

# LEGISLATIVE ASSEMBLY

Friday 12 November 2010

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

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

## BUSINESS OF THE HOUSE

### Notices of Motions

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

## PETITIONS

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

### Injured Workers Entitlements

Petition requesting that laws be changed to improve the conditions for injured workers, received from **Mr Peter Besseling**.

### Pet Shops

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

### Mental Health Services

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

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

### 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**.

## BUSINESS OF THE HOUSE

### Business Lapsed

**General Business Notices of Motions (General Notices) Nos 1099 and 1101 to 1113 lapsed pursuant to Standing Order 105 (3).**

## BUSINESS OF THE HOUSE

### Postponement of Business

**General Business Notice of Motion (for Bills) No. 1 postponed on motion by Mr Victor Dominello.**

**The SPEAKER:** It being before 10.30 a.m., the House will now proceed to Government business.

**CHILDREN (EDUCATION AND CARE SERVICES NATIONAL LAW APPLICATION) BILL 2010**

**Bill introduced on motion by Mr John Aquilina, on behalf of Ms Linda Burney.**

**Agreement in Principle**

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [10.07 a.m.]:

That this bill be now agreed to in principle.

As members of this Chamber are acutely aware, access to quality child care is a clear and pressing priority for many parents throughout New South Wales. This is a priority that the New South Wales Government shares. Research has demonstrated the importance of the early years in a child's brain development and on their future intellectual and social potential. The lifelong benefits of quality early childhood education and care are well documented and create an obligation on all of us to ensure children are given the best possible start in life. It has been identified in numerous studies that children who have positive early childhood experiences in stimulating and nurturing environments have better outcomes throughout their life. It also has been demonstrated that quality early education and care can have a positive impact on developing better self-esteem, better educational outcomes and fewer health and social problems.

Population growth and modern workforce participation patterns, including more women working more hours, mean that more children are attending childcare services than ever before. Throughout Australia, the proportion of children using formal child care has increased from 14 per cent in 1996 to 23 per cent in 2009. The average time children are spending in care has also increased. In 2004 children attending long day care did so for an average of 19 hours per week. This has increased to an average of 26 hours in 2009. It is vital that childcare services are of a consistently high standard in a time when more children are spending more time attending these services.

This bill provides for the application in New South Wales of the Education and Care Services National Law. It is clear evidence that quality child care is a priority for the Keneally Labor Government. The bill lays the legislative foundation for nationally consistent standards to ensure quality education and care is provided by long day care, family day care, preschool and outside school hours care services. These national standards were agreed by the Council of Australian Governments in December 2009.

The major element of this Council of Australian Governments' agreement was the establishment of a jointly governed, unified national quality framework for early childhood education and care and school-age care to replace existing separate licensing and quality assurance processes administered by States and Territories and the Commonwealth. Australian Governments have agreed that the national quality framework will become operational from 1 January 2012 and will include a national system of provider and service approvals and supervisor certificates; the staged introduction of improved staff-to-child ratios and staff qualifications; the introduction of a quality assessment and rating system based on a national quality standard; and the establishment of a new national body to oversee the implementation of the framework. The Keneally Labor Government has been committed to the process of national reform for many years and has been a key driver for change through the Council of Australian Governments process.

This bill puts the national quality framework into operation, demonstrating our Government's continuing commitment to ensure that children in New South Wales are given the best opportunity to reach their full potential. The introduction of a single national quality standard will ensure the same quality standards are met by services across Australia. Improved staff-to-child ratios will give each child more individual care and attention, and higher staff qualifications will ensure staff have the skills to lead activities that help children learn, develop and participate fully in the programs on offer. The introduction of a transparent ratings system will give parents access to information about the quality of services so they can make more informed choices about the services their children attend. A more streamlined regulatory approach will reduce the regulatory burden for service providers and the establishment of a new national body will ensure the regulatory framework, including the national quality standard, is applied consistently across the country.

I will now outline the key features of the Education and Care Services National Law and the bill in greater detail. The bill provides for the application in New South Wales of the Education and Care Services National Law. The objectives of the national law include ensuring the safety, health and wellbeing of children and providing optimal conditions during their educational and developmental journey; promoting continuous improvement in the quality of education and care services for children and improving access to information

about the quality of those services; and establishing a national regulatory framework. The national law applies to preschool, long day care, family day care and outside school hours care services. These service types constitute around 95 per cent of all childcare services in New South Wales.

The national law will not apply to a small number of existing licensed children's services, such as home-based care, occasional care and mobile services, which will continue to be regulated under State legislation. However, these service types may be included under the national law at a later time. A review of the national law planned for 2014 will consider this and other questions about how the law is working to achieve the goals of the Council of Australian Governments' agreement. The national law provides for the approval of providers and services, and the certification of the supervisors of services. Provider approvals and supervisor certificates will be issued by a regulatory authority in a particular State or Territory, but they will be portable. This will mean that a person will not need to obtain a provider approval or supervisor certificate in more than one jurisdiction.

To reduce unnecessary regulatory burden on service providers, the national law includes provisions to integrate regulation where a provider operates a service that is subject to regulation under State legislation from the same premises as a service that is regulated under the national law. The national law provides for the quality of services to be assessed and for services to be given quality ratings that are published. Quality assessment will generally be carried out by the regulatory authority of the State or Territory in which the service is located. This represents a simplification of the current system whereby most services are licensed by States and Territories, which then monitor their compliance with various licence conditions, and as well they are accredited and their quality assessed by a separate agency, the National Childcare Accreditation Council.

The national law includes a number of offences and provides for a range of compliance and enforcement tools, such as compliance notices, enforceable undertakings and prosecution. The national law also provides a range of mechanisms for the review of significant decisions with respect to matters such as the approval of providers and services, the certification of supervisors, the quality rating of services and the issue of directions and notices. These mechanisms include show-cause processes, as well as internal and external review. The national law establishes a national body, the Australian Children's Education and Care Quality Authority [ACECQA], which will be located in New South Wales.

The functions of the Australian Children's Education and Care Quality Authority include guiding the implementation and administration of the regulatory framework, promoting national consistency in its application and reporting on this to the Ministerial Council for Education, Early Childhood Development and Youth Affairs. The Australian Children's Education and Care Quality Authority will be governed by a board that will be appointed by the ministerial council following nominations from Commonwealth, State and Territory Ministers. The national law sets out the financial management duties of the Australian Children's Education and Care Quality Authority and requires the authority to publish an annual report, including audited financial statements. The Australian Children's Education and Care Quality Authority's performance is subject to monitoring and review by the ministerial council and also by an Education and Care Services Ombudsman.

The national law also sets out the role of the regulatory authorities. This includes approving providers and services, certifying supervisors, assessing and rating the quality of services, and monitoring and enforcing compliance with the law. The bill provides that the regulatory authority in New South Wales will be the Department of Human Services, which is the New South Wales body currently responsible for regulating children's services in New South Wales. The national law provides for the exchange of information between regulatory authorities and between those authorities and the Australian Children's Education and Care Quality Authority.

It also provides for regulatory authorities and the Australian Children's Education and Care Quality Authority to publish information such as registers of approved providers, approved services and certified supervisors, and information about compliance action. As a result, it is important that a clear and consistent legal framework relating to the disclosure of information applies to all the regulatory authorities and the Australian Children's Education and Care Quality Authority. For this reason, the national law provides that the Commonwealth privacy and freedom of information legislation applies to all regulatory authorities and to the Australian Children's Education and Care Quality Authority in administering that law.

The national law allows the ministerial council to make regulations for the purposes of the law. Regulations to support the national law are currently being developed in consultation with the sector. These regulations will provide further detail on the national quality standard, the assessment and rating system, staff-to-child ratios and fees associated with the national quality framework. It is expected that a further bill will

be considered by Parliament next year that will address any necessary amendments to the Children and Young Persons (Care and Protection) Act 1998 prior to the commencement of the national quality framework from January 2012.

In conclusion, it is vital that quality childcare services are available to children and their families. This bill provides for a new national approach to regulation, assessment and quality improvement for education and care services, taking forward New South Wales' part in making operational the national quality framework. The national quality framework provides the right balance between quality and affordability of children's services by focusing on improving the quality of education and care services, providing greater access to information about the quality of services, and reducing unnecessary regulatory burden for childcare providers. In New South Wales we have a proud record of commitment to high-quality, safe, affordable children's services, and in applying the national law we are demonstrating our ongoing commitment to ensuring that children and families benefit from these important reforms. I commend this bill to the House.

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

### **NATIONAL PARK ESTATE (SOUTH-WESTERN CYPRESS RESERVATIONS) BILL 2010**

**Bill introduced on motion by Ms Angela D'Amore, on behalf of Mr Frank Sartor.**

#### **Agreement in Principle**

**Ms ANGELA D'AMORE** (Drummoyne—Parliamentary Secretary) [10.21 a.m.]: I move:

That this bill be now agreed to in principle.

The National Park Estate (South-Western Cypress Reservations) Bill 2010 represents the completion of regional forest assessments in New South Wales. It deals with the last piece in the puzzle, the cypress and woodland forests of south-western New South Wales. Previous assessments and agreements have been undertaken for the Eden, southern, upper and lower north-east, Brigalow-Nandewar and Riverina regions. This Government is proud of its history of forest reform since the commencement of the deferred forest agreement and interim forest assessments 15 years ago. When introducing the river red gum bill into the Legislative Assembly six months ago, the Minister made reference to the tradition of strong and balanced forest conservation decisions made by the Government since 1995. With this bill, the tradition continues.

I acknowledge the traditional owners of the lands managed as national parks and reserves across the State and their ongoing connection to and custodianship of these lands. I pay my respect to their elders, both past and present. I also acknowledge the commitment and work of community members and Aboriginal staff involved with the National Parks and Wildlife Service in managing these special places. Last year the Government tasked the Natural Resources Commission with carrying out a regional forest assessment and making recommendations on the use and management of the public forest land in the south-western cypress State forests. There are 197 previously unassessed State forests within this region, covering nearly 196,000 hectares. While the majority of the forests are dominated by white cypress and associated woodlands, there are also many forests that are eucalypt woodland dominated and are not being logged.

These forests are dotted across southern and central New South Wales, and are significant as some of the only naturally vegetated land in the most cleared part of New South Wales. The region also has some of the lowest levels of reservation in New South Wales. The forests support significant areas of three types of endangered ecological communities, as well as many threatened species, particularly birds. The Crown timber industry in the region is based upon two cypress mills, one at Condobolin and the other at Narrandera, both operated by Grants Holdings. The Baradine sawmill takes most of its timber from the Brigalow-Nandewar forests; however, it will occasionally access timber from the south-western cypress forests. Unlike in other forest assessments, these mills already have locked in 20-year wood supply agreements. These mills are important employers in their communities.

In May this year the Natural Resources Commission submitted its assessment and recommendations to the Government. The commission found that the forests support a range of environmental, social, cultural and economic values, and that they can continue to be managed to support all these values. The commission made 10 recommendations regarding the ongoing management of the south-western cypress forests. The

recommendations address matters including the need for active management of the forests across all tenures, the development of an integrated forestry operations approval, reviews of forest management zoning, investment in silvicultural thinning, reservation of some forests and improvements in connectivity.

The Government supports and endorses the bulk of these recommendations. This bill represents a key component of the Government's response to the report and recommendations of the Natural Resources Commission. This bill achieves the balance that the Natural Resources Commission said could be delivered for the south-western cypress forests. The forest industry will be able to continue in its current form. The Minister has been advised that this will not affect the existing 20-year cypress wood supply agreements. More than half of the forests being transferred are eucalypt woodlands that are of no commercial timber value. We have committed to expedite an Integrated Forestry Operations Approval, providing the legal certainty that has not existed in the past.

The Natural Resources Commission recommended that 29 of the 197 forests, totalling 26,256 hectares, being eucalypt woodland forests with little or no cypress resource, be managed for their conservation values. The Government endorses this recommendation, and 24 of these forests will be reserved under the National Parks and Wildlife Act. The other five will be protected and managed by the Land and Property Management Authority. The Natural Resources Commission recommended that the other 168 cypress State forests remain in State forest tenure. It also recommended additional rules around harvesting and grazing on some of these forests. The Government has considered the balance of these two recommendations and determined that a better result would be achieved through the reservation of a further 18 whole State forests, and part of another four, under the National Parks and Wildlife Act, along with streamlining the additional rules regarding harvesting and grazing.

These additional forests total 20,609 hectares and will contribute to a significant increase in reservation in central and southern New South Wales, improving the representation of white cypress pine in the reserve system and contributing to New South Wales and Commonwealth reservation targets without affecting wood supply agreements. The Government is of the view that this places additional emphasis on the reservation targets that have been critical to all other forest assessments. In making this decision, the Government has been cognisant of the minerals potential of some of these forests. As a result, three forests will be reserved as State conservation areas. Part 2, new section 13 of the bill will require the Director General of the Department of Environment, Climate Change and Water and the Director General of Industry and Investment to conduct a review of these State conservation areas within 12 months, and to give reasons why each area of land should not be reserved as national park based on evidence of mineral values. Where a decision has not been made within 12 months the land will automatically be reclassified as national park.

The reservations under the National Parks and Wildlife Act will be done in two parts: the first, covering 41 forests, will take place on 1 January 2011; the second, a group of five forests, will be reserved on 1 January 2012. This will allow Forests NSW to conduct an exit harvest in order that these reservations have a minimal impact on the available timber resource. The exit harvests will be carried out in line with updated standards agreed between the Department of Environment, Climate Change and Water and Forests NSW. Forests NSW will not be permitted to enter into any new interests for these forests without the approval of the Director General of the Department of Environment, Climate Change and Water. I emphasise that this bill will not impact the existing cypress timber industry. Some 149 forests, three of which will be part reserved, covering nearly 150,000 hectares, will remain as State forest. The majority of the forests being reserved are eucalypt woodland and are not of value for the cypress timber industry. Part 3 of the bill provides other significant benefits for the forest industry by way of improved certainty.

First, logging operations in the forests will be subject to an interim approval until the end of June 2011 to ensure that harvesting can continue while an updated approvals arrangement is negotiated. Secondly, an integrated forestry operations approval will be completed by 30 June 2011, bringing the south-western cypress forests into line with the best-practice standards operating elsewhere in New South Wales. Lastly, the bill waives the need for a forest agreement between the Minister for Climate Change and the Environment and the Minister for Primary Industries to expedite the process of the development of an integrated forestry operations approval. These provisions mirror those that were approved early this year for the river red gum forests, which have been very successful. Part 2, clause 12 of the bill requires the Minister administering the Forestry Act 1916 to declare a special management zone within Manna State Forest, which is one of the 149 State forests that will remain as State forest tenure. This is to recognise the Aboriginal significance of Manna Mountain, and Forests NSW will commence discussions with the Aboriginal community of the region to determine the appropriate area to be covered by this zoning. Logging will not be permitted within the special management zone.

