

LEGISLATIVE ASSEMBLY

Friday 29 October 2010

ABSENCE OF THE SPEAKER

The Clerk announced the absence of the Speaker.

The Acting-Speaker (Mr Thomas George), in the absence of the Speaker, took the chair at 10.00 a.m.

The Acting-Speaker (Mr Thomas George) read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PETITIONS

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

Edgecliff Interchange Upgrade

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

Pet Shops

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

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

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**.

Coalmining Environmental Impacts

Petition requesting conditions be placed on mining operations to protect the natural and built environment in the Southern Coalfield, received from **Mr Brad Hazzard**.

The Clerk announced that the following Minister had lodged a response to a petition signed by more than 500 persons:

The Hon. Steve Whan—Pet Shops—lodged 23 September 2010 (Ms Clover Moore)

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, in accordance with section 12A of the Annual Reports (Statutory Bodies) Act 1984, of the report of the Audit Office of New South Wales for the year ended 30 June 2010.

BUSINESS OF THE HOUSE

Business Lapsed

General Business Notices of Motions (General Notices) Nos 1064 to 1076 lapsed pursuant to Standing Order 105 (3).

**CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT
(HOMELESSNESS REPORTING AGE) BILL 2010**

Bill introduced on motion by Ms Pru Goward.

Agreement in Principle

Ms PRU GOWARD (Goulburn) [10.05 a.m.]: I move:

That this bill be now agreed to in principle.

This bill is urgently needed, not only because for many of us a person aged 17 years and 11 months is still a child—that was the case last week and last year—but also because the New South Wales Government has raised the school leaving age to 17 years or the age at which a child completes year 10 of secondary education, whichever comes first. That is now the age at which a child may leave school. That change has left homeless young people in a terrible limbo because of the link between the school leaving age and the responsibilities of parents and guardians, including the Minister for Community Services in the role of guardian, and the importance of stable housing for young people.

The change to the school leaving age severely disadvantages young homeless people. If the Parliament does not pass this bill, we will see more young, disadvantaged people struggle to obtain the education and skills now required by and offered to everyone else between the ages of 16 and 17, that being the new age group that is now required to be in education. Although some young people are homeless, they are still worth the same investment that is made in every other teenager in this State. If this bill fails to pass, this Parliament will make a mockery of its commitment to our most vulnerable young people. If it does not pass, it will be entirely because the Keneally Labor Government has chosen to turn its back on these young people.

Last year's amendments to the Education Act also leave parents and guardians, including the Minister for Community Services and his department, exposed to penalties for failing to ensure that a young person up to 17 years of age attends school. Before the Act was amended, the school leaving age was 16. The School Leaving Age Regulation 2009 provides that to leave school a child must attain the age of 17 years or have completed year 10 of secondary education, whichever occurs first. The Education Amendment (School Attendance) Bill 2009 was passed to ensure that children of compulsory school age attend school.

The object of that bill was to facilitate the provision of information to the director general of the Department of Education and Training about children who are not attending school; to provide for confidential conferences with parents and other relevant parties to insist on ensuring a child attends school; to provide for the making of compulsory schooling orders by the Children's Court directed at parents whose children do not attend school and in certain cases directed at children who do not attend school; and to increase the monetary penalties for parents who do not ensure that their children attend school, in particular where parents fail to comply with compulsory schooling orders. Because the legislation covers children in out-of-home care, these provisions must also include the Minister.

Of course, this bill cannot address the struggles that many families face in keeping young people at school for the additional year. We all know of intact families with rebellious children, children with learning difficulties and children suffering from mental illness and those who are, as we say, going through a stage and do not want to stay at school any longer than absolutely necessary. For some, the thought of staying at school until they are 17 is unbearable. We know how difficult it is to manage children of this age and to keep them at school. It is even difficult for parents in intact families who have enormous support networks. Given that, keeping children at school until the age of 17 will require enormous government resources and determination on the part of the community and parents. It will be another mark against this Government if it is demonstrated not to have provided the appropriate resources.

As I said, this bill cannot address those struggles. However, it can address the needs of homeless young people under the age of 17 who will now also be required to attend school or training centres. As detailed in the amendments made last year, clearly children, their parents, their guardians or, indeed, the department, will be liable for penalties if they do not attend school. Of course, if children are homeless, couch surfing, sleeping at bus stops or even staying at shelters—where they can stay for only a few nights—they will not be well resourced and supported in attending school. I remind the House that section 120 of the Children and Young Persons (Care and Protection) Act provides:

- (2) On receipt of a report, the Director-General must conduct such investigation and assessment concerning the child as the Director-General considers necessary.
- (3) The Director-General may provide or arrange for the provision of services, including residential accommodation, where appropriate, for a child whose homelessness has been reported to the Director-General.

I remind the House that even if this were available, this is for children up to the age of 17 who cannot be in full-time work because they are required to be at school but cannot attend school because their living circumstances are so chaotic. For homeless young people, clearly lack of stable accommodation—somewhere to leave their books, keep their clothes and sleep safely—or indeed any accommodation, precludes them from receiving the education that is so important to their future, that of their families and our State and nation. It must be emphasised that if young a person under 17 does not have a home, finding and attending a school or suitable training facility will be extremely difficult. That is why reports for these young people are so important and must be made to the department and should be investigated by the department.

Homelessness is a huge problem in New South Wales, although it is very welcome news that the rate of homelessness has declined over the two most recent census periods, and territories to our north have homelessness rates higher than ours. That does not mean it is not a personal tragedy for every person who is homeless, with enormous consequences for the State and the State budget. Youth homelessness, in particular, has enjoyed a national decline over the two census periods in 2002 and 2006 but remains deeply troubling. At the last census in 2006 almost 5,000 young people were homeless between the ages of 12 and 18 in New South Wales. I draw to the attention of the House the alarming fact the rapid growth in the number of homeless children under the age of 12, which will of course feed into the group of homeless teenagers in future censuses.

Children are rarely homeless by choice. We can all relate stories of children who ran away from home because they did not like the discipline, being at school and were at their wit's end. But more commonly children leave home because they either have problems with mental illness that have been diagnosed and not supported, been undiagnosed and not understood, or there are problems at home. I refer to the New South Wales Parliamentary Library's research into the observations made in the National Youth Commission report into youth homelessness in 2008 by Chamberlain and Mackenzie. It states that 67 per cent of homeless students were from blended or single parent families whereas only 15 per cent of homeless students were from families with both biological parents. In other words, these are children from families where there has been some sort of breakdown and divorce. Indigenous young people inevitably are more at risk of homelessness than non-indigenous youth. This aspect is very significant for the Minister responsible for the administration of this Act: young people with a background in State care are overrepresented in the homeless youth population.

The 2006 census of school students found that approximately 15 per cent of homeless students may have had an experience in State care. That is a very large overrepresentation when one considers that the number of children in out-of-home care is about 1 per cent. It does not mean that those children left out-of-home care and became homeless; it means there was at least one episode of out-of-home care. Sometimes foster placements have difficulty with teenagers who are struggling with their identity and the long-term consequences of abuse or neglect suffered at the hands of their original families. As well as struggling with challenges to their identity they have the problem of where they go next. Young people who are homeless also have mental illness at a higher rate than the general population. The National Youth Commission has suggested that mental health issues can be both a cause and consequence of homelessness. I think that is pretty obvious.

Chamberlain and Mackenzie have also identified pathways or careers into homelessness by young people and identified family breakdown as a major factor contributing to homelessness. It is not just the breakdown and distress of seeing their parents fight and separate and the distress this causes; it is often re-partnering. I have certainly seen many families where re-partnering is done in haste and the new step-parent, either advertently or inadvertently, makes life very uncomfortable for young people struggling with their identity because they are sensitive children. They are young adults really; they see what is happening to their parents through eyes of understanding, and they suffer pain. Inevitably—I know this from the experiences of friends and relatives—the step-parent will often take their dislocation out on the children. The children themselves will take out their distress and discomfort on the new step-parent. It is a very volatile cocktail and it is not surprising that those things happen. I am certain every member of this House would realise this is a critical time for young people. We see all sorts of breakdowns, chaos and crises if the situation is not handled well—even if it is handled well. It is a very difficult stage.

The development of a conceptualisation of youth homelessness as a process rather than as a fact has contributed enormously to our understanding of homelessness as a dynamic rather than a static process. That is the view of Chamberlain and Mackenzie, and is a view I share. As stated by the National Youth Commission, youth homelessness does not involve a particular type of person, but a process of events that happens in a young person's life. That is why I have spent some time describing the difficulties young people face with the breakdown of their parents' marriage or relationship, or indeed that of a subsequent relationship with a long-term partner. They see the distress and often do not know how to express their distress. New partners make

life difficult for them and the child leaves. I am pleased to see the good policymaking resulting from a better understanding of the causes of youth homelessness, as distinct from adult homelessness, and excellent services now exist.

Another aspect of youth homelessness is that the 12 to 18 years age group is the only age group in which homeless females outnumber homeless males. Very young girls who are vulnerable to rape, sexual assault and unwanted pregnancies are sleeping rough, sleeping on people's couches and inevitably doing favours and pleasing people for the sake of safety. Despite these young girls being very confident and thinking they can take on the world, they are physically no match for tough men who want to take advantage of them. It is particularly disturbing to me, and I hope to the Minister for Women, that this age group has more homeless girls than boys, and that this is the age group in which we see the beginning of another generation of disadvantage and poverty. These girls are the most at risk and, sadly, the most likely to become parents before they are ready. As we know, young, unprepared vulnerable parents struggle to bring up their children and become another generation immersed in the cycle of poverty.

I point out also the costs of youth homelessness. It is difficult to quantify how many children are sleeping rough. The 2006 census showed there were 4,987, but of course they are only the ones we know about; inevitably that would be an underestimation. According to a report of the National Youth Commission's Inquiry into Youth Homelessness 2008, to which the Salvation Army's wonderful Oasis website refers, youth homelessness is reportedly worse than it was 20 years ago. The report has found that early intervention is essential and that for those attending school, school-based intervention is effective in reducing homelessness.

That makes perfect sense, which is why it is so important that we pass this legislation today to make the Children and Young Persons Act consistent with the school-leaving age. It saves future dollars. The report argued that the long-term economic cost of not assisting the estimated 25,000 students—which is about a quarter of the total number of homeless in Australia—who experience homelessness in a year would be in excess of half a billion dollars per year. As we know, homelessness is a fast track into juvenile crime, early parenting and a cycle of disadvantage.

The consequences to the community of youth homelessness are unemployment, ill health and involvement in the criminal justice system. It is believed that approximately two-thirds of the homeless youth aged 12 to 18 years of age are outside the education system, despite being of school age. That is the situation now, and we have just added another year onto the school-leaving age. We now have another group of kids who are one year older and one year closer to adulthood, and who have one more year in which to accumulate greater bitterness and experience more trauma in their home lives or, for that matter, mental illness. Those children now have another year to put into our school system. If we do not address their homelessness we have absolutely no chance in the world of their staying at school for an extra year. If we are unable to keep them at school then we are willingly and wittingly breeding an underclass the size of which we will not have seen since those seen in London in the days of the Industrial Revolution. That is how serious this is.

The welfare system provides minimum support for children in any family. For vulnerable young girls who cannot get employment and who often have nowhere to live, that means that child-bearing is at least an option whereby they would get some support. They then inevitably struggle, as any 15-year-old, 16-year-old or 17-year-old girl would. It is not surprising that we have seen an increase in the pregnancy rate of 16-year-olds in New South Wales for the first time since the introduction of the contraceptive pill. Our vulnerable youth are in a very serious situation. This amendment, which is not an ideological one, must be passed. I am absolutely certain that if the Government had looked through its own Acts it would have picked up that there is now an inconsistency between the age at which a child can be reported as homeless and the school-leaving age. The rise in the school-leaving age will result in another cohort of children who cannot get work and who find it very difficult to be mobile. They can get a bit of casual work, but they are supposed to be at school. They can be charged with not being at school, as can their parents if they can be found, as can the Minister as the de facto parent and legal guardian.

I will tell the House the story of "Carmen", a very loving foster parent who fostered a child, whom we will call Alice. Carmen cared for Alice for the first 13 years of her life. When Alice reached the age of 13, her aunt, who she was still in contact with, told Alice that her birth mother was a woman with significant mental illness that was inheritable and that Alice was likely to develop it—great advice. That is just the sort of thing you need from an aunt. This 13-year-old girl had been cared for in a wonderful and supportive family. Unfortunately, this tipped her into that teenage chaos spiral that we are so familiar with. The unfortunate response from the department was not to support the foster carer but to say, "Alice doesn't want to live with you

anymore, so we will try to place her elsewhere". They placed her a couple of times, but that did not work. What teenager is happily going to move in with a total stranger or even a family member after so many years in the care of one family?

Alice ended up in refuges. She put her photographs on Facebook. She got tattoos. Her foster mother monitored all sorts of changes in her demeanour and appearance for several months. Of course, watching the downward spiral of their beloved Alice's had terrible consequences on the family's internal stability. When Carmen approached whichever refuge Alice happened to be in that week, she could never speak to Alice. Alice allegedly began to take drugs and I understand that she may have become involved in prostitution as a way of maintaining her habit, as is so often the case. This family was brought to the Minister's attention several times; it is a terrible mark against the Minister. But, having said that, it is a pretty typical example of what happens when you do not manage teenagers, particularly vulnerable teenagers, and homelessness well. This kid is nowhere near to getting an education or any of the life skills that she is going to need to get through life very alone.

When you go to kids refuges—I have one in my electorate as I am sure many others do as well—you see kids smoking and hanging around in the street all day. They do not have to go to school—nobody is making them go to school—even though they are under the age of 17 and should be going to school. They are hanging around all day, waiting for the refuge to re-open its doors at half past four. No refuge is funded to stay open all day, so these kids have nowhere to go in the wet and cold and nowhere to go instead of hanging around the streets, talking to each other and presumably getting up to no good from time to time.

Many members will want to speak to this bill, because nothing can be more important than stopping this cycle of intergenerational poverty. Therefore we must amend the Children and Young Persons (Care and Protection) Act along the lines I have suggested—it is an amendment to section 120 of the Act. It is a very simple one, which states:

A reference in this section to a "child" includes a reference to a young person who is under the age of 17 years.

At new section 121, which deals with the homelessness of young people, insert "who is above the age of 16 years" after "a young person". That would mean that the department is obliged to investigate any report of homelessness and provide accommodation and other services to deal with that young person's homelessness. It will be a very welcome change to those working in the youth sector. It will be a very small but sensible step towards addressing what is a much larger problem, which is, I believe for the first time in more than a century, a growth in the underclass. The underclass is a struggling class of people whose difficulties in life will have enormous financial consequences for the rest of society and also consequences involving the safety, decency and comfort of all of us. Nobody wants to see children, let alone generation after generation of children, living in those circumstances. I commend the bill to the House.

Debate adjourned on motion by Mr Barry Collier and set down as an order of the day for a future day.

The DEPUTY-SPEAKER: It being almost 10.30 a.m., the House will now proceed to Government business.

POLICE REGULATION (SUPERANNUATION) AMENDMENT BILL 2010

Bill introduced on motion by Mr Barry Collier, on behalf of Mr Michael Daley.

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [10.28 a.m.]: I move:

That this bill be now agreed to in principle.

Police officers employed prior to April 1988, typically known as pre '88 officers, are covered by the compulsory Police Superannuation Scheme. The scheme provides for a pension to be paid if an officer retires from the NSW Police Force on medical grounds. The benefit is received following the determination of an application made to the SAS Trustee Corporation, or STC, the trustee of the scheme. The STC must be satisfied that a member has become incapable of discharging their duties of office, based on the medical evidence provided with the application. Currently, the STC can only accept medical discharge papers from the individual officer. This means that the Commissioner of Police cannot exercise his power to medically discharge an officer without running the risk of the officer losing their membership of the scheme and therefore access to benefits.

The bill before the House proposes amendments to the Police Regulation (Superannuation) Act 1906, in relation to the discharge of pre-1988 officers who have been on long-term sick leave, whose health is unlikely to improve to enable a return to duty, and who are determined by the STC, on medical advice, to be incapable of continuing to exercise the functions of a police officer. The bill enables the commissioner to apply for a determination of the trustees without the risk of loss of entitlements. The discharged member will be entitled to the relevant superannuation benefit, depending on whether the infirmity was or was not caused by the member having been hurt on duty.

The bill inserts a new section 15B into the Act, and includes the following provisions. The section will apply to a pre-1988 officer, the member, who has been on sick leave for at least 12 months in the previous 18 months and whose health is, in the opinion of a medical practitioner, unlikely to improve sufficiently to enable them to return to duty. The section provides the Commissioner of Police with the ability to apply to the STC for a determination that the member is incapable of exercising the functions of a police officer as set out in section 14 (1) of the Police Act 1990. The commissioner will be required to provide the member with a copy of the proposed application, giving them 28 days to notify of any other infirmities, and whether those infirmities were as a result of being hurt on duty.

The commissioner will be able to provide the member with a copy of the proposed application after the member has been on sick leave for at least eight months. It has been agreed that the application will be delivered by personal service. The member will then have 28 days to notify the commissioner of any other infirmities that should be listed as part of the application, and this provides the NSW Police Force with time to assess whether those infirmities were caused by the member having been hurt on duty.

The commissioner may supply to the STC medical information about the member without the need to obtain the consent of the member and despite any restrictions in applicable privacy legislation. A certificate enabling medical discharge of the member may be issued by the STC on the basis that the infirmity concerned was caused by the member having been hurt on duty or on the basis that it was not so caused. It should be noted that nothing in the section will prevent the member from making their own application to STC for a benefit under the Police Regulation (Superannuation) Act 1906, or for the issue of a certificate under this Act relating to the infirmity of the member.

The bill provides for applications to be made under section 8 of the Act and, if applicable, under section 10, which covers officers hurt on duty. If a certificate is issued on the basis that the member was not hurt on duty, a superannuation benefit can later be paid at the higher rate backdated to the date of discharge if the infirmity concerned is later determined by the commissioner or on appeal to have been caused by the member having been hurt on duty. The Human Resources Command of the NSW Police Force has undertaken extensive consultation with the Police Association of NSW, which, I am pleased to report to the House, has indicated its support for the bill. 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.

COURT SUPPRESSION AND NON-PUBLICATION ORDERS 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) [10.33 a.m.]: I move:

That this bill be now agreed to in principle.

