Mr Gerard Martin: Point of order: My point of order is the same as that raised by the esteemed member for Mount Druitt. The member for Hawkesbury is not stating why his motion should have priority. He is doing what a thug of the white shoe brigade would do: he is attacking other members of the House. I ask that he be brought back to establishing priority. The name of the debate may have changed from "urgent" to "priority" but the principle remains the same. The member for Hawkesbury should abide by the standing orders and put his case as to why his motion should have priority.

The DEPUTY-SPEAKER: Order! I will hear further from the member for Hawkesbury. I am sure he will outline why his motion should be accorded priority.

Mr RAY WILLIAMS: That is so, Madam Deputy-Speaker. The Premier also said to her colleagues in the Australian Labor Party that the voters of New South Wales "are lucky to have us." That is like saying to people that they are lucky to have herpes! I guarantee that no-one is lucky to have herpes. Those who have herpes would want to get rid of it as quickly as voters want to get rid of the New South Wales Government.

Mr Alan Ashton: Point of order: The language used by the member for Hawkesbury is totally outrageous and unparliamentary. Changes were made to the standing orders to ensure that the motion would be accorded priority rather than being debated as a matter of urgency. The most important point is that the purpose of the member's speech remains the same: The member must establish why his motion should be accorded priority. Instead the member for Hawkesbury is speaking as though his motion has been given priority and he is now debating the substantive motion. Apart from that, when a member introduces a topic such as herpes, he is not focusing on achieving priority for his motion. That reflects very poorly on all members of the Opposition.

The DEPUTY-SPEAKER: Order! The member for Hawkesbury must establish why his motion should be accorded priority. Members should conduct themselves in accordance with community expectations.

Mr RAY WILLIAMS: The reason that this motion should be accorded priority is that the people of western Sydney need a change. Last Saturday not one member of the Government ventured out to western Sydney to be present at polling booths and listen to concerns expressed by the people of Penrith. By contrast, the Leader of the Opposition and every member of the Coalition was in Penrith last Saturday at polling booths and listened to the views being expressed on issues such as roads, traffic problems, the failure of public transport and, particularly, the 3,000 people on the waiting list at Nepean Hospital.

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

The House divided.

Ayes, 48

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

Noes, 38

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

Question resolved in the affirmative.

POLICE RESOURCES**Motion Accorded Priority**

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [3.50 p.m.]: I move:

That this House congratulates the Government on its record investment in resources for police across the State as part of the 2010-11 budget.

As I have stated previously in this House, in the 24 months to March 2010 statistics for 16 out of 17 major crime categories were stable or decreasing across New South Wales, thanks to the hard work of the men and women of the New South Wales Police Force, who are receiving record policing resources from the Government in the form of a \$2.8 billion investment as part of the 2010-11 State budget. These record resource allocations are fantastic. As part of the Government's budgetary allocations for the Shellharbour electorate on the South Coast, police soon will receive a new crime-fighting tool. As part of the 2010-11 New South Wales police budget allocation, police in my electorate will receive two trail bikes in addition to a new \$17 million police station.

The new police station is due to be completed by the end of the year and will provide approximately 220 police officers with very important support. The trail bikes were provided as a result of a request by local area command police officers and a local community campaign. Each bike is valued at \$10,000 and is part of the next generation of policing equipment. The bikes will be operational by the end of the year. Last week I had the pleasure of visiting the Lake Illawarra Local Area Command in the company of the Minister for Police, and Minister for Finance, Michael Daley, and local parliamentary representatives Noreen Hay and Matt Brown to witness firsthand the benefits of new equipment.

The DEPUTY-SPEAKER: Order! Opposition members will come to order. I call the member for Murray-Darling to order.

Ms LYLEA McMAHON: The purpose-built trail bikes are able to negotiate almost any terrain and will enable police officers to respond rapidly to emergency situations. The bikes are premium crime-fighting tools. Police officers attached to the Lake Illawarra Local Area Command will be able to use the bikes in search-and-rescue efforts, and to pursue criminals through national parks and across rough terrain. Police officers will be able to crack down on illegal trail-bike riders who have been creating havoc in the Shellharbour electorate by damaging local sporting fields and preventing our young people from playing sport. It is fantastic that police officers of the local area command will have these bikes at their disposal. New South Wales now leads the nation with its state-of-the-art modern policing methods. These new bikes will enable officers to adapt to a wide range of police duties and to assess and patrol new areas of the Illawarra. They will be a valuable asset and will enable police to get out from behind their desks.

Police on the South Coast have also been given a boost, with the Shoalhaven Local Area Command set to receive a state-of-the-art mobile command vehicle as part of the 2010-11 New South Wales police budget. This new mobile command vehicle is one of 25 mobile police commands worth about \$3.3 million, delivered as part of the 2010-11 New South Wales police budget. It will be operational by the end of the year. The new unit

is a fantastic resource for local police that will better enable them to target known crime hot spots in the region. This mobile command will be deployed to local hot spots to fight and prevent crime when it is happening. It will result in more police being out and about and interacting directly with the community, where they can continue to drive down crime and antisocial behaviour in Nowra, Berry and surrounding communities.

The record New South Wales police budget also includes \$6 million towards the continued rollout of the mobile automatic numberplate recognition software in police vehicles. Automatic numberplate recognition uses a camera and optical character recognition software to capture an image of a vehicle, locate the numberplate and then read the text of the numberplate. Vehicles equipped with the mobile automatic numberplate recognition technology can scan six numberplates a second at a cumulative speed of 200 kilometres an hour in fog, heavy rain and poor visibility. The identified numberplate is then cross-checked against the law enforcement agency's database to generate an alert. So far, more than 6,750 suspicious vehicles have been detected on our roads between December 2009 and June this year. This has led to 2,492 drivers being picked up for driving an unregistered vehicle and more than 1,100 for driving an uninsured vehicle.

Just last week the state-of-the-art software was credited with helping the New South Wales police to apprehend a carjacker in Canley Heights. The violent offender carjacked a female driver at knife point. She was threatened and asked to step out of her vehicle. She immediately contacted the police and a message was broadcast to officers in the field. Officers at a nearby highway patrol unit equipped with mobile automatic numberplate recognition technology entered the numberplate of the stolen vehicle into their database. At 12.10 p.m. in Bonnyrigg the stolen vehicle was detected by the automatic numberplate recognition technology as it drove past police. The offender was arrested without incident and is in the process of being charged with aggravated carjacking and a number of other offences.

The \$6 million allocated to the mobile automatic numberplate recognition units in this budget, along with the \$1.9 million for the purchase of 41 more units this year, is fantastic news for local police. The Government is supporting local police in catching offenders on the roads in the community and across the State. So, too, is the cutting-edge new forensic equipment that has been funded in this State budget. The New South Wales budget delivers \$12.4 million for improved forensic DNA testing and procedures. This includes a 3D ibis ballistic matching system, the purchase of six mobile forensic command vehicles, and a new scanning electron microscope with an energy dispersive X-ray analyser that enables police forensic scientists to detect, characterise and identify otherwise unseen valuable microscopic clues. This establishment in partnership with a major university of New South Wales first mitochondrial DNA— *[Time expired.]*

Mr ANDREW FRASER (Coffs Harbour) [3.57 p.m.]: The question put to the Minister for Roads today by the Leader of The Nationals was why only one highway patrol officer was rostered to work on Operation Stay Alert on the mid North Coast on the Queen's birthday weekend. The member for Shellharbour is making a private member's statement, saying how well off she is in her electorate, when the people of the North Coast living on the Pacific Highway—probably the most dangerous road in New South Wales—had only one highway patrol vehicle for the Queen's birthday weekend.

Ms Lylea McMahon: Point of order: The time for questions is over. That question has been asked and answered. This debate is about the New South Wales budget and specifically the record resources—

The DEPUTY-SPEAKER: Order! There is no point of order. The member for Coffs Harbour is referring specifically to policing in this State.

Mr ANDREW FRASER: That goes to show the nonsensical arguments coming from the member for Shellharbour and her lack of understanding of police resources in New South Wales. In Coramba in my electorate this week someone attempted to abduct two schoolchildren, one 11 years old and one nine years old. Coramba police station is unmanned because its police officer is helping out in Coffs Harbour, which is undermanned. Sawtell police station was closed because the Coffs Harbour police roster is short in 60 slots. The budget that the member so glowingly endorsed makes no mention of a \$19 million police station justice centre for Coffs Harbour, which was announced in the budget last year. It is not in the budget papers. Where has that \$19 million gone? The people of Coffs Harbour and the people of the North Coast want to know. In 2006 the then Minister for Police and Deputy Premier, John Watkins, wrote to me and said:

I have noted your comments supporting the upgrading of Coffs Harbour Police Station and Courthouse facilities. As you may be aware, the Government announced an on-going program to deliver 27 new police stations (including Coffs Harbour) over five years ...

I have been advised by Mr John Karaboulis, Director, Investment and Commercial Services that NSW Police has commenced preliminary planning for the development of a new police station ...

Last year money for planning was allocated in the budget, but no planning has been done. This year the project has fallen off the budget. On 24 February 2010, the Minister for Police said in this House:

New work is due to commence on an additional five new sites in 2009-10 including police stations at Coffs Harbour, Liverpool, Manly, Moree and Tweed Heads.

Work at Coffs Harbour is not starting. The planning has not been done. The motion moved by the member for Shellharbour is an absolute laugh, a joke and a blight on the Government. It is representative of why the Government took a 25.75 per cent caning in Penrith: It does not support police. The number of police officers in Coffs Harbour, up and down the North Coast, in Sydney and across New South Wales who are on stress leave is beyond belief. Dave Allen told the community of Coffs Harbour that police numbers on the North Coast in the Coffs-Clarence command were up to scratch. However, approximately two days after he made that statement I was told by a representative of the police union in Coffs Harbour, the people we talk to in our electorate, that the Coffs Harbour police roster had 60 spare spots, and that Sawtell police station had to be closed. That is the truth of the matter.

Crime rates in the Coffs Harbour-Clarence area are as high as, or higher than, they are in Cabramatta and Kings Cross yet the Coffs Harbour-Clarence area does not have sufficient resources to combat crime. Only a few weeks ago the police union told me that on a Saturday night, the busiest night of the week for police, only one general duties car was available to cover the towns of Dorrigo, Bellingen, Urunga and Tormina. Dorrigo is approximately 80 kilometres from Coffs Harbour, a distance that would take a good 45 minutes in a fairly quick car to cover. If an incident occurred in Dorrigo and another occurred in Tormina, the people in Tormina would have been in deadset strife. About three months ago I dropped into the Woolgoolga police station on a Saturday night and heard that a domestic violence incident had been reported. Today in question time we heard from the Government about domestic violence. The domestic violence incident occurred at Ulong, which is more than one hour's drive from Woolgoolga. Police could not investigate the reported incident because they had to deal with problems in Woolgoolga.

Yet the member for Shellharbour has the hide to pat herself on her back and commend the Government for providing increased police resources. If she is not on Facebook she should get on it, go to the Help our Cops site and read what people are saying about the Government. No matter how many times the member for Shellharbour tries to convince herself otherwise—whether it is in this House, through media releases, or pats on the back for having two trail bikes that will run through national parks—police officers are suffering and they are going off work on stress leave. They have to face their families absolutely beggared after a 12-hour shift. They do not get the support that the member for Shellharbour is purportedly giving them.

The commander at Coffs Harbour has his office in a demountable building at the back of the police station, which is open to the weather. In the past 12 months it has rained constantly in the Coffs Harbour area. People who go to see the commander are drenched by the time they get to his office because there is not even a covered walkway from the police station to his demountable office. Yet the member for Shellharbour wants to pat herself on her back. If I were the member for Shellharbour I would take a real lesson from the Penrith by-election and rather than pat herself on the back and have Twittering debates—you are a twit—she should talk to the people and find out what they want.

Ms Lylea McMahon: Point of order: I ask that the member withdraw his comment.

Mr ANDREW FRASER: What comment?

Ms Lylea McMahon: You know what comment.

Mr ANDREW FRASER: No, I don't. What comment?

Ms Lylea McMahon: The member for Coffs Harbour should refer to members of Parliament in parliamentary language. The language that the member for Coffs Harbour used was not parliamentary.

Mr ANDREW FRASER: I was talking about Twittering, and I said, "You are a twit".

Ms Lylea McMahon: That is not parliamentary.

Mr ANDREW FRASER: If the member for Shellharbour takes offence I will withdraw the comment, but she should read this debate tomorrow.

Mr GEOFF CORRIGAN (Camden) [4.04 p.m.]: I have great pleasure in supporting the motion moved by the member for Shellharbour. The Government is to be congratulated on its record investment in resources for police across the State as part of the 2010-11 budget. The Government has a long history of providing the New South Wales Police Force with the best resources, technology and equipment available so they have the tools they need to keep our community safe. I note the comments of the member for Coffs Harbour and I encourage him to bring those individual matters to the attention of the Minister for Police, as I am sure they will acted upon.

The Government is also providing police with state-of-the-art facilities because while buildings do not catch criminals, providing police with the best facilities possible is critical in fighting crime. The Government is building and upgrading 37 stations across the State during this term of government to ensure that our police are working in world-class facilities with access to the latest technology. We are on track to deliver all police stations on schedule as part of our commitments we took to the last election. The 2010-11 budget allocates \$166 million in capital funding to deliver significant investment in personnel, infrastructure projects and construction jobs.

This investment includes \$67.5 million to continue the planning and construction of new police stations at Bowral, Burwood, Camden—I am happy Camden has been included and is planned to be completed by the end of the year—Glendale, Granville, Kempsey, Lake Illawarra, Leichhardt, Liverpool, Manly, Moree, Parramatta, Raymond Terrace, Riverstone, Tweed Heads and Wyong; \$3 million for prisoner handling upgrades; \$1 million to construct a tactical police training facility on the site of Kingsgrove Police Station; and \$2.3 million for design and start of construction works on new police stations at Parkes, Deniliquin and Walgett, and an extensive refurbishment at Tenterfield. This is in addition to the \$3.3 million for 25 mobile police commands. Those mobile commands will be deployed to local hot spots across New South Wales to fight and prevent crime where it actually happens. Mobile commands are excellent and police appreciated the one that was delivered to Camden Local Area Command when David Campbell was the Minister for Police. It is used extensively, particularly for major operations.

Communities will see more police out and about interacting directly with the community, where they can continue to drive down crime and antisocial behaviour. The Police portfolio is supporting 3,000 jobs in the construction industry. Some of those jobs are in my community, with the construction of Camden police station at Narellan, which is supporting 430 direct and indirect jobs and providing experience for five apprentices. The \$16.9 million Camden police station will provide the hardworking and dedicated officers in my community with the best facilities available. The new station is expected to be completed early next year and will house the local area command, general duties police, highway patrol police, police prosecutors, the targeted action group, the anti-theft group, the crime management unit, licensing police, scene of crime officers, custody, and detectives. The new police station will serve the Camden community now and into the future.