The bill also provides for three other important reservations in New South Wales. The first of these is the formal protection of the property known as Joulni Station, addressed in part 2, section 9 and schedule 5 of the bill. The property adjoins the southern boundary of the World Heritage listed Mungo National Park in the rangelands of the south-western corner of New South Wales about 140 kilometres north-west of Balranald. The township of Balranald markets itself as the gateway to Mungo National Park. More than 50,000 people a year visit Mungo National Park. They come from across the world and Australia to this World Heritage area. The Government is moving now to fully protect the World Heritage values of Joulni by adding the World Heritage section of the property to Mungo National Park. The eastern third of the property, outside the World Heritage area, is to be reserved as a State conservation area. This part of the property is affected by an exploration licence under the Mining Act, and reservation as State conservation area will allow for that exploration work to be completed. The exploration relates to titanium.

Two other matters should be noted. The travelling stock route [TSR] that runs through Joulni will be reserved as part of the national park and State conservation area. On the rare occasions that stock are moved on foot through this area they travel along the western lands road located to the west of the TSR. Of course, the road will not be reserved as part of the park and to replace the TSR a 60-metre wide corridor centred on the road will be left unreserved. This has been agreed with the local Livestock Health and Pest Authority. The other matter relates to an existing permit held by a neighbouring grazier that allows him to graze sheep in Joulni. The grazing arrangements are managed so as to not impact on the World Heritage values of the property and so as to avoid any impacts on the lunette. The grazier has the support of the tribal elders for continued access for grazing and the permit will be allowed to continue in line with the existing use provisions in the National Parks and Wildlife Act for the foreseeable future.

In 2005, 352,000 hectares of forested public lands with high conservation value were permanently protected through the creation of the Brigalow and Nandewar Community Conservation Area. This area is located on the western side of the Northern Tablelands and extends westward to include the north-west slopes, generally north of Dubbo. The community conservation area incorporates a balance between conservation and continued industries in the timber, gas, minerals and apiary sectors plus ongoing community input to land management. The area encompassed by the Brigalow and Nandewar Community Conservation Area has experienced great modification, largely for agricultural development, for over 100 years. This has included the clearing of some 70 per cent of the original vegetation and has subsequently resulted in high rates of species decline through habitat fragmentation. The creation of the Brigalow and Nandewar Community Conservation Area provides a secure foundation to assist in halting this loss of biodiversity. The areas identified in this bill add significantly to that foundation.

The community conservation area resulted from five years of detailed scientific analysis through the Brigalow and Nandewar western regional assessments and extensive community consultation. However, until now, a consideration of Crown lands in the area has been missing. Recently the Department of Environment, Climate Change and Water, the Land and Property Management Authority, and Department of Industry and Investment carried out an assessment of Crown land spread across the community conservation area covering a wide range of environment types. Further transfers of high conservation value Crown land may be carried out in the future. However, these areas are the subject of determination processes under the Aboriginal Land Rights Act and it may be some time before a further comprehensive assessment process is possible. Individual areas could, however, be dealt with through the well-established reserve referral process implemented by the Department of Environment, Climate Change and Water with other government agencies.

As a result of the assessment to date, this bill will reserve 8,446 hectares of Crown land, with 348 hectares to be added to reserves that existed prior to the community conservation area, shown in schedule 4, part 1, and the remainder to be added to reserves established as part of the community conservation area or as new community conservation area reserves, shown in schedule 7. Areas with ongoing minerals interest have been reserved as Community Conservation Area Zone 3 and the review provisions that apply to State conservation areas in the Cypress forests that I outlined earlier have also been included in schedule 7 and will apply to these areas. This reservation will add significant diversity to the lands conserved within the community conservation area. More than half of the Crown lands to be reserved contain at least one endangered ecological community. The Woods Reef Serpentine community has no representation as yet in the formal reserve system and the Serpentine Ridge and Woods Reef reserves will provide the only formal protection of this rare landscape by protecting 385 hectares, or 4.3 per cent, of its occurrence. Seven other communities to be protected by the bill have less than 2 per cent of their area reserved and two others have less than 5 per cent.

The reservation of 3,423 hectares in the Tingha Plateau State Conservation Area, south of Inverell, will protect remnants of three endangered ecological communities: the McKies Stringybark-Blackbutt Open Forest,

Howell Shrublands and Box-gum Woodlands. This new reserve contains what is thought to be the largest occurrence of the McKies Stringybark-Blackbutt Open Forest endangered ecological community on public land and this provides an irreplaceable opportunity to protect this community. It will also provide protection for at least 10 threatened species, including the squirrel glider and little lorikeet. Important cultural heritage sites will also be protected, including in the Warialda, Breelong and Woodsreef and Goulburn River reserves. As part of the administrative steps in identifying the Brigalow-Nandewar Crown lands for transfer, the Government has carefully reviewed the status of the land so it can exclude from transfer any land where a land claim is pending under the Aboriginal Land Rights Act.

In addition, the bill includes a provision in part 2, clause 14, in the instance that an administrative oversight has occurred and in fact a land claim exists over land reserved as part of the bill. Should this occur then reservation will remain in place until the land claim is decided. If all or some of the land claim is granted to the land council, the reservation will be automatically revoked over that land so it can then be transferred to the land council. The Department of Environment, Climate Change and Water is aware that some of the Crown lands will be affected by licences or other permits issued under the Crown Lands Act. These are usually annual licences and are mostly for rough grazing. The National Parks and Wildlife Act contains existing use provisions that recognise such licences and allow the Minister to renew them.

The department will work with the Land and Property Management Authority to ensure that there is a comprehensive list of affected licence holders available. The department will implement the same arrangements in relation to the licences as has occurred with other Crown land and forest transfers. The licensees will be contacted and advised of the changed tenure and administrative arrangements. There will be a thorough process of consultation, in which each licence holder will be contacted.

The revocation of about 6.5 hectares of Murramarang National Park to become Crown land, covered in part 2 clause 11 of the bill, is to be undertaken to rationalise the management of the Merry Beach Caravan Park at Kioloa on the south coast. At present the caravan park extends across two tenures—Crown land for the larger northern section of the park and national park for the southern section. It makes sense to bring the entire area under the single administration of the Land and Property Management Authority. The caravan park has been developed over many years and the water, sewerage, road and power infrastructure is common across both tenures.

In earlier years the then National Parks and Wildlife Service had considered the potential for a separate commercial arrangement for the national park area of the caravan park, but this proved not to be feasible, both logistically and economically. The end result is a caravan park under lease for the Crown land and under licence for the national park land. Members should also understand that the caravan park is comprised predominantly of hard-standing caravan sites, together with a large number of vans permanently on site. The caravan park is located at the very northern end of the national park and its excision simply adjusts the location of the national park's northern boundary, without loss of conservation value and without creating an inholding within the body of the park. In order to create a workable management area for both the Land and Property Management Authority and the Parks and Wildlife Group of the Department of Environment, Climate Change and Water, the land to the east of the developed area of the caravan park to the national park boundary, which is the low water mark for Murramarang National Park, will also revert to Crown land, its prior tenure. Visitor and management access to the national park is provided for in the revocation, both through the caravan park itself and via the beach.

Clause 11 (3) that included a full survey of the excision area is yet to be carried out. The clause provides for the boundary to be adjusted to ensure that all caravans and parts of the caravan park that are lawful will be excised as a result of this bill. The original caravan owners who remain within the national park area, who were advised in 1988 and again in 2001 of continued occupancy, will be contacted regarding the change in the status of the land. The Land and Property Management Authority has committed to preserving the rights of the existing owners. The caravan park manager is well aware of the approvals provided to the original van owners in the national park section in 1988 and again in 2001. An asset fire protection zone for the two sections of the caravan park is in place in Murramarang National Park and will be maintained by the department for that purpose. The asset protection zone was established through the Murramarang National Park Fire Management Strategy which was developed in consultation with the Rural Fire Service and was publicly exhibited. The National Parks and Wildlife Service will continue to work with the Rural Fire Service and the Shoalhaven District Bushfire Committee on bushfire protection strategies for this part of Murramarang National Park and the caravan park.

The undeveloped bushland area of Murramarang National Park already shares a common boundary with the main Crown land section of Merry Beach Caravan Park. There is, of course, also a common boundary, at least on paper, within the overall area developed as caravan park. As such, the use, management and development of the caravan park is a matter about which the Department of Environment, Climate Change and

Water and the Land and Property Management Authority already have as matters of common interest. With the excision of the caravan park section from the national park the common boundary will essentially become one separating a developed area on the Crown land side and bushland on the national park side. That is a significant point for several reasons. It will mean that the agency working arrangements are clear-cut and it will give the Land and Property Management Authority the ability to holistically manage what is essentially a single caravan park. However, that is not to say that there is free rein in the caravan park for further development that would impact on water quality and the environmental values of the national park.

Regulatory processes will continue to apply to effluent treatment and disposal, and the Department of Environment, Climate Change and Water will maintain an unfettered role in reviewing any proposed development of the caravan park and ensuring that any development is compatible with the environmental values of the adjoining national park. In addition, the Land and Property Management Authority has committed to the land remaining in Crown lease tenure, that there will be no increase in the number of sites and nor will there be a loss in the number of camping sites. The foreshore area in front of the existing caravan park will be maintained in order to provide public access to the full length of Merry Beach. Consistent with departmental policy for the revocation of land from a national park, an offset area has been agreed to replace the area to be revoked. Ideally that area would be an addition to Murramarang National Park. Some land near South Durras was assessed for that purpose but was found not to be satisfactory as an offset for revocation, and in fact was considered low priority for a park addition anyway. In this case a departmental priority for offset land is, in fact, an addition to Meroo National Park.

Meroo National Park is also on the south coast, to the north of Murramarang National Park. The park addition consists of the bed of Meroo Lake, an area of about 85 hectares and so very much larger than the area of about 6.5 hectares to be revoked. The lake is 99 per cent surrounded by the national park and it has been a longstanding proposed park addition. Meroo Lake is one of 16 lakes identified by the Healthy Rivers Commission in 2002 as priority protection lakes along the New South Wales coast. Meroo Lake is in near pristine condition and was recommended by the commission as clearly worthy of comprehensive protection. I am pleased to say that the addition of Meroo Lake to Meroo National Park will bring it to 13 lakes brought into the national park system, from the 16 identified, in line with the Government's statement of intent released in 2003. Meroo Lake is a recreational fishing haven, with all commercial fishing licences acquired and retired using funds from recreational fishing licences. Recreational fishing will continue in the lake under the normal controls of the Fisheries Management Act.

The bill contains a two-year provision that provides for the administrative adjustment of the boundaries of the new reserves, provided such adjustment is agreed between the relevant Ministers. It is primarily to enable the common boundaries between the new reserves and State forests or Crown land to be amended to more effectively manage the National Park Estate and State forest. There is to be no net loss of conservation value as a result. Any such boundary adjustments are usually quite small in area and this same provision has been applied in all previous State forest transfers to the National Park Estate. This Government has always held the enlargement and improvement in the formal conservation reserve system in New South Wales as one of its proudest achievements. With the completion of the last forest decision in the south-western cypress forests, the addition of substantial areas to the Brigalow and Nandewar Community Conservation Area, the incorporation of the internationally significant Joulmi property to the Mungo protected area system and the addition of the bed of Meroo Lake to Meroo National Park, this proud record has been continued. This bill will protect another 70,000 hectares of New South Wales. I commend the bill to the House.

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

## **ROADS AMENDMENT (PRIVATE RAILWAYS) BILL 2010**

**Bill introduced on motion by Mr David Harris, on behalf of Mr David Borger.**

### **Agreement in Principle**

**Mr DAVID HARRIS** (Wyang—Parliamentary Secretary) [10.49 a.m.]: I move:

That this bill be now agreed to in principle.

The Roads Amendment (Private Railways) Bill represents a minor amendment to the Roads Act 1993. The proposed amendment seeks to clarify the obligations and responsibilities of the Roads and Traffic Authority to



carry out civil works that involve private railway lines. The amendment also seeks to protect the interests of private railway owners. It will ensure that a private railway is not taken to have been severed or closed merely because the Roads and Traffic Authority carries out civil works on, over, below or in the vicinity of a private railway. The amendment will provide legal certainty to works that will be undertaken as part of the construction of the Hunter Expressway.

The \$1.7 billion Hunter Expressway project is the biggest road infrastructure project the Hunter has ever seen. In recognising its strategic significance, the Labor Federal Government has committed \$1.5 billion to the Hunter Expressway from the Building Australia Fund. The New South Wales Government is contributing a further \$200 million towards the project. The project involves the construction of a four-lane freeway link between the F3 Freeway near Seahampton and the New England Highway west of Branxton, providing a new east-west connection between Newcastle and the lower Hunter. Once complete, the Hunter Expressway will provide 40 kilometres of high-standard, dual-carriage freeway. This massive project will provide a direct boost to the New South Wales economy by creating more than 800 direct jobs and 2,400 indirect jobs.

This key piece of road infrastructure will improve the efficiency of the national network between Sydney, Newcastle and Brisbane; relieve congestion on the New England Highway, particularly between Newcastle and Maitland; provide a more direct, safer and efficient route for the movement of freight between central Queensland, northern and central western New South Wales and the port of Newcastle; provide a transport artery between the regional centre of Newcastle and urban growth centres in the lower Hunter; and promote tourism in the Hunter, particularly for the vineyard and equine attractions. It will reduce between 15,000 and 30,000 vehicles per day on the New England Highway, according to projected traffic levels in 2031, noted in the Lower Hunter Transport Needs Study.

In constructing the Hunter Expressway, specific works are required to realign a 900-metre long section of a privately owned railway line. The realignment includes the construction of a new railway bridge over the proposed expressway. The new railway bridge and deviation track will be constructed and funded by the Roads and Traffic Authority as part of this \$1.7 billion project. The railway in question is established and governed by a private Act, the Aberdare Collieries Railway Act 1901, and is managed by a private corporation, the South Maitland Railway, known as SMR. The railway is a small siding that connects to the main public railway line. The railway is currently used by a single mine, owned by Austar Coal Pty Ltd, to transport its coal to Port Waratah.