The Keneally Government is committed to the principles of open justice and to improving the ability of the public to access appropriate court information in order to better understand what takes place in New South Wales courtrooms. The Court Suppression and Non-publication Orders Bill 2010 is another reflection of that commitment. The bill follows the passage through this House earlier this year of the Court Information Act 2010, which set a clear statutory framework for access to documents and other court information held by New South Wales courts in connection with criminal and civil proceedings. At the time of the introduction of the Court Information Act 2010, the Government indicated that it was the first stage in a two-stage process that will

see all statutory provisions relating to access to court information eventually contained in a single statute. The Court Suppression and Non-publication Orders Bill 2010 is the second stage of that process, providing in one consolidated statute the law relating to the making of non-publication and suppression orders by the courts.

Like the Court Information Act, this bill also has origins in the New South Wales Law Reform Commission's 2003 Review of the Law of Contempt by Publication and is the result of a very extensive and comprehensive consultation process. In its report the Law Reform Commission recognised that the law of contempt by publication is intrinsically linked to rights to access court information. The report suggested that rights to access court information should be clarified, and it made several recommendations that have greatly informed the development of this legislation.

In 2004 the New South Wales Supreme Court conducted community consultation on the issue of access to court records. This consultation raised issues about the existing framework for accessing court information and resulted in the referral of the issue to the then Attorney General's Department for the development of an appropriate policy. In June 2006 the department released a discussion paper entitled "Review of the Policy on Access to Court Information" for public consultation. A range of individuals and agencies made submissions to the department's review. These submissions further informed the department's consideration of a new framework for managing access to court information, of which the Court Suppression and Non-publication Orders Bill 2010 is an intrinsic part.

The resulting report by the Attorney General's Department, entitled "Report on Access to Court Information", was publicly released in July 2008. This report made a series of recommendations in relation to suppression and non-publication orders that again have been critical in framing the provisions of this bill. Around the same time, in March 2008, the Standing Committee of Attorneys-General asked officers to look at the current use of suppression and non-publication orders, including exploring the possibility of harmonisation across jurisdictions. The Government recognised that there needed to be greater uniformity in the system of suppression and non-publication orders across Australia, in order to give the public, and particularly the media, greater certainty and clarity about what they can and cannot know and report.

At the July 2008 meeting of the Standing Committee of Attorneys-General, Ministers requested that officers develop proposals on potential areas of harmonisation of suppression and non-publication orders, and a working group was formed. That working group found that there were many differences across jurisdictions in relation to the law on suppression and non-publication orders that needed to be addressed in the development of model provisions, ranging from the use of different terminology, to varied powers to make orders, grounds for making orders, issues of standing, duration of orders, review and appeal of orders, and the consequences for breaching orders. The working group agreed that clarity about these aspects would better inform courts to make an order, including any decision in relation to the terms of any order and the extent of any restriction imposed.

Since that time, model provisions have continued to be developed by the working party. Earlier this year the Attorney General released draft model provisions to targeted stakeholders, including the media, the courts and the legal profession. In the main, stakeholders gave their express support for the draft provisions. The stakeholders include the Victims Advisory Board, the Law Society of New South Wales, and Legal Aid New South Wales. The New South Wales Director of Public Prosecutions was also strongly supportive, stating:

I indicate that I strongly support the introduction of this legislation that confers power on NSW courts to regulate and restrict persons who are not parties to proceedings in the publication of evidence in and information arising out of criminal proceedings. The Bill appears to me to strike an appropriate balance between the interests of open justice, the proper administration of justice and the human rights of all concerned.

The feedback obtained from this consultation process, in addition to the feedback on each of the reports and reviews that I outlined earlier as laying the foundations for these reforms, have been carefully considered and have greatly informed the model provisions on which the Court Suppression and Non-publication Orders Bill 2010 is based. The Government would like to take this opportunity to thank all those who contributed to the development of this bill, including the courts of New South Wales, the State Coroner, the Law Society of New South Wales, Legal Aid New South Wales, the Victims Advisory Board, the New South Wales Ombudsman, the New South Wales Bar Association, the New South Wales Director of Public Prosecutions, NSW Police, and the New South Wales Department of Human Services, as well as peak media organisations such as Australia's Right to Know Coalition and the Australian Press Council.

A further debt of gratitude is also owed to the Chief Justice of New South Wales, the Chief Judge of the New South Wales District Court, the Chief Judge of the New South Wales Land and Environment Court, the

Chief Magistrate, the President of the New South Wales Children's Court, and the President of the New South Wales Industrial Relations Commission, all of whom also took time to consider the draft Court Suppression and Non-publication Orders Bill 2010. Of course, access to court information is a complex area of law requiring a balance between the competing considerations of open justice and individual privacy. Consequently, it has not always been possible to accommodate the concerns and views of every stakeholder in every instance, particularly where stakeholders have conflicting interests. However, the Government is confident it has the balance right in this legislation.

At the May 2010 Standing Committee of Attorney-Generals' meeting, Ministers endorsed the model provisions that were settled following this extensive consultation process, and agreed to consider their implementation in their jurisdictions. I am pleased to inform the House that New South Wales will be the first jurisdiction to adopt the model provisions in the form of the Court Suppression and Non-Publication Orders Bill 2010. The House may also wish to note that, in addition to this legislative aspect of the Standing Committee of Attorneys-General project, the working party is considering a related proposal for a national register of suppression and non-publication orders, which it is hoped will further assist to bring clarity and certainty to this area across the nation.

I turn now to the specific provisions of the Court Suppression and Non-publication Orders bill 2010. Clause 3 of the bill sets out a number of definitions relevant to the operation of the bill. The definition of "news media organisation" is consistent with the definition in the Court Information Act 2010. The definition of "court" includes the Supreme Court, Land and Environment Court, Industrial Court, District Court, Local Court or Children's Court, which is also consistent with the definition in the Court Information Act 2010. The bill also allows any other court or tribunal, or a person or body having power to act judicially, to be prescribed as a court by regulations for the purposes of this Act.

Both "suppression order" and "non-publication order" are also defined. For the benefit of the House, a suppression order is a broader term referring to the prohibition or restriction on access to, or disclosure of something, such as certain documents. A non-publication order is more specific, prohibiting or restricting publication only, thereby allowing the media and general public to access information, but not publish it. This could include, for an example, the name and address of a party or a witness. The term "publish" is also defined in clause 3. Publication can, of course, take many forms and it must be acknowledged that it has not been easy to capture all forms of publication in a climate of such technological development.

Clauses 4 and 5 of the bill provide that the provisions are not intended to limit or otherwise affect any inherent jurisdiction or powers of a court, nor are they intended to limit or otherwise affect the operation of any provision made by or under any other Act that appropriately prohibits or restricts publication or disclosure of information in connection with proceedings. This provision recognises that suppression and non-publication orders made by our courts are only one of three ways that publication of material in relation to court proceedings can be prescribed. The others are under the common law of sub judice and by express statutory authority. This bill is not intended to affect the operation of the common law or these specific legislative protections in any way and the Government has been very careful not to dilute any current protections afforded to vulnerable persons in particular.

Clause 6 of the bill states the clear intention of this legislation—namely, that in deciding whether to make a suppression or non-publication order, a court must take into account that a primary objective of the administration of justice is to safeguard the public interest in open justice. The Government's clear policy intention, not only in this bill but also in the Court Information Act 2010, has been to promote access to court information to the public, including the media. Our intention is to promote transparency and a greater understanding of the justice system. However, at the same time we must ensure that the fair conduct of court proceedings, the administration of justice and the privacy and safety of participants in court proceedings are not unduly compromised.

Clause 7 of the bill sets out the power to make orders, providing that a court may prohibit or restrict the publication or other disclosure of information where it may tend to reveal the identity of or otherwise concern any party to or witness in court proceedings, or any person who is related to or otherwise associated with any party or witness, or where it may comprise evidence, or information about evidence, given in the court proceedings. This power is the legislative sanction that is required to bind all members of the public, not just those who are present at proceedings—an issue that was specifically identified by the New South Wales Law Reform Commission in its Review of the Law of Contempt by Publication.

Clause 8 of the bill sets out the grounds on which a court may make an order as follows: where the order is necessary to prevent prejudice to the proper administration of justice; where the order is necessary to prevent prejudice to the interests of the Commonwealth or a State or Territory in relation to national or international security; where the order is necessary to protect the safety of any person; where the order is necessary to avoid causing undue distress or embarrassment to a party to or witness in criminal proceedings involving an offence of a sexual nature including an act of indecency; or where it is otherwise necessary in the public interest for the order to be made and that public interest significantly outweighs the public interest in open justice.

Our courts must maintain their discretionary power to weigh relevant interests in the particular case before them, but these grounds will greatly assist our courts in balancing this often-difficult determination. The administration of justice ground was specifically recommended by the New South Wales Law Reform Commission in their Review of the Law of Contempt by Publication, whilst the security ground is common in relevant Commonwealth legislation. The public interest ground is intended to cover those situations that do not fit easily within the other specified grounds. I emphasise that it is intended that these other reasons should only outweigh the public interest in open justice where it does so "significantly".

Clause 9 of the bill relates to standing. This power is important because it allows a court to make such a suppression or non-publication order on its own motion, or on the application of a party, or any other person considered by the court to have sufficient interest in the making of an order. This issue was again considered by the New South Wales Law Reform Commission in its Review of the Law of Contempt by Publication, recommending that any person who can satisfy the court that he or she has a sufficient interest in the matter should be able to apply for an order, a concept that is well established in the rules of administrative law that govern standing to sue.

Clause 9 also sets out those persons who are entitled to appear or be heard by the court on an application for a suppression or non-publication order. This is a broader range of persons and includes a party to the proceedings, the Government, the media, and any other person who, in the court's opinion, has a sufficient interest in the question of whether an order should be made. The first three categories of persons would have an automatic right to make a written submission, including the media. The latter category of persons would need to make an application to the court for permission to do so. This formulation is based on similar provisions in the South Australian Evidence Act.

Clause 10 of the Court Suppression and Non-publication Orders Bill 2010 relates to interim orders. The Standing Committee of Attorneys-General working group considered that the power to make interim orders was a practical necessity to ensure that the regime worked effectively, and that any such application should be determined by a court expeditiously. Clause 11 of the bill provides that a suppression or non-publication order applies to the place specified in the order, and may also apply outside New South Wales to anywhere in the Commonwealth if the court is satisfied that this broader application is necessary for achieving the purpose of the order. Providing for a broader application of suppression and non-publication orders is necessary especially in an age of internet news, where a restriction imposed in one jurisdiction only will not prevent that information from being disseminated via a news publication across the worldwide web from a source located outside that jurisdiction.

Clause 12 of the bill provides for the duration of orders, specifically that, in deciding the period for which an order is to operate, the court is to ensure that it operates for no longer than is reasonably necessary to achieve the purpose for which it is made, and that this period may be referenced to a fixed or ascertainable period or by reference to the occurrence of a specified future event. The Standing Committee of Attorneys-General working group was of the view that such a provision was necessary for the purposes of certainty and compliance. The New South Wales Report on Access to Court Information recommended that restrictions imposed by any order should cease to have effect after 75 years in relation to criminal, adoption and care proceedings, and after 30 years in relation to civil proceedings. Feedback obtained from the extensive consultation undertaken in relation to the model provisions highlighted that, whilst orders should not be open ended, fixed duration periods may not fit the circumstances of each case or be consistent with similar legislation. The more flexible formulation outlined in clause 12 was therefore adopted.

Clause 13 of the bill provides for the review of orders. Specifically, it provides that the court that made the suppression or non-publication order may review the order on its own initiative, or on the application of a person who is entitled to apply for the review. The same range of persons outlined in clause 9 in relation to standing are again entitled to apply for, and to appear and be heard by, the court on the review of an order. The court is able to confirm, vary or revoke the order, or make any other order that it can under this bill. Clause 14

sets out the provisions for appeals and confirms the power of the appellate court to confirm, vary or revoke an order or decision of the original court or to make any other order that could have been made under the bill in the first instance. Clause 15 of the bill provides a specific exception for court officials, stating that a suppression order does not prevent a person from disclosing information, so long as that disclosure is not by publication and is in the course of performing functions or duties or exercising powers in a public official capacity.

Clause 16 of the bill then sets out relevant offence provisions. A person who contravenes a suppression or non-publication order and is reckless as to whether their conduct contravened that order is liable to a maximum penalty of 1,000 penalty units or imprisonment for 12 months, or both, for an individual and 5,000 penalty units for a body corporate. At the same time, that conduct may also be punished as contempt of court, although an offender is not liable to be punished twice. Under clause 17 proceedings for offences are to be dealt with summarily before the Local Court or summarily before the Supreme Court in its summary jurisdiction. Clause 18 of the bill allows for regulations to be made, whilst schedule 1 deals with savings, transitional and other provisions.

Schedule 2 to the bill omits the sections of three Acts that are considered to be superseded by the provisions of the bill. As I outlined earlier, the Government has been particularly careful not to dilute any protections currently afforded by other legislation, particularly as they relate to children, complainants and witnesses in sexual assault proceedings, and some witnesses in broader proceedings. The Government has undertaken extensive consultation at every stage of the development of the Court Suppression and Non-publication Orders Bill 2010, including in the development of the early reports on access to court information and through the Standing Committee of Attorneys-General process. This State is the first jurisdiction to adopt this legislation. The Court Suppression and Non-publication Orders Bill 2010 is another example of the New South Wales Government leading the way in relation to court information. To paraphrase the New South Wales Director of Public Prosecutions, the Government is confident that this bill achieves the right balance between the interests of open justice, the proper administration of justice and the human rights of all concerned. I commend the bill to the House.

Debate adjourned on motion by Mr Geoff Provest and set down as an order of the day for a future day.

POLICE INTEGRITY COMMISSION

Report

The Deputy-Speaker tabled, pursuant to section 103 of the Police Integrity Commission Act 1996, the report of the Police Integrity Commission for the year ended 30 June 2010.

Ordered to be printed.

AUSTRALIAN JOCKEY AND SYDNEY TURF CLUBS MERGER BILL 2010

TOTALIZATOR AMENDMENT BILL 2010

Bills introduced on motion by Mr David Harris, on behalf of Mr Kevin Greene.

Agreement in Principle

Mr DAVID HARRIS (Wyang—Parliamentary Secretary) [10.55 a.m.]: I move:

That these bills be now agreed to in principle.

The main purpose of the bills before the House is to facilitate the merger of the Australian Jockey Club [AJC] and the Sydney Turf Club [STC] into a new racing club incorporated under the Corporations Act and to amend the Totalizator Act 1997 so that betting activities in respect of computer-simulated horseracing, harness racing and greyhound racing events may be approved under that Act. Before going to the detail of the bills I wish to acknowledge the tireless commitment to the merger of Mr Ron Finemore and Mr Bill Picken, the chairpersons of the Australian Jockey Club and the Sydney Turf Club. It is similarly appropriate to acknowledge all the directors and the chief executives, Mr Michael Kenny and Mr Darren Pearce, of the two clubs. Mr Alan Brown, Chairperson of Racing NSW, his board members and Chief Executive, Mr Peter V'Landys, are also staunch supporters of the merger and have enthusiastically given many hours to the proposal.

These industry leaders must be lauded for their vision and their personal efforts, which have resulted in a cooperative approach to a complex issue. I also wish to record in *Hansard* that the chairpersons of the Australian Jockey Club and Sydney Turf Club have written separately to the Minister to advise that their boards support the merger proposal and that they have anticipated the Government's legislation by taking the first steps to register the proposed merged club as a new company under the Corporations Act.

These proposals underpin the biggest step in securing the future viability of the New South Wales racing industry, which is the home of racing in Australia. Put simply, the proposed reforms and accompanying investment in racing infrastructure and spectator facilities are essential to the future viability of the New South Wales thoroughbred racing industry. A strong Sydney racing sector is the jewel in the crown of New South Wales racing and its economic strength has a flow-on effect to country and provincial racing and to the estimated 50,000 racing jobs, both full-time and part-time, throughout the State. Our major races and carnivals headline the national and worldwide interest in New South Wales racing. Racing is one of the State's most significant industries and, as a provider of regular major events, it attracts significant benefits to the State's economy.

The lead bill is the Australian Jockey and Sydney Turf Clubs Merger Bill 2010. The merger bill formally provides for seven objects, which I will state and describe in detail. The first object of the merger bill is to facilitate the merger of the Australian Jockey Club and the Sydney Turf Club into a new racing club incorporated under the Corporations Act. The two clubs, of their own volition, have taken the first steps to register a new company for that purpose. The bill assists that process by providing for the orderly transfer of the business undertakings, certain assets, rights and liabilities and employees of the former clubs to the new merged club. The merger of the Australian Jockey Club, which is a company incorporated under the Corporations Act, with the Sydney Turf Club, which is a body created by New South Wales statute, is generally a complex subject that has required obtaining expert advice from the Crown Solicitor's Office.

The bill addresses these matters. The procedure provided in clauses 8 and 9 of the bill is that the Minister is to make an order to be published in the *Government Gazette* to declare the company to be the merged racing club. The Minister's order may declare a company to be the merged racing club and also specify a day as the "merger finalisation day". But that may occur only if the company is registered in this State pursuant to the Corporations Act and a copy of the constitution of the company has been provided to the Minister and the Minister is satisfied that the constitution of the company includes certain mandatory corporate governance provisions. Subclause 8 (6) of the merger bill also provides that the Minister's order, if made in accordance with the requirements of the provision, cannot be challenged. This provision is to ensure that once the process is undertaken there is protection for the racing industry from a costly and self-destructive challenge to the merger by an element which is not acting in the overall best interests of the racing industry. The issue of mandatory corporate governance provisions is addressed in detail later.

In summary, the prudent effect of these provisions is that there is no merger unless the Australian Jockey Club and the Sydney Turf Club have registered a new company for the purpose and that there is a new constitution in accordance with the mandatory governance provisions required by the bill and that a new board is in place for the new merged club. The House may note that subclause 12 of clause 10 enables the appointments process for foundation board directors to commence before the merger. This will enable a full board for the new merged club to be in place as soon as possible.

Separately, clause 7 of the bill provides an authorisation for the Minister on behalf of the State of New South Wales to enter into an arrangement with the relevant parties for the provision of financial assistance for the purpose of making improvements to Randwick Racecourse and Rosehill Gardens. The bill proposes that these arrangements be specifically authorised for the purposes of the Trade Practices Act 1974 and the Competition Code of New South Wales. The relevant parties for the purpose of this provision are Racing NSW, Tabcorp Holdings Ltd and the merged racing club. This provision of the bill will give comfort in relation to many of the concerns of the parties involved in this proposal.