The 2010-11 New South Wales Police Force budget also includes upgrades to police technology and equipment, as mentioned by the member, with \$11.5 million to upgrade information communications technology equipment; \$11 million for the police radio network and communications upgrades; and \$15 million for the ongoing upgrade of the Core Operating Policing System program, something we hear about at our meetings with our local area commanders and communities. The New South Wales Labor Government is giving front-line officers the funding, resources, and powers they need to drive down crime across New South Wales. They are getting terrific results with crime either falling or stabilising in 16 out of 17 major crime categories. We are also providing police with record numbers. In contrast, we have consistently provided police with new recruits and increased funding, increasing the authorised strength of the New South Wales Police Force to 15,556 officers.

This steady increase means that we now have one of the largest police forces in the Western world. That is in stark contrast to those on the other side of this House. Since the Coalition was last in government we have systematically gone about supporting our police by providing them with world-class stations, state-of-the-art technology, equipment and record numbers. They are out on the streets every day doing a tough job and keeping communities across the State safe. My brother-in-law is a police officer. He is one of the most critical persons I know. He has been very happy with the work of the Government in supporting him. He lives on the Central Coast and works at Hornsby. He is very happy. I also know that our local area command is happy. Of course, we do not want police sitting in police stations, we want them mobile and out in their cars. I do not have time to refer to the Dorrigo situation, but I am sure the Minister will take up that matter with the member for Coffs Harbour.

Mr RAY WILLIAMS (Hawkesbury) [4.09 p.m.]: May I say, first and foremost, my area is not fortunate enough to have a police station. Whilst the Hawkesbury area has absorbed the majority of the rapid growth in the north-west area—many thousands of people have moved into the area—we have been deprived of a police station for many years. Instead, we need to depend on police stations in close proximity, such as Castle Hill, the Hawkesbury command at Windsor police station and Quakers Hill police station. The Hawkesbury electorate is 3,000 square kilometres and, whilst it is broken up into two local area commands, it is a huge area to cover.

Time and again, when one talks to the good police men and women in those stations, they say they are severely under-resourced. That is coming from the horse's mouth—they would not say it unless they meant it. They are run off their feet and they are failing to address crime, which is increasing. It is unfortunate to say that in relation to my area, because it is a wonderful area and has always had a very low incidence of crime. However, crime is increasing, which always happens when there is large population growth. It also happens when there is a new regional centre, such as the fabulous Rouse Hill Town Centre. The centre attracts people from a wide number of areas, including some undesirable people who look forward to stealing cars and causing disruption to the locals. On behalf of the good police men and women in all of the stations I have mentioned, I am more than happy to stand here in the New South Wales Parliament and address the issue of lack of police resources.

If I go back a mere matter of months, police in a particular station leaked a document to the Liberals-Nationals because of concerns about a new police station. We were absolutely pleased to bits about the new police station and new premises at Windsor, and we commend the Government for building that police station. However, there is no point building a new station if it is not going to be resourced adequately with police. The police officers in that station wrote a report to the Commissioner of Police requesting an additional 15 officers, which will give members some idea of just how let down they were.

I will refer to one small aspect of that particular station. The new station has a custody unit. Most Government members would know that the custody unit is the lock-up. However, for people who do not understand, the custody unit is where criminals are locked away and they need to be supervised throughout the time that they are in that lock-up. When these types of criminals are captured or come to Windsor to attend court, someone from the Windsor police station has to supervise them while they are going through the procedure of going to court or being charged. Those people are drawn from the general duties officers in that area.

So whilst those officers are supervising a criminal in jail, crime is out of control around the area. It is unfortunate that the member for Riverstone is not in the Chamber debating this issue, because the Windsor police station is in his electorate. He would know full well that crime has been quite bad over the past two months. It has been referred to on the front page of the local paper, the *Hawkesbury Gazette*, which highlighted violence generally involving young people, I would say between the ages of 16 and 19. That is a problem in itself and indicates that the Government has failed to provide services for youth in that particular area. They have been causing malicious damage and engaging in drunken behaviour, et cetera, for quite some time.

I am pleased to say that the good people at Windsor police station have taken that on board and have tidied up many of those problems in the past two months, but they were denied up to 15 police officers at that station and six police officers just to cater for the new custody unit that was built. Once again, I say that it is no good building new police stations and new facilities if they are not going to be resourced. Unfortunately, the New South Wales Government has failed to provide adequately for all police stations across New South Wales.

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [4.14 p.m.], in reply: What we have here is typical scaremongering on the part of Opposition members. Here they go again. The facts of the situation are that the New South Wales Labor Government has supported the New South Wales Police Force with a 20.5 per cent increase in numbers since those opposite were last in government. For example, in my electorate of Shellharbour there has been an increase of 34.9 per cent in respect of numbers of police. In addition, 400 extra police will be delivered by the end of 2011. The New South Wales Opposition is continuing to talk down the hard work of police by using scaremongering tactics and saying crime is out of control. The facts say otherwise. Sixteen of seventeen categories of crime have been stable or have fallen over the past 24 months to March. There is a \$2.8 billion investment as part of the New South Wales budget 2010-11.

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

Ms LYLEA McMAHON: There was \$12.4 million for improved DNA forensic testing. Opposition members would have people believe that they support resources going to police and they support providing

police with DNA forensic testing, for example. However, the member for Epping took a swipe at front-line police when discussing DNA laws, saying that we must be careful not to allow police who are perhaps overzealous—

Mr Andrew Fraser: Point of order: The member for Shellharbour is responding to the debate. She should cover issues raised in the debate, not introduce new material.

Ms LYLEA McMAHON: I am replying directly to the debate.

The DEPUTY-SPEAKER: Order! The member for Shellharbour is speaking in reply. A number of issues were raised during the debate. The member's comments are in order.

Ms LYLEA McMAHON: Greg Smith has taken a swipe at front-line police when discussing DNA laws.

Mr Thomas George: Point of order—

Ms LYLEA McMAHON: You don't want to hear it, do you?

Mr Andrew Fraser: No.

Mr Thomas George: I ask you to ask the Parliamentary Secretary to refer to members by their electorate.

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

Ms LYLEA McMAHON: The member for Epping and the shadow Attorney General took a swipe at front-line police when discussing DNA laws, saying that we must be careful not to allow police who are perhaps overzealous and step out of line. This is an attack on police.

Mr Andrew Fraser: Point of order: This material was not introduced in the debate in any way, shape or form. The member for Shellharbour is introducing new information into the debate. Under the standing orders, she is not allowed to introduce new material in her reply.

The DEPUTY-SPEAKER: Order! I have been listening to the debate for quite some time. The motion refers specifically to police across the State. Numerous issues and numerous policies were raised during the debate. The member for Shellharbour is well within the confines of the debate if she wishes to refer to what a shadow Minister had to say about police.

Ms LYLEA McMAHON: In addition, the member for Coffs Harbour referred to domestic violence. When the Government passed historic legislation to create a new offence for domestic violence, give greater protection to children and increase police powers in domestic violence situations, the Opposition failed to support it. The shadow Attorney General said that he did not think any laws could prevent domestic violence. Rather than making laws tougher and giving more protection to victims, he called for more mediation and conciliation between the warring parties. It was in the wake of the tragic domestic violence murder of Melissa Cook when he added that he thought it was too easy for people to get an apprehended violence order.

The members opposite claimed to be in touch with the police. If they had been talking to the police they would know that the police wanted those apprehended violence order powers strengthened. The member would know the police want resources to deal with domestic violence. I am proud to say that in the electorate of Shellharbour we now have four domestic violence liaison officers as well as a pilot program running through the Domestic Violence Support Service. All these good things are happening in the electorate of Shellharbour. Members opposite do not want to know what is going on in the community, nor do they want to support the police. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 46

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

Noes, 38

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

Question resolved in the affirmative.

Motion agreed to.

The DEPUTY-SPEAKER: Debate on the motion accorded priority having concluded, the House will now proceed to Government business.

DUTIES AMENDMENT (NSW HOME BUILDERS BONUS) BILL 2010

Agreement in Principle

Debate resumed from an earlier hour.

Mr MIKE BAIRD (Manly) [4.27 p.m.]: As we heard today, the Duties Amendment (NSW Home Builders Bonus) Bill 2010 amends a budget appropriation bill that passed through the upper House less than 24 hours ago. It is hard to draw any conclusion other than that the New South Wales Government has lost control not only of State Government services but also of the ability to manage day-to-day business. I do not know whether it is the sort of record one would want when a piece of legislation passes through this Parliament and has to be amended within 24 hours. I do not know how often that has happened but this must be close to a world record.

We have significant concern that such fundamental changes have been made so quickly in this bill so soon after the budget process. It raises questions about the credibility of the entire budget process and how stakeholder consultation was undertaken in the preparation of the budget. It also raises questions about how the Government manages not only the budget but also the operations of government. A financial incentive was

announced in the budget but the Government appears not to have nussed out the details. It is an indictment on the Government and an indictment on the Treasurer. We heard no words of contrition from the Premier in question time. She said they were just minor cosmetic changes. The changes may well be reasonably minor but one has to question how the Government reached a position where such changes had to be made and what impact they will have on the budget.

A few hours ago I was notified rather than given a detailed briefing that this bill would be introduced today. When I asked what impact this legislation would have on the budget the response that I received was that it would be negligible. Without any formal modelling and analysis and all the things that one would expect before the implementation of such an initiative, it is hard to make any conclusions and it is hard to believe that the Government is in control. We do not know what impact this legislation will have on the budget. Let me touch briefly on a number of matters in the time that is available to me. The Opposition is disappointed in the way in which the Government introduced this legislation. How did these oversights occur? Why was there no stakeholder consultation? What modelling and analysis have been done? If all those things were done there should be no impact on the budget. The Government is out of control and this legislation proves that it has lost control of its agenda.

The Duties Amendment (NSW Home Builders Bonus) Bill 2010 addresses three measures and will implement the homebuilders bonus outlined in the State Revenue Legislation Amendment Bill 2010. First, this legislation will remove the 18-month completion time frame for dwellings commenced under the home builders bonus to allow enough time for builders to gain development approval. The examples that have been given relate to weather delays and to finance. I know that that will place restrictions on builders, but would the removal of such a time frame provide enough stimulus to address the problems that are being faced in this State at the moment—that is, the historically low levels of new dwellings that are being created?

The second key measure relates to receivership and to liquidation provisions. The legislation will enable a builder who takes over a partially completed development to gain an off-the-plan exemption. That would apply if the original builder went into liquidation and a new builder took over the development. The exemption would apply if the development were less than 25 per cent complete—an issue about which the Opposition has some concerns. The final key measure relates to multi-tower developments. At present, if a builder lays the foundation for a multi-tower development and builds only one tower, the off-the-plan exemption is available only to people who buy in the first tower. This legislation provides for the exemption to be provided to other towers in a staged development, even if the foundations have been laid. I spoke earlier about specific completion dates. The whole purpose of this legislation is to provide a stimulus—a demand driven approach to create new dwellings in New South Wales.

Will the removal of the 18-month time frame help to facilitate this incentive? I understand that there will be delays, but it is imperative to get dwellings underway in this State as soon as possible. That is the intention of this incentive. Will the removal of this restriction continue to keep pressure on developers? Will it stop developers land banking? They might start these developments but they might well not proceed with them for some period until there are more favourable market conditions. They might hold onto the capital as they have secured the incentive and they have started these developments. I believe that this is a grey area for the Government. We have not been given an opportunity to give this legislation appropriate consideration and we cannot do justice to it. This Government, in its broad-brush approach, is trying to ram through this legislation less than 24 hours after its budgetary allocation for reasons that only it can articulate.

In the area of receivership and liquidations, the example that was given related to World Square. If building construction remains unfinished for many years, new buyers should be allowed to pick up these off-the-plan exemptions. What sort of modelling has been provided? How will the Office of State Revenue or Treasury determine what number of multistorey buildings will be completed? If a builder has built only one storey of a four-storey development, will Treasury get out its tape measure to determine the critical mass? Will it determine what percentage of timber or steel will be used? It strikes me as being a difficult provision to enforce. I am not sure whether it should be the job of the Office of State Revenue to enforce these provisions. These amendments make sense if a builder goes broke. We are happy to continue concessions to potential purchasers of those apartments.

Again, from my point of view the timing is critical. We must look critically at supply measures and at demand incentives. The Opposition has endorsed demand incentives but will they be as effective as they could be? How many multi-tower development sites are there currently across New South Wales? Perhaps the Minister could provide me with a response when he replies to debate on this bill. If there are many multi-tower

developments, that might impact on the budget. If they impact on the budget should the Government be adjusting its budget? From a credibility point of view there are budget surpluses. I will conclude my contribution by talking briefly about the budget. If these multi-tower developments impact on the budget the Government should adjust its budget accordingly—a pretty simple analysis.

The concessions that are being provided by this Government will reduce the budget bottom line—it is not a complex argument. How many multi-tower developments are there? Will large developers be able to land bank rather than create the dwellings that we all want? Potentially the people of New South Wales will be providing incentives through stamp duty relief. However, a developer might decide to proceed with only one storey of a five-storey development, wait for more favourable market conditions, and still secure those benefits. The Opposition supports stamp duty concessions and anything that encourages building development, but how will this legislation do that? Does it give developers too much flexibility? Will they wait until the market has improved before they complete their developments? If they wait for three, four or five years the dwelling crisis that is being experienced at the moment will only worsen.

The whole point of this incentive is to try to stimulate the creation of new dwellings. The Opposition has many concerns about these proposed amendments. If Opposition members were given an opportunity during the winter break to sit down with various stakeholders and with the Government to discuss these issues, they might gain some understanding of the modelling that has been done. They would then be in a position to make a much more detailed response to debate on this issue and many of the questions that have been asked in this place would be answered. The Opposition does not oppose this legislation but it places on the record its concern that a number of fundamental issues have not been addressed.

If this Government were in control of its agenda it would not have to introduce legislation such as this to amend such fundamental tenets. This is the centrepiece of the budget brought down by the Treasurer. It is not a budget line item; it is the centrepiece of the budget, and it is wrong. The Treasurer should explain to us how that occurred. Were the appropriate stakeholders consulted? At the same time he should answer the questions that have been asked relating to these amendments. Do the amendments deliver new dwellings to New South Wales or have they given significant flexibility to developers to develop according to their agenda and schedule as opposed to the demand incentives that we are trying to create?

Last year when I formally responded to the budget I pointed out that many years ago much time was spent considering the budget in this House. The Clerks tell me, and the member for Riverstone probably remembers well, that the budget received significant scrutiny. We have now reached the stage, apparently through amendments passed more than a decade ago, where the Treasurer delivers the budget, the Leader of the Opposition speaks to it and then it is whacked up to the upper House to be pushed through. That is not in the interests of this State or of democracy. It does not make for good government and it does not hold the Treasurer and the Treasury to account. The people of New South Wales are not well served by such a process. This bill is a good example of an amendment that has been thrust upon the Parliament because the budget that preceded it did not receive due consideration. The Parliament may have picked up these issues if the budget had been scrutinised properly.