I will now outline the specific amendments to the Roads Act, which this bill proposes. First, the bill clarifies the definition of "road work" in the dictionary of the Act to explicitly refer to rail infrastructure and its installation or relocation. This has the effect of identifying that the Roads and Traffic Authority's roadwork powers explicitly provide for work required to install or relocate railway infrastructure. The amended definition of "roadworks" proposed by the bill will explicitly cover the relocation and connection works associated with the 900-metre long section of the private rail line that needs to be relocated. The new section of railway line will be built to modern standards and the ends of the new section will need to be connected to the existing railway line. Secondly, the bill proposes the insertion of a new division on private railways. This division provides that a private railway is not taken to have been severed or closed merely because the Roads and Traffic Authority carries out road work on, over, below or in the vicinity of a private railway. This will facilitate the continued operation of the new section of the rail line as part of the South Maitland Railway once the works are completed.

The bill is the result of extensive consultation with the Department of Justice and Attorney General and the Land and Property Management Authority regarding property and compensation issues. It was a key consideration that the bill does not affect the rights to compensation to which the private railway may be entitled under the Land Acquisition (Just Terms) Act 1991. Finally, and perhaps most importantly, the amendments proposed by the Roads Amendment (Private Railways) Bill will facilitate the construction of the \$1.7 billion Hunter Expressway. The new expressway will provide a more direct, safer and efficient route for the movement of freight between central Queensland, northern and central western New South Wales and the port of Newcastle. The Hunter Expressway will be a key transport artery between the regional centre of Newcastle and urban growth centres in the lower Hunter. This bill facilitates the construction of major regional infrastructure. The amendments are modest and proportional. I commend the bill to the House.

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

**STATE EMERGENCY AND RESCUE MANAGEMENT AMENDMENT BILL 2010****Bill introduced on motion by Dr Andrew McDonald, on behalf of Mr Steve Whan.****Agreement in Principle****Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [10.56 a.m.]: I move:

That this bill be now agreed to in principle.

I introduce a bill to amend the State Emergency and Rescue Management Act 1989. As members are no doubt aware, the Act provides the legislative foundation for the overall coordination of disasters and emergencies across New South Wales. The main purpose of the Act is to establish the emergency bodies and plans to guide the State and the Government in the management of emergencies and disasters. The key body is the State Emergency Management Committee, the SEMC, which is responsible for coordinated planning and policy development for emergency management in New South Wales. As you would expect from our peak emergency body, the State Emergency Management Committee comprises the most skilled, experienced and recognised emergency officials in this State.

The committee includes the heads or other senior executive officers from each of our emergency services—the NSW Police Force, NSW Fire Brigades, the Rural Fire Service, the State Emergency Service, the Ambulance Service of New South Wales, and the Volunteer Rescue Association, along with other relevant agencies—the Department of Human Services within Community Services, Transport NSW, NSW Health, Industry and Investment NSW, the Department of Premier and Cabinet, New South Wales Maritime, Treasury, and the Department of Services, Technology and Administration. These experts are responsible for the development and maintenance of the principal guiding emergency plan—the State Disaster Plan, or Displan—which sets out the arrangements for the cohesive, coordinated response by all relevant services and supporting agencies in the event of an emergency.

The positions of two of the State's most important emergency officials are also established under the State Emergency and Rescue Management Act: the State Emergency Operations Controller—or SEOCon—and the State Emergency Recovery Controller—or SERCon. The State Emergency Operations Controller's role is to coordinate support to combat agencies—such as NSW Police, Fire Brigades, the Rural Fire Service or the State Emergency Service—during emergency response operations and to control the response for events for which there is no designated combat agency. The State Emergency Recovery Controller's role is to oversee the planning for, and management of, emergency recovery in New South Wales, helping communities battered by natural disasters or other emergencies to return to normal. The amendments outlined in this bill will ensure that the Act reflects contemporary emergency management policy and practices and supports our emergency services in meeting the challenges that may lie ahead.

The devastating Victorian bushfires of 2009 destroyed whole communities and cost 170 lives. Thankfully, New South Wales has not been tested with a disaster on this scale but, with a changing climate, we must be prepared for the risk of such an event to increase. In recognition of this risk and to reflect on what could be learned from the Victorian experience, the State Emergency Management Committee commissioned a strategic review of the State Emergency and Rescue Act. This review provided a number of clear insights into how the Act could be refocused and updated in alignment with ever-developing best practice emergency management arrangements. The bill before the House now implements the key recommendations of this review in relation to the core roles and responsibilities of the State Emergency Management Committee, the appointment of members and other emergency management officials, and practical expert assistance to members of the New South Wales Police Force in emergency situations. It also includes a number of administrative and consequential amendments.

The bill clarifies that the Minister for Emergency Services of the day can appoint either an independent or an agency official as the chair of the State Emergency Management Committee, and ensures that the committee's strategic policy roles and responsibilities are in keeping with current emergency management practices. It also clarifies the ex officio nature of the positions of the State Emergency Operations Controller and the State Emergency Recovery Controller and the respective deputy controller positions. This includes streamlining the appointment processes and clarifying the roles of State, district and local emergency operations controllers in providing support to combat agencies during emergency response operations. The new appointment process—by position, rather than by individual—removes the necessity for a cumbersome administrative appointment process in the event of casual vacancies when the office holder is, for example, on

leave. Importantly, the Act enables police officers to be aided or accompanied by assistants when taking safety measures in danger areas affected by an emergency. This is a welcome advance for community safety during emergencies, allowing, for example, an officer to be accompanied by an electrician to turn off power in a danger area.

The bill refreshes the roles and responsibilities of the State Emergency Management Committee, especially by ensuring that it is not replicating duties that have over time been overtaken by developing technology or increased combat agency participation. These include the emergence of the new emergency alert warning system, which sends warning messages directly to the landlines and mobile phones of people in the path of potential danger, and new community bushfire alert and warning systems introduced in the wake of the Victorian bushfires. These sophisticated warning systems and the numerous advantages of technology not dreamt of at the time of the Act's creation in 1989 obviate State Emergency Management Committee participation in these vital communications activities. By concentrating the State Emergency Management Committee's core function on ensuring the highest level of efficient interagency coordination and strategic policy development, these amendments remove the risk of confusion and duplication in operational decision-making best left to individual combat agencies with the requisite resources and expertise.

The bill also includes a number of further miscellaneous improvements to administrative processes associated with the State's emergency management arrangements. These improvements include simple steps to enhance the timely distribution of State Disaster Plan updates, and enabling the State Emergency Management Committee annual report to be tabled out of the parliamentary session so it is publicly available as soon as possible rather than waiting for the Parliament to resume sitting. A number of other minor administrative or consequential amendments also are included, ensuring that other sections of the Act reflect current practice.

These include ensuring that the chair of each local emergency management committee represents that local area on the respective district emergency management committee and assigning ambulance officers of the rank of station officer or above the same authority as their counterparts in other emergency services in the case of a declared state of emergency. These amendments, as I have outlined to House, are designed to enhance and streamline the State Emergency and Rescue Management Amendment Act. They have been fully endorsed by the State Emergency Management Committee after consultation with relevant stakeholders. 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.**

## **EXECUTION OF SEARCH WARRANTS ON MEMBERS' PREMISES**

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [11.04 a.m.]: I move:

That this House:

- (1) notes the memorandum of understanding forwarded with the message dated 19 October 2010 from the Legislative Council;
- (2) authorises the Speaker to enter into a memorandum of understanding with the Commissioner of Police concerning the execution of search warrants on members' premises; and
- (3) sends a message to the Legislative Council accordingly.

This motion authorises the Speaker to enter into a memorandum of understanding with the Commissioner of Police concerning the execution of search warrants on members' premises. This includes the Parliament House office, electorate office and the residence of a member. It also includes the ministerial office of a member who is also a Minister. Such a memorandum of understanding is an important recognition of the privileges connected with the Parliament. The Presiding Officers have already entered into a memorandum of understanding with the Independent Commission Against Corruption which sets out protocols to be observed in the execution of search warrants, recognising and preserving parliamentary privilege.

In November 2009 the Committee on Parliamentary Privilege and Ethics, when reporting on the memorandum of understanding with the Independent Commission Against Corruption, recommended that consideration be given to establishing similar memoranda of understanding with other investigative agencies, including the New South Wales Police Force. The House referred the issue of the development of a

memorandum of understanding with the New South Wales Police Force to the Committee on Parliamentary Privilege and Ethics in April this year and the committee reported in October. It recommended that a memorandum of understanding be entered into by the Presiding Officers with the Commissioner of Police.

Appendix No. 9 to the committee's report sets out a proposed memorandum of understanding and associated processes, which will ensure that search warrants are executed without interfering with the functioning of the Parliament and ensure that claims of parliamentary privilege are adequately considered. The report of the Committee on Parliamentary Privilege and Ethics dated October 2010 is currently tabled before the Parliament. I endorse the motion.

**Mr DARYL MAGUIRE** (Wagga Wagga) [11.07 a.m.]: I think it is important that there be clarity in arrangements made with regard to the Parliament, members' privileges and rights and police in the execution of their duty. I understand that this will put into place clear guidelines mirroring those of another place. We do not oppose the motion.

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [11.07 a.m.], in reply: I thank the member for Wagga Wagga and the Opposition for their support of the motion.

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

**Motion agreed to.**

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

**ASSISTANT-SPEAKER (Ms Alison Megarrity)**: Government business having concluded, the House will now proceed to committee reports.

#### **LEGISLATION REVIEW COMMITTEE**

##### **Report: Legislation Review Digest No. 15 of 2010**

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

**Mr DARYL MAGUIRE** (Wagga Wagga) [11.08 a.m.]: I am rather surprised that the Chairman of the Legislation Review Committee is not here to speak to this report. He is usually very active in the Parliament and I cannot recall a time that he has missed the opportunity to spar with me. The digest provides important information to members and we appreciate the work of committee members. Digest No. 15 deals with seven bills—the Australian Jockey and Sydney Turf Clubs Merger Bill, the Children and Young Persons (Care and Protection) Amendment (Homelessness Reporting Age) Bill, the Court Suppression and Non-publication Orders Bill, the Election Funding and Disclosures Amendment Bill, the Electricity Supply Amendment (Solar Bonus Scheme) Bill, the Police Regulation (Superannuation) Amendment Bill, the Radiation Control Amendment Bill and the Totalizator Amendment Bill. However, the House has dealt with a number of other bills that are not mentioned in the digest.

Yesterday the Premier moved to change the standing orders in this place and the committee did not have the opportunity to consider the impact of that. I thought that any changes to the standing orders of this place were required to be considered first by the Standing Orders Committee, which comprises Labor Party, Liberal Party and crossbench members. The Government wants to circumvent the customs and agreed principles of the Parliament by introducing a change in the standing orders when it is the role of that committee to consider those matters. The Food Amendment Bill 2010 was introduced and rushed through without the Legislation Review Committee having the benefit of considering the bill. These actions result in the Parliament later ultimately having to amend flawed legislation that has not had the benefit of microscopic and forensic investigation. Everything we do in this world is affected by laws and regulations made by Federal or State parliaments. This Government seems to rubberstamp legislation rather than introducing legislation that is dissected, debated properly and amended where necessary.

History will record that legislation rushed through Parliament without committees such as the Legislation Review Committee giving it proper consideration or members of all political persuasions having the opportunity to consult widely on the impacts will reflect very badly on this Government and its management of this place. The Minister stated the other day that there had been dialogue with industry on the Food Amendment

Bill—we have been told that before—but we are told a couple of days later that the industry is not really happy, despite the statements of the Minister. Now that the bill has been sent to the other place we have spoken to industry, which has expressed its view about aspects that could have been improved with the legislation. However, the bill was rushed through the Chamber, and we will have to live with it and try to amend it at a later date. That is what happens with bad legislation and through the Government's temptation to rush legislation. It always comes back to bite the Government—which will not be in office after 26 March 2011—but these problems will come back to haunt us because of the way legislation has been rushed through the Parliament.

**Mr JONATHAN O'DEA** (Davidson) [11.14 a.m.]: I briefly add my comments to those well made by the member for Wagga Wagga. I raised these concerns last week in the context of the previous two reports of the Legislation Review Committee. I asked for an explanation last week and the member for Miranda attempted to justify the lack of process in terms of the committee's investigation or reporting on certain bills on the basis that it was sometimes difficult for the Government—

**Mr Barry Collier:** Point of order: I think the member is misleading the House.

**Mr JONATHAN O'DEA:** I am giving you credit.

**Mr Barry Collier:** Giving me credit for what?

**Mr JONATHAN O'DEA:** I wasn't criticising you.

**Mr Barry Collier:** It sounded like you were.

**Mr JONATHAN O'DEA:** No. If you listen you will hear what I have to say.

**ASSISTANT-SPEAKER (Ms Alison Megarrity):** Order! I will hear further from the member for Davidson.

**Mr JONATHAN O'DEA:** At least I have his attention now. I was saying that at least the member for Miranda did attempt to justify in certain circumstances where the Government had to rush through legislation and that it was not always easy in government. I acknowledge that, such as with the solar power legislation.

Indeed, in my speech earlier this week on the Food Amendment Bill 2010 I acknowledged that perhaps it was justified in exceptional circumstances. However, we have seen now for three weeks in a row, on the Parliamentary Budget Officer Bill 2010, Electricity Supply Amendment (Solar Bonus Scheme) Bill 2010 and Food Amendment Bill 2010—and as a consequence three digests in a row—bills quickly introduced, debated and passed in the Parliament without appearing in the current digest. That is an abuse of process. It is a blatant disregard for the standing orders of this place. It is arrogance and a democratic overriding of the standing orders that this Parliament should uphold. I have acknowledged that there are exceptional circumstances when that might be justified, but the Food Amendment Bill 2010, which was debated this week, did not justify such democratic disregard or arrogance from the Government.

This week I asked the Minister in the context of that debate to justify why that particular piece of legislation had to be rushed through this House on the same day that it was introduced, why it could not appear in this digest, and he did not give an adequate answer. I ask the same question of those who generally perform a responsible and valuable role through this committee to comment, when they report on the bill, whether that is acceptable and whether there is a justification for that unfortunate and now systemic abuse of parliamentary process.

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

**Report noted.**

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

**Report: Children, Young People and the Built Environment: Follow-up Inquiry**

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

**Mr ROBERT COOMBS** (Swansea) [11.18 a.m.]: It gives me great pleasure to speak to this report of the joint parliamentary Committee on Children and Young People entitled "Children, Young People and the

Built Environment: Follow-up Inquiry". In tabling the report in this place on 11 November 2010, the committee acts under its powers set out in section 28 of the Commission for Children and Young People Act 1998 to examine trends and changes in services and issues affecting children, and report to both Houses of Parliament on any matter appearing in, or arising out of, any such report. The committee's report is a follow-up of its 2006 report of the same name.