The concerns have been reduced to the form of agreements and are recognised by the proposed legislation. In addition, any further concerns, such as the detail of the management of the merged racing club's race program across the racecourses under its control, are matters that would appropriately be dealt with by the new board. Concerns would be dealt with in accordance with the new board's responsibility to manage the affairs of the new company. It should also be recognised that a merger agreement has been entered into between the Australian Jockey Club and the Sydney Turf Club addressing a number of issues of concern, including the protection of races and prize money. The issue of funding arrangements is addressed later.

The second object of the merger bill is to make provision in relation to the corporate governance arrangements of the merged racing club. Apart from the economic benefits of the merger itself, the other main benefits from the legislative package are the reforms which provide for a modern company structure and the appointment of independent directors selected on merit in accordance with prescribed skills criteria. Clauses 6 and 10 and schedule 1 of the bill do this by providing for mandatory corporate governance provisions to be included in the constitution of the new company. The principal mandatory governance arrangements are in relation to the structure and functions of the new merged racing club and to the appointment process for its directors.

Clauses 6 and 44 of the bill are included as a result of expert legal advice in relation to the displacement and exclusion of Commonwealth corporations legislation and to ensure that the New South Wales law operates alongside the Commonwealth law. Essentially, they facilitate the mandatory inclusion of the prescribed governance arrangements in the constitution of the merged club. The balance of the merged club's constitution will otherwise be in accordance with the normal operation of the Corporations Act.

The foundation board of directors is to consist of nine members—seven appointed for four years and two to retire after 12 months. After the implementation tasks are completed one Australian Jockey Club and one Sydney Turf Club director are to retire. Board members elect their chairperson and deputy chairperson by simple ballot. The Australian Jockey Club and Sydney Turf Club are to appoint three members each to the foundation board. The Australian Jockey Club has indicated its intention to appoint Mr John Cornish, Mr Alan Osburg and Mr Bill Sweeney. The Sydney Turf Club has indicated its intention to appoint Mr Wilf Mula, Mr Michael Crismale and Mr Max Whitby. I thank the Australian Jockey Club and the Sydney Turf Club for putting forward such passionate well-credentialed and capable individuals to form part of the team which is to manage the merger implementation.

The remaining three members of the new merged club's board will be independent directors. The independent directors are appointed by the Minister on the recommendation of an appointments selection panel. For the foundation board of the merged club the selection panel of three will consist of a person nominated by the chairperson of Racing NSW and two persons nominated by the Australian Jockey Club and the Sydney Turf Club board of directors.

The bill provides that the appointments selection panel is subject to the following requirements. The panel must make a recommendation on the basis of merit. The panel must also base its selection in accordance with the requirement that a candidate must have experience in a senior administrative role or experience at a senior level in one or more fields of business finance law, marketing, technology, commerce, regulatory administration or regulatory enforcement. The panel is to be assisted by a probity adviser appointed by the Minister. In addition, by agreement between the members of the selection panel, the first appointment process will be subject to the requirement that a recommendation for the appointment of an independent director will be unanimous.

After the foundation of the board there are similar separate arrangements for independent and elected directors of the merged racing club. Subsequently, the merged racing club's constitution is to provide that the company may at any time, by resolution passed in general meeting, elect a person to be a director of the company to replace a director initially nominated by the Australian Jockey Club or the Sydney Turf Club, or later elected by members, who has vacated office. The appointments selection panel process is retained for the independent directors but the membership of that panel is altered as the Australian Jockey Club and the Sydney Turf Club will no longer exist and cannot nominate panel members. Accordingly, the subsequent appointments selection panel is to consist of a person nominated by the chairperson of Racing NSW and the merged club's board is to nominate the other two persons, with one being one of the independent directors and the other not an independent director.

The third object of the merger bill is to provide for the functions of the merged racing club in relation to Randwick Racecourse and certain other racecourses—being Rosehill Gardens, Warwick Farm and Canterbury Park. The management and control of the business affairs and affairs of the company which underpins the new merged club are vested in the board of directors. The directors of the company will, in accordance with the normal practice, settle the objects of the company, which are to be included in the constitution. Clause 36 and schedule 3 to the bill also provide for the carry forward of relevant by-laws.

The fourth object of the merger bill is to provide for the granting of further leases over Randwick Racecourse. The Randwick Racecourse complex will continue to be Crown land managed on behalf of the State

by the Randwick Racecourse trustees, who are appointed by the Governor on the advice of the executive council. The trustee arrangements and the 99-year lease of Crown land made in favour of the Australian Jockey Club in 2008 are to be carried forward by clauses 32 to 34 of the bill on exactly the same terms and on the basis that the new merged club is the successor to the Australian Jockey Club for these purposes.

The fifth object of the merger bill is to provide for the repeal of the Australian Jockey Club Act 2008 and the Sydney Turf Club Act 1943. Clause 39 (1) of the bill provides that the Australian Jockey Club Act 2008 and the Sydney Turf Club Act 1943 cease to have effect on the merger finalisation day. The merger finalisation day is declared by ministerial order, subject to the preconditions defined earlier. The procedure has been adopted to facilitate the orderly implementation of the merger. The procedure will also permit some matters to be properly decided by the board of the new merged club. Such matters include the management of the rights of existing members in terms of future membership entitlements and the name of the new merged club. Clause 39 (2) of the bill provides that on or after the merger finalisation day the Governor may, by proclamation, repeal the existing two Acts.

The sixth and seventh objects of the merger bill provide for matters of a savings and transitional nature and for consequential amendments to other Acts and instruments. Clauses 11 to 27 of the bill provide for the transfer of the business undertakings of the Australian Jockey Club and the Sydney Turf Club to the new merged club. As a general principle, the implementation of the merger is on the basis that the Australian Jockey Club and the Sydney Turf Club should not be disadvantaged by that process. The opportunity has also been taken to carry forward the entitlements which are described as regulatory authorisations of each club so that they apply to the new merged club. A major such entitlement is the 99-year lease in relation to Randwick Racecourse which I dealt with earlier.

Other examples include the various racecourse licences and authorisations, however described, pursuant to the Liquor Act 2007 and Registered Clubs Act 1976. Included in these provisions are certain matters that are worthy of a special mention. Clause 14 of the bill provides generally for the transfer of regulatory authorisations, which was mentioned earlier. Clause 14 (3) also enables the future merged club to have a different secretary or chief executive officer for the purposes of the Liquor Act and the Registered Clubs Act for each racecourse under its control. This relaxation of the rules will continue to ensure that there is appropriate accountability under the Liquor Act and Registered Clubs Act. Nothing will change and there is no diminution of club responsibilities.

The proposal is a practical response to the problem of a single chief executive of the new merged club who will already be responsible for multiple racing venues being burdened with registered club and liquor responsibilities. The proposal recognises that it is more efficient and provides for greater accountability if there are separate registered club managers for each venue. Clause 22 of the bill relates to the rights of the employees of the AJC and STC. The provision safeguards their employment and related conditions and entitlements by providing that these are automatically transferred to the new merged club. The board of the new club will then be responsible for determining the needs of the future club.

Clause 23 of the bill provides for a ten-year moratorium on the sale of certain racecourse land that becomes vested in the merged club. The clause has been expressed in terms of other than Randwick Racecourse and Warwick Farm. This is because the former is Crown land and simply cannot be sold by the merged club and the latter is excluded in recognition of a pre-existing arrangement relating to the establishment of the Inglis complex at Warwick Farm. This is a safeguard that has been included at the explicit request of the AJC, the STC and Racing NSW to demonstrate that there is no intention to resort to a fire sale of land.

Clauses 24 (6) to (8) of the bill provide for the preservation of AJC and STC members' entitlements. The merged racing club is specifically required to make provision for the admission of a person as a member of that club if the person was a financial member of the AJC and STC. The provision has been framed in that manner to enable the board of the future club to manage the future membership categories available to members. Clauses 39 to 49 and schedules 2 and 3 to the bill provide for a number of savings and transitional matters that are mostly of a routine nature and that have been included in accordance with legal advice. Some of these, such as the provisions relating to the declaration of the merged company and the merger finalisation day and the matters relating to the provisions of the Corporations Act, were dealt with earlier.

Clause 40 of the bill provides an explicit reminder that the merger bill is intended to be subject to the provisions of the Racing Administration Act 1998 and the Thoroughbred Racing Act 1996. Nothing in the

proposal alters the status of the merged club nor its responsibilities to comply with the provisions of the two Acts mentioned. Clause 49 of the bill provides for the review of the Act after three years of operation by the Minister and the tabling of that review in Parliament.

The Totalizator Amendment Bill 2010 is cognate with the merger bill. That is because it has a role in relation to the financial arrangements that are referred to in clause 7 of the merger bill. I indicated earlier that the main purpose of the Totalizator Amendment Bill 2010 is to amend the principal Act to cover betting activities in respect of computer-simulated horseracing, harness racing and greyhound racing events that may be approved under that Act. Schedule 1 to the amendment bill proposes to include after section 13 (2) (b) of the Totalizator Act that computer-simulated horseracing, harness racing or greyhound racing events are matters that may be approved by the Minister as betting activities. The approval for this purpose is intended only for use in TAB retail outlets, which are TAB agencies, PubTAB and ClubTAB outlets. The amendment bill provides for any approval for this purpose to be for an exclusive period until 6 March 2007.

Schedule 1 to the amendment bill also includes a provision which enables the Minister to make a determination in respect of the Racing Distribution Agreement and the thoroughbred Intra-Code Agreement. This is a safety-net provision to ensure that the Minister may direct that changes be made to the agreements where the Minister determines those changes are necessary or desirable for ensuring that the agreement is in the best interests of racing in New South Wales. The Minister's power of determination expires on 31 January 2011. There is also an express statement in clause 117C of the amendment bill which provides for the Provincial Association of New South Wales and Racing NSW Country to receive from Racing NSW the normal funding entitlement that would have been available from Trackside to those bodies. The Minister has agreed with the Opposition racing spokesman that it is appropriate to underpin in this way the entitlement from Trackside for Provincial Association of New South Wales and Racing NSW Country.

Schedule 2 to the amendment bill revokes the earlier authorisation of such computer-simulated games as a gaming machine. It also amends the Betting Tax Act 2001 to provide that no betting tax is payable on net earnings in connection with the first \$255 million of bets placed on computer-simulated horseracing, harness racing and greyhound racing events with TAB Limited in any financial year. This arrangement is to expire at the end of the 2033-34 financial year. The proposal will enable a computer-generated simulated racing game, such as the existing Trackside game that operates in Victoria, to be introduced into New South Wales TAB outlets.

The Trackside game is owned and operated by Tabcorp and enables players to place TAB-style bets on the outcome of simulated thoroughbred harness and greyhound races that are displayed as computer-generated graphics on in-venue television screens. The game has been designed to closely resemble the normal TAB racing and wagering experience with the traditional TAB betting options win, place, quinella and trifecta available. Trackside is intended to operate as part of or adjacent to the TAB facilities in any wagering venue. The game is operated by a central host computer at Tabcorp's Melbourne headquarters.

A random number generator is used to determine the result. Each race has 12 runners and the odds for each contestant remain constant across all races; that is, contestant number one is always the favourite contestant number two the second favourite and so on. Each runner's return is in accordance with its probability of winning with the take-out from the game averaging about 19 per cent and the return to player about 81 per cent. Customers place bets by marking their selections on betting tickets and feeding them into a TAB betting terminal in the same manner as with a normal TAB bet. The computer-simulated races and associated race information are transmitted into TAB venues over the Sky Channel satellite infrastructure and displayed on dedicated television monitors.

In New South Wales the Trackside game is currently designated as a multi-terminal gaming machine, unlike in Victoria, where it has operated since 1999 under the classification of a wagering product. The popularity in New South Wales of the Trackside game has been limited and in recent years only two venues have operated the game; namely, Star City Casino, where it ceased operation in November 2008, and the Bankstown Sports Club, which removed the game in June 2007. The bill would revoke the earlier classification of Trackside as a gaming machine and permit the Trackside game to be conducted as a wagering product. Under this designation the game can be offered to customers in dedicated TAB agencies or in TAB outlets in hotels and licensed clubs. The game is currently available in more than 570 Victorian TAB venues and is a popular service with many traditional TAB race wagering customers.

Tabcorp has requested that the Government reclassify the Trackside game as a wagering product for use in New South Wales along the same lines as it is provided in Victoria. This request has the support of the

New South Wales racing industry the Australian Hotels Association (New South Wales) and Clubs New South Wales. Separately, the Alan Cameron Wagering Review recommended that the Government treat electronic gaming devices not linked to racing as a wagering activity rather than gaming. This recommendation related to the Trackside game.

Prior to the introduction of the game into TAB outlets Tabcorp will be required to obtain ministerial approval for appropriate rules of betting. Tabcorp will also need to satisfy the Office of Liquor, Gaming and Racing that the regulatory arrangements, such as those currently in place in Victoria, will provide appropriate controls over the conduct of the Trackside game. These controls will ensure that appropriate responsible gambling policies and practices are in place and also that the correct amount of Trackside revenues are returned to persons who might bet on the game and also that government and racing industry revenues are correct. Based on its Victorian operations, Tabcorp projects the Trackside game betting turnover to be over \$130 million in its first full year of operation, increasing to over \$220 million in the second year and more than \$230 million when fully established in the third year.

I mentioned earlier that clause 7 of the merger bill authorises the Minister under the Trade Practices Act 1974 and the Competition Code of New South Wales to enter into financial arrangements for the provision of financial assistance for the purpose of making improvements to Randwick Racecourse and Rosehill Gardens Racecourse. Clause 7 similarly also authorises the conduct of the relevant other parties for the purpose of negotiating and entering into any such arrangement. The relevant parties are defined by the bill as Racing NSW, Tabcorp Holdings Ltd and the merged racing club. The arrangements in question relate principally to the application of Trackside revenues. The proposed arrangements were announced on 22 July 2010 with the expectation that projected revenues would fund a loan of up to \$150 million for improvements to Randwick Racecourse. The announcement spoke of a funding package of \$174 million and the additional \$24 million is a Government grant dedicated to improvements to Rosehill Gardens.

The arrangements announced in July have been overtaken as a consequence of Tabcorp proposing to provide Racing NSW with \$150 million in two instalments to fund the infrastructure improvements at Randwick Racecourse. The new arrangement minimises any commercial risk to the taxpayer as all of the \$150 million is to be funded by Tabcorp. As a consequence of Tabcorp shouldering the commercial risk and foregoing the opportunity to invest its funds elsewhere, both Racing NSW and the Government have agreed to concessions to recognise the burden on Tabcorp. Racing NSW will forego its annual Trackside payments from Tabcorp. The other two codes of racing will receive their share as provided for under the Racing Distribution Agreement. The Government will provide Tabcorp with exclusive operation of Trackside until 6 March 2097 and a wagering tax-free threshold of up to \$5 million per year until the end of the 2033-34 financial year.

These arrangements will underpin the \$150 million facility which will fund improvements to Randwick Racecourse to provide two new state-of-the-art grandstands, which will more than double seating capacity and provide first-class spectator facilities, function space, restaurants and corporate boxes. In addition, there is to be a new 4,500-seat multipurpose "Theatre of the Horse" parade ring, which will enable the public to have a front seat race-day experience. Separately, the Government grant of \$24 million is to fund dedicated improvements at Rosehill Gardens, including refurbishment of the Fleming stand, a vehicle access bridge and tunnel link to the infield car park, a new main entry and pedestrian railway bridge from James Ruse Drive, a new pedestrian bridge over James Ruse Drive, a demountable infield concert stage and a new infield display screen.

The proposed refurbishments and redevelopments are to be the subject of a racecourse development agreement between the new merged club and Racing NSW. Racing NSW will monitor progress of the projects and regularly report on progress of works and expenditures to the Government and to racing industry participants. Racing NSW will ensure that there is appropriate accountability and that expenditures are in accordance with approvals and also in accordance with the principle of value for money. I have advised the House that the Australian Jockey Club and Sydney Turf Club support the merger proposal and the detail of the financial arrangements, which include appropriate accountability measures that underpin the redevelopment of Randwick Racecourse and also Rosehill Gardens. I have also advised in detail about the provisions in the merger bill that provide for the merger of the Australian Jockey Club and Sydney Turf Club and related matters. The remaining and most important matter is why it is essential to proceed with the reforms and the associated funding package.

The New South Wales racing industry is a significant employer and also makes a significant contribution to the State's economy. I will not repeat the figures; they were provided earlier. The racing industry operates across the State, with a significant number of its 200 racecourses outside the Sydney metropolitan area.

Racing is community based and all race clubs must have a non-proprietary basis if they are to be registered by the relevant controlling body. Despite increasing competition from other sports and entertainment opportunities, the popularity of New South Wales racing ranks favourably relative to other sports. The Australian Bureau of Statistics estimates on the basis of persons who attended one or more times in a year that attendance at race meetings is second only to attendance at rugby league matches. As a community we love our sport and our racing.

The competition for the wagering dollar and the entertainment dollar generally has imposed a significant burden on the racing industry to promote and conduct its business affairs with a view to ensuring future viability. The recent Cameron report, which examined wagering trends and the future sustainability of the New South Wales racing industry, noted among other matters that New South Wales is a high tax jurisdiction for the purposes of wagering taxation. Based on the tax, for every \$100 wagered in New South Wales and Victoria the rate is \$4.50, in Western Australia it is \$3.50, in Queensland it is \$3.20, in New Zealand it is \$2.90 and in South Australia it is \$2.40. Coupled with revenue streams that are declining in real terms the racing industry is facing the prospect of reduced distribution payments to race clubs, which in turn will result in reduced prize money levels. The uncertainty of revenue levels means that the racing industry cannot guarantee its current prize money distribution, let alone guarantee its infrastructure funding needs.

The policy response across Australia has been to introduce industry governance reforms, reduce wagering taxes, provide one-off infrastructure funding and introduce race fields legislation. In Queensland there have been several reforms, the first of which was the 2009 merger of the two Brisbane metropolitan clubs. The merger was followed in July this year by the restructure of the three-code controlling body structure into a single controlling body, Queensland Racing. This was accompanied by \$80 million of funding over four years specifically for racing infrastructure. In South Australia in 2008 the Government introduced a phasing-out of wagering taxation, which reduces annually from 6 per cent that year to zero in 2012. The South Australian Government in the same year also provided one-off funding of \$11 million for racing infrastructure purposes. Since 2000, metropolitan racing in Adelaide has been discontinued at the former Cheltenham and Victoria Park racecourses but racing continues at the redeveloped Morphettville racecourse.