According to the Clerks, overseas visitors often approach them to explain how the budget process works and what scrutiny the budget receives. The Clerks have to tell them that the budget is not scrutinised much at all. We should not be proud of that. I have not had the chance to comment formally about the budget in this place and, given that we have many other items of business to deal with today, I will not take the time to do so now. However, I will make a few points to which I shall refer in more detail when given the opportunity to respond to the budget. This Government—indeed, any prospective government—should improve the scrutiny of the budget, policy, costings and the direction of government by allowing the Parliament to review the budget, as originally intended. That role should not be bypassed, as has occurred with this budget. It should be the job of every member to analyse, understand and question the Government on its budget.

I will make four points about the budget. These points refer to credibility, and I will expand upon them when I make my formal reply. The budget expense forecasts are unbelievably unrealistic. Expense growth cannot average 8 per cent over four years and then drop to 3.4 per cent moving forward. In the case of last year's budget forecast, expense growth dropped from 9.6 per cent to 2.7 per cent the following year. The Premier said in question time today that the budget was moving back into the black. But the people of New South Wales need to understand that that is just not so. There is no way that the Government can hit its expense target. It has not done it in 15 years, so why should next year be any different? Any economic forecaster will tell us that the historical average is a good indicator of what will happen in the future. If we roll forward the 8 per cent for the

past four years, we find the underlying position is that the budget is not in the black. Rather, it is significantly in the red to the tune of billions and billions of dollars. I argue, as we see today in this bill, that no credible modelling accompanies the concept that these additional provisions will impact the bottom line. They must. The forward projections are not realistic.

The proposed mining royalties are further evidence that the budget forecasts have no credibility. Royalties from the mining sector are forecast to increase by \$925 million, yet the mining tax that the Rudd Government is seeking to impose on the industry will impact not just on it but on every other industry in this country. The economic credibility of this country is under siege from that Federal proposal. The Premier and the Treasurer are happy to say nothing about it. They have not put the interests of the New South Wales economy at the top of the agenda. They are happy to do what Sussex Street tells them to do regarding the mining tax: toe the line. Eric and Kristina are doing just that and not putting the interests of the State first. Indeed, they have done the opposite, and put the increased revenue in the budget. The credibility of the forecast is at issue. Is the Government willing to stick up for the State's interests or is it just another arm of the Labor Party? There can be nothing more shameful for a Premier or a Treasurer than not to put the interests of the State first. The budget exposes the Government's position in that regard. It was further exposed today when a leading mining executive in Canada—

Mr John Aquilina: Point of order: The bill is narrow and straightforward. I understand the shadow Minister's frustration in wanting to debate the budget, but clearly this is not the time to do so. He is going well and truly beyond the leave of the bill. This is not the place to be debating the wide ambit of budget issues and, in effect, to be replying to the budget.

The DEPUTY-SPEAKER: Order! I uphold the point of order. I am sure the member will return to the leave of the bill.

Mr MIKE BAIRD: That highlights the fact that the bill seeks to correct an error in the budget so that it can be pushed through without any consultation with the Opposition. The Government opposes any debate on the budget at this point and says that it is not the appropriate time. Is this not a parliament? Do we have a democracy? The New South Wales Government style is something to behold. I conclude the point by saying that a Canadian senior mining executive named Kevin Rudd as the miner of the year because no doubt investment will flow Canada's way from Australia as a result of the mining tax. New South Wales is happy to ignore that.

The Opposition supports the stamp duty concession for the people of New South Wales. But at the same time Labor has included the new transfer ad valorem fee, which will add \$429 million to the New South Wales budget. So this Government is taking in more revenue than it is giving back via the Home Builders Bonus. In his reply to the budget the Leader of the Opposition put forward a plan to get the State economy moving again. We have spoken about an infrastructure fund of \$5 billion to build the infrastructure this State needs and to stimulate economic productivity. We have spoken about our jobs action plan and what creating 100,000 new jobs will do for the economy. We have spoken also about a regional relocation grant and the allocation of infrastructure and jobs to regional and rural New South Wales to make this a unified State that is not focused on Macquarie Street or just on Sydney, Newcastle and Wollongong.

At the same time, we have announced savings reforms and an overall direction to take this State forward. I look forward to providing the details of those announcements and selling to the people of New South Wales our vision for getting this State moving again. We can manage the economy in a way that makes the people of this State proud. This bill is a further example that the Government is not in control of its business, consultation or financial management. Whilst we support the amendments proposed in the bill, we highlight our questions about them and seek an explanation as to how they will get the economy moving and, most importantly, put new dwellings on the ground in New South Wales.

Mr ROBERT COOMBS (Swansea) [4.48 p.m.]: I will make only a short contribution to debate on the Duties Amendment (NSW Home Builders Bonus) Bill 2010, but before doing so I should respond to some of the criticisms from the Opposition Treasury spokesman, especially regarding forward estimates. They appear to be the same old criticisms. I recall that this time last year the State's financial position was about \$1 billion behind the estimate. But of course things were going to be much worse than that—doomsday was just around the corner when economic havoc would reign. Obviously, that was not the case. Through the diligent operations and approaches of Treasury, we have been able to bring our budget back into the black.

But it is not just the Treasurer and his or her advisers who make decisions about estimates: the Auditor-General and the Public Accounts Committee also play a very important role. I mention that to make the point that there is a high level of scrutiny of Treasury, its forward estimates and all its work to ensure that an accurate picture is presented not only to the New South Wales Parliament but also to the people of this State. Throughout the process, credit agencies have been pleased to support the State's triple-A rating. Such an endorsement of the State's budget and Treasury leads to only one conclusion: the New South Wales economy is very strong.

The budget takes important steps to build on recent favourable developments in the New South Wales housing and construction sector through the Government's seven-point Comprehensive Housing Supply Strategy. This package of initiatives will result in more houses being built, an improvement in supply, and making the cost of housing more affordable so that it is easier for people to realise their dream of buying a home of their own. The strategy will also promote new growth in the \$17 billion New South Wales housing sector, which makes up almost 5 per cent of the State's economy.

The community has welcomed the Government's budget initiatives. The New South Wales Home Builders Bonus will save homebuyers up to \$22,490 in stamp duty and will give the housing and construction sector a real boost. Industry stakeholders have acknowledged that. Mr Aaron Gadiel of Urban Taskforce Australia stated that the "New South Wales State Budget will give an unprecedented boost to new home construction". He went on to say that the zero stamp duty applicable to buying off the plan is "A fundamental re-shaping of the stamp duty regime so that it supports new housing development". Glenn Byres of the New South Wales division of the Property Council stated:

Eliminating stamp duty for the off-the-plan purchase of new homes will help drive housing supply across Sydney and NSW.

National Seniors Australia congratulated the New South Wales Government on introducing the policy of zero stamp duty for people over the age of 65 years, and stated:

The stamp duty relief for downsizers is a win-win-win for the government, the community generally, and seniors.

Stamp duty relief will allow many seniors now living in houses that they are unable to maintain or that are unsuitable for their needs to move on.

The Combined Pensioners and Superannuants Association stated:

Age pensioners welcome the stamp duty exemption for the purchase of a newly constructed home, which will better enable some pensioners to downsize ...

The Duties Amendment (NSW Home Builders Bonus) Bill 2010 makes sensible and appropriate provisions to ensure that the New South Wales Home Builders Bonus initiative delivers benefits as intended and supports the important housing and construction sector in New South Wales. I commend the bill to the House.

Mr CRAIG BAUMANN (Port Stephens) [4.53 p.m.]: My contribution to debate on the Duties Amendment (NSW Home Builders Bonus) Bill 2010 will be brief. I suppose that after three years in this place nothing should come as a surprise, but I find it hard to believe we are amending a Government bill—the State Revenue Legislation Amendment Bill 2010—that was returned to this Chamber yesterday from the upper House without amendment. This amending bill removes the 18-month time frame in which dwellings commenced under the Home Builders Bonus must be completed to allow enough time for builders to gain development approval and finance.

The 18-month period was set to reflect the original Home Builders Bonus offered to individual home owners. However, that period is not sufficient for larger developments. The amendment enables a builder, who takes over a partially completed development—for example, when an original builder goes into liquidation—to also gain the off-the-plan exemption. The exemption will apply only if the development is less than 25 per cent complete. That will prevent large developments from sitting idle for many years if a developer is declared bankrupt. It removes the competitive anomaly that is created when off-the-plan exemptions are not provided to builders who take over partially completed sites.

I foresee mass confusion as the Commissioner of Stamp Duties argues with conveyancers about the meaning of the term "25 per cent complete". Currently, if a builder lays the foundations of a multi-tower development and builds one tower, the off-the-plan exemption is available only to people who buy in the first tower. This legislation provides for the exemption to be provided to other towers in a staged development, even

if the foundations have been laid. That will enable more homeowners to benefit from the off-the-plan exemption because the exemption will be available, even if the developer completes one stage of a multi-tower development and sells off other stages. We are really talking about forgoing a maximum of \$22,490 for a \$600,000 house-and-land package, or \$13,490 for a \$400,000 vacant block of land.

As the shadow Treasurer stated, the Opposition will not vote against the bill. Anything that can make housing more affordable and stimulate the building industry—the economy's canary in a cage—should be supported, but I for one increasingly despair over the hypocrisy and incompetence of this Government. As every schoolchild knows, governments are formed to provide services that individuals cannot provide themselves. This Government seems to have lost track of that basic truism. For example, not so long ago when a subdivision was developed, a developer may have laid services within the subdivision and paid headworks charges to water and sewerage agencies, and to electricity suppliers to service that subdivision. The service providers put the subdivision on line and were paid for that through charging water, sewerage and electricity rates in the future.

We talk about "affordable housing" in this place. Housing is affordable: it is the price of land that is escalating. This Government continues to abrogate its responsibility to service land by increasing charges for developers, who must pass on the increased costs to consumers, the mum and dad homebuyers. For example, in the past 10 years Hunter Water has sent in excess of \$300 million in profits back to Macquarie Street. However, when the Port Stephens Council wanted to encourage jobs growth not so long ago by marketing an industrial subdivision at Tomago, Hunter Water wanted the developer, which was the Port Stephens Council, to run a sewer main four kilometres to the nearest sewage treatment works. The developer was asked to run the service at the developer's expense.

Hunter Water would have forced all landowners along the way to tap into the sewer, would have charged them for the privilege, and would have charged them sewerage rates. Instead of the rates being directed towards providing local services and infrastructure, they would have been channelled to Sydney to fill the enormous budget holes that the Government has created. I should add that, at my suggestion, the council declined to run the sewer main beyond the subdivision boundaries. The upshot was that the subdivision's sewer piping is there, it is all feeding to a pump-out system and the Port Stephens ratepayers are approximately \$4 million better off. Hunter Water should have built the sewer line and paid for it from future rates revenue. In 2004 the Labor Government announced the creation of the Lower Hunter Regional Strategy, which is a strategy to create housing, jobs and infrastructure for an additional 120,000 people in the lower Hunter Valley.

Mr John Aquilina: Point of order: The subject matter of the bill is very narrow and specifically defined. I have listened for some time to the speech by the member for Port Stephens. While I had no objection to the commencement of his speech, he later referred to water mains, sewerage mains and to a whole lot of other measures in the Port Stephens electorate that have no relationship whatsoever to the bill. His remarks are well and truly beyond the leave of the bill. The subject matter of the bill is narrow and quite specific. I do not know how the situations to which he refers, which are part of a historical context, relate in any way to the bill and to the future operation of the legislation.

Mr CRAIG BAUMANN: To the point of order: The bill relates to job creation.

ACTING-SPEAKER (Mr Thomas George): Order! As members know, I have just entered the Chamber. Therefore, I am not aware of what the member for Port Stephens has said. I am sure the member is aware that the bill refers to stamp duties and to the Home Builders Bonus. The member for Port Stephens will confine his remarks to the leave of the bill.

Mr CRAIG BAUMANN: This bill is about economic stimulus and housing affordability, and getting rid of stamp duty is one way of addressing those issues. I am simply pointing out that the Lower Hunter Strategy—which was announced in 2004 to house another 120,000 people in the lower Hunter Valley—provides what people need to have a house, and that is land. I was disappointed to realise that one of the best Ministers in the Government, a Minister I have always had the greatest respect for, has either been promoted above his level of expertise or slipped into the Premier's alternate universe, because only 80 blocks of land have been rezoned in Port Stephens local government area since 2004, or in the six years since the Lower Hunter Strategy was announced. And the Minister for Planning was crowing about the success of the strategy! If 80 blocks of land in six years is good—

Mr John Aquilina: Point of order: Rezoning and planning issues are not even remotely related to the leave of the bill. I request that you advise the member for Port Stephens to return to the leave of the bill and talk about issues relating to the Home Builders Bonus as opposed to planning, rezoning in Port Stephens and things that happened in 2004.

Mr Rob Stokes: To the point of order: In introducing the bill, the member for Riverstone referred to the effects of the bill, coupled with what he termed the historic changes to the State's planning system. As the member raised the planning system in the context of this bill, it is a bit rich for him now to suggest that the planning system is not relevant to the subject matter of the bill.

ACTING-SPEAKER (Mr Thomas George): Order! I take it that was in the introductory comments.

Mr Rob Stokes: Yes.

Mr John Aquilina: To the point of order: First, the member for Pittwater was not in the Chamber at the time I made the presentation. Secondly, I have no recollection whatsoever of making any reference, broadly or specifically, to historical matters. I may have said that this is an historic change, but I certainly did not refer to historical matters.

Mr Rob Stokes: Further to the point of order: For the information of the member for Riverstone, I have a television screen in my office and I saw the member's presentation. I noted the words he used because I want to refer to them in my comments on the bill. I am taking this point of order because the member referred to this bill "coupled with historic planning reforms" introduced by this Government. With the greatest respect to the member for Riverstone, he opened the door on this subject.

ACTING-SPEAKER (Mr Thomas George): Order! After seeking advice from the Clerk, I will ask the member for Port Stephens to continue. However, if he wishes to refer to particular concerns relating to planning in his electorate he must relate it to the content of the bill.

Mr CRAIG BAUMANN: I will finish on that theme. Suffice it to say, the one thing people need to build a house is a block of land. As I said, 80 blocks of land rezoned in the Port Stephens local government area in six years is not helping homebuyers. This bill is all about economic stimulus and housing affordability. I hope the Government's intentions are passed on to those who should benefit—that is, the homebuyers. During my professional life I have noticed that most developers charge what the market will bear. Only time will tell if this Home Builders Bonus is a bonus for the builder, the developer or—where it should go—the homebuyer.

Mr ROB STOKES (Pittwater) [5.03 p.m.]: I shall make a brief contribution to debate on the Duties Amendment (NSW Home Builders Bonus) Bill 2010. I pick up on a theme raised by the member for Port Stephens in his contribution, which is fundamentally what this bill is about. I understand that the bill is intended to address the need for more housing in New South Wales by providing a demand incentive for the building industry. The member for Port Stephens raised the issue of the shortage of supply of land in Port Stephens, and clearly the Government does not want to address that issue in this debate. It is not enough for the Government to address the demand side; it must address the supply side as well. If the Government wants to make housing available and affordable it must provide more of it.