The committee's original 2006 report was groundbreaking in its examination of the impact of the built environment on children and young people in New South Wales. The original 2006 report found that a failure to provide for the diverse needs of children and young people in the built environment can have negative consequences, including contributing to the rising rates of children who are overweight or obese, poorly built childcare facilities and schools directly affecting learning and behaviour, and diminishing public space and play spaces inhibiting the development of motor skills and limiting opportunities for social interaction.

The original 2006 report noted that balancing the needs of children and young people with the needs of other members of the community was a difficult but important task. That report provided a comprehensive set of recommendations that provided the Commission for Children and Young People, various government agencies and built environment professionals with a framework for achieving real change not only in the way in which children and young people experienced the built environment, but also in the way in which they were consulted prior to the development of the built environment.

One of the committee's statutory functions is to review the Commission for Children and Young People's annual reports and to report on its findings to Parliament. The committee took the opportunity during the review of the annual reports to keep itself informed about the progress of the recommendations contained in the original 2006 report. Over the following three years, it became increasingly clear to the committee that a number of the recommendations had not been effectively implemented. The committee resolved to conduct a follow-up inquiry. The purpose of the follow-up inquiry was to examine the original 2006 recommendations, assess the ongoing relevance of the recommendations and collect additional evidence to develop further recommendations in relation to the key issues of the original 2006 inquiry. The follow-up inquiry sought to establish, based on the expertise of witnesses, which of the committee's original recommendations continue to be germane in 2010, how they could be effectively implemented, and what positive and practical recommendations the committee could make with respect to the impact of the built environment on children and young people in New South Wales into the future.

The recommendations in the original 2006 report called upon the Commission for Children and Young People, various government agencies and built environment professionals to collaborate. The committee continues to recognise the wealth of experience that exists amongst these stakeholders, and drew on this expertise during the conduct of the follow-up inquiry. In addition to hearing evidence from the stakeholders, the committee brought together the stakeholders for a roundtable discussion held in the Jubilee Room. This not only provided the committee with the opportunity to hear from the stakeholders, but gave each of the stakeholders an opportunity to address the concerns and comments of their built environment colleagues. The resulting consensus in relation to the ongoing importance of the original 2006 recommendations, and the significant roles of the commission and an advisory group in achieving real change, have been captured in this report.

One of the key features of the original 2006 report was the recognition of the importance of consulting with children in relation to decisions that impact upon them. Giving serious consideration to, and taking into account, the views of children is one of the statutory governing principles of the commission and is captured in the United Nations Convention on the Rights of the Child. One of the impressive outcomes from the original 2006 report was the development by the Commission for Children and Young People of the resource entitled "built4kids: a good practice guide to creating child-friendly environments". This includes a good practice guide for children's participation in planning-related activities. The committee commends the commission for its important work in seeking to promote meaningful input by children in relation to decision-making that affects them and, in so doing, safeguarding children's rights as articulated in Article 12 of the convention.

At the beginning of its inquiry, the committee noted that some recommendations had been effectively progressed by the commission. The development of built4kids is a noteworthy example of this progress. Throughout the inquiry a number of the other recommendations were progressed. At the commencement of this follow-up inquiry, the commission had not implemented the recommendation to establish a steering committee of built environment professionals to assist the commission to progress the balance of the recommendations. In the course of this follow-up inquiry, the committee was particularly pleased to see the commission establish a steering committee of sorts, which the commission has named the Children, Young People and the Built

Environment Advisory Group. The committee is of the opinion that the establishment of this group will assist in fostering the necessary collaborative approach to the issues encountered by children and young people with respect to the built environment.

The committee looks forward to the further promotion of the excellent built4kids resource; the ongoing work of the Children, Young People and the Built Environment Advisory Group; receiving reports from the commission in relation to progression of its built environment objectives; and receiving advice from the commission in relation to the outcomes of its strategic planning exercise and any structural or resourcing implications arising from that process.

I would like to take this opportunity to thank the former Acting Commissioner, Jan McClelland, for her contribution during the early stages of this inquiry. I would also like to thank Megan Mitchell, who was appointed Commissioner for Children and Young People during the inquiry. Her thoughtful contributions to this inquiry, and her commitment to implementing the 2006 recommendations, are greatly appreciated by the committee. In conclusion, I would like to 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. I have no hesitation in commending the committee's report to the House.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [11.26 a.m.]: This is the first generation since the dawn of man who are likely to have shorter life spans than their parents. The rise in obesity will certainly ensure that the epidemic of diabetes and cardiac disease is likely to lead to a higher mortality at a younger age for this generation than for the previous one. One of the major reasons for this is the role of the built environment, because childhood sets us up for life, and the inability of the modern child to have the incidental exercise and exploration that is a necessary developmental milestone in childhood will mean that there will be lifelong consequences for this generation.

The built environment is being continuously transformed and everyone who works in the area of the built environment is constantly having to balance the needs of children and young people with those of the other members of the community as well as remember the diversity and multiple needs of children and young people themselves. In fact, what is good for the children is good for everyone because it is not just children but every person in society who needs to take the 30 minutes of incidental exercise each day that is vital at all stages of life. However, in many of our urban and newer suburban areas we have designed out the ability to have incidental exercise.

An example of changes in one part of government that have effect on population health is the winding back of the section 94 charges. This is mentioned on page 37 of the report, paragraph 4.9, which refers to evidence from Fiona Robbé of the Australian Institute of Landscape Architects. She mentioned that the winding back of the section 94 charges will have a negative impact on the number of parks, playgrounds and other community facilities being built. As Cat Stevens said in 1972, where do the children play? Those children he talked about are now the decision makers who will determine the future of this current generation. This has been known for many years, but in fact we have not made any progress in that time.

The committee heard evidence about what is risked if children are not properly consulted or considered in relation to the built environment. Not just their physical development but also their social, emotional and intellectual development is compromised by poor urban design. The committee was pleased to hear that the work undertaken with respect to the 2006 report is still relevant and will stay relevant for many years. That is why this is an important review of the 2006 report.

It is important to recognise the vital role played by the Commission for Children and Young People in achieving a coordinated response to the wide and varying needs, and rights, of children and young people in New South Wales. The four recommendations concentrate on strategies for ensuring that the ongoing issues relating to children, young people and the built environment continue to be addressed. This is absolutely vital, because the needs of children and young people are our needs; their exercise is our exercise. You manage what you measure, and if you do not measure the needs of children you do us all a disservice.

Most important is the development of the new areas in my electorate. Soon there will be 300,000 people living in the south-western Sydney area. We need to get it right this time. We need to create an urban design that allows for a connected community and allows children to walk or cycle to school and their parents to be with them. It is not helpful to anybody to design a new Soweto: a south-western township 90 minutes away from where people need to work to earn a living. This is our opportunity to set up

south-western Sydney for the next 30 years. It is up to all of us—government, planners, developers, and members of the public—to ensure that the current prediction that this generation will have a shorter lifespan than their parents does not become a reality.

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

**Report noted.**

#### **COMMITTEE ON THE OFFICE OF THE OMBUDSMAN AND POLICE INTEGRITY COMMISSION**

**Report: Report on an Inquiry into Improper Associations in the NSW Police Force**

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

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

**The DEPUTY-SPEAKER:** Debate on Orders of the Day (Committee Reports) having concluded, private members' statements will now be proceeded with.

#### **PRIVATE MEMBERS' STATEMENTS**

##### **PORT STEPHENS VETERANS AND CITIZENS AGED CARE**

**Mr CRAIG BAUMANN** (Port Stephens) [11.32 a.m.]: I speak about the fabulous work being undertaken by a local retirement village enterprise, Port Stephens Veterans and Citizens Aged Care. This is an organisation that is performing a great service for the elderly in our community—and it is certainly filling a gap in health and support services that the current State Government seems unable, or unwilling, to fix. Port Stephens Veterans and Citizens Aged Care is a not-for-profit community-based company located on the Tomaree peninsula in Port Stephens. It all began in 1983 when retired fisherman Bernie Thompson recognised there was a need for aged services for local pensioners. The company began with land at Shoal Bay being given to it for lease. Today the company has three retirement villages, three aged care facilities, a user-pays community system, and a user-pays day centre. It services more than 700 people on a daily basis, by providing meals, domestic services and nursing services to the residents.

It must be noted that this system is based on a user-pays system as the Port Stephens area has not been allocated funding from either the State or Federal governments for a number of years. The company does, however, provide approved nursing services to Department of Veterans Affairs clients in the area. With regard to residential care, it provides much-needed specialist dementia services in its 52-bed high- and low-care facility at Fingal Bay. The other aged care facilities are located at Shoal Bay and comprise ageing in-place facilities, high-care facilities and much-needed respite care. The company employs 230 staff from the local area, and provides traineeships for staff members with no formal qualifications. In 2010 approximately 22 staff have either completed or almost completed traineeships in aged care, accounting, human resource management, and leisure and lifestyle. The company also has two school-based traineeships available to students from the local high school.

Often in this House I have outlined the lack of health care services in Port Stephens, particularly on the Tomaree peninsula. Tomaree Community Hospital has limited services. Tomaree is a favourite location for retirees, but has a limited number of services for older people. Many have to travel into the larger hospitals like John Hunter and the Calvary Mater for cancer treatments or specialised care—that is a 140-kilometre round trip over a New South Wales Government neglected road. A local community transport bus travels to Newcastle three days a week, or residents must take public transport to get to the hospitals using a total of three buses.

But recently Port Stephens Veterans and Citizens Aged Care became aware that many of its residents in the villages and members of the local community were struggling with this daily grind of trying to get to Newcastle hospitals. And they decided to do something about it. Port Stephens Veterans and Citizens Aged Care decided to spend \$100,000 purchasing and refurbishing a house in Mayfield, which is just minutes from the aforementioned hospitals. Upstairs there are three bedrooms, large communal dining areas, lounge rooms, a



fully equipped kitchen, two toilets and a large bathroom. There are also frozen meals available if required. Downstairs there is another large unit with a kitchenette, one bedroom, large bathroom and a lounge room. There is a chair lift available between the floors if needed.

Accommodation at Mayfield House, as it is known, costs \$30 per room per night and is booked through the company's community services. The company has liaised with Newcastle Community Transport, which will pick up people from Mayfield House and take them to either hospital. The company itself will arrange transport to and from the house at a small cost for people who are unable to get on the community bus. Mayfield House is also available for family and carers to accompany their relative, and it is also available for family or carers to visit a loved one in either hospital.

It must be noted that Port Stephens Veterans and Citizens Aged Care wrote to the Minister for Health appealing for financial support to bring this fabulous project to fruition. However, typical of this out-of-touch, inept Labor Government, the Minister simply passed the buck to the local area health service chief executive officer, who rejected the request claiming that such accommodation was already available. We are yet to determine exactly where, if anywhere, that accommodation is located.

To say Mayfield House will be a great place of comfort for elderly clients of Port Stephens Veterans and Citizens Aged Care would be an understatement. It is a tremendously innovative concept that will mean so much for Port Stephens residents, who continually suffer under the State Labor Government's neglect of services in the area, where almost one in five people are aged over 65 years. I greatly look forward to officially opening Mayfield House later this month.

But Port Stephens Veterans and Citizens Aged Care is not stopping there. It is now looking at branching into hospice services. This will save residents the daily travel to Newcastle. The company has the area and staff; however, it will need assistance with funding. Once again this Government is being entirely unhelpful, stating that palliative care services are already available. This is a stretch of the truth. I hope this State Labor Government will take note of this statement, take note of the great community service Port Stephens Veterans and Citizens Aged Care provides, and commit to helping Port Stephens Veterans and Citizens Aged Care grow, for the sake of the wider Port Stephens community.

### **KOTARA TRAFFIC ARRANGEMENTS**

**Mr MATTHEW MORRIS** (Charlestown—Parliamentary Secretary) [11.37 a.m.]: I bring to the attention of the House an issue we often encounter in our role as local members: traffic congestion. I raise concerns expressed by residents of Kotara, in my electorate, particularly those who live in close proximity to the Westfield shopping centre and the ever-expanding Homemaker Centre. The Westfield shopping centre in Kotara started out as quite a small, localised shopping centre. Unlike many other shopping centres, it has rapidly and significantly increased in size and, understandably, that has brought about complications with regard the management of traffic in and around the shopping centre. In addition to that, the Homemaker Centre, which is currently under construction, has also significantly increased in size.

In the past Kotara has been simply a residential area, with these major shopping centres gradually being established. The establishment of those major shopping centres has put significant pressure on the road network, and it has also created complications for local residents with regard to gaining access to their properties. Currently many streets in Kotara—such as Lexington Parade, Grayson Avenue and Joslin Street—are often used for parking by local shoppers. However, they are also used for parking by employees of these major centres who obviously want to ensure security for their vehicles while they are at work. That causes an issue for local residents in terms of gaining access to their properties. Indeed, on the odd occasion vehicles have been parked across driveways and local residents are not able to even access those driveways. Not surprisingly, this has caused quite a bit of angst amongst the Kotara community and they are seeking support to find solutions to better structure the traffic movement and also the traffic parking arrangements in and around Kotara.

I place on record the fact that next week I will meet with Westfield centre management to discuss what can be achieved in partnership to provide improved car parking facilities, predominantly for employees. Centre Management, Westfield has an open-door policy of engaging local people and conducting dialogue to help to try to find the right balance for the needs of its employees and local residents. I pay credit to it for doing so and I look forward to having a conversation with it next week. Residents have made it clear to Newcastle City Council that in their view the preferred resolution to the Joslin Street and Park Avenue intersection problem would be the installation of traffic signals—a concept that I support. At this stage council has offered only to

undertake a traffic study that would need to run over the course of about three to four months. However, the problem relates to the timeliness issue, given that Christmas is now on our doorstep. Traffic over the Christmas period is chaotic, so that study cannot get underway until early in the new year, after some of the Christmas rush has settled and we get back to normal day-to-day traffic volumes.