The Australian Capital Territory and Northern Territory governments have established a regime of low wagering taxation and, unlike other Australian jurisdictions, appropriate an annual amount from their budget to their local racing industries. In Victoria there have also been several reforms relating to the rebate of wagering taxes for premium customers and also government guarantees to replace gaming machine revenues that previously accrued to the Victorian racing industry. The Victorian Government has also funded various infrastructure projects, including a multimillion-dollar grant for new running rails. Of particular significance to this State is the 2009 Maxstead report, which recommends the merger of the Melbourne metropolitan racing clubs. The report states that it is not an option in terms of guaranteeing future viability to "do nothing". While the Melbourne racing clubs have not disclosed their intentions, it is understood that the matter is under consideration. In New South Wales the 2009 Ernst and Young report, the L.E.K. report and the Merger Benefits Team all concluded that the merger of the Australian Jockey Club and Sydney Turf Club was of benefit to the racing industry and the economy of New South Wales.

While there were varying views about the quantum of the benefits, there is unanimous agreement that a modern corporate governance structure as proposed by this bill will maximise the benefits to all segments of the New South Wales thoroughbred racing industry and to the State's economy and its annual wagering tax receipts of approximately \$160 million exclusive of GST. Not supporting this bill and effectively doing nothing will result in the State's racing industry falling behind the industry in other States. The inevitable conclusion is that it will damage the future viability of our racing industry and effectively abandon racing industry participants.

The Keneally Government recognises the importance of the racing industry in terms of its employment and economic contribution to the State and its importance to the people of New South Wales. The Keneally Government is a strong supporter of the racing industry and has implemented many initiatives to ensure the long-term viability of that industry. Apart from the merger proposal, the other major reforms include the race fields legislation and defending the validity of that legislation before the court, and reform of the corporate governance structures of the racing controlling bodies, which includes the independent board member structure and one controlling body for each of the three codes of racing. I commend the bills to the House.

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

ACTING-SPEAKER (Mr Thomas George): Government business having concluded, the House will now proceed to committee reports.

SELECT COMMITTEE ON PARLIAMENTARY PRIVILEGE

Report: Reforms to the Parliamentary Processes and Procedures

Question—That the House take note of the report—proposed.

ACTING-SPEAKER (Mr Thomas George): Order! This being the second occasion on which debate on this report has been called on as an order of the day and has not proceeded, in accordance with Standing Order 306 (6) I shall put the question.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Report: Review of the 2008-2009 Annual Report of the Commission for Children and Young People and the 2008 Annual Report of the Child Death Review Team

Question—That the House take note of the report—proposed.

Mr ROBERT COOMBS (Swansea) [11.33 a.m.]: It gives me great pleasure to speak to this report of the joint parliamentary Committee on Children and Young People. In tabling the report in this place on 26 October 2010, the committee fulfilled its statutory duties under section 28 of the Commission for Children and Young People Act 1998 to examine each annual or other report of the commission and report to both Houses of Parliament on any matter appearing in, or arising out of, any such report. The committee's report examines both the 2008-09 Annual Report of the Commission for Children and Young People and the 2008 Annual Report of the Child Death Review Team. It had been the committee's intention to conduct the review of both annual reports earlier this year. However, it resolved to postpone this work, pending the appointment of a permanent Commissioner for Children and Young People. That appointment has now been made and, on behalf of the committee, I congratulate Ms Megan Mitchell and thank Ms Jan McClelland for her exceptional contribution to the work of the commission in her time as acting commissioner.

During the 2008-09 reporting year there were a number of notable achievements for the commission, particularly in relation to the Working With Children Check. The Working With Children Check seeks to protect children by reducing the risk of abuse in the workplace. First, the check excludes anyone with a conviction for serious sexual or violent crimes against children. These are known as prohibited persons. Secondly, the check identifies and advises the employers about any person who, whilst not a prohibited person, might pose a risk to children because of their previous conduct. Whilst the checking process is shared amongst five screening agencies, including the commission, the commission has the overall responsibility for the Working With Children Check, including the monitoring and auditing of screening agency practices. A total of 214,559 working with children background checks were carried out in 2008-09.

In May 2009 the commission launched the working with children certificate for self-employed people, which allows the self-employed to demonstrate that they are not prohibited from child-related employment, and 515 of these certificates were issued by the commission within the first two months of operation. In February 2010 a performance report on the Working With Children Check by the New South Wales Auditor-General made a number of recommendations to the commission in order to improve the checking process. The committee used the review of the commission's annual report to question the commission on its response to the Auditor-General's report. The committee was pleased to find that the commission has made, and will continue to make, progress toward implementing his recommendations.

The Working With Children Check has been one of the issues considered during the statutory review of the Commission for Children and Young People Act 1998. The statutory review was announced by the Minister for Youth in March 2010. The committee has been following its progress with interest and looks forward to seeing the outcomes of the review in due course. The 2008-09 annual reporting year saw the release of 12 publications by the commission, including "built4kids: A good practice guide to creating child-friendly built

environments", which is intended to help create built environments that meet the needs of children and young people. "built4kids" includes a set of child-friendly community indicators to help monitor and improve the built environment for kids, as well as case studies giving real-life examples of how kids have contributed to developing their local built environment.

It can be used to develop design guidelines or checklists for community projects; develop innovative built environment projects; renew or redevelop children's environments; assess development proposals; influence strategic directions and planning provisions; embed child friendliness and children's participation in community processes and projects; and help with consultation amongst children, young people and the community. The committee welcomes the development by the commission of this important resource. As members will know, the committee is currently conducting a follow-up inquiry on children, young people and the built environment. It is expecting to report shortly on the findings of that inquiry.

I turn now to the 2008 annual report of the Child Death Review Team. The purpose of the Child Death Review Team is to prevent or reduce the number of deaths in New South Wales of children and young people aged 0 to 17 years. By maintaining a child death register, analysing the data on causes of death and identifying patterns or trends relating to those deaths, the Child Death Review Team is able to make recommendations for the prevention of future child deaths. In this, its thirteenth annual report, the Child Death Review Team has provided information on the 601 children and young people usually resident in New South Wales, who died in 2008. Reporting on the deaths of those children who usually reside in New South Wales is a change to the previous practice of the Child Death Review Team, which was to report on only those children whose death was registered in New South Wales. The Child Death Review Team notes that this change will improve its capacity to monitor and report deaths by region and to better identify variations in mortality rates by the demographic and geographic characteristics often associated with those regions.

As members will be aware, one of the recommendations of the 2008 report of the Special Commission of Inquiry into Child Protection Services in New South Wales was that the NSW Ombudsman become the convener of the Child Death Review Team and that its secretariat and research functions be transferred to the office of the Ombudsman. This recommendation was given effect in the Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009. In the course of the committee's review the commissioner informed the committee that the full transfer of the Child Death Review Team to the Ombudsman's office would take place in November this year, after the tabling in Parliament of the Child Death Review Team's 2009 annual report.

The Committee has every confidence that the Ombudsman and the Commissioner will effect a smooth transition of the functions of the Child Death Review Team and that it will continue its excellent work with the Ombudsman as its convener. The committee notes that the commissioner will remain as a member of the Child Death Review Team, and it looks forward to continuing to liaise with the commissioner about the important and influential work of the Child Death Review Team in providing information about child deaths and in undertaking specialised research to prevent or reduce further child deaths.

In conclusion, I thank the commissioner and her staff for all the information they have provided to the committee in the course of its review. I also thank my colleagues on the committee for their participation and for their bipartisan contributions to the reporting process. The committee was ably assisted in this task by the staff of the secretariat. It gives me great pleasure to commend the committee's report to the House.

Ms MARIE ANDREWS (Gosford) [11.43 a.m.]: The report of the Committee on Children and Young People that has been tabled by the chair of the committee addresses a number of important issues, two of which I will focus on in my contribution to this debate. First, I draw the attention of the House to the commission's commitment to advancing the needs and rights of children with a disability. The commission has reported that it works in partnership with New South Wales human service agencies as part of its broader policy, research and advocacy work as well as on its specific projects. In particular, the commission has noted that it addresses issues relating to disability through its work on preventing child death and injury. The commission is also paying particular attention to children with a disability in its "A Picture of New South Wales Children" project that it is developing in collaboration with the University of New South Wales Policy Research Centre.

During the commissioner's evidence to the committee, I was particularly pleased to hear her say that the commission would give consideration to providing information in a format that would be accessible to all those who wished to look at it. Members will no doubt be aware of the 2008 report of the Public Bodies Review Committee on web-based annual reporting. This report highlighted the potential for web-based reporting to

effectively deliver information to those for whom the printed format has traditionally been a barrier, such as people with low vision or blindness. However, for this to happen it requires the information to be provided in a file type that can be easily read by the assistive technologies those with disabilities use in order to access the web. I commend that committee's report to the commission, and I look forward to the outcome of the accessibility review.

The second issue I draw to the attention of the House is that of child impact statements. In its report "Children and Young People Aged 9 to 14 years in NSW: The Missing Middle", the committee recommended the development of a model of child impact statements that would be required for all decisions that may affect children and young people. In the course of the committee's review of the commission's annual report I was pleased to hear the commissioner acknowledge the debate in relation to child impact statements. The commissioner noted that there may be another approach to embedding the culture of considering children's issues in the design of policies and programs. This is the aim of child impact statements, and the committee looks forward to hearing how the commission progresses this fundamental approach in order to ensure that children and young people are considered during the development of policies and programs that will impact upon them.

I, too, join the chair of the committee in thanking the Commissioner for Children and Young People, Megan Mitchell, for providing the committee with a thorough overview of the work of the commission and the Child Death Review Team. I also thank the chair for his leadership, as well as my other parliamentary colleagues who are members of the committee for their thoughtful contributions not only to this report but also to the other reports tabled during this Parliament. The work undertaken by this committee has always been very collaborative and has focused on the important role of monitoring and reviewing the very significant work of the Commission for Children and Young People. We on this side of the House are very proud of the fact that it was a State Labor Government, under the premiership of Bob Carr, that appointed the first Commissioner for Children and Young People in Australia. Of course, that initiative has been followed by all other States and Territories in Australia, as well as by the Federal Parliament. The assistance provided to the committee by the secretariat has been invaluable, and I express my appreciation to all members of the team. I take great pleasure in commending the report to the House.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [11.47 a.m.]: Prior to commenting on the report I declare a conflict of interest. I am a former member of the Child Death Review Team and have worked with many members of that team. The Commission for Children and Young People is a creation of the Labor Government. I was working in child protection from 1988 until 1996 and I remember what it was like, in that the Department of Community Services was gutted and there was no measure whatsoever of child mortality. I am very proud to be a member of this Government, because the Child Death Review Team will measure child deaths forever, which is a wonderful protection for children from the intervention of the governments with different political philosophies.

The purpose of the New South Wales Child Death Review Team is to prevent or reduce the number of deaths in New South Wales of children aged 0 to 17 years. The specific research functions of the team are to maintain a child death register, analyse the data regarding the causes of death, identify patterns and trends relating to these deaths, and make recommendations to government and non-government agencies for the prevention of further child deaths. Child death is an extremely emotive issue, and I place on record some of the facts relating to child death from the 2008 Child Death Review Team report. I do so because in this place the perception frequently trumps the reality.

The 2008 Child Death Review Team report was compiled during a time when major changes to child protection were underway as part of the Wood inquiry. The Wood report found that, similar to other findings worldwide, child protection works best when it is everyone's responsibility, rather than the sole responsibility of a statutory government agency. That is why the changes to child protection in the Keep Them Safe reforms are so vital. Next week in this place we will see the launch of the first Keep Them Safe annual report.

The 2008 Child Death Review Team report noted that from January to December 2008, 601 New South Wales children died. I recall the words of the Premier about her own child who died: the Premier said she remembers it every morning and every night. Today approximately two children in this State will die, and it is sobering to know that the ramifications of those deaths will affect families for generations to come. The standard mortality rate is 34.82 per 100,000. This compares with 50.86 in 1996—that is a drop of about one-third. The mortality rate for children 0 to 17 has dropped by one-third since 1996. That is often forgotten in this place. Of these 601 children, 391 were infants aged less than one year, with the crude mortality rate dropping from 524 to 404 per 100,000.

The major causes of child death are perinatal causes, accounting for 223 of the 601; prematurity, which is strongly socioeconomically determined; and perinatal asphyxia, which is often unpreventable even with modern technology. A rule of thumb I use when planning maternity services is that one in 500 deliveries will go unpredictably wrong, despite the best technology available. The 2008 report noted that 46 children died a sudden unexpected death in infancy. This rate of 47.6 is the lowest since records began in 1996, and I expect the lowest ever. Congenital malformations are another major cause, accounting for 107 of the 601 deaths, and are often fatal. The other 210 deaths were in the age group of one to 17 years. The crude mortality rate has dropped in that age group from 23 per 100,000 over the past 13 years. Of those 210 deaths, 78 were due to external causes and 29 were due to cancer.

For pedestrian deaths, 2008 had the lowest mortality—namely, 0.32 per 100,000. We now have the lowest rate of children's pedestrian deaths ever. For those who were killed while driving or as passengers, seven of the eight children who died were drivers, and eight of the 11 passengers who died were present in the context of risk-taking behaviour. Due to the restrictions imposed by the Government on the consumption of alcohol by P-plate drivers, there has been a decline in motor vehicle deaths in which alcohol was a factor. Aboriginal children, children living in remote areas, and children from poor socioeconomic groups remain over-represented—a significant number of those children live in my electorate.

Solving this problem is not rocket science. It requires definite commitment by governments of all persuasions to provide services for those most vulnerable in our population. The rise in obesity will mean that this will be the first ever generation of children likely to have shorter life spans than their parents. I am pleased to see that the Commission for Children and Young People will look at implementing the recommendations of the inquiries held by the committee into the built environment and young people aged nine to 14 years in New South Wales—the missing middle.

The convenor of the Child Death Review Team has been moved to the Ombudsman's office, which was a recommendation of the Wood inquiry and supported by those opposite—I understand that will occur in November 2010. The commissioner will remain a member of the Child Death Review Team. I still cannot see why that move was made, and like those on this side of the House, I did not support it. I note that the committee has confidence that the transition will be smooth. I just hope the Ombudsman's reports are as good as the 2008 report. The Child Death Review Team has set a high bar for them to reach. Finally, I pay tribute to two of the greatest people I have met in my life: Gillian Calvert, the previous commissioner, for her strength and reason; and Linda Burney, a true leader whose good grace, care and commitment shine like a beacon for all Department of Community Services workers. I commend the report to the House.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 14 of 2010

Question—That the House take note of the report—proposed.

Mr ALLAN SHEARAN (Londonderry) [11.52 a.m.]: I take this opportunity to comment on Legislation Review Digest No. 14, dated 26 October 2010. This report examined eight bills that were introduced in the sitting week commencing 19 October 2010. As the House is aware, the committee refers to Parliament issues of concern that it identifies in bills it reviews. On occasion, the committee also provides some commentary on matters considered worthy of discussion, even if it does not make adverse comment about a matter or refer the matter to Parliament. This is done so members are made aware of how the committee came to conclude that a particular provision of a bill does not ultimately trespass on individual rights and liberties.

For example, one of the bills the committee considered was the Health Services Amendment (Local Health Networks) Bill 2010, in which one of the proposed amendments would enable the Minister to remove the members of a local health network governing council and appoint an administrator for the local health network. Ordinarily, the committee would note that the broad nature of such a power for the Minister to remove members of a local health network governing council, without any reason, may pose a significant impact on individual rights. However, the committee also recognises that such powers have been rarely invoked historically in the

equivalent provisions of other board-governed statutory health provisions, and that there exists the potential necessity in extreme cases to act with urgency. In this respect, the committee is satisfied that the provision, although worthy of consideration, would not unduly trespass on individual rights and liberties.

The Committee did express concern, however, in the Health Legislation Further Amendment Bill as to the provision about the use and disclosure of healthcare identifiers. Specifically, the bill contains a provision that proposes to confer on the relevant Minister the ability to set the elements of an offence in regulations, the penalties for which would already be provided for in the principal Act. In these circumstances, the committee considered that this provision constituted a wide and inappropriate delegation of legislative power.

The committee also expressed concern with the University of Technology (Kuring-gai Campus) Bill. The object of this bill is to ensure that the Kuring-gai Campus of the University of Technology is retained for educational purposes. However, in doing so, the bill seeks to revoke a planning approval already granted, denying the company to which the approval has been granted from developing the land and infringing on its property rights. In addition, the bill seeks to exclude the application of the Land Acquisition (Just Terms Compensation) Act, denying the company access to compensation and thereby acquiring land that is not on just terms. I also remind members that the Radiation Control Amendment Bill will be reported on in the next digest. I am pleased to commend this report to the House. I trust it will assist members in contributing to debate on the bills presented, and inform them of matters that may trespass on individual rights and liberties.

Mr JONATHAN O'DEA (Davidson) [11.56 a.m.]: I make a brief contribution to the Legislation Review Digest No. 14 of 2010. Again, I place on record my appreciation on behalf of those members who do not serve on the committee for the useful analysis and commentary on legislation before this House. I have found this digest particularly informative on the Health Services Amendment (Local Health Networks) Bill 2010, the Occupational Licensing (Adoption of National Law) Bill 2010, the Surrogacy Bill 2010 and the University of Technology (Kuring-gai Campus) Bill 2010. I note that debate on the University of Technology (Kuring-gai Campus) Bill 2010 was displaced this week, but I will speak to it when it is allowed to come before the House.

The current digest also contains a report on the Parliamentary Budget Officer Bill 2010, which I spoke to. But I question whether the committee is disturbed by the rushed nature of legislation such as the Parliamentary Budget Officer Bill. That was yet another example of legislation being introduced on the same day as it was debated and passed through the House. The good work that the committee does to examine bills such as the Parliamentary Budget Officer Bill is somewhat wasted when members are not given the opportunity to read the committee's work prior to considering a bill. It routinely happens that legislation is introduced on the same day as it is debated and passed through this House. If the committee has not specifically addressed that matter, I would ask it to make comment on that. Unfortunately that procedure is becoming all too common in this place.

Mr PAUL PEARCE (Coogee) [11.59 a.m.]: The member for Davidson has identified an issue that the committee has grappled with. The Executive makes decisions as to the timing of the introduction of bills into this place. That is not unique to this Government. It has been a practice that has gone on for several hundred years under the Westminster system. Bills, by their very nature, have a particular timetable. It should be borne in mind that bills introduced into this Chamber will also be dealt with in another place, and that opportunity is provided for amendment and consideration, as well as consideration of any reports that parliamentary committees may bring down. It is a joint House committee, so it is accepted as one of the consequences of a legislative timetable. All members would like more time to receive and fully assess bills but from time to time the Executive chooses not to go down that path.

