

LEGISLATIVE ASSEMBLY

Thursday 16 February 2012

The Speaker (The Hon. Shelley Elizabeth Hancock) took the chair at 10.00 a.m.

The Speaker read the Prayer and acknowledgement of country.

ELECTION FUNDING, EXPENDITURE AND DISCLOSURES AMENDMENT BILL 2011

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

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

BUSINESS OF THE HOUSE

Community Recognition Notices

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [10.05 a.m.]: I thank members for their cooperation on the first day of the new sessional orders yesterday, which seemed to work well. As Leader of the House I am happy to look at any changes that might be necessary after we have given them a reasonable trial. Some members have taken the view that motions that congratulate and highlight contributions of members of the community, which would now be now styled community recognition notices, are on the notice paper in great numbers. It has been suggested that it may be appropriate for the Speaker to work with those members in considering retrospectively whether those motions could be therefore categorised as community recognition notices, and have the benefit also of being recorded in *Hansard*. If any member has any concerns about that issue they should advise me, the Opposition Whip or the Opposition Leader of the House and I will be happy to consider them. Otherwise, I give members notice I am considering moving the following motion next week:

That the Speaker, with the authority of the House, identifies those notices that could be dealt with formally as a community recognition notice, and consults with members as to whether they wish for such notices to be considered formally.

The words of that motion may be slightly varied next week. Members can think about it and let us know of any concerns, and hopefully we can introduce that further efficiency and productive outcome for members.

Mr MICHAEL DALEY (Maroubra) [10.07 a.m.]: The Leader of the House and I discussed this matter with you, Madam Speaker. I indicate to the House that the Opposition is already going through the process of identifying those motions that might be removed by consent.

The SPEAKER: Does the Leader of the House wish to reconsider moving that motion?

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [10.07 a.m.]: I thank the member for Maroubra for his comments but I think it is still appropriate that the Independent members and those who have not thought about this matter should have an opportunity to consider it over the weekend. All things being equal, I will move that motion next Tuesday.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

COMPENSATION TO RELATIVES LEGISLATION AMENDMENT (DUST DISEASES) BILL 2012

Bill introduced on motion by Mr Paul Lynch.

Agreement in Principle

Mr PAUL LYNCH (Liverpool) [10.10 a.m.]: I move:

That this bill be now agreed to in principle.

This bill is an attempt to deal with an anomaly and an unfairness resulting from the legislative response to date in New South Wales to the particular circumstances of those exposed to asbestos and of their relatives and dependants. The precise proposals in this bill represent the recommendations for legislative change made by the New South Wales Law Reform Commission in its report No. 131 entitled "Compensation to Relatives". It is a report dated October 2011 that was tabled in this Parliament by the Attorney General on 9 November 2011. I asked him a question concerning the recommendations on 20 November last year and he gave what can at best be described as a non-committal answer. The report stemmed from a request by the then Attorney General who issued terms of reference in November 2010 to the commission. In May 2011 the commission issued a consultation paper, which is paper No. 14. This identified several possible options and invited submissions. The end result of that process was the commission's report, which is the basis for this bill. The relevant recommendations in the Law Reform Commission report that recommended legislative change are as follows:

- 2.1 Section 3(3) of the *Compensation to Relatives Act 1897* (NSW) should be amended to insert a direction that in assessing damages in a claim under that Act, a court is not to take into account any damages recovered or recoverable for the benefit of the estate of the deceased person under s 12B of the *Dust Diseases Tribunal Act 1989* (NSW).
- 2.2 Section 2(2)(a)(ii) of the *Law Reform (Miscellaneous Provisions) Act 1944* (NSW) should be amended to read as follows:
 - (ii) any damages for the loss of the capacity of the person to provide domestic services or the loss of capacity of the person to earn, or for the loss of future probable earnings of the person, during such time after the person's death as the person would have survived but for the act or omission which gives rise to the cause of action.

Recommendation 3.1 provides as follows:

- 3.1 Section 12B of the *Dust Diseases Tribunal Act 1989* (NSW) should be amended:
 - (1) to allow recovery of damages for non-economic loss by an estate, so long as proceedings have been commenced by the victim before his or her death, or by the estate no later than 12 months after the victim's death; and
 - (2) to require, in the case of proceedings commenced after the victim's death, that both the Statement of Claim and the Statement of Particulars are filed and served within the 12-month limit.

Recommendation 3.2 reads as follows:

- 3.2 Section 12B of the *Dust Diseases Tribunal Act 1989* (NSW) should be amended to allow the joinder of defendants and cross defendants after the death of the victim.

This bill proposes to provide fair and just compensation for the relatives of victims of asbestos. Over some time Australian jurisdictions, and especially New South Wales, have provided particular and specific compensation regimes for victims of asbestos and their relatives. Regimes for compensation for injury vary widely in this State. An entitlement for compensation or not for injury varies depending on whether injury occurred while in the course of employment, while in a motor vehicle, while having a claim for public liability, whether it was caused by a public authority or not, whether it is above or below particular thresholds, which vary depending upon the case, and whether there is fault or not.

There are a number of factors that have shaped the current laws surrounding compensation to asbestos victims in this State. Australia has had the highest reported rates of mesothelioma in the world. Mesothelioma is the most common form of asbestos-related cancer. Around 7,000 Australians have died as a result of mesothelioma since 1945. It is estimated that that figure will rise to 18,000 by 2020. It is argued by some that also by 2020 other asbestos-related cancer deaths may reach 30,000 to 40,000. Mesothelioma is also one of the most lethal forms of cancer. The five-year survival rate is reported as 5 per cent. Most people die within 12 months of diagnosis. It is a truly awful disease. Of all the personal litigation in which I was professionally

involved as an applicant and plaintiffs' solicitor for a decade and a half prior to entering this place, it is the mesothelioma cases that I remember most starkly—and I think they are probably etched in the memories of all those who are practitioners in this field.

The time between exposure to asbestos and diagnosis of mesothelioma is lengthy. It will rarely be less than 15 years and more often from 20 to 40 years. There are even cases of it being up to 60 years. White, brown and blue asbestos have all been mined in Australia. The best known mines in New South Wales were Baryulgil and Woodsreef. Australia imported asbestos as well, both in raw form and in already produced items. It was used extensively in Australia because it was resistant to fire, heat and corrosion. It was flexible and durable and could be woven into fibres. It was used in the manufacture of brakes, in products for the construction industry and in heat insulation, and it was used for various other applications. Sixty per cent of all products and 90 per cent of all consumption of asbestos fibre occurred in cement manufacturing. There were thus quite a number of groups of workers potentially exposed to asbestos.

Those involved in mining and processing, those who lived nearby the mining and processing, those who transported it, either domestically or for export or import, those working in the manufacture of asbestos products, and those who used asbestos products in industry were all potentially at risk. The use, reuse or sale of asbestos products in Australia is now banned. It was mined in Australia from 1918 to 1979. Products containing asbestos were manufactured in Australia until the 1980s. Much of the use expanded after the Second World War, with new houses and new power stations. In the 1950s this country became the world's highest user per capita of asbestos. In New South Wales compensation for asbestos-related diseases is of two broad types—no fault workers compensation payments and damages at common law for negligence and for breach of statutory duty. In New South Wales these latter claims are prosecuted through the Dust Diseases Tribunal. This bill concerns the latter of those two regimes, that is, the damages category.

The claim for damages can involve a number of components. Most relevantly here, one of the elements is for non-economic loss for pain and suffering, loss of amenities and loss of expectation of life. This is often referred to—as it was when I was in practice—as general damages. The general rule is that if a plaintiff who is bringing a claim for damages dies before the proceedings are completed then the claim for non-economic damages will not survive him or her. The claim for non-economic loss dies with the plaintiff. Other aspects of the claim, specifically economic loss, can be pursued by the executor of the deceased's estate. This is usually known as the estate claim. The economic loss that can be recovered includes medical and hospital expenses and gratuitous care expenses, loss of the deceased's earning capacity and funeral expenses.

In 1998, with Jeff Shaw as Attorney General, amendments were moved to the legislation that allowed the recovery of non-economic loss, the general damages by the victim's estate, despite the fact that he or she had died. This was applicable only to dust diseases cases and applicable only where proceedings had been commenced in the Dust Diseases Tribunal and were pending at the time of death. This variation from the usual rule was justified on the entirely reasonable basis that the swift onset of the disease meant that there were difficulties in claims being completed before death. Delays in hearings meant that victims' relatives did not gain the benefits of an award of general damages.

The 1998 amendments were entirely justified and entirely proper. They applied, however, only to cases where proceedings were instituted before death. There have been some further unintended consequences from that with which this bill attempts to deal. The first problem is what is known as the Strikwerda principle. This is named after a 2005 New South Wales Court of Appeal case. That case was called *B1 (Contracting) Pty Limited v Strikwerda* [2005] NSWCA 288. It, in turn, had applied what is conceded was a longstanding principle of law. That principle is usually regarded as being best stated in the House of Lords decision in *Davies v Powell Duffryn Associated Collieries* [1942] AC 601. That principle in turn had been confirmed in Australia by the High Court in *Public Trustee v Zoanetti* [1945] 70 CLR 266.

The principle extracted from these cases was that where there is an estate action arising out of a person's wrongful death and where damages are recovered for non-economic loss, any part of these that filter through from the deceased's estate to a beneficiary who is also a dependant of the deceased must be taken into account when considering a dependency claim by the dependant. Such a dependency claim can arise under the Compensation to Relatives Act of 1897. In effect, there is the potential in some cases to rob dependants of the beneficial outcome intended by the 1998 amendments. That is, if a dependant got the benefit of a general damages component because of the 1998 amendments then it could simply be deducted from the dependency claim they would otherwise have recovered. This seems perverse and removing it seems entirely sensible.

Legislation has already been adopted in Victoria, South Australia and Western Australia to abolish the Strikwerda principle. The Strikwerda case applied the common law principle and the Law Reform Commission has now recommended its abolition in this State. The most obvious basis of the abolition is that the principle as it stands simply negates the 1998 amendments and this bill restores the original legislative intent from 1998. The arguments are broader than simply that, although that of itself is a powerful argument. There is a fundamental unfairness in the way in which the Strikwerda principle might currently operate: People in fundamentally the same position might be treated differently and thus unfairly. This stems from the fact that for the principle to apply the non-economic loss must have flowed through to the beneficiary of the estate.

If the deceased left assets by will to beneficiaries other than the dependants then there would be no deduction from the dependency claim. If, on the other hand, the deceased had left assets to the dependants there would be a deduction. So the level of compensation in a damages action would be determined by a deceased's will. This treats dependants in a similar position to each other very differently, on a basis entirely unrelated to the characteristics of the dependants. It has the danger of encouraging asbestos victims to artificially structure their affairs by leaving assets to other than dependants when that is not what they actually would like to do. It also places at a comparative disadvantage those who are not aware of the Strikwerda principle and who do not arrange their affairs to counteract it. There is a further objection. I quote from paragraph 2.12 of the Law Reform Commission report, which states:

One submission argued that a victim who organised his or her testamentary affairs so as to give an appearance (contrary to the true facts) that a dependant would not benefit from any damages received in the estate action, would be behaving dishonestly. It was submitted that "recommending a course to effectively condone dishonesty should form no part of the appropriate policy in this area". It is not a strategy that we recommend as a solution to the Strikwerda question.

The commission's conclusion on the general issue of abolition of the principle was:

We consider there is considerable force in the argument that the application of the Strikwerda principle in dependency actions effectively negates the beneficial purpose of the 1998 amendments that allowed the estate of dust disease victims to recover damages for non-economic loss.

The commission concluded that the principle "can operate in a way that is potentially unfair". That is, the outcome for dependants will vary depending upon whether a victim was able to finalise proceedings before they died or whether an action was commenced before death. A number of arguments were made against the abolition of the principle. The commission considered these arguments and, in my view, provided logical arguments as to why they should not be adopted. One argument in opposition to abolition was that it would lead to over-compensation to dependants of asbestos victims. This would seem not to be the case—that was the view of the commission and it is also my view. The abolition simply means that dependants recover the sum substantially equivalent to what otherwise would have come to them. As the commission pointed out, the total amount of a claim to a dependant would in any event be less than the verdict to a victim before death because in the former the assessment is of the extent of the dependency upon the deceased, while in the latter it will be based upon loss of future earning capacity of the victim based upon actual earnings. The latter will always be greater than the former. Verdicts while victims are alive will thus be greater than dependency actions following a victim's death.

Another argument against abolition was that it would be likely to lead to an increase in the number of cases commenced. The commission concluded that this was not a sufficient basis on which to reject the abolition of the principle. It makes a number of cogent arguments in relation to this. The clear reality—and certainly my experience of personal injury litigation—is that damages that are recovered while a plaintiff is alive will almost always be greater than in an estate action. Indeed it is very difficult to imagine a case where that would not be the case. This provides a very powerful incentive to limit the number of estate cases. It is better for victims and dependants if there is no estate case—that is, if the cases are finished before death. Moreover, the commission points to anecdotal and completely understandable evidence that commencement and conclusion of proceedings will bring peace of mind to the victim. It is a natural and powerful response by victims to get their affairs in order, especially for their dependants. This is not likely to be influenced by abolishing the Strikwerda principle and therefore is unlikely to lead to a plethora of estate claims.

The commission points to other factors that "will limit the potential for a proliferation of dependency action". These factors include the following. Many victims will have retired by the time symptoms are exhibited, which is typical of the disease. That, in turn, makes it unlikely that a dependency claim would be justified—having retired, they are unlikely to be able to provide financial support to dependants, thus there will be no dependency and no dependency action. Also, workers compensation death benefits payments to those eligible would often be the end of any dependency payments—there would be no point in bringing a

dependency action. The commission provides an analysis of different recovery scenarios and its analysis of these confirms some of the points already made. Dependants of dust diseases victims will be financially better off if a claim is completed before death than those where the victim's claim is not completed before death. The conclusion of the analysis is that the Strikwerda principle "frustrates the near equality in outcome that might have been expected". It also suggests the strong incentive in completing claims before death.

Significantly, the commission concludes similarly in those cases where dust diseases workers compensation is not applicable. The pressure in these cases is also to commence and conclude actions before death—by definition, they are cases where one is not proceeding against an employer. The long latency period also reduces the likelihood and degree of financial dependency. It also assumes in such cases, where the deceased was not employed by a defendant, that a defendant can actually be identified. They cannot be identified if there is no claim. In any event, identifying a defendant is much more likely while the victim is still alive. Submissions were also made to the commission that there were other factors that may in the future result in an increase in dependency action being commenced.

The commission was unpersuaded by these arguments, which really do seem to be speculative and, in the end, not affected by abolishing the Strikwerda principle. These arguments are dealt with at paragraphs 2.84 to 2.92 of the report. Apart from the argument that the abolition of the principle would lead to more dependency cases being commenced, there is a separate question of whether the abolition would have a significant impact on the cost of claims. If it did, then that would be a significant argument against abolition. The issues surrounding the funding of these claims and the fund itself are well known. I quote from paragraph 2.95 of the report, which states:

The claims costs argument essentially turns upon the possibility that the abolition of the Strikwerda principle will make the bringing of a dependency action more viable, for example, where there is a potential to recover damages for lost services. We recognise the possibility of this being so, yet the number of cases where this would arise would seem to be relatively small. For the majority of cases it appears likely that the dependants would continue to prefer to take the statutory benefits in preference to damages in a dependency action.

Otherwise the claims costs argument turns upon the concern that any increase in dependency actions, as a consequence of the abolition of the Strikwerda principle will result in increased legal and investigative costs. However, apart from the need to investigate any dependency issues, it would seem that much of the investigative and legal work would need to have been undertaken in relation to the estate action. If so, the extra costs associated with the dependency action would not seem to be excessive.

There is also an objection to the proposed abolition of the principle that those benefitting from this would be receiving a financial benefit unavailable to others who are dependants of persons killed in other types of injuries. This argument is easily disposed of by pointing out that there are already a whole range of differences in outcomes for claimants across the several different compensation schemes that already exist in New South Wales. In their wonderfully understated way, the commission report authors at paragraph 2.102 say:

Comparative equality in outcome has not driven reform of the complex compensation systems that are in place in New South Wales.

The final argument considered by the commission is the James Hardie agreement and the impact that the proposed abolition of the principle may have on that. The amended final funding agreement between James Hardie and the Government and the Asbestos Injuries Compensation Fund to pay liabilities to asbestos victims affected by James Hardie products is a matter of record and well known to those interested in these matters. Under the agreement, regulatory or legislative change may give rise to an action for damages against the Government or a renegotiation of the agreement. There are several reasons why this is not a persuasive factor against abolishing the Strikwerda principle. First, James Hardie has not sought renegotiation in any of the three other States where the principle has already been abolished.

Second, there is a real question about whether any action would justify the costs involved. Third, there is also an issue about whether the abolition would be a matter of such substance to justify renegotiation or an action for damages. If the argument I have presented, and which is that of the commission, is correct, there is not likely to be a significant increase in either the number of estate claims or in their cost. It is hard then to see how any action from James Hardie can rationally follow. The commission noted that it would be prudent for the Government to obtain independent actuarial advice but also notes that there is considerable difficulty in actually making predictions—that is, actuarial assessments are unlikely to significantly advance the argument one way or another.

The second substantial part of this bill and of the Law Reform Commission report is the removal of the requirement for actions for non-economic loss to be commenced prior to the victim's death. The commission recommends and the bill proposes the removal of that requirement. The fact that the commission made this

recommendation is an eloquent justification and endorsement of the actions of the previous Attorney General in referring these issues last year to the commission. When the issue was debated publicly the only reform seriously prosecuted was the abolition of the Strikwerda principle.

The then Attorney General's good sense in referring it to the Law Reform Commission meant that a much more considered and, indeed, broader reform package could be put forward. If the Attorney General in 2010 had simply moved to abolish the principle, the opportunity would have been lost to also remove the requirement of pre-death commencement of claims for non-economic loss. Section 12B of the Dust Diseases Tribunal Act currently restricts the right of recovery of damages for non-economic loss by estates to cases commenced by the victim before death. The Law Reform Commission recommendation and provisions in this bill also allow the recovery of such damages by an estate if proceedings are commenced no later than 12 months after the victim's death.

By consent, General Business Orders of the Day (for Bills) postponed to permit the conclusion of the current debate.

Mr PAUL LYNCH: The Law Reform Commission's conclusion at paragraphs 3.41 to 3.43 is as follows:

The problem identified in this chapter is a narrow one that appears to affect a very small number of asbestos victims and their families.

The Parliament has previously recognised that it is appropriate to amend laws to take into account the special features attaching to asbestos related diseases, and the stress associated with the speed of their progression.

In light of the impact that the failure to commence proceedings in time can have on the defendants of asbestos victims, we are of the view that an amendment of s12B to remove the pre-death filing requirement, is appropriate. It would cater for those potentially rare cases where proceedings are not instituted before death, and it would remove a provision that can have arbitrary consequences.

The commission proposes also that there be a limitation of 12 months after death in which to bring the claim. The removal of the restriction is thus not open ended. Removing the restriction would provide fairness for those families that are completely and understandably overwhelmed by the horror and shock of a diagnosis of mesothelioma. The Law Reform Commission received evidence that the compressed time frames following symptoms and diagnosis mean that some families are not in a fit state to deal with lawyers and commence proceedings. They focus, once again understandably, on other things. There will perhaps be other families that do not realise that proceedings for non-economic loss must be commenced before death and the situation they are in precludes them from inquiring at the time. As well, there will be cases where the cause of death was properly identified only after death.

The arguments in favour of removing that restriction are thus sensitive and compassionate. The primary argument against the change related to the increase in claims and thus financial demands on the fund. These are serious matters that must be addressed. There were two elements to this concern. One is that claims would be deferred or delayed. The second is that new claims would now be brought that once would not have been. The first is a defendant concern that for tactical reasons claimants might delay bringing claims until after death because it will be harder for defendants to meet the claim. This seems to be wrong for two reasons.

First, as I have already mentioned, claims concluded before death are financially more valuable than those concluded after death. That is a powerful incentive against delay. Secondly, many victims want to complete claims before they die. They find comfort in finalising issues for the benefit of their families. The commission did not find it likely that there will be a flood of new claims. The best evidence it adduced is that there are currently very few claims where the victim has not commenced proceedings before death. There are some cases where an asbestos-related disease was only discovered on autopsy. The Law Reform Commission states that this is not thought to be common, and I think that must be right. In light of current medical knowledge and treatment, I would have thought it was extremely rare.

The Law Reform Commission made two other comparatively minor recommendations for legislative change, and I have adopted both of those recommendations in this bill. Recommendation 3.2 is that section 12B of the Dust Diseases Tribunal Act be amended to allow the joinder of dependants and cross-defendants after the death of the victim. That is a sensible proposal to potentially benefit both defendants and plaintiffs, following a Court of Appeal decision in *Small Pty Ltd v Cremer*, [2006] 66NSWLR400. That is dealt with in the wording in the new bill and also in a note that is being added to section 12B of the Dust Diseases Tribunal Act.

Recommendation 2.2 is to amend section 2 (2) (a) (ii) of the Law Reform (Miscellaneous Provisions) Act. This aims to remove the possibility of double dipping if the Strikwerda principle is abolished. It was suggested to the Law Reform Commission that if the principle were abolished, then as a result of section 15B of the Civil Liability Act a dependency action might seek damages for the same dependency loss as recovered in the estate action. It may be that the current law would prevent such an occurrence. However, the amendment in the bill removes any doubt and clarifies any ambiguity.

Turning to the specific provisions of the bill, item [1] in schedule 1 amends section 3 of the Compensation to Relatives Act that provides for an action to be maintainable against any person causing death through neglect despite the death of the person injured. That implements recommendation 2.1 in the Law Reform Commission's report. It also extends to an action that arises before the commencement of the Act. Paragraph 1.2 of the schedule, new section 12B of the Dust Diseases Tribunal Act, provides that damages for non-economic loss can be recovered after the death of the plaintiff providing not only that proceedings were pending before the Dust Diseases Tribunal at the time of death but also that proceedings are commenced by the estate of the deceased no later than 12 months after the person's death.

The commencement is specifically referred to as being the filing and service of the statement of claim and the statement of particulars. That implements recommendation 3.1. Schedule 1.3, in line with the Law Reform Commission's recommendation 2.2, makes the amendment for more abundant caution in relation to issues concerning the possibility of double dipping to which I referred earlier. I turn briefly to some of the submissions that were made to the consultation paper issued by the Law Reform Commission. In particular, I refer to the submission from the New South Wales Bar Association, which stated in part:

The Association acknowledged in its preliminary submission that notwithstanding that the *Strikwerda* principle was soundly based on the compensatory principle informing the rules relating to quantum in tort cases, its continuing operation may undermine the legislative purpose behind s12B of the *Dust Diseases Tribunal Act 1989*.

... Anecdotally, practising barristers would expect the reform to impact in a very limited number of cases. Accordingly, viewed broadly the financial consequences, one supposes, would be slight.

...

There seems no reason in principle why the entitlement to damages for non-economic loss in estate actions should be limited to actions commenced before death. But the usual policy underpinning statutes of limitation suggests pursuit of the right should not be unlimited. Pragmatically, a relatively short limitation period of 12 months from the date of death seems appropriate, particularly when one considers that the long latency period relating to many dust diseases, especially asbestos-related diseases, already exposes defendants and insurers to uncertainty when making financial provision for liabilities.

They are comments from the Bar Association and are quite supportive of the final conclusion in the Law Reform Commission's report. The second submission made to the Law Reform Commission to which I refer is quite appropriately by someone called Eileen Sylvia Strikwerda. Her husband was Hans Jurgen Strikwerda, who died from mesothelioma in April 2004. Of course, it was the estate claim relating to that death that resulted in this principle being adopted. I quote briefly from her submission, which states:

For the 32 years of our marriage, I was totally dependent on my husband for financial support.

After what began as "a pinched nerve" on the left side of his back in May 2003, and was diagnosed as Pleural Plaques in October, Hans was diagnosed with Mesothelioma on 21 December, 2003.

When Hans was diagnosed with an Asbestos disease, he immediately found a Solicitor to begin proceedings in the Dust Diseases Tribunal as he wanted to make sure I was well provided for should he not survive. If he did live for a time, he did not want to be solely dependent on Centrelink for the rest of his life.

For such a strong man, in every area of his life, it was sad to see him fade before my eyes. In the last few weeks, he lost all dignity as his body succumbed to the ravages of the disease.

Hans died on 5th April 2004 from the effects of Mesothelioma; a horribly painful, debilitating and deadly disease. My husband was 59½ years old and I was nearly 53 years old when he died!

Later in the submission she stated:

There can be no such thing as "over-compensation". When a company or companies deliberately continue in the production and/or installation of a product that kills,

- one of its own or someone else's employees,
- someone who has had contact with a person/clothes etc who has been exposed to that product, or
- a person who has come into passive contact with that product,

then, that pain and suffering, and loss of life MUST be compensated for.

...

As to the likelihood that abolition of the current law will have significant financial consequences for defendants or insurers, it will possibly be so, but the salient point is, that it is the Dependent/s, of the person who has died from a Dust Disease, who will suffer significant financial consequences if the law is *not* abolished!

As for more claims being filed as a result of the abolition of the current law, that is the end result of a negligent industry who did not protect their workforce, or take measures to protect those who have come in contact with their product, either actively or inactively.

- It is not the concern of those who are suffering because of their inevitable loss of life, or those who are suffering the loss of a loved one, that those who caused their pain will "suffer" litigation.

I consciously chose to finish this speech with the comments of Mrs Strikwerda. While much of what I have said has been argued dispassionately and logically and has followed on from the Law Reform Commission's report, it is essential that one does not lose sight of the real human pain and suffering that is involved as a result of a diagnosis of mesothelioma and a consequent death. The words of Mrs Strikwerda are not just entirely appropriate but very important when considering issues such as this. I commend the bill to the House.

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

HUNTERS HILL RADIOACTIVE WASTE

Debate resumed from 25 November 2011.

Mrs TANYA DAVIES (Mulgoa) [10.42 a.m.]: I am pleased to speak to this motion. I move:

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

"this House congratulates the Government on taking a thorough and methodical approach to cleaning up the mess that the previous Government left behind in Hunters Hill."

This issue has been around for almost 100 years. The site at Hunters Hill was used for uranium processing and operated from 1914 to 1916. With the outbreak of World War I, the Radium Hill Company went into bankruptcy. So the site has been contaminated since 1916. The original polluter, the Radium Hill Company, no longer exists. The Government purchased properties at 7, 9 and 11 Nelson Parade and the State Property Authority is now managing the remediation of the site. I find it extraordinary that a Labor member would move a motion calling for high levels of transparency in this matter. The reality is that for 16 years the former Labor Government knew about this issue and did nothing to deal with it. It has fallen to the Liberal-Nationals Government, elected in a landslide victory, to once again clean up the mess that those opposite have left us. The Government will work to clean up the mess in this State, and we are working tirelessly to clean up the mess in Hunters Hill.

It is important that we put the facts on the table rather than have an emotional, kneejerk reaction, as demonstrated in this motion. The reality is that there is a site at Lidcombe that has been operating for more than 20 years. It has the required certification and the former Labor Government recently spent \$3.4 million upgrading it to meet current standards for the storage of radioactive material. Yet even though those opposite spent \$3.4 million upgrading the site nearly five years ago, they still did not want to use it. Instead, they ignored scientific evidence that radioactive material was present and decided to send all the soil to Kemps Creek, in my electorate. Since my election to this place as the member for Mulgoa, I have worked fervently and tirelessly with the Minister for Finance and Services and the Minister for Fair Trading to ensure that the right decision is made on this matter and the correct course of action is taken. That contrasts directly with the behaviour demonstrated by those opposite in government.

Let us consider what Labor did in relation to this issue in its last two years in government. It signed a contract with SITA at Kemps Creek before it engaged with Penrith City Council. The Labor Government deliberately delayed informing Penrith City Council of its plan until it had signed the contract. Documents obtained under freedom of information provisions prove that those opposite cancelled, via email correspondence, a briefing with Penrith councillors on 28 May because the contract had not been signed. They

then rescheduled the briefing to 15 June—after the contract had been signed. The former Government even paid \$10,000 of taxpayers' money to Elton Consulting to prepare a media strategy when the issue became public knowledge. That is the so-called "transparency" that the member for Auburn is calling for.

The Government has undertaken an exhaustive investigation and has found the right solution, which we are pursuing. The Government will link with the Australian Nuclear Science and Technology Organisation [ANSTO], which will oversee the sorting of material that is currently on the Hunters Hill site. Any radioactive material that is identified will be separated out and sent to the right location, at Lidcombe—a site that has been operating successfully for the past 20-odd years. The remaining material on site will then be legitimately sent to Kemps Creek under the current licensing arrangements for that site. The Kemps Creek site, under SITA, has been operating with an Environment Protection Authority accredited licence for 21 years. I am pleased to stand up on behalf of the electorate of Mulgoa and ensure that the Government follows the right course of action in this matter. That course of action has been disclosed to the community.

We will engage with the community on this matter—unlike those opposite who deliberately tried to sweep the matter under the carpet. That is evidenced by documents obtained under freedom of information provisions, which show that the Labor Government sought to keep the matter behind closed doors until the contract was signed and it was effectively too late to lodge any objections. I am determined and confident that the Government—which was elected in a landslide to clean up the mess left by those opposite—will indeed manage this matter in a transparent and scientific manner. I am proud to stand in this place as a member of the Government and say that we are taking the right course of action. We will bring the experts on site, deliver the radioactive material to the right location and honour all current licensing agreements. The New South Wales Liberal-Nationals were elected on the promise of fixing this State—cleaning up the mess left by those opposite—and that is exactly what we are doing.

Mr GUY ZANGARI (Fairfield) [10.47 a.m.]: I support the motion moved by my colleague, the member for Auburn, and clearly oppose the amendment moved by the member for Mulgoa. The member for Auburn called for a better solution to the processing and storage of radioactive waste from the former uranium smelter at Hunters Hill. The solution proposed by the Government is to dump it in western Sydney, at Lidcombe and Kemps Creek. The irrationality of the plan to move the radioactive waste to Lidcombe has already been passionately conveyed by the member for Auburn. However, what is equally bad policy is the Government's decision to move contaminated material to Kemps Creek and to sugar coat that decision as a solution. The Government treats the residents of western Sydney with contempt. I ask the Government: If the material at Hunters Hill is deemed to be non-hazardous, why does it need to be moved to Kemps Creek? It is simple:

The Government is moving the radioactive waste material from the rich waterside suburb of Hunters Hill and dumping it in the honest, hardworking communities of western Sydney—Lidcombe and Kemps Creek—because that material is not safe. The development is a damning indictment on Liberal members of Parliament from western Sydney, who sit there silently letting this happen. In particular, it is a failure by the member for Smithfield, Andrew Rohan, and the member for Mulgoa, Tanya Davies, to protect the interests of their electorates.

Instead of supporting the motion they sit in silence, supporting Premier O'Farrell in the contempt he is showering upon the hardworking families of western Sydney. Prior to the March 2011 election the member for Smithfield and his Liberal Party friends stood outside the Smithfield electorate office protesting the possibility that radioactive waste from the former uranium smelter at Hunters Hill would find its way into their backyards. Now, 11 months later, where is the Liberal member for Smithfield when the Premier he so loyally stood beside makes a liar and a fool out of him? Worse still, why is he allowing the Premier to expose the people of Smithfield and residents of the Fairfield local government area to radioactive waste that could potentially endanger the health and wellbeing of the surrounding western Sydney communities?