We have seen many amendments to the system of transactions duties on property in New South Wales over the term of this Government. A quick list includes the premium property tax, which was introduced and then repealed; vendor stamp duty, which was introduced and then repealed; and a broad-based land tax, which was introduced and then repealed. We have seen constant variations to the rate of duties and to the threshold at which duties are applied. We have seen first home owners grants. We have seen many different incentives based on trying to address transaction charges on home purchases. Yet none of it has had any effect. Fundamentally, this Government has failed to address the problem central to housing affordability in this city and in this State: the supply side of the equation.

The Government talks proudly about how it has exceeded its target to put more housing in infill areas in terms of a percentage rate. It has exceeded its target only because so little new housing is being provided, and the only new housing is being provided in infill areas. That is why the percentage is up. None of this bill addresses the fundamental need to provide more opportunities for affordable housing in greenfield areas of Sydney, in the south-west growth centre and in the north-west growth centre. That is what we need, but the bill fails to address that. The member for Riverstone, in introducing this bill, talked about the bill "coupled with the historic planning reforms" of this Government.

Holly Park from the Parliamentary Library has prepared a new e-brief in which she refers to the planning reforms introduced by the Government. She details that there has been one major planning reform in each year of this Government—that is 15 significant planning reforms. Ironically, the Minister's speeches on all

those reforms refer to reducing red tape and providing more housing on the fringe. If that were the case, why did the first planning reform not work? Why have we needed 15 separate reforms, none of which has worked, to address the fundamental supply problem? That is why the State is in the current mess. I have a couple of specific comments about the bill and the way it is written. My first comment relates to item [4] in schedule 1, which inserts a new section 87R (4B) to provide:

- (a) a new home is to be constructed as part of a *staged development* if the new home is part of a development that will comprise 2 or more multi-storey buildings that have common foundations, and which are to be constructed in separate stages ...

I assume that is a reference to a building with an underground car park upon which multiple towers are erected. I have not had a chance to look at or reflect on the bill as it was introduced only a couple of hours ago, but I hope that is consistent with the definition of "staged development consent" in the Environmental Planning and Assessment Act. However, I do not think that is the case. Part of the problem is that the Government is introducing new definitions that do not translate across different bills. My second comment relates to item [5] in schedule 5, new section 87R (6), which states:

- (6) A pre-construction duty exemption also applies to an off the plan purchase that is approved under the scheme if ...
 - (b) no more than 25% of the construction work required to construct the new home, or the building in which it is located, has been completed.

How does one measure whether 25 per cent of the construction work is complete? Will the Office of State Revenue contract quantity surveyors to go on site and measure whether 25 per cent of the construction has occurred? That percentage is absolutely meaningless. I have no idea how the Government plans to calculate whether 25 per cent of the construction work on a new home has occurred. I am generally concerned about legislation that is unworkable, and I fail to see how that provision will work. In conclusion, we are told constantly that there is a massive demand for high-density, high-rise developments throughout existing suburban areas of this State. We are told that a massive number of empty-nesters are clampering at the doors to move into high-rise developments.

I remember that President Reagan once said of the taxation system, "If it moves tax it, if it stops subsidise it." If we are trying to provide an incentive on the demand side, surely that means that people are not buying these units, and if they are not buying them then there is no market for them. We need to incentivise construction of housing in the areas in which people actually want to live rather than incentivising construction in areas in which it is easier for the Government to have people live. Perhaps the Government does not need to provide new infrastructure because it can rely on the overloaded infrastructure that already exists.

That is the problem throughout the Sydney Basin. I know that the people in the Pittwater community are sick of constant new high-rise developments being built in existing areas on the basis of existing infrastructure on the false assumption that apparently the infrastructure has excess capacity to support it. The reality is the infrastructure is already at capacity, and requires refurbishment and renewal. Putting more density in those areas will not make the problem any better, but it will make it worse. Putting more congestion in the most congested parts of our cities and towns, without investing in the additional infrastructure required, is not going to solve the problem.

We need to incentivise development in areas in which people want to live. We need to provide incentives to industries in areas in which they cannot subdivide or develop land because it is too expensive for them to do so. This legislation will not address that problem. Again it is a demand incentive when fundamentally we need to incentivise the provision of more supply. Only when there are more homes and more opportunities for young families and empty-nesters to live where they want to live will we start to deal with the current affordability crisis in New South Wales.

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [5.12 p.m.], in reply: I thank all members who participated in this debate, even though a substantial part of the contributions, particularly those from Opposition members, was irrelevant to the specific detail of the Duties Amendment (NSW Home Builders Bonus) Bill 2010. The member for Manly—the shadow Treasurer—spent most of his time making an address-in-reply to the budget rather than focussing on the detail of the bill. As I indicated by taking points of order, other opportunities and time are available for him to deal with the budget. I was more than a little bit befuddled by the contribution of the member for Port Stephens who spoke about things in an historic context, particularly in relation to planning matters, which were very distant to this legislation.

I find it extraordinary that the member for Pittwater thinks that reforms introduced by the Government 15 years ago may still be relevant today. He said, "If you got it right 15 years ago, it would still be okay today". The economic circumstances, the whole basis of the economy and the way in which we do things have changed dramatically over the years. Governments respond to the needs at the time and introduce amending legislation precisely for that purpose. We need to make sure that the issues and measures introduced by the Government reflect the needs of today. Does he seriously suggest that what was legislated 15 years ago by this Government should be relevant to what is required today, given the recent dramatic changes in the global and local economies? There have also been changes to planning measures and the like.

The member for Pittwater alleged that the Government has provided virtually no stimulus for housing. He implied that nothing has occurred. I refer him to the Glenwood estate in my electorate, which has some 6,400 homes. I recall that only 10 years ago the estate was home to about 120 farms and I knew virtually everybody who lived in the area. I invite him to come out and have a look at the suburbs of Parklea, Acacia Gardens, Stanhope Gardens and Newbury Estate in my electorate. In the past four years a new suburb called The Ponds has been established. More than 5,000 houses have been built in The Ponds at a rate of in excess of 800 houses per year. The Government has made major changes and introduced successful housing stimulus packages. Let us put to bed all claims made by members opposite that our stimulus packages have not been successful. Of course, there is always room for improvement and room for more.

The Treasurer's budget provides a bonus, which has been widely applauded and will be a great boost to the construction of new housing. Community consultation is restrained in relation to budgetary matters, because the budget could include commercial-in-confidence material; speculators should not be given the opportunity to jump the gun. The opportunity to consult arises following the budgetary process. As a result of consultation and some very positive suggestions brought forward by the respective parties today we have introduced these changes. The Government is confident that these changes will be effective based on that consultation process.

Instead of the shadow Treasurer, the member for Manly, nitpicking he should take a wider view. Some of his comments reflect his inexperience of the legislative process. He made a big issue of the fact that the budget has only just been introduced, but I point out that it has passed through the Legislative Council, where the Government does not have a majority, and it has been returned to the Legislative Assembly to be amended in this way. That is what happens with legislation. That is how the democratic process proceeds. I have been here long enough to see governments of all political persuasions amend legislation as it is being debated because of issues that have been raised; that is the parliamentary and democratic processes in this place. That is done by way of consequential amendments as a result of issues raised by respected, interested community groups and that is what is being done today. As that is nothing unusual or extraordinary the member for Manly has no basis for his criticism of the Government.

This groundbreaking legislation introduces bonuses and economic stimulus for new dwellings, the like of which we have not seen. The public has acknowledged that. It is petty of the Opposition not to acknowledge it and recognise the benefits of this legislation. I would have thought that it would have been beneficial for the shadow Treasurer, the member for Manly, to look at this legislation through wider lenses and see the broad vision rather than dwell in a myopic fashion on the relatively minor detail of this legislation. Today he has shown he has no understanding of policy development and, sadly, very little sense of broad vision in relation to economic and policy measures. The legislation contains a policy initiative that has been applauded widely by the community but not by the Opposition, sadly.

The member for Manly, the shadow Treasurer, raised a number of matters on which I will comment briefly. In response to his comments about a lack of consultation, the Home Builders Bonus was introduced in the budget and is designed to boost housing. It is a unique measure of broad vision, and we want to make sure that it has the desired effect in boosting housing. The measure was introduced as part of the budget process. As I indicated earlier, we could not consult prior to the budget measures being announced for reasons of budget confidentiality. That concept is well understood.

In response to his concerns about completion dates being open-ended, again consumers will need to sign a contract with the builder/developer and pay a deposit to obtain the benefit. There is, therefore an existing contractual obligation for the building to be completed in a specific timeframe. Further, in relation to the concerns that were raised about the possibility of land banking, land banking is not expected to arise from this scheme because the Home Builders Bonus applies only to agreements entered into between 1 July 2010 and 1 July 2012. There is an existing incentive to complete projects that have already been sold off the plan because of the completion date specified in buyers' contracts.

In relation to the issue raised by the shadow Treasurer about whether the Office of State Revenue will be able to enforce the provision about the level of completion of a development, I am advised that we do not expect the situation to arise very frequently. The Office of State Revenue has the capacity to evaluate each relevant case on its merits and I know from representations in my electorate that they are very assiduous in doing that. I trust I have satisfactorily answered the matters that have been raised. Again I appeal to the Opposition to stop the nitpicking and to look at the broader vision and breadth of policy of this matter, and to see the great value that this will have for tens of thousands of people in New South Wales who want to own their own homes.

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.

BUSINESS OF THE HOUSE

Suspension of Standing Orders: Bills

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [5.21 p.m.]: I move:

That standing orders be suspended to permit the resumption of the adjourned debate and passage through all remaining stages of the Parliamentary Contributory Superannuation Amendment Bill at this sitting.

It was the intention of the Government, having introduced the legislation, to let it stand adjourned over the parliamentary break, but in discussion with members opposite as well as with other members of the broader community there is now an expectation and desire that this matter be completed prior to the end of the session.

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

Motion agreed to.

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION AMENDMENT BILL 2010

Agreement in Principle

Debate resumed from an earlier hour.

Mr DARYL MAGUIRE (Wagga Wagga) [5.22 p.m.]: The Opposition has had the opportunity to be briefed on the bill. We understand that the amendments are minor administrative amendments and that there will be no additional cost to the taxpayer. Therefore, we will not oppose the bill.

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [5.22 p.m.], in reply: I thank the member for Wagga Wagga for his contribution and I thank the Opposition for its cooperation with this legislation.

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.

PLANT DISEASES AMENDMENT BILL 2010

Bill introduced on motion by Mr Steve Whan.

Agreement in Principle

Mr STEVE WHAN (Monaro—Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs) [5.23 p.m.]: I move:

That this bill be now agreed to in principle.

The Plant Diseases Amendment Bill 2010 proposes minor but important amendments to the Plant Diseases Act 1924. The amendments will improve the Government's ability to respond more quickly and with greater flexibility to biosecurity threats to plants and fruit in the State. The Plant Diseases Act 1924 aims to prevent the introduction and spread of diseases and pests affecting plants or fruit in New South Wales. It also establishes important tools to eradicate diseases and pests affecting plants or fruit in this State.

The bill makes three main amendments to the Plant Diseases Act 1924, which will improve the effectiveness of our biosecurity management systems and controls. The first amendment is designed to enable New South Wales to put in place effective controls more quickly. Time is of the essence in managing biosecurity threats. The more quickly we can respond to a biosecurity threat, the greater our chance of preventing a pest or disease entering the State or part of the State. If there is a pest or disease outbreak, being able to respond quickly increases the prospect of eradicating that disease or pest quickly.

Currently, the power to regulate or prohibit the importation or introduction of anything that is likely to introduce plant diseases or pests into the State or any part of the State resides with the Governor. Given this power resides with the Governor there are limitations with the timeframe in which the power can be exercised. While the New South Wales Government has a terrific record in responding to outbreaks of plant diseases and pests, the amendments proposed in this bill will give the Government even greater flexibility in responding to these outbreaks.

In addition, the Act requires the conditions that apply to the movement or treatment of the items that pose a risk of introducing the pests or diseases to be detailed in the Governor's proclamation. The requirements for movement conditions are often detailed and complex. In addition, having to specify the conditions in the proclamation is inflexible because they cannot be changed quickly. This restricts the Government's ability to respond to an emergency or to changes in circumstances, or our understanding of pests or diseases and how best to fight them.

The first amendment will modernise the Plant Diseases Act and bring it into line with similar legislation such as the Animal Disease (Emergency Outbreaks) Act 1991. Recent incursions of the serious pest red imported fire ant and the disease citrus canker in Queensland highlight just how this legislation will enable the Government to respond more quickly and with greater flexibility. The amendment will give the Minister for Primary Industries, rather than the Governor, the power to make orders to regulate or prohibit the importation or introduction of anything likely to introduce plant diseases or pests into New South Wales or any part of the State.

An important implication of this change is that under the Act I, as the Minister, am able to delegate this power to senior officers in Industry and Investment NSW. If this were to occur, a formal delegation would be required. This power would be delegated only to experienced senior officers with the necessary technical expertise such as the Director of Plant Biosecurity. If the Minister formally delegates this power, the senior officer with the delegation will also be able to make orders. This will enable the Government to respond more quickly to biosecurity threats to our agricultural products from plant pests and diseases. Orders, as with the Governor's proclamation, will still need to be published in the gazette, with further notice of the order to be published on Industry and Investment NSW's website. Alternatively, the further notice of the order can appear in a newspaper, or broadcast on radio or television in the area to which the order applies.

The second amendment in the bill establishes a mechanism for the State to react in extreme circumstances. As Minister, if I consider the order needs to be made urgently it can first appear in the newspapers, be announced on radio or television in the area to which the order applies, or appear on the

department's website prior to publication in the gazette. This will ensure that in these circumstances the order can have effect more quickly. These amendments will enable the Government to respond quickly and effectively to outbreaks of plant pests and diseases occurring either within or outside the State.

The third main amendment in the bill relates to the powers of inspectors to issue permits to a person or a particular group of people. The permits will allow the movement of infected plants and fruit, or anything that has come into contact with an infected plant or fruit or anything that, in the inspector's opinion, is likely to cause or is capable of causing the introduction or spread of plant pests or diseases. A permit may also be issued for the movement of plants, fruit and other things into or out of a quarantine area. These permits will provide additional flexibility for specific circumstances that do not fall within the terms of a ministerial order. For example, if a pest or disease infects the property it may be quarantined, which would prohibit the movement of all things off the property because of the risk of the disease spreading. In these circumstances, a permit could be issued to allow the movement of vehicles to and from the property subject, of course, to certain conditions to prevent the spread of pest or disease.

This amendment will bring the Act into line with other biosecurity legislation, such as the Stock Diseases Act 1923. The bill also provides for the making of regulations for permit applications and fees. As I said earlier, these are minor amendments to the Plant Diseases Act; however, they will significantly improve the Government's ability to respond quickly and effectively to a pest or disease outbreak, contributing to the integrity of our State's plant biosecurity systems. We would hope that such outbreaks could be avoided altogether. However, when they do occur, it is in everybody's interest for the impacts to be minimised. New South Wales, led by Industry and Investment NSW, its scientists and field officers right around the State, has a very proud record in biosecurity work. I acknowledge the work of veterinarians around the State in relation to animal diseases. These small amendments enhance our ability to better respond to pest and disease outbreaks in plants in New South Wales. 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.