I refer, in particular, to the University of Technology (Kuring-Gai Campus) Bill 2009. I do so not simply because it was introduced by the Leader of the Opposition, who seems to be attacking private property rights, which I find amusing. I mention this bill because it demonstrates the types of issues that the committee has to grapple with. In this case, the committee debated the appropriateness of proposed recommendations. Interestingly, they came from a member in the other place, whose view was that public land for public purposes was a fundamental right and that this public right had already been trespassed by the proposal to sell off a proportion of the land. The member's argument was interesting. The issue of public land being retained for future public purposes is an issue with which I have some sympathy. However, that was not within the brief of the committee to consider.

The committee had to consider whether there was a specific trespass on personal rights and liberties, including property rights, as designated under the legislation. When looked at from that perspective, the

recommendations in the report indicate that the legislation does traverse established property rights and proposes the exclusion of the Land Acquisition (Just Terms Compensation) Act 1991. This does not make any comment on the merits or demerits in the argument advanced by the member in the other place in relation to the retention of public rights and public land for public purposes. But it does demonstrate to the House the types of issues the committee has to address. We have to put to one side our own ideological viewpoints and, pursuant to the terms of reference that establish the committee, test the proposals in the legislation, make recommendations and advise the House accordingly. It was an interesting debate and it was also interesting that the issue related to property rights, particularly as the bill comes from the leader of property of capital in this State.

Mr DARYL MAGUIRE (Wagga Wagga) [12.03 p.m.]: I will make a brief contribution to the debate on Legislation Review Digest No. 14 of 2010. As always, I extend my thanks to the committee members for the good service they provide to members by considering the content of bills and publishing their considerations electronically on the intranet. That is particularly valuable for members who may not arrive at Parliament House until Tuesday of a sitting week. The digest is traditionally put on the intranet on the Monday, which gives members time to consider the content of the bills. In Legislation Review Digest No. 14 of 2010 the committee considered the Courts and Crimes Legislation Amendment Bill 2010, the Health Legislation Further Amendment Bill 2010, the Health Services Amendment (Local Health Networks) Bill 2010, the Nature Conservation Trust Amendment Bill 2010, the Occupational Licensing (Adoption of National Law) Bill 2010, the Parliamentary Budget Officer Bill 2010, the Surrogacy Bill 2010 and the University of Technology (Kuring-Gai Campus) Bill 2010.

Although the committee considered the University of Technology (Kuring-Gai Campus) Bill 2010, the Government adjourned debate on the bill. The Leader of the Opposition did not have time to debate it. The Parliamentary Budget Officer Bill 2010 was debated and returned to this place with amendments, which the Government accepted. Those amendments are not contained in the digest because they happened in another place and were acted on immediately. All bills introduced to the Parliament should be considered by the Legislation Review Committee. Yesterday a bill was introduced to Parliament relating to donation reforms. Some might tie it to a dirty little deal done with the Greens. But this important piece of legislation will not be considered for another week. It is all over the newspapers. In today's *Sydney Morning Herald* Sean Nicholls, State political editor, has written about the effect of the legislation. It will allow unions to spend up to \$23 million, whilst capping other avenues of funds being made available to other parties. The article suggests that the Greens have done a deal with Labor to ensure that their funding is increased.

The committee should have the opportunity to consider this legislation over the week. I suggest to the chair—as he has often taken up my suggestions over the years—that in cases such as this, where a significant bill has a major impact on the political landscape, the chair should be able to call a special meeting of the committee so that it can consider the bill and publish its considerations on the intranet. Of course, the bill would also be included in the next digest. This would give members a week to consider the content of the bill, its outcomes and its effect on taxpayers' dollars. Members would be able to consider the effect of unions still being able to spend \$1 million each. There are 22 unions affiliated with the Labor Party; that money will be unmonitored.

Mr Paul Pearce: Point of order: The member for Wagga Wagga is talking about a bill that has not even been considered by the committee.

Mr Jonathan O'Dea: It took a while.

Mr Paul Pearce: Well, we let him go.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The member for Wagga Wagga will confine his remarks to the leave of the report.

Mr DARYL MAGUIRE: The point I am making is that the Legislation Review Committee undertakes important work. I ask, through the chair, that the committee extend its authority to be able to call the committee together to consider an important piece of legislation that has far-reaching impacts. In this way, the committee's considerations can be posted on the intranet for all to consider in preparation for the debate that will occur when Parliament resumes. That is a fair and reasonable request. It is in the public interest for the committee to consider this legislation and place it on the record. Members would be able to debate the bill having all the information at their fingertips, as duly considered by the Legislation Review Committee.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.08 p.m.]: I want to make a brief comment on Legislation Review Digest No. 14 of 2010. I note that the chair and deputy-chair of the Legislation Review Committee, the member for Londonderry and the member for Coogee, are in the House. I acknowledge the wonderful work of this committee. I had the honour and privilege of being the first chair of the committee, which was established by former Premier Carr in 2003. I commend the chair and deputy-chair on the important contribution the committee makes via its legislation review digests to debate in this House. I am well aware of the pressures on the committee to consider every piece of legislation to be introduced by Government, Opposition and Independents and to publish its report for the benefit of members as soon as possible. The member for Davidson alluded to the pressures on the Legislation Review Committee. They are similar to the pressures of being in government, which the Coalition says it will walk into next year without opposition. But they will find that things change: pressures will be brought to bear and the composition of the upper House will change.

The committee does a fabulous job even under those circumstances. I note that eight bills are listed in the digest, six of which were considered by the House this week. The report was well and truly ready in time for the debates in this Chamber. For the benefit of the member for Wagga Wagga, I have every confidence that the Legislation Review Committee will provide reports on the election funding bill before it comes to the Chamber. This Committee makes reports available to the House as promptly as possible. It applies the sometimes complex provisions of sections 8A and 9 (1) to bills, as well as reviewing regulations under section 9 (2) of the Legislation Review Act 1987.

The digests are of great use to members in formulating their speeches. I also know that they are used by members of the public as they are available on the internet, and by high school teachers who teach legal studies as they provide a good summary of the debate. The digests are also used in discussions by a number of community groups. I will not be a member of the Legislative Assembly for much longer so I take this opportunity to acknowledge and thank the committee once again. I thank all members of the committee, including the chair and deputy chair, and the committee staff for their valuable contributions that helps ensure the proper and efficient functioning of this House.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS

Report: Memorandum of Understanding with the NSW Police Relating to the Execution of Search Warrants on Members' Premises

Question—That the House take note of the report—proposed.

Mr PAUL PEARCE (Coogee) [12.12 p.m.]: Earlier this week I tabled the "Memorandum of understanding with the NSW Police relating to the execution of search warrants on members' premises". The Standing Committee on Parliamentary Privilege and Ethics has been working for some time to draw up a memorandum of understanding with various agencies that deals with the searching of a member's office and the possible seizure of documents or other material—perhaps prepared for parliamentary debate—as a consequence of the actions of, first, the Independent Commission Against Corruption and, secondly, the New South Wales Police Force. Whilst on the surface this exercise appears fairly straightforward, in reality there is conflicting legislation. There is also—unfortunately New South Wales is without a statutory provision—the ill-defined area of parliamentary privilege: where it starts and where it stops. As I said in my foreword, social memorandums of understanding are an important recognition of the privileges connected with the respective constitutional functions of the Parliament, the Executive, the Crown and the courts.

The most recent memorandum of understanding is with the New South Wales Police Force. As members are aware, the force has certain search powers within legislative purview. It is important that the respective powers be measured against the privileges of Parliament that have developed over several hundred years. We have attempted to work through this process, and it has taken some time to achieve the memorandum of understanding because of issues of interpretation and the role of Parliament vis-à-vis the Executive, of which the Police Force is obviously an agency. We had to understand the role of the police and the Parliament in order to safeguard the appropriate privileges, not to protect any individual member who is behaving in a criminal fashion but to respect the privilege of Parliament as the legislature as against the Executive.

As to background, the inquiry commenced as a consequence of the Independent Commission Against Corruption executing a search warrant in the parliamentary office of former upper House member the Hon. Peter Breen in 2003. In September 2008 the inspector of the Independent Commission Against Corruption tabled a special report on the adequacies of the Independent Commission Against Corruption application for execution of the search warrant and the clear deficiencies in the understanding of parliamentary privilege on the part of the Independent Commission Against Corruption officers. The Speaker and the President have considered this matter and made references to the respective privileges and ethics committees of the two Houses to develop a memorandum of understanding with those agencies that may, from time to time, seek to execute search warrants in parliamentary offices.

As I mentioned earlier, I think there is a general need for a privileges Act in New South Wales. The existing provisions, which are reliant on the common law and certain provisions in the Imperial Acts Application Act 1969—which incorporated Article 9 of the Bill of Rights of 1689 into New South Wales law—do not, in my opinion, recognise that there has been a change in the nature of the member's role. In 1689 if members had offices at all they would have been situated within the Palace of Westminster. Today members have offices in their electorates and at home, where they work creating documents and preparing other material or research to use in parliamentary debate. So I think we need a broader definition. We are now looking at the general area of document creation, which obviously includes electronic and paper documents.

The memorandum of understanding outlines the procedures for use by members of the New South Wales Police Force. First, it is critical that a warrant is issued by the commissioner or a designated officer who, from my recollection, must be above the rank of superintendent—in other words, a very senior commissioned officer of the New South Wales Police Force. The memorandum takes into account the provisions of the Act under which warrants are generally issued in New South Wales. I will put on record paragraph 3 of the report, Parliamentary Privilege, which states:

However, in executing a warrant on the office of a member of Parliament, care must be taken regarding any claim of parliamentary privilege. Parliamentary privilege attaches to any material, including electronic documents—

so we have introduced electronic documents—

which falls within the scope of "proceedings in Parliament", as specified in Article 9 of the *Bill of Rights 1689*. Article 9 in New South Wales under the *Imperial Acts Application Act 1969*.

It continues:

It is a contempt of Parliament for an officer of the NSW Police Force or any person to improperly interfere with the free performance by a member of his or her parliamentary duties.

The scope of "proceedings in Parliament" is not defined in legislation. In general terms, the phrase is taken to mean all words spoken or acts done by a member in the course of, or for the purposes of or incidental to, the transacting of the business of a House or committee of Parliament.

It also contains a number of other provisions. There are memorandums of understanding with both the New South Wales Police Force and the Independent Commission Against Corruption. We approached other agencies who may from time to time have cause to act upon warrants or have warrants issued in relation to members of Parliament, but we did not get any particular response. The view of the Australian Federal Police is that they deal largely with Commonwealth matters and the Commonwealth Crimes Act and it would be unlikely that they would seek to serve a warrant in the New South Wales Parliament, or pursue a matter that potentially infringes upon parliamentary privilege in New South Wales.

The memorandums of understanding are of benefit to maintaining parliamentary privilege for all members of the House. I emphasise that I believe there is a need for a privileges Act in New South Wales to put all aspects of parliamentary privilege on a statutory base. The existing system, which has relied upon common law, has shortcomings and I believe that at times it puts individual members at risk. It also does not provide a clear definition of what is privileged for the purposes of these Houses of Parliament. I commend the report to the House.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Debate on committee reports having concluded, the House will now proceed to private members' statements.

PRIVATE MEMBERS' STATEMENTS

RYDE HUNTERS HILL DISTRICT HOCKEY CLUB

Mr VICTOR DOMINELLO (Ryde) [12.20 p.m.]: On Saturday 25 September I had the pleasure of attending the Ryde Hunters Hill District Hockey Club annual dinner. The club operates from the Keith Thompson Hockey Centre in Macquarie Park. Last year the club celebrated 75 years of hockey in Ryde. Earlier this year I attended the official opening of the upgraded facilities at Keith Thompson Centre, which coincided with the start of the new hockey season. The upgrades included the replacement of the artificial surface and shock pad and new lighting. I am pleased to say that I recommended funding towards the playing surface through the Community Building Partnership program.

Today I wish to acknowledge some of the club's great achievements and the people behind those achievements. In the junior competition this year the club won premierships in the under 11A, under 13A, under 15A, under 17A, under 11B and under 13B pools. The club believes that this may be the first time a clean sweep has been achieved across all junior A grades—it is certainly the first time in living memory for many club stalwarts. I acknowledge the following club officials and captains for their outstanding contributions to the club: the Director of Administration, Gerald de Waal; the Treasurer, Maurice Dawson; the Director of Finance, Andrew Ramsay; the Junior President, Meg Smith; the Men's President, John Arnold; the Women's President, Kara Retford; the Men's Captain, Mick Sneesby; the Women's Captain, Jess Cullen; and the Juniors Captain, Nic McEwen.

I also congratulate the following players: club person of the year for 2010, Dave Goosakoff; coach of the year, Matthew Topfer; club best and fairest in Men's division, Duncan Pearce, and in the women's division, Jade Close. The best and fairest players in the Men's Division were: 1st grade, Duncan Pearce; 2nd grade, Matt Wright; 3rd grade, Shane Dalrymple; 4th grade, Mark Ellis; 5th grade, Scott Familton; 6th grade, Tom Wilson; 7th grade, Bryan Appleby; 8th grade, Kevin Li; 9th grade, Steve Hanna; Vets A, Steve Hanna; Vets B, Kerry Marthick; and Vets C, Ken Nichol. The award for the highest goal scorer, with 14 goals, went to Alex Jones, and the best and fairest goal keeper award went to Antony Harding.

In the Women's division I also congratulate the best and fairest players: in 1st grade, Jade Close; 2nd grade, Alexandra Morrison; 3rd grade, Brittany Morrison; 4th grade, Bec Amat; 5th grade, Kelly McDonald; and 6th grade, Lauren Warring. The award for the highest goal scorer, both with 19 goals, went to Kirsten Pearce and Sarah Braude. The best and fairest goal keeper award went to Katie Rickard.

In the Junior division best and fairest players were: under 11 Panthers, Cody Whittaker; under 11 Black Tigers, Lillian Starkey; under 11 White Tigers, Kireth Sandhu; under 13 Panthers, Adrian Rochester; under 13 Black Tigers, David Tocknell; under 13 White Tigers, Sinead McCraith; under 15 Panthers, Tom Craig; under 15 Tigers, Best Westmore; under 15 Lions, Chris McCartney; under 17 Panthers, Nic McEwen; and under 17 Tigers, Nick Wakeling.

Most improved players were: under 11 Panthers, Matthew Dunn; under 11 Black Tigers, Lachlan Giulieri; under 11 White Tigers, Emily Thornton; under 13 Panthers, Camilla Liebson; under 13 Black Tigers, Rachel Branch; under 13 White Tigers, Annie Carroll; under 15 Panthers, Eugene Stroinovsky; under 15 Tigers, Linzie Kruger; under 15 Lions, Isabella Stephens; under 17 Panthers, Tom Wilson; and under 17 Tigers, Matthew Fung.

Finally, I congratulate the following players who were chosen to represent New South Wales: in the under 13 boys, Ben Campey and Adrian Rochester; in the under 15 girls, Kate Hanna and Tahlia McKenzie; in the under 15 boys, Tom Craig and Josh Green; in the under 18 girls, Lily Brazel; in the under 21 women's, Kirstyn Pearce and Joanna Rowlands; and in the under 21 men's, Duncan Pearce. Selected for the open women's team, New South Wales Arrows, was Jade Close and for the men's team, New South Wales Waratahs, was Andrew Todd.

Ryde Hunters Hill District Hockey Club provides fantastic opportunities for people in the Ryde area, both young and old, to play a great sport and to be part of the great camaraderie and team spirit at the club. I look forward to many more great achievements from the club in season 2011. I also look forward to attending future club events.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.25 p.m.]: I thank the member for Ryde for bringing to the attention of the House the obviously great season of the Ryde Hunters Hill District Hockey Club and the upgraded facilities. The hockey club has obviously been successful in securing junior championships and having New South Wales representative players. I ask the member for Ryde to pass on the Government's congratulations to the club and all the award winners, and our thanks for the hard work of the volunteers.

It must be the season for hockey club annual dinners. My wife, Jeannette, and I attended the Sutherland District Hockey Club's annual dinner last Saturday night, where we were pleased to hear that the club had won the club championship for being first and second grade grand finalists. The second grade ended up being the premiers. Hockey is a fabulous sport: it encourages the great camaraderie referred to by the member for Ryde. Hockey also has a tradition of very hardworking committee members. I take the opportunity to praise and thank and acknowledge the extraordinarily hard work of Kevin Connelly, who has been club president of the Sutherland District Hockey Club for many, many years and also recently was made Club Person of the Year. He certainly deserves and has the respect of every hockey player throughout the Sydney region, and I wish him well in his retirement as president.

SYDNEY TO NEWCASTLE TRAIN SERVICE

Ms SONIA HORNER (Wallsend) [12.26 p.m.]: The Wallsend Heritage Group members recently posed this question to me: Why does it take longer now to travel from Central to Newcastle by train than when we were kids? Most people assume that technological advancements would mean smoother, faster and more frequent transport services in New South Wales. Certainly, when we travel to other States and other countries we board very fast trains that swiftly transport commuters at speeds of up to 400 kilometres per hour from one town to another.

The Central to Newcastle rail line is affectionately known historically to Hunter citizens as the Flyer. In its heydays it was very fast. Does it fly now? I will leave that response up to the House. The Flyer certainly takes much longer now than it used to. Built in the nineteenth century, it formed a major and important connection between Sydney and Newcastle, as it does today. Tourists love it. A local tourism volunteer mentioned to me that most tourists travel to Newcastle from Sydney by train—and why not? The wonderful view of the Hawkesbury River is something to take in and behold.

Sydney remains a popular and necessary destination for workers, holidaymakers and visitors travelling from Cardiff station, in the Wallsend electorate. I am very pleased to inform the House that a lift will be constructed at the station for the benefit of everyone, but particularly for those with access difficulties. Our community deserves great credit for lobbying hard for the lift. My many Cardiff street stalls taught me that the community desperately needed this service, and I thank the community for the more than 10,000-signature petition asking for the lift.

Therefore, I was perplexed when the Minister for Transport recently informed us that changes would occur with the Flyer line. Under the new timetable passengers travelling from Sydney to Cardiff on some lines will need to transfer to another platform at Gosford. That creates difficulties for those with mobility problems. It is a headache for travellers lugging their luggage. While I am informed that it will not increase travelling time, I wonder how this can be achieved. I also wonder how this alteration will encourage passengers to travel on our trains.