Perhaps more damning than the silence from the member for Smithfield is the blatant propaganda that the member for Mulgoa has been feeding her electorate. The member for Mulgoa calls the proposal a "fantastic win" for the local community. How is radioactive waste being dumped at Kemps Creek a win for Mulgoa and for the families of western Sydney? According to Minister Pearce, hazardous waste is "waste with radioactive material above a certain limit". This waste, if not properly handled, will lead to illness. This waste will be moved to the residential suburb of Lidcombe, which is smack-bang in the heart of Sydney. There is also material that has a positive radioactive reading but it is below a certain limit and so is considered non-hazardous. This material will be shipped out to Kemps Creek. I ask the Premier, the Minister for Finance and Services and the member for Mulgoa: How is this a solution? [*Time expired.*]

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [10.52 a.m.]: I am delighted to have the opportunity to contribute to debate on this important motion and help to clear up a number of issues raised by members opposite. First, I support the amendment moved by the member for Mulgoa. I directly address one of the allegations raised by the member for Fairfield, who said that radioactive waste is being dumped at Kemps Creek. That is not true—no radioactive waste is going to Kemps Creek. In speaking to the motion it is important to look at the facts of the issue and examine the actions of the former Labor Government during its 16-year reign and the action being taken by the Liberals and The Nationals.

As members are aware, the site at Nelson Parade in Hunters Hill was used by a private company, the Radium Hill Company, to process uranium ore in the early part of last century. Some of the waste from this process remains on site and contains some minor residual radiological material. The original polluter, the Radium Hill Company, no longer exists so the Government purchased a number of properties along Nelson Parade and commissioned the State Property Authority to manage the remediation. We must be very clear that the former Labor Government knew all about the contamination of the Hunters Hill site for 16 years yet it closed its eyes, covered its ears and pretended the site never even existed. Unfortunately, members opposite took a similar approach to many pressing issues—and we all know the result. Since coming to government the Liberals and The Nationals have been working tirelessly to fix this mess and correct Labor's inaction. In particular, I commend the member for Mulgoa, who has been actively advocating for the rights of her community on this important issue.

[Interruption]

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Fairfield has had the opportunity to make a contribution.

Mr ROB STOKES: In the beginning the information received by the Government was exactly the same as that given to the former Government—that is, radioactive material could only be sent to the facility at Kemps Creek. However, that result was not going to be acceptable to this side of the House. Under the direction of the Minister for Finance and Services, the State Property Authority actively reinvestigated every option that was available. After a thorough investigation the Government found another option that members opposite had never even considered. The Government did what the Opposition refused to do: We listened to the residents of Kemps Creek.

Rather than contracting Elton Consulting—a company well known to members opposite—to tell the community, we listened to the community. That is fundamentally what good government is all about: listening to community concerns and doing what the community wants on the basis of those valid concerns. Under this alternative no radioactive waste will go to the disposal facility at Kemps Creek. This is an important point that members opposite have not picked up. Waste will be removed and tested on site at Hunters Hill under the close supervision of Commonwealth agency the Australian Nuclear Science and Technology Organisation [ANSTO]. In the unlikely event of any hazardous material being found—

Mr Paul Lynch: Unlikely? It's there.

Mr ROB STOKES: So you are a radiation scientist, are you? Do you know exactly what is there? That is exactly the point. The material will be removed and separated from the rest of the soil and taken to the secure government storage facility at Lidcombe. The facility on the Lidcombe site has been operating for more than 20 years. It has been taking radioactive material from the community, particularly from hospitals, for more than 20 years and it is equipped to handle material from Hunters Hill, should any be found. This facility was upgraded just five years ago to comply with the relevant standards. I commend the amendment to the House. *[Time expired.]*

Mr PAUL LYNCH (Liverpool) [10.56 a.m.]: I support the motion of the member for Auburn and oppose the amendment moved by the member for Mulgoa. The inescapable truth about the radioactive material at Nelson Parade, Hunters Hill, is that it is all going to be deposited at the site facility at Kemps Creek. The Government has truly had a road to Damascus conversion. At the start of its journey the now Government, the then Opposition, resolutely opposed any dumping of this material at Kemps Creek. The Liberal candidate for Mulgoa said that it would not become a toxic dumping ground. However, as their journey to the Treasury bench proceeded, those opposite suddenly were converted to the notion of moving waste from Sydney's North Shore to Sydney's western suburbs. This near-miraculous conversion has been accompanied by an equally miraculous disappearance.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber.

Mr PAUL LYNCH: All the hazardous material has disappeared—it is miraculous. If that were true there would be no need to move the material at all and there would have been no cancer clusters in Hunters Hill. These miraculous conversions are readily apparent in letters and media releases from the Government. The Premier, in a letter to the mayor of Liverpool on 9 December last year, declared that in the Government's view it is highly unlikely there is any hazardous material at Hunters Hill. In that case, all of it will go to Kemps Creek. According to the Premier's letter, it is highly likely that all the material will go to Kemps Creek. That has been done by abracadabra—the Government has simply denied the radioactivity exists. There is no hazardous material at Hunters Hill therefore it can all go to Kemps Creek—no problem. The Government has done a David Copperfield. David Copperfield's apprentice, Minister Pearce, said exactly the same thing in his media release of 31 October: It is unlikely there is any hazardous material at Hunters Hill so it can all go to Kemps Creek.

Those opposite have miraculously changed their minds about what can be dumped at Kemps Creek and have miraculously discovered that there is probably no hazardous material on the Hunters Hill site. That is on par with some of the nonsense that was trotted out during estimates committee hearings by some Government representatives who claimed there is no more radioactivity at Hunters Hill than there is in a banana skin. Accordingly, several thousand tons of radioactive material will be removed from Sydney's North Shore and dumped in western Sydney. I must say it is a courageous decision by the Government to think this will be meekly accepted by the residents of western Sydney. The most miraculous part of the Government's position is the spectacular triumph of spin over substance. This spin is so powerful that it has made the radiation disappear; it is gone in the blink of a press secretary's eye. The problem is acute for the member for Mulgoa. She said before the State election that this material was too dangerous to be sent to Kemps Creek.

The member for Mulgoa is now delighted that it will go there because it is no longer hazardous. She must make clear to her electorate which of those two positions is the truth. Is the truth what she said before the election or what she is saying now? She needs to decide which of those two conflicting stories is true. Which bit of the magic is she adhering to? Is she adhering to what she said before the election that this material was too dangerous to go to Kemps Creek, or is she adopting the abracadabra approach and saying that it is no longer hazardous and that it can go to Kemps Creek? That is her problem and she must explain it to her electorate and tell us which of those two options is the truth and which is the lie. One of the most eloquent opponents of this nonsense is a young girl from my electorate who is a student at Cecil Hills Public School. She wrote a letter to her principal, which, at her request, was published in the school newsletter. I acknowledge the work of Ms Darcy and the comments she has had published in relation to this issue. [*Time expired.*]

Mrs BARBARA PERRY (Auburn) [11.01 a.m.], in reply: I welcome this debate on the Government's decision to send radioactive waste to Kemps Creek and Lidcombe. It is a flawed and hasty decision that has greatly concerned not only my community—which has organised the very effective group Suburban Anti Nuclear Action Group in just four months and is close to collecting 10,000 signatures on a petition opposing this move—but also the people of Hunters Hill and Kemps Creek. This is not only about the people of my community not wanting radioactive waste in their backyards; the issue is much bigger than that. It is about transparency and how the waste will be cleaned up and stored appropriately. The Government came to office announcing a new era of transparency. There would be no reliance on spin, just the cold hard facts. So much for that.

After repeatedly ringing and emailing the office of the Minister for the Environment—it would be comic if it were not so serious—my office was eventually promised a joint briefing on the plans along with the office of the Hon. Greg Pearce. We were told that we would be informed of the time of the briefing, but three months later we are still waiting. We have no answers about how the radioactive waste will be sorted and separated on site at Hunters Hill, about the criteria for separation, about what is being done to ensure that no radioactive dust escapes in the clean-up, about the regulatory approval required for the clean-up, transport and storage of waste or about when or how much radioactive waste will be delivered and in what form it will be delivered. We have had no information about the size and capacity of the concrete bunker at Lidcombe or the monitoring capacity if there is a leak into the air or groundwater. We do not know whether monitoring data will be publically available and we have seen no evidence that the Office of Environment and Heritage building has sufficient monitoring capacity to store radioactive waste. That building was upgraded to meet safety standards, not to store this waste.

My constituents are worried sick, but what response have they had from the Government? They have simply received an assurance that they should trust the Government and that it will all be okay. Nearly one year

after Fukushima that is not good enough. It gets worse. As I said when I first spoke to this motion, it appears that the Government is trying to pull the wool over our eyes. Members opposite made such a fuss about this waste when they were in opposition. They might remember that the former member for Castle Hill never stopped fighting about this issue. He fought tooth and nail for his community. Government members now tell my community that they should believe the statement of the Hon. Greg Pearce that it is not anticipated that any hazardous waste will be found on site at Hunters Hill. What a joke. Today we heard about the letter from the Premier to the Mayor of Liverpool, Wendy Waller, supporting the statement of Minister Pearce that the waste is going not only to Lidcombe but also to Kemps Creek.

We have not been told what has happened with the significantly elevated concentration of radionuclides and what has been done in response to the evidence that the site is unfit for long-term human habitation without remediation, as found in a 2008 survey of Nelson Parade, Hunters Hill. As I said, the Government has chanted "abracadabra" and the radioactivity has disappeared. It has simply classified it out of existence using spin in a media release and now in a letter. Classifying the radioactive waste as non-hazardous means it can be sent to Kemps Creek and a little bit will be sent to Lidcombe if the levels are high enough. The Government has defined the problem to fit the solution at Kemps Creek, which has a small, low-security bunker at Lidcombe surrounded by high-density houses. The member for Mulgoa has rolled over; she has been betrayed by her own Government, which is ignoring the thousands of people who have signed a petition asking that no radioactive waste be sent to Kemps Creek. [*Time expired.*]

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 66

Mr Anderson	Ms Gibbons	Mr Provest
Mr Annesley	Ms Goward	Mr Roberts
Mr Aplin	Mr Grant	Mr Rohan
Mr Ayres	Mr Gulaptis	Mr Rowell
Mr Baird	Mr Hartcher	Mrs Sage
Mr Barilaro	Mr Hazzard	Mr Sidoti
Mr Bassett	Ms Hodgkinson	Mrs Skinner
Mr Baumann	Mr Holstein	Mr Smith
Ms Berejikian	Mr Humphries	Mr Souris
Mr Bromhead	Mr Issa	Mr Speakman
Mr Brookes	Mr Kean	Mr Spence
Mr Casuscelli	Dr Lee	Mr Stokes
Mr Conolly	Ms Moore	Mr Toole
Mr Cornwell	Mr Notley-Smith	Ms Upton
Mr Coure	Mr O'Dea	Mr Ward
Mrs Davies	Mr O'Farrell	Mr Webber
Mr Dominello	Mr Owen	Mr R. C. Williams
Mr Doyle	Mr Page	Mrs Williams
Mr Elliott	Ms Parker	
Mr Evans	Mr Patterson	
Mr Flowers	Mr Perrottet	<i>Tellers,</i>
Mr Fraser	Mr Piccoli	Mr Maguire
Mr Gee	Mr Piper	Mr J. D. Williams

Noes, 22

Mr Barr	Mr Lalich	Ms Tebbutt
Ms Burney	Mr Lynch	Mr Torbay
Ms Burton	Dr McDonald	Ms Watson
Mr Daley	Ms Mihailuk	Mr Zangari
Mr Furolo	Mr Parker	
Ms Hay	Mrs Perry	<i>Tellers,</i>
Ms Hornery	Mr Rees	Mr Amery
Ms Keneally	Mr Robertson	Mr Park

Question resolved in the affirmative.

Amendment agreed to.

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

The House divided.

Ayes, 66

Mr Anderson	Ms Gibbons	Mr Provest
Mr Annesley	Ms Goward	Mr Roberts
Mr Aplin	Mr Grant	Mr Rohan
Mr Ayres	Mr Gulaptis	Mr Rowell
Mr Baird	Mr Hartcher	Mrs Sage
Mr Barilaro	Mr Hazzard	Mr Sidoti
Mr Bassett	Ms Hodgkinson	Mrs Skinner
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Mr Casuscelli	Dr Lee	Mr Stokes
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Mr Coure	Mr O'Dea	Mr Ward
Mrs Davies	Mr O'Farrell	Mr Webber
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Mr Doyle	Mr Page	Mrs Williams
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Mr Furolo	Mr Parker	
Ms Hay	Mrs Perry	<i>Tellers,</i>
Ms Hornery	Mr Rees	Mr Amery
Ms Keneally	Mr Robertson	Mr Park

Question resolved in the affirmative.

Motion as amended agreed to.

EARLY INTERVENTION PRESCHOOLS

Ms SONIA HORNERY (Wallsend) [11.18 a.m.]: I move:

That this House calls on the Government to adopt recommendations by the nation's leading education authority, Mr Tony Vinson, and establish early intervention preschools to save children from a lifetime of disadvantage.

I will outline, in this brief seven minutes, eight reasons why early intervention is needed. First, I will talk about what early intervention is. Secondly, I will talk about why we need early intervention. Thirdly, I will talk about whether early intervention is effective. Fourthly, I will give a personal experience. Fifthly, I will talk about how

early intervention can help a young child with learning difficulties. Sixthly, I will talk about the support for early intervention that is recommended by preschool staff. Seventhly, I will talk about action; and, finally, I will talk about the results of the *Daily Telegraph* People's Parliament on education.

What is early intervention? It applies to preschool-age children who are discovered to have physical or mental handicaps that may affect their development. Why do we have early intervention? Early intervention is a process whereby identifying special needs leads to services that stimulate children to lessen the effects of the condition. It helps in the following three ways: it enhances the child's development; it could provide support for the child's family; and it maximises the family's benefit to society. Early intervention can help children, families and society in two ways. It can be remedial or it can be a preventative remedy and, by fixing a problem early, it can be prevented from getting worse or hindering a child's development. I will quote from the United States Department of Education report on early intervention, which states:

After nearly 50 years of research, there is evidence—both quantitative ... and qualitative ... —that early intervention increases the developmental and educational gains for the child, improves the functioning of the family, and reaps long-term benefits for society.

My next question is this: Is early intervention cost effective? The United States Department of Education cites four examples of long-term cost savings that show that investing money in services to help children at an early age costs much less than special education services, helps prevent institutionalisation at a later age and also helps struggling families work together to help their children and the family. What about my personal experience? First of all, Professor Tony Vinson cites an example of children who begin kindergarten without being able even to hold a pencil.

When I was in Walgett for four years I saw many things, particularly children from very disadvantaged and isolated homes from the Namoi Reserve and Gingie Mission, and I saw children who were not toilet trained when they arrived at school. They had never seen a book, they had never held a pencil and some, unfortunately, belonged to families with endemic illiteracy. As a teacher said, those children arrive at school but they are not at all ready for school. From the day that these children enter kindergarten they are behind the eight ball and the most beneficial thing we can do is undertake early detection and remedy any difficulties.

How can early intervention help young children with learning difficulties? Teachers identify the specific handicap and liaise with the preschool and family about the child's needs and arrange assistance. Speech pathology may help. If a child arrives at kindergarten and it is discovered that the child cannot hold a pencil, or has not sighted a book or, of more concern, the child has a disability, what time will a teacher of 25 children in a mainstream classroom have to provide extra support for that individual? If a child does not receive early support we allow that child to have disadvantage after disadvantage piled upon it from the beginning of its life. I say we must immediately fund an efficient approach for a child to access remedial early intervention. My next point is that our preschool staff strongly support early intervention. A spokesman who works at a local preschool stated:

Many children in our community are being discriminated against by not being able to access suitable Pre-school education because of their disability. We once had Special Schools but these have been closed so that children could be "integrated"! This is not happening as Pre-schools cannot apply for funding to provide for the necessary staff needed to give a seriously disabled child quality experiences as a basis for future education.

Let us note also that the Minister for Education has been quoted as saying that the Coalition strongly supported the principle of early intervention that targeted the disadvantaged. Professor Vinson has done the work for the Government. Let us see the implementation of his recommendation immediately. I ask members of this House to pay attention to a *Daily Telegraph* survey published last year. It was created from a key resolution of the *Daily Telegraph* People's Parliament and reached the conclusion that 100 per cent of the people surveyed said that New South Wales should develop remedial preschools and kindergartens. If 100 per cent of people polled agreed with developing early intervention preschools and agreed with the research of the eminent Professor Tony Vinson, I am sure those in the House who care about the education of people with disabilities will support most wholeheartedly my recommendation, and I urge members to support it.

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [11.26 a.m.]: I thank the member for Wallsend for drawing the attention of this House to the importance of early childhood education and early intervention. I reiterate this Government's commitment to universal access to preschool programs, as agreed under the national partnership on early childhood education. The goal of this national partnership is to ensure that by 2013 all children in New South Wales can access preschool programs in the year before formal schooling commences. This is an ambitious target, but we would all agree it is an important one in making sure that all children—especially those from disadvantaged backgrounds—get the best possible start in life. Education, of course, is a ladder of opportunity for all children of New South Wales.

Importantly, the national partnership makes it clear that the primary role of preschool and long day care services in New South Wales is the provision of early childhood education and care. Because we know that quality early childhood education and care give children the best start in life, one of our key election commitments was to move responsibility for preschools to the Education portfolio. We, as a Government, believe that early childhood education and care services are, first and foremost, universal mainstream services available to all children and families whose key focus is on early childhood education and development. That is why we believe that placing early childhood education and care in our Department of Education and Communities is the right thing to do. We have already delivered on this commitment—a reform long overdue and supported by the sector, but absolutely ignored by the previous Government.

The proposal of the member for WallSEND, which I may add has never been raised let alone implemented by the previous Government—and that is a theme we hear from time to time in this House—would take us in the opposite direction. That is why this Government rejects the member's proposal. It is contrary to what we are setting out to achieve, and we believe it is unnecessary. The New South Wales Government wants mainstream early childhood education and care services to be effective in addressing the needs of disadvantaged children and families. Making mainstream services accessible to all children is in most cases a better option than keeping some children separated from mainstream services. That is one reason why we brought early childhood education and care under the portfolio of the Department of Education and Communities, as I have mentioned.

The member's proposal is also unnecessary. The Government already provides support to disadvantaged children and families within mainstream early childhood and care services through various programs to make sure there are no barriers to access for these children. The Government's budget forecast expenditure of \$229 million in 2011-12 to non-government providers of early childhood education and care programs. This includes around 780 community preschools, which receive higher per-child funding rates for Aboriginal children and children from low-income families.

Priority access is given to the most disadvantaged children in the local school community through 100 New South Wales Government funded and operated preschools located in government schools. Many of these preschools are in communities deemed to be most in need of these services. While fees will be introduced at these preschools from next year to ensure consistency across the sector, the most needy families and parents doing it tough will receive fee relief. The New South Wales Government also funds and operates 47 early intervention classes, which are located within government schools. These classes provide individual learning paths for young children with disabilities.

Secondly, the Government is committed—and remains strongly committed—to supporting and protecting children through early intervention programs. These programs are targeted in particular at disadvantaged children and families, and respond to the needs of those children most at risk. More specifically, the Government funds three programs specifically aimed at access to and participation in mainstream early childhood education for children and families with a range of additional and special needs: the Intervention Support Program, supporting access to educational programs for young children with disabilities; the Supporting Children with Additional Needs [SCAN] program, funding mainstream community-based children's services to support access for children with additional needs; and the Brighter Futures early intervention program, providing free, quality early childhood education and care to many children and families most in need.

Members may recall that the proposal that New South Wales should develop remedial preschools and kindergartens was a key resolution of the *Daily Telegraph's* People's Parliament, which was held on 1 March 2011. I understand that Professor Tony Vinson, who is a leading social disadvantage expert at the University of Sydney, publicly supported this proposal when it was announced. I am pleased to note that the recommendations presented by such an esteemed authority as Professor Vinson align with many of the strategies and programs that this Government has endorsed. Mr Vinson specifically notes that every child should receive preschool education before school entry—I could not agree more. That is why the Government supports the universal access to preschool goals. It is also reviewing the funding arrangements to the sector to ensure that funding is being appropriately targeted and helping to deliver the best outcomes for young children and their families in New South Wales.

Professor Vinson also points to the importance of targeting disadvantaged children in certain areas. I agree with him, and the Government is already doing that through the programs I mentioned earlier. That is why the Government does not think special and remedial preschools need to be established. Such schools would aim to achieve something already being delivered and risk stigmatising areas and individual children—the Government wants to protect against that. As I said earlier, I welcome the interest of members in issues of early

childhood education and early intervention. While I reject the member for Wallsend's proposal, I do agree wholeheartedly with her observation that early intervention is crucial to try to avoid a lifetime of disadvantage. I commend my comments to the House. [*Time expired.*]

Ms CARMEL TEBBUTT (Marrickville) [11.33 a.m.]: I support the motion moved by the member for Wallsend. Research shows the benefit of early intervention and the difference it makes in the lives of children with access to early childhood and education programs. It particularly works for children from disadvantaged backgrounds who very often do not get the sorts of things that we take for granted—things that many children access every day. An environment where children are exposed to books and learning helps them make a successful start at school. Sadly, many children from disadvantaged backgrounds miss out on that. I take issue with some of the comments made by the Parliamentary Secretary. When Labor was in government it recognised the benefit of investing in early intervention, particularly for disadvantaged families.

In fact, it was the Labor Government that set up for the first time within the Department of Community Services specific programs to quarantine new funding for investing in families who were doing it tough and struggling with issues that meant they could not effectively provide for their children. The three programs mentioned by the Parliamentary Secretary were all commenced by the Labor Government. The Parliamentary Secretary cannot say, on the one hand, that Labor in government did nothing about early intervention or Labor did not invest in programs to support children, particularly those from disadvantaged backgrounds, and then claim credit, on the other hand, for the three programs that Labor established: the Brighter Futures early intervention program, the Supporting Children with Additional Needs [SCAN] program and the Intervention Support Program. Labor took this area very seriously and did a lot about it.

The HighScope Perry Preschool Study, which commenced in the 1960s and was very forward thinking, is the study most often quoted when people are speaking of the benefits to be gained from early intervention in a high-quality early care and education program for disadvantaged families. The study found that those three- and four-year-olds who participated in a high-quality early care and education program were found at age 40 to receive higher earnings, were more likely to hold a job, had committed fewer crimes and were more likely to have graduated from high school. It also found a return to society of more than \$16 for every tax dollar invested in early care and prevention. That demonstrates that not only are early intervention programs important for children and families, particularly those from disadvantaged backgrounds, but they make economic sense. I am therefore surprised that the Government does not support this motion.

Unfortunately, one of the few things this Government has done in the early childhood arena since coming to office will militate against providing greater opportunities for disadvantaged families to a quality preschool program—namely, the introduction of fees in government preschools. Many of the preschools are in disadvantaged areas and the introduction of fees will make it more difficult for the types of children we are talking about to access quality early childhood programs. I support the motion.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [11.37 p.m.]: I am delighted to speak to the motion of the member for Wallsend and I thank her for bringing this important matter to the notice of this House. The member for Wallsend has a very caring and compassionate attitude and is well respected in her community. Indeed, she is a wonderful, hardworking member of Parliament. But it is a pity that some of those admirable qualities have not rubbed off on the Leader of the Opposition, who continues to spread mistruths and hypocrisy across New South Wales and who struggles to gain any sort of credibility. I remind members that those opposite were the same people who closed down the Dalwood facility, which supported early intervention and conducted remedial programs. The Liberal-Nationals Government has reinstigated that facility. Issues such as those raised by the Leader of the Opposition will ensure that he will never gain any credibility with the people of New South Wales.

The New South Wales Government will not be reintroducing remedial preschools—a position that is supported by education experts. Inclusion rather than separation results in the best outcomes for children in their early years. It has long been accepted that preventing problems or stepping in before they have a chance to escalate is a sensible and efficient way to approach difficult issues. Tony Vinson pointed out that early childhood education is a crucial component of prevention and early intervention. Early childhood education and care services play an important role in supporting vulnerable children and their families. These services enable the inclusion of children with high-support needs in mainstream early education services, and they play a very important role in early intervention and prevention programs.

We are committed to maintaining these programs through the Department of Family and Community Services, and that is exactly why the Government supports programs such as the Brighter Futures early

intervention program, to which I will refer briefly. The program is currently delivered by both the Government and non-government partners. The program supports children and their families by ensuring that they have the best possible start in life. The program targets vulnerable families across New South Wales with children aged under nine years or families that are expecting a child. A total of 3,500 families participate in the program, which delivers tailor-made early intervention packages.

One of these services is quality early childhood education and care at child-care centres, preschools and play groups. About a third of the participating families receive these services. These are some of the children and families most at risk of a lifetime of disadvantage, and the Government is supporting them by providing these early childhood education and care services. The Brighter Futures program is based on international and national research findings, including that quality early intervention programs facilitate significant development achievements for vulnerable children. An important aim of Brighter Futures is to attain long-term benefits for children by improving intellectual development, educational outcomes and employment chances.

As the member for Wallsend must surely be aware, this program was implemented by the previous Government. We have always associated early intervention and prevention as the best way to address disadvantage. Therefore, I cannot support a proposal that seeks to parallel a previous Labor initiative and that will serve to keep disadvantaged children away from mainstream early childhood education and care programs that already have a proven record of assisting thousands of disadvantaged kids across New South Wales.

Mr CLAYTON BARR (Cessnock) [11.41 a.m.]: I welcome this debate as I have fairly wide-ranging personal experience in this regard. I was an educator and I worked in public schools, and I have a number of friends who have children with disabilities. Indeed, I know a number of children on the autism spectrum, which we know is increasingly being diagnosed by doctors. More and more young people in our community are being diagnosed with autism. Let me tell the story of Harrison, Oliver and Haines, who are good friends of mine. They are my little buddies, my little mates. They all belong to families that I know very well. The biggest issue for Harrison, Oliver and Haines is that their families were concerned about what would happen if they were labelled as autistic. These boys went to early intervention preschool at Hunter Prelude, which is largely funded by community donations and support. That has made an enormous difference to the lives of these young people and their families.

The biggest difference is that their parents have been trained, taught and shown how to teach these young people in the best possible way. The boys did not, cannot and will not cope with the mainstream education that is offered today. I say that with all due respect to mainstream education. I am a product of mainstream education and I believe in it. Indeed, I used to work in that fantastic environment. However, it does not have the capacity to cope with the needs of some of these young people. If these young people were put in mainstream classes, the lessons that they and their families learn at Hunter Prelude and at other similar schools would be lost. That issue is incredibly important.

We should not get caught up in ideology and philosophical banter about labelling what is and what is not or what should or should not happen. The reality is that if we want to achieve results we must provide the best possible service, and at present the best possible service for these young people who need early intervention cannot be provided through the broader mainstream public education system because the resources are not available. If the Government wants to make that the only path and the alternative for these people, it should get out the chequebook and start writing massive cheques to retrain staff and change the resourcing and infrastructure of those schools, because that is what these special young people need. The services are not currently available in mainstream schools. So the Government must either pay to provide these services in every school across the State because these young people will transition to mainstream classes or it must pay for services in specialised schools across the State in order to provide these young people with special care.

I return to Harrison, Oliver and Haines. As a result of these boys getting early intervention in a preschool environment they have managed to go on to mainstream infant and primary schools. Let me tell you about some other young friends whom I will not name. Their parents did not want them to be labelled and they did not send them to a specialised early intervention preschool; because they did not get the early intervention they needed they are unfortunately failing terribly in mainstream infant and primary school. Let me tell the House about the developers in the Hunter, Hilton Grugeon and Richard Owen. These men believe in early intervention so much so that when the Department of Education and Communities could not provide the necessary facility they provided the \$5 million to build one. They have provided the land, the resources and the infrastructure. The community and families believe in it and the children win from it. We just have to get it done. I commend the motion to the House.

Ms SONIA HORNER (Wallsend) [11.46 a.m.], in reply: I thank the member for Vacluse, the Parliamentary Secretary for Tertiary Education and Skills; the member for Marrickville, the shadow Minister for Education; the member for Hawkesbury, the Parliamentary Secretary for Western Sydney; and the member for Cessnock for their vital contributions. I thank the Parliamentary Secretary for Tertiary Education and Skills for her response. I agree with her that there are goals in national partnerships about access to preschools for children. I agree also that education is a ladder of opportunity for all children in New South Wales. I was a teacher in one of the most disadvantaged schools in New South Wales, which I believe gives me a modicum of experience and knowledge and enables me to say that the opportunity is not always available for all children. We talk about opportunities but not all children have equal access to that ladder of opportunity.

The Parliamentary Secretary also said that this motion is unnecessary in today's society and with education. Again, based on my experience of 18 years of teaching in the most disadvantaged school in New South Wales, which gives me a modicum of experience, I know that mainstream classes are terrific. But like the member for Cessnock, who also has teaching experience in struggling schools, I know that children with disabilities—I am referring to those children with disabilities, as did eminent Professor Vinson—struggle in mainstream classrooms. Teachers are not Houdini and they cannot provide services for all children with disabilities.

We are talking about early intervention so that children with disabilities, such as those children to whom the member for Cessnock referred, can transition into normal mainstream classes. With some support, some of these children can transition. However, I have taught children—I am sure the member for Cessnock has similar experience—who did not cope in a mainstream class. So it is all very well for Government members to talk about mainstream classes being the answer for everything—and in most cases they are—but they are not the answer for children with great disabilities. They do not cope and they make the learning environment for the rest of the class difficult. Indeed, they make the learning environment impossible for teachers at times. I say that from experience.

The member for Vacluse talked about the most needy children receiving fee relief, and that is terrific. However, they do not always attend preschool, which I would like to see change. Indeed, I would like to see these children attend preschools that meet their needs. The member for Marrickville talked about the initiatives instituted by the Labor Government, such as the Brighter Futures program, the Supporting Children with Additional Needs program and a learning assistance program—this Government is continuing the learning assistance program, which is great—and Labor's investment in early intervention schools. I thank the Parliamentary Secretary, the member for Hawkesbury, for his kind comments to me.

I am not sure of the relevance of his comments in relation to this motion but he talked about the fact that inclusion, rather than separation, works best. In some cases that is not correct. Again, I stand by my vast experience as a teacher in disadvantaged schools and say that that is not always the case. I agree with the member for Cessnock that early intervention is important and Hunter Prelude is a brilliant example of how children with autism or the autism spectrum have been given greater assistance than they would receive in mainstream schools. It is an important issue, and something that I feel deeply about because I have the knowledge and experience to understand its importance. I urge members to support this motion.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 22

Mr Barr
Ms Burney
Ms Burton
Mr Daley
Mr Furolo
Ms Hay
Ms Hornery
Ms Keneally

Mr Lalich
Mr Lynch
Dr McDonald
Ms Mihailuk
Ms Moore
Mr Parker
Mrs Perry
Mr Piper

Mr Rees
Mr Robertson
Ms Tebbutt
Mr Zangari
Tellers,
Mr Amery
Mr Park

Noes, 66

Mr Anderson	Mr Gee	Mr Roberts
Mr Annesley	Mr George	Mr Rohan
Mr Aplin	Ms Gibbons	Mr Rowell
Mr Ayres	Ms Goward	Mrs Sage
Mr Baird	Mr Grant	Mr Sidoti
Mr Barilaro	Mr Gulaptis	Mrs Skinner
Mr Bassett	Mr Hartcher	Mr Smith
Mr Baumann	Mr Hazzard	Mr Souris
Ms Berejiklian	Ms Hodgkinson	Mr Speakman
Mr Bromhead	Mr Holstein	Mr Spence
Mr Brookes	Mr Humphries	Mr Stokes
Mr Casuscelli	Mr Issa	Mr Stoner
Mr Conolly	Mr Kean	Mr Toole
Mr Constance	Dr Lee	Mr Torbay
Mr Cornwell	Mr Notley-Smith	Ms Upton
Mr Coure	Mr O'Dea	Mr Webber
Mrs Davies	Mr Owen	Mr R. C. Williams
Mr Dominello	Mr Page	Mrs Williams
Mr Doyle	Ms Parker	
Mr Elliott	Mr Patterson	
Mr Evans	Mr Perrottet	<i>Tellers,</i>
Mr Flowers	Mr Piccoli	Mr Maguire
Mr Fraser	Mr Provest	Mr J. D. Williams

Question resolved in the negative.