FAIR TRADING AMENDMENT (UNFAIR CONTRACT TERMS) BILL 2010

INDUSTRIAL RELATIONS AMENDMENT (PUBLIC SECTOR APPEALS) BILL 2010

Messages received from the Legislative Council returning the bills without amendment.

ACTING-SPEAKER (Mr Thomas George): Government business having concluded, the House will proceed to private members' statements.

PRIVATE MEMBERS' STATEMENTS

MOTOR TRADERS ASSOCIATION

Mr ANDREW FRASER (Coffs Harbour) [5.31 p.m.]: I reflect on a fantastic function I went to on the Saturday night before last to celebrate 100 years of service of the Motor Traders Association in New South Wales, which was held at the Town Hall. I guess that every member in this House would have a member of the Motor Traders Association in their electorate. On the night, organised by the chief executive officer, James McCall, and well put together by his executive assistant, Nicole Smith, many people were recognised for their service to the Motor Traders Association.

The organisation has had something like 49 presidents over 100 years. It has been a phenomenal organisation and it boasts a number of firsts. On the night we were told that in 1914 the Motor Traders Association held its first motor show. In 1922 it registered as an industrial union for employers. In 1939 it lobbied the Government to introduce a vehicle safety check, now known as the pink slip. In 1974 it played a vital role in the introduction of the Motor Dealers Act. In 1980 it formed a group apprentice scheme and in 1981 it played a vital role in the introduction of the Motor Vehicle Repairers Act. The Motor Traders Association still lobbies members, as everyone in this House would know, to support its association and legislation that affects its members.

On the night Mr George Altomonte was recognised for outstanding lifetime service to the Motor Traders Association, as were Graeme Tompkins, Malcolm Brooks, a past member of this place, Edward Lee,

Geoffrey Lowe, Ray Beekman, Steve Borg and Maurie Pinfold, the current president. Maurie spoke with aplomb on the night and conducted a magnificent evening. They joined other members—Keith Gill, Don Holstock, Doug Hunter, Mick King, Laurie Sutton, Les Vagg, Michael Tynan, Geoff King, the Holden dealer in my electorate, Les Oakman, Laurie Stewart, Terry Keating and Richard Nathan—who have also received that award over the years.

Outstanding lifetime service to the Service Stations Association NSW was also recognised and the Motor Traders Association merged with that association on the night. They recognised John Langley, Keith Pynt, Margaret Thompson and Brian Mark. They also recognised the longest continuing members—I think they are phenomenal. H. E. Lancaster Pty Ltd of Singleton is the longest continuing member of the Motor Traders Association, having joined in 1924. It is still a family business. J. R. Sealey Pty Ltd, of Condobolin, is the second longest continuous member, having joined on 18 December 1929. Mr Acting-Speaker (Mr Thomas George), you will be pleased to know that Hayes Toyota of Murwillumbah was recognised as the third longest continuous member of the Motor Traders Association, having joined on 20 April 1930. Those businesses are still trading as the same family businesses that joined the Motor Traders Association so long ago. It was fitting that they were recognised on the night.

The entertainment provided was brilliant. There were 410 people in attendance and when we arrived there was red carpet on the Town Hall steps and a soprano dressed in period dress welcoming everyone. In fact there was a crowd of younger people outside wishing to be invited to this magnificent event. Inside there was a string quartet, or possibly a trio, playing for the guests before we went in for dinner and the presentations. Afterwards we revelled in the music of a number of bands and guests artists. I say to James McCall and all those who were there: congratulations on a great night. I also congratulate all those members who were recognised with awards.

On a sad note, it was mentioned by someone from the apprentices' organisation and also the chief executive officer of the Motor Traders Association that whilst it had sent invitations to a number of people—I was honoured to attend as was the Leader of the Opposition, Barry O'Farrell—neither the Premier nor any of her Ministers who were invited attended on the night. As Mr McCall reflected on the night, it is one of the reasons this Government is on the nose in New South Wales. It is one of the reasons I believe we have a good opportunity of winning Government at the next election. The Government failed even to respond to the invitations. It really is sad when you realise that the Motor Traders Association members number in the thousands and are to be found in all electorates; they do a great job. They have led legislation in this State—I read out the list—but no-one bothered to attend the event.

GLENDALE TRANSPORT INTERCHANGE

Ms SONIA HORNER (Wallsend) [5.36 p.m.]: When asked in the *Newcastle Herald*, dated 12 June this year, about the failure of the Government to deliver on major regional projects, such as the Glendale Transport Interchange, the Minister for the Hunter, Jodi McKay responded:

Glendale's time will come, but right now there are some things that are more urgent ... and whoever is representing the Hunter has to tackle the biggest and most urgent priorities first.

Unfortunately, these comments seem to reflect the thoughts of some senior levels of State and Federal governments. Over the past three years, I have presented three private member's statements and notices of motions specifically to maintain focus in this House on this very important priority for the Hunter. Early in my term, under the Iemma Government, with John Watkins as Minister for Transport and Michael Costa as Minister for the Hunter, I organised two major stakeholder meetings with a view to progressing development for the Glendale Transport Interchange. Consequently, money was set aside in the budget for the planning stage. However, with changes in leadership within the Government, the plan began to hit snags. Instead of catching a nice fresh bream with my hook, all I got was an old boot!

The interchange, while still the flavour of the month for the people of the lower Hunter, had suddenly dropped in ratings with both the Hunter and State Government organisations. We in the western suburbs shook our heads. Why? Stocklands Glendale is getting busier and busier. Work in the Cardiff Industrial Estate is booming. The population of the western suburbs is soaring and affordable housing lots are being snapped up. Yet, for the last two budgets, no money has been allocated to Glendale's planning budget. Money has been allocated in the Hunter, but only a trickle has gone to the western suburbs. Fear not, there are some highlights. I am heartened that in May Lake Macquarie City Council had the foresight to commission the Glendale master plan. Its empirical research absolutely justifies the need for this major regional project.

Allied with my passion for this project, the member for Cessnock also believes in the urgency for this project to be completed. Workers in the Cardiff Industrial Estate and many commuters to the Glendale precinct have told the member for Cessnock that they desperately need to build the interchange. With the appointment of the new Minister for Transport, the Hon. John Robertson, I look forward to a positive discussion about the Glendale interchange. Moreover, the planned meeting with representatives from the Ministry of Transport at the interchange site will, I am sure, convince them of the need for urgent action. I am certain that my colleagues in the Ministry of Transport will see and experience for themselves the traffic constraints and the existing limiting road structure. All traffic is forced to exit and enter at the same point on Lake Road.

Traffic gridlock is increasing daily, with negative ramifications for business growth in the Cardiff Industrial Estate, as well as acting as a deterrent for custom in the Glendale precinct. This juncture, which acts as a central transport pivot for the Newcastle and Hunter region, must be unlocked. Unfortunately, the project has been ongoing for the past 20 years. Both my constituents and the constituents of the member for Cessnock cannot understand the delay. I am bewildered by comments such as "There are things that are more urgent." When is the right time? Surely we cannot wait another 20 years. Can we afford to gamble on this issue? Businesses will throw their hands up in the air and pack their bags for a destination that is convenient for their clients, where they have evidence of the fact that senior levels of State and Federal governments care about their livelihoods. Decentralisation is a responsibility for all spheres of government. Furthermore, decentralisation is in the best interests of our economy and of our State. I urge the Government to accept this responsibility and to fund the Glendale interchange now.

SEAFORTH TRAFFIC SIGN PROPOSAL

Mr MIKE BAIRD (Manly) [5.41 p.m.]: Mr Acting-Speaker (Mr David Campbell), I congratulate you on your recent appointment. Tonight I speak on behalf of Seaforth residents, many of whom are bewildered by a recent announcement of the Roads and Traffic Authority that it will build a \$400,000 sign that will stretch across two lanes of traffic in the middle of Seaforth. Last week the Roads and Traffic Authority notified residents that it would commence installation of the sign on Frenchs Forest Road tomorrow. That sign will warn motorists travelling into the city via The Spit Bridge when there is traffic ahead. The problem with that approach is that when there is traffic ahead there is no alternative route to the city. Almost every day there is a chronic amount of traffic in that region. This \$400,000 sign will inform motorists that there is traffic ahead. I am sure that many members would argue that that is not a good use of money. In addressing an alternative route Seaforth resident Paul Adams put it succinctly when he wrote to me as follows:

I have spoken to residents about this and everyone is both baffled by the so-called need to do this as, contrary to the letter from the RTA, there is no alternative route heading East or towards Mosman. If it is bottle-necked in Seaforth you have nowhere to go—

Bottlenecks occur regularly. He continued:

—essentially everything funnels to the Spit Bridge and if you are heading that way there is no other way around, or at least by the time you read a sign on Frenchs Forest Rd.

Last week the new Minister for Roads and members of his office listened to the concerns that were raised on behalf of the community. Yesterday and today the Minister advised me that he had agreed to my request to instruct the Roads and Traffic Authority not to install the sign—installation is planned for tomorrow—and that more constructive options will be investigated. I have spoken to the Minister and to members of his office about this issue. The Minister's office acknowledged that, while there are designated alternative routes to take in all other instances when there are large variable message signs throughout the State, in this case there does not appear to be an alternative route.

After speaking to the Minister this afternoon I anticipate that he will be making an announcement tomorrow. I am hopeful that the Minister will confirm that the construction of this sign will not go ahead, so we are some way towards achieving a commonsense approach. I appreciate that the sign will not be constructed tomorrow but I hope that tomorrow's announcement will be that the sign will not be erected at this location in Seaforth. Every day there is significant traffic congestion in Seaforth. Every day residents are plagued by the bottleneck at the Seaforth roundabout. While the Roads and Traffic Authority is examining traffic issues in Seaforth I ask it also to examine this issue.

Earlier this year I asked the Minister for Roads a question and I alerted him to the traffic delays that are occurring at this roundabout, in particular, in February and March. Buses are supposed to take between two and

three minutes, as per their timetables, to get through Seaforth roundabout during morning peak periods. However, it is not unusual for those buses to take up to 15 minutes to drive just a few hundred metres. Local resident Pat Garousse sent an email to the Minister, a copy of which he sent to me. It reads as follows:

I would just like to say that we all know how the traffic is flowing at Seaforth—this does not take too much intelligence and I object to you spending money to tell us. More importantly, the money could be spent to improve the traffic flow at the roundabout into Seaforth shopping area ... perhaps considering taking some of the corner off and making an inside lane so the buses can get through and not be caught on the roundabout with all the traffic.

It is not that motorists do not know there is traffic ahead; the problem relates to the bottleneck at Seaforth roundabout and at Spit Bridge. Resident Pat Garousse made a very good point. Why not use the \$400,000 to fix the roundabout that is causing so much congestion in Seaforth? I asked the Minister for Roads to visit this site and to see first-hand the problems being faced by Seaforth residents. The Minister told me he is happy to do so and I look forward to an opportunity of showing him these problems. The Minister will better understand the problems being faced by residents across New South Wales when he sees them first-hand.

If the Minister visits Seaforth I will take him also to the Falcon Street interchange where traffic from the Northern Beaches, including traffic from Mosman, travels across the bridge to the city on only one lane. Will the Minister give consideration to this plea from Seaforth residents? Sera Mayer, another Seaforth resident, informed me that there might be another location for the sign but said that it should not be located on Frenchs Forest road. Sera said:

If the RTA really wants to put the LED sign, why can't it be installed on Wakehurst Park Way, away from the residential area? This is absolutely a waste of money and will not make any difference to the traffic flow. The money should be spent on the Seaforth roundabout.

I ask the Minister to listen to the community's plea. The Minister has an opportunity to visit this area tomorrow—and I hope that he will do so—and he has an opportunity to inform residents that the sign will not be erected in that location. The Roads and Traffic Authority should look for an alternative site. It should also use the \$400,000 to fix the traffic problems being faced daily by Seaforth residents. They face congestion problems that are not being faced by any other community. The Roads and Traffic Authority, when assessing the problems in Seaforth, must fix these traffic problems for Seaforth residents. The Roads and Traffic Authority should no longer install this traffic sign and the funds should be used to address the problems at Seaforth roundabout. The Minister should also experience first-hand the congestion being faced daily by people in Seaforth and on the northern beaches.

VOCATIONAL EDUCATION AND TRAINING

Mr RICHARD TORBAY (Northern Tablelands—Speaker) [5.46 p.m.]: Vocational education is an area that is undergoing major change. It has been recognised that young people can begin training for their future careers while still at school. This is a welcome alternative to the strictly academic curriculum that prepares students for university. Recently I visited the new Technology and Trade Training Centre at the Armidale School. It is part of a \$3 million Commonwealth funded joint venture with the Presbyterian Ladies College (PLC) in Armidale. Students from both schools can now choose to study agriculture leading to bee or beef production, automotive engineering, electro-technology, construction, hospitality and commercial cookery. Moreover, both schools are opening up facilities for partnerships with community organisations.

At its new hospitality school, the Presbyterian Ladies College is offering hospital and commercial cookery to certificate III level for students of both schools, and has already made contact with community groups interested in projects and partnerships in ventures such as cheese-making workshops, slow food cooking of local produce, and slow food cooking events. The Armidale School purchased the disused YCW Leagues Club near the school and has given the club building a \$1.2 million refurbishment, including a 600 square metre extension for a workshop space and expansion of the agricultural facilities adjoining the Armidale School farm.

The centre has a new three-bay automotive workshop, construction, engineering and electro-technology areas, and a small commercial kitchen and coolroom with honey production facilities. It also has public facilities for its community partnerships that include sports changing rooms, bathrooms and toilets, and a function area. The sporting fields associated with the centre are still being used by the East Soccer and East Cricket clubs, which have become community partners with long-term leasing arrangements on the fields. It is hoped that this will be a forerunner of many partnerships with local community groups. Part of the new centre's charter is to provide a venue for local community groups as well as training courses for the wider Armidale community.

The centre is also seeking industry partners and has recently signed an agreement with the Motor Traders Association of New South Wales to ensure that its automotive facilities and training are of the highest industry standard. The Motor Traders Association has advised on the equipment requirements of the workshops and its assessors will be making regular visits to the centre to monitor training and assessment. Graduates from the centre's automotive courses will have credentials endorsed by the Motor Traders Association and the Vocational Educational and Training Accreditation Board, or VETAB.

Approaches have been made also to New England TAFE and Country Energy to assist in the design of the electro-technology workshop. This lab will be fitted out for electronics courses as well as the manufacture, installation and servicing of new sustainable energy technologies. Local company Burrows Training already has lent its expertise in equipping the new engineering workshops, and local apiarists have provided similar input into the honey production facilities, the associated kitchen and coolroom. The centre also will promote holiday courses for students from isolated areas in New South Wales and southern Queensland. Students would come to Armidale for two weeks during two holiday periods each year, use the boarding facilities at the Armidale School and Presbyterian Ladies College and complete a full Higher School Certificate vocational course in that time. Through distance education they would be supported also with theory classes between visits to Armidale.