How do I change the fact that the car remains the dominant form of transportation in the Hunter? In fact, census data reveals that at the time of the 2001 census less than 4 per cent of our population in the Hunter caught public transport, of which 2.5 per cent travelled by bus. Those results show therefore that 72 per cent of our population travelled to work by car. This compares very unfavourably with figures of 50 per cent of commuters travelling to Sydney, 31 per cent to Charlestown, 25 per cent to Parramatta, and 17 per cent to Hornsby. Why is there such a discrepancy between Sydney and Newcastle? I have posed this question in earlier private member's statements and I will pose the question again: How do we, in the Hunter, turn this around?

We know that in the future, with population growth, public transport—and, in particular, train transport—will become more vital. I mentioned earlier that there was some good news about the installation of an easy access lift at Cardiff railway. So it was with great consternation that we learned in 2008 that front-line staff would be cut at the station on weekends. With an eye on public safety and another eye on encouraging use of our trains, we mounted a public campaign to retain staff at the station. I am pleased to say that our hard work

and lobbying met with success. The Hunter community deserves a world-class public transport system. The Hunter community deserves a very fast train from Sydney to Newcastle. Only when we achieve this will we be able to boast about how high public transport patronage is in the Hunter.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.31 p.m.]: I thank the member for Wallsend for raising the concerns of the Wallsend Heritage Group in the House. I congratulate her particularly on her persistence and commitment to her community in achieving a lift at Cardiff station and lobbying for the retention of staff. She is truly a very hardworking and very committed local member of whom I am sure her constituents can be very proud.

COFFS HARBOUR ELECTIVE SURGERY

Mr ANDREW FRASER (Coffs Harbour) [12.32 p.m.]: I raise concerns on behalf of the surgeons and specialist doctors in Coffs Harbour. The week before last Senator Roxon and the Hon. Carmel Tebbutt put out media releases telling us how much extra money we are getting in regional New South Wales. The announcement was for 22 extra beds in Coffs Harbour and I think \$4.1 million for 51 emergency department units across the State. If you wish to be cynical—as I probably do—51 emergency department units into \$4.1 million equates to less than \$100,000 for equipment per unit at the 51 hospitals nominated. What really concerns me, with all the rhetoric about the extra funding going into these hospitals, is that the vast majority of the visiting medical officers in Coffs Harbour have received the following letter:

I refer to your current Service Contract with the North Coast Area Health Service and in particular your privileges granted to you at Coffs Harbour Health Campus.

As the budget for 2010/2011 and the flow activity plans, e.g. Surgical Plan have now been finalised, please find attached two (2) copies of amended Schedules for your consideration.

The schedule specifies your allocation for surgical activity and where relevant other procedural activity. As discussed with you in September, the final allocation of budget and activity was based on the previous year, any planned increase or decrease for 2010/11, changes in demand in specific craft groups and any identified anomalies year on year, e.g. extended leave. The final allocation also took into consideration changes in wait list numbers for each surgeon/proceduralist and the number of procedures required to be completed to achieve the NSW Health wait list target of 000 for each of the wait list urgency categories.

The activity and associated expense is regularly monitored against agreed targets and budget and where an adjustment is identified as being required, separate discussion and advice will occur on a case by case basis.

I ask that you sign one copy and return to me at your earliest convenience, retaining the second copy annexed to your contract.

Please don't hesitate to contact me if you have any queries regarding the above.

One of the surgeons has told me that the elective surgery that he had in 2009-10 was 214 operations and, projected for 2010-11, it is 206—a decrease. He does get an increase in another area and overall it is a 3.7 per cent increase for that surgeon. One of the gynaecologists in Coffs Harbour has told me that in 2008-09 he had 187 procedures. That included six weeks closure, 20 days leave and two cancelled lists. In 2009-10 he had 150 and had three months off for personal medical reasons when he had to have an operation. Under the new formula this year he will be allocated 160. All that does is blow out the waiting lists. When you are talking about obstetrics and gynaecology, that is totally unacceptable to me.

I could go into the details for each and every doctor, but the cynicism from me is this: If we are purportedly getting all this extra money from the Federal Government in areas where the waiting lists are well and truly above the predicted waiting lists already, why is it that elective surgery for all procedures, all VMOs, is to be decreased? As I said, in one case there was an increase of 3.7 per cent, but that was on non-elective procedures. Unfortunately, over probably the last two governments there has been a change of description of what is and is not elective. For example, and I have raised this in the House before, if you have a positive bowel scan conducted by Rotary and you need to have a colonoscopy that is now classed as elective surgery. To me, a colonoscopy is an urgent procedure: if that positive scan turns into cancer it should be attended to immediately. My wife had cancer 20 years ago and received excellent treatment. She is still a survivor. She has survived me as well!

Mr Barry Collier: That would have been hard.

Mr ANDREW FRASER: Yes. These doctors need the support of the Government. We do not need rhetoric; we need cash. And we need to make sure that the waiting lists are attended to.

HEATHCOTE PUBLIC SCHOOL SECURITY FENCE

Mr PAUL McLEAY (Heathcote) [12.37 p.m.]: Earlier this year I met with Lynne Kennedy representing the Grounds Beautification Committee of Heathcote Public School, along with Vanessa Mitchell, president of the parents and citizens organisation, and Sandy Chad, the principal of Heathcote Public School. Heathcote Public School is a beautiful primary school in the suburb of Heathcote. It has great teachers, very good results in national testing, a supportive local community and an active and passionate parents and citizens association. We talked about the recent visit by Julia Gillard on the Prime Minister's birthday the year before, the much needed and appreciated Building the Education Revolution work going on, the use of facilities of the school by the community, and much more. The big issue, however, was the school fence.

The new security fence was not able to go around the whole school due to the amount of funding that had been allocated. Obviously, this was not good enough. They showed me photos of people accessing the school grounds and what appeared to be people urinating and other things in the school grounds. The security of the school, the staff and the children were the priority of the delegation. Representations were made to the Minister. Significantly, the delegation was also encouraged by me to get active. Sometimes commonsense is not all that is required. We knew that we had a good cause, we had an important safety issue and we had the welfare of the students and staff in mind. But we knew we had to fight. The parents and citizens association and the grounds committee decided to activate the local community to garner their support. They prepared a petition, which reads:

A Three sided Fence makes no sense!!!

The Federal Government provided BER funds to fence three sides of our school's main site. We are calling on the State Government to do the right thing and release funds to:

- a) fence the fourth side of the school's main site, and
- b) fence the playground site.

Our students safety is at risk.

The school is situated opposite a hotel on one boundary and the playground is directly on the Princes Highway.

We need your help.

Come on Mr McLeay, fix our fence!!

Over 300 people signed the petition. I presented it to Minister Firth. Today I am pleased to report to the House that construction on the security fence at Heathcote Public School has started and will be completed by the end of the year. Once completed, the new fence will be a significant boost to the school's security.

Schools are community assets and the Keneally Government is working hard to protect them. That is why this project was included in the 2010-11 education budget. In fact, since 1995, Labor has built 715 fences at New South Wales public schools. When security fences are built at schools we see a marked decline in security incidents, such as vandalism and break-ins. The incidence of malicious damage on education premises in New South Wales is falling. From 2000 to 2009, the number dropped by more than 58 per cent. The number of incidents of malicious damage on all premises in New South Wales fell by 10 per cent in the same period.

The Keneally Government is also building security fences at public schools through the Building Better Schools program, which is the largest State-funded public education and training capital works program ever undertaken in New South Wales. From 2007 to 2011, \$2 billion will be spent to improve and build new school facilities. Through Building Better Schools, \$39 million will be spent to build 200 fences. The New South Wales Government is working hard to provide students and teachers with the best facilities possible. New South Wales public schools will receive \$1.9 billion for upgrades and \$270 million for maintenance this year through Commonwealth and State funding. The Government is spending more than \$2 billion over four years to deliver the largest State-funded public education and training capital works program ever undertaken in New South Wales. I will pass on the congratulations of this House to Lynne, Vanessa and Sandy. Well done. Their hard work has resulted in a better outcome for our local school and the welfare of the kids.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.42 p.m.]: I thank the member for Heathcote for bringing to the attention of the House the hard work and commitment of the school community at Heathcote Public School. I commend him also for his work in assisting the school towards completion of the

fencing work. As he said, school fences provide security for students and improve the school's vista. They are vital in preventing vandalism and graffiti and preserving school resources, which often are provided through the parents and citizens association. The member outlined his role in encouraging the community to get active and involved in the political process. This successful work has been achieved by him, the parents and citizens association and the school community. I congratulate all concerned and I acknowledge the importance of school fences. I am pleased to have been able to deliver a similar school fence project to the Sylvania High School. I ask the member to pass on the congratulations of this House to his school community and particularly to Lynne, Vanessa and Sandy.

WINDSOR BRIDGE REPLACEMENT

Mr RAY WILLIAMS (Hawkesbury) [12.43 p.m.]: On 27 October 2008 two representatives of the Roads and Traffic Authority visited my office to discuss options for the replacement of the Windsor Bridge. The Windsor Bridge is a vital piece of infrastructure that crosses the Hawkesbury River allowing vehicles to move from the rapidly growing north-west areas around Rouse Hill and Windsor to the turf farms around Freemans Reach, the settlements of Wilberforce and Glossodia, Singleton and the Hunter Valley. Many residents from these areas cross this bridge to access employment in the Sydney metropolitan area on a daily basis.

The comment was made at the time by Roads and Traffic Authority officers that the replacement of the Windsor Bridge was absolutely vital given that the structural integrity of the bridge is now questionable. It was also said that construction on the new bridge would commence in late 2009 and that the preferred option was Option 1, which I totally support. It is now late 2010 and it will come as no surprise to any resident in New South Wales that nothing has happened. At around the time of my meeting with the Roads and Traffic Authority, the community was presented with a number of options for the location of the replacement bridge. While the presentation of options and the opportunity for the community to comment on the suitability of each option is commendable, no progress has been made in the intervening period, which is now almost two years. A plaque that was placed on the bridge to celebrate Australia's Bicentenary quoting the then Minister for Public Works John Sutherland, who opened the bridge in 1874 states:

I hope this bridge will last longer than the life of the youngest child who passes over it today.

Despite the deck of the bridge being raised 2.4 metres in 1896-97 due to the flooding that occurs in the area, Minister Sutherland's hopes for the longevity of this bridge were certainly realised. However, today it is well known that the structural integrity of the bridge is very much in question and requires urgent replacement. Councillor Bob Porter of Hawkesbury City Council has been an ardent supporter of a replacement bridge and is well aware of the dangers the current bridge represents. The guardrails on the bridge are covered in scratch marks from B-double trucks that frequent this area picking up thousands of tons of turf for not only for New South Wales but also our neighbouring States of Victoria and Queensland. On 15 September 2010 Hawkesbury City Council wrote to Tony Kelly, the Minister for Planning, and stated:

Council strongly supports the location of the proposed new bridge over the Hawkesbury River at Windsor on the eastern side of Thompsons Square (extension of Bridge Street), at the higher level, referred to as Option 1. The RTA was advised accordingly and the Council has subsequently reiterated its support for this option. It is understood that this is also the RTA's preferred option.

Since that time there has been public consultation in relation to the options and it appears that issues regarding heritage matters and the Heritage Council have significantly delayed progress on the project after a period of two years. It is understood that there has been a short list of options identified which may again be brought back to the community for further consultation in an effort to source a preferred option.

However, given their new bridge will align with a current road to the Windsor Wharf and the older section of Bridge Street will become an additional section of Thompsons Square, I firmly believe that any suggestion of heritage issues indicates that it is being used as a red herring and that it is an excuse by this Government once again to do nothing. The letter continues:

Given that it has now been two years since the initial announcement regarding the replacement of the Windsor Bridge, Hawkesbury Council is also very concerned at the apparent lack of progress being made to ensure the replacement occurs as soon as possible.

The letter to the Minister for Planning continues, and states in relation to the letter to the Minister for Roads:

The Minister for Roads responded to Council's representations by letter dated 26 August 2010 and in relation to the Option 1 and heritage issues the Minister advised:

... the RTA has worked extensively with the Department of Planning's Heritage Branch, to ensure that the potential archaeological items within the Square are preserved, should this option be pursued. The RTA has advised me that it has made a presentation to the Heritage Council on possible options and their associated impacts. The RTA will be in a position to announce final options, once this position is clarified.

Whilst the Minister's position as outlined above, assistance and response in this matter is greatly appreciated by Council it does not, unfortunately, appear to bring a decision, and subsequently the commencement of the construction of the replacement bridge, any closer to fruition. It would appear that the RTA is unable to proceed until the matter is resolved with the Heritage Council, which as I have previously said is a furphy and an excuse to do nothing, quite typical of this current State Government.

The Hawkesbury district is steeped in history, with the five Macquarie towns being an important part of the development of Sydney and the whole of Australia. This area was an important part of Governor Macquarie's work in transforming the penal colony to the free settlement we know and admire today. The point is that the Hawkesbury district knows and values its history and would be reluctant to allow anything to desecrate it. However, no-one is complaining about this option going ahead because it completely retains the integrity of Thompsons Square by utilising an existing road—just as Governor Macquarie intended when he designed it 200 years ago. Option 1 will not destroy any of the historical elements of the immediate area and should have commenced more than a year ago. The member for Riverstone is certainly in retirement mode because he has been silent on this issue and has not once raised—

Mr Barry Collier: Point of order—

Mr RAY WILLIAMS: He has not acknowledged— [*Time expired.*]

ACTING-SPEAKER (Mr Thomas George): Order! What is the member's point of order?

Mr Barry Collier: His time has expired, so I will not pursue it.

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [12.48 p.m.]: The member for Hawkesbury is correct about the historical complications involved in the reconstruction of the Windsor Bridge and the impact that any work might have on the history of the area. The Heritage Council has had several meetings about this matter, including a special meeting to discuss the Windsor Bridge. However, he is not correct in implying that the Government is using that as an excuse to delay the project. Nor is he correct in saying that I have been totally silent on this issue. I stand on my record in this regard.

This issue affects both our electorates because the Windsor Bridge spans the Hawkesbury River, which is the boundary between the electorate of Hawkesbury and the electorate of Riverstone. We have all been very active, including the member for Londonderry, in ensuring that we get a response as quickly as possible from the Minister, the Government and the Heritage Council. The Minister for Roads, the Hon. David Borger, has been absolutely 100 per cent supportive of the construction of the bridge. The member for Londonderry and I have had several meetings with him, members of his staff, officers of the Department of Planning and the Heritage Council in an effort to resolve this issue.

The member for Hawkesbury was incorrect when he said that the alignment proposed in option No. 1 will not have a heritage impact. In fact, the existing road is very narrow and widening it to integrate it with the new bridge will have a considerable impact on the heritage and history of the area. Those are the issues delaying the project and we must resolve them. The member for Hawkesbury well knows that if we make the wrong decision it will upset many people. The history of the Hawkesbury area is vital to the State and the nation and we have every right to preserve it. The member does himself ill to belittle the heritage impact of the area.

CASULA LIBRARY CLOSURE

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [12.50 p.m.]: For more than 10 years Liverpool City Council has operated an excellent library service at Casula. This newly built and well-equipped library is conveniently placed near shops and services, provides exceptional service, and has friendly and highly-skilled staff. The library is closely networked with the excellent Liverpool library and books needed by customers from Casula can be couriered from Liverpool using the daily service. This library is vital to our local community. Even though Casula library is almost new, the majority of councillors on Liverpool City Council voted on 13 August to close Casula library once another library was built at Carnes Hill. The minutes of the 30 August council meeting state:

That Council:

1. Commits to commissioning a new district library in the centre of Liverpool, preferably at Carnes Hill.
2. Relocates the Casula and Green Valley Libraries to the new district library, with the current library service closing in these centres immediately prior to the opening of the new district library.

The Labor councillors on Liverpool council opposed the motion. However, as the Liberals have the numbers, with the support of the Independents, the motion was passed. An amendment from the Labor councillors to place the "New Liverpool Library, a Strategy for moving forward" on public exhibition for a period of not less than three months, using council's community engagement tool kit, was lost. The Liberals and the Independents on the council have the majority of the votes and voted this way without informing any members of the local community. They then voted down a motion for community consultation prior to making a decision, which means that the locals have not had a chance to have the slightest say about whether they think this planned closure is a good idea. For example, this is an 11-year-old building. What plans does the council have for this precinct, which also contains the cancer council hub?

To date I have been restrained in criticising either local government, that is, Campbelltown and Liverpool, which cover my electorate. Councils face a difficult task. Liverpool council was democratically elected and it will remain in place despite its problems. For a council to be replaced there has to be gross financial mismanagement; blatant breaches of the Local Government Act, including a refusal to listen to ministerial direction; a broad and persistent dysfunction with a loss of community support as evidenced by a failure to listen to community views, or a clear lack of community confidence in the council; and, finally, corruption such as abuse of entitlements. An example of this is the use of council facilities for political purposes. I understand that, to date, there is no firm evidence of any of these problems, so the community has a reasonable expectation that all levels of government will work together for the common good, even in the presence of disagreement.

Libraries are, and always have been, one of the most important responsibilities of any local government. If the majority of councillors get their way, local Casula residents will be expected to travel to Liverpool or to Carnes Hill to use a library. This will mean that those who use the library most, such as those who do not drive—for example, school students and senior citizens—most likely will not be able to access a library at all. Like most people, I learned to enjoy reading by borrowing books from my local library when I walked home from school. Our local children deserve to have the same opportunity. I have already direct mailed a letter to Casula residents relating to these issues. Their response has been overwhelming in opposition to this planned move by the council.

The message of Casula residents to me is quite clear. I have been told in no uncertain terms to work on their behalf to preserve their library. In planning to close Casula library, Liverpool council has made a grave mistake. However, councillors are only human, and these ill-advised mistakes do happen. As the *Bible* says, "Forgive them, for they know not what they do." The locals will forgive Liverpool council its mistake if it realises now that it is a mistake and councillors change their collective mind. We are all elected to listen to our communities. I call on the Liberal and Independent councillors on Liverpool council immediately and unequivocally to rescind their decision to close Casula library now or at any time in the future, regardless of the building of a library elsewhere. This can be done by council resolution; it can be done by the flick of a pen in 15 minutes. I urge Liverpool council to do that now.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.54 p.m.]: I thank the member for Macquarie Fields for bringing this issue concerning Liverpool council to the attention of the House. After listening to his contribution it seems to me that this is sheer bloody mindedness on the part of Liverpool council. I understand that it is not only closing Casula library; it is also closing Moorebank library. All members are aware of the importance of libraries. My grandchild goes to a library at Miranda and borrows books for the Premier's Reading Challenge. Libraries are important, whether they contain books or computers. They are important to the growth, development and education of children. As the member for Macquarie Fields said earlier, there has been a complete lack of public consultation in relation to this decision by council. People living in Casula are affected by this decision.