Residents have raised several concerns with me in a push to achieve better traffic amenities and facilities to accommodate this growing commercial shopping area. Council should find a balance and it should also recognise the needs of local residents. The sporting facilities at Nesbitt and Luger parks, which are located close to this shopping centre, have received a healthy contribution through the Community Building Partnership program. Those sporting facilities are growing, and, naturally enough, that has resulted in an increase in sporting activities. That further complicates and emphasises the importance of finding long-term traffic solutions for the Kotara area. The community is aware that it has some distance to go. Members of the community want council to move through this process as quickly as possible, to put in place better parking arrangements and to improve day-to-day traffic management.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [11.42 a.m.]: I thank the member for Charlestown for drawing attention to the traffic congestion around the Kotara area. In my electorate, projected growth at Westfield, Miranda and the recent establishment of Bunnings at Kirrawee have contributed to rising concerns about traffic congestion in the area. Clearly, it is important for Newcastle City Council to consider the traffic implications for residents of approving large developments. I wish the member for Charlestown well in his discussions with Westfield, which he said had a positive, open-door policy. Traffic signals are often a complicated issue for communities, and councils must be responsive to the needs of local communities—and act more quickly—in particular, when the growth of centres is such that it impacts on sporting fields, the community and traffic management. I wish the member well in his discussions with council. I am sure that council will take heed of the concerns raised by the member in this House. I congratulate the member for Charlestown on the way in which he has represented his community on this issue.

#### NORTHERN RIVERS POLICING

**Mr THOMAS GEORGE** (Lismore) [11.43 a.m.]: Today I highlight concerns that the member for Ballina, the member for Tweed and I have relating to police numbers. Yesterday the Minister for Police informed the House that extra police would be allocated to a number of electorates throughout the State. However, the Lismore, Ballina and Tweed electorates—the fastest-growing area in New South Wales—received only one additional police officer in Richmond and two additional officers in Tweed-Byron. On a number of occasions members of the Liberal-Nationals Coalition have asked the Government to allocate additional police officers to this region. The response that we received from the Minister was to the effect that he does not allocate those officers. At meetings held with the executive of the New South Wales Police Force over the past few years my colleagues and I have made representations on a number of occasions to commanders or to assistant commissioners for the Northern Rivers region.

Every year about two million people visit the Northern Rivers region of the State, and that creates many and ongoing problems. We are proud of the fact that people come from across the border, from all parts of Australia and from all over the world to visit the northern part of the State. The New South Wales Police Force recognises that long-term sick leave and stress leave are causing major problems. The New South Wales Police Force also recognises the fact that there is no in-built relief system, and that is placing additional burdens on remaining officers. I am heartened by the fact that Government members agree with what I am saying as this problem is not an isolated one. As I said earlier, of the 250 police graduates that were announced yesterday and those that were announced the week before, the Richmond, Tweed and Byron areas will benefit from only six additional officers, which does not reflect the needs of those local area commands.

This Government is ignoring the needs of these local area commands and it is treating members of Parliament, the community and the police with contempt. Only nine of a total of 1,000 police graduates will go to the Northern Rivers region, and that is a slap in the face for the community. The Government is treating the community with contempt when it should be addressing this problem. Earlier this year Deputy Commissioner David Owens visited the Tweed Local Area Command only once and the Richmond Local Area Command only once. On both occasions he said that they had sufficient police numbers. I assure Deputy Commissioner David Owens that that is not what I am being told by the community or by the police. I will continue to make representations to ensure that this problem is addressed. This Government is treating people on the North Coast with contempt. I said earlier that more than two million visitors come to the Northern Rivers region each year.

We have a ratio of one police officer to 700 residents when the ratio for the rest of the State is one police officer to 500 residents. That is a disgrace. The Commissioner of Police and the police executive must urgently address these issues.

### KU STARTING POINTS MACARTHUR

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [11.48 a.m.]: On 7 November 2010 I attended the annual KU Starting Points Macarthur auction night. "KU" stands for Kindergarten Union, and Starting Points Macarthur is a wonderful educational support group for families and children with a developmental disability or delay. Last year when I spoke of this auction night I said that Starting Points is the most successful organisation for children with developmental delay or disability that I have encountered. I am pleased to report on its successful auction this year.

KU Starting Points has been running successfully for 15 years. It is one of the great successes of early intervention child care not only in the Macarthur region but also across the State. This year the parent's speech was given by Stacey Gerritsen. Stacey now works at the centre but originally her daughter Megan attended the centre. Stacey is not the first parent to stay on to help at the centre after their child's graduation. It says something about the wonderful work of the centre that so many parents are inspired to stay on and help when their children no longer attend the centre. Stacey's speech was brilliant. I will read it onto *Hansard* because her views deserve as wide an audience as possible. She said, in part:

My good friend told me about Lorraine Brown at KU Starting Points Macarthur. My first response was: I can't afford it. I can't commit to turning up every week and I really don't want to sit on another waiting list I never get to the top of. "Simple" said my friend, "It's free, you turn up when you want, and there is no waiting list. Problem solved!"

...

I learnt I could trust all the staff. They were the first people, other than RNs, that were ever allowed to supervise Megan. I can never thank them enough for that one hour of freedom. It gave me my life back. It was the first time anybody looked at Megan with hope, looked at what she COULD do, and simply treated her like a little girl; not a research case, not a hopeless case. She was Megan. I was so happy.

...

The first question that is asked is, "Well, what does the family want and need?" The program adapts to that. It sounds so simple but often as parents we are not asked what would we need to help our child. We are usually told the system and expected to conform.

...

I want to personally thank all the other staff that makes KU so special: Sandy, Deb, Lorraine, Deanne, Francis, Francis, Gloria, Linda Jo, Tina. These people work tirelessly to ensure your children are safe. They remember Johnny suffers from drop seizures, Sarah needs a red car to calm down ... As we walk in and crumble into tears they quietly take our children from us so we can sit down for five minutes ... without these wonderful people KU would not be what it is today. You accepted my daughter for exactly who she is, and I will be forever grateful.

Stacey's words do need a wide audience because KU Starting Points is ahead of its time. As Stacey said, it puts the patient at the centre of the care rather than making them conform to a system. The rest of the health system needs to catch up with what KU has been doing for the past 15 years. For 15 years the most valuable thing that any paediatrician could have was Lorraine Brown's mobile number. KU Starting Points is a so-called "soft entry point" for care in the system. Once children have made a connection with Starting Points it is the first step in finding their way through the maze of care they need. The auction night was a wonderful success. I congratulate KU Starting Points Macarthur on its achievements in the past 12 months, and I wish it the best for the future. Quite simply, KU Starting Points is the most important initiative in early intervention child care in Macarthur, and I am pleased to see it going from strength to strength.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [11.53 a.m.]: I thank the member for Macquarie Fields for bringing to the attention of the House the wonderful work of KU Starting Points Macarthur. It is great praise indeed from a wonderful paediatrician: the good doctor himself. This very important support group has been catering for children with developmental delays for 15 years, offering first-class early intervention child care. I also thank him for bringing the inspirational speech of Stacey Gerritsen to the attention of the House. I ask the member for Macquarie Fields to pass on our congratulations to Stacey and to the many people who have remained to assist others well after their own children have left the centre, together with the thanks of the Government for the hard work and commitment of KU Starting Points Macarthur.

## NORTHERN BEACHES TRANSPORT AND HEALTH

**Mr JONATHAN O'DEA** (Davidson) [11.54 a.m.]: The Shore Regional Organisation of Councils [SHOROC] has called on the State and Commonwealth governments to fund rapid buses, road upgrades and a new hospital for the northern beaches region, from Bradleys Head to Barrenjoey. The region needs better public transport, roads and health services now and for the future. Manly, Mosman, Pittwater and Warringah councils have developed a document entitled "Shaping Our Future", to strategically shape the way the region will look, feel and grow over the next 20 years. I wish to focus on the three main infrastructure areas addressed in that document: transport, health, housing and jobs.

In terms of transport, the document identifies the priority of investment in rapid buses and road upgrades. Our buses are too slow, infrequent and overcrowded, and our roads are choked with traffic. Investment in the priorities identified in that document can cut travelling times and include a bus rapid transit system to link Dee Why to Chatswood, Ryde and the central business district; a bus rapid transit system to the city from Mona Vale, with a dedicated peak-hour median bus lane; a new underground interchange at Neutral Bay to service buses from Sydney's north-west and our region; and road upgrades, including Mona Vale Road, Wakehurst Parkway and the Warringah Road intersections with Wakehurst Parkway and Forest Way.

In terms of health, the document identifies the priority of investment in a new hospital and upgrades to Mona Vale Hospital. Our hospitals are run down and unable to cope with demand, let alone the real effects of an ageing population and population growth. Investment in the priorities identified can provide the health services needed by the residents in the area, including immediate construction of the level five Northern Beaches Hospital at Frenchs Forest, long promised but not delivered; Mona Vale Hospital to be retained, with appropriate upgrades to enable a long-term complementary role; improvements to mental health and public health services offered to the broad community; and improved access to nursing homes, ambulance services and geriatric services.

In terms of housing and jobs, the councils have indicated that they can sustainably meet the housing and job increases required by the New South Wales Government. In particular, the New South Wales Government's Metropolitan Strategy requires the region to accommodate an additional 22,800 dwellings and 20,000 jobs by 2031. The document states:

With investment in our priorities for transport and health, councils can meet these targets. We will ensure growth is sustainable, create jobs close to home and minimise the need for additional public transport and impact on our natural environment and way of life. The main growth will be focused around four key areas as vibrant sustainable centres: Dee Why-Brookvale, Frenchs Forest, Terry Hills, and Warriewood-Ingleside.

I congratulate the Shore Regional Organisation of Councils on its vision, which has been clearly articulated in its summary brochure that can be easily understood by members of the public. The leadership team of the Shore Regional Organisation of Councils includes: Mosman General Manager Viv May, Manly General Manager Henry Wong, Pittwater Mayor Harvey Rose, Shore Regional Organisation of Councils President and Mosman Mayor Anne Connon, Manly Mayor Jean Hay, Pittwater General Manager Mark Ferguson, Warringah Mayor Michael Regan, Warringah General Manager Rik Hart, and Executive Director of Shore Regional Organisation of Councils Ben Taylor. They have a uniform voice in setting these important priorities for the future of the region.

I place on record my strong support for the transport and health priorities identified in the document. I also note the need for additional funding and action to further progress those priorities. In particular, the need for funding for feasibility studies around the bus rapid transit system proposals. In advance of the upcoming election, that should be welcomed by the current Government. If not, I expect that an incoming Liberal Government would make it a priority.

## NORTH WYONG ABORIGINAL LAND DEVELOPMENT PROPOSAL

**Mr DAVID HARRIS** (Wyong—Parliamentary Secretary) [11.59 a.m.]: Many statements have been made about reconciliation with our Indigenous people and people rightly have described many positive moves as important symbolism in this process. However, the only way to achieve genuine self-determination and reconciliation with our indigenous people is for them to create programs or business opportunities that will generate income and employment for them. Education and jobs are how we give Indigenous people the important lift they need to join the rest of Australian Society in health outcomes et cetera. It was with great

concern that I read the recently released draft North Wyong Shire Structure Plan. For many months I have been talking with the Darkinjung Local Aboriginal Land Council about a business park development it has for the Bushells Ridge area.

Currently, the land council is putting together a submission to the New South Wales Government under the part 3A process for the development of a sound project to create jobs in the north Wyong area. Discussions have taken place and the land council has met with the Department of Planning on a number of occasions, as well as with me and other local members. When the structure plan was released it revealed that the area under consideration is zoned or classified as a "strategically located constraint site subject to further investigation and offset strategies to define conservation requirements and development potential". What can be read from that is that no consideration is being given for that land to be used for the purpose proposed by the Darkinjung Local Aboriginal Land Council.

It is not good enough that Aboriginal people are able to make land claims but then find the land becomes sterilised and nothing can be done with it. That is terribly unfair. The land council's approach to this development has been sensible and in order to get this business park approved it has demonstrated a number of offsets—in the order of three to one or five to one—where it will conserve land in order to develop this particular proposal. I am not saying that this project should be approved before all the proper processes have been determined, but it seems that because the land was gained under claim the automatic assumption is that it must be put aside for conservation and cannot be developed. Clearly that is unfair. The Darkinjung Local Aboriginal Land Council should be able to put forward its proposal and have it judged like anybody else with any other development proposal.

I am pleased that the structure plan is only in draft form because, clearly, a large amount of land has been set aside for the short, medium and long term for residential and commercial development. That is good because we have set a target to create about 42,000 jobs. As I have said, this proposal has been discussed for several months and it seems blatantly unfair to set it aside for the short, medium or long term—which one could conclude probably means that it may never proceed. I certainly will be putting in a submission repeating what I am saying in this place today. Sean Gordon, the Chief Executive Officer of the Darkinjung Local Aboriginal Land Council, rightly points out that the land council has nominated a raft of other lands it is quite prepared to set aside for conservation. Strangely, the land on which the council wants to construct the business park under the Central Coast Strategy actually is zoned industrial use, but suddenly the little section set aside for this development is classified for the future to be determined not in the short, medium or long term. Clearly it is unfair. I will be making representations, as will the member for Swansea, on behalf of the land council and arranging appropriate meetings. We hope that when the final plan is released the council's parcel of land actually will be included for future development.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [12.04 p.m.]: I thank the member for Wyong for bringing to the attention of the House the work of the Darkinjung Local Aboriginal Land Council and, particularly, the important issue for Indigenous people of getting the balance right between job creation and conservation for their future generations and the local community. Obviously, we have a hard-working local member for Wyong, who is actively involved in his community and concerned about opportunities for Indigenous people. I congratulate him on his hard work and wish him all the best in his endeavours, along with the land council.

#### **CURRAWONG BEACH SITE SALE**

**Mr ROB STOKES** (Pittwater) [12.05 p.m.]: At the risk of sounding like a broken record, once again I raise the fate of the iconic bushland heritage waterfront site of Currawong Beach on the western foreshores of Pittwater. Time and again in this place I talk about Currawong because it is important to the people of Pittwater and to all of New South Wales. By accident, Currawong was not included when Ku-ring-gai Chase National Park was listed on the National Heritage Register for its outstanding biodiversity values. Due to the hard work and advocacy of the Pittwater community, the entire Currawong site has now been added to the State Heritage Register and can be found on six of the seven categories of State heritage significance. This important, precious and iconic area should be saved. For that reason, I am dismayed that the developer of the site, Eco Villages Pty Limited, in a joint venture with the owner of the site, Unions NSW, once again has submitted another development application for the residential rezoning and redevelopment of this iconic bushland waterfront heritage site.

Under the current plans the proposal is to remove public access from the site entirely, effectively to instate a privatised retreat for the mega-wealthy and exclude the ordinary people of New South Wales from this

precious place, to erect 12 homes for the mega-rich and an exclusive holiday camp for their friends. This precious part of our State and nation should be accessible to everyone to enjoy its heritage values and pay tribute to this wonderful place. Currawong was purchased by the union movement to allow any ordinary working family the opportunity to visit and enjoy a piece of paradise, regardless of how wealthy they might be. That is why this latest development application has been met with overwhelming objection—more than 150 objections have been lodged by individuals and a range of groups, including the Australian Institute of Architects, the National Trust of New South Wales and a host of local organisations.