Motion negatived.

NORTHERN SYDNEY PUBLIC INFRASTRUCTURE

Mr JONATHAN O'DEA (Davidson) [12.03 p.m.]: I move:

That this House notes the substantial need for public infrastructure investment in Sydney's north after 16 years of neglect under New South Wales Labor.

The people in Sydney's north were the forgotten citizens of the previous New South Wales Government. In their daily struggle they had to put up with deficient health services, inadequate freeways, narrow main roads and insufficient public transport. If money talks, it was only whispering in northern Sydney. If we look at transport on the northern beaches we can see that the Shore Regional Organisation of Councils [SHOROC] areas of Mosman, Manly, Warringah and Pittwater are largely isolated by natural features. There are just three points of road access to greater Sydney. Not one of them is to freeway standard and they operate at over capacity.

I strongly support the rapid bus transit system concept being investigated for the northern peninsula and commend the new Government for undertaking a feasibility study. Central bus stations, pick-up points and buses need to be of a standard that attracts commuters out of their cars and onto public transport. Consistent with this, I have argued publicly that we need an appropriate central bus stop at St Ives. On the North Shore the Pacific Highway mostly follows the alignment established more than 100 years ago. It carries urban traffic within Sydney and traffic from Newcastle and the Central Coast. The F3 freeway carries at least 75,000 cars and 7,000 heavy vehicles per day. Where do many of these vehicles end up? They converge at Pearce's Corner on the North Shore and then filter into arterial roads, facing all the urban constraints of traffic lights, property frontages and cross-traffic.

Every day countless trucks travel down the highway through my electorate of Davidson and that of the member for Ku-ring-gai and head across the Sydney Harbour Bridge to southern Sydney. We desperately need to build the long-foreshadowed F3 to M2 freeway link. This will help take more traffic off the old Pacific Highway between Newcastle and southern Sydney, including on the North Shore. The link would also ease congestion on Pennant Hills Road. This link has a history of neglect by Labor governments in both Canberra

and Macquarie Street. During the 2007 Federal election campaign Labor promised \$150 million for the link. In the 2009 election this amount was reduced to \$5 million, but not even this small sum was used by State Labor to progress planning.

In September 2011 the Roads and Traffic Authority released its "Key Roads Performance Report" for main roads in Sydney during both morning and evening peak periods. One of the worst average speeds in Sydney is the section of the Pacific Highway between my electorate of Davidson at Roseville and near Lane Cove where it meets the Gore Hill Freeway. What is the speed? It is just 19 kilometres per hour during the morning peak and 20 kilometres per hour during the evening peak. Like the Pacific Highway, the North Shore rail line has changed little over the past 100 years. It is still a two-track system with no extra stations. Easy access to stations is very important and I continue to lobby for improved access at rail stations such as Roseville, Killara and Pymble.

Labor did not deliver any of the 12 full rail lines promised during its 16 years in power. Even the relative bright spot of the line from Chatswood to Parramatta was cut to half its planned length and delivered over budget and over time. The O'Farrell Government has seriously commenced the Epping to Rouse Hill north-west rail line, after numerous false starts by Labor on this important corridor. This line will service approximately 300,000 residents in the north-west, with rail access to Epping, Chatswood and the central business district. Under transport Minister Berejiklian, completion is being fast-tracked.

Health services on the northern beaches have deteriorated over many years, with two ageing hospitals at Manly and Mona Vale in the peninsula part of the region. The need for a new hospital has been apparent for many years but the issue was neglected and real action delayed by the previous Government. At last the planned level 5 northern beaches hospital at Frenchs Forest is being seriously progressed under health Minister Skinner. This is a central location for a major health facility and will be complemented by a modernised and upgraded Mona Vale Hospital. Along the North Shore rail corridor both Royal North Shore and Hornsby hospitals previously experienced serious funding shortfalls and a decline in standards. Both are now receiving major upgrades and at Royal North Shore we have retained hospital land rather than selling it quickly for short-term gain.

Last year I welcomed advice from the Minister for Education that providing extra capital resources for Killara High School was a high priority. That commitment followed my latest parliamentary speech on the desperate need to address the school's accommodation shortage after years of cries falling on unreceptive Labor ears. The Minister for Education advised that plans are being made for more permanent accommodation to allow the school to replace up to 21 demountables and to reinstate recreational areas. I understand that the options being considered include use of the University of Technology, Sydney, site at Lindfield. There is an undeniable need for new capital expenditure for senior public schools on the North Shore, which like so many other infrastructure projects in Sydney's north were sadly neglected under New South Wales Labor.

Mr NATHAN REES (Toongabbie) [12.11 p.m.]: That takes the cake. The member for Davidson is embedded in one of the most beautiful areas on the planet. He has Ku-ring-gai National Park to the west and the north and the Tasman Sea to the east. It is also the principal place of residence of most of Sydney's lawyers, doctors and other professionals. So it cannot be that bad. I suspect that the infrastructure funding the member says he needs would be for repairs to Barrenjoey Lighthouse so that people can see the beauty of the area. However, the member for Davidson neglected to mention infrastructure works that are being planned, are under construction or have been completed, including the \$1 billion Royal North Shore Hospital redevelopment and the Epping to Chatswood rail line, which I opened. Contrary to his assertions, it is not a hologram; about 10,000 people use it each week. You should know that Parramatta is not—

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Toongabbie will not direct his remarks across the Chamber. He has the call and he will be heard in silence. The member for Hornsby will come to order. The member for Toongabbie will not mislead the House—Kiama is the most beautiful place in the State.

Mr NATHAN REES: That may be the subject of debate for another day. The extraordinary natural beauty of the electorate of the member for Davidson should not be despoiled by the sorts of infrastructure that he has called for. I presume he wants a tip, a dioxin dump, somewhere to dump the nuclear waste that is on its way, a jail, a power plant and an airport. I am sure he wants some high-rise developments.

Mr Jonathan O'Dea: You have given us plenty of them.

Mr NATHAN REES: The area has few high-rise developments because the good burghers of Ku-ring-gai Council and their mates have resisted any increases in density. The people who might have moved into such developments have been forced into western and south-western Sydney. There was no shortage of infrastructure funding over the 16 years that the Labor Party held office. As I said, \$1 billion was allocated to Royal North Shore Hospital. Another \$1 billion hospital would have been provided if one of the conga line of representatives for Pittwater and their mates in Manly had been able to get their act together and agree on a location. The former members for Pittwater, Mr McTaggart and Mr Brogden, and the former member for Manly, Mr Barr, could not agree on a site for a new hospital.

Mr Jonathan O'Dea: Thank God we now have Liberal members on the Northern Peninsula and North Shore.

Mr NATHAN REES: Yes, and she is busy traducing one of the most respected businessmen in Australia. It beggars belief that the member for Davidson could say that the area he represents has been short-changed with regard to infrastructure. It is an extraordinarily beautiful part of the world and it should be kept that way. I challenge him to state that he does not have a secret plan for a tip, a dioxin dump, a jail, more high-rise developments, a power plant and an airport on the North Shore.

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [12.15 p.m.]: Many members want to speak on this motion because we agree passionately about the importance of the North Shore. I cannot understand why the member for Toongabbie is so outraged about it given that so many former Labor members live there. I catch the bus in the morning with Barry Unsworth and I know he agrees with me. In fact, he makes some interesting observations about the member for Toongabbie. Neville Wran is a good burgher of Palm Beach, as is Laurie Brereton. The Labor Government wanted to despoil Laurie Brereton's and Neville Wran's view by approving a gated community at Currawong Beach. Brother Ducker was also a well-respected burgher of Mona Vale—and the list goes on. I could carry on for some time about the number of Labor members living on the North Shore, and we are very proud to represent them in this place.

I was intrigued by the comment from the member for Toongabbie that this area should not be despoiled by the sort of infrastructure referred to by the member for Davidson, such as the Frenchs Forest Hospital and a decent road to Mona Vale. The former Government did nothing about ring road No. 3 despite many vehicle accidents and deaths on that road. This infrastructure will not despoil the area; in fact, it will enhance it and it is vital. Opposition members do not understand that we are not asking for special treatment for any area of Sydney. We want rational decisions to be made after consultation with the community and after a thorough assessment of real need. We are not interested in deals made behind closed doors and greased by rivers of political donations, which is what we saw during 16 years of government by the Labor Party.

The member for Toongabbie said that there are no high-rise developments on the North Shore. That simply demonstrates his ignorance. I invite him to visit Chatswood or North Sydney. If he did so he would see some reasonably tall buildings. If he were to travel through the sylvan streets of St Ives he would see six-storey buildings. Despite the fact that it can take more than one and a half hours to travel to the city, we are also seeing high-rise developments in the Warriewood Valley courtesy of the Labor Government. We do not mind development, provided it is properly supported by appropriate infrastructure. If the density of an area is increased then infrastructure must be provided to ensure that it is properly supported.

The former Government did very little in northern Sydney, and that is the problem. In fact, it did very little to provide the hospital we were promised would be delivered by 2012 or to upgrade existing hospitals. It even closed the maternity ward at Mona Vale Hospital. When the windows were in danger of falling out, the Labor Government's response was to hire a security fence so that people walking below would not be injured and become patients in the hospital. Members opposite have a disgraceful record when it comes to infrastructure provision in northern Sydney. The Coalition Government will correct the imbalance by ensuring that we govern for everyone in New South Wales.

Mr RYAN PARK (Keira) [12.19 p.m.]: I have a very good friend in the Chair because he, like me, is a regional member. The member for Kiama and I want infrastructure in our electorates; in fact, we are crying out for it. I know the member for Davidson and other members representing northern Sydney electorates are required to ask for infrastructure, but they should admit that they do not really want it because they do not want any more people living in that area. They do not actually want people living there. If they had a choice, the Spit Bridge would be raised and they would tell us that we can visit occasionally but that we should stay on this side of the bridge.

Deep down, members opposite do not want infrastructure because it brings people and they do not want any more people living where they live. The real issue is not infrastructure for the north but picking up a couple of projects, such as a hospital. However, if they get a hospital then roadworks will need to be carried out or additional car parking spaces provided. So they will scrap the idea and that will be the end of that infrastructure. Infrastructure investment in an area that is already consolidated means making tough decisions and changing the current landscape and environment—something that our good friends on the North Shore are not comfortable with. They have no interest in infrastructure because they know they need people there to make it work. My good friend the Minister for Ageing, and Minister for Disability Services, the member for Bega, is different. Like me, he represents a regional area that needs infrastructure. We like people moving to our areas to live.

The Government introduced a regional relocation grant that encourages people to move from Sydney to so-called "regional" areas. But suddenly half the Illawarra was declared not to be regional. Apparently Newcastle is certainly not regional. It is the only map I have ever seen that classifies those regions the same as the Sydney central business district. Sydney is a very large city if it extends from the Hunter in the north to Dapto in the south. Members opposite put on record today that they want more infrastructure investment in the north, and the Opposition understands that. But when those members return to their communities it is a different story. We know that deep down they do not want infrastructure because with additional infrastructure comes the need for more people, and with additional population and more infrastructure comes the need to make adjustments in the local community, such as—heaven forbid—acquiring land or building a road. Government members do not want that, and deep down they know it.

Mr MATT KEAN (Hornsby) [12.22 p.m.]: The member for Keira delivered up an interesting piece of fiction when he said the North Shore does not want additional residents. However, the member fails to remember that it was a Labor Government that imposed additional residents on Hornsby. It took the power from our local community to plan locally. The Labor Government required another 24,000 dwellings to be built in Hornsby in the next 10 years. Did my community have a say about how that should be done? No, it had none whatsoever. That is just another example of Labor's draconian planning policies, which overrode local communities and local decisions.

The member for Toongabbie asked: What do our communities want? My community in Hornsby wants basic sewerage services. In 2012 communities such as Galston and Cowan still do not have sewerage or basic water services, and that is appalling. Why? It is because, as the member for Keira said, it is about the politics of envy. The only crime that my constituents committed is living in the postcode 2077. Why were they punished? It is because the Labor Party wanted to play the politics of envy—and it does not stop at basic sewerage services. Our road network is clogged. The Government let 200,000 additional people move to the north-west of Sydney but offered no viable public transport solution.

But we must not assume that the Labor Government did not try to provide a public transport solution. In 1998 it promised to start construction of the North West Rail Link, which was then axed. In 2008 it promised to build the north-west metro and in 2005 it promised a central business district harbour crossing. But then those projects were axed. The former Government made lots of commitments to provide infrastructure to support the increased number of people that it imposed on our communities but it failed to deliver the infrastructure required. It was grossly negligent, and another example of the Labor patronage machine paying lip-service to our communities and delivering very little. That is why the public dealt with the Australian Labor Party in the manner it did at the last election.

The one piece of infrastructure that symbolises most dramatically Labor's failure with regard to North Shore communities is the appalling state in which it left Hornsby hospital. Is it acceptable that our nurses and doctors should have to put out buckets and towels every time it rains? That is disgraceful. Is it acceptable that doctors trip over power cords in the operating theatres? That is not acceptable. It is certainly not acceptable that possums were found in the operating theatres and the intensive care unit. But the former Government allowed that to happen. It is a bit rich for the member for Keira to claim that Hornsby and the North Shore do not want infrastructure.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Keira will come to order. He has had his opportunity to contribute to the debate.

Mr MATT KEAN: It is a bit rich for the member for Keira to say there are no infrastructure needs that must be accommodated. He is living in a fantasy land. The community told him that at the last election but it still has not sunk in. This Government is committed to delivering for all residents across New South Wales. It is

committed to delivering to communities in the northern part of Sydney and in the regions. I am very proud to be part of that Government. The former Government failed in its responsibilities to deliver basic infrastructure to our entire State.

ACTING-SPEAKER (Mr Gareth Ward): Order! I remind members about the conduct of divisions. I refer to the previous division. I remind those sitting on the furthestmost bench that if they wish to vote "Aye" they must move to the right of the Speaker's chair, not the left. The Whips do not record in the logs how members should have voted, they record how they voted.

Mr Andrew Constance: Name them.

ACTING-SPEAKER (Mr Gareth Ward): Order! No, I will not name them. I do not want to embarrass them.

Ms TANIA MIHAILUK (Bankstown) [12.26 p.m.]: Some members who represent North Shore electorates are very distressed about infrastructure. How distressed were they during the summer break? During the recess the member for Pittwater, together with the Minister for Finance and Services, announced a very important infrastructure outcome for the North Shore: suburb name changes. Presumably it was important to change the names of a couple of suburbs and recognise Avalon Beach and Bilgola Beach.

Mr Rob Stokes: Point of order: The member for Bankstown is misleading the House. Avalon Beach is on the northern beaches, not the North Shore.

ACTING-SPEAKER (Mr Gareth Ward): Order! That is not a point of order.

Ms TANIA MIHAILUK: The north is the north when you come from Bankstown. In January the member for Pittwater was far more concerned about name changes and prestige—and possibly an increase in property prices—rather than infrastructure.

ACTING-SPEAKER (Mr Gareth Ward): Order! Government members will come to order.

Ms TANIA MIHAILUK: I will refer to some issues that have concerned the wonderful member for North Shore, Mrs Jillian Skinner, in the past. She raised some very distressing issues about infrastructure. On 27 June 2007 *Hansard* records her concerns as follows:

I have ongoing correspondence from constituents who live in the Waverton-Wollstonecraft area who are going through hell because their lives are interrupted by digitalised voice announcements at stations from early in the morning until late at night, such as, "Stand clear, doors closing."

That was the big distress for the member for North Shore, Jillian Skinner, back in 2007—not infrastructure.

Mr Andrew Constance: I am loath to take a point of order on the member for Bankstown, but—

Ms TANIA MIHAILUK: Take your time.

Mr Andrew Constance: I will take my time.

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

Mr Andrew Constance: My point of order relates to the motion before the House and the fact that the member for Bankstown is speaking well outside the leave of the motion. I would ask that you draw her back to the leave of the motion before the Chamber.

ACTING-SPEAKER (Mr Gareth Ward): Order! The motion is far ranging and I believe the member for Bankstown was speaking to the motion.

Ms TANIA MIHAILUK: Clearly the North Shore members are very distressed—they look very distressed in the Chamber—and concerned about infrastructure. I am sure they were incredibly concerned about infrastructure during the summer break, as I have said. Those opposite know very well what the numbers in the Chamber are now, and clearly they will be rolling out— [*Time expired.*]

Mr DARREN WEBBER (Wyang) [12.30 p.m.], by leave: I commend the member for Davidson for bringing this motion to the House today. One point that has not been raised is the 300,000-odd people who live on the Central Coast and rely on North Shore services to get by every day. I stand in this House today because, after being electrocuted and sustaining burns, I had to travel to Royal North Shore Hospital for basic burns treatment that was not provided on the Central Coast and, in doing so, travelled on the F3 and the Pacific Highway every day, which was an absolute bottleneck. Infrastructure such as the F3 to M2 link is not infrastructure that is unimportant and ready to be put to one side, as Labor members would have people believe. The F3 to M2 link is vital and part of the North Shore's infrastructure list.

Specialist services, such as the burns treatment provided at Royal North Shore Hospital, are integral to the Central Coast area health network—a network that was taken away by Labor only to be reintroduced several months before an election as a vote-buying scheme. The express train services promised by this Coalition Government travel along North Shore lines and more services to North Sydney mean more seats. The Central Coast trains are full when they leave Gosford station. Residents along the North Shore who rely on those trains to get to Sydney have no seats to sit on—if they can fit inside the train carriage at all. This is after years and years of neglect of North Sydney and the Central Coast by those on the other side. The Central Coast has regional status with 300,000-plus people. Add that to the half a million people living on the North Shore.

Labor members opposite would have us believe those people have no need for infrastructure and are living nicely in these postcodes. The class warfare that we have heard today is absolutely despicable. Those opposite would have us believe the member for Davidson, the member for Hornsby and members representing the electorates of Terrigal, Wyong, The Entrance and Gosford have no infrastructure desires whatsoever. That is absolute rot, and they should be ashamed of themselves. Would they come to the Central Coast or the northern areas of Sydney and tell the constituents of those areas that there is no need for infrastructure? The constituents know Labor believes that because after 16 years of government it delivered no infrastructure for northern Sydney or the Central Coast. What is the highlight of Labor Party service after 16 years of government in the area of health for northern Sydney? What did it do for northern Sydney and the Central Coast? It cut back palliative care for North Sydney.

Out of the entire State, which was the one palliative care service that was cut back? It was North Sydney. To stand in this Chamber when a petition is presented from the community and say, "We applaud the members of northern Sydney for bringing this to our attention" when Labor was the party in government that took away that service is absolute class warfare at its very worst. It is despicable that Labor members behave in that way. If only the constituents of Wyong, northern Sydney and all the Central Coast could see how they have behaved today and hear the comments of the former Premier. They would be absolutely appalled. I could continue, but I will stop there. This Government, in its four-year tenure—which may be the first of many—will deliver for areas like the Central Coast and northern Sydney that have been not just forgotten but treated with absolute contempt. I commend the motion to the House.

Mr RICHARD AMERY (Mount Druitt) [12.34 p.m.], by leave: I always like to make a contribution on issues dealing with public infrastructure and capital works. I acknowledge the member for Davidson for bringing this motion before the House. He is supporting more public infrastructure for the suburbs of the northern parts of the State—obviously his electorate—and everybody would support more infrastructure everywhere in New South Wales. But let us not get away from the fact that the motion says that the former Government neglected public infrastructure. The North Shore motorways of Sydney are linked to my electorate of Mount Druitt. I drove that way once this week, coming through the M7, and I was held up quite substantially by major extensions to the M2. The Government should not take credit for that particular project because it was approved during our term of government.

I point out to the member for Davidson and the members who have spoken that they will have had one year of government in a few more weeks and they have not yet ordered a metre of concrete. The other day, in response to some stinging criticisms by the media of this Government's lack of progress on virtually any front, the Premier stood in this place during question time and bragged about some projects his Government had going. Do members know what the big one was? I could talk, as I did earlier this week, about the Labor Government building things like motorways, the Sydney Opera House and the like. But the big-ticket item for the new O'Farrell Government was putting bitumen on the Sydney Harbour Bridge. The Government has re-bitumened the Harbour Bridge—a massive project! If that is something North Shore members are going to claim is a major project, it is going to be a long four years for them.

The member for Davidson talked about the fact that some people are restricted to travelling at 20 kilometres an hour in peak times. Twice this week I travelled from Rooty Hill via the M4 and I can inform

the House that on Tuesday travelling the 43.8 kilometres took me 139 minutes. On Wednesday there was a rapid improvement when I did it in 137 minutes. This is despite the fact that we added lanes to the M4 and built a number of link roads; we facilitated with the Federal Government on the M7 and so on. A lot of work was going on but, as the *Daily Telegraph* highlighted the other day, the growth of traffic on the M5 has doubled since 2001. So there has obviously been growth in traffic, and I have no doubt that that would also apply to the M4 and the M2. I always say that traffic is difficult, it has been heavy, but it is getting worse under the O'Farrell Government. Things are getting worse across the board.

If members on the other side are going to try to make things better, or use that silly slogan, "Make New South Wales number one again"—which is pretty easy to do because New South Wales is number one on all key pointers—they have to start spending some money. I will certainly defend the Labor Government's record, but this Government should at least equal it. Get something going—point to a project. If North Shore members want public infrastructure in their areas, they must start sharing the burden with the rest of Sydney and coping with increased population. You cannot have extra public works and infrastructure if you are not going to accept more people into your suburbs on the North Shore of Sydney. Public infrastructure should be built on the North Shore of Sydney, but all other regions, the western suburbs and country areas should have priority as well. I believe this motion is self-serving and based on false information.

Mr JONATHAN O'DEA (Davidson) [12.39 p.m.], in reply: I thank all those who have contributed to this debate, including members representing the electorates of Toongabbie, Pittwater, Keira, Hornsby, Bankstown, Wyong and Mount Druitt. Under the previous Labor Government, New South Wales saw enormous waste and mismanagement of public resources. However, we still had a very large budget to be allocated. Were resources spread fairly across all regions of New South Wales? No, they were not. Were we short-changed on infrastructure in northern Sydney? Yes, we were. As I said, if money talks it was only whispering in northern Sydney, including in my electorate of Davidson. A number of speakers on this side of the House have mentioned the need for a proper link between the M2 and the F3.

Given the previous Government's failure to address this need, it is unsurprising that New South Wales Labor lost seven electorates around the northern half of the F3 at the 2011 State election. For example, it lost Wyong, where we now see a very capable member in Darren Webber. Under the NSW 2021 plan the Government will work with local communities to develop local and regional action plans. It has also established Infrastructure NSW to provide an independent expert voice and to ensure that projects are strategically planned, coordinated and properly managed. I hope that the M2 to F3 road link project will be given appropriate attention and a strong priority ranking when the 20-year strategy report of Infrastructure NSW is delivered later this year.

I will now reply to some of the uneducated comments made by those opposite. The member for Toongabbie suggested that my electorate might take some more high-rise construction, or a tip, which we have. The member for Toongabbie is ignorant about northern Sydney, despite perhaps occasionally travelling through the area on his way to his electorate, which ironically is located in north-west Sydney. Since 2004 6,000 new dwellings have been built in the Ku-ring-gai area at the instigation of the former Government, and agreed to by local council, but the people in the area object most strongly to the fact that there has been no commensurate investment in infrastructure. The member for Toongabbie and the member for Keira are wrong to suggest that there has been no acceptance of new dwellings in my area—there has been. In fact, over the past eight years Ku-ring-gai has been one of the strongest-growing local council areas.

If those members had done their jobs properly and looked at the facts they would have found the reason for that lack of infrastructure development. The member for Keira seems to think the people in my area do not want it. I am telling him and those opposite that they are wrong. The people of Ku-ring-gai do want infrastructure and, as has been highlighted, it is now being delivered. As the member for Hornsby said, certain suburbs in his electorate may not have sewerage services. Meanwhile, in an act of class warfare, Labor continues to dump verbal sewage on northern Sydney and those who represent its constituents. The O'Farrell Government is determined to implement projects fairly across New South Wales. Residents in Sydney's north will now receive their fair share of new infrastructure after 16 years of neglect under Labor. It has been a long wait.

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

Motion agreed to.

BUSINESS OF THE HOUSE**Postponement of Business**

Business of the House Notice of Motion No. 36 postponed by Mr Ryan Park on behalf of Ms Sonia Hornery.

Business of the House Notice of Motion No. 37 postponed by Mr Andrew Constance on behalf of Mr Richard Torbay.

Business of the House Notice of Motion No. 38 postponed by Ms Sonia Hornery.

PRINCES HIGHWAY FUNDING

Mr GARETH WARD (Kiama) [12.46 p.m.]: Mr Acting-Speaker—

Ms Cherie Burton: Point of order: Notice of Motion No. 37 standing in the name of the member for the Northern Tablelands has been postponed, yet he arrived in the Chamber two minutes after its postponement. I seek leave to suspend standing and sessional orders to permit the consideration of General Business Notice of Motion (General Notice) No. 37 forthwith.

Leave not granted.

Ms Cherie Burton: Are you kidding? The member for Kiama is an evil individual.

Mr GARETH WARD: Mr Acting-Speaker, I do not need to tolerate that. I ask the member for Kogarah to withdraw her comment.

Ms Cherie Burton: That is rude. I am not going to withdraw it. You cannot make me withdraw it.

Mr GARETH WARD: It is unparliamentary language. The member for Kogarah is showing herself for the individual she is.

Ms Cherie Burton: The member for Kiama is a disgrace. The member for Northern Tablelands should be allowed to debate his motion. To not grant him leave is ridiculous. What a joke. That is disgusting.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Kogarah will come to order.

Mr GARETH WARD: I move:

That this House:

- (1) congratulates the Government on its commitment to deliver \$574 million for the Princes Highway;
- (2) condemns the previous Government for its failure to adequately support and fund the Princess Highway; and
- (3) notes the Government stands ready to consult with the local community to deliver results for motorists and tourists.

For 16 long years the previous Government failed to invest in the Princes Highway and for far too long too many locals have lost their lives on the highway. It is important to use this forum to articulate issues that are important to our community. The roads on the South Coast and southern Illawarra form a vital part of what is needed to make our section of New South Wales number one again. That is why I want to talk about what the Government is getting on with and to continue to hold the Government to account in relation to roads funding and investment.

At the last election the Government announced that \$500 million would be invested in the Princes Highway, in particular to commence a project from Mount Pleasant to Toolijooa. For those who know the area, as you come around the sweeping escarpments and beautiful green hills there is a dangerous stretch of the Princes Highway that has, unfortunately, in spite of its beauty, taken so many lives. The Government is proposing to duplicate the highway from Mount Pleasant to Toolijooa as part of its commitment to stage one of those works. I commend the staff of Roads and Maritime Services who have been involved in the community

consultation on this project. That work included property acquisition and a commitment by the Government to review the safety aspects of this road, which related to the lack of service lanes proposed by those who sit opposite.

It is interesting that Labor members did not hear the calls of local residents when they talked about the vital issue of road safety. That relates to existing property owners being able to enter and exit the road safely. Despite the fact that it seems to happen in every other part of the State, whenever the Government undertakes a road duplication project it provides for safe access. However, that did not seem to be good enough for the people of Gerringong and surrounds. At the last election I said that we need an independent review. Lo and behold, the report on the independent review suggested that we need to include service lanes.

I thank in particular the Chair of the South Precinct Committee, Darrell Clingan, who ensured that the previous Government was held to account and that the Coalition Government was held to its election commitment—that is, to review those aspects of the Princes Highway that caused us most concern. So now we have committed to a number of changes to access to the Princes Valley from Sims Road and Rose Valley Way. I am delighted that the Government has taken on board the concerns of, most importantly, the farming community and primary producers who are concerned about access and residents who are concerned about school buses and the safety of their families.

The next stage in the Princes Highway is the Berry bypass. At this time the Government is reviewing its plans for both the north and the south option. The northern option to Berry has long been mooted by the community as the preferred option, and that certainly remains the preferred option for Roads and Maritime Services and the New South Wales Government. However, the eminent local retired engineer Bruce Ramsey has suggested that there are considerable savings as a result of the way the costings were conducted and the design of the road. As a result those costings are currently being reviewed. There has been a number of community engagement sessions with Roads and Maritime Services and the local community to have that discussion.

I commend those who have been heavily involved in pushing for the upgrade of the Princes Highway, including my friend and colleague in the other place, the Hon. Paul Green, the member for South Coast, and my good friend the member for Bega. He had a significant victory in ensuring that the views and concerns of residents were heard when he advocated for a coronial inquest into the Princes Highway, given the loss of life and the continued ignorance of the previous Government when it came to roads in our district. People in the regions simply ask for a fair go. Earlier I heard my friend and colleague the member for Keira talk about infrastructure. I commend him for his commentary and for his contribution about infrastructure in the regions.

Regional members want to see infrastructure projects in their communities because they generate jobs. Primarily, the view of the community in my area is that this project will generate jobs. When a government invests \$500 million into an electorate such as Kiama and engages Fulton Hogan to get on with the job, as this Government has done, we can see the impact on the local community. Not only will the project generate jobs; it is also about safety. I commend the Minister for Roads and Ports, Duncan Gay, for doing something about this road. Rather than having continual consultation sessions and talkfests, we need to get on with the job. I condemn the Federal Government—the friends of members opposite—because we have not seen it make an investment in extending the national highway network.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! Opposition members will have an opportunity to contribute to the debate.

Mr GARETH WARD: The member for Kogarah was a member of the Labor Cabinet that did nothing on this issue. She is a disgrace.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! Opposition members will refrain from interjecting. They will have an opportunity to contribute to the debate if they so wish. But I would ask them to give the member for Kiama the opportunity to be heard in silence.

Mr GARETH WARD: The louder the member for Kogarah shouts, the more embarrassed she is. And she is red faced on the Princes Highway.

Ms Cherie Burton: Point of order: With all due respect, the member for Kiama is inciting interjections.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! That is not a point of order. The member for Kiama has the call.

Mr GARETH WARD: It is funny—members opposite can dish it out but they cannot take it. They are interjecting because they are trying to cover up the years of failure by their inept, incompetent and disgraceful Government. The people of the South Coast are still hurting from Labor's tenure. Indeed, when I look at the member for Kogarah I can understand why they are still hurting. We call on the Federal Government to invest funds to extend the national highway network. Where does it presently end? It ends at Gwynneville. No money has been provided to extend the highway to Port Kembla or further south, not to mention to Jervis Bay. Members opposite let us down. We will deliver for the South Coast, where Labor failed dismally.