The plans are to deliver short hobby courses through to registered trade training. A not-for-profit training body, Training Arm, will be set up to design and market community courses and will seek registration with the Vocational Education and Training Board to provide credentialed courses up to Certificate III in agriculture, horticulture, construction and engineering. The company will provide on-the-job training for apprentices and partly qualified staff, and will assist with sourcing existing worker and skills shortage funding for businesses. It will also work closely with employment agencies and employers in the local area.

A number of short skill set courses will run and provide a statement of competencies achieved rather than a full qualification. Examples of this might be a short welding course for home and/or farm, a beekeeping and honey production course or a basic automotive maintenance and trouble-shooting course. Hobby courses also will be provided in areas such as furniture restoration, decorative welding, jewellery, bottling and preserves, and alternate building techniques. Clubs also may find a home in the new centre by hiring its facilities after hours and on weekends. This joint venture is a model of its type that will benefit and involve not only the students of the Armidale School and the Presbyterian Ladies College, but also the wider community and region.

NEW ITALY DRIVER REVIVER STATION

Mr STEVE CANSDELL (Clarence) [5.51 p.m.]: I have a good story to tell about the dangerous Pacific Highway on the North Coast, which involves the New Italy Driver Reviver station. Dot Sawatzki, her husband, Tony, and other New Italy residents started this driver stop in late 1985 after a series of fatal accidents, which, unfortunately, continue to occur on this road today. Since then, over 500,000 cups of tea and coffee have been served to the travelling public—an average of 30,000 each year. New Italy Driver Reviver opens during school holiday times when the traffic is at its busiest, totalling about 50 days each year.

Sue Morgan is the new coordinator after taking over when Dot died earlier this year. Dot Sawatzki was awarded the Order of Australia medal for her work with Driver Reviver. New Italy Driver Reviver is part of a major network that covers our whole country. The 240 sites throughout Australia are manned by volunteers. New South Wales has a coordinating group made up of membership from the Roads and Traffic Authority, the Lions Club, the State Emergency Service and the Police Force that assists these driver stops. They oversee advertising, selection of sites and help by lobbying for more support.

The history of Driver Reviver is interesting, having started by Rotary in the Albury-Wodonga district in the 1960s. It began as a goodwill gesture by local people. Later, when authorities found that fatigue played a major role in accidents, sites started to spring up in many areas. In 1986 Lions International started supporting Driver Reviver stops, specifically in high-accident areas. Some State government agencies also provide media and promotional support for the Driver Reviver program. Nationally, over one million people are served each year. Other statistics include 632,900 teabags; 626,000 coffee serves; 916,900 serves of biscuits—which, for those statistic buffs, equals 1,833,800 biscuits; over one million cups; 1,080,000 sugar sachets; and not forgetting 580,000 stirrers.

Mr John Aquilina: And you counted every one of us.

Mr STEVE CANSDELL: There are a few stirrers in this place. Treasurer Jean Lollbach does a fantastic job. Locally, New Italy Driver Reviver is supported by Norco, a great North Coast company, supplying

free milk. The 100 volunteers believe in the impact of what they are doing because Driver Reviver helps to reduce the road toll by getting people to stop and rest. At New Italy many people stay and enjoy the surroundings: the museum; the café for more serious eating; the pavilion, which was originally Italy's Brisbane 1988 Expo display; and even kangaroos in the paddocks for city kids to enjoy.

Recently New Italy Driver Reviver relocated its shed to fit into the new museum complex design. It has a lovely modern work area that was built by volunteer labour and helped by many local companies supplying goods at cost or even donating supplies, as Sly Brothers of Woodburn did. New Italy Driver Reviver is a wonderful success story. With many people partaking of the coffee stop, there also are many toilet stops involved. The volunteer committee has been cleaning the toilets at its expense—even though the toilets are part of the New Italy café, restaurant and museum complex—because they are responsible for the thousands of people stopping every week during holiday periods.

Recently the committee wrote a \$1,500 cheque to cover the bill for the past 12 months. This community group works hard to raise every cent for no purpose other than to offer respite for travellers and hopefully save someone's life by providing the service and a deserved cup of tea or coffee. I was asked to approach the Minister for assistance. Today I spoke to the Minister, who demonstrated a positive attitude towards providing assistance. Tomorrow the Minister for Roads may consider supporting this worthwhile group by providing funds to cover the cleaning costs of this rest stop for drivers who travel the dangerous Pacific Highway. I congratulate the New Italy Driver Reviver team.

RIVERSTONE ELECTORATE MULTICULTURAL COMMUNITIES

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [5.56 p.m.]: One of the most interesting, rewarding and pleasing aspects of my representation as a local member is to reflect upon and assist the many different communities that make up the Riverstone electorate. I am proud to boast that I have not only a great multicultural community within my electorate, but also a multiracial and multi-religious community. Included amongst the many different religions, races and cultures, I proudly boast of the Sikh Gurdwara at Parklea, which is Australia's largest Sikh religious community. It is a major community centre during the week and on each weekend is home to many thousands of members of the Sikh community in my electorate and beyond.

The Hamrun Club in Marsden Park is a great social and cultural centre for the Maltese community. Situated in the heart of my electorate at Schofields is a large Buddhist temple, which caters for many thousands of members of the Buddhist community who basically are newly arrived migrants to Australia. The Baitul Huda Mosque for the Ahmadiyya Muslim community is located at 20 Hollingsworth Road, Marsden Park. Each week this mosque is a great cultural, religious and community centre, and home to many thousands of people.

I have been saddened to learn recently in correspondence to me from members of my electorate, who are representatives of this Ahmadiyya Muslim community, about the worldwide plight of their religion. I have been asked to express their concern publicly, particularly about the deteriorating conditions of the Ahmadiyya community in Pakistan. I have heard claims that in recent attacks on Ahmadiyya mosques 94 Ahmadis have been killed and 125 seriously injured. Australians should all be concerned about this, particularly as it is happening on the world scene.

To me, it is a particular concern because of the large number of members of this community who reside in my electorate but who originate from that part of the world. As indicated in correspondence to me and in a number of other representations in emails I have received, it is stated that the Australian Government should take seriously by the Australian community and such incidents. It is well known by those who have corresponded with me that the Australian people and the Australian Government are active supporters of human rights and are promoters of world peace.

I indicate that the Ahmadiyya community is a small sector relative to other Muslim sects throughout the world and has a total of 2.5 million adherents. Their motto is, "Love for all, hatred for none". They are a peace-loving pacifist community. It is not in their nature to seek reprisals or in any way take up arms. Based on the people I know in my electorate, I bear witness to those qualities. Several times my wife and I, along with many other community representatives of all political persuasions, have been guests at functions organised by the Ahmadiyya community at the community's centre at 20 Hollingsworth Road, Marsden Park, in my electorate. They have always shown us the greatest courtesy, and it is evident that they are peace-loving people. Their prayers and representations are always urging towards world peace and towards the achievement of peace. They go to the extent not only of a praying for those who support them, but also of praying for their enemies.

I draw this issue to the attention of the House on behalf of a peace-loving community that has made Australia their home. Many of them have come from adverse circumstances to Australia and are concerned about members of their religion who reside elsewhere in the world, particularly their relatives, friends and supporters. They seek for their relatives and friends in countries I have mentioned what they are very proud and happy to experience in Australia, the country that has embraced them—the right to religious freedom and the right to be able to practice their faith and their religion in their usual manner. Certainly I am very proud to be a representative of these people and proud to have the opportunity to be able to draw their cause to the attention of the House.

NORTHCROSS CHRISTIAN SCHOOL

Mr VICTOR DOMINELLO (Ryde) [6.01 p.m.]: Northcross is an independent Christian primary school which caters for K to 6 and is located just off the busy Lane Cove Road in the suburb of Ryde. The school has a current enrolment of approximately 295 students, which represents an increase from 268 in 2009, with an expected increase over the next few years to more than 350 students. The school currently has double-streamed grades from K-3 and larger single classes from years 4 to 6. Northcross aims to provide double streaming across all grades in the future.

The school was first opened in 1981 by the Ryde Baptist Church and was known up until 2002 as the Ryde Christian Community School. In 2002 the school re-branded and introduced a new name, logo and uniform. The school's purpose is "to provide affordable quality Christian education for families in the Ryde area". The school's mission is, firstly, to deliver a quality Christ-centred curriculum; secondly, to develop and nurture the whole child—spiritually, academically, socially, emotionally and physically; thirdly, to provide students with opportunities to actively serve and minister, using their gifts; and, fourthly, to offer a strong academic program that caters for individual needs.

In April this year the school completed stage two of its construction project. The project included the building of two new classrooms, the upgrade of the administration building, a new library and car park, and a parents' drop-off area. The project was partially funded under the National School Pride Program, with additional funds coming from donations to the school. Luckily, the school was able to secure the services of a Northcross parent as the building coordinator for the project. That ensured that all the school's needs were met and the project was delivered on time and on budget.

In March this year I met with the Northcross Principal, Tanya Vaughan, who showed me around the classrooms to see some of the students' learning activities. I also was given a tour of the new facilities that, at the time, were close to completion and due to be opened in the following month. We spoke about some of the innovative and unique teaching methods employed at the school. They include the use of Gardner's Multiple Intelligences theory. According to this theory of education, there are eight basic types of intelligence, which include spatial, linguistic, logical-mathematical, kinaesthetic, musical and interpersonal, among others. Gardner believes that a child who masters times tables, or reading, or playing a musical instrument is not necessarily smarter than those who do not: rather, they learn better by employing a certain type of intelligence.

At Northcross, from year 3 children participate in integrated lessons called "tracks". Each track caters for different types of learners. Lessons therefore are centred on the preferred learning style of each individual. For example, the Spalding Method is used to teach the foundations of English through precise instruction in letter-sound relationships, word dictation, sentence construction, and reading and writing. Mathematics is taught using a hands-on approach whereby students are encouraged to develop their own individual problem-solving strategies. As children moving towards secondary school, there is an emphasis put on development of leadership skills and taking responsibility for personal learning. I saw this leadership in action when I was at the school when year 6 students led all members of their school faction through chants and songs in preparation for the sport's carnival. Overall, I was very impressed by what I saw at the school. The quality of the education is a credit to the passion and commitment of the principal, Tanya Vaughan.

Another important issue raised was that of pedestrian safety for children crossing the busy Lane Cove Road in the morning to get to school, and in the afternoon when they leave school. Despite several requests being made to the Ryde City Council, the school had not been granted a school zone. That was on the basis that there was no official access way from Lane Cove Road to the school. In March I wrote to the former Minister for Transport and Roads, calling on the Roads and Traffic Authority to establish a school zone along this stretch of Lane Cove Road. In addition, I requested that flashing lights be installed. I am pleased to report that a school

zone has now been established outside Northcross. This is a great result. However, we await a response from the Minister on the issue of flashing lights. I will continue to pursue that matter with the Minister because I believe it is vital for the protection of our local schoolchildren.

ASSYRIAN GENOCIDE

Mr NINOS KHOSHABA (Smithfield) [6.06 p.m.]: In June 2009, after several representations from constituents within my electorate, I gave notice of a motion regarding the Assyrian genocide from 1914 onwards. In the past few months several representations expressing concern have been made to me, mostly by the Turkish community about the motion. As 7 August approaches, it is timely to remember that each year on 7 August Assyrians all over the world, including those within our New South Wales community, gather to commemorate the Assyrian Martyrs and Genocide Remembrance Day. Given that it has been almost 12 months since I gave notice of the motion and it has not been debated in the House, I feel it is important to recognise the tragic events that have occurred in the past. The purpose of recognition of such events is to ensure that they do not happen again in the future.

On 17 April 1997 this House passed a motion recognising the 1.5 million Armenian men, women and children from who fell victim to the first genocide of the twentieth century. Within the same context and time line of those tragic events, the Assyrian population living in the Ottoman Empire also were subject to exactly similar atrocities, which accounted for hundreds of thousands of Assyrian lives. I strongly believe that it is the moral responsibility of all human beings to recognise these historical injustices. In 1911 the Ottoman Government of Turkey engaged in ethnic and religious cleansing of the Assyrians, Greeks and Armenians in the Ottoman Empire.

When Turkey entered World War I in November 1914, the Assyrians were filled with hope. Those who lived in Turkish Mesopotamia and Persia thought that liberation was imminent. It was a time of promises about independent statehood on the sacred soil of their ancestors. The Assyrians in the region sided with the Allies. Instead of liberation, the Assyrians were subjected to the genocide of more than two-thirds of their estimated population. I was saddened to learn of documents detailing the bludgeoning of little children with stones, the rape and murder of women, despite their age, and the beheading of men. Those who refused to convert to Islam suffered a similar fate, with priests, nuns and deacons being burnt alive.

In the aftermath of the war and left with no other alternative, Assyrians followed British troops to Mesopotamia. In December 1925 the League of Nations allocated the Province of Mosul to the new kingdom of Iraq. The British mandate was lifted in October 1932 and Iraq became independent. With no effective guarantees for the protection of their rights, extermination of the Assyrian people followed. On 7 August 1933 the Iraqi Government began a systematic campaign aimed at destroying the Assyrian nation by massacre, forceful displacement from their ancestral homeland, political assassination, and finally by genocide of the Assyrian people and their identity.

As a result of those actions by the then Ottoman and Iraqi governments, Assyrians ever since have been forced to live as stateless people in diaspora. In the light of that, the Assyrian genocide during World War must be recognised and also the consequences that have flowed, and continue to flow, from non-recognition of that genocide. Recognition of the Assyrian genocide will assist in raising awareness about the Armenian and Greek genocides. Such recognition will act as a powerful counter to those who still ignore or deny outright the genocides of the Ottoman Christian minorities. Such denial is widely recognised as the final stage of genocide, paving the way for future occurrences of similar events.

Today the members of the Assyrian community in Australia number well into the tens of thousands, a large proportion living in my electorate and the Fairfield local government area. Assyrians in Australia have a rich and proud history. Assyrian families arrived in Australia in 1963 and since then the Assyrian community has become well established and very much a part of the fabric of our society. I know from personal experience of the great contribution that the Assyrian community has made to New South Wales, especially to the electorate of Smithfield. The Assyrian community has built schools, churches and a cathedral. It has supported the local community through its social and sporting clubs, and it has set up various social, academic and cultural organisations.

Apart from these achievements, members of the Assyrian community appreciate the value of citizenship in Australia and consider themselves even more privileged to be living in what they recognise as the best city in the world, Sydney. I must add that this motion was not directed towards the Turkish community in

Australia or New South Wales, nor towards the current Turkish Government. The Turkish community in Australia has contributed greatly to our fine country. Turkish people have settled into our State and have worked hard to ensure that our country goes from strength to strength. Rather, this motion was directed towards the acts committed in the past by the then Ottoman Empire.

The motion that I put forward almost 12 months ago seeks to ensure that such acts are not repeated and to acknowledge the lives of all those men, women and children who fell victim to the genocide. I gave notice of that motion in June 2009 to recognise the ethnic, religious and cultural genocide of the Assyrian people and to condemn such acts and to prevent them from occurring in the future to people from all cultures and walks of life. The persecution of Christian minorities is still occurring in the Middle East and, sadly, it seems that nothing is being done for them. I believe we should stop ignoring these issues and do something about them.