Mr David Harris: It is outrageous!

Mr BARRY COLLIER: As the member for Wyong said, it is outrageous. Government members pride themselves on public consultation, even when legislation is introduced. Exposure draft bills are often publicly exhibited and the Government consults with various interest groups. I know that the Attorney General does that almost religiously. I congratulate the member for Macquarie Fields on his contribution. I also urge Liverpool council to review its decision forthwith and to stop playing stupid games. If it does not restore this library at Casula it deserves to be voted out at the next election.

TWEED HEALTH SERVICES

Mr GEOFF PROVEST (Tweed) [12.55 p.m.]: Once again, I am 100 per cent for the Tweed. Today I again bring to the attention of members significant health issues that are evident in the Tweed. In today's *Tweed Daily News*—a great local newspaper in the Tweed—is an article written by Patrick Williams, investigative journalist, entitled, "Tweed hospital faces job cuts." The article states:

The North Coast Area Health Service is attempting to meet with two unhappy health unions next Friday to discuss up to 62 full-time equivalent jobs facing the knife.

According to the Garling report, at times Tweed Hospital is running at 107 per cent capacity. Believe it or not, last year alone Tweed Hospital treated 1,200 people in hospital corridors. A new term "corridor beds" has now been coined. Last year 23 full-time positions were axed from Tweed Hospital. Anyone reading this article or the response from the unions would be aware that we are facing a loss of up to 62 full-time equivalent jobs. The Tweed is one of the fastest growing regional areas in this State. On a number of occasions I have gone down on my knees and I have begged this Government for additional resources, as our hardworking doctors and nurses are stretched to the limit. It is crazy that this Government is continuing to axe more jobs. The article goes on to state:

It comes as the Area Health Service moves to position itself for the implementation of the Local Hospital Network to be initiated under the Federal Government's \$7.4 billion National Health Reform.

An unknown number of roles at the Tweed Hospital in Tweed Heads are thought to be in the firing line.

To date, 23 positions have been axed. According to this article—I believe what Patrick has written in it—62 positions are in the firing line, which is untenable. Twenty-seven per cent of the population in the Tweed are over the age of 65, and elderly people use the hospital regularly. I have been out with the relevant ambulance groups and I am aware of the fine job that they do, as do the doctors and hardworking nurses at Tweed Hospital. It is not fair for them to have to deal with issues such as this. If any more jobs are cut they will not be in a position to provide adequate services to those who are in need of them most, which is a travesty. The population growth rate in the Tweed is about 2.9 per cent, 5,000 new homes have been built and construction on another 5,000 homes is about to commence.

However, the hardest thing to provide to meet the need in a fast-growing area is medical services. I have asked this Government on a number of occasions to assist this fast-growing area, but there is no planning for the future. Last year, through the freedom of information process, I obtained the cross-border health document, which reveals that Morris Iemma and Peter Beattie agreed to work out our future health service needs. That document said that residents in the Tweed should use facilities in Queensland. I have a newsflash for bureaucrats and the New South Wales Government: at the moment the Queensland health system is not that flash.

They are even struggling to pay their doctors and nurses, so to say that is just a cop-out. It is a betrayal of the people of the Tweed. This is not going to go unnoticed. This will cause the local community to pull together and start to protest by standing behind their hardworking doctors and nurses. I am afraid that deaths could occur down the track as a result of a lack of medical services. The member for Lismore has campaigned vigorously to keep Murwillumbah District Hospital open and I stand behind him on that issue. That is a crucial part of servicing the Tweed.

To read the article in today's paper and find out that 62 jobs will potentially disappear from all areas of the hospital is a shock. Obviously they are going to be front-line staff because there would not be that many people in administration. I am very critical of Chris Crawford, the Chief Executive of the North Coast Area Health Service. He is running a business but driving it into the ground and not delivering services to the people of the Tweed. We have even had dental health issues arise, with funding for dentures being allocated to other areas. There are just on 1,700 people suffering from cancer in the Tweed and our pleas for radiation treatment go unheard. It is terrible for the people of the Tweed, but once again I am 100 per cent for the people of the Tweed.

WYONG VALLEYS COALMINE PROPOSAL

Mr DAVID HARRIS (Wyang—Parliamentary Secretary) [1.00 p.m.]: I speak about the proposal to build the Wallarah 2 longwall coalmine in the Wyong valleys. Yesterday I attended the public hearing

conducted by the Planning Assessment Commission at Wyong council where I once again put forward the concerns I have about the project. During that presentation I reiterated my longstanding opposition on behalf of the community. I have prepared written submissions and delivered oral submissions—yesterday was the second—made representations to Ministers and Premiers, and taken local people to speak to them. I also travelled to Canberra to see the Federal Minister. Clearly, it is an issue that I have been very vocal about, both in government circles and publicly.

I raised again some issues about the process that is currently underway. The first issue was that the main reports—the independent water study, a peer review of that study, and the rail study—were released after public submissions, so people, including me, did not have that information before they made submissions. I pointed out to the chair of the panel that I thought that was very restrictive. At the end of my speech she said she would be more than happy to receive supplementary submissions even though the closing date for receiving submissions had passed. I was very pleased to hear that. I also asked that government departments be given the opportunity to respond to the coal company's comments in the environmental assessment. The process was that government departments would comment and the company then had a chance to respond.

In its response the company said that some of the statements made by the Office of Water, the Department of Environment, Climate Change and Water, and the Department of Health were wrong and gave reasons. I also spoke to the Minister and asked if government departments would have the right of response to those criticisms because clearly they may have taken them on board and admitted they had made a mistake and that there was enough information to change their decision. They might also say they still do not agree. That needs to be put on the public record and the public needs to know that information.

I also raised the three points contained in my written submission, which related to the independent water study, measuring dust, and a social and economic study. The reason I raised the water study again is that even though an independent water study and a peer review had been done, they related to whether there was enough data available to do an assessment. It was not a study of whether there would be any implications for water resources from coalmining. The reports say that. Yesterday I called for an independent water study—I have called for this all along—that looks at the impacts of a coalmine on the area. If that is not done there will be a great deficiency in the process.

With regard to the dust study, I said we had to look carefully at the issue of fine particulants because the community still had serious concerns about that aspect. That was raised by the Department of Health as well. In relation to the social and economic study, the company did a study where it used what is called the multiplier effect. It works out how many jobs can be created directly and indirectly, and how that will impact on the local economy. That is always a positive thing from the coalmining company's point of view. I pointed out that if there were any impact on the water supply it would also have an economic impact. That was not addressed in the company's economic study. In these matters proponents should do a best-case scenario and a worst-case scenario, and that was not addressed.

Finally, I draw attention to a motion that was moved at Wyong Shire Council by Greens councillor Sue Wynn in which she sought to criticise me. This was obviously politically motivated; one would expect that with a State election coming up. Several councillors rang me that night and described her presentation as bordering on hysterical and irrational. Obviously she has a serious lack of understanding of process and had not read my speeches in Parliament, in particular a recent speech in which I moved an amendment to a motion to reiterate that we opposed any activity that would affect the Central Coast water supply. I am not sure how much clearer I can be. The Greens councillor obviously needs to read what I say.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.05 p.m.]: I thank the member for Wyong for drawing to the attention of the House his work on behalf of his constituents. It is clear to me, having listened to him, that the residents of the Wyong electorate are fortunate to have such a hardworking and committed local member. I listened with interest to the efforts he has made to represent his community. He has made written and oral submissions and has even travelled to Canberra to make submissions directly to the Minister. He has looked in detail at studies relating to dust and water supply and has been able to extract a commitment from a bureaucrat to accept supplementary submissions from his constituents.

His attention to detail is simply first class. He was able to point out the flaws in the mining company's study for the Wallarah 2 project. Unfortunately the mining company did not respond to that appropriately. The member's constituents are very fortunate to have a local member of the calibre of Mr Harris. The Greens councillor is doing Wyong constituents a grave disservice in ruling out what the member for Wyong has done without actually considering his speeches in Parliament and the work he has done behind the scenes.

KU-RING-GAI YOUTH DEVELOPMENT SERVICE

Mr JONATHAN O'DEA (Davidson) [1.07 p.m.]: The Ku-ring-gai Youth Development Service has a vision to improve the health and wellbeing of young people on Sydney's North Shore. Its mission is to provide professional and accessible counselling services, youth development and education to promote positive change for young people and their families. It provides free and confidential counselling on an individual basis for young people aged 12 to 18 years on the North Shore. It also provides free counselling and support for parents, as well as family counselling where the young person and their counsellor feel this is appropriate. Ku-ring-gai Youth Development Service counsellors use an array of client-centred and evidence-based approaches, such as solution-focused therapy and cognitive behaviour therapy.

The Ku-ring-gai Youth Development Service began more than seven years ago, when a need for counselling services for adolescents and their families was identified by members of the Rotary Club of Lindfield. After much effort by many Rotarians, Ku-ring-gai Council and the broader community, a site was set up and counselling commenced in March 2005. This was well before the service was officially opened as the need was so great. The Mental Health Association NSW recently announced that Ku-ring-gai Youth Development Service has won two mental health awards: one for its young women's program in the category of Best Program for Mental Health Promotion in New South Wales, and the other for its Paying Attention to Self program for children of adults with mental illness, in the category of Best Program for Mental Illness Prevention and Early Intervention in New South Wales. That Ku-ring-gai Youth Development Service a small organisation without any ongoing funding, has won these awards shows the professionalism and capability of all in the organisation.

The range of services offered to clients extends to individual and family counselling and mediation, parental support and counselling, advocacy for young people helping case manage their needs with families, schools and the justice system, group work in conflict resolution, bullying, young men and young women's issues, Higher School Certificate stress management, safe partying, drug and alcohol and sexual health, tailor-made school programs, a system of interdisciplinary referrals, co-operative case management with other support providers, and parents education forums. Other functions Ku-ring-gai Youth Development Service perform are public presentations and advocacy in support of youth needs, tertiary student training placement, and provision of information and referrals. The patron of Ku-ring-gai Youth Development Service is Governor Marie Bashir, who does a wonderful job in so many areas in our society. Its current chair, Namoi Dougall, recently took over that role after many years of leadership from Professor David Bennett, assisted by Don Durie as former deputy chair.

I have endeavoured to help support Ku-ring-gai Youth Development Service since being elected as member for Davidson, including at its annual gala fundraising dinner. This was held again a few weeks ago, when I enjoyed chair Namoi Dougall's speech, along with excellent presentations from UNICEF Goodwill Ambassador Caroline Pemberton, adolescent psychologist Harry Smith and Aboriginal artist Paul Jones. The event emcee was the lively Jono Coleman, who I was pleased to successfully bid with in the live auction. As a consequence, we will both be partaking in a personal training course at Vision Personal Training in Lindfield. A soon to be slimmed down Jono, like others, kindly gave of his valuable time. He can be heard as part of the Jono and Dano team on 101.7 WSFM radio, 4.00 p.m. to 7.00 p.m. on weekdays. In concluding, I encourage Ku-ring-gai Youth Development Service to continue its great work in the North Shore community and congratulate all concerned on its achievements to date. I look forward to it receiving the ongoing government funding that is warranted.

TAMWORTH MINIATURE RAILWAY

Mr PETER DRAPER (Tamworth) [1.11 p.m.]: I was pleased recently to host Tourism Minister Jodi McKay in Tamworth, as it provided an opportunity for the Minister to inspect some of the city's tourist gems including the Regional Botanic Gardens, the Marsupial Park and the Waler Memorial. The continuing development of these attractions lies mainly in the hands of some active and tireless volunteers, who I commend for their dedication in maintaining and developing such wonderful attractions. I am sure the Minister would be very impressed with further progress being made by volunteer members of the Tamworth Miniature Railway in expanding their track, and improving the amenity of their Victoria Park headquarters, which complements the Botanic Gardens and Marsupial Park, which adjoin it.

Recently the treasurer of the Tamworth and District Model Engineers, Ron Salter, invited me to inspect progress on earthworks for this expansion, made possible through \$18,000 in funding from the Community

Building Partnership program. These funds have enabled Tamworth Miniature Railway to construct earthworks that will see the available track increase by 487 metres, to some 900 metres in length. This will not only enhance the rides available to visitors, but provide some spectacular views over Tamworth during those rides.

The Tamworth Miniature Railway has 41 members, both local and interstate. While appreciating the \$18,000 provided by the Community Building Partnership program, the miniature railway group has raised \$68,755 other than in grants and donations, to invest in expansion of the miniature railway. Other local organisations have assisted. Joblink Plus is to be congratulated for providing \$100,000-plus labour to build the station and signal box. Tamworth Regional Council has contributed \$47,500, and a professional railway surveyor provided \$35,000 worth of surveys free of charge. The miniature railway has also received gifts including motors, compressors and a Bailey bridge, while Hume's have provided a lot of concrete products. The group are very appreciative of \$36,600 of State Government assistance through three grants over the past three years.

The Tamworth Miniature Railway is open to the public on the third Sunday of the month between 10.00 a.m. and 4.00 p.m., and since it started offering miniature train rides just over two years ago it has carried some 13,000 passengers around the complex—those numbers would make CountryLink a little envious. The group donates the day's takings of one running day in May each year to a local charity. In 2009 they donated \$2,010 to the Tamworth's Nioka Palliative Support Unit, and this year Ronald McDonald House received \$1,768.

In 2008, the volunteers of the Tamworth Miniature Railway started to offer birthday runs, and these have become very popular. Families can have exclusive use of the railway for their children's birthday party on any day other than normal running days. They bring their own food, and are provided with the use of a barbeque without cost. Parties can be held between 10.00 a.m. and 12.00 noon or between 2.00 p.m. and 4.00 p.m., at a cost of \$200 for the two hours. The trains run non-stop and accommodate up to 80 children. To date, the volunteers have raised some \$2,600 through this program and interest is growing.

Tamworth Miniature Railway had programmed an extra running day on Sunday 24 October as part of a family fun day fundraiser for the Marsupial Park Adventure Playground. It was to be a great day out for the family, with miniature train rides, jumping castle, face painting, teddy bear's hospital, In2Cricket games, a sausage sizzle, a cake stall and a range of other activities. However, due to heavy rain it has been postponed until Sunday 28 November. This is a wonderful example of how volunteer organisations in Tamworth work together and support one another.

Over the last month the miniature railway's community partners—and there are quite a few of them—have been putting in a lot of work with the signal box and wagon shed now having the concrete floor finished. Additionally, Tamworth Precision Earthmoving has been finishing work on the embankments to and from the Bailey bridge, which is now in its permanent position, and will form the beginning of a new railway loop that will extend in the direction of Oxley High School.

Spokesman for the Tamworth and District Model Engineers, Mr John Davies, is on the public record thanking Joblink Plus and Tamworth Precision Earthmoving for the outstanding work that they have undertaken. Mr Davies said that as a group the volunteers have a long-term vision for the miniature railway, and to see it slowly becoming a reality is a dream come true. He said that watching the enjoyment of children and their parents when they get off the rides at each of their running days really tops it all off. The Tamworth Miniature Railway volunteers are very excited to be able to show off the two major recent upgrades, plus all of the other improvements to their railway over upcoming running days. Tamworth Miniature Railway is a credit to the vision of Tamworth and District Model Engineers, the volunteers, their corporate partners and also the wider community that has supported this project from its concept stage. I offer my very sincere congratulations to everybody involved.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.16 p.m.]: One of the great privileges enjoyed by members of Parliament is seeing and being involved in the activities of the patchwork of community organisations, particularly how they work together to support the communities that we represent. That was well illustrated today in the contribution made by the member for Tamworth on the Tamworth Miniature Railway project. This was supported by a grant of \$18,000 under the Community Building Partnership program, as well as by other State Government grants. The miniature railway is doubling the length of its track with the assistance of its members who raised \$68,000 themselves. The group has contributed well to many worthy causes in the area, including the palliative care unit. The organisations, working together, have improved

facilities not only for the locals but enhanced the tourism potential of the rather pretty area of Tamworth. I congratulate the member on bringing this matter to the attention of the House today. Please pass on best wishes to all involved in the miniature railway project.

CRONULLA PUBLIC SCHOOL CENTENARY

Mr MALCOLM KERR (Cronulla) [1.17 p.m.]: Last weekend Cronulla Public School celebrated its centenary. One hundred years ago Cronulla was a small fishing village and down-market holiday resort. There were two butcher shops, several stores, and everything was progressing—except education. Consequently, parents campaigned to have a school established in their village. In 1910 the first school opened. It was located in Munro Park. It had two classrooms: a teacher's room and a hat room. Nevertheless, by 1915 Cronulla was still considered to be not quite a part of Sydney.

With the increasing population, and after years of delay, the present Cronulla Public School was opened in 1925 on the shores of Gunnamatta Bay, with 72 children enrolled. Then, as now, the community needed to take vigorous action in pursuing their children's education needs. Thousands of students have passed through the school over the past 100 years. Generations of families have maintained connection with the school, further highlighting the school's importance to the community. I was a former student of Cronulla Public School, as was the former Minister for Transport and former member for Cook, Bruce Baird.

In 1925 at the time of its opening, Cronulla Public School was in need of fencing, and the New South Wales State Archives show a mix of new, poor and unfenced boundaries. Today, the fencing surrounding the school is in urgent need of upgrading. The Department of Education and Training has confirmed that there is insufficient funding to fence the entire school perimeter and that the rear of the school adjoining Gunnamatta Bay will not be fenced. This defeats the purpose of fencing as it is easy for young children to wander off and near the water, which is dangerous.

The lack of security around the school has led to graffiti attacks and fires and has prevented the school from providing additional educational opportunities, such as a vegetable garden, for fear of vandalism. Despite many changes over the past 100 years, the school remains small but progressive. Under principal Peter Banks, it has a range of experienced and talented staff committed to providing the quality education programs that meet student needs and develop the talents of each individual child. Last weekend the school held a centenary dinner and open day, and thanks go to the centenary committee and the staff for their efforts in organising the commemoration.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.20 p.m.]: As a shire member of Parliament, I thank the member for Cronulla for bringing to the attention of the House the 100 years centenary of Cronulla Public School, which was established at Gunnamatta Bay and in Munro Park at Cronulla. I also congratulate the committee that organised the centenary celebrations and pay tribute to the school, the staff and Mr Peter Banks, who is an excellent principal. I had the pleasure of knowing Mr Banks when he was acting principal of Jannali East Public School, and I assure the House that we were sorry to lose him to Cronulla. I also take this opportunity to acknowledge the work of the member for Cronulla and wish him very well in his retirement. I know the member for Menai, who is currently in chair, joins me in wishing him well. All the very best to you, Malcolm. I know that members on this side of the House join me in wishing you all the very best.