Mr RYAN PARK (Keira) [12.54 p.m.]: The outburst by the member for Kiama in the final 20 seconds of his contribution was ridiculous. The people of the Illawarra know that my colleague the member for Wollongong fought extremely hard for improvements to the Princes Highway. From the way members opposite are talking, one would think that no improvements were made to the Princes Highway in the past 16 years. That is simply not the case. Some \$100 million was spent on Memorial Drive, which is in the northern suburbs of the Illawarra, linking the highway to the Illawarra region and beyond. We had a massive upgrade of the North Kiama bypass. That upgrade was delivered by the former member for Keira, Matt Brown. He worked extremely hard with his colleagues the then member for Shellharbour and the member for Wollongong to deliver those upgrades for the people of Kiama.

The member for Kiama knows that the Princes Highway is a long stretch of road. It is not simply isolated to the South Coast but runs all the way through to the Illawarra. I hope that there is bipartisan support in the upcoming budget for improvements to the truck stops along the highway. The truck stop located in the Keira electorate at the top of Mount Ousley Road is a critical piece of infrastructure. As the member for Wollongong knows, increasing truck movements to Port Kembla—the port expansion was delivered by the member for Wollongong in partnership with the previous Labor Government—will mean an increase in truck movements on the Princes Highway. We need to cater for that increase by upgrading the Mount Ousley truck stop. For truck drivers and road users travelling through our part of the world—the Illawarra, the South Coast and the far South Coast, where the member for Bega is from—there are simply not enough areas where they can pull over safely, where their vehicles can be monitored and where the Roads and Traffic Authority inspectors can ensure that they are driving safely and carefully.

Given the expansion of, and improvements to, Port Kembla and given the number of people who travel to our area for tourism, day visits and beyond, the truck stop on Mount Ousley Road, which is part of the Princes Highway network, must be upgraded because it is essential infrastructure to keep safe not only the local community—that is, all our electorates along that beautiful part of the coast—but also those who use it as a freight route. That is particularly important because of the growth in industries on the far South Coast, whether they be agriculture or aquaculture, the industrial areas of Port Kembla or south-western Sydney. I commend the member for Kiama for fighting for his community but he cannot make out that nothing has been done to upgrade the Princes Highway because that is simply not true.

Mr ANDREW CONSTANCE (Bega—Minister for Ageing, and Minister for Disability Services) [1.00 p.m.]: I rise to support the motion of the member for Kiama and do so having been in this place now for almost 10 years and seen this type of debate, usually on a Thursday, every couple of months. The bottom line is that we can continue to argue about it.

Ms Noreen Hay: Where were you for 10 years?

Mr ANDREW CONSTANCE: The member for Wollongong needs to be a bit careful. The situation is that lives are still being lost, and hundreds of people are still being injured, on sections of highway which, in some places, were built during World War II by pick and shovel. The Government, under the stewardship of Duncan Gay, is determined to start turning on the investment to ensure that these upgrades happen. The member for Kiama alluded to the fact that I was involved in the instigation of a State coronial inquest into this highway. A gentleman by the name of Les Peterson was instrumental, from the community side of things, in getting involved in arguing the case before the coronial inquest, in the hope that there would be upgrades to the Princes Highway. Les lost his son in a head-on car accident and six months later, five minutes from the spot where he had lost his son, he lost his wife in another car accident. Les passed away last year with a broken heart. One thing he wanted to see was the Victoria Creek upgrade. It is pleasing that that work is well and truly

under way. In this year's budget some \$17 million is being spent on that section of highway and it will be completed by the end of 2013. Hopefully we will stop seeing the carnage that we have seen previously on that section of road.

There is always a valid point—regardless of who is in power at a State level—that a greater contribution needs to be made by the Commonwealth. I reiterate that anything that is done in conjunction with the Commonwealth needs to be done in a constructive and methodical manner, so that decisions are not based on politics but on need in areas of the highway where lives are being lost. This year's State budget will enable about \$100 million to be spent on the Princes Highway. That includes \$25 million as part of the Gerringong upgrade; \$18 million in the South Nowra upgrade, which is long overdue; \$17 million at Victoria Creek; and a contribution being made to the Bega bypass. There is no doubt that we are looking at hundreds of millions of dollars being spent to see the highway progressed in a way that saves lives.

I know that Duncan Gay is working with the Commonwealth and that we can see a greater contribution being made but I would like also to see a constructive arrangement with the Commonwealth in relation to securing the future of the route. For members who do not know the region, the highway is the main thoroughfare; it is the backbone of commerce and really the only transport option available to residents in the local community. There have been times in the history of this highway where we have seen multiple deaths in very short periods. I reiterate that it is all very well for us as members of Parliament to be arguing over facts and figures and where the money comes from but we have to remember that there are many families out there who have lost loved ones, and they expect a degree of maturity on this subject so that we can get the outcome we all want to see—a reduction in the road toll.

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

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest 8/55

Report: Legislation Review Digest 9/55

Motion by Mr Stephen Bromhead agreed to:

That in accordance with Standing Order 306 (7) the reports of the Legislation Review Committee, being Orders of the Day (Committee Reports) Nos 1 and 5, be considered together.

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

Mr STEPHEN BROMHEAD (Myall Lakes) [1.04 p.m.]: As Chair of the Legislation Review Committee, I take this opportunity to comment on the recent Legislation Review Digests tabled on 22 November 2011 and 14 February 2012. These are the eighth and ninth digests prepared by the Legislation Review Committee of the Fifty-fifth Parliament. The eighth digest examined five bills introduced in the sitting week commencing 8 November 2011. The committee considered the Coal Seam Gas Moratorium Bill 2011 and noted that the current Legislative Council inquiry into coal seam gas ought to be finalised and its report published before legislation is introduced. The committee referred to Parliament the question as to whether this bill trespasses on the personal and property rights of owners of petroleum titles.

The committee considered the Police Amendment (Death and Disability) Bill 2011. The committee referred to Parliament whether the provision of obligations in the regulations with respect to rehabilitation, retraining, redeployment and contributions to the policy constitutes the making of obligations unduly dependent upon non-reviewable decisions. In the eighth digest the committee also considered the Road Transport (Driver Licensing) Amendment (Release of Photographs to Identity Security Strike Team) Regulation 2011. This amendment has an effect on an individual's right to privacy by enabling the sharing of an individual's photograph with various law enforcement agencies. The committee recognised the significant safeguards that exist within the regulation and as such did not make a comment in relation to this amendment.

The committee also considered the Terrorism (Police Powers) Amendment Regulation 2011. Due to the prorogation of Parliament, the committee was unable to comment on amendments made to the Terrorism (Police Powers) Regulation 2005 in 2010. The 2010 amendment inserted clause 8 into the regulation which excludes

certain provisions of the Crimes (Administration of Sentences) Act 1999. The committee noted that restricting access by official visitors may trespass on personal rights and liberties. The committee also noted that limiting both confidential communication and legal representation may have the effect of trespassing on personal rights and liberties.

The ninth digest examined 10 bills introduced in the sitting week commencing 22 November 2011. Of those 10, three had commencement by proclamation clauses. The committee considered the Courts and Crimes Legislation Amendment Bill 2011, which makes amendments to multiple Acts. The amendments clarified that a court may inspect counselling documents in order to assess whether they contain a protected disclosure. The committee considered the legislation contains sufficient safeguards to ensure an individual's right to privacy is protected. The committee made similar comments regarding the Criminal Procedure Amendment (Summary Proceedings Case Management) Bill 2011, which amends the court-ordered pre-trial disclosures required by defendants in criminal trials. The committee found sufficient safeguards existed so that the effect of the amendments did not present risks that would constitute an undue trespass on individual rights and liberties.

Five bills were found to contain retrospective provisions, however the committee found that none of the retrospective provisions unduly trespassed on personal rights or liberties. The Mental Health Commission Bill 2011 enables further functions of the commission to be prescribed in the regulations. The committee refers to Parliament whether this constitutes insufficiently subjecting the exercise of legislative power to parliamentary scrutiny. The committee also refers to Parliament whether commencement by proclamation is appropriate for the Residential Tenancies Amendment (Occupancy Agreements) Bill 2011, given the obligations imposed on those subjected to the Act and the time restriction for those seeking judicial review of potential breaches.

In the ninth digest, the committee considered the Work Health and Safety (Savings and Transitional) Regulation 2011. The regulation provides transitional arrangements for the prosecution after the repeal of the Occupational Health and Safety Act 2000 of offences committed under that Act before its repeal. The committee has resolved to write to the Minister seeking clarification as to whether the Minister envisages detrimental effects for affected parties. I would like to thank those members of the committee staff who have worked on the digest, including Carly Sheen, Emma Matthews, Jason Ardit, Emma Wood, Todd Buttsworth and Jenny Whight, together with the members of the committee, namely the member for Swansea, the member for Rockdale, the member for Bankstown, the member for Parramatta and our colleagues in the other place, the Hon. Shaoquett Moselmane, the Hon. Dr Peter Phelps and Mr David Shoebridge, who have provided invaluable assistance in the scrutiny of bills introduced to this Parliament and in ensuring that the digest will continue to be of assistance to all members.

Ms TANIA MIHAILUK (Bankstown) [1.09 p.m.]: This is the first take-note debate for this year of the Legislation Review Committee. I commence by acknowledging my colleagues on the committee—the member for Myall Lakes, the member for Parramatta, the member for Swansea and my colleagues in the other place the Hon. Shaoquett Moselmane, the Hon. Dr Peter Phelps and Mr David Shoebridge. I pay tribute to the hardworking committee staff, who ensure we have the Legislation Review Digest on time each sitting week.

This week a significant issue regarding the procedure of our committee was raised—the length of our meetings. There is some concern that our committee does not meet for long enough. Members of the House might be shocked to learn that I have attended meetings which lasted for four minutes. It is important that adequate time is given to consider the legislation before the committee and I hope that this is implemented for future committee meetings. This week's digest was the ninth digest of the Fifty-fifth Parliament and we considered 10 pieces of legislation. This week the committee reviewed the Mental Health Commission Bill 2011. I note that I have previously addressed Parliament during the substantive debate on this bill. However, I reiterate the concern raised by the committee that the bill provides that further functions of the commission can be dictated by the Minister through regulation.

As members of this Parliament it is important that we are cautious when delegating legislative authority to ministerial discretion. I encourage the Government to consider this carefully when drafting future legislation. This week we reviewed also the Residential Tenancies Amendment (Occupancy Agreements) Bill 2011. This bill is of particular relevance to me in my capacity as shadow spokesperson for Fair Trading. This is a private member's bill from the member for Sydney. While the New South Wales Opposition does not yet have a formal position on this bill, I look forward to having a chance to meet with the member for Sydney about the content of the bill. I note that the New South Wales Tenants Union had a role in drafting this legislation and I place on record the great respect I have for that organisation and my enthusiasm to continue to work with the Tenants Union in the future.

In particular, I take this opportunity to commend policy advisers Dr Chris Martin and Ned Cutcher and executive director Julie Forman for the great work that they do to support New South Wales tenants. Our last digest for last year, Legislation Review Digest No. 8, considered five pieces of legislation. This digest reviewed the Government's shameful Police Amendment (Death and Disability) Bill 2011. I am proud once again to put on the record the New South Wales Opposition's strong objection to this bill and the terrible betrayal of the NSW Police Force that the Government perpetrated. The digest reviewed also the Agricultural Tenancies Amendment Bill. I led for the Opposition in debate on this bill, which we did not oppose. This bill contains a small though reasonable amendment to move agricultural tenancy matters from the Department of Primary Industries to the Consumer, Trader and Tenancy Tribunal [CTTT].

It is surprising that the Government should, on the one hand, choose to increase the responsibilities of the Consumer, Trader and Tenancy Tribunal while on the other hand embark on a mission to slash Consumer, Trader and Tenancy Tribunal offices. I condemn the Government's decision to close the Parramatta and Liverpool offices of the Consumer, Trader and Tenancy Tribunal and note the considerable opposition to this decision in the community. I call on the member for Parramatta to join me in condemning this decision to slash services in his electorate. I note that this debate was continually postponed last year and I hope that we can continue the practice of having these debates uninterrupted for the remaining sitting year. I commend the Legislation Review Digest No. 9 to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [1.13 p.m.]: I state in reply that the member for Bankstown said that meetings do not go for long enough. The House should understand that the digest, together with the agenda, is sent to members of the committee well in advance of the meetings so that members can peruse, consider and research the material. It is up to members to decide the length of the meetings and they have an opportunity to move amendments and such. The House would be interested to know that at the last meeting members sat mute and then complained that the meeting was short.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! Standing Order 306 does not provide members the opportunity to speak in reply to take-note debates on committee reports. If members have any issues they should seek to have them resolved during committee meetings, not in the House.

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

Reports noted.

SOCIAL POLICY COMMITTEE

Report: Inquiry into International Student Accommodation in New South Wales

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

Mr BRUCE NOTLEY-SMITH (Coogee) [1.17 p.m.]: It gives me great pleasure to speak to the report entitled "Inquiry into International Student Accommodation in New South Wales." This is the Social Policy Committee's first report to this Parliament. I shall begin by giving the House a few figures that underline the importance of the international education sector, both to Australia and to New South Wales in particular: that education services are Australia's third largest individual export item; in 2009 Access Economics reported that each international student—including their friends and family visitors—contributes an average of \$28,921 in value added to the Australian economy per year; last year there were over 230,000 international students in New South Wales; and education services for international students generated \$6.5 billion for this State alone in 2010—the highest export income for education services of any State or Territory.

There is no doubt that this is a highly valuable industry, both in monetary and cultural exchange. Its extraordinary growth over the past decade is truly a success story. That being said, there are problems around accommodation for international students. In the last Parliament those problems were drawn to the attention of the House by the member for Ryde, the Hon. Victor Dominello, and in this Parliament the Premier has referred these concerns to the committee for investigation. Simply put, when it comes to student accommodation, supply has not kept pace with demand and a shortage of suitable accommodation has led to some unscrupulous and exploitative behaviour in which international students and neighbourhoods where they stay are the victims.

The committee heard from students who had been quoted \$250 a week to share a room with four other people. The committee heard of one case where a landlord had evicted a young female student at 11.00 p.m.

because she had not been able to pay an on-the-spot rent increase. It heard of other cases where students who made complaints to their landlords were threatened with deportation. One young international student told the committee that when he was using Skype to call his family he was ashamed to show them the background of his cramped and overcrowded room. The effects on communities of overcrowded, poorly maintained or unauthorised student accommodation were made only too clear in a speech that the member for Ryde gave to the House over a year ago. He noted the damage done to the amenity of neighbourhoods by poorly maintained properties, and the health risks from overcrowded rooms and overflowing bins. The committee heard ample evidence from residents supporting those remarks. If we take these matters for granted we risk losing a valuable industry to our competitors.

The committee's report makes a number of long-term and short-term recommendations to increase the supply of student accommodation. These include: reviewing the extent to which the planning system in New South Wales adequately defines student accommodation and provides guidance and incentives for its construction; the introduction of travel concessions to increase the opportunities for international students to source appropriate accommodation; and greater utilisation of the Homestay model where an international student is accommodated by individuals or a family. The report also addresses the issues of rights, standards and enforcement. The committee heard evidence that many students live in types of accommodation that are outside the scope of the Residential Tenancies Act, which leaves them with few practical rights or remedies. To address this, the committee recommends that they be covered by occupancy agreements that comply with simple occupancy principles.

Those principles would include reasonable notice of rent increases or getting a receipt for rent that has been paid. The committee also recommends that those who are outside the scope of the Residential Tenancies Act be provided with recourse to the Consumer, Trader and Tenancy Tribunal, which should provide them with a low cost process for resolving disputes. Further recommendations in the report address the need to provide more detailed advice on accommodation to international students before they arrive in Australia, the need for legislation that provides for the registration of boarding houses, standards and a system of inspections and the need to provide greater penalties for those who operate illegal boarding houses that damage our communities, put students at risk and harm our reputation as a global education service provider.

Finally, the report finds considerable evidence to support a review of the powers of councils to investigate and take enforcement action in relation to illegal boarding houses. It is the committee's view that any proposals to remove the requirement that a council officer have a search warrant before entering a private residence need careful consideration so that the right balance is struck between the public interest and the property rights and freedoms of individuals. A similar cautionary approach should be adopted when considering whether to reverse the onus of proof by requiring that a defendant disprove the offence that is the subject of enforcement proceedings. The practical difficulties of establishing offences must be carefully balanced with the rights of property holders and the presumption of innocence.

In conclusion, the committee notes the actions of the Government in reviewing the planning system and in establishing an affordable housing task force and an international education and research task force. I believe this gives us the opportunity and the means to secure this State's position as the premier provider of international education services in Australia. I thank all those who participated in this inquiry, including fellow committee members—the members for Shellharbour, Drummoyne, Dubbo and Wallsend—for the enthusiasm and diligence that they brought to it. I also thank the committee staff. The Parliament is well served by such an excellent and professional secretariat. I commend the report to the House.

Ms SONIA HORNERY (Wallsend) [1.23 p.m.]: I thank my fellow members of the committee and the chair for his industriousness. I also thank the secretariat staff for their hard work. This has been an excellent and interesting inquiry. It was particularly relevant to me because the University of Newcastle is in my electorate. I will tell the House about an outreach street stall that I set up in Waratah West to talk to local residents about the impact of student accommodation, the submission lodged by the University of Newcastle, concerns raised about student accommodation at the university and the Newcastle housing review. Last week I set up an outreach stall at Waratah West and invited people to give me their views. Like other members who have a university within their electorate, I know that established residents in the area are concerned about the impact of fewer families moving in and an increasing proportion of student accommodation and the resultant neglect of the neighbourhood by landlords.

Many questions have been raised about the behaviour of some landlords who rent accommodation to students. The University of Newcastle conducted a review and I am pleased that it submitted the results to the

inquiry. Encouraged by that, the university is piloting a student housing assessment scheme designed to help foreign and domestic students to navigate the rental market. It will be interesting to see the outcome of that trial, given that the new vice-chancellor, Professor Caroline McMillen, has said that she is keen to increase the number of international students attending the university. I told her that that was fantastic but that the university should keep in mind that its first responsibility is to ensure that those students are supported. Of course, we as a community must also take care of them.

A *Sydney Morning Herald* article published in November last year stated that pilot programs in the United Kingdom allowed landlords to obtain verified approval ratings against five key categories, including property, facility, location, security and sustainability. We will monitor that program. The deputy vice-chancellor also supported the inquiry. He backed the campaign for travel concessions for international students and called for rezoning to allow higher density housing near the university, improvements in affordable housing, laws, enhanced powers for council officers to enter properties and legal status for boarders. This has been an excellent and interesting inquiry and I know that it will generate a great deal of information.

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

Report noted.

JOINT SELECT COMMITTEE ON THE PARLIAMENTARY BUDGET OFFICE

Report: Inquiry into the Parliamentary Budget Office

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

Mr DAVID ELLIOTT (Baulkham Hills) [1.27 p.m.]: I speak in debate on the final report of the Joint Select Committee on the Parliamentary Budget Office tabled on 2 December 2011. The joint select committee was established to inquire into and report on the Parliamentary Budget Office. The committee was required to consider the purpose of the office and whether the terms of the Parliamentary Budget Office Act 2010 were appropriate. The function of the Parliamentary Budget Office is to prepare costings of proposed policies both in the lead-up to a State election and at other times of the year and to provide members with expert briefings on technical, fiscal and economic matters. The committee received 13 submissions from a range of stakeholders, including political organisations, business groups, unions and international agencies. The committee also held a public hearing during which it heard evidence from former acting Parliamentary Budget Officer and prominent public servant Mr Tony Harris.

I point out that no other Australian jurisdiction had established a parliamentary budget office at the time of the inquiry. Many Australian States had considered establishing such an office, but they decided that the opportunity cost did not meet the objectives. As a result, the committee was unable to receive evidence from other Australian Parliaments. However, the committee received a number of submissions from other jurisdictions around the world that had established comparable agencies. They included Canada, the United Kingdom and the Netherlands. I point out that those offices were established in the federal jurisdiction. The committee found that each of those agencies performed somewhat different functions that reflected the needs, financial capacity and governance framework of that jurisdiction.

It is important to note that the majority of submissions to the inquiry supported the retention of the Parliamentary Budget Office and no submissions proposed its abolition. The committee was keen to seek common ground from all stakeholders about how the promises made by political parties could best be costed by a reliable and independent authority prior to a State election. The committee also questioned whether the Government should provide any special advice on how the State budgetary process works outside the existing options already available to individual members of Parliament, each of whom has access to their own research staff and the Parliamentary Research Service.

The committee's final report made nine recommendations. Three key recommendations are: first, that parliamentary leaders be required to submit all their publicly announced election policies for costing by the Parliamentary Budget Office; second, that the Parliamentary Budget Office operate for a period of six months prior to each election; and, third, that the sole function of the Parliamentary Budget Office be to prepare election costings. Other recommendations include permitting the Parliamentary Budget Office to release more than one budget impact statement, that the Act be amended to clarify the content of budget impact statements and that a single joint committee be appointed to review the report and activities. I believe the recommendations provide transparency and value for money. I look forward to the O'Farrell Government's response to the inquiry.

I take this opportunity to thank the stakeholders who participated in the inquiry. In particular, I acknowledge Tony Harris, whose contribution to the inquiry was beneficial. I acknowledge the work of the member for Gosford, Chris Holstein, and the member for Wyong, Darren Webber. It is regrettable that many Labor members of the committee have chosen not to be present in the House during the take-note debate on the report.

Mr Richard Amery: The member for Cessnock is in the Chamber.

Mr DAVID ELLIOTT: I acknowledge the presence of the member for Cessnock and his contribution to the debate. I commend the report to the House. I thank my fellow committee members for their contributions to the inquiry.

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

[The Assistant-Speaker (Mr Andrew Fraser) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

DISTINGUISHED VISITORS

The SPEAKER: I welcome to the public gallery Mr Peter Cochran, who served as a member of the Legislative Assembly from 1988 to 1999 as the member for Monaro. I also welcome Her Excellency Ms Koleka Mquwana, High Commissioner for the Republic of South Africa, guests of the member for Vacluse. I very much enjoyed my earlier conversation with Her Excellency about the paucity of women in the New South Wales Parliament, but nevertheless, the very significant contribution that women make, given their low numbers.

QUESTION TIME

[Question time commenced at 2.22 p.m.]

ASSISTED SCHOOL TRAVEL PROGRAM

Mr JOHN ROBERTSON: My question is directed to the Minister for Education. In light of revelations that he received a house note in October, and correspondence from his electorate officers in November, warning about the emerging issues in the Assisted School Travel Program, why did he fail to act until disabled children were left on the side of the road?

Mr ADRIAN PICCOLI: I thank the Leader of the Opposition for his question.

[Interruption]

The SPEAKER: Order! Government members will come to order.

Mr ADRIAN PICCOLI: I first and most importantly put on the record my apology for the completely unacceptable mismanagement of the Assisted School Travel Program by the Department of Education that left so many of our disabled students without transport to school, and left their families in distress. Somehow it seems that the provision of a house folder note is a smoking gun. I can assure members that I have had house folder notes on Education Week; I have had house folder notes on Michael Coutts-Trotter and on the appointment of Michele Bruniges. I am sure that even members on the other side of the House would concede that it is a reasonably standard procedure for house folder notes to be prepared when Ministers are given briefings. All this has been canvassed in the Boston inquiry. I gave evidence to Dr Boston, or my chief of staff did—and all documents were presented to him: all the information, all the time lines and all the correspondence. The house folder note was provided to the media and the briefing note that really triggered the house folder note was provided to Dr Boston. I could not have offered more information to Dr Boston, nor did I have any more information to offer him. I am the first to admit that this has been a very unfortunate incident. Let us not forget that the process that led to this began in 2009.

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

Mr ADRIAN PICCOLI: As uncomfortable as it might be, members opposite will notice that I have never sought, in any media interviews or anywhere else, to in any way shift the blame from this Government to the previous Government. But there are members on the other side of the House who know how the process of retendering such contracts began. It did not work. I should have been advised, and the director general should have been advised, that there were substantial risks and that on the day school started some students were not going to get assisted transport. Did I do the right thing as Minister? Absolutely. I have no doubt about that. Everything I have ever said about this has been vindicated by Dr Boston's report. Are members opposite questioning his independence? He is a former director general and an esteemed educator who has served New South Wales very well and has gone on to achieve things internationally. He served under Coalition and Labor governments and was appointed to this task by the Premier, independent of me, as it should be.

The Premier was doing the right thing with regard to the accountability of Ministers, the Government and the department. This is not just about the accountability of the department; it is about my accountability as well. The Premier did precisely the right thing and brought in an independent person to inquire into the matter. My office was interviewed, I was interviewed and departmental people have been interviewed. Dr Michele Bruniges has already begun the implementation of the recommendations of the Boston inquiry. Chris Raper, the former deputy director general of the Premier's Department, was briefed on Sunday, so the report came down at 12 o'clock on Friday. The two officers mentioned in the report were stood down on Friday.

On Sunday Chris Raper was briefed about the matter by the director general and he has been given the task—which he commenced on Monday—of implementing the recommendations. My office and I could not have been more cooperative in this approach. As has been made public on a number of occasions, including at the Boston inquiry, it was in fact my office that advised the director general that there were problems with this program. As soon as she was advised she put all the available resources towards getting children to school. It did not happen on day one because we did not have sufficient notice. Had we been advised earlier, it may well have been that all students had transport on day one. All resources have been put towards the immediate problem of getting all these children to school, and we will continue to make sure that that is the number one priority.

POLITICAL DONATIONS

Mr STUART AYRES: My question is directed to the Premier. How is the Government cleaning up politics in New South Wales?

Dr Andrew McDonald: Point of order—

The SPEAKER: Is the member for Macquarie Fields taking a point of order about the wording of a question that I have already accepted?

Dr Andrew McDonald: Yes.

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

Dr Andrew McDonald: Questions are not meant to contain imputations. This contains an imputation and I think the question is out of order.

The SPEAKER: Order! That is not a point of order.

Mr BARRY O'FARRELL: I will say this for the member for Macquarie Fields, he looked very uncomfortable sitting amongst his Labor colleagues when in government, as he should have, given their corruptness. I thank the member for Penrith for his question. The member for Penrith was first elected in a by-election and was then re-elected at a general election by demand from local voters for the restoration of honesty and decency in politics across this State. I am pleased that we are seeking to restore integrity and honesty, in order that the public can have confidence in the Government and public administration in New South Wales.

Last night the upper House passed historic legislation designed to ensure that we clean up the decisions-for-donations culture that grew up under those opposite. It is legislation based on the very simple principle that it is individuals who, in our democracy, get the right to vote. It ought to be individuals who also get the right to choose whether or not they will donate to the candidate or political party of their choice. The days of big business or unions buying influence in politics in New South Wales are over. Under this legislation

corporations, companies, unions and third party groups will still be able to engage in genuine third party, issues-based campaigning—the sort of campaigning I spoke about earlier. Those of us who contested the 2003 election campaign remember the Teachers Federation spending \$1 million in support of a good campaign designed to influence all sides of politics to support the reduction of class sizes from kindergarten to year 2.

Those sorts of campaigns will continue to exist, but the Government is determined to stop the rorts, rackets and rip-offs that those opposite presided over for 16 years and that were constantly reported in the newspapers. I hear an echo from the member for Heffron. When the member for Toongabbie was Premier he asked the member for Heffron, who was dragged kicking and screaming, to put some standards into the Department of Planning. The Leader of the Opposition has said today that democracy will never be the same again in New South Wales. Well, thank God! His version of democracy is people doing factional deals over salt and pepper squid at the Golden Century.

His version of democracy is people doing planning deals in coffee shops sipping double macchiatos. Those days are over. That is what this side of politics stands for. I am pleased to say that when the legislation passed through this House every member bar those in the Labor Party supported it. I am pleased to say also that the member for Balmain—my Socialist Alliance friend—supported the legislation. He was the first of the new Greens to understand that not only did the Government have a mandate to clean up politics in this State by this particular reform but so also did The Greens. The Greens went to the same election with the same policy but for some reason wasted money trying to delay the legislation with an upper House inquiry.

Legislation passed in December 2010 gave Labor affiliated unions a free pass through campaign expenditure caps. A Labor Party affiliated union was treated like the RSPCA or a genuine third party interest group but it was not recognised as part of the Australian Labor Party, which has a seat on the Central Council that too often provided office bearers who choose their candidates and decide their policies. That has now ended. There will be a level playing field in politics in New South Wales. Third party interest groups will be able to campaign on genuine issues, and donations will be available only from individuals—individuals who have a choice. Ultimately those opposite hate choice and they hate these reforms because they expose them and their union bosses.

ASSISTED SCHOOL TRAVEL PROGRAM

Ms CARMEL TEBBUTT: I direct my question to the Minister for Education. Yesterday two children with intellectual disabilities travelling without an escort were lost by their driver. Why has the Minister failed to implement a key recommendation of the Boston report to inform parents that drivers may not be aware of the health and welfare needs of their children?

Mr ADRIAN PICCOLI: I thank the member for her question and for her interest in this matter. As I said at the beginning of my response to a question asked of me earlier, I apologise to all the affected parents and children. The first week of school should be an exciting time for every student in New South Wales. It should be a time for children to catch up with old friends. But for 700 or so students that did not happen and for that I apologise. The incident that occurred yesterday was not reported totally accurately in the media. From memory it was reported that the children did not have an escort and that they should have had an escort. That was not the case, nor was that the information that was given to the media outlet that ran the story. Eligibility criteria exist for assisted school transport, and that has not changed. For many of the 9,500 students who receive assisted transport, complex arrangements exist because of their different disabilities and needs.

The guidelines determine the type of transport required and the kind of care those students receive, including whether or not they should have an escort. I have been advised that as part of the normal guidelines the students in the bus yesterday were not required to have an escort. An altercation of some sort took place on the bus and when the driver pulled the bus over and was in the process of quietening down the students one of the students opened the door of the bus and ran off. A second student also ran off. They were missing for two hours. My department and I take very seriously any circumstance in which the whereabouts of a student is unknown. I am advised that the parents of the students were informed about the incident as soon as possible. Police were also informed and a search was undertaken. Eventually the two boys were located at the home of one of the students. The Employee Performance and Conduct Unit is investigating this matter, and that is exactly what should happen in these circumstances.

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

Mr ADRIAN PICCOLI: The Government takes child protection very seriously. I heard the member for Canterbury say that I should resign. A week or two ago I read a newspaper report said to be from a "senior Labor source". I am not sure who the source was, but it could not have been a Labor member of this Parliament because not one member of the Opposition in this place could be categorised as senior. The only person I could think of is the guy doing work experience at Labor's head office—Sam Dastyari. He is about the most senior person in New South Wales Labor. The so-called senior Labor source was reported to have said that had this happened under the previous Labor Government, the Minister responsible would have had to resign by now. Really?

Ms Carmel Tebbutt: Point of order: My point of order is made pursuant to Standing Order 129, which relates to relevance. This is a serious question. The Boston report contained a recommendation that parents should be informed. The Minister has not yet answered whether or not that recommendation has been implemented. The Minister has not addressed that key question, and the community, not to mention the Parliament, has a right to know.

The SPEAKER: Order! There is no point of order. The Minister has been answering the question.

Mr ADRIAN PICCOLI: I answered that question when responding to a question I was asked earlier by the Leader of the Opposition. I said that all the recommendations of the Boston inquiry have been accepted by the Government and are being put into place. In fact, both the Director General of the Department of Education and the former Deputy Director of the Department of Premier and Cabinet have been appointed to make sure that all the recommendations are implemented and acted upon. The Government takes all this very seriously, particularly any matter related to child protection. I assure the House that that is the case now and that has always been the case, even under the former Government.