I pay particular tribute to the Friends of Currawong, who have been unwavering in their commitment to secure Currawong for the future enjoyment of everyone in New South Wales. I place on record my enduring admiration for Shane Withington and everyone involved with the Friends of Currawong: they have been brave, resolute, focused and unwavering in their support of this precious part of our State's heritage. One fiction raised about Currawong is that because part of it is zoned residential under part 2A, that means a right exists to erect houses on it. That has never been the case. At law, a zoning does not create a right to do anything other than to submit an application and have it assessed. That was made clear by the Chief Judge of the Land and Environment Court, Justice McClellan, who, in *BGP Properties Pty Limited v Lake Macquarie City Council* in 2004, noted:

... planning decisions must generally reflect an assumption that, in some form, development which is consistent with the zoning will be permitted.

However, Justice McClellan included an important condition to this general assumption when he said:

There will be cases where, because of the history of the zoning of a site, which may have been imposed many years ago, and the need to evaluate its prospective development having regard to contemporary standards, it may be difficult to develop the site in an environmentally acceptable manner and also provide a commercially viable project.

This sums up the situation at Currawong. Given the difficulties of developing offshore sites and the heritage and biodiversity importance of this iconic site, this area is totally inappropriate for rezoning and redevelopment. The whole site should be included in a State park. That was the intention of former Premier Neville Wran in 1977 when he took steps to acquire Currawong for the State, and also that of Eric Bedford, a former Minister for Planning and Environment, when he tried to acquire it a few years later. Also, the Iemma Government made an offer of about \$11.5 million to the unions to buy Currawong to be included in a State park. I support calls for Currawong to be included in a State park. The State should take this opportunity to realise a tangible vision for a better future. I encourage the Government to consider this site a legacy, do the right thing and acquire Currawong for inclusion in a State park.

[*Business interrupted.*]

#### **DISTINGUISHED VISITORS**

**The DEPUTY-SPEAKER:** I welcome to the Parliament of New South Wales His Excellency Mr Dayasiri Fernando, New South Wales Consul General of Sri Lanka, guest of the Leader of the House.

#### **PRIVATE MEMBERS' STATEMENTS**

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[*Business resumed.*]

**Mr Brad Hazzard:** Barry, aren't you going to acknowledge Mr Rob Stokes's speech and back our call?

**The DEPUTY-SPEAKER:** Order! The Parliamentary Secretary probably had difficulty hearing the member for Pittwater because the member for Wakehurst conducted a conversation throughout the entire private member's statement.

#### **SUTHERLAND SHIRE COUNCIL PROJECTS AND AWARDS**

**Ms ALISON MEGARRITY** (Menai) [12.10 p.m.]: On 3 November 2010 I was pleased to welcome the Hon. Peter Primrose, Minister for Ageing, Minister for Disability Services, to my electorate. One of the purposes of the Minister's visit was to present a \$5,000 grant to Sutherland Shire Council for a program called "Linking Generations—Learning Generations". The funding from the Keneally Government's Positive Ageing

Grants Program was gratefully received by Councillor Jan Forshaw and the council's hardworking Manager of Community Services, David Ackroyd. This grant will provide important opportunities for older people to stay active, healthy and engaged in the community.

The Linking Generations project will include an online petition where young people and older people will be encouraged to work together to produce a short positive story about the relationships between generations. Their stories can be told through video, slides, blogs and other media and the council will work with local high schools, libraries, youth centres and community groups to promote the project. Following this event I received further representations from Sutherland Shire Council explaining that they had already commenced dialogue with local neighbourhood centres and that they had received a positive response to date. In the Menai area alone almost 60 people were keen to participate in the project and learn new skills that will better equip them to engage in an increasingly online world. In a letter to me the Manager of Community Services, David Ackroyd, wrote:

Given the positive response and unexpected demand I am writing to seek additional financial support for this project. This will allow Council to put in place further strategies to address the long term sustainability of this innovative project. Additional funds of \$5,000 would allow us to expand the program and run a train-the-trainer course for volunteers, both young and older residents. The expanded program would address the high level of interest, increased skill levels and provide greater opportunities for participation between the generations. It would also allow the project to be rolled out across the Shire and well beyond the life of the current application.

I have made the strongest possible representations to Minister Primrose to obtain further funds. I am hopeful of a positive outcome. I commend the council for its Linking Generations project. I also congratulate the council on further initiatives that have been recognised by other organisations. The council recently won the Local Government Association Section of the highly prestigious A. R. Bluett Memorial Award for 2009-10. The trustees noted the council's comprehensive antisocial behaviour strategy, its implementation of an excellent Ageing Well strategy and its finalisation of a voluntary planning agreement with developers to hand over 91 hectares on Kurnell Peninsula for community open space and 10 playing fields.

The trustees also acknowledged that the council had completed more than \$70 million of community building projects, including Cronulla Central Library, community halls, commercial offices and a car park complex, the Engadine Community Centre and Lucas Heights regional sports facilities. I note the significant amount of State Government money that has gone towards this complex in my electorate. I was determined to achieve funding through the waste levy. The council has also done its part and installed those facilities to the benefit of not only our local community but also the whole region.

Sutherland Shire Council also received the recent People and Community Award at the seventh annual Asia Pacific Special Excellence Awards for Shire Maps, which is the council's web-based mapping application. This application, which was developed in-house by staff, provides access to a wide variety of information. The council won a New South Wales Excellence in Property award for the Engadine Community Centre, and the Sutherland Shire Hub for Economic Development received a highly commended award from the Minister for Small Business, Mr Frank Terenzini, on 25 October for its SSHEDnet program. I pay tribute to former councillor Ken MacDonald for his role in developing this SSHED program, which has become an institution in the area.

I wish *Hansard* allowed members to include a bibliography of the information we provide in this place. I obtained the information I have placed on the record today from the council's website, mayoral minutes and *St George and Sutherland Shire Leader* newspaper articles. I feel compelled to make this disclosure because when I complimented Sutherland Shire Council in October 2009 about the Ageing Well strategy, one of the councillors alleged seven months later in a council meeting that I must have received a confidential briefing on the information. Councillor Kent Johns failed to note that a Federal Liberal member, the State member for Cronulla and I all attended a briefing as part of council's consultation program. On a positive note, I thank councillors Lorraine Kelly and Jan Forshaw for their work in their roles as former mayor and deputy mayor, and wish councillors Phil Blight and Howard Boorman all the best in their respective roles in future.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [12.15 p.m.]: As a member of the Shire Labor team, how could I not respond to the member's private member's statement? I commend the member for Menai for her hard work in obtaining the \$5,000 State grant for Sutherland Shire Council as part of the Positive Ageing in the Shire project. Like most council areas across the State, the Sutherland shire must deal with the ageing of our population. Positive ageing strategies are important in keeping people fit and active. In my electorate, former Water Board land in Bellingara Road has been set aside, courtesy of the State Government,

for the development of an aged care facility by the Hammond group. I understand this project is underway. I also pay tribute to David Ackroyd for his hard work and I congratulate Sutherland Shire Council on winning the prestigious A. R. Bluett Memorial Award.

The member for Menai listed the many projects that have been completed by the council. I have visited Cronulla Central Library, which is a first-class facility. I commend the former mayor, councillor Lorraine Kelly, and former deputy mayor, councillor Jan Forshaw, for getting that project up and running. I also commend long-serving councillor Ken McDonell for his work on the SSHED project. I wish the new mayor, councillor Phil Blight, and deputy mayor, councillor Howard Boorman, all the best in the future. The council outlines its project in a local shire newsletter. I encourage the shire council when it sets out its achievements to give recognition to those who contribute with hard work and acknowledge the contribution of the State Government in many of those important projects. I once again thank the member for Menai for bringing this matter to the attention of the House.

### PENRITH CULTURAL EVENTS

**Mr STUART AYRES** (Penrith) [12.17 p.m.]: It is not surprising to be at Penrith's CUA stadium, the home of the Panthers NRL club, when it is buzzing with excitement. But last Saturday night I was very pleased to be there for a new and different experience from the regular fever pitch of a Panthers game. Amid a dramatic night of storms, the CUA stadium played host to an evening of a different style when the Australian Ballet took to the stage, which was located in the middle of the ground. I am not sure what Mick Leary, Panthers Football Chief Executive Officer, thought of it, but I can attest that it was a hugely successful event. Instead of the usual trail of football fans crossing Mulgoa Road from Panthers car park, a higher than usual ratio of excited little girls and some keen boys turned up for this event, notwithstanding the weather. I always knew a bit of rain could not keep Penrith fans away.

I was at the free outdoor concert sponsored by Telstra. The initiative to hold it at the CUA stadium in western Sydney was an inspired one. The fans were incredibly enthusiastic, some spreading out picnic rugs and erecting small tents to watch the performance in the rain. At the front of the stage as the evening grew darker there was an impressive line up of budding young dancers imitating the artists on stage. The performance was opened by Highlands Dance Tasmania, which is a group from Launceston. Interestingly, the group danced to Tchaikovsky and they were specially chosen to perform by the ballet's artistic director, David McAllister. It was clear to all who attended that Penrith was the centre of their universe that night.

The evening's program included excerpts from the powerful *Don Quixote*, the beautiful *Sleeping Beauty* pas de deux and *The Nutcracker*. *Trace*, which is a contemporary dance, held the audience spellbound. I could literally hear the intake of breath from across the audience as the black swan pas de deux from *Swan Lake* began. I congratulate all the artists who performed last Saturday night. They are an enormous credit to the Australian Ballet and to the great effort they put into their own training. It is clearly an intense process which might even make the odd NRL footballer a little nervous. I thank them and the executive director of the Australian Ballet, Valerie Wilder, for bringing the performance to western Sydney and to Penrith in particular.

I hope the thousands of people in attendance will show that the passion for and interest in the work of the ballet stays strong in the western areas of Sydney. One of the dancers who spoke to supporters before the performances said it was the first time she had performed in a football stadium. I certainly hope it is not the last for Penrith and for other locations. The program was a great combination of traditional and contemporary dance, and the artists were fantastic. Some of the rising stars of the Australian Ballet performed at the event in Penrith last Saturday night, and it was a great credit to the organisers.

I particularly acknowledge that the highly prized promotion to principal artist of Daniel Gaudiello, Kevin Jackson and Lana Jones were announced at Penrith last Saturday. In congratulating them I add my hope they hold special memories of that evening in our city. It would be remiss of me not to mention that I was sitting near some of the parents of the artists when the announcements were made. Apparently they had no knowledge that the announcements were going to be made, and they were extremely proud of the young adults who have attained such a high standard of achievement in an extremely difficult art.

We have a rich arts culture in western Sydney. As I have said, I hope this was the first of many appearances by the Australian Ballet and other creative and performing arts companies in areas of western Sydney, particularly Penrith. I know that the chief executive officer of the Joan Sutherland Performing Arts Centre, John Kirkman, was an enthusiastic supporter of the event. I welcome his valuable role in its success.



I take this opportunity to recognise that there are a number of budding creative and performing artists in western Sydney. Support from the Government for the creative and performing arts program at the Nepean High School would be a significant boost to the arts community in Penrith and throughout other areas of western Sydney. I also acknowledge the Panthers foresight in supporting this event on the hallowed ground of CUA. What a fantastic event and a great off-season initiative! Given it was my first experience of ballet, I can certainly say I will be back for more when the ballet is next in town.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [12.22 p.m.]: I thank the member for Penrith for drawing to the attention of the House the night of culture at the Penrith CUA Stadium. It is wonderful that the Australian Ballet provided people of his electorate with an opportunity to enjoy the performances of *Swan Lake* and *The Nutcracker* and other ballets, as well as the music of Tchaikovsky. My granddaughter, Taylah, just loves dancing. I am sure that every little kid loves dancing, and that is wonderful to see. I hope that one day the Australian Ballet will perform at Shark Park in the wonderful Sutherland shire.

**The DEPUTY-SPEAKER:** I hope for the same thing at the Parramatta Eels Stadium!

### THIRROUL LABOR CENTENARY

**Mr PAUL McLEAY** (Heathcote) [12.22 p.m.]: It is with pleasure that I draw to the attention of the House celebrations in connection with 100 years of Labor in Thirroul. The Thirroul branch of the Australian Labor Party will celebrate its centenary year in 2013. To mark the occasion, a history project on political and community activity in the northern suburbs of the Illawarra has commenced. It is hoped that a book entitled *History of the Labor Party in Thirroul* will be completed in time for the centenary celebrations. The publicity officer of the Thirroul branch of the Australian Labor Party has stated:

We are seeking local community's help to find old documents, local election pamphlets, and photographs of people or events connected with the Labor Party in Thirroul. We would especially like to talk with anyone whose family may have a historical connection with the Labor Party in Thirroul.

The Thirroul branch of the Australian Labor Party was established on 11 July 1913 and at that stage comprised 53 members. Thirroul's Australian Labor Party history committee has been investigating the branch's rich past and is building a profile of its former members' political, social and community activities. In its early years Thirroul ALP was comprised mostly of mining and railway families who were associated with the now closed Excelsior Mines and the Thirroul railway depot. The members fought for better local services and public improvements for the town. They held large community dances and card nights, helped with food and clothing relief for the unemployed during the Depression, invited prominent politicians to stump speeches that were held regularly down at the beach, campaigned to stop the Clutha coal loader, and even once held a boxing tournament. The branch famously was kicked out, briefly, of the New South Wales Labor Party in the 1930s for standing up to head office over the right to preselect candidates for elections—something that the Australian Labor Party head office has been cautious of ever since.

Thirroul has a rich history, and so does the Labor Party branch. Some members of the Thirroul branch have family connections going back to the 1920s. Others who are much newer to the area reflect changes in the community generally. Over nearly 100 years Thirroul ALP has played an important role in advancing issues for ordinary working people, and it continues to play that important role. I invite the community to help the Thirroul branch of the Australian Labor Party to tell that story. Anybody who wishes to contribute material or stories for the project should contact Mr Lacey at PO Box 43, Thirroul, or by email through my electorate office or my office in Parliament House. I will be happy to pass on anyone's stories.