ZOO2ZOO BICYCLE RIDE

Mrs DAWN FARDELL (Dubbo) [1.21 p.m.]: I concur with those comments and wish the member for Cronulla all the very best in his retirement. I speak today on the 2010 Zoo2Zoo ride, which was once again organised by Andrew McKay, a wonderful young community-minded citizen of Dubbo, and proud son of Moira and Richard McKay, who are also stalwarts of the community. The ride started with almost 100 cyclists and 15 support crew gathering at Taronga Zoo in Sydney at 5.00 a.m. on Friday 15 October with the aim of riding the 425 kilometres to Dubbo's Taronga Western Plains Zoo in three days. Following the customary briefing, the riders were underway to raise awareness of and funds for the Black Dog Institute. At the same time 20 riders and two support crew were taking off from Canberra's National Zoo, also with the aim of riding to Dubbo in three days. At Taronga Zoo all the riders were registered, picked up their jerseys, were allocated to riding groups and, after a group photograph, they set off. They followed the M4 to Penrith and regrouped at Glenbrook. The supply support crew picked up 20 kilograms of potato salad and rice salad along with 20 loaves of bread, ham, cakes and bananas, and headed to Glenbrook in the Blue Mountains to meet the riders for their first stop at 9.00 a.m.

The weather was still slightly overcast and they had to manoeuvre around roadworks on the Great Western Highway. They were handled well, with the riders taking all designated detours. The journey from Glenbrook to Wentworth Falls is challenging at the best of times, even in a car—never mind on a bicycle. A support car with an orange flashing light on its roof followed each group. The event was very safe and well organised. The riders had to detour around the roadworks at Lawson. This was followed by a bit of a battle up the hill to Wentworth Falls for their lunch stop. At that stop—which signalled the 100 kilometres mark for the day—the weather started to turn. This meant that the last 35 kilometres were ridden in the rain, with the temperature dropping. All riders passed through Leura, Katoomba, Medlow Bath and Blackheath before they arrived safely at Mount Victoria at 4.00 p.m.

The Canberra riders experienced shocking weather on their way to Young. Of the 20 riders, only five could ride the whole 145 kilometres, with the rest being transported by the support crew of Jennifer O'Reilly and Cindy Carroll. When they arrived in Young they had a group dinner and a well-earned early night. Back at Mount Victoria, at 5.00 p.m. the local hotel went from serving three locals to three locals and 50 thirsty bike riders. After a couple of hours, the riders met for dinner before getting a weather forecast for Saturday. Everyone met, as planned, on Saturday at 6.00 a.m. Unfortunately, the Mount Victoria weather did not come to the party. The temperature was four degrees Celsius, with a wind chill of minus eight degrees Celsius. There were 45 kilometre winds from the west, with gusts of up to 98 kilometres an hour, and snow across to Bathurst and Orange—not ideal cycling conditions. At breakfast, the organisers were forced to take the decision that conditions were too treacherous, with the likelihood of ice on the road and deteriorating conditions.

So instead of a very challenging day's ride, the organisers were faced with the challenge of getting 95 riders and bikes the 140 kilometres to Orange. Most people took the XPT to Orange, but unfortunately only five bikes were allowed on it and the other 90 had to go with the support crew. We were fortunate to get a phone call from Mark Dalton at the Canobolas Hotel saying, "Make the Hotel Canobolas your base—stew and rice for all the riders are on the house". The group was shown wonderful hospitality on the ride. The train trip gave riders the opportunity to observe the extent of the bad weather. Getting all riders from Mount Victoria to Orange was a logistical nightmare, but Andrew McKay coped. At lunch at Orange the riders were reunited with their bikes and then took off on the 35 kilometre ride to Molong for their Saturday night stay. Once again, there was a brisk wind but it did not deter them.

At Molong the riders were again shown wonderful hospitality. They were welcomed by Councillor Bob Dowling, the Mayor of Cabonne Shire, who made a speech at a local park. Special thanks go to Rozzie Smith, Glenn Mickle and Jock Haynes for helping out so much at Molong. The highlight of our dinner was a speech by a representative of the Black Dog Institute, David Spindler, who is an ambassador for the institute and also a long-term patient. While his explanation of the purpose and role of the institute was interesting, his account of his own story was very powerful. He honestly believes he would not be alive now without treatment from the Black Dog Institute, made possible by financial support from people like the Zoo2Zoo riders. At last count, it looks like the weekend raised \$50,000 for the Black Dog Institute—a remarkable result.

Sunday's ride to Dubbo was a 115 kilometre blast along quiet back roads from Molong to the Western Plains Zoo. Once again, they stopped at Cumnock and enjoyed the hospitality of the Cumnock people. Later, at Wambangalang, which is between Yeoval and Dubbo, the riders stopped at a little school for another cup of coffee. I am proud to say that my daughter Veronica took part in that ride, as did Glenn Druery, a parliamentary staffer, and his partner, Melissa Archey. Melissa, who is from Golden, Colorado, is in Australia as a participant in a teacher exchange program. We are extremely proud to have her working in our education system, and even more proud that she took part in the ride for the Black Dog Institute. So once again it is happy days, Andrew—"happy days" is a common saying of Andrew's. Special mention must go to the 2010 management committee of James O'Reilly, Grant Hittmann, Andrew Back, Jim Scollon and Andrew McKay for their remarkable achievement for the Black Dog Institute. I believe that next year they are considering riding from Melbourne to Dubbo.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.26 p.m.]: I thank the member for Dubbo for bringing to the attention of the House the Zoo2Zoo riders, and particularly the committee for all its hard work. It is wonderful to hear of the camaraderie among the riders and the attention they received from the mayors of places such as Molong and Orange. I lived in Orange for a while as a child and I have travelled to Molong, which is a lovely town. I caught my first freshwater fish there and scored my only try in rugby union on a wet afternoon at Molong when somebody pushed me over the line on the ball. Congratulations to the Zoo2Zoo riders for raising money for the Black Dog Institute. As we know, depression—which has come to the

fore in recent times—is a very serious problem that is treated very seriously by the Black Dog Institute. Please pass on the Government's congratulations to the Zoo2Zoo riders and wish them all the very best in their next adventure.

COWPER PUBLIC SCHOOL

Mr STEVE CANSDELL (Clarence) [1.27 p.m.]: I would like to share a good news story, which hopefully will not have a bad ending. Cowper Public School, a small school in my area with only 23 students, has just been nominated in the 2010 Music Council of Australia Flame Awards. What is amazing about this achievement is that the school started a music program led by music teacher Melissa Philp only three years ago. At the time, the parents and teachers thought it was rather cute to see the kids blowing on saxophones, flutes and other wonderful instruments and really making more noise than music. However, by persevering for the past three years the school has accomplished great things. The students have performed each year at the Opera House. They have been asked to perform locally on many occasions and achieved some good results in local eisteddfods. An article about the school in this morning's edition of the *Daily Examiner* states:

Cowper Public School, a school of 25 students, is now standing alongside 23 other primary schools from across the nation in the running for the 2010 Music Council of Australia Flame Award.

The school had received the nomination based on its rich and varied music program and teacher Melissa Philp is ecstatic.

"We're all very excited that a tiny little school like us could be named up against some of the really big public and private schools," Ms Philp said.

"We were encouraged by people in the community to put in a nomination."

She explained that she and the school captain had to write submissions about the program and what it entailed. She went on to state:

So we put that in and now we've been short-listed, which is fantastic because we've put up against all of the big private schools.

The Flame Awards, which this year were open only to primary schools, aim to recognise schools that are using creative ways to involve students in music. Ms Philp said that one of the Cowper Public School's goals is to make music an important part of the students' learning experience. She went on to state:

There are lots of different facets to a music program; probably about 90 per cent of the children have private music lessons, they all do recorder, they play at the Opera House each year, they all do singing, we also have a girls' choir and boys' choir, which is something really unusual, especially for a little country school ...

Of course, we also just put on Opera with the Cows ...

I attended that great performance of *Opera with the Cows*, where there were cows in the school grounds along with a few calves in pens. It was held Saturday week ago on a freezing cold night. The poor kids were up on the stage, but I was sitting with everyone else, and we all had blankets up around our ears and heavy jumpers. The children performed very well. This is a great news story about what these kids are doing, and it is great news for Ms Philp, the principal and the other teachers at this very small school.

The only problem is that the department intends to remove an old demountable building when two new classrooms are completed under the Building the Education Revolution. I have spoken to the Minister for Education and Training and her staff about the demountable building, which serves as the school's administration section and staff room. Over the past couple of years, the old schoolroom was converted into a music room. If that room is taken away, this fantastic music program, which is achieving such great results, will be discontinued. One of the parents of children at the school, Connie Foster, said she moved to the area to enrol her children in the school mainly because of the school's fantastic music program. The parents would like Cowper Public School to become a select school just for music.

If the demountable building is taken away, the Department of Education and Training will have to undertake a great deal of renovation of the old schoolrooms to accommodate the administration section and remove the music program, which would be a real loss for a small community. As we all know, many small schools are struggling and being closed because they are too small. This school has started a program to reverse that trend. The school is only two students away from being able to keep the demountable building, and there is every reason to expect that given recent growth another family with two or three children will move into the area—and it will be a happy ending. I implore the Minister to examine the program and the school, and to leave the demountable where it is.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.32 p.m.]: As the member for Clarence said, the success of the Cowper Public School is a good news story. It is wonderful to see a tiny country school making such headway with the Music Council of Australia Flame Awards. I am not quite sure about attending an event called *Opera with the Cows*, but I am sure it was a fabulous success. I ask the rather jovial member for Clarence to pass on the best wishes of the House to the children, particularly Melissa Philp for her hard work and the principal of this very small country school.

Perhaps like some other members of the House, one of my great regrets in life is never having learned to play a musical instrument. However, I appreciate the talent of those who do it and do it very effectively. Please pass on my congratulations to the children and staff of the Cowper Public School. I am sure the member for Clarence will continue to make representations to the Minister.

KURRAJONG WARATAH SUPPORT SERVICES

Mr DARYL MAGUIRE (Wagga Wagga) [1.33 p.m.]: Sometimes members of Parliament are afforded the honour and privilege of being appointed patron of organisations. Two weeks ago the board of Kurrajong Waratah gave me that honour by appointing me, along with Sir William Deane and others, Patron of Kurrajong Waratah. Through targeted services, Kurrajong Waratah provides support, training and opportunities to people with an intellectual disability or developmental delay, and to their families and carers.

Kurrajong Waratah commenced operations in 1957 with the aim of meeting the needs of people with a disability and their families. Efforts to achieve that aim continue today, with more than 700 babies, children and adults receiving daily services and support. The key objective of all programs is to focus on the ability and potential of the individual. One of the aims of the organisation is to continue to ensure that programs are designed to create an awareness in the community of the needs and abilities of people with disabilities and their families. Community education programs help to draw public attention to the needs and aspirations of babies, children and adults with disabilities and their families, and to create a greater awareness of their capabilities and the significant contribution they can make to the life of their community.

Kurrajong Waratah operates several businesses. For example, Kurrajong Recyclers provides a variety of recycling services to Wagga Wagga, Griffith, Leeton, Narrandera, West Wyalong and surrounding areas. Kurrajong Recyclers provides a wide range of recycling services to local businesses, including collection of cardboard, paper, documentation destruction, plastic film, mixed container recycling, electronic data destruction, and e-recycling of mobile phones and computer recycling. Kurrajong Recyclers provides collection of packing boxes, collection of bottles and cans, and a computer and mobile phone recycling service to residential householders. The service is provided on a regional basis. Kurrajong Recyclers also sells packaging and shredded paper for animal bedding, et cetera.

Kurrajong Business Services provides employment for approximately 70 adults with a disability who are supported by 25 staff in seven small businesses located in Wagga Wagga, Narrandera, Leeton and West Wyalong. Those businesses have been established over many years for the sole purpose of Kurrajong Waratah being able to offer support and employment to people with a disability. The services provided include catering and food products, clothes ironing, laundry and linen services, hospitality, property maintenance, and motor vehicle fleet management. I am proud to say that the New South Wales Parliament is a customer of Kurrajong Waratah, which provides recycling services to my office. We are delighted with the service that young people from Kurrajong Waratah provide for us.

Waratah Industries is a division of Kurrajong Waratah, and has been operating since 1969. It has always focused on timber products and is now heavily fixed upon timber processing with a high focus on value adding. Kurrajong Waratah also includes Work Solutions, which focuses on work experience, employment and vocational training for people with disabilities. Work Solutions is a special recruitment and training agency, which supports people who confront barriers to employment and transition. Work Solutions has successfully found employment for people with a disability in competitive labour markets around the Riverina and Murray region.

Kurrajong Waratah also provides a number of models of accommodation for people with a disability—children, adolescents and adults. Kurrajong Waratah Accommodation Support Service is funded through the New South Wales State Government's Department of Ageing, Disability and Home Care. Through the funding agreement, Kurrajong Waratah is required to adhere to the New South Wales Disability Service Act, which it does very well. The Kurrajong Early Childhood Intervention Service is an innovative leading-edge early

intervention service in the Riverina area. It provides an early childhood intervention service for 150 to 200 families who have a child aged from birth to school entry with a disability or developmental delay in two or more areas. Kurrajong Waratah has done so much for our region. It even provides retirement accommodation through Rosebank Retirement Village. It continues to provide a wonderful service, and I am proud and honoured to have been asked to be the patron of such a wonderful and worthwhile organisation that continues to deliver throughout the Riverina.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.38 p.m.]: As the member for Wagga Wagga points out, it is a great honour to be selected as patron of an organisation such as Kurrajong Waratah. Certainly it says a great deal about the character and hard work of the member for him to be in such esteemed company as Sir William Deane. That is certainly an honour and a privilege, but it also reflects the hard work of the member.

Certainly Kurrajong Waratah is to be applauded for its work. As the member for Wagga Wagga said, the organisation provides support for 700 children and adults with a disability, and provides an early intervention service for some 150 to 200 families. All these things are to be applauded, and I congratulate and thank Kurrajong Waratah and ask the member for Wagga Wagga to pass on our thanks to its members. Clearly, it is an organisation that is forward-thinking, given the range of activities it engages in with timber products and so on. I believe I have spoken about the organisation in a previous private member's statement. I congratulate the member for Wagga Wagga on being elected as Kurrajong Waratah's obviously very proud patron.

SYLVANIA WATERS TRAFFIC REOPENING

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [1.40 p.m.]: Members will recall my campaign to reopen Sylvania Waters to through traffic at Box Road. The reopening had the strong support of local police, the highway patrol and the Fire Brigade. While 84 per cent of respondents to a Roads and Traffic Authority [RTA] survey favoured the reopening, Sutherland Shire Council opposed it. There were, of course, people who opposed it, some of whom made abusive phone calls and used foul language when contacting my office.

In July this year, following my representations, the Minister for Roads reopened the intersection for a six-month trial. The RTA has been monitoring the intersection and traffic flows, and will report back to the Minister at the end of the period. This morning Miranda police told me that since the trial began three months ago there have been no reported accidents and only one complaint—a far cry from the 608 reported incidents at the intersection in the year to March 2010. Also today the highway patrol told me that things are going well, with no adverse reports since the trial began. The officer said the intersection used to be one of the busiest intersections for the highway patrol but that these days, except for one disobey a right-turn sign, there are far fewer motorist bookings.

In my September newsletter I invited constituents to comment on how the trial is working. To date I have received 80 written responses and 10 phone calls. More than 80 per cent of the respondents want the trial to become permanent, and I will now summarise their comments. They have said that the reopening is sensible and the intersection is safer. Traffic in Belgrave Esplanade shows no noticeable increase. It is easier to travel to Taren Point. Access to the athletics track, the tennis courts, the golf course and other facilities such as Doltone House in Sylvania Waters is much easier. The reopening cuts down traffic going past Frank Vickery Aged Care Village and Sylvania High School, as well as in Evelyn Street. Motorists feel less frustration and fewer feelings of road rage witnessing those who continually break the law. Interestingly, some respondents say they are now using the services of businesses in Sylvania Waters themselves. I will now quote from some of the letters I have received. One respondent wrote:

I certainly don't make a habit of writing to MPs ... but having experienced enough "near misses" at the Box Road intersection, I can only congratulate you.

Another respondent wrote:

I use the intersection every day ... and the traffic flows smoothly and with no problems.

Another wrote:

The reopening of Box Road has made life much easier for us. With very young children with little patience for sitting in traffic, it now means we can get home from Taren Point in less than 10 minutes rather than up to 20 minutes.

...

I am now a regular at shops in Sylvania Waters, getting takeaway and ... using the post office.

Another respondent wrote:

The trial reopening ... has proven a great success. Safety has improved ... and I see none of the near misses and road rage I saw on the intersection prior to the trial ... I don't think that the trial reopening has caused an increase in Belgrave Esplanade traffic. I hope the Roads Minister makes the current arrangement permanent.

Another wrote:

... the reopening ... has been a huge success. I live in Oyster Bay and work at Taren Point ... [the reopening] negates the need for me to travel along stretches of the Princes Highway and The Boulevarde amongst highly density traffic and through several school zones and numerous sets of lights.

Another respondent wrote:

... we play Bowls at Taren Point Bowling Club at least 3 times per week ... We have found travelling so much easier with a more direct route to our destination.

My personal observation tends to support these views. About 78 per cent of comments on the trial posted in the *St George and Sutherland Shire Leader* newspaper were positive, with one describing the reopening as a "no-brainer". Several who wrote to me in support of the trial suggested that the Roads and Traffic Authority should also install right-turn arrows and improve the Box Road-Princes Highway traffic lights as well. I will, of course, pass all comments, both positive and negative, on to the RTA for its consideration before it reports to the Minister at its conclusion of the trial. But at this stage, and subject to the findings of the RTA monitoring of the traffic volumes and flows throughout the six-month trial period, it is my view that the reopening should be permanent.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 1.45 p.m. until
Tuesday 9 November 2010 at 1.00 p.m.**