The Department of Education employs high-quality people whose primary concern is the welfare of students, and if there is anything that the Government can do to improve that systematically across the department, that will be done. If Chris Raper has other suggestions to improve the operation of the Department of Education, I am sure the director general will accept them and act upon them. The Government takes child protection very seriously. The incident that occurred yesterday was unfortunate. It is being investigated and, given the circumstances of the incident, consideration is being given to whether it is appropriate for escorts to be provided. I have been advised that under the present guidelines those students should not have had escorts yesterday. However, if it is recommended that they should have escorts they will get them.

STATE ECONOMY

Mr GARETH WARD: My question is addressed to the Treasurer. Will the Treasurer update the House on the latest jobs data and the impact of the Government's actions to rebuild New South Wales?

Mr MIKE BAIRD: I thank the member for his question and for the great work he has been doing since being elected as the member for the electorate of Kiama, which has been craving for such a member for the past 12 years. Today has been a good day for New South Wales. Although we continue to be disappointed about recent job losses and the challenges faced by the economy, today I am pleased to inform the House that the unemployment rate has fallen in New South Wales. That means more jobs in the economy, and that is a good thing for New South Wales. Whilst I have always said it is important to take note of trends rather than monthly statistics in order to take a sensible approach to economic matters, I note the campaign of misinformation being run by those opposite. Believe it not, they have not got their numbers right. They have had a year to cost one specific policy and they have not been able to get it right. They cannot get their job numbers right.

We know, however, that they are kept busy working on the numbers separating Kevin and Julia. Today we have positive news for the economy, and we need to get the numbers right and refer to facts so that those opposite can understand and take it in. Let us look at the New South Wales labour force data from the Australian Bureau of Statistics. The facts speak for themselves. Labor members missed this in their debate. For the first six months after the Jobs Action Plan was introduced by the O'Farrell Government New South Wales added more jobs than all the other States combined. The jobs data from when we were elected—that is, the first jobs data set in April—until today shows that New South Wales has had a net increase of 18,000 jobs. That means that the unemployment rate has fallen from 5.6 per cent to 5.2 per cent. Across the country 38,000 jobs were created in that period. In other words, New South Wales has created more than half the jobs across the country since the O'Farrell Government came to power. I do not want to harp on the record of the previous Government, but I think I should.

The SPEAKER: Order! The Treasurer does not need the encouragement of the House.

Mr MIKE BAIRD: Members opposite do not have the figures correct in the current debate. However, they missed the figures for when they were in government. Those were the long, hard years of Labor. For the last 10 years of the Labor Government, New South Wales had the slowest jobs growth of any State in the country.

Dr Andrew McDonald: Point of order: The Treasurer is misleading the House. We actually created 302,000 jobs in our last four years of government.

The SPEAKER: Order! That is not a point of order. The Treasurer has the call. Government members will come to order.

Mr MIKE BAIRD: It will not be long before the member for Macquarie Fields is shadow Treasurer. He is on the way, but he should get the numbers right. It is a challenge. The next 12 months will not be easy; we have been up-front about that. The economy faces challenges. The New South Wales economy has more concentration in finance jobs—almost double that of Western Australia and Queensland—and we have fewer jobs in mining. The O'Farrell Government continues to implement its plans to stimulate the New South Wales economy. We are starting to see the results of our Jobs Action Plan. Indeed, ANZ job statistics show that job advertisements were up by 5.9 per cent in January. So we hope that that will lead to a growth in jobs.

According to the most recent statistics, New South Wales is currently the second strongest State behind Western Australia in business confidence. We are starting to see that. What is the State Government doing? How does it respond to times of economic difficulty? It gets on with the job of building infrastructure. And that is exactly what we are doing—whether it be the South West Rail Link or the North West Rail Link, which is underway under the stewardship of the great transport Minister. We are getting on with the job of upgrading the Pacific Highway. We remember that during previous economic challenges Labor cut funding for the Pacific Highway. We are increasing funding for the Pacific Highway. We are getting on with widening the M5 West. There are nine hospital projects across the State. Everywhere one turns there is a hospital project. The convention and exhibition centre infrastructure project is underway.

The SPEAKER: Order! Opposition members will come to order. The member for Toongabbie will come to order.

Mr MIKE BAIRD: The turnaround will not be quick. We know that the O'Farrell Government's plans are having an impact on the economy. We are seeing more confidence, more investment and more jobs.

ASSISTED SCHOOL TRAVEL PROGRAM

Mr JOHN ROBERTSON: My question is addressed to the Minister for Education. Will the Minister explain why parents have not been contacted about the consequences of defects in the student transport management system as recommended by Dr Boston in his report?

Mr ADRIAN PICCOLI: I assure members, as I assured them in my answers to previous questions, that all Dr Boston's recommendations have been accepted by the Government and will be implemented.

Ms Carmel Tebbutt: It's supposed to have been done.

The SPEAKER: Order! The Minister has barely begun his answer.

Mr ADRIAN PICCOLI: The relieving Deputy Director General—the report stated that two senior staff members should be disciplined and they were stood down within hours of the report being handed down so the department now has a relieving Deputy Director General, Finance and Infrastructure—sent an email to all principals headed, "Immediate action required to contact parents and drivers regarding health and welfare needs of students accessing assisted school travel program." The email relates specifically to one of the recommendations.

As I said, we take those recommendations seriously as they relate to the most vulnerable students in our education system in both government and non-government schools. Dr Boston said that the Director General has taken the necessary steps to ensure that principals contact parents to make sure that the recommendation referred

to in the previous question from the member for Marrickville is being undertaken. I assure members that the Director General and the department are 100 per cent focused on implementing those recommendations and ensuring that what happened at the beginning of this year does not happen again.

REGIONAL NEW SOUTH WALES

Mr GEOFF PROVEST: My question is directed to the Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services. What is the Government achieving for regional New South Wales?

Mr ANDREW STONER: What a good question from the member for Tweed. Unlike the previous Labor Government, regional communities lie at the heart of this Government's decision-making. I am pleased to advise the House today of another two big achievements for regional New South Wales. The member who is 100 per cent for the Tweed is one of a number of members in this House who represent electorates bordering other States. Together with the member for Albury, the member for Barwon, the member for Bega, the member for Lismore, the member for Monaro, the member for Murray-Darling and the member for Northern Tablelands, the member for Tweed has long had to deal with the implications of a Federal system for people who are engaged in activities that straddle State and Territory borders.

I acknowledge the two private members' bills on this issue from the Minister for Local Government, and Minister for the North Coast and the member for Northern Tablelands, both of whom have been keen to see a resolution to some of these cross-border anomalies. As all those members can attest, people living in New South Wales communities bordering other States and Territories face a range of cross-border anomalies such as unnecessary red tape in transport, health and education. With those issues top of mind, I am delighted to announce today that Steve Toms has been appointed to the role of the State's first ever Cross-Border Commissioner for a two-year term commencing on 12 March.

Mr Toms has wide experience in dealing with issues affecting rural and regional communities as a land manager working for the New South Wales National Parks and Wildlife Service and Forests NSW, and as the current Glen Innes Severn Council mayor. The appointment means that the unique circumstances affecting our border communities will be taken into account in future Government decision-making. For the first time in our State's history, cross-border communities in New South Wales now have an advocate solely focused on their unique issues. This good news has been welcomed by the business community, with the chief executive officer of the New South Wales Business Chamber saying today:

... the appointment of a Cross Border Commissioner, along with the appointment of a Small Business Commissioner—

that is the work of the Minister for Small Business—

is welcome evidence that the O'Farrell Government has economic growth and strong support for the business community as its priorities ...

That is a good endorsement by the New South Wales Business Chamber.

Mr Barry O'Farrell: Even Anna Bligh agrees.

Mr ANDREW STONER: As the Premier points out, Anna Bligh is happy about this as well. I am sure all members will join me in congratulating Mr Toms on his appointment and wishing him godspeed in his important work. There is another big achievement for regional New South Wales. Today the New South Wales Government joined the Federal Government to release the first six-monthly report card for the Pacific Highway duplication. It is about accountability and transparency from the Government—something that we did not see for 16 long years under Labor. The report card shows that between July and December 2011 work was proceeding on seven upgrade projects, five were being readied for the start of construction and a further four were in the planning stage.

As the Federal Labor Minister said, the Pacific Highway duplication is the most complex and expensive road project ever undertaken in Australia. We have already committed an additional \$468 million to the Pacific Highway upgrade over the three years to 2013-14, which almost doubles the State commitment to that highway and more than makes up for the \$300 million those opposite slashed from the program a couple of years ago. The simple fact is that opening a four-lane divided highway between Hexham and the Queensland border by the end of 2016, as promised by the Prime Minister, is in fact possible. However, it would require an estimated additional \$7.4 billion.

The Government has made the tough decisions necessary to establish an 80:20 split between Federal and State funding as this is an important national interstate highway. The Government has dragged it up from the former Labor Government's 86:14 split to 80:20. But unfortunately it seems that the Federal Government is playing some political games on this issue. It is attempting to establish a 50:50 split—something completely impossible, given the size of our State's road and transport network and our unfair and inadequate revenue base. The Federal Government is trying—by sleight of hand—to shift more than \$2.2 billion onto this Government. That is something this State and its taxpayers cannot bear.

ASSISTED SCHOOL TRAVEL PROGRAM

Ms CARMEL TEBBUTT: My question is directed to the Minister for Education. How long will parents of children with disabilities have to wait to be reimbursed the money they were forced to spend because the Government failed to provide transport for their child to school?

Mr ADRIAN PICCOLI: I thank the member for her question. It is a good question because parents do need, if appropriate, to be reimbursed for expenses. We have acknowledged that there was an error. It should not have happened, and applications by parents will be considered on a case-by-case basis. It was completely unnecessary that parents suffered those inconveniences. I take this opportunity to acknowledge the difficult work of parents in supporting their children, particularly children with disabilities. Everybody in the Chamber appreciates the challenges that many of these families face.

Mr John Robertson: So when will you pay them?

Mr ADRIAN PICCOLI: They will be considered on a case-by-case basis.

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

Mr John Robertson: When will you pay them?

Mr ADRIAN PICCOLI: I have answered the question. I just want to acknowledge those parents and acknowledge the inconvenience caused to them. I have spoken to a number of parents on the telephone. They are difficult conversations because these parents have enough difficulties.

Mr Clayton Barr: Point of order: In the interests of audibility, will the Minister speak into the microphone so that he can be heard?

The SPEAKER: Order! Members will come to order. This is an answer to a serious question and I cannot determine its relevance if I cannot hear it.

Mr ADRIAN PICCOLI: I would also like to acknowledge the other government agencies that were involved when we became aware of this problem. The immediate response was a cross-government response, to get kids to school in that first week of school. I spoke to the Minister for Ageing, and Minister for Disability Services about the issue and sought whatever assistance his agencies could provide, and they did so. School education directors, regional directors and their staff helped out where they could. There were interim arrangements for a lot of students in order to make sure they were able to get to school while longer-term travel solutions were being found. TAFE was involved.

Police were involved in speeding up the working with children checks. That adds complexity to the issue because one cannot just ring up a taxi company and say, "If you've got a couple of vehicles, we need them." The drivers and any carers need to have passed working with children checks. The police made sure that, where possible, those checks were done in 24 hours. CrimTrac in Canberra assisted, undertaking some weekend work. I take this opportunity to acknowledge the other government agencies that have taken this matter very seriously. I also acknowledge those people in the Department of Education who have worked hard to try to make sure that this problem is rectified as quickly as possible. As I said, I offer my apologies on behalf of the Department of Education and of me as Minister for the inconvenience caused to those families.

THE STAR CASINO

Mr MARK SPEAKMAN: My question is addressed to the Premier. What action is being taken in relation to recent reports around the Star casino?

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time.

Mr BARRY O'FARRELL: I have always said that the Leader of the Opposition has an open mind—I can feel the draught from here.

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

Mr BARRY O'FARRELL: I thank the member for Cronulla for his question. Every five years the Casino, Liquor and Gaming Control Authority is required to investigate and form an opinion as to whether the operator of The Star casino is suitable to hold a casino licence, and whether it is in the public interest for that casino licence to remain in force. The authority appointed Ms Gail Furness, SC, to assist with the latest investigation, which was completed in December last year. The investigation found that The Star was suitable to hold the casino licence. However, since that report was completed, The Star has announced that its managing director has left the company due to his "behaviour in a social work setting".

The independent authority, the Casino, Liquor and Gaming Control Authority, wrote to the Echo Entertainment Group, operators of The Star, seeking a full explanation relating to the circumstances surrounding the cessation of Mr Vaikunta's employment at the casino. After considering the information provided, the authority announced earlier today that Ms Furness will conduct another inquiry under section 143 (1) of the Casino Control Act. It will inquire into and report on the circumstances surrounding the cessation of Mr Vaikunta's employment as Managing Director of The Star Casino, including Echo Entertainment's obligations to inform the authority of relevant information. It will also report on information received by the authority in relation to The Star since the previous report was completed in December and any other relevant issues.

The New South Wales Government and the New South Wales community have every right to expect that The Star casino and its senior executives will operate in accordance with the highest standards of honesty, integrity and in the public interest. The inquiry being conducted by Ms Furness will have the powers of a royal commission, and I understand it has already announced that its hearings will be held in private. Ms Furness will be able to call upon anyone from any arm of government to assist with her inquiries. She will have the Government's full cooperation in that regard. I am advised the inquiry will seek public submissions, to be received by 8 March, and is expected to provide the Casino, Liquor and Gaming Control Authority with a report by 5 April. The authority's report on this matter will be brought to the attention of the House as soon as possible.

MORISSET AMBULANCE STATION

Mr GREG PIPER: My question is directed to the Minister for Health, and Minister for Medical Research. Given the significant number of reported lapses of service since administrative control of Morisset Ambulance Station was passed to the Central Coast, will the Minister review the matter and address the community's concerns by reinstating or ensuring full availability and two-person crews for the Morisset station?

Mrs JILLIAN SKINNER: I thank the member for Lake Macquarie for that very sensible question. Before giving specifics in relation to the question, I am aware members know that I have been visiting hospitals on a regular basis with members of this House.

The SPEAKER: Order! Opposition members will come to order. I am sure the member for Lake Macquarie is interested in the answer but he is finding it difficult to hear. I call the member for Toongabbie to order.

Mrs JILLIAN SKINNER: In fact, I have visited 50 hospitals to date and on every occasion I have taken the opportunity to listen to clinicians and talk to physicians and doctors, including our hardworking paramedics. I go out of my way to speak to ambulance officers in every emergency department I visit and I am told that I am the first Minister to do so for a very long time.

Ms Carmel Tebbutt: What a load of rubbish.

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

Mrs JILLIAN SKINNER: The Opposition is saying that ambulance officers are lying.

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

Mrs JILLIAN SKINNER: I have met in recent times with paramedics. On 14 December I spent all morning travelling with a crew responding to calls, with lights and sirens on occasions. It was very interesting to see how they responded to very urgent calls, including one heart attack. I am very happy to say they saved that person's life. On 16 December I spent the morning at the call centre at Redfern, and again I was extremely impressed with the professionalism of the paramedics and those helping them. On 20 December I spent the day at the headquarters in Rozelle and was told I was the first Minister in eight years to do so.

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

Mrs JILLIAN SKINNER: As at December last year, the New South Wales Ambulance Service was providing more services than ever for the people of New South Wales. As at December last year they had responded to 23,425 more incidents than in the previous year, done 27,908 more responses and transported 18,000 extra patients. As to the specifics of the question regarding the Morisset area, I am advised that there has been no change to staffing levels at Morisset and there has been no change to vehicle numbers at Morisset. Work for Morisset station is still allocated from the same 000 dispatch board as it has been since 1998. The only change at Morisset has been that the station officer reports to a different manager.

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

Mrs JILLIAN SKINNER: A bipartisan working group with representatives from the Health Services Union agreed to that administrative change. Response times are monitored continuously to ensure that service levels to the community are maintained. This applies to all stations across New South Wales. So I am advised that no services at Morisset have changed. The only issue that may be affecting the Morisset area service delivery is that Morisset continues to roster a 14-hour night shift although the current operational ambulance officer State award has a maximum shift of 12 hours. When Morisset station transitioned to the current award there would be no overlap when covering unplanned absences. In response to the more specific and detailed questions that the member was good enough to send to my office, I am happy to have a conversation with him to provide the answers. I thank him for that very important question.

RECORD OF SCHOOL ACHIEVEMENT

Mr JOHN SIDOTI: My question is addressed to the Minister for Education. What credential will replace the School Certificate for those students who leave school prior to receiving their Higher School Certificate?

The SPEAKER: Order! Members will come to order for the final question.

Mr ADRIAN PICCOLI: I thank the member for Drummoyne for his question. It was great to see the front page of today's *Daily Telegraph* highlighting that the Government is implementing reforms in education and doing things the previous Government could not be bothered doing. Today I had the great pleasure of visiting Concord High School with the member for Drummoyne, John Sidoti, to announce that the New South Wales Government today will introduce legislation to create the Record of School Achievement [RoSA], a credential for students leaving school prior to receiving the Higher School Certificate [HSC]. In August last year I announced that the School Certificate would be abolished because it no longer meets the needs of the twenty-first century. The introduction of the Record of School Achievement represents the most significant change to secondary schooling in over a decade and will replace a credential first introduced in 1965.

Indeed, the member for Lismore told me that he did the School Certificate in that first year, and he is still with us. Fully implemented, the Record of School Achievement will be a record of the full range of student achievements right up to the day they do their Higher School Certificate or leave school. It will provide an electronic record of achievements that students can use at any time and it will use assessment by teachers in schools, moderated by the Board of Studies, to ensure reliability and fairness of grades. It will provide the capacity to record vocational courses and experiences, leadership achievements such as the Duke of Edinburgh's Award or a first-aid course. It will capture all the achievements not just the academic achievements and abilities of students who leave school before the Higher School Certificate—something that students, parents, employers and training providers want. It will offer online literacy and numeracy tests, with particular emphasis on work readiness that students will be able to undertake twice a year from next year.

The Record of School Achievement will be available electronically and as a verifiable hard copy on demand. The Board of Studies has consulted widely with the teaching and broader community to ensure that the Record of School Achievement balances the need to encourage students to stay at school for their Higher School Certificate—something we want all students to do—while still offering a meaningful credential or certificate to those who choose to leave earlier. Chris Cawsey, President of the Secondary Principals Council, has welcomed the decision. She was with me this morning at the school. She said:

Principals in secondary schools have been asking for this for a long time.

This is something that all groups of principals, no matter what sector they're from, are very excited about and very pleased about.

It's time to broaden the curriculum, it's time to allow students, particularly in year 10, to not feel that they're just preparing for an exam and to actually allow them to think about preparing for years 11 and 12.

It means we're not teaching to the School Certificate test, we're teaching to the full curriculum that's available in year 10 and we hope then better preparing kids for years 11 and 12.

We know now that things are different. We're in the 21st century not the 19th century—

most of us are in the twenty-first century not the nineteenth century—

and the systems that we use to test students, the ways we assess them need to be much broader and represent a much wider range of skills.

Because that's what employers, that's what universities, that's what families are looking for.

We never say to people that if they fail the first time on their drivers' licence that you can't go back and have another go at the test.

It's a way of letting students benchmark where they are in literacy and numeracy, and being able to look at their own skills and make sure that they have the skills that they need.

The President of the Board of Studies was also present this morning. He said that students will be able to benchmark. Perhaps at the end of year 10 they will do the literacy and numeracy tests and if they are not at the right stage to get a job, they will work harder and redo the test in order to achieve the necessary levels to gain further training or obtain a job. Further details on implementation will be provided by the Board of Studies NSW to all schools throughout 2012. I am very proud to be part of a Government that is implementing historic reforms like this one. We have listened to the business community, students and schools across every sector. The Government is proud to introduce this new reform and we look forward to the Record of School Achievement being offered for the first time this year.

ASSISTED SCHOOL TRAVEL PROGRAM

Mr ADRIAN PICCOLI: I can provide additional information in response to the question asked by the member for Marrickville. I have the email that was sent to all principals by the acting Deputy Director General, Finance and Infrastructure. The member's question was genuine and I am more than happy to share this information with the Opposition. I therefore seek leave to table this email.

Leave granted.

Document tabled.

Question time concluded at 3.08 p.m.

TRIBUTE TO MRS GWEN KEMMIS

Ministerial Statement

Mr ANDREW CONSTANCE (Bega—Minister for Ageing, and Minister for Disability Services) [3.10 p.m.]: Today I wish to reflect on the life and achievements of a phenomenal woman and Australian, Mrs Gwen Kemmis, who passed away last year. Mrs Kemmis dedicated her life to people with a disability both in Australia and overseas, particularly in the area of rehabilitation. Starting work with displaced people in 1945 with the United Nations Relief and Rehabilitation Administration in France, Mrs Kemmis continued her

social work and career working with people with a disability with various organisations and bodies, including the Prince of Wales Hospital at Randwick, the Association of Sheltered Workshops, the Australian Council for Rehabilitation of Disabled, the Council of Social Service and a host of consultative committees.

Her decades of work and dedication to people with a disability enabled her to touch the lives of many for the betterment of society. The values and principles that guided Mrs Kemmis—service, humanitarianism, social justice and equality—are those that all individuals should aspire to emulate. Fortunately, Mrs Kemmis's service has not gone unnoticed. In 1969 she was awarded the Order of the British Empire [MBE] for her community work and in 1990 she was awarded an Order of Australia for her work with people with a disability. Although it is with sadness that our nation has lost an amazing individual, let us be inspired by Mrs Kemmis's life and service.

Mrs BARBARA PERRY (Auburn) [3.12 p.m.]: Gwen Kemmis, who passed away last year, lived a rich and varied life and had a significant impact in the field of social work and disabilities. Today I pay tribute to her. Gwen is remembered for her work among people with a disability, and especially for her advocacy on their behalf and her desire to increase opportunities for them. She graduated from Sydney University and first became aware of the importance of rehabilitation while working overseas with displaced persons during the Second World War. She worked for many years in various positions, including at the Sydney Eye Hospital, where she developed an interest in the rehabilitation of the blind, and at the Spastic Centre with people living with cerebral palsy. At the Spastic Centre she worked as what was then called an "almoner". That term, which is derived from the word "alms" relates to the act of giving or service. Almoners are now generally called medical social workers. The word does justice to Gwen's giving and her life of service to the community. Dr Robin Way of Community Connections Australia knew Gwen from when they were young, and says:

Gwen was beloved by a generation of people who lived with cerebral palsy at that time.

Gwen went on to work for the Association of Sheltered Workshops in New South Wales and other similar organisations. Dr Robin Way's words sum up her life beautifully:

She always had time for people and that made her very effective in her role—because she gathered people to her.

I offer our condolences to Mrs Kemmis's family. We owe her a great deal.

UNPROCLAIMED LEGISLATION

The SPEAKER: Pursuant to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 16 February 2012.

LEGAL AFFAIRS COMMITTEE

Inquiry

Mr Dominic Perrottet, as Chair, informed the House that, in accordance with Standing Order 299 (1), the Legal Affairs Committee has resolved to conduct an inquiry into law reform issues regarding the prohibition of synthetic drugs that have the same effect as prohibited drugs, the full details of which are available on the committee's home page.

PUBLIC ACCOUNTS COMMITTEE

Inquiry

Mr Jonathan O'Dea, as Chair, informed the House that, in accordance with Standing Order 299 (1), the Public Accounts Committee had resolved to conduct an inquiry into the follow-up of Auditor-General's Performance Audits from September 2010 to February 2011, the full details of which are available on the committee's home page.

PETITIONS

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

Container Deposit Levy

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

Walsh Bay Precinct Public Transport

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

Slaughterhouse Monitoring

Petition requesting mandatory CCTV for all New South Wales slaughterhouses, received from **Ms Clover Moore**.

Pig-dog Hunting Ban

Petition requesting the ban of pig-dog hunting in New South Wales, received from **Ms Clover Moore**.

Animals Performing in Circuses

Petition requesting a ban on exotic animals performing in circuses, received from **Ms Clover Moore**.

Pet Shops

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

Pet Bans in Accommodation By-laws and Tenancy Agreements

Petition requesting the prohibition of blanket pet bans in accommodation by-laws and rules and tenancy agreements, received from **Ms Clover Moore**.

Tamworth Crime and Antisocial Behaviour

Petition requesting immediate government action to combat increasing levels of crime and antisocial behaviour in the Tamworth community, received from **Mr Kevin Anderson**.

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

Pittwater Fishing

Petition requesting the Government buy out commercial fishing operators within the Pittwater to help to ensure a sustainable future for this invaluable natural asset, received from **Mr Rob Stokes**.

ELECTION FUNDING, EXPENDITURE AND DISCLOSURES AMENDMENT BILL 2011

Consideration in Detail

Schedule of the amendment referred to in the Legislative Council's message of 16 February 2012

No. 1 Page 3, schedule 1. Insert after line 3:

[1] Section 87 Meaning of "electoral expenditure" and "electoral communication expenditure"

Insert after section 87 (3) (before the note):

- (4) Electoral expenditure (and electoral communication expenditure) does not include expenditure incurred by an entity or other person (not being a registered party, elected member, group or candidate) if the expenditure is not incurred for the dominant purpose of promoting or opposing a party or the election of a candidate or candidates or influencing the voting at an election.

Mr BARRY O'FARRELL (Ku-ring-gai—Premier, and Minister for Western Sydney) [3.16 p.m.]:
I move:

That the House agree to the Legislative Council amendment.

By way of brief explanation, the Government has always said that any third party, including unions and peak bodies, should and will have the freedom to undertake issues-based campaigns that are not aimed at supporting a

party or candidate, or influencing voting in an election. As I said earlier, the 2002-03 campaign undertaken by the NSW Teachers Federation, the Federation of Parents and Citizens Associations, TAFE teachers and a range of other bodies costing \$1 million and involving a series of reports advocating smaller class sizes from kindergarten to year 2 did not direct people to vote for the Labor Party, the Liberal Party or anyone else. It was all about encouraging parties engaged in the political process to support those measures.

That is the sort of genuine issues-based campaign that can be undertaken and always could be undertaken under the legislation that passed through this House earlier and the upper House yesterday. The legislation does not prevent third party campaigners or other third party organisations from accepting corporate donations or other donations from other entities that are used to run genuine issues-based campaigns. Such donations are not political donations under section 65 of the Act and therefore are not subject to the prohibition. In other words, an issues campaign is different from a political campaign and donations can be received by peak bodies, third parties and entities in relation to such campaigns.

The Government has carefully considered the evidence provided to the select committee regarding the inevitable legal uncertainty that attaches to reforms in this area of the law. Successive Federal governments have refused to legislate in this area and reformer Senator John Faulkner's suggestions in this regard were ignored by the Federal Cabinet. To ensure that there is absolutely no doubt about the policy intention, the Government has amended the legislation to make it clear that it is not designed to preclude third party campaigners from running issues-based campaigns.

The legislation has always been about campaigns that are designed to encourage people to support or oppose a particular party, candidate or advocate or election outcome. This amendment is consistent with and simply restates the Government's position. It supports the policy position by removing any doubt about the impact on genuine issues-based campaigning by third parties. I reiterate: This is about ensuring clarity about issues-based campaigns, which are allowed. However, an Australian Labor Party affiliated union or an entity affiliated to any other political party cannot be treated like the RSPCA or some other third party interest group. I commend the amendment to the House.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.18 p.m.]: This amendment, like this bill, does nothing to improve democracy in New South Wales. This amendment and the approach adopted by the Premier in speaking to it are further examples of his misleading the people of New South Wales not only about this bill but also about the way this Government has operated. This amendment reinforces the fact that this is a bill for the wealthy and that it will ensure only wealthy individuals will have a say.

This bill will be known by those on this side of the House as the Premier's attempt in modern terms to mimic Joh Bjelke-Petersen's gerrymander of Queensland. This Premier who will go down in New South Wales as Joh Bjelke-Petersen might wear that as a badge of honour but the reality is that this amendment is about making sure that regular mums and dads in New South Wales have no opportunity to participate on an equal footing with wealthy individuals who will donate. I know the Premier is a big fan of former Prime Minister John Howard. I know how good he was at telling people that black was white and blue was green, and that is what is happening here. This bill, particularly this amendment, does not allow third party organisations to run campaigns because every campaign that is run will be aimed at influencing how people vote and influencing the behaviour of politicians.

Mr Brad Hazzard: Point of order: I ask that the Leader of the Opposition be brought back to the leave of the amendment to the bill, which covers a very specific issue.

The SPEAKER: Order! The debate must be constrained to the Legislative Council amendment and not the bill itself. The Leader of the Opposition has made reference to the bill itself.

Mr JOHN ROBERTSON: At the point when the point of order was taken I was talking specifically about the amendment.

The SPEAKER: Order! I uphold the point of order.

Mr JOHN ROBERTSON: This amendment will prevent third party campaigns because it is all about influencing how people vote. One has only to go back to the no dams campaign. That was not some feel-good proposition to make the world feel good; it was about influencing people to vote in a government that would stop the damming of the Franklin River. The rights-at-work campaign was not run to influence politicians, but to

put a set of laws in place by a particular government. The campaign run by the mining industry and the minerals resources industry was a campaign simply to influence people how to vote at an election. Every campaign that is run by a third party organisation is about influencing how people cast their vote at the ballot box.

While the Premier might disingenuously say that this amendment is about making sure that third parties can run a campaign, he knows that this amendment will not allow a third party to run a campaign in this State on any issue that is contentious in this Parliament. The Premier may shake his head, but that is the effect of this amendment. If third party organisations are gagged, as is the desire of the Premier, then democracy in New South Wales has been demolished under the guise of opening up opportunities for everybody. This amendment is wholly and solely targeted at gagging third parties. The Government may well have fooled The Greens in the Legislative Council and the member for Balmain, but those of us on this side of the House will not be fooled by some disingenuous statement that somehow the Premier is improving democracy.

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

Mr JOHN ROBERTSON: This is the Premier's attempt at a gerrymander—nothing more, nothing less. Members on this side will oppose this amendment and continue to oppose this bill.

Mr BARRY O'FARRELL (Ku-ring-gai—Premier, and Minister for Western Sydney) [3.24 p.m.]: Why does the Australian Labor Party and the unions hate this legislation so much? It is not the proclaimed defence of the Leader of the Opposition of democracy, which is not under threat. He has never believed in democracy: he is a member of the Labor Party. It is because it gives control to individuals. The Bernie Riordans and the Paul Howes and others who attend Labor Party conferences will not have that big stick to call those thousands of members for whom they claim to speak because under this legislation those individuals will get to choose for themselves whether they want to support those people, the Liberal-Nationals, the socialist Greens, the Independents or any other political party. That is basically why last night the Leader of the Opposition and those on the other side who foamed at the mouth were jumping around like marionettes, like union puppets. When I was briefly in the upper House last night I heard an excellent contribution from the Hon. Cate Faehrmann. Who was I not surprised to see sitting in the gallery taking notes, looking very happy with the performance of the Labor Party members?

Mr Brad Hazzard: Hawker.

Mr BARRY O'FARRELL: It was not Bruce Hawker but it may well have been Bruce Hawker—I do not think they are paying him at the moment. It was not the Leader of the Opposition but it was his leader. It was Mark Lennon from the Labor Council. Never have I seen the Labor Party so energised as in the past 24 hours because they are out there doing the bidding of the only people they care about—the union bosses who have gauged their members for years. Union bosses like those from the Health Services Union that took the fees of its members and in the famous words of the Leader of the Government in the upper House then proceeded to blow that money. They show complete and utter disdain for their union members.

Mr Clayton Barr: Point of order: The Leader of the Opposition was instructed to speak only to the amendment. I ask that you confine the Premier to the amendment. He is speaking to the bill.

The SPEAKER: Order! The Premier is responding to a number of comments made by the Leader of the Opposition, and he is entitled to do so.