HORNSBY UNITING CHURCH WORSHIP AND ACTIVITY CENTRE

Mrs JUDY HOPWOOD (Hornsby) [6.11 p.m.]: On Saturday 19 June I attended an exciting event to officially open the Hornsby Uniting Church Worship and Activity Centre, where the Hornsby congregation and the Sydney Senal congregation now have brand-new premises. Many people in the community attended this splendid day. Representatives of many other churches also attended to help the Uniting Church celebrate. Attendees included the two reverends in the church, Reverend Ann Hogan and Reverend Bomwook Choi. The combined choirs sang the *Hallelujah Chorus* and then members of the community, Rod Blackmore and Keith Woodward, made speeches. Then there were greetings from Reverend Gregor Henderson from the assembly, Reverend Niall Reid from the synod, Reverend Suk Ho Kim from the Korean commission, and Reg Hill from the Ku-ring-gai Presbytery. Reverend Denham from the local St Peters church gave an address, and the Mayor of Hornsby delivered greetings from the local government area.

The vision of a new church on the site on the corner of Frederick and William Streets, Hornsby, had been promoted for the best part of the past 30 years. In the early 1980s the Uniting Church, formed in 1977, was in its infancy. The Hornsby parish then comprised former Methodist churches in Frederick Street, Hornsby, Waitara, Asquith, Mount Colah and Berowra, and the former St Anders Presbyterian church in Edgeworth David Avenue, Hornsby. Following the uniting, a process of rationalisation of properties and new combinations of congregations commenced, with a number of former Presbyterian churches being sold, and the Baldwin Avenue, Asquith, congregation amalgamating with either Mount Colah or Waitara churches. Waitara Methodist church had been linked with Normanhurst from 1938, but became part of the Hornsby parish upon uniting in 1977.

Planning priority in the new parish was accorded to the newer growth areas of Berowra and Mount Colah, resulting in new churches in Alan Road, Berowra, in 1985 and at Mount Colah in 1995. In the meantime, the inadequacy of the buildings on the corner of Frederick and William Streets, Hornsby—with modifications, they had served the church since 1896—was recognised, and the planning committees set about considering the future needs of a modern church and activity centre in the area. As a first step, in 1986 the Hornsby and Waitara congregations agreed to work together, utilising the Waitara complex.

Only a small Sunday evening service and the use of the church for choir rehearsals remained at Hornsby. In the following years the Frederick Street the Tongan congregation, the Chinese church and the St Thomas Indian Orthodox church used the church. In 1989 the St Andrews church was sold, forming the basis for future property developments in the district. These included the investment purchase of a cottage adjoining the Waitara complex in 1992 and the reconstruction of a derelict cottage adjacent to the Hornsby church to become Sarah's Place Long Day Care Centre in 1998. This centre formed stage one of early development plans that were to culminate in the new church and activity complex.

I shall now give some background of the Sydney Senal congregation. As well as the new building, this occasion celebrated a partnership with the Sydney Senal Korean congregation, a body recognised within the Uniting Church in Australia. The centre is managed by a joint management committee consisting of representatives from both congregations and is jointly funded by each. The church named Hansin, the former name of Senal church, was established in May 1995 by three families. Then the church formally joined the Ku-ring-gai Presbytery of the Uniting Church of Australia in 1999 and started its ministry as a member of the Uniting Church in Australia. In 2000 Hansin church started sharing the Waitara church premises, with the generous care and support of the Hornsby Waitara congregation. This was extremely meaningful to me as I am a member of the Mount Colah Uniting Church. I moved to Normanhurst in 1985, and I was an active member of the Waitara Uniting Church.

The sale of Waitara Uniting Church and the creation of this wonderful Uniting Church worship and activity centre was the culmination of the hard work of many people in the area. I pay tribute to the numerous people involved in the redevelopment committee: the project managers, architects, builders and the grand opening organising committee. It is a splendid building. There is still some work to be done, particularly on the pipe organ, which is a significant memorial that came from another church. I am certain that the congregation will have many wonderful church services and fantastic activities. The Hornsby Homeless Task Force is looking with eager eyes at the fantastic new kitchen in the activity centre. Congratulations Hornsby Uniting Church.

STATE EMERGENCY SERVICE CENTRAL WEST AWARDS

Mr GERARD MARTIN (Bathurst) [6.16 p.m.]: Recently I attended an awards ceremony in Bathurst to honour State Emergency Service [SES] volunteers from the Central West region. I am delighted that the duty parliamentary secretary is the member for Blue Mountains. He has an esteemed record in emergency services in his former role as the Commissioner of the Rural Fire Service, which he helped to develop into a world-leading firefighting service. He now has the important role of Parliamentary Secretary for Emergency Services. Seventeen volunteers throughout the Central West were honoured on the day. They were presented with awards, which included the National Medal, the SES Long Service Medal and the SES Long Service Certificate. I was joined at the presentation by John Heath, who is the Director of Logistics for the New South Wales State Emergency Service, and the ceremony was chaired by Craig Ronan, who is the regional controller from the Central West region.

There were volunteers from Bathurst, Eugowra, Molong, Oberon, Portland, Sofala and Central West regional headquarters. The 17 people who were honoured had collective service of 350 years with the SES. While I did not major in mathematics, I think that equates to close to an average of 20 years of service each. One thing that underscores these organisations—I am talking about the SES today—is that the people who join are dedicated and they are there for the long haul. That commitment stands these organisations in good stead. As for the award recipients on the day, national medals were presented to Trevor Gunter from the Bathurst unit, Alan Springett and Colin Humphries from region headquarters, John Dukes from the Eugowra unit, and Craig Gibbons, Megan McMahon and Jim Young from the Oberon unit.

Long service medals and certificates were presented to Trevor Gunter, Alan Springett, Dorothy Springett—there is a family connection—Col Humphries, John Dukes, Craig Gibbons, Megan McMahon, Mark Teirnan, Ron Harvey, John Cole, Ian Grimes, Wayne Cummins, Ian Goodwin, Mark Tomkinson and Martin Tomkinson. The Tomkinsons are brothers and are long-term members of the Sofala unit. Kathleen Stapleton, also from the Sofala unit, received an award. The Sofala unit of the SES has first-responder status for motor vehicle accidents in that area and its members have been skilled up by the paramedics of the Ambulance Service of New South Wales to perform that service.

It is important to recognise that members not only give great yeoman's service in a very difficult and demanding sphere of emergency services but also do it with a great deal of professionalism. It is only in recent years, during the term of the former Minister for Emergency Services, Tony Kelly, that the Government has been able to run a campaign to make sure that members of the SES receive medals as part of a national scheme of honouring those in the New South Wales Police Force, the Rural Fire Service and other emergency services—as the member for Blue Mountains, who is at the table, well knows. The SES ran a good campaign, with the support of this Government and Tony Kelly, to achieve recognition on the same level as those other organisations.

SES volunteers stand proudly shoulder to shoulder with people from the Rural Fire Service, the Volunteer Rescue Association, NSW Fire Brigades, the Ambulance Service of New South Wales and the New South Wales Police Force. Australia has unique emergency services. In recent years, largely due to leadership from people such as the member for Blue Mountains, the emergency services have harnessed their resources and developed to a very professional level while at the same time keeping their unique volunteer spirit. I honour those people who received awards.

Mr PHIL KOPERBERG (Blue Mountains—Parliamentary Secretary) [6.21 p.m.]: I thank the member for Bathurst for two things. The first is his ongoing acknowledgement of and support for emergency services in his electorate. He spoke eloquently about the State Emergency Service [SES] in the Central West. The second is his acknowledgement of my past service with that and other allied organisations. The role of the SES, the Rural Fire Service and the many volunteer rescue groups cannot be overstated. We need to remind ourselves constantly that our more than 100,000 volunteers are highly trained, motivated and extraordinarily

efficient people who risk their lives almost every day to help others in distress. Such is the level of their professionalism, discipline and skills in this day and age that it is difficult for the public to distinguish between those who are remunerated—salaried, if you like—for providing an emergency response and those who are not. By far, the majority of those who do provide that response are not remunerated.

It is important that we do not ever take for granted the fact that these many tens of thousands of men and women, almost on a daily basis, respond to emergencies not only across the length and breadth of New South Wales and Australia but abroad. The skills of our emergency services are often called on internationally. When international visitors to our services are questioned they find it difficult to believe that our members are volunteers. We are eternally greatly for the service they provide, and it behoves all members of this House to promote their cause whenever possible.

ACTING-SPEAKER (Mr David Campbell): The member for Bathurst mentioned John Heath, an employee of the State Emergency Service. I note that he is a constituent of the Keira electorate and a long-term volunteer of the Bellambi Surf Life Saving Club.

DEATHS AND INJURIES OF AUSTRALIAN SOLDIERS IN AFGHANISTAN

Ms ALISON MEGARRITY (Menai) [6.23 p.m.]: Yesterday in this Chamber the Premier and the Leader of the Opposition paid tribute to three commandos from the Special Operations Task Group who were killed in a helicopter crash in Kandahar Province, Afghanistan. All members and officers of the House stood as a mark of respect and as an expression of sincere condolence to the families, friends and comrades of Privates Timothy James Aplin, 38; Scott Travis Palmer, 27; and Benjamin Adam Chuck, also 27 years of age. However, as the parliamentary representative of the Menai electorate, which is home to the Special Operations Task Group and a large number of other defence personnel and families in the Holsworthy military area, it is appropriate that I give voice to our community's sense of deep sorrow and loss.

This tragedy means that a total of 16 Australians have lost their lives while serving their country in Afghanistan. The headline "Price of liberty is paid in blood" and the individual photographs of all those killed prior to this tragedy that appeared on pages two and three of yesterday's *Daily Telegraph* really said it all. We often say "Lest we forget", so in that spirit I shall list the names of those lost Australian sons, brothers, fathers and mates: Sergeant Andrew Russell, Trooper David Pearce, SAS Sergeant Matthew Locke, Private Luke Worsley, Lance Corporal Jason Marks, Signaller Sean McCarthy, Lieutenant Michael Fussell, Private Gregory Michael Sher, Corporal Mathew Hopkins, Sergeant Brett Till, Private Benjamin Ranaudo and Sappers Darren Smith and Jacob Moerland.

Members may recall my statement in this House regarding the moving memorial service for Lance Corporal Jason Marks—who was only 27 years of age—at the Holsworthy-based 4th Battalion of the Royal Australian Regiment in May 2008. His wife, Cassandra, was there that evening, pushing a pram carrying their then five-month-old daughter and holding the hand of their five-year-old son. At the December 2008 service for Lieutenant Michael Fussell—who was only 25 years of age—I watched his brother, also a serving member of the defence force, unveil the 4RAR memorial upon which his brother's name was the latest inscription. Speaking with members of the Holsworthy Public School community as they mourned Sergeant Brett Till, a former parent at that school, was another experience that brought home the reality of these losses and the ripples sent across our whole community at these sad times. Yesterday in the House in expressing her sorrow at the death of Privates Timothy Aplin, Scott Palmer and Benjamin Chuck, the Premier said:

We gather in the shadow of a sobering reminder for every member of this House—a reminder that our democracies, for all our progress, for all our enlightenment and for all our pursuit of peace, remain quietly, tirelessly and selflessly supported by the men and women of our armed forces.

The Premier added that the House would pray for the other seven Australian defence personnel injured in the helicopter crash that their lives may be spared. I believe that six of the seven injured have undergone surgery for fractures, lacerations, crush injuries and a head injury, and that all seven are now being treated in Germany. Our community will anxiously await news of their medical conditions. We will also continue collectively to hold our breath until every loved one is returned safely to their families from every one of the world's current theatres of war and peacekeeping missions.

It is a sad fact of life that our community has had plenty of experience of waiting and hoping for the safe return of defence personnel. Soldiers who have served in all Australian-supported conflicts, including World War I and World War II and the Korean and Vietnam wars, have been trained at Holsworthy. Today

I take this opportunity to remind the House of the sacrifice and difficulties faced by those personnel and their families. Unfortunately, it is something that many in the wider community tend to take for granted, especially in peacetime. I am sure that I speak for every member of this House in acknowledging today the price they pay for our liberty.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.28 p.m.]: I thank the member for Menai for her most moving speech and pass on the condolences of all members in this House in relation to the dreadful and tragic loss of those brave soldiers. I extend my best wishes for a speedy recovery to the wounded and offer our support for the prolonged convalescence that they may need. South-west Sydney has been a centre of army training for more than 100 years, and the Holsworthy area is still home to large numbers of military personnel, with whom we share our lives. They do it tough. Their family lives are often disrupted by overseas deployment but they and their families carry on with courage, bravery and dignity. Every member of our society in New South Wales needs to offer their thanks every day for the wonderful job that these brave soldiers are doing for us.

PENSIONER WELFARE

Mrs DAWN FARDELL (Dubbo) [6.30 p.m.]: All of us in this House were elected to represent our local communities that are made up of people from all walks of life: the old, the young, the sick and the healthy. All people rightly expect access to the most basic shelter—warmth in the winter, shade in the summer and the security of a roof over their head. Yet as the result of this Government's decisions, Parliament has failed some of those who have placed their trust in us. I refer to the string of harsh price hikes for which the Government is either directly or indirectly responsible: the 42 per cent increase in electricity prices over three years, the around 12 per cent increase in gas prices, a massive hike in many local council and water rates, the ongoing inflationary effects of these increases, and now a hike in pensioner public housing rents.

Our pensioners are the backbone of our local communities across New South Wales. For 60 years or more they worked hard to build our towns and industries, believed in the system of government and cared for others, thinking that in return the community that they helped to build would care them for. The Government shifts the blame for utility price increases to the Independent Pricing and Regulatory Tribunal [IPART], shirking its responsibility and further breaking trust with the people. To date, all we have seen from the Government is spin and posturing that the power price hike is only 42 per cent, not the 64 per cent first mooted. The people of my electorate want to know how those on fixed incomes will survive with all the State and local government price hikes.

Consider the plight of pensioners. They have just won a hard-fought \$30 a week pension increase—a sum that would hardly buy many of us lunch. Yet those who struggle the most to survive—public housing pensioners—will have to pay an extra \$7.50 a week for a single person, or double that for a couple. Queensland, South Australia, Tasmania and the Northern Territory have all agreed that the \$30 increase will never be included in public housing rent calculations. In isolation, this rental rise may not seem a huge amount, but consider the budget of a typical public housing pensioner couple living in New South Wales today. They receive \$970 a fortnight, of which around \$387 goes straight into rent and electricity charges. That means just under 40 per cent—39.9 per cent—of a pensioner's income goes straight into the Government's coffers before he or she even starts to live.

The Government's response is to offer vouchers of up to \$480 a year to families and pensioners in financial crisis so that they can pay their energy bill—vouchers to help people pay for basic services. We have fallen a long way from being the premier State. I do not know what horrifies me more: that people living in a State like New South Wales have to depend on vouchers to survive, or that we find this acceptable. Despite questioning the Government, I still do not have an answer about how the voucher system will work. Do people go along to their member's electorate office, collect a yearly voucher for \$480 and then post it off to their electricity company? Or do pensioners apply through their electricity company, get the run-around because nobody knows anything about the scheme, and then wait a long time for a refund—similar to what occurs in the health system?