Thirroul ALP meets on the first Monday of every month in the Thirroul Railway Institute Hall. New members are always welcome. The Thirroul Railway Institute Hall is run by the Thirroul Railway Institute Protection Society, which is known as TRIPS. This year the institute celebrates its ninetieth anniversary. On 11 December at 6.30 p.m. I will attend the hall's ninetieth anniversary celebrations that will be hosted by TRIPS. The celebration event is open to the public, in particular to members of the Thirroul community. TRIPS was set up to protect the hall when the building was deemed to be in excess of railways needs. The hall now is heritage protected and is actively used by the community for anything from bridge nights and community fundraising events to town hall types of meetings. The hall is part of the living history of Thirroul.

Thirroul is also lucky enough to have a quite amazingly beautiful and well-resourced library and community centre. In conjunction with council representatives, I officiated at the opening of that brand-new facility last year. But TRIPS is very special. As I stated earlier, it celebrates its ninetieth anniversary this year. The hall records a great deal of living history by displaying photographs of every Labor representative of the

area and every Labor leader around its internal walls. There are also photographs of local activities, such as railways and coalmining. I congratulate not just TRIPS and the executive for keeping the local living history alive but also the Thirroul branch of the Australian Labor Party, which will celebrate 100 years of Labor in 2013. Anyone who can help to tell the story should contact me or the hall's preservation officer.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [12.27 p.m.]: I congratulate the Thirroul branch of the Australian Labor Party on almost 100 years of Labor in the electorate of the member for Heathcote. This year we celebrate the centenary of the first Labor Government in the State. Political party history is very important for all members of political parties, young and old. Clearly, the Thirroul branch shows it is very proud of its history by displaying in the Thirroul Railway Institute Hall photographs of those who have been Labor members over a period of approximately 100 years. I ask the member for Heathcote to convey my personal congratulations and the congratulations of the Government to the Thirroul branch on the forthcoming Labor Centenary in Thirroul. I look forward to seeing very happy and fulfilling celebrations in 2013.

### **RYDE ELECTORATE STUDENT LEADERS**

**Mr VICTOR DOMINELLO** (Ryde) [12.28 p.m.]: There are many definitions of what makes a leader. My favourite definition is that a true leader is one who positively inspires others to dream more, to learn more, to do more and to become more. Today I acknowledge some of the young leaders in our community. This year I have invited leaders from each of the schools in my electorate to visit Parliament House. The students were given a tour of Parliament House and were then invited to sit in the gallery and watch the bear pit in action during question time. This was followed by afternoon tea, where the students were given leadership certificates.

I think it is important that we acknowledge our young leaders and encourage them in their path. Leadership, like most things worthwhile in life, requires hard work and dedication. There is a perception that people who are good at public speaking are natural leaders. Good public speakers are simply good orators; leaders are people who back up their words with actions. In my view the best leaders are always those who lead from the front, who set the example. Actions will always speak louder than words. The schools that were able to attend Parliament House this year were Denistone East Public School, Eastwood Heights Public School, Eastwood Public School, Ermington Public School, Holy Spirit Primary School, Kent Road Public School, Marist College Eastwood, Marsden High School, Meadowbank Public School, North Ryde Public School, St Anthony's Marsfield, St Michael's Primary School and Truscott Street Public School.

The student leaders who attended were Aaron Speed, Abbey Cosgrove, Andre Pelle, Annabel Ferrari, Annika Wilkinson, Anthony Adlam, Ashley Roberts, Ben Tassone, Betsey Rasia, Bianca Zhou, Brian Choi, Brian Yung, Brooke Seifert, Christian Sheridan, Clare Trodden, Daniel Went, Darcy Bowers, David Jeon, Dylan Duan, Elise Gordon, Elizabeth Gordon, Emily Bakker, Gabrielle Mfula, Gabrielle Morgan, Gus Standen, Hannah Luke-Paddon, Hannah Oong, Holly Gilbert, Hugh Petterson, Isabella Fisher, James Paik, Jasmine Kelly, Joe Hansen, Jonathan Miu, Jordan Le Lay, Kaitlin McGlohy, Kate Chadwick, Kate McCornish, Katie Seward, Lauren White, Lucas Biurra-Hoy, Matthew Barrett, Nathan Wareham, Nicole Debs, Oliver Stevens, Paula Jacobson, Ron Miguel Tuazon, Samuel Hutchinson, Sara Dicker, Sebastian Pendleton, Sophie Petterson, Tara Cramp, Thomas Tang, Tom Waibel and William Smith. I encourage all student leaders in my electorate to take their position seriously. Through their actions they are in a position to make a positive difference to the lives of their fellow students. Once again I congratulate each of the students. I look forward to hearing about their continued successes in years to come.

### **TRIBUTE TO GEORGE TURNER**

**Mr GRANT McBRIDE** (The Entrance) [12.32 p.m.]: I pay tribute to one of my constituents, Mr George Turner, who recently passed away at the age of 104. George was one of our local community stalwarts—a plucky and spirited character—and, as we say, a real Australian icon. George was a bit of a larrikin who loved a chat. George was born in Manly on 15 July 1906. He worked with the then Energy Commission looking after its Sydney substations. Having been pensioned off because of hypertension, he moved to the Central Coast with his wife, Elma. Elma and George had two children, Ken and Joan. George resided at North Entrance until the age of 98, when he moved into Nareen Gardens Retirement Village. This year the retirement village celebrated the birthdays of three centenarians with a party surrounded by their families, friends and staff. While Ms Ashwood, 103, and Ms Scott, 100, had very few words to say, it was George, at age 104, who kept the audience entertained. George was renowned for entertaining any crowd—if there was a crowd, George entertained them. George said:

It's good to be as old as this and still be able to walk around.

When I came to Nareen Gardens they told me it was usually people of my vintage going out, not coming in.

George's granddaughter, Bronwyn Turner, puts her grandfather's long life down to his love of walking and talking. She said, "He always kept his mind and body busy." Bronwyn recalls driving past George on his regular walks, seeing him talking to someone at the bus stop and then an hour later driving past George again and seeing him still there talking to someone else. Some people nicknamed George the "Lord Mayor of The Entrance". Bronwyn said, "He loved to be centre stage and has always been involved in something."

George loved sport and swam almost daily all his life. He was a foundation member of the Tuggerah Tuffs Winter Swimming Club. He would walk from his home at North Entrance to The Entrance Ocean Baths, a distance of about two to three kilometres. Having had a minor stroke at age 94, his doctor said to him, "George, if you want to keep living you can't go swimming again." George replied, "At my age is that really an issue?" I do not think it really mattered for a guy at that age and, notwithstanding what his doctor said, George continued to swim, thus showing the commitment of people to that form of recreation.

At the age of 95 George won an Australian over-75 winter swimming championship in the national 50 metres finals. He once swam regularly against the legendary Boy Charlton. In 2002 The Entrance and the Central Coast were faced with the possibility of losing the Ocean Baths. George, along with other members of the Tuggerah Tuffs, got behind and supported the launch of a petition to have The Entrance Ocean Baths heritage listed. George regularly manned a campaign table at the Lakeside Plaza at The Entrance to collect signatures from the local community to keep The Entrance Ocean Baths open. I am happy to say that The Entrance Ocean Baths is heritage listed and to this day is still an icon of unique significance to The Entrance and the Central Coast. I am positive that clubs such as the Tuggerah Tuffs are so much richer for having community-minded members such as George and that he will be fondly remembered and sadly missed. At age 102 George said that the Depression years were the worst years of his life. At age 102 he is quoted as saying:

... things could not have been worse.

People were singing in the street for food, families were moving in with other families and no one had any money

I am sure George has witnessed and experienced many social and economic changes in Australia and that the Depression influenced his beliefs in the Australian Labor Party. George was a Labor supporter and proudly displayed campaign posters at his North Entrance residence for many years, including during the whole time I have been a member of Parliament. George's daughter Joan commented that George would have been pleased with the recent Federal election results on the Central Coast and across Australia. George Turner was a wonderful character—one of the characters in The Entrance that make it a very special place. George died on 28 August 2010. He has now gone swimming.

### FRENCHS FOREST HOUSING PROJECT

**Mr BRAD HAZZARD** (Wakehurst) [12.37 p.m.]: Today I make some comments in relation to an affordable housing project that was to be undertaken at Epping Drive and Gladys Avenue in Frenchs Forest. Happily, I can inform the House that the applicant developer for the project, Stonebridge Projects, has apparently now walked away from the proposal. This has been a victory for the community and common sense. Unfortunately, that victory did not come with the assistance of the State Labor Government. In fact, it was an issue caused by the State Labor Government's incompetence when it comes to the strategic planning of this State.

In this case Stonebridge Projects made application for approval for a development which was under one of the State environmental policy plans, being what is commonly referred to as the affordable housing State environmental policy plan. Originally, on a site on which there would normally be three or four homes, there was a proposal to have up to 32 residences. Over the period of expressions of concern by the community that number was reduced to 26 residences. I congratulate the Frenchs Forest Force Action Group and the residents of the Northern Beaches, who came together to express their concern to the developer and also to the State Labor Government about this proposal.

As the shadow Minister for Planning I have already expressed publicly the concerns of the Liberals-Nationals about the current planning legislation. We have already indicated that the Environmental Planning and Assessment Act will be completely reviewed if the Coalition is elected to government in March next year, and that we will be look at the various State planning policies that currently sit below the Act as part of that review. As the shadow Minister for Planning I am concerned—and it is exemplified in this case—that

State environmental planning policies are no longer subject to public scrutiny. There was a time when the State Labor Government ensured that State environment planning policies were subject to public consultation, scrutiny and input, but that stopped some years ago.

The net result is that the Government now makes planning decisions in camera. It is then left to residents, such as those who came together so well in Frenchs Forest, to express concern about what is clearly inappropriate development. Stonebridge Projects simply make a development application under a provision that exists because the Labor Government got it completely wrong in terms of planning. However, I thank Stonebridge Projects for listening to the voice of the community and for being responsive at a time when the State Labor Government was not responsive in any manner, shape or form. I congratulate the *Manly Daily*, which has showed a remarkable capacity as a community newspaper to lead and support the arguments against this so-called affordable housing development. No-one in New South Wales would oppose affordable housing. Certainly, no-one on the Northern Beaches is opposed to providing more affordable housing for those who need it. That is a given.

However, on behalf of residents I am a little annoyed about the Government's criticism that people on the Northern Beaches are anti affordable housing. We are no more anti affordable housing than the residents I visited in Swansea, Charlestown, Nowra, Maitland and a number of areas across the State where affordable housing policies are causing great concern in communities. In particular, I congratulate Claire Corrie, Theresa Duncan and the other residents who have been involved in this matter. I thank all those who came to the meeting I attended a few weeks ago, at which more than 150 people expressed concern. There was not one moment of rudeness, despite people being frustrated because the Minister would not attend the meeting. Tony Kelly should hear this message from the people of Frenchs Forest, as he will hear it from people throughout the State: he must start listening and responding to the concerns of residents throughout the State about the Government plonking, not planning, developments in inappropriate areas. Congratulations to the Frenchs Forest residents for achieving success on this issue.

### **RIO TINTO FOOTY MEANS BUSINESS PROGRAM**

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [12.42 p.m.]: On Saturday 30 October I attended the Rio Tinto Footy Means Business AFL game at Monarch Oval, Macquarie Fields. The game was played in a wonderful spirit between indigenous northern and southern Australia. Players came from all over Australia, including the Tiwi islands, the Kimberley, as well as every State of Australia. Many of these players will play in front of 85,000 people at the Rio Tinto cup, the curtain raiser to the dreamtime game at the MCG next year. The skills on show were the best AFL I have ever seen. Both teams were highly skilled, determined and athletic. Michael O'Loughlin, one of the great leaders in Australia, coached the Southern team. Michael paid tribute to the many Macarthur locals who watched the game with me.

The AFL has shown everyone in Australia how to successfully engage young indigenous people to pursue excellence. I spoke with Allan McKinnon from the AFL about this excellent program. The Rio Tinto Footy Means Business program is a 12-month mentoring program focussing on three areas: football, employment, and education, with which University of Western Sydney is involved. Fifty young men ended the week-long camp, held at the National Centre of Indigenous Excellence at Redfern, with the game. The AFL regional development officers select the participants based on football ability and leadership skills. The camp, which is part of the year-long leadership development program, gives 18- to 24-year-olds exposure to elite AFL programs and training. As Andrew Demetrio, the head of the AFL, said:

Australian Football benefits from the unique talent, skill and flair Indigenous people bring to our game. The 18-24 year olds identified for the programme have exceptional talents.

As a nation, Australians have widely celebrated the talents and achievements of Indigenous footballers on the field. However, we also have a responsibility to grow and nurture their other talents, equipping them to be exceptional leaders when they leave the field.

Monarch Oval in Macquarie Fields is an excellent AFL venue. Team GWS, greater western Sydney, will enter the AFL in 2012, and will include Israel Folau, a Macarthur local. Upgrades to Monarch Oval would not only help my local sporting clubs but also be a useful summer training base for an AFL club such as team GWS. For example, there is room next to the oval to enlarge the gym, which is currently run by Campbelltown council. The game was won by the northern team 19.13 127 to Southern's 12.11 83. However, it is clear that the winners on the day were the youth involved and the reputation of the AFL. The success of AFL over the past 20 years is

no accident; it is the result of hard work, high standards and true leadership. Community heroes such as John McLaughlin are typical of the many people driving the success of AFL. Allan McKinnon and Dale Holmes from the AFL, both highly committed and respected individuals, were also there on the day. The AFL has yet again shown the way to Australia's future. I commend it to the House.

### WIRADJURI DICTIONARY

**Mr DARYL MAGUIRE** (Wagga Wagga) [12.47 p.m.]: In New South Wales we are fortunate to have 367 public libraries, with 237 being classified as country libraries. Several of these are located in the Wagga Wagga electorate. Libraries are essential institutions in a democratic society because they play a non-partisan role in providing information. They are essential to the educational process because they support, teach and foster critical thinking skills. They are essential partners in creating educated communities because they provide opportunities for self-education, life-long learning and self-improvement. Libraries are essential places of opportunity because they level the playing field, making the world of information available to anyone seeking it.

Libraries provide information, assistance, knowledge and a sanctuary for some, and they are keepers of local history, providing a link from the past to the present. For many, the library is their only form of entertainment and the only way they can get away from their problems. The greatest gift we can give our children is the gift of reading. Through the written word they learn and understand. Numerous studies have shown that children who are taught to read from an early age learn more sounds, develop listening skills, extend their vocabularies, imaginations and understanding of concepts, and learn to read by themselves more easily.