Mr BARRY O'FARRELL: The House should not entertain the mistruths of the Leader of the Opposition. The bill does precisely what we have said it will do: It allows genuine issues-based campaigns to be run. The Teachers' Federation could, if it wishes, run another campaign that was a genuine issues-based campaign about smaller class sizes because, for the benefit of the Leader of the Opposition, that campaign was addressed by all sides of politics. What is the best way to achieve change in any democracy? It is to get both sides to go into the election campaign supporting it and then we will have a guaranteed good outcome. That is what the Teachers Federation understood under the presidency of Marie O'Halloran back in 2003 and that is what it did in that campaign. At the time I was the shadow Minister for Education and Training who, in September 2003, announced the commitment of the Liberal-Nationals to that policy. I was at the Town Hall when at five minutes to the election John Watkins, the Minister for Education and Training, and Premier Bob Carr announced that they, too, would deliver that commitment.

The Teachers Federation demonstrated, as it can under this legislation, that issues-based campaigns can be run. What Mark Lennon, Bernie Riordan and the Leader of the Opposition are upset about is that an

organisation cannot pretend to be a genuine third party interest group, even if it is affiliated to the Labor Party; one cannot pretend to be a peak body like the RSPCA, the Minerals Council or the Australian Council of Social Service but sit on the Labor councils of the Labor Party and have more than 50 per cent of the votes on their policy-setting councils, choose the members who sit in Parliament and pretend to be independent. We make no apology for ending the rorts the Labor Party put in its legislation in the last campaign; the rorts that were supported by the man I christened at the time purely evil because The Greens refused to adopt our amendments in December 2010 that would have the same effect as we saw overnight. But I believe in redemption so I am happy to acknowledge that this legislation would not have gone through but for the support of The Greens. I particularly acknowledge those new members of Parliament in the upper House from The Greens who have some decency, and who supported their platform and supported this bill.

But let us not pretend what the Leader of the Opposition is trying to pretend, that genuine third party issue campaigning is killed by this bill. It is not. What are killed are the political campaigns that masquerade as third party campaigns. What is killed is precisely what my members were laughing about—the Opposition's workers rights campaign. When I turned up to polling places in Bennelong in 2007, I not only saw those cars badged outside polling places, I also saw their workers handing out how-to-vote cards. Were they like the Teachers Federation in 2003, handing out to everybody, against all parties? No. They were only handing out against one party or two parties—the Liberals and The Nationals.

I thank the Leader of the Opposition for again demonstrating the only energy he will exert. The reason he languishes in those low twenties or teens in the opinion polls is that he is interested only in representing unions in this place. We are interested in politics. We are interested in the public. We are interested in cleaning up public administration in New South Wales. We are interested in ending the rorts that those opposite practised, whether at the table of knowledge in Wollongong or in planning departments oversighted by the member for Heffron. That is why this legislation is important. It starts to clean up politics in this State and it deserves the support of everybody in this House.

Mr MICHAEL DALEY (Maroubra) [3.30 p.m.]: Like the Premier I will respond to issues that have been raised in debate. The question of, and discussion about, third party campaigns is the great red herring of this bill. It is a smokescreen. It is a sideshow and a side issue. The Premier should come clean and admit that this is about one thing and one thing only: This is about the politics of extirpation. What he wants is simply to put to death the Labor Party in New South Wales. That is all he wants to do. In 1891 some working men and women who were concerned about the rights and living standards of workers formed a party, as is their right as citizens of this nation. It has been the most successful vehicle for change and improvement in this nation, and particularly in New South Wales.

Work standards, social standards and economic management have done more for the environment than those charlatans from The Greens will ever hope to do. As citizens of this nation, it was their right to form a party, to organise collectively, and thereafter to fund and support that party. That is an undoubted democratic right. This Premier, who is already drunk with power, wants to take away that simple and immutable democratic right to form a party and support the candidates of the party those opposite have formed. That is what this bill is about. It is a bill founded on jealousy, because the Liberal Party of Australia, founded as a reactionary party, does not have the structures of the Labor Party. Today the Premier, both in question time and in his efforts just then, referred succinctly and distinctly to the structure of the Labor Party and its internal structure. That is what this bill is about. It is about dismantling the structures of a political party.

We all saw with horror the reaction of the conservative side of politics to the campaign run by the union movement, by working men and women. It was called WorkChoices. In reaction to laws from a Prime Minister that had much in common with this Premier, who had too much power, the campaign run from the grassroots of working men and women, from unions and people who were not in unions comprehensively dismantled a Liberal-Nationals Government and had a Prime Minister thrown out of his seat for only the second time in Federation. That collective effort was by ordinary men and women, the sorts of ordinary men and women—35,000 of them—that gathered in the Domain a few months ago. While those charlatans from the Greens, like the member for Balmain, rubbed swords with them, waved their green flags and pretended to be friends with the workers, they blindsided them yesterday, stabbed them in the back and absolutely did them over. Let us make no mistake about this: Today in New South Wales, The Greens are the greatest shysters in politics.

The SPEAKER: Order! I caution the member about personal imputations against the member for Balmain.

Mr MICHAEL DALEY: All I said was that the member for Balmain was in the park. I referred to his party as great charlatans.

The SPEAKER: I heard what the member said and I have warned him about making personal imputations.

Mr MICHAEL DALEY: But it is up to him to take a point of order.

The SPEAKER: It is up to me, as the Speaker, to caution the member, as I have done.

Mr MICHAEL DALEY: That sort of campaign, like WorkChoices, scared the pants off the Coalition side of politics in this nation and that is what this bill is all about. It is about putting to death the Labor Party. There might be some people on the other side and even in the community who at this time think that is a good idea, but the fortunes of political parties, candidates, third party campaigns and campaigns wax and wane as society changes. The political fortunes in New South Wales will change, but it is in no-one's interest, whether in the Federal Parliament or in this Parliament, for too much power to reside in one person or too much power to reside in one party. That is what this bill will achieve.

Earlier today and in his recent contribution to these amendments, the Premier spoke about the need for donations to be limited to individuals only. That is a statement that wreaks hypocrisy. When the Labor Government introduced electoral funding laws, which were to come into effect on 1 January 2011, that mob opposite went hand over fist to secure as many donations as they could, which breached the letter of those donations. Their electoral return tells us: the Free Enterprise Foundation—not an individual—\$693,000 in their bank account; the Australian Hotels Association—not individuals—to the Liberal Party of Australia, New South Wales Division, \$382,000, money in their bank. The member for Hawkesbury had the good grace to return the money. Why does the Premier not do that?

Mr Brad Hazzard: Point of order: I made the point earlier that the Leader of the Opposition has a little more licence—a little—but it is inappropriate for other members to seek to go well beyond the specific amendment that we are considering that has come back from the other place. I ask you to direct the member to specifically address those issues.

The SPEAKER: I have tolerated the member for Maroubra for the past few minutes, but I ask him to confine his comments to the amendment, and not refer to the bill.

Mr MICHAEL DALEY: I am conducting myself in accordance with a decision from the Chair when the Premier was called on a point of order—

The SPEAKER: That decision related to the Premier, not to the member for Maroubra.

Mr MICHAEL DALEY: The Premier has no more latitude in this place than I do under the standing orders.

The SPEAKER: The member is speaking far more broadly beyond the amendment than did the Premier. I draw him back to the leave of the specific amendment.

Mr MICHAEL DALEY: Why did you not ask the Premier to come back to the specific leave of the amendment?

The SPEAKER: Order! It is not for the member to question the Speaker.

Mr MICHAEL DALEY: I am entitled to—

The SPEAKER: The member has the call, but he will confine himself to the amendment.

Mr MICHAEL DALEY: I am seeking your guidance in relation to the ruling you just made.

The SPEAKER: Order! I have made my ruling and am drawing the member back to the leave of the amendment.

Mr MICHAEL DALEY: I am talking about the ruling you made in relation to the point of order taken by the member for Cessnock on the Premier. You said the Premier was responding—

The SPEAKER: Order! At this stage the member does not have leave to question the decisions of the Speaker. I have asked the member to confine himself to the leave of the amendment. I have tolerated the member's wide-ranging comments. My tolerance is now coming to an end.

Mr MICHAEL DALEY: Your ruling is inconsistent with that which you made in respect of the Premier.

Mr Andrew Fraser: Point of order: The member for Maroubra has canvassed your ruling on a number of occasions. Every member has the same rights in this House.

Mr MICHAEL DALEY: Every member does have the same right and all I am asking for is fairness. I have said what I need to say about this amendment and I have said what I need to say about this bill. If the Premier was honest, he would come clean and tell everyone what this bill is all about. It has nothing whatsoever to do with democracy. It has nothing whatsoever to do with confining donations to individuals. It is all about putting the Labor Party, his political opponents, who have bettered his party for the majority of time in this State, out of business.

Mr BARRY O'FARRELL (Ku-ring-gai—Premier, and Minister for Western Sydney) [3.49 p.m.]: For the record I restate that nothing in the Election Funding, Expenditure and Disclosures Amendment Bill 2011 prevents people joining any political party or donating their money to that political party to be used in a political campaign. But the bill prevents other entities, entities that do not have a vote as an entity, from financing the political campaigns of political parties either in the way the previous legislation allowed or in the way both the member for Marrickville and the Leader of the Opposition said. It is about producing a level playing field in politics in New South Wales. It is about ensuring that citizens have control. But it is a sad day when those opposite do not understand the history of their own party. I referred to *Power Crisis* before. From 1891 until 1916 members of the Labor Party came together in local Labor leagues to support their candidates and to provide their money to do so. At the 1916 Australian Labor Party Conference the industrialists for the first time gave the unions right of control. As Rodney Cavalier has eloquently written, it was from that moment that the problems seen in the Labor Party today emerged. This bill now takes it back to taws and puts citizens in control.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.40 p.m.]: Madam Speaker—

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.40 p.m.]: I move:

That the question be now put (S.O. 86).

The House divided.

Ayes, 64

Mr Anderson	Mr Fraser	Mr Provest
Mr Annesley	Mr Gee	Mr Roberts
Mr Aplin	Mr George	Mr Rohan
Mr Ayres	Ms Gibbons	Mr Rowell
Mr Baird	Ms Goward	Mrs Sage
Mr Barilaro	Mr Grant	Mr Sidoti
Mr Bassett	Mr Gulaptis	Mrs Skinner
Mr Baumann	Mr Hartcher	Mr Smith
Ms Berejikian	Mr Hazzard	Mr Souris
Mr Bromhead	Ms Hodgkinson	Mr Speakman
Mr Brookes	Mr Holstein	Mr Spence
Mr Casuscelli	Mr Issa	Mr Stokes
Mr Conolly	Mr Kean	Mr Toole
Mr Constance	Mr Notley-Smith	Ms Upton
Mr Cornwell	Mr O'Dea	Mr Ward
Mr Coure	Mr O'Farrell	Mr Webber
Mrs Davies	Mr Owen	Mr R. C. Williams
Mr Dominello	Mr Page	Mrs Williams
Mr Doyle	Ms Parker	
Mr Elliott	Mr Patterson	<i>Tellers,</i>
Mr Evans	Mr Perrottet	Mr Maguire
Mr Flowers	Mr Piccoli	Mr J. D. Williams

Noes, 24

Mr Barr	Mr Lynch	Ms Tebbutt
Ms Burney	Dr McDonald	Mr Torbay
Ms Burton	Ms Mihailuk	Ms Watson
Mr Daley	Ms Moore	Mr Zangari
Mr Furolo	Mr Parker	
Ms Hay	Mrs Perry	
Ms Hornery	Mr Piper	<i>Tellers,</i>
Ms Keneally	Mr Rees	Mr Amery
Mr Lalich	Mr Robertson	Mr Park

Question resolved in the affirmative.

Question—That the Legislative Council amendment be agreed to—put.

Division called for and Standing Order 185 applied.

The House divided.

Ayes, 68

Mr Anderson	Mr Gee	Mr Piper
Mr Annesley	Mr George	Mr Provest
Mr Aplin	Ms Gibbons	Mr Roberts
Mr Ayres	Ms Goward	Mr Rohan
Mr Baird	Mr Grant	Mr Rowell
Mr Barilaro	Mr Gulaptis	Mrs Sage
Mr Bassett	Mr Hartcher	Mr Sidoti
Mr Baumann	Mr Hazzard	Mrs Skinner
Ms Berejiklian	Ms Hodgkinson	Mr Smith
Mr Bromhead	Mr Holstein	Mr Souris
Mr Brookes	Mr Issa	Mr Speakman
Mr Casuscelli	Mr Kean	Mr Spence
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Mr Constance	Mr Notley-Smith	Mr Toole
Mr Cornwell	Mr O'Dea	Mr Torbay
Mr Coure	Mr O'Farrell	Ms Upton
Mrs Davies	Mr Owen	Mr Ward
Mr Dominello	Mr Page	Mr Webber
Mr Doyle	Mr Parker	Mr R. C. Williams
Mr Elliott	Ms Parker	Mrs Williams
Mr Evans	Mr Patterson	<i>Tellers,</i>
Mr Flowers	Mr Perrottet	Mr Maguire
Mr Fraser	Mr Piccoli	Mr J. D. Williams

Noes, 20

Mr Barr	Ms Keneally	Mr Robertson
Ms Burney	Mr Lalich	Ms Tebbutt
Ms Burton	Mr Lynch	Ms Watson
Mr Daley	Dr McDonald	Mr Zangari
Mr Furolo	Ms Mihailuk	<i>Tellers,</i>
Ms Hay	Mrs Perry	Mr Amery
Ms Hornery	Mr Rees	Mr Park

Question resolved in the affirmative.

Legislative Council amendment agreed to.

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

MINING LEGISLATION AMENDMENT (URANIUM EXPLORATION) BILL 2012

Bill introduced on motion by Mr Chris Hartcher.

Agreement in Principle

Mr CHRIS HARTCHER (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [3.51 p.m.]: I move:

That this bill be now agreed to in principle.

The Mining Legislation Amendment (Uranium Exploration) Bill makes amendments to four Acts to remove the prohibition on exploring for uranium in New South Wales. While the amendments themselves are straightforward, they reflect the significant change in government policy in this State. For the first time in 26 years the policy on uranium exploration has been re-examined and revised to allow exploration for uranium. This policy change follows a request from the Commonwealth Government for New South Wales and Victoria to review their prohibition on uranium exploration and mining. New South Wales and Victoria are the only two mainland States to still have a prohibition on uranium exploration and mining.

South Australia, Western Australia and the Northern Territory have uranium exploration and mining industries that make Australia the world's third largest exporter of uranium. Queensland's uranium legislation provides for both exploration and mining, but currently only exploration is permitted. In 2010-2011 exploration expenditure for uranium in Queensland was \$18 million. Internationally, many countries are turning to uranium as a low-carbon source of energy that can provide for their rapidly growing energy needs.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber. Members who wish to have private conversations should do so outside the Chamber.

Mr CHRIS HARTCHER: Given this changing Australian and international scene, the New South Wales Government has reconsidered its long-held policy on uranium. We have decided that it is time for change. As a very responsible step, we will therefore amend the legislation to permit uranium exploration. This will provide us with a sensible way to find out whether we have uranium resources and, if we do, their extent. Since the Uranium Mining and Nuclear Facilities (Prohibitions) Act was passed in 1986 there have been major advances in the safe handling of uranium. As well as very high standards of safety, very high standards of environmental management will be required. To enable exploration for uranium, amendments are required not only to the Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 but also to other Acts and legislative instruments.

I turn first to the amendments to the uranium prohibitions Act. The bill will remove the prohibition in this Act on exploring for uranium. It is important for the House to be clear that the bill does not include provisions to permit the grant of a further assessment title or a mining title for uranium. The second Act to be amended by this bill is the Mining Act 1992. This is because under the Mining Act a person must not explore for any mineral except in accordance with an authorisation for that mineral. Currently, the Mining Regulation does not specify uranium as a mineral. Therefore, the bill provides for amendment to the Mining Regulation to include uranium as a mineral. With the grant of an exploration title, conditions will be imposed that the titleholder must observe.

The bill makes amendment to a further Act, the Radiation Control Act 1990. The Act does not apply to radioactive ore while it is being mined in a mine, as defined in the Mine Health and Safety Act 2004, or ore that is the subject of treatment. The Radiation Control Act does not specify that it does not apply to exploration for radioactive ores. The Act will therefore be amended to make this quite clear. There is a further legislative amendment to be addressed in this bill. The bill will amend both the Aboriginal Land Rights Act 1983 and the Mining Act 1992. The amendment will provide that the Crown has ownership of all uranium in New South Wales. The bill will vest ownership of all uranium in the Crown. It is generally accepted public policy that the exploitation of significant State resources should be regulated by the State and the proceeds applied for the benefit of the State as a whole. No compensation will be payable.

Crown ownership of minerals has been made universal in Victoria and South Australia by legislative expropriation of all minerals. In Tasmania and New South Wales this approach of legislative expropriation has been applied to significant resources on a selective basis. State ownership of minerals has had the important result that governments, rather than private landholders, determine the legal regimes governing mineral

exploration and production. This is particularly important in the case of uranium. It should be noted that an amendment is also being made to the Aboriginal Land Rights Act 1983 to ensure that the principle that the Crown owns all uranium resources in New South Wales is comprehensive.

The Government is making these ownership amendments to ensure that any uranium resources that are discovered are managed securely and safely. I have now addressed the proposed amendments to the four Acts under this bill. The bill also proposes to amend the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007. Currently, the State environmental planning policy applies to all minerals prescribed under the Mining Act but specifically excludes uranium. The bill removes that exclusion so the prescription of uranium as a mineral will flow through to planning policy. The effect of this amendment will make exploration for uranium permissible in most cases without development consent under part 4 of the Environmental Planning and Assessment Act 1979.

Most exploration activities for minerals are permissible with environmental assessment under part 5 of the Act. Sensibly, uranium exploration will be treated in a similar fashion. One final feature of the bill to note relates to the penalty for exploring for uranium without an exploration licence. The uranium prohibitions Act currently has a blanket prohibition on uranium exploration and mining. The bill removes from the Act the prohibition on prospecting for uranium. This leaves the penalty provisions of the Mining Act to apply. As exploration for uranium will now be permitted under the Mining Act, it is intended to make the penalty for doing so without an authorisation consistent with other minerals.

I referred earlier to the objectives of the Uranium Mining and Nuclear Facilities (Prohibitions) Act. I referred particularly to the Act providing for the welfare and safety of the people of New South Wales and the environment. The New South Wales regulatory framework meets the nationally agreed standards applied by all States and Territories for protecting health and safety. The Australian Radiation Protection and Nuclear Safety Agency [ARPANSA] has published nationally agreed standards for ionising and non-ionising radiation protection in the National Directory for Radiation Protection. The directory applies to the mining and mineral processing industries and includes mining-specific standards. These mining-specific standards include a Code of Practice and Safety Guide for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing. This code and other relevant codes will be applied on New South Wales uranium exploration sites.

The Work Health and Safety Act applies to all workplaces in New South Wales. Its requirements will be monitored and enforced on uranium exploration sites by experienced mine inspectors. Uranium exploration also becomes subject to all the safety requirements of the Mine Health and Safety Act, through defining uranium as a mineral. Together, the two Acts will require explorers to identify hazards to health and safety and apply risk management principles to them. This includes carrying out risk assessments and implementing risk control measures. Mine safety inspectors routinely visit exploration sites to ensure compliance and assess safety management systems. The inspectors have strong powers to ensure compliance. These include powers to issue improvement, prohibition and non-disturbance notices and to take enforcement action.

The Mining Act also provides for conditions to be imposed on exploration titles. These comprehensive conditions address such matters as water, air and noise pollution controls, threatened species, vegetation clearing and rehabilitation. Following the grant of an exploration licence, most significant exploration activities require further environmental assessment and approval from NSW Trade and Investment. If approval is granted, additional conditions can be imposed to make sure the environment is protected. These conditions are in keeping with the potential impact of the exploration activity. Security deposits are also required to be paid before exploration activities can commence. The amount of the security is based on the estimated costs of rehabilitation of the site, should the explorer not fulfil its obligations.

Further compliance checks and audits are carried out to ensure these requirements are being adhered to. Penalties can be imposed and work suspended if they are not. Any community complaints or environmental incidents are investigated. Environmental management of exploration is not subject just to the Mining Act. Exploration is also subject to the Water Management Act. This provides for management of access to water and protection of groundwater. Further, the Government has also recently introduced limits to water licence exemptions for exploration activities. Should significant pollution breaches occur, the Protection of the Environment Operations Act 1997 can be called on for enforcement action. Taken together, these environmental management requirements will ensure that the environment is well protected during exploration activities.

The bill makes simple amendments to four Acts and to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries). The amendments will enable exploration for uranium

to take place by removing the prohibition on it. The wider New South Wales legislative framework sets high standards for safety and environmental responsibility. This will ensure that uranium exploration is safe and environmentally responsible. The Government will ensure the wellbeing of the people of New South Wales. Further, by making these amendments we will move New South Wales into the twenty-first century. I commend the bill to the House.

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

BIOFUELS AMENDMENT BILL 2012

Bill introduced on motion by Mr Chris Hartcher.

Agreement in Principle

Mr CHRIS HARTCHER (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [4.06 p.m.]: I move:

That this bill be now agreed to in principle.

The Biofuels Amendment Bill will ensure that up to one million New South Wales consumers are not forced to unnecessarily pay more for fuel. The Biofuels Amendment Bill makes modest but important changes that will ensure customers continue to have choice and that appropriate mechanisms are in place for a sustainable biofuels industry. These minor amendments to the bill will remove the requirement, which was to have begun on 1 July 2012, for primary wholesalers selling regular unleaded petrol in New South Wales to ensure that it is E10. The term "E10" is defined in the Act to mean a petrol-ethanol blend that contains between 9 per cent and 10 per cent ethanol by volume, being ethanol that complies with a biofuel sustainability standard. Most new cars sold in New South Wales since the introduction of unleaded petrol in 1986 have been designed to be compatible with E10.

However, approximately 100,000 vehicles made before 1986 are still on the roads. These vehicles require ethanol-free petrol. Additionally, approximately 700,000 vehicles made between 1986 and about 2004 use regular unleaded petrol but have not been designed for E10. Up to 90,000 motorcycles and 100,000 trailer boats also require ethanol-free petrol. The owners of approximately one million vehicles, boats and small engines would therefore be required either to purchase premium petrol, costing 10¢ to 15¢ per litre more, or to use potentially damaging E10. The requirement for all regular grade unleaded petrol would therefore mean higher fuel bills for approximately one million New South Wales consumers. This bill removes that unnecessary financial burden.

The New South Wales Government is working to achieve a secure, affordable and clean energy future. Investment in renewable energy will play a key part in this vision, encouraging regional development and creating jobs in New South Wales. Biofuels are an important part of this clean energy future and will support industry development in regional New South Wales. The former Labor Government introduced the Biofuels Act 2007 and the Biofuel (Ethanol Content) Amendment Bill 2009, which set a mandated minimum ethanol content for total petrol sales in New South Wales. The Biofuel (Ethanol Content) Amendment Bill 2009 set a timetable for all regular unleaded petrol in New South Wales to be converted to E10. This was due to take place on 1 July this year. This bill will amend the Biofuels Act 2007 to remove the requirement for regular unleaded petrol to be E10. This will ensure motorists with vehicles that are not compatible with E10 will not be forced to run their vehicles on more expensive premium fuel.

The 6 per cent ethanol mandate will remain in place to further develop the ethanol industry in New South Wales, creating jobs that assist regional New South Wales. This mandate sets the amount of ethanol sales that primary petrol wholesalers need to meet out of the total volume of their New South Wales sales. Australia currently imports more than 82 per cent of its crude oil supplies. Given that political and economic instability in oil rich countries can have an immediate and adverse impact on the price of fuel in New South Wales, greater fuel self-sufficiency is important for New South Wales motorists.

The commitment to honour the former Government's scheduled increase provides certainty to industry and encourages regional development and job creation in New South Wales. The Biofuels Act has the support of both sides of this House. A revised exemption framework is currently under review by the Government. To

address concerns about the supply of ethanol, the New South Wales Government has asked the Independent Pricing and Regulatory Tribunal [IPART] to conduct an investigation and report into the available production capacity and supply required to meet the 6 per cent volumetric ethanol mandate.

The Act currently makes provision for the Minister to grant E10 exemptions that would permit marinas and small businesses facing hardship to continue to obtain and sell regular unleaded petrol. In the case of marine users, engine failure at sea due to E10 could even be life threatening. However, most petrol-engined boats are trailer mounted and are refuelled at service stations not marinas. They would not benefit from the exemption for marinas. And besides small businesses, many other New South Wales service stations would be adversely impacted, particularly those in border regions. A complex regime of E10 exemptions would be required to try to ensure fair competition.

The Government is committed to supporting the development of an alternative transport fuels industry in this State. We recognise that fossil fuels are a finite resource and that Australia is increasingly reliant on oil imports. We need to grow our biofuels industry now to create a viable base from which to develop the advanced technologies and feedstocks that will provide alternative liquid transport fuels for future generations. The minimum volumetric requirements for 6 per cent ethanol in total petrol and 2 per cent biodiesel in total diesel fuel will therefore remain in place.

As I have said previously, these changes are minimal. The ethanol industry in this State currently comprises only one producer, but that one producer, the Manildra Group, is an important regional employer, adds significant value to the grain produced by our farmers and is a major exporter. A viable market for ethanol ensures that all of the value is extracted from every grain of wheat processed. Retention of the 6 per cent volumetric ethanol requirement will support continued production and jobs by Manildra and encourage other potential ethanol producers. With just one local producer, there is insufficient production to support even the current 2 per cent volumetric biodiesel mandate, so we are reliant on imports from interstate and overseas. The Government therefore decided in December 2011 to suspend the scheduled increase in the biodiesel mandate from 2 per cent to 5 per cent.

The development of local biodiesel production capacity will be monitored and the increase to 5 per cent will proceed when it is required to support that development. In summary, this bill introduces an important change by removing the requirement for all regular grade unleaded petrol to be E10 from 1 July 2012. This change will ensure that regular unleaded petrol remains available throughout the State for the older vehicles, boats and small engines that need it. It will avoid unnecessary increases in fuel costs for consumers. It will avoid a complex and potentially inequitable E10 exemption regime. As the former Premier of New South Wales, Morris Iemma, said in 2007, the ethanol mandate is, "a win for the environment". As the former Minister for Health, Carmel Tebbutt, the member for Marrickville, said in 2009 when she was Minister for Climate Change and the Environment:

We need to embrace biofuels in a sustainable way but acknowledge their contribution to reducing greenhouse emissions.

I commend the bill to the House.

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

EDUCATION AMENDMENT (RECORD OF SCHOOL ACHIEVEMENT) BILL 2012

Bill introduced on motion by Mr Adrian Piccoli.

Agreement in Principle

Mr ADRIAN PICCOLI (Murrumbidgee—Minister for Education) [4.16 p.m.]: I move:

That this bill be now agreed to in principle.

Last August I spoke in this place of the need to develop a new school credential for those students who leave school prior to receiving their Higher School Certificate. I spoke of the need for a credential that was meaningful and modern. I spoke of the need to replace the outdated School Certificate test with a credential that reflected the demands and aspirations of students, employers and the broader community. After substantial consultation on those matters with educators, employers and the community I am pleased to introduce a bill that

represents the most significant change to New South Wales secondary school credentialing in more than a decade. This bill introduces the record of school achievement, which has been developed in place of the former School Certificate.

The record of school achievement ensures that all students who leave school before completing the Higher School Certificate can receive a formal credential that captures the breadth of what they have learnt. The credential will demonstrate what students have achieved in relation to the New South Wales curriculum as well as other worthwhile studies, experiences and contributions within and outside of school. These key measures ensure the record of school achievement will provide meaningful information to students, their families, future employers and educators. In recent years a number of key stakeholders have expressed the view—from both an educational and an employment perspective—that the School Certificate, first awarded in 1965, was no longer valued by the majority of students or teachers.

Last year, following a review conducted by the Board of Studies involving consultation with key education stakeholders, I announced that the School Certificate would be abolished. I asked the Board of Studies to develop a credential for a changed context, including the 2010 increase in school-leaving age to 17, the Federal Government's National Assessment Program Literacy and Numeracy [NAPLAN] testing up to year 9, and the introduction of the Australian curriculum and developments in technology. The development of the record of school achievement involved extensive consultation. The consultation included meetings with key stakeholder groups, separate meetings with more than 500 principals, teachers, students, parents and community members at nine venues across the State and more than 450 responses to an online survey.

The details of the record of school achievement have been developed in response to the expressed needs of those who will be receiving, administering and using the credential. Stakeholder feedback continues to inform the implementation process. The record of school achievement will be a cumulative comprehensive credential, awarded by the Board of Studies to eligible students when they leave school. It will include school assessment grades for all courses completed in years 10 and 11 and a process of moderation will allow for grades across the State to be consistent. The Higher School Certificate will continue as is and is unaffected by this change.

I turn now to the specific provisions of the bill. The bill largely amends the Education Act by replacing references to the School Certificate with references to the new Record of School Achievement. In this way, it does not make any changes to the school curriculum or to the requirements for the registration of non-government schools and accreditation to present candidates for Board of Studies credentials. The most substantive changes are made to sections 94 and 98 of the Act. Section 94 has been amended to outline the eligibility requirements for the award so that the Record of School Achievement will be a cumulative credential awarded to students when they leave school.

To qualify for the award of a Record of School Achievement, a student must have attended a government school, an accredited non-government school or a recognised school outside New South Wales, undertaken and completed courses of study that satisfy the board's curriculum and assessment requirements for the Record of School Achievement, and complied with any other regulations or requirements, such as attendance, imposed by the Minister or the board and completed year 10. The changes reflect that the Record of School Achievement will not be awarded at a specific point in time in a student's schooling but when the student leaves school, provided that eligibility requirements are met. The section 94 amendments also remove the requirement for mandatory statewide tests in nominated learning areas and instead refer to any examinations or assessments the school may wish to include in its internal assessment program.

The legislation specifies that these will be in the learning areas and that they will be moderated in a manner determined by the Board of Studies so that an A in history awarded to a student in one school is consistent with an A in history in another. Section 98 has been amended to specify that the Board of Studies will maintain and provide transcripts of study on request to students who have completed year 10 regardless of whether the student qualifies for the award of a credential or leaves school. There is also provision for transcripts of study to be provided upon leaving school for students who have undertaken but not completed year 11 or 12 courses. Transcripts of study may also be requested by the school attended by a student.

The bill also provides for consequential and transitional provisions. It provides that students who complete year 10 in 2012 will be the first recipients who may be eligible for the new Record of School Achievement and subsequently will be the first cohort of students eligible for transcripts of study for courses undertaken in year 11 in 2013 and year 12 in 2014. In addition, non-government schools currently accredited for

the School Certificate will continue to be accredited for the new Record of School Achievement. The Record of School Achievement recognises that school-awarded grades are the best means of communicating student achievement across the curriculum and that additional achievements in other areas of development are an essential part of an holistic learning experience. The credential will be an important part of encouraging students in New South Wales to see themselves as lifelong learners who are able to engage with their communities and develop the range of skills necessary for success in the workforce.

New South Wales has an outstanding education system, and the credentials awarded to its students must respond to the changing demands of a modern community. The measures introduced in this bill to create the Record of School Achievement will help to ensure that our suite of credentials is kept current and meaningful in the education and broader communities. I acknowledge Tom Alegounarias from the Board of Studies and the executive and other members who do a terrific job, and particularly the work they have done in developing the Record of Student Achievement. I also acknowledge the organisations and individuals who participated in the consultation process, particularly the Secondary Principals' Council, the Catholic Education Commission, the Association of Independent Schools and the many others who were involved. I commend the bill to the House.