I also do not understand the economics of the system. Given that 7,500 people in the electorate of Dubbo signed a petition protesting the electricity price hike, it is fair to say that most of them will struggle to pay their power bill. If only 5,000 of those people are in financial difficulty and ask for a \$480 voucher, will the Government shell out \$2.4 million to help them? My Independent colleagues have received petitions containing a similar number of signatures and the *Daily Telegraph* also ran a petition that attracted around

12,000 signatures, so will the Government also provide those thousands of people with a voucher? Why are we going down this path? Common sense dictates that it is better to stop the ludicrous price hikes rather than introduce a voucher system—not to mention the cost of administering such a system.

Every politician in this House, and Ministers in particular, receive a very fair income that allows us to house and feed our families, educate our children, and generally enjoy a good quality of life. In keeping with our basic beliefs as Australians and respected members of our local communities, we undertake to work hard to ensure that our fellow citizens have a similar quality of life. It is a tragedy that in what was once the premier State, which made a proud contribution to the development of Australia, we can do no better today than rob our most vulnerable citizens of 44 per cent of their income and strip away their dignity by proffering a pathetic voucher to keep the wolf from the door.

Private members' statements concluded.

DUTIES AMENDMENT (NSW HOME BUILDERS BONUS) BILL 2010

HOME BUILDING AMENDMENT (WARRANTIES AND INSURANCE) BILL 2010

**POLICE LEGISLATION AMENDMENT (RECOGNISED LAW ENFORCEMENT OFFICERS) BILL
2010**

Messages received from the Legislative Council returning the bills without amendment.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2010

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

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

ACTING-SPEAKER (Mr David Campbell): Private members' statements having concluded, the House will now proceed to the matter of public importance.

COMMUNITY BUILDING PARTNERSHIP

Matter of Public Importance

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.35 p.m.]: On behalf of my local community and every community in New South Wales, I would like to thank Premier Keneally and this Government for continuing the Community Building Partnership in 2010. The aim of the Community Building Partnership is the construction, upgrade or refurbishment of community infrastructure. The focus is on community priority—the greatest good for the greatest number—and the community engagement that will flow from these projects. As all members in this place will be aware, the Community Building Partnership was introduced in 2009 as a stimulus measure to support jobs by providing community groups with funds for local projects. The Government allocated \$35 million for the Community Building Partnership, with \$300,000 provided to each State electorate and another \$100,000 provided to electorates with higher unemployment. I stress that the Community Building Partnership has been an overwhelming success. Every member in this place will have had the experience of seeing the difference that small amounts of assistance can make in their community.

While I can take pride in the achievements of the Keneally Government in my electorate—such as the construction of the South West Rail Link, at a cost of \$2.1 billion; the upgrading of Liverpool Hospital, at a cost of \$390 million; the major road upgrades; and the amazing improvements to infrastructure in every local school—I know that delivering these major investments is not the only way that we can help people. Indeed, modest amounts of government support can make all the difference to a local community group. For example, the local men's shed could be expanded so that mature men can come along to share a common purpose and support each other. I met with the local men's shed group from Glenquarie Anglican Church at Macquarie Fields only on Monday. Last year this wonderful group was approved for a grant of \$88,000 that will revolutionise its service. Older single men are at substantial risk of mental health problems and this service is vital to the future of our community.

Perhaps a local park could be upgraded so that young families have facilities where they can play sport and have a picnic. For that reason, grants such as \$25,000 for refurbishing the Austral Progress Association kitchen are vital in helping our local families have happy times together. It may involve providing new sporting facilities and equipment so that our kids can practise, compete and pursue excellence. For example, last year Prestons Robins Little Athletics Club was granted \$10,000 for long and high jump equipment, and the Western Blues Little Athletics Club was granted \$85,000. These are long-term investments in public health that give a wonderful bang for your buck in terms of the long-term survival of kids involved in little athletics. These projects do not cost a billion dollars, but what they can provide is beyond value. Another example is the \$22,000 approved for the upgrade of the playground at Lurnea Neighbourhood Centre. Last year I visited the centre and Pat Coningham showed me what she would like to have done. I am pleased that we were able to secure the funding for our local children. These are the reasons I have been so keen to see the program continue in 2010.

The original purpose of the Community Building Partnership was to support jobs through stimulating local economic activity. This is just one of a range of New South Wales Government initiatives to support jobs in the face of the global recession. These initiatives, such as stamp duty and payroll tax cuts, major investments in infrastructure and improvements to the planning system, have seen New South Wales recover from the economic crisis and now lead the nation in economic growth, with falling unemployment. However, while the Community Building Partnership's original aims have been met, a new need has been identified along the way. Last year across the State there were more than 2,300 applications seeking over \$119 million for local community projects. Yet only 1,180 projects could be funded. This shows that there is an overwhelming need for more funds for community projects.

Over the past 12 months each of us has seen in our communities projects that could not have progressed without the support of the New South Wales Government and the Community Building Partnership. For example, in my electorate the \$60,000 granted to Youth Off The Streets is vital for the Eden Learning Centre, there was \$20,000 for the Glenquarie Neighbourhood Centre, and \$33,000 towards the fit-out of the global sports and function centre for the Islamic community. These are all vital projects that would not have happened without the Community Building Partnership.

In my electorate we will be able to make another \$400,000 investment this year in a variety of projects that will benefit our community. I know that already many groups in my community are putting together applications for this year's program and I am thinking of them as well. This year's program will be administered differently from last year's program. There will be web-based applications and community groups will be able to make applications on line at www.communitybuildingpartnership.nsw.gov.au. The first step, registration, needs to be completed by 23 July. This step provides the critical contact details that are needed. The organisations need to be incorporated and not for profit. This registration allows time for the second step, the application, to be more carefully prepared, and the preparation can be done in stages. This online application process will streamline the administration of the program, and the administrators of Community Building Partnership can help with applications.

I am very pleased this program is continuing because it is a great model of how governments could work. Rather than community groups and members of the public having to petition and campaign for their ideas, this program creates the opportunity for a partnership that helps people with good ideas. It shows them the Government is there to help them make ideas a reality. This is what government should be about—helping to turn hope and good ideas into reality. The people of my electorate are wonderful. I look forward to seeing all the good ideas from my community after applications close on 23 July and those ideas turned into reality this year. We all leave a legacy. These Community Building Partnership programs will be one of the legacies of the Keneally Government.

Mr JOHN WILLIAMS (Murray-Darling) [6.42 p.m.]: It gives me great pleasure to speak to this matter of public importance on the Community Building Partnership program. It is probably one of the few inputs the State Government has had in my electorate by directly funding community organisations. The first round of the Community Building Partnership was really appreciated. My electorate probably had the greatest number of applications—nearly 200—to this program. It is important to understand that most of these organisations, particularly charitable or community organisations, have great difficulty raising significant amounts of funding. Mostly they raise money through raffles and small events. Being in small communities it is pretty hard to raise a lot of funds to pay for the work they would like to do. This program has certainly filled the gap.

When this program was announced last year I promoted it widely in my electorate, as I have done this year, so that all the communities in my electorate know about the program being continued. This is another

round and there is another \$400,000 to go into the Murray-Darling electorate. One complication is that the Murray-Darling electorate has 13 separate shire areas and an unincorporated area, so the amount of interest in this program, particularly from local government, is huge. Unfortunately, in the last round Wentworth shire got none of the funding. I was trying to ensure that the funding was evenly spread over my electorate, which is very difficult to achieve.

The township of Morundah in the Urana Shire is really only a village with a hotel and a couple of houses, but each year it gets the Victorian Opera to Morundah for two nights of opera, which is a fantastic event. The community has built a facility to house the event and over time they have improved it. Morundah scored a very small amount of money, but it was a significant amount for the people involved. The small community of Tibooburra, which is in the unincorporated area, identified a need to build a shed to hold some of the equipment for events it runs. I can assure members that Tibooburra is a community that pretty much does its own thing. They are people in whom the true spirit of the bush prevails. Generally they do not rely on any sort of government assistance; they do things themselves. They were very grateful to know they could get some help from the Government to build the shed, which was much needed by the community.

The small community of Moulamein had their change sheds replaced. It has been a burning issue for people in the area. They could not physically raise the amount of money they needed. When we were trying to spread this money around I talked to the department and, unfortunately, I had to ring up some of the applicants to see if they would take a reduced amount. In some instances I was able to negotiate that and communities received funds to complete a facility. This Government can be proud of the way the \$400,000 that was put into the Murray-Darling electorate was spent. It served both small and larger communities well.

Broken Hill has struggled to raise the funds to finish off an events centre. One of the areas it wanted to complete was the kitchen so that catering could be done in situ. This fund has enabled the community to complete the kitchen and get it up and running so they do not have to rely on caterers bringing the food in. It can now be cooked on the premises, and the kitchen complies with the health regulations. These are very important amounts of money. They make a difference to a community because they can see the facility being built.

I know the matter before the House does not cover this, but in the first year of the program providing funding for country halls, the Murray-Darling electorate received \$323,000, which indicates the level of need in small communities where often facilities are badly in need of repair. Suddenly they have been able to get the funding to carry out work on the facility. As I drive around my electorate I can see where the Community Building Partnership money is spent and where the halls have been refurbished. It is a great stimulus for the community. That small amount of money lets them know that the Government cares and that their voice is heard. The facilities of which they have been deprived can now be built and they can get on with enjoying them. Mostly they are recreational facilities for people's enjoyment and it means they have infrastructure that is probably equivalent to what you see in most sporting arenas. I say, "Well done", and I compliment the member for Macquarie Fields for bringing this matter to the House. It has certainly been a great funding program.

Mr DAVID HARRIS (Wyong—Parliamentary Secretary) [6.49 p.m.]: The Community Building Partnership is a great program that shows what the Keneally Government is about—practical help for local communities and families. This is the first time in Australia that local residents have been able to play such an interactive role in deciding which projects should share in funding allocated to their electorate. Without this program the old school would be sitting idle and unused, while the Toukley Air League would be without a facility of its own to make its fantastic contribution to our community. Youth Connections, a group that helps young unemployed people, will be able to build the Wyong heritage shared pathway, creating a new facility for pedestrians and cyclists from Wyong out to the Pioneer Museum. Other good initiatives in my electorate that were funded through this program include allocations to the Australian volunteer coastguard to secure its premises and its radio equipment at Toukley. The Girl Guides Association at Wyong will now be able to build a new kitchen.

Greater Toukley Vision Inc. received funding to install three security cameras in the Toukley central business district—a really good project. The San Remo Community Garden, the Toukley Neighbourhood Centre, Wycare, the Wyong Amateur Swimming Club and Lake Haven Men's Shed were pleased to receive funding to help to improve their facilities. These are examples of the great way in which this money is being spent. I thank everyone who has worked to make this possible. The pride that people have in their local communities and the energy and enthusiasm that they have for improving local facilities are what drive this program. This year many great ideas will be proffered and I am pleased that they will again be funded. The funds that people are able to secure from this program will be instrumental in turning these ideas into reality.

Last year the Community Building Partnership program provided \$400,000 for my community and we received more than \$800,000 worth of applications. There were more than 2,300 applications across the State seeking more than \$119 million for local community projects. This shows there is a real need for the State Government to provide support and assistance for the local community, and that is exactly what it is doing through this program. One of the best features of the program is the role that is given to local members in determining which projects receive funding. This recognises the role that each of us plays in bridging the gap between the needs and desires of our local communities and the solutions that can be delivered by State Government action.

The Community Building Partnership program also provides local councils with an opportunity to invest in their local infrastructure. This partnership, which is a big stimulus to the local economy, enables us to get on with building important local projects that support local jobs. The works that are underway in my electorate through the Community Building Partnership program are truly fantastic. I refer, in particular, to the work that is being done at the Toukley Neighbourhood Centre, which comes under the simple project description of "refurbishment of Toukley Neighbourhood Centre". The project will cost almost \$29,000. Some of that money has been used to build a shower facility so that local people suffering difficulties can have a meal at the neighbourhood centre, have a shower and go for job interviews. People do not realise that the provision of such a simple facility enhances people's lives and enables them to attend job interviews with confidence.

I referred earlier to the Toukley Air League project, which was something of an adventure. It took us some time to obtain the old Warnervale site, which Minister Verity Firth agreed to. However, the day before we handed over the school to the group vandals burned down one of the buildings, which was devastating. Through this project the Toukley Air League will receive \$50,000 to enhance the other buildings on that site. I was pleased that the Minister agreed to erect a demountable building on the site for use by the Toukley Air League. These good grants are going down well in my community and I am pleased that they will continue this financial year.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.54 p.m.], in reply: I thank members who contributed to this matter of public importance. The member for Murray-Darling said that this Government should be proud of the way in which this money is being spent—a unique model of local engagement. I refer members to the Irish proverb that states, "It is in the shelter of each other that the people live." The Community Building Partnership is a wonderful Government initiative. I congratulate the member for Murray-Darling on receiving 200 applications for these grants. The member for Murray-Darling is an example to others. We should engage with community groups to make them aware of this funding. This project offers local groups help.

Local members can help deserving local groups to achieve their dreams. Unlike previous schemes, there is no need for matching funding. Some organisations have very little finance. The fact that there is no need for an organisation to contribute a significant amount of funding has resulted in the engagement of more difficult-to-reach communities, such as the Aboriginal community, the Lake Haven Men's Shed, and ethnic groups such as the Global Islamic Youth Centre. The Broken Hill events centre, which is a wonderful achievement, is typical of the Community Building Partnership program. That centre now has the necessary infrastructure to help fund its operations over many years.

The shower facility for homeless people is but one of the thousands of projects around this State that this program has helped. Many homeless people, who do not like to admit that they are homeless, find it difficult to take a shower, to keep well dressed, and to make themselves neat for a job interview. This brilliant idea came from a grassroots group and the funding has been most welcome. This is an investment in community pride. As projects go, \$35 million is not an extraordinary amount of money. I hope that our opponents will commit in a bipartisan way to maintaining the Community Building Partnership program in the foreseeable future. Politics involves doing the best that one can do for one's community according to one's beliefs.

The Community Building Partnership program is one way in which local members of Parliament can help everyone in the community. Community groups that have so little and that identify needs in harder-to-reach communities often need our help the most, which is why the Community Building Partnership program is vital. Last year, when we contributed to debate on the condolence motion for the former member for Port Stephens, I remember one member referring to the words spoken by the former member for Port Stephens, who said, "I hope that the people of my electorate are better for my efforts." Every politician would want such an epitaph. The Community Building Partnership program is vital, as all members of Parliament want to help the deserving groups in their communities.

True lobbying is about being reasonable, realistic and persistent. However, being reasonable, realistic and persistent might not be possible without funding. Funding is vital for the long-term survival of many community groups. Without government assistance they can do only so much. As I said earlier, the communities that need help the most are the most marginalised and those with the least resources, and often they do not have computers or other technological skills. The Community Building Partnership program website can help those groups with their applications. I thank all members who contributed to this matter of public importance and I commend the Community Building Partnership program to the House.

Discussion concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.59 p.m. until
Thursday 24 June 2010 at 10.00 a.m.**