Last Thursday 4 November I attended Wagga Wagga City Library for the launch of the second volume of the Wiradjuri dictionary. This dictionary was compiled by Stan Grant, a Wiradjuri elder and a long-time family friend of mine, and Dr John Rudder. They have been able to reconstruct the Wiradjuri language. The dictionary has 8,000 to 9,000 words. I thought the task was impossible but they have done it. The Wiradjuri language is melodic in tone. When Stan gave his welcome it was a privilege to sit and listen to him launch the book in the Wiradjuri tongue. It is a great credit to Stan and Dr Rudder, and to Wagga Wagga City library, which provided the seed funding for the project, and the Department of Housing, which helped fund the printing of the dictionary.

A copy of the dictionary will also be housed in the State Library. Our libraries have been slowly starved of funding; this State's libraries have the lowest per capita funding in the country. It is essential that our libraries receive adequate funding so that they can maintain quality and equity. Libraries in rural and regional are the heart and soul of the community. Mobile libraries play an important role, particularly in the Riverina, in delivering those valuable services to remote communities. At the heart of our libraries are librarians, who work long and hard to ensure that their libraries have the facilities they need to serve their clients and communities. I acknowledge and thank the librarians, library staff and volunteers in the electorate of Wagga Wagga. The work they do in the community is much appreciated. We cannot convey in words our appreciation of the valuable service that they provide.

The launch of the Wiradjuri language dictionary was an event that only a library could host. I thought that language was lost forever. A large crowd of people attended the function, many of whom were involved in the production of the dictionary. They included Wiradjuri elders and dignitaries from the city. It was inspiring to see the video presentation showing pictures of the Riverina and the Murrumbidgee accompanied by the melodic tones of Stan Grant's welcome in Wiradjuri. I told the mayor that it should be recorded and used as the official welcome in Wiradjuri country. I again congratulate all the people who work in the library, Uncle Stan Grant, Dr John Rudder and everyone else who has been involved in this magnificent contribution to the preservation of the Wiradjuri language.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [12.52 p.m.]: I thank the member for Wagga Wagga for drawing to the attention of the House the launch of the Wiradjuri language dictionary. No-one disputes the importance of libraries in the development of language in children. It is particularly important in supporting our indigenous people that we also preserve their languages. It is wonderful that the dictionary, which has between 8,000 and 9,000 words, was launched at Wagga Wagga. I congratulate Uncle Stan Grant, Dr John Rudder and the Wagga Wagga Public Library and the Department of Housing for their role in funding this very important project. I ask the member for Wagga Wagga to pass on the thanks of this House to all those involved, particularly the Aboriginal elders who no doubt played a significant role in offering their experience and knowledge.

## GUNNEDAH

**Mr PETER DRAPER** (Tamworth) [12.53 p.m.]: Some time before 1908 while on a visit to England, a homesick young Australian woman put her thoughts on paper in a poem she called *Core of My Heart*. Later retitled *My Country*, this famous poem is believed to have been directly inspired by Dorothea Mackellar's experience of life on the land. Gunnedah is Dorothea Mackellar country. I quote these lines:

Core of my heart, my country!  
Young Land of Rainbow Gold  
For flood and fire and famine  
She pays us back threefold- ...

Those words ring like a premonition of everything Gunnedah has to offer. In 2009-10 we saw Gunnedah experience its highest growth rate in almost two decades. A 1 per cent increase saw 124 additional residents bring the population to 12,162. That reversed the trend between 1995 and 2005, when the area lost on average 100 people a year. Not only has Gunnedah arrested that trend, but the current upward figures defy predictions from the Department of Planning of long-term decline. When one considers that Gunnedah is in the infancy of its full growth potential, this is a wonderful turnaround and puts the town ahead of many of its counterparts in the 10,000 to 15,000 population bracket that are struggling to remain stable.

There are currently 3,714 goods and services tax registered businesses within the 2380 postcode area. This has grown by 183 in the past 12 months, which is an increase of 5.2 per cent and is slightly higher than the New South Wales average and much higher than the regional New South Wales average. The unemployment rate in Gunnedah of 5.8 per cent is lower than the average for regional New South Wales. Construction activity has grown enormously over the past two years, both in terms of development applications processed and in value. The 2008-09 financial year saw 176 development applications processed worth \$49 million; 41 commercial development applications amounting to \$26 million; 10 industrial development applications worth \$13 million; and the housing sector surged ahead with a 22 per cent increase and 91 development applications worth about \$11 million. There are currently 14 rural, rural residential and residential subdivisions on the market with enough land for housing stock of more than 1,000 dwellings.

Gunnedah promotes itself very effectively as a tourist destination, and overnight visitation in commercial accommodation has increased by 1.4 per cent over the past year, compared with a nation-wide decline in overnight visitation of 2 per cent. The total number of registered motor vehicles in the Gunnedah local government area increased from 8,134 in 2008 to 9,326 in 2009, which is an increase of 14.7 per cent. This is much larger than the New South Wales average of just 2.2 per cent. Although this figure highlights Gunnedah's growth, it has serious implications for local traffic congestion and increased road network deterioration, especially around rail crossings and arterial routes.

Despite the global financial crisis, Gunnedah's economy is remarkably strong and its economic fundamentals are sound. Despite limited expansion of national and global economies during the past 12 months, Gunnedah has performed well against regional and State benchmarks. Gunnedah's fundamentals are strong, but lessons from the tough years 1995 to 2005 have taught the community that being over reliant on one or two particular sectors can lead to ruin. The proactive Gunnedah Shire Council is working extremely hard to build the diversity needed to move beyond an agricultural and mining dominated economy. The council is innovative, and sets priorities for growth areas and then chases them relentlessly.

Gunnedah council strongly supports vocational education and skills performance, in parallel with its priorities for economic development. It focuses on skills to support industries of strategic importance and growth and industries at the core of Gunnedah's employment structure. The continuing expansion in the resources and minerals sector only highlights the importance of ensuring that Gunnedah has an appropriate supply of skilled people. Eight years ago Gunnedah Shire Council instituted the Gunnedah Community Scholarship to encourage local students by financially supporting those moving on to pursue tertiary studies. The council also supports the expansion of Gunnedah's TAFE campus to ensure it has the capacity to train students locally.

The council realises that planning and managing the impacts of growth in the resources, minerals and energy industries is critically important. These industries, while delivering substantial economic benefits, compete for a wide range of inputs, including natural and human resources. This also highlights the need for more of the mining bonanza to be invested in Gunnedah's infrastructure. Gunnedah is well-known for many things including koalas, Miranda Kerr and Erica Packer, but council also promotes Gunnedah as a progressive, contemporary regional town with major businesses and investment opportunities.

The Gunnedah brand is used to sell the stature, strength and spirit of the area, offering potential residents and investors opportunities for business development, quality lifestyles for families and singles, investment potential, capital growth on real estate investment and sustainable community growth. One of the key reasons that the Gunnedah area is successful and that it possesses so much promise for the future is its quantum of social capital. It is a truly engaged and civically minded community. Mayor Adam Marshall, his council and the community know the sky is the limit and that Gunnedah is truly a land of opportunity for everyone who makes the sensible decision to live there.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [12.58 p.m.]: How could one not respond to such a positive exposition of the town of Gunnedah? We have heard a great promotion by the hardworking local member of a very successful town. I congratulate Gunnedah City Council on its efforts. Clearly, it is a very positive, forward-thinking council and it has demonstrated what councils can do for their communities if they really put their mind, heart and soul into it.

### **BASS HILL SPECIAL NEEDS SCHOOL PROJECT**

**Mr TONY STEWART** (Bankstown—Parliamentary Secretary) [12.59 p.m.], by leave: I have pleasure in advising the House that planning and work will begin at 98 Johnston Road, Bass Hill, for the construction of a special needs school. This is one of my most important achievements, together with the local community, since my election as member for Bankstown. It is a privilege to be a part of this project. We are in the advanced planning stage, and I look forward to the project coming to fruition. The Minister for Education and Training has advised me that planning has begun for the special needs school for children with moderate to severe disabilities in my local area. The department purchased nearly three hectares of land on Johnston Road, Bass Hill, at the rear of the current high school. The decision to compulsorily acquire this land was initially controversial, but it needed to be taken. The land was sold initially to a private school for the development of home units or medium-density housing, but that was subsequently changed to the development of a private school with more than 1,000 students.

At the rear of that site is an existing school with more than 700 students. The development of the new school would have destroyed the beautiful amenity of Bass Hill and Georges Hall. I have worked closely with the Georges Hall-Bass Hill Resident Action Group and its president, Vern Falconer, and I commend them for their professional handling of this matter. Charlie Hatty, a member of the group, has been extremely vocal and has made sure that this project gets underway properly, effectively and in a reasonable way that meets public expectations. The small, local special needs school will operate with 12 support classes for students with moderate to severe intellectual disabilities, and is much needed in the Bankstown region. Enrolment growth of more than 20 per cent has occurred at special schools in the Bankstown, Fairfield and Liverpool local government areas since 2000 and this new school will go a long way towards meeting those needs. The planned school will draw students from Bankstown, East Hills, Fairfield and the Liverpool areas.

The Johnston Road site is well located to service a number of areas where new housing developments are taking place, and it was the natural choice. I commend the Minister for making such a bold decision—but it is the right one. I have worked with the Minister and her staff on this issue for a long time. I commend the Minister for bringing a professional perspective to this matter. She is providing for the young people in our community, whom we see as the future of this country. Co-location on a number of existing school sites in the area was considered. However, the Johnston Road site was determined to be the best location for the school. The proximity of Bass High School will make available to students at the new school a large range of facilities, including a library, technology and sporting amenities.

As more than 80 per cent of students with disabilities are taught in the public system, the planned new school ensures that this need will continue to be met at a local level, which is a fantastic outcome for the people of Bankstown, especially the parents and students involved. Tomorrow I will be at the Johnston Street site meeting local residents and telling them about the future of the site. I am pleased that the site is being cleared and has a sign that indicates that works are progressing for the construction of a new special needs school. It is a privilege to be part of this process, in partnership with the wonderful community that I represent in Bankstown.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [1.04 p.m.]: It is clear that the Bass Hill community welcomes the construction of a new special needs school. I congratulate the member for Bankstown and the Minister for Education and Training on getting this very important project underway. The community supports this project. I note the member will be on site tomorrow to talk to community groups. In my last teaching post before going to law I was head teacher at Bass Hill high school, which had very hardworking staff,

so I am well aware of the area to which he refers. This is a great achievement and the co-location of the special needs school next to Bass High School makes eminent sense. I ask the member for Bankstown to pass on the Government's congratulations to his local community. I wish it and the students all the very best in developing the school.

### ECONOMIC LITERACY

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [1.05 p.m.], by leave: In a former life I was an economics teacher for 17 years. During that time I was a long-serving member of the Higher School Certificate Economics Syllabus Committee, a member and chairperson of the Higher School Certificate Economics Examination Committee and New South Wales State Economic Curriculum Consultant with what is now the Board of Studies. I was also the author of three economics text books for Higher School Certificate [HSC] students. A number of younger current members of this House and staffers have told me they actually used my texts when studying for their HSC. In a recent discussion with local resident, good friend and co-author of my second book, Peta Batty, we reflected on the declining level of economic literacy within our community. One reason, I believe, is that fewer students are studying economics at high school.

In 1989, when I was last chairman of the Higher School Certificate Examination Committee, 21,211 candidates undertook the economics examination across the three courses in the subject. That represented 39 per cent of the total candidature of 54,247. This year, economics attracted only 6,201 candidates—a mere 8.6 per cent of the 71,310 HSC candidates statewide. What was once the third largest individual subject in 1989, after English and mathematics, is now well down the list. In 1989 some 5,784 candidates undertook the more rigorous three-unit additional economics course. Today there is only one course offered in HSC economics. Some will ask "Well, so what?" In 2010, 16,000-odd students sat the HSC in Business Studies, a course which was not available in 1989. But that really is no answer to the worrying decline in the number studying economics at high school, and it ignores the importance of doing so. That importance is perhaps best set out in the current New South Wales HSC syllabus, which states:

Economic decisions have a crucial influence on the quality of life experienced by people throughout the world. The study of economics can help individuals, groups and societies make choices that assist them to improve their quality of life.

It continues:

Discussion of economic issues dominates the media and politics. By understanding economics, students can make informed judgements about issues and policies and participate responsibly in decision-making.

No doubt those who have studied economics at high school are better equipped than most to identify and discard the type of spin so often peddled in the media as good economic policy but which has no basis in theory or in fact. With a sound knowledge of economic concepts they can better understand and evaluate the nature and impact of policies at all levels of government. Those who have studied the subject can tell you, for example, that the Rudd Government's successful stimulus package was a very simple application of Keynesian economics, first developed in the 1930s. The students can explain the multiplier effect of increased government spending, and how it raises Australia's level of income, output and employment. Heaven forbid, they could even point out the flawed reasoning of those Federal members of Parliament who constantly bleat like sheep out of George Orwell's *Animal Farm*, "surplus good, deficit bad".

Economics students know something of fluctuations in economic activity as well as the cyclical and structural components of Federal budget deficits. They know that the national debt does not necessarily impose a burden on future generations of Australians. And, unlike some Federal politicians, they know that an economy is not run like a household. That was the reasoning at the time of the Great Depression. Those with a knowledge of economics can understand the current parity between the Australian and United States dollars, and talk about exchange rate fluctuations. They can understand the role of the Reserve Bank in determining monetary policy, the concept of overnight cash rates and the policy implications of rising interest rates. They might even explain how banks can actually create credit and money through their lending policies.

I cannot personally underestimate the importance of economics teaching and learning, and am most concerned at the declining number of students studying economics, particularly when we have a good syllabus and there is no shortage of experienced teachers who are more than willing to teach the subject, but for class numbers. I share the concerns of the New South Wales Teachers Federation that the move to a national curriculum has the potential to jeopardise the high standards and rigour of this State's economics syllabus. I do not want to see a dumbing down of the economics course and, in fact, advocate the return of an extension course



for gifted students. In that regard, I applaud the work of the Economic and Business Educators [EBE] of New South Wales for promoting excellence in the subject for teachers and keeping students informed, up to date and prepared for the HSC.

I particularly congratulate and acknowledge the work of my former colleague Ms Bronwyn Hession for her consistent hard work on behalf of the EBE over so many years. I also commend the economics editor of the *Sydney Morning Herald*, Mr Ross Gittins, for his consistent contribution to economic literacy over the years. Ross' plain English explanation of economics concepts and current events are used by so many students and widely read by members of the public. I encourage my colleagues in Parliament to take more interest in the discipline. You do not need a degree. After all, the greatest Federal Treasurer of modern times, Paul Keating, was self-taught.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 1.10 p.m. until  
Tuesday 23 November 2010 at 1.00 p.m.**

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