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

REZONING OF SOUTH TRALEE

Discussion on Petition Signed by 10,000 or More Persons

Mr JOHN BARILARO (Monaro) [4.25 p.m.]: I stand shoulder to shoulder with the people of Queanbeyan and Jerrabomberra, who are fed up with years of delays and setbacks in the rezoning of South Tralee. The Tralee plan will deliver a huge economic boost to my community and it will have a considerable impact on housing affordability. It will also deliver key infrastructure and provide much-needed public amenities such as schools, roads and sportsgrounds. I am not speaking only as a politician but as someone who sees a need. As the founder of the Monaro Panthers Football Club, which today has 1,000 kids registered, I know that we desperately need the sportsgrounds that this rezoning will allow.

As a parent, I know that the Tralee rezoning will encourage hope for the realisation of a local high school and another primary school that will cater for the growth, which has seen the current school working out of demountables. As a councillor, I know that it will bring much-needed infrastructure such as roads, parks and, more importantly, affordable housing. The 2009-10 figures show that Queanbeyan's total dwelling development approvals was 233 and the figure for Canberra was 4,518. Growth in the region is increasing, and Queanbeyan and New South Wales continue to miss out. As a businessman, I know that Tralee will invigorate the local economy by injecting hundreds of millions of dollars and that it will generate jobs and wealth for my community and the State.

The New South Wales Labor Government failed to approve the Tralee rezoning despite unanimous support from Queanbeyan City Council, local and State representatives and overwhelming community support because of constant obstruction from opponents and a planning department in paralysis. The process also has been hampered by the continual interference of a Federal Government Minister and a department that has allowed fiction to replace fact. That made it difficult for the former Government to get on with the job of making a decision. It is a myth that Tralee is under a flight path. The fact is that South Tralee is outside the 20 Australian Noise Exposure Forecast [ANEF] contour and there would be a two-kilometre-wide corridor free of any housing. That takes into account Canberra Airport's exaggerated ultimate capacity traffic projections. Those projections suggest that Canberra Airport will be the busiest airport in Australia, with flights every one minute and 48 seconds, 24 hours a day. I will leave it to members to accept or reject that notion.

The proposition that Tralee will experience worse noise than that experienced in the adjoining suburb of Jerrabomberra is again incorrect. The Australian Noise Exposure Forecast endorsed by Airservices Australia has parts of Jerrabomberra within the 20 ANEF, and the South Tralee housing development is completely outside that area. Queanbeyan City Council's unanimous support for the Tralee rezoning is the result of what I believe has been a meticulous process of consultation, engagement, repeated examination and thorough and robust checking against the planning and legal framework. Simply put, it ticks all the boxes. That was reinforced when opponents of the rezoning challenged the validity and the propriety of the process on 13 grounds. The Land and Environment Court dismissed each of the 13 challenges, giving the process the all clear.

Late in 2010 the Government referred the proposal to the Planning and Assessment Commission for advice. There are questions about conflicts of interest and it is said that the Planning and Assessment Commission acted outside its terms of reference and that opponents submitted additional information that influenced the final advice. The commission procedure did lack transparency, questions have been asked about its reliability and there are concerns about whether its decision is flawed and inherently unsafe. However, if we are to accept its findings, it said that Tralee more than meets the legal and planning framework for rezoning. Despite that, it decided to defer. Following the advice to defer a decision until the outcome of the Commonwealth's consideration of matters arising from the aviation white paper, Minister Hazzard appropriately and in good faith deferred his decision on the proposal until 2012 to allow for the Federal Government to review planning guidelines around airports.

To date, the Federal Government has refused to indicate a time line for those reviews, leaving the rezoning in limbo, and it continues to oppose the Tralee rezoning. The National Airports Safeguarding Advisory Group proceedings are shrouded in secrecy and the Department of Infrastructure and Transport provides no information on its program or progress. It took many months to obtain documents through freedom of information applications and a great deal of information was withheld. What was provided was also heavily censored. That suggests that the outcome from the National Airports Safeguarding Advisory Group will be long delayed because of the complex approval process. I believe delaying a decision will lead to even further delays and excuses from the Federal Minister and the Federal Government. They are holding New South Wales and, more importantly, my community to ransom.

I am also concerned that a retrospective policy will be applied to a process that began in 2001. I call on the support of my Federal Labor member, Mike Kelly, who is on the record as saying that his Government is in favour of development at Tralee—although to date it has done nothing to facilitate the rezoning. At a community rally at Jerrabomberra last year Mike Kelly said that there was no earthly reason that the rezoning could not go ahead. However, two months previously the Federal Minister wrote to Minister Hazzard saying that the Australian Government remained strongly opposed to it. The Federal Government has shown contempt and disdain for Minister Hazzard, the process and my community. History suggests that the Federal Minister and his department will continue taking an obstructionist approach.

The Tralee development complies with the local, State, Territory and Commonwealth planning requirements relating to land-use planning and aircraft noise as stipulated when the application was lodged in 2001 and as they stand today. If we want to encourage business back to New South Wales we must provide certainty. To achieve that, we must reinstate integrity to decision-making. We can do that by applying the tools, guidelines and rules that we have at our disposal and accept the result without interference. I call on the Minister for Planning and Infrastructure to put New South Wales and my community first.

Ms LINDA BURNEY (Canterbury) [4.30 p.m.]: We take a bipartisan approach to this petition. I congratulate the Jerrabomberra Residents Association and the Queanbeyan Business Council on their success in obtaining more than 11,000 signatures on this petition. Recently I have been involved in obtaining signatures for a petition and understand that it is a massive undertaking. This petition seeks the immediate rezoning of South Tralee in Queanbeyan to provide much-needed community and educational facilities, including sites for schools, a swimming pool, childcare and preschool facilities, new homes and business opportunities. There is very strong community support for the development and it complies with every planning regulation. I received a letter from Jamie Cregan outlining the community infrastructure benefits in relation to this particular rezoning. Steve Whan and Dr Mike Kelly, the Federal member for Eden-Monaro, are to be congratulated on their ongoing and long-term support of this project because of the community benefits that will flow from it.

Throughout the 1990s Queanbeyan City Council worked with the Commonwealth, New South Wales and Australian Capital Territory governments to identify new land for housing. In 1998 those governments identified South Jerrabomberra, including South Tralee, as the next residential growth area for Queanbeyan. In the late 1990s Steve Whan recognised the urgent need for residential land in Queanbeyan. He advocated residential development in South Jerrabomberra long before the land was acquired by the present proponent for rezoning. I emphasise what the member for Monaro said in relation to the length of the campaign for this development. Steve Whan has consistently put the view that Queanbeyan should have two development fronts: this development and the now approved Googong development.

In essence, the controversy in relation to this development has come from representatives of Canberra Airport and their claim that the development is in the flight path. The airport has waged a long campaign that included legal challenges and several changes to its noise contours, even the creation of a high-noise corridor.

Canberra Airport wants to be a 24-hour freight hub, with aircraft arriving on a regular and rapid basis. Not surprisingly, a lot of people in both Canberra and Queanbeyan do not like the 24-hour freight hub concept. Generally, the community appreciates—as it should appreciate—having the airport there but certainly people in Queanbeyan do not believe it should be able to dictate to the community.

The development betters all the national standards for aircraft noise contours. I understand that the developers have changed the footprint of the proposed development a number of times. I have no doubt that this development complies with the standards that would be applied to a new development anywhere else in Australia. Queanbeyan City Council finally approved the recommendation that the land be rezoned for residential purposes. As we all know, Canberra Airport attempted to block the rezoning and it is important to point out that many benefits will flow to the community when the rezoning is approved. Obviously the issue of housing affordability is a major concern in the area. I understand that house prices in Canberra are only outstripped by house prices in Sydney. The provision of more residential housing lots will address the issue of affordability.

As the Minister for Planning and Infrastructure knows, this is not just an issue for the Canberra-Queanbeyan area but a challenge for governments across this country, particularly in New South Wales. Many benefits will flow to the community when the rezoning is approved. This petition with 11,000 signatures calls for the rezoning to occur urgently. Labor welcomes that, and I know that Steve Whan was very frustrated by the lack of bipartisan support between 2003 and 2010. I have no doubt that if that support had been forthcoming the development would have been approved some time ago. However, history speaks for itself and this petition with 11,000 signatures calls for the rezoning to occur and for this Parliament to have a proper debate about that rezoning.

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [4.35 p.m.]: I congratulate the member for Monaro on bringing this matter to the House to air publicly the issues relating to the proposed South Tralee development and rezoning. When I was shadow Minister for Planning for four years, the former member for Monaro—an erstwhile Labor member of this place who now occupies a position in the upper House—did not once approach me to discuss the issues at South Tralee. It is clear that, as we moved towards government, if he had been an effective local member he should have been talking about it. I congratulate the current member for Monaro, who is a member of The Nationals, on representing his local constituents.

I acknowledge that this is a complex issue. As the Minister for Planning and Infrastructure, I would love to have made a decision on this matter as quickly as possible. When I became Minister and looked back at the issues I had addressed in opposition, I found that this development had been on foot for the best part of a decade. One does not need to have too long a memory to recollect that the Labor Party was in government for nine years of that decade. The Liberal-Nationals have been in government for almost one year and during that time I have had the Department of Planning and Infrastructure working hard on the issue. There is an issue around the advice that was given by the Planning Assessment Commission, which is on the record. I was surprised by the advice given by the Planning Assessment Commission in the sense that it indicated that the Government should wait for further advice from the outcome of an inquiry being conducted by the Federal Government.

The difficulty is that the Federal Government is entitled to its view. I have had very worthwhile and fruitful discussions with the Federal Minister for Infrastructure and Transport, the Hon. Anthony Albanese. He understands that it is urgent that I, as the planning Minister in this Government, make a decision about South Tralee. It is clearly a case of "yes" or "no". I would like to have made a decision already. In fact, I indicated during a Community Cabinet late last year that I was hoping to make a decision in January or February 2012. Last week I had further discussions with the Federal Minister and today with representatives of the Australian Capital Territory Government—I am now more aware of some of its concerns. I assure the community that the Government and I are very aware of the need to make a decision one way or the other. But at this point, whilst I am glad that the member for Monaro has raised this matter in this House, I cannot give an absolute indication as to how I will make the final decision as Minister for Planning and Infrastructure. I promise that I am very much aware of the concerns and am trying to reach a decision in a balanced and sensible way.

Mr CLAYTON BARR (Cessnock) [4.38 p.m.]: I am pleased to speak to this matter. There are not many occasions when Liberal-Nationals members, the Labor team, the NSW Business Chamber and residents are on the same page. An 11,000 signature petition is a commendable effort by those involved in that process. Undoubtedly, Tralee is going to be part of the future of Queanbeyan, and I commend the work of Steve Whan

and Mike Kelly over the past 10 years, complemented by the work of the new member for Monaro. In essence, it sends a terrific message to the Minister and to Canberra. It will be appreciated that as Labor members of this Parliament we are voicing an opinion that might not be quite the same as our Federal member, but we stand here because, from discussions with our member in the other place, the former member for Monaro, we consider this is an important project and we lend our weight—

Mr Brad Hazzard: Are you saying you support it or you do not support it?

Mr CLAYTON BARR: We lend our weight to supporting this project.

Mr Brad Hazzard: That is what the Federal member Mike Kelly wants, but not what Anthony Albanese wants.

Mr CLAYTON BARR: That is correct.

Mr Brad Hazzard: When you refer to your Federal colleague you should clarify which one.

Mr CLAYTON BARR: In the interest of bipartisanship, we are trying to contribute to this debate and offer our support. I will conclude my speech at that. The development is a unique and wonderful opportunity. Having several significant large-scale planning developments in my own area, I can appreciate that it is sometimes difficult to get everybody on the same page, but in this instance the rezoning is a good one and I commend it to the House.

Discussion concluded.

PRIVATE MEMBERS' STATEMENTS

UNANDERRA RAILWAY STATION

Ms NOREEN HAY (Wollongong) [4.41 p.m.]: I speak on behalf of a large number of my constituents who would like easy access to public transport in the Unanderra area, where they live. I acknowledge the editorial in the *Illawarra-Mercury* and the story on the front page by journalist Mario Christodoulou in relation to the situation that is concerning my constituents. On a number of occasions I have been contacted by and met with constituents at this huge staircase that one has to negotiate to be able to get to the platform at Unanderra Railway Station. Constituents who have contacted me include Keith and Heather Langlands, whose son Richard Kramer is disabled, and Wendy Richardson—who is well known as a great author and community participant—whose son Mark has quite serious disabilities. Wendy knows of two group homes in the Unanderra area and has heard firsthand from the carers the troubles that they encounter when attempting to get their clients to the platform at Unanderra railway station.

Not only is it very difficult for those with disabilities, and certainly wheelchair-bound people, Heidi Burnett, who looks after a number of young children, has advised me of the difficulties in attempting to negotiate those steps with a pram. Jack Seddon also contacted my electorate office concerned about aged and frail people negotiating the steps, and the delay in stage two upgrades, that is, the installation of lifts. Mrs Johnstone, a constituent in the Wollongong electorate who witnessed a family with a disabled child trying to access Unanderra railway station, contacted my electorate office to share her concern about the delay in the installation of much-needed lifts. Three years ago commuters in my community were celebrating the news that the then Labor Government had pledged \$11.5 million for the installation of lifts at Unanderra railway station and stage one of the station's upgrade. I refer to the editorial in the *Illawarra Mercury*, which states:

Today those same commuters will be stunned to discover that the \$11 million set aside in the 2009 budget has been swallowed back into the state's coffers and the fight for easy access will have to start from scratch.

Despite being the major station between Wollongong and Dapto, Unanderra is practically a no-go zone for the disabled, elderly and parents with prams, who face steep stairs up to a footbridge then down onto the platform. Ironically, part of the 2009 money has been spent on upgrading waiting areas on the platform.

I have a petition that already has been signed by more than 5,000 people. It is interesting that the former candidate for the Liberal Party in Wollongong, Michele Blicavs—who lives in the area serviced by this railway station—stated today that the Liberal Coalition Government would have funded and gone ahead with those lifts

had she won. Cleary, she did not win and therefore the lifts were not installed. It also has been stated that the former Labor Government stalled the installation of the lifts. The truth is that having budgeted \$11.5 million and completing the first stage of Unanderra railway station upgrade, RailCorp claimed that it found problems in the underground engineering.

Railcorp put up a sign to that effect and asked the community for their patience. Ms Blicavs would suggest that we should have ignored that advice and installed lifts. I remind members that the responsibility was with RailCorp, and the sign is still there, yet correspondence from the Minister for Transport states it is going back to scratch and tenderers will have to compete again. I call on the Government to keep the commitments it gave before the State election and install the lifts at Unanderra, and to stop using the line that there are not sufficient numbers when in fact people cannot get to the platform.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [4.46 p.m.]: This Government is about getting on with the job of rebuilding New South Wales, irrespective of politics. What we saw with the previous Government was pork-barrelling and looking after mates. This Government is looking at the whole of New South Wales, whether it concerns a metropolitan area or a regional and rural area. The motives suggested by the member for Wollongong in her private member's statement were out of order. We are a Government that is concerned about the whole of this State and we are providing the necessary infrastructure where it is needed across this State. We are pleased to be getting on with the job.

CONSTRUCTION INDUSTRY

Mr DAVID ELLIOTT (Baulkham Hills) [4.47 p.m.]: I stand in this place as a former chief executive of the Civil Contractors Federation, a federation that represents some 600 or 700 civil contractors across the great State of New South Wales, an industry association charged with ensuring that industrial relations and industrial harmony on construction sites are maintained and an industry association that is charged with providing the best possible environment for our construction industry. In that capacity, I am confident in saying that the contribution of the construction industry cannot be underestimated. This industry employs tens of thousands of people, various sub-industries and subcontractors, collectively develops crucial infrastructure and is integral to this State's broader economic future. Indeed, drawing on the comments of the previous speaker, the member for Wollongong, if over the past 16 years she felt it so necessary to have an elevator at the railway station to assist the residents of her electorate, she could have called any number of the State's civil contractors and they would have happily installed it.

Unfortunately, as members are no doubt aware, the 100-year-old construction firm Kell and Rigby has recently been placed into voluntary administration. This potentially devastating development places jobs at risk and will put a strain on subcontractors and small businesses alike. I commend the Rigby and Kell families for their work. James Kell is well known to members on both sides of the House. He is a generous man and his role as a business leader in our industry should not be underestimated. As a permanent feature of the construction industry in New South Wales for more than 100 years, the continued success of Kell and Rigby seemed almost assured. When selecting a business partner the first sign of confidence is to ensure that the partner has the equity and liquidity to maintain its status as a solvent company.

There was no evidence that Kell and Rigby was anything but solvent. It was a surprise that it went into administration last week, which is why the plight of Kell and Rigby subcontractors is so concerning to me. Through no fault of their own, these hardworking subcontractors now face the prospect of non-payment for services already rendered. Mr Deputy Speaker, you would know from your period as a businessman in Lismore that if your subcontractors cannot rely on payment from those who have offered tenders they will be in deep trouble. Let us be clear: This will put subcontractors out of business and place many more out of work—not to mention the financial and social stress and anxieties it will place on their families.

Subcontractors are major employers in their own right and they are a dynamic component of our State's economy. Crucially, every subcontractor has rejected the comfort of working for somebody else and has instead taken the courageous decision to run his own business. That was a decision I always applauded when representing these subcontractors in my previous capacity. The Australian dream is all about this type of entrepreneurship and it should be applauded at every opportunity. Ken Hale is one such subcontractor. He accepted the risk and formed his own successful enterprise. From humble beginnings, Ken built a firm that now employs 19 people. I grew up with Ken in western Sydney. It has been a privilege to see him become a respected member of the construction fraternity.

Ken is now an innocent victim of Kell and Rigby's collapse, which could adversely affect his business. Subcontractors need certainty that their contracts will be honoured; otherwise these small business owners will merely go and work for somebody else and destroy the vibrant and competitive market that exists in New South Wales. In the interests of entrepreneurs such as Ken Hale, the Building and Construction Industry Security of Payments Act 1999 needs to be re-evaluated with a view to improving protection for subcontractors. Without this type of reform we run the risk of successful businesses being destroyed, through no fault of their own.

ORGAN DONATION

Mr STEPHEN BROMHEAD (Myall Lakes) [4.52 p.m.]: I issue an organ donor challenge to every electorate in New South Wales. I want the Myall Lakes electorate to lead New South Wales in organ donor registrations and set an example for other regions to follow. My challenge to this House is to beat Myall Lakes. Australia is a world leader in successful transplants, yet we have one of the lowest donation rates in the developed world with only 14.9 donors per million people. New South Wales lags behind the other States with only 10.9 donors per million people, compared with 21.1 in South Australia. Many people assume that ticking the box on their drivers licence application is all they need to do. That is not correct. They also need to sign up to the Australian Organ Donor Register and—most importantly—discuss their decision with their family. Bereaved families who are unaware of a deceased person's wishes often deny permission for transplants even if that person was on the register. As a former nurse, it pains me that another person could miss out on the gift of life in these circumstances.

My wife, Sue, and I have both signed up and we are comfortable with our choice. Registering is easy. It is just a matter of talking about it with loved ones and filling in the simple form that is available from any Medicare office or online at www.donatelife.gov.au. Each donor can save 10 or more lives. If we can become number one in Myall Lakes we will set a good example. Hopefully other electorates will take up the challenge and we will lift the donor registration rate in New South Wales and educate our loved ones so that they do not stand in the way of our decision. Around 1,600 people are on Australian organ transplant waiting lists. On average people on the transplant list can wait between six months and four years.

In 2011 a total of 337 organ donors gave more than 1,000 Australians a new chance at life, including transplants of 570 kidneys, 213 livers, 157 lungs and 64 hearts. Australia's family consent rate is low, with only 60 per cent of families giving permission. Of those who are aware of their family member's wishes, 93 per cent agree. That shows how important it is to discuss this matter with our loved ones. Most religions support organ and tissue donation. As we all remember, Australia's most famous organ donor was probably cricket legend David Hookes. In 2004 when he died suddenly in tragic circumstances 10 people received transplanted organs from David Hookes. I reiterate the challenge from Myall Lakes to all other electorates. In 12 months' time let us see who has the most number of newly registered organ donors.

NATIONAL DISABILITY INSURANCE SCHEME

Mr LEE EVANS (Heathcote) [4.56 p.m.]: I support the groundbreaking initiative of the National Disability Insurance Scheme and the Every Australian Counts campaign. This historic change will revolutionise the way that people with disabilities, their families and carers receive the support they need in this country. It will change the way support and services are funded and delivered and, most importantly, it will give far greater levels of choice and control to those who access these services. People with disabilities, their families and carers in this country deserve better. It is time that we deliver the change that is so sorely needed. We need these people to know that they do count, that their ideas for the future of disability services matter and that we will listen to them.

The power to decide what support is needed and how it should be delivered belongs in the hands of those who rely on that support. The website for the Every Australian Counts campaign shares a number of personal stories to illustrate how important and necessary this change is. One of these is the story of Robert and Mary. Robert was born three months premature and suffered a serious brain haemorrhage at birth. His mother, Mary, was told he had little chance of survival, but Robert did survive with a serious brain injury. Now aged 28, Robert's intelligence is perfectly normal. He understands everything that is said but his body does not work and he is unable to speak.

For years Robert's two grandmothers helped around the house but they are now elderly and Robert's parents themselves are termed as older carers. Somehow they manage and Mary acknowledges that they are among the few lucky ones because their family is still together. Sadly, 80 per cent of marriages break up under

these circumstances—much higher than the average rate—and carers suffer from depression in greater numbers than the general population. Generally, at least one parent is forced to work part time or not at all. It is a terrible shame. Families affected by disabilities want to participate in the social, economic and cultural life of a nation. Tragically, the current system makes that all but impossible. As Mary sees it, the problem is that the bureaucracy is not aware of the day-to-day problems they face. There is no prospect of accommodation for Robert in the future and as his parents grow older they desperately hope not to have to rely on their other children. To quote from Mary's account:

A disability is something that can happen to anyone at any time. If you are in a car accident you can get compensation, however if you are born with a disability or fall down on your head there is no compensation. Then you have to go through all the asking for services. We're in a charity welfare system. A person with disabilities should not be asking for charity. They should be given basic needs without having to beg for them.

I could not agree more with that sentiment. Currently there are 700,000 individuals with severe disabilities, not to mention their carers and families. I am sure they would all agree with that sentiment. In our lifetime any of us could suffer a disability. If that were to happen we too would benefit from the scheme but a significant risk exists that we too could fall through the gaps in the existing safety net. The National Disability Insurance Scheme is not about politics or about those of us in this place; it is about 700,000 individuals who deserve dignity, certainty and control of their destinies. It is about ensuring that they have a say in how their lives are organised. It is about ensuring that carers have lives away from their responsibilities. The scheme would focus on early intervention and deliver the necessary support to produce long-term outcomes. Ultimately, it would maximise opportunities for independence, participation and productivity. I urge members to join the campaign and demand a fairer, more efficient and sustainable future for those with disability in our community.

CENTRAL COAST AUSTRALIA DAY HONOURS LIST

Mr CHRIS HOLSTEIN (Gosford) [5.01 p.m.]: Today I pay tribute to those residents of Gosford and the Central Coast who were recognised in the Australia Day 2012 Honours List. Order of Australia medals were awarded to the following five people. Mrs Sue Carr of Narara was honoured for her years of work with the Central Coast Girl Guides movement. Sue, who is a teacher at Our Lady of the Rosary Primary School at The Entrance, in the electorate of Chris Spence, was a little embarrassed to receive the award. She was amazed that people thought what she had done warranted this honour, particularly in view of what others do in the community. Sue began her involvement with the Girl Guides movement in 1980 when one of her daughters wanted to become a Brownie, as they were known at that time. Proudly, I am a State ambassador for the Girl Guides movement, which allows young women to develop into community leaders and I can attest to Sue's outstanding service.

Mr Ray Sandell was honoured for his services to football both as an administrator and a referee. By his own admission he is a football fanatic. He has been playing, coaching or refereeing football since he was a child. He has been involved also in the administration of the game. He is still involved in running the Central Coast Academy of Sport. He is also programs assistant and website manager for the mighty Central Coast Mariners. He is 80 years of age and is still showing no signs of slowing down. Ms Sylvia Westerman was honoured for her service to the community. After successfully recovering from cancer, Sylvia rediscovered her enjoyment in quilting and had a burning desire to help others. She is involved with the long-running charity Quilts for Keeps project and donates the bulk of her quilts to terminally ill children and their siblings. Sylvia has made more than 200 quilts over the past decade—beautiful work for those in need.

Mr Graham Symes of Wadalba, in the electorate of my colleague Mr Darren Webber, was honoured for his service to the community through his involvement in the Traffic Offenders Program. Graham developed the program over an 18-month period. In 1992 the program was introduced in Sydney, where he is still the coordinator. The program commenced in Blacktown but outgrew its space; it is now located at the Hills Sports High School. Mr Peter Fenton of Ettalong Beach was honoured for his service to the Australian film industry as a sound engineer. During his 25-year career as a chief sound mixer he has worked on over 150 feature films, including *Picnic at Hanging Rock*, *My Brilliant Career* and *Gallipoli*. He is well-known for his love of rugby on the Central Coast. He is never short of a few words but he was left speechless when informed of this honour.

Mr Russell Deaves was awarded an Australian Fire Services medal. Russell has been involved with the Wyee Rural Fire Service for 52 years, and he served as captain for 25 years from 1965 to 1980. He is a fine example of those wonderful individuals who serve in the Rural Fire Service. Mr Rolf Garda was awarded an Emergency Services medal. He is the controller of the Gosford State Emergency Service and has enjoyed a distinguished career with the State Emergency Service. Rolf transferred to Gosford from Blacktown in 1990 and

is the second Blacktown connection in these awards. During his career in the State Emergency Service he has attended more events than he cares to remember. Indeed, my introduction to public life came about 22 years ago following the flooding of the Narara Valley. I can attest to the wonderful work done by State Emergency Service volunteers such as Rolfe. He is well deserving of this award not only for his work but also as a tribute to the many State Emergency Service volunteers who help so many people, particularly during times of floods, which I know so much about.

Finally, I acknowledge Ms Jeannie Lawson of Umina Beach who won the Environment Medal at the Pride of Australia Medal Ceremony a few months ago. Jeannie is a veterinary nurse and is well known as the founder and president of the marine conservation group Ocean and Coastal Care Initiatives. She is also the coordinator of the Whale Dreamers Festival held annually at Norah Head on the Central Coast. She spends between 20 to 60 hours per week on voluntary marine environment work and was a previous nominee for the New South Wales Nature Conservation Council winner of the Dunphy Award. What impressed me most about these award recipients was their humility and their "I am doing nothing special" attitude. They could not understand why they would receive an award for doing something that they loved. They are great role models to our community. Hopefully their recognition will encourage others to excel in their chosen fields, whether in full-time employment or voluntary work. I pay tribute to each of them for their service to our community.

BANKSTOWN CITY COUNCIL 2012 CITIZEN OF THE YEAR

Mr GLENN BROOKES (East Hills) [5.06 p.m.]: Thursday 26 January 2012 was Australia Day. On this national day of Australia we commemorate the arrival of the First Fleet at Sydney Cove in 1788 and celebrate the great achievements of our country. But Thursday 26 January 2012 was also the day when a long-term resident of the electorate of East Hills was given due and proper recognition for her never-ending commitment to the community. Elaine Crockett was named Bankstown City Council's 2012 Citizen of the Year at its Australia Day citizenship ceremony and awards. Elaine Crockett's dedication to the community is an inspiration.

Over the past 30 years Elaine has cheerfully given up many hours of her time to tirelessly serve on at least five community groups, including Bankstown Community Transport, the Bankstown Hospital Network Committee, Bankstown Women's Cancer Support Group, Australian Air League Padstow Squadron, and the Sydney South West Area Health Service. If that was not enough, she has helped the Cancer Council with many fundraisers. On the weekend of Saturday 31 March and Sunday 1 April she will again be participating in the Bankstown Relay for Life. I will be officially opening that event and I look forward to seeing Elaine and all the other participants who will spend 25 hours raising funds for cancer research. Her dedication to Relay for Life started in 2003 when she was a member of the first organising committee, and she has been involved ever since. For those who know Elaine Crockett that commitment to Relay for Life and cancer research would come as no surprise.

Elaine Crockett has twice been struck by cancer. On both occasions she has not just survived the ordeal but emerged on the other side even more enthusiastic about life, about giving to those less able, and about doing all that she can to make a positive difference to the community in which she lives. In announcing the appointment of the 2012 Bankstown City Council Citizen of the Year, the Mayor of Bankstown City Council referred to Elaine Crockett as a silent hero. I wholeheartedly agree with that sentiment. Since she first doorknocked in Punchbowl as a schoolgirl to raise money for the Junior Red Cross during World War II, Elaine Crockett has given a lifetime of service to the community. It is a pleasure for me to add my tribute to this great lady of the East Hills electorate.

I take this opportunity to recognise several other locals who were nominated for other Bankstown City Council 2012 awards: Allan Hellmers and Graeme Duncan were both nominated for the Community Service Award; John Burke, Brandon Grochala, Chris Caccamo and Paul Caccamo were nominated for the Sports Award; Gary Williams was nominated for the Citizen of the Year Award; and Jacqueline Luck was nominated for the Young Citizen of the Year Award. Although they were not the eventual winners, their nomination is well-deserved recognition of both their achievements and their commendable service to the community. I congratulate Elaine Crockett for her well-deserved appointment as the Bankstown City Council 2012 Citizen of the Year. I also congratulate all of the other nominees who live in the electorate of East Hills.

ORANGE ELECTORATE AUSTRALIA DAY CELEBRATIONS

Mr ANDREW GEE (Orange) [5.11 p.m.]: Recently it was my great privilege to participate in Australia Day celebrations in four local government areas of the Orange electorate. During the course of the

day, which began with the Orange City Council celebrations, I was delighted to be a part of proceedings to recognise members of our community who have made significant contributions. In Orange, the Citizen of the Year Award was presented to Verity Williams, who for the past seven years has worked tirelessly as group leader of the city's branch of the Australian Breastfeeding Association. Over the years, Verity has supported countless new mothers as they adjust to breastfeeding their newborn child. In accepting the award, she spoke of counselling mothers in tears and by the end of the counselling having them laughing and happy. Her belief and motto is: "Happy mums equal happy babies". Dr Stuart Porges received a Medal of the Order of Australia for his service to medicine and for securing cancer treatment and services for patients who live in Orange and in the Central West.

I also attended events at the neighbouring Cabonne Shire Council at Cudal and Molong. At Cudal, a long-term resident, Mary Chase, was named Citizen of the Year. Mary has been involved in working for the Cudal community continuously since she and her husband, Bill, arrived in the area. I also was honoured to be present to congratulate resident Dominic Chetcuti on becoming an Australian citizen in a ceremony conducted by Mayor Bob Dowling. I am pleased to inform the House that Dominic even had a cake baked in his honour by Cudal's favourite daughter, Merle Parrish of *MasterChef* fame.

It was also a great pleasure to be a part of the Australia Day celebrations in Molong. A highlight of the day was the unveiling at the town's RSL of local artist Anne Marie Ingham's portraits of local ex-servicemen. They take pride of place in the club's portrait gallery alongside many portraits of other local ex-servicemen and ex-servicewomen. The exhibits are a fitting tribute to those who served this country during times of war. Molong's Citizen of the Year is Lorna Boucher, who for many years managed the canteen at the Molong Central School and has been a great supporter of junior sport. She was a foundation member of the Yarn Market, which has boosted tourism in the town.

Other outstanding citizens of the State were recognised on Australia Day. At Cumnock, a man who chose the town as his retirement destination in 1990 was the 2012 Cumnock Citizen of the Year. Allan Santon is a keen lawn bowler, golfer and local community volunteer, who has given his time to the progress association, the show society, printing the local newspaper and other community activities, such as driving local residents to neighbouring towns for appointments. Peter Searle has been the backbone of the Cargo Football Club for more than 40 years and is its long-serving president. He also has held both the president and vice-president positions of the Woodbridge Cup and has been pivotal in ensuring that rugby league remains a vibrant sport in many small Central West communities. I note in passing that in 2011 Cargo hosted the grand final of the Woodbridge Cup. Peter arranged for high-profile radio personality Ray Hadley and the Continuous Call Team to call the final—a move that brought great publicity and benefit to the town.

The secretary of a number of bodies in Manildra, Ann Murray, was selected as the town's Citizen of the Year Award recipient. As well as holding a key position in the swimming club, the parents and citizens association and the Memorial Hall and Improvement Association, Ann still finds time to train girls for the debutante ball, organise Christmas Carols, edit the *Manildra Matters* newspaper, maintain her involvement with the local show and cater for the bowling club. At Wellington, a local veterinarian and poet, Colin Poyner, was named Citizen of the Year. Celebrations in Wellington were transferred to the civic centre from the town's beautiful Cameron Park because of rain. On the Australia Day afternoon, I dropped in at the new community radio station, Binjang 91.4FM Radio, which had been opened earlier in the day by my predecessor, the great Russell Turner.

In the evening on Australia Day, I attended the Mid Western Regional Council's presentations in Mudgee, which had to be moved from Robertson Park in the centre of town to the Mudgee Racecourse because of inclement weather. For the first time, the Mid Western Regional Council named joint Citizen of the Year winners—husband and wife Les and Lea Leisfield, who were recognised for their joint service through Mudgee Lions Club, the Mudgee Swimming Club and the Mudgee Netball Association. At that ceremony I was delighted to present the Young Farmer of the Year Award to fine wool merino breeder Jeffrey Tink from Goolma, and the Australian National Medal for Volunteer Emergency Services to Keith Underwood, who is a founding member of the Mudgee Volunteer Rescue Association, which was formed 40 years ago. A citizenship ceremony was held, and I congratulate all those who became Australian citizens on that evening.

The role of master of ceremonies at Mudgee was superbly performed by television personality Ken Sutcliffe, who is known affectionately among his colleagues as the "male model from Mudgee". Ken grew up in Mudgee and maintains strong ties in the district. Australia Day celebrations throughout the Orange electorate

were well attended. I thank all councils for welcoming me and including me in their ceremonies whenever possible. I commend to this Parliament all those in the Orange electorate, including those I have named, who were honoured on that day.

TRIBUTE TO COUNCILLOR COL RITCHIE

Mr JOHN FLOWERS (Rockdale) [5.16 p.m.]: It is with regret that members of this House present a private member's statement as a result of the loss of a member of our local community, but it is necessary to do so to ensure that our community leaders receive due recognition for their service. Councillor Col Ritchie, who passed away on 5 January 2012, was a member of the Kogarah City Council, which takes in the southern part of my electorate of Rockdale. He was a tireless advocate for his local community since being elected in 1995 to represent the West Ward. He had a passionate interest in the local community and in serving the needs of his constituency. When I was elected to Kogarah City Council in 1999, I met Councillor Ritchie and quickly learned of his vast experience in commerce. I noted how valuable his experience and knowledge were to the council.

Councillor Ritchie brought many skills to the council as a former executive and life member of the Australian Hotels Association. His business skills and acumen led him to deliver for his ward and for the entire local government area. Councillor Ritchie had a strong understanding of local government procedure that enabled him to adopt a hands-on approach to delivering many benefits to the community. As Deputy Mayor of Kogarah City Council between 2001 and 2002, Councillor Ritchie played an important leadership role. He was a member of a number of committees and played an active role in all of them. Councillor Ritchie was chairperson of the financial management group between 2000 and 2002. His service as chairperson of the Kogarah traffic committee will be remembered as one of his most valuable contributions to the Kogarah community. He maintained an influential involvement in Kogarah traffic matters for an unprecedented 16 years, from 1996 until 2012. His involvement was further demonstrated while he was a member of the advisory committee on traffic-generating developments between 2001 and 2002.

Councillor Ritchie always struck the right balance between complex development issues and protection of the scenic foreshore area along the Georges River. He understood the necessity of community consultation and always made considered judgements on matters raised before the council. Councillor Ritchie was also instrumental in the development of the Kogarah Town Centre—a development that won many environmental awards for Kogarah City Council. On a personal note, he possessed a keen sense of humour and a sharp and insightful mind. He often kept professional officers on their toes and focused on delivering for Kogarah. One might say he possessed in no small measure a large amount of common sense. Councillor Col Ritchie's commitment to the community was considerable. I am pleased to acknowledge in this House his lifetime of service to Kogarah and its community. I extend my condolences to Colin Ritchie's wife, Gai, and to the Ritchie family.

F3 TO M2 LINK

Mr JONATHAN O'DEA (Davidson) [5.20 p.m.]: Tonight I will speak about the link between the F3 and the M2. The matter arose in debate earlier today in the context of neglect of infrastructure under the previous Government and the admirable efforts of the current Government to address the shortfalls in funding for infrastructure in Sydney's north. The F3 to M2 link proposal has been around for some years. Indeed, the Roads and Traffic Authority website states that the need for a high-quality link between the M2 and the F3 was identified by the previous Federal Liberal-Nationals Government, which commissioned and funded a feasibility study into options. Roads and Maritime Services, which was formerly known as the Roads and Traffic Authority, coordinated that study on behalf of the Department of Infrastructure and Transport, Regional Development and Local Government.

In early 2002 the Roads and Traffic Authority commissioned Sinclair Knight Merz [SKM] to conduct a study, the scope of which extended from the F3 at Kariong on the Central Coast to the northern section of the Sydney orbital road network and from Dean Park in the west to the M2 in the east. Once the study was completed SKM identified an eight-kilometre preferred corridor for the new link, which was announced by the Australian Government in May 2004. The preferred option effectively replaces Pennant Hills Road running from the F3 at Wahroonga to the M2 between North Rocks and Cheltenham. Certainly, that option was seen as meeting the goals of the New South Wales and Federal governments in that it maintained an efficient and effective national highway route through Sydney, best met environmental concerns and economic and inter-regional goals, and addressed the performance of the existing road corridor.

As I said earlier today, the consequences of not building that road link are significant for my electorate of Davidson, other electorates along the Pacific Highway and, indeed, many electorates on the Central Coast whose commuters travel regularly from Newcastle and south of Newcastle to southern Sydney, or at least part of the way. I am aware that the F3 carries at least 75,000 cars and 7,000 heavy vehicles a day, and they can be channelled much more efficiently. Countless trucks should not be travelling along the Pacific Highway. We need to build this road link to take traffic off the highway. In addition, we also should be encouraging people onto public transport. In these ways we can alleviate the traffic congestion that has resulted in part of my electorate, which results in average peak-hour speeds of under 25 kilometres an hour. Anyone would recognise that that is not acceptable for people who are commuting and who are not producing while they sit in very slow traffic lines.

As reported by Ku-ring-gai Council, the previous Government gave advice dated 9 February 2011, on behalf of the previous State transport Minister, stating that the February 2010 Metropolitan Transport Strategy identified the F3 to M2 link as a project currently beyond the 10-year funding guarantee by the New South Wales Government. We also have seen the current Federal Government reallocate funding that was previously available—some \$150 million—such that there is no current significant funding for the project. Obviously, Federal funding is necessary, as is State support. The local councils in my area support this project. Indeed, Ku-ring-gai Council, Hornsby Shire Council and other councils remain unmoved in their support for this necessary link. Like me and many of my colleagues, they are seeking to raise the profile of this project and consequently its priority for State and Federal funding.

In my electorate it also would mean less traffic along the eastern arterial route through St Ives, which would be a good thing. A number of my constituents pressure me regularly on this issue. I look forward to the Government, through the appropriate channels, the NSW 2021 plan and the considerations of Infrastructure New South Wales to properly plan, coordinate and manage the implementation of this project in due course. However, on behalf of my community and others, I ask that it be given proper consideration and the high priority it deserves.

CAMDEN MEN'S SHED

Mr CHRIS PATTERSON (Camden) [5.25 p.m.]: There is nothing new about men meeting together to talk, share skills and solve problems or just discuss life in general. And there is nothing new about men spending time with their friends in their backyard shed—a common Australian pastime. Men, particularly retired men, were found to be looking for alternative outlets. This led to the formation of community-based Men's Sheds across Australia, with the Australian Men's Shed Association, established in 2007, recently reporting more than 530 registered sheds with some 50,000 members. Activities within sheds are many and varied. For example, activities might include woodwork, metalwork, restoration of furniture and old cars, making of community items for schools and hospitals, and learning new skills with hand tools, machines and computers.

Men from all backgrounds can enjoy a men's shed, bringing their individual characteristics, skills and experiences to broaden the knowledge of others, as well as the range of activities undertaken. Often there is little encouragement for men to take an interest in their own health and wellbeing. Unlike women, most men are reluctant to talk about their emotions and that means that they usually do not ask for help when they need it. The common theme in all sheds, therefore, is about men from all backgrounds feeling useful and contributing to their communities, learning new skills or sharing them, making friends, networking and availing themselves of health information programs and opportunities.

In Camden we are particularly fortunate to have an energetic men's shed, and it is now into its fourth year of operation. I must make mention of Camden Men's Shed convenor Peter Standen. Without him, Camden Men's Shed would never have got off the ground and be the success it is today. Peter was also helpful in providing me with the information needed to complete this speech. Camden Men's Shed is a little different from most in that while its members meet each week in a shed for social discourse and refreshments, its physical operations expand over the adjoining 80-hectare Bicentennial Equestrian Park, which regularly hosts State and regional equestrian events, as well as other recreational and community events.

In its time, the Men's Shed has returned significant social, health and overall wellbeing benefits to its members, as well as substantial capital gains and benefit for its community. As reported to the council's management committee, in its first three years of operation, the shed members have completed voluntary work on the park in excess of \$250,000 in value. The park, which is managed for the council by the voluntary

Bicentennial Equestrian Park Management Committee, supported by the Camden Men's Shed, enjoys 40,000 to 50,000 visitors a year and is used by the public and schools for functions and general recreation as well as for local and regional equestrian events.

Voluntary park maintenance and development work undertaken by shed members includes grass cutting, tree maintenance, building and fencing development and repairs, painting, utility services, cleaning and the like. In 2011 an additional day was introduced for shed members to work with young men from Disability Services Australia, Campbelltown group, in a skill transfer program. The shed also is currently participating in a research study with the University of Sydney aimed at increasing the participation of older people with chronic disabilities in community groups and voluntary work. Camden men's shed has become a well-respected community group that is providing the men in our community—now of all ages as well as backgrounds—with a much-needed outlet.

I congratulate Peter Standen, Doug Almond, Bob Batten, Stephen Butler, Colin Calver, Les Camilleri, Jeff Dye, Neville Kennedy, Vern King, Les MacDonald, Stephen McKinlay, Raymond Monahan, Peter Munns, James Norris, Roger Smith, Ron Taylor, Graeme Watson, Robert Wheeler, Patrick White and Alan Withers for their leading example in community involvement and for the way the men's shed is tackling the issue of men's health and wellbeing. I see Alan on the odd morning at the local gym, and he puts as much vigour into his work-outs as he does volunteering at the shed. No doubt other members have similar experiences in their electorates, particularly my friends from Campbelltown and Wollondilly, whose respective members I have commented on, the totality of which clearly demonstrates the outstanding benefits resulting from the men's shed movement.

GRANVILLE TRAIN DISASTER COMMEMORATION

Mr TONY ISSA (Granville) [5.30 p.m.]: Today I acknowledge the thirty-fifth anniversary of the Granville train disaster. With any great tragedy in history people can always remember where they were at the time. The Granville train disaster was the worst train crash in Australia's history. I was 21 years old at the time and was in Bankstown that morning when I heard on the radio that the Bold Street bridge had collapsed onto a train that was travelling from the Blue Mountains to the city. I immediately drove to the site. Like many locals, I wanted to see if I could help. When the crash happened nearby locals heard a loud noise and saw a cloud of dust rise from the rail tracks. Thinking that the bridge had given way, they rushed out from their shops and businesses only to realise that a train had been passing underneath the bridge at the time. The train left the track at around 8.10 a.m., hitting a row of supports of the overhead Bold Street bridge causing it to collapse.

When I arrived I walked towards the wreckage but they would not let me help. I had to watch as emergency service crews from the police, ambulance and fire brigade went into action to see what loss of life had occurred and to locate those in need of rescue. A large number of cranes arrived and deliberation was taking place on whether to lift the slab at either end. Clearly this would have grave consequences for those alive and trapped in the twisted wreckage. The Salvation Army had more than 100 personnel on the site during the day. The train driver, second man and the motorists driving on the fallen bridge all survived. Many passengers in the third and fourth carriages were killed instantly when the bridge crushed them in their seats. Several injured passengers were trapped in the train for hours after the accident. Eighty-three lives were lost that day.

Well may we remember the Day of the Roses 35 years on. The loss of life and the trauma felt by those left behind are wounds that have never healed. There were other casualties of this disaster too. The businesses in Granville and the surrounding suburbs were suddenly disconnected from their customers. For the last 24 years I have never missed a remembrance service. I drive over the Bold Street bridge every day and I am reminded of the 83 lives that were lost—mothers, fathers, children, grandparents and friends. I was honoured to have the Premier, Barry O'Farrell, the New South Wales Governor, Marie Bashir, and the Minister for Transport, Gladys Berejiklian, attend this year's commemoration. Their attendance says to me that they respect the solemnity of the occasion and acknowledge that a tragedy like this should never happen again.

I acknowledge the State Emergency Service team and volunteers who acted so professionally on the day. They worked as one—saving lives and consoling others. I also recognise the generous work of the Salvation Army, NSW Police, ambulance, fire crews, local hospitals and clergy. All these members of our community contributed in their own special way. I pay my greatest respect to those now gone and the families left to carry on. We will always remember those lives that were taken on the Day of the Roses.

LIVERPOOL FREE SHUTTLE BUS

Mr PAUL LYNCH (Liverpool) [5.35 p.m.]: I draw to the attention of the House the free green shuttle bus service operated by the State Government within Liverpool central business district in my electorate. The service has been operating very successfully for a little over a year, commencing on 31 January 2011, and runs every 20 minutes. It operates on a one-way loop from Liverpool station connecting Liverpool post office, Northumberland Street, Liverpool library, Westfield Liverpool, Forbes Street and Liverpool Hospital. It operates on weekdays from 9.00 a.m. to 2.30 p.m., and on weekends from 9.00 a.m. to 5.45 p.m. It helps commuters move more easily around the central business district and thus contributes to reducing congestion. It is also extremely convenient for those commuters who use it. It has been particularly of assistance to older residents of Liverpool.

However, there are a number of issues surrounding the operation of the service that need to be ventilated. The service is currently being reviewed by the State Government. There is an apprehension among some of my constituents and constituents of neighbouring electorates such as Macquarie Fields and Menai that the service might be discontinued. That would be a retrograde and, in my view, an extremely regrettable decision. I ask for the Minister's assurance that the service will not be discontinued. In fact, there is a powerful argument that the scheme should be expanded to include other areas near to the central business district. Specifically, constituents of mine have requested that the operation of the service be expanded to include the Riverpark Drive area to the south of the current route and that to the north of the present route it be expanded to Warwick Farm. Both these proposals have considerable merit and, in my view, should be supported.

Liverpool council also wants the route extended to Collimore Park in the west. I am not as convinced of the necessity for that. I think the motivation there is to assist council in one of its schemes rather than necessarily pursue the real objective of the shuttle service. In essence, I think the council might be trying to get the State Government to fund one councillor's election commitment. However, one problem that has emerged in relation to the shuttle is the adequacy of the number of bus stops. In particular, there is a difficulty with locations for the shuttle buses to stop in and around Forbes, Lachlan and Bigge streets. This issue, amongst others, has been raised with me by a number of constituents, including Dolour Muller, Catherine McKevett, Virginia Pineda and Malcolm Jacobs.

For some time after the service commenced the shuttle bus stopped in the Forbes, Lachlan and Bigge streets area. Bus drivers would sensibly be collecting commuters and allowing them to alight. However, council rangers intervened to make sure that such a sensible arrangement could not continue. Rangers fined or threatened to fine bus drivers who were naive enough to think they should do their job and pick up passengers. This really was mind-boggling stupidity. The end result was that the bus no longer stopped in that vicinity. In the shorter term commuters waiting to catch a bus were left stranded. It reminds me of a *Yes Minister* script—a bus service could be so much more efficient without having to stop for commuters. It is obviously inconvenient for commuters who live around these areas. It also means that the review currently being conducted into the service will have artificially low patronage figures to consider. If the bus could stop here, more commuters would be using the service.

After the issue was raised with me by constituents I wrote to Liverpool council. I pointed out that in February 2011 applications had been made to council to establish bus stops at three particular locations: Forbes Street, south of the intersection with Lachlan Street; Lachlan Street between Bigge Street and Goulburn Street; and in Bigge Street south of the intersection with Lachlan Street. I urged that the matter be dealt with as expeditiously as possible. I pointed out that the main focus should be the needs of commuters. I received a letter from the council's general manager dated 10 October 2011 which I think it is fair to describe as disappointing. He confirmed that applications had been made for bus stops in February 2011. However, the council seemed mightily miffed that it had not been consulted earlier on proposed routes and stops. The dignity of council officers and of one or two councillors seems to have been grievously wounded. The council seems to want other stops but they will not be considered until the current review is completed.

In the meantime, commuters are being prevented from using the service because bus stops in the Forbes, Lachlan, Bigge streets area are not being approved by council and if a bus stops there the council will fine the driver. Either council is being hopelessly and needlessly bureaucratic in refusing to approve these stops or by delaying approval it is hoping to force changes to the route for its own purposes. In the letter dated 10 October the general manager of the council said he would seek further advice from council offices on issues concerning these stops. He said he would write to me when he had information at hand. I have no record of any

such further contact. It now has been 12 months after the applications were made. The review should confirm the present service and extend it to Riverpark Drive and Warwick Farm and the council should approve the requested bus stops.

HAWKESBURY INTERNATIONAL SAND SCULPTING CHAMPIONSHIP

Mr KEVIN CONOLLY (Riverstone) [5.40 p.m.]: I bring to the attention of the House the inaugural Hawkesbury International Sand Sculpting Championship, which was held on the banks of the Hawkesbury River in that jewel of a town, Windsor, located in my electorate. It is timely that the member for Hawkesbury and Parliamentary Secretary for Western Sydney, Mr Ray Williams, is at the table, as he was able to join me for the opening of that event in Windsor. A dozen talented international sand sculptors from the United States of America, the United Kingdom, the Netherlands, the Czech Republic and Australia participated in the championships, which were held in Windsor for the first time from 11 to 29 January this year. Spectators were able to watch as the sculptors crafted their magnificent creations over four days, using just sand and water, though the sand used was an enormous 20 tonnes for each sculptor.

The theme for this year's competition was "Mystical Creatures" and many of the sculptures were over 12 feet tall. Sculptures ranged from two sea serpents fighting each other as they rise out of the ocean, to mermaids, warriors and gargoyles. The event was organised by a local group, the Heart of the Hawkesbury, in conjunction with Sandstorm Events and, despite this summer's wet weather, was a success in attracting thousands of visitors to Windsor. On one Saturday alone during the championships, more than 7,000 people came to Hawkesbury to see the "Mystical Creatures" sculptures. By the end of the event there had been over 60,000 visitors. We even had a visit from the *Sunrise* crew. Grant Denyer spent one morning at the competition providing weather forecasts.

The winner of the championship was sculptor Jakub Zimacek from the Czech Republic for his sculpture "Sea Serpent", followed by Kevin Crawford from the United States for his sculpture "Mystical Voyage". There were also children's activities throughout the competition, such as sand-sculpting workshops, sand art and sand bottles. For those unfamiliar with sand sculpting, it is worth noting that the enormous sculptures are created outdoors and stand unprotected from the weather. Although made only from sand, they are remarkably strong. This effect is achieved by using builder's sand, with its coarse, angular grains, and by repeatedly compacting and wetting the sand.

An unformed mound is built up surrounded by timber formwork that holds the wet sand in place until the required level of compaction is attained. As the sand dries out, it hardens. The timber is then removed and the sculptor can begin to carve his or her artistic creation from the mound of sand. In the Hawkesbury championship, the sculptors were hampered by intermittent wet weather which prevented the drying and hardening of the sculptures. One sculpture suffered heavily from a torrential downpour the day before the judging. Nonetheless, people were amazed that the sculptures stood up so strongly to the kind of weather that was thrown at them. Indeed, once they have set properly, it is difficult to vandalise the sculptures, which is an attraction in itself for those who might feel that sand castles are easily knocked over.

Due to the success of the event, it will take place again next year and is sure to bring many thousands of visitors to the Hawkesbury. It is a wonderful opportunity to showcase the Hawkesbury, particularly the historic town of Windsor, which holds an important place in our Australian heritage. I congratulate all the organisers and those who supported the event, particularly those who financially underwrote it this year and made its success possible so that it can become a continuing event, bringing visitors to Windsor for many years. I congratulate Michael Milman, from the Heart of the Hawkesbury group, Kimberley Talbot of the Richmond Club and the people too numerous to name who contributed time, energy and money to make this event the success it was. By their efforts they have contributed towards the future of Windsor. I look forward to many more successful events of the same kind.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.45 p.m.]: I commend the member for Riverstone for highlighting this spectacular event that was held in Windsor over the Christmas break. I wish to thank people such as Pat Salgado, the Dunnet family, Kimberley Talbot, Rob Tolson and the dozens of local businesses that contributed up to \$250,000 to make this event such a spectacular event on behalf of the Windsor area and across western Sydney. It was visited by almost 50,000 people over a two-week period, adding considerably to the local economy of Windsor at a time when a boost to the local economy was important. I encourage the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts to support this event in the future because it came at an opportune time to support the local economy—something we must do across New South Wales.

SOUL CAFE

Ms SONIA HORNER (Wallsend) [5.46 p.m.]: In hard times many people find themselves in need of our community support. To meet this need, Wallsend's Soul Cafe has been operating in our town since July last year, serving an average of 60 lunchtime meals each day. It is a great pleasure to see its increasing success, the dedication of the tireless volunteers and the wonderful service that the cafe provides to people in need. The cafe's clients range from the homeless and those who do not have a permanent place to sleep, to those who come from lower socio-economic backgrounds, welfare beneficiaries, pensioners and those who come for the social aspect of a meal and a chat with others.

The majority of the clientele are welfare beneficiaries who find it difficult to make ends meet and know that the support the Soul Cafe gives them helps them through bad times. Donors come from a select group of local businesses and organisations such as Steggles, local restaurants, a food shop from Market Town, and OzHarvest, an organisation that travels to restaurants to rescue leftover food and supply it to places such as the Soul Cafe. The coordinator of Wallsend's Soul Cafe, Reverend Phil Skinner, said to me:

It's not just Soul Cafe; it is a conglomeration of businesses and people working together to help others. They are thrilled that they have the resources available to aid them in what they are doing in the community. The reaction and feedback already from the local community has been 100 per cent positive.

Virginia, the Wallsend Soul Cafe's full-time chef, changes the menu daily. She decides on the menu for the free lunch each morning, depending on what produce has been kindly donated. I have sampled some of that food and it is delicious and very fresh. Whilst there are a small number of generous donors, there is always room for more funding. The Soul Cafe is endeavouring to upgrade its kitchen facilities in order to provide for its increasing popularity and the increasing number of people it supports. An application was recently made under the Community Building Partnership Program for funding towards the kitchen upgrade. Soul Cafe's kitchen needs twenty-first century modernisation. As well as the plan for the kitchen renovation, Soul Cafe is seeking to implement major extensions for a community centre, including a youth centre to provide outreach to the vulnerable youth in our community. When asked what makes Phil do this work, he stated:

Our business is not bricks and mortar. It is people. Seeing people flourish and move forward in their journey of life and knowing you were a part of it truly is a remarkable experience. Seeing lives transformed, however that may be, emotionally, spiritually, physically. Watching and being part of people taking steps forward in life ... The excitement of being part of the process.

Part of that is the spiritual element. We aspire to be a church that is relevant to our community. We want to take the mystique away from the church.

Similarly, Craig Budden, the Youth Pastor, said:

It is a selfless role not for our own glory. It's about supporting people who can't support themselves.

Phil makes it clear that the faith community has been in Wallsend for 150 years. He said:

It has had its ups and downs, but they have always been here. They have been in Wallsend and will continue to be there for the long haul.

The Soul Cafe is an important element in the Wallsend community. The church is working towards a brighter future for our people in need. I look forward to seeing its continued success and growth.

KIAMA ELECTORATE AUSTRALIA DAY AWARDS

Mr GARETH WARD (Kiama) [5.51 p.m.]: I acknowledge two very good friends who are in the public gallery this evening, Councillor Helen Stewart and Councillor Paul Rankin, who were recently elected to Shellharbour City Council. They are doing a wonderful job and I am pleased to see them here. Today I bring to the attention of the House the list of incredibly deserving 2012 Australia Day Award recipients in the Kiama electorate. On Friday 20 January I had the great pleasure of attending Kiama Municipal Council's awards ceremony at the Kiama Pavilion. I commend the deputy mayor and chair of the Kiama council Australia Day committee, Councillor Brian Petschler, and Kiama council staff for the extraordinary effort they invested in making these events very special.

The Kiama council 2012 Australia Day Awards recipients included Myrtle Hartenstein, who received the Citizen of the Year award. Mrs Hartenstein was recognised for her outstanding contribution to many community organisations in the region that she has called home for 85 years. She is a founding member of the

Country Women's Association at Jamberoo and a member of Kiama Pony Club, Jamberoo's Mission Aid Group, Jamberoo Tennis Club, Dapto Garden Club and the Dialysis Association. Mrs Hartenstein has also been involved in assisting the Red Cross since she was a girl, dating back to World War II when she would race around the Jamberoo township on horseback collecting funds to support it.

Kimberley Abbott received the Young Citizen of the Year award. Miss Abbott was recognised for her involvement with the Gerringong Surf Club, Gerringong and Gerroa cricket clubs, Gerringong and Kiama touch football associations, and Gerringong and Kiama hockey clubs. I also acknowledge Miss Abbott's work at the University of Wollongong in developing the Yes We Can! program, which informs young women and encourages them to consider starting a degree in engineering. Patrick Sutton received the Community Achievement Award. Mr Sutton was recognised for his involvement with Kiama Surf Life Saving Club. He took over as junior activities coordinator for five years and in that time junior membership grew from 33 nippers to more than 120 and from four competitors to more than 30. Dennis Koks received the Community Arts Award. Mr Koks was recognised for his tireless dedication and involvement for many years with the Kiama Jazz Club, community radio and other cultural events.

Gary Louie received the Scholastic Achievement Award. Mr Louie, a local Kiama High School graduate, won some top awards including the Medal of Excellence, the Achievement Medal and the NetSense Computers Awards for Excellence in Mathematics and Information Technology. He now attends the University of Sydney studying for a Bachelor of Applied Science, majoring in diagnostic radiography. Sophie Clift received the Youth Achievement Award. Miss Clift is a year 11 student at Kiama High School and works with the Kiama Youth Centre to run cinema nights with the support of Kiama council. She has accumulated more than 150 hours of volunteering under the Premier's Student Volunteering Awards Scheme. John Unwin received the Services to the Aged Award. Since retiring 25 years ago, Mr Unwin has been recognised for his involvement in maintaining the Kiama Country Women's Association building, assisting Blue Haven Retirement Village residents to meet doctor and hospital appointments, assisting the Visually Impaired Persons group with its annual luncheons and regularly supporting the Kiama Lions Club. Tully Robinson and the Werri Beach Boardriders were awarded the Sports Award for their efforts in promoting the sport of board riding.

I was also delighted to attend Shoalhaven City Council's awards ceremony on Monday 23 January at the Shoalhaven Entertainment Centre. I commend Mayor Paul Green, his assistant Rachael Marshall and council staff for their efforts in making this event a very important day for all concerned. The Shoalhaven City Council 2012 Australia Day Awards recipients included Mrs Shirley Coleman, who received the Citizen of the Year award. Following more than 50 years of dedicated service to the community, Mrs Coleman was awarded life membership of the Ulladulla Public School Parents and Citizens Association and the Milton Pony Club, of which she is also a patron. She has been a member also of the Ulladulla Show Society for nearly 40 years and remains its chief steward. Mrs Coleman established the Ulladulla playgroup in 1960 and started the Ulladulla Brownie pack in 1968.

Miss Samantha Howcroft received the Young Citizen of the Year award. Miss Howcroft was recognised for her ongoing fundraising work and mentoring of students. As 2011 Captain of Ulladulla High School, she worked with the younger members of the Student Representative Council whilst also pursuing her love of creative arts and sports. Ms Sarah Boddington received the Sports Award. Ms Boddington was recognised for her early career success as a representative lawn bowler. Since 2002 Ms Boddington has been a member of the New South Wales women's team and the Australian Emerging Squad whilst also becoming the youngest player ever to win the New South Wales State singles and be selected in the New South Wales senior team.

Mr William Miller received the Highly Commended Sports Award. Mr Miller was recognised after a breakthrough rugby season, which saw him selected in the Under 20s Country squad and the Australian Schoolboys side, where he was awarded the coveted Bronze Boot. Last year he was selected in the Australian Seven a Side squad that toured South Africa. Miss Kaitlyn Bryce received the Junior Sports Award. Miss Bryce was recognised for her many outstanding achievements on the netball court. In 2011 she captained the under-16s Australian schoolgirls side to a win over New Zealand whilst also being selected in the under-17s State side and under-17s Australian squad.

The Wingecarribee Shire Council 2012 Australia Day Award recipients were Jennifer Bowe, Citizen of the Year, and Brittany McCrea, Young Citizen of the Year. For many years Mrs Bowe has given freely of her spare time to help others and is involved with assisting at the local Country Women's Association, Friends of the Wingecarribee Library, the Bradman Museum and Volunteering Wingecarribee. Mrs Bowe is also an active

participant in local community projects such as the Southern Highlands Domestic Violence Forum and International Women's Day. Miss McCrea, a local Moss Vale High School student, was recognised for her volunteer work and peer support efforts. Since May 2010 Brittany has logged more than 300 hours of volunteer work and subsequently received an award from the Order of Australia Association in 2011. Ms McCrea regularly helps out with local fundraising efforts, such as Red Cross Calling, Legacy, the Salvation Army's Red Shield Appeal and Relay for Life. I could continue naming a number of other award recipients, but I note that my time has concluded. I thank the House for its indulgence.

MONA VALE HOSPITAL

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [5.56 p.m.]: I inform the House of the current condition of Mona Vale Hospital and the terrific plans for its future. Having opened in 1964, the hospital is approaching its fiftieth birthday. Unfortunately, it is in a rather tired and dilapidated condition, with a dispirited staff wracked by disillusion and debilitated by continuing uncertainty about the hospital's future. I am pleased to say that we are turning this situation around not only by developing a future plan for its next 50 years' service to the local community, but also by maintaining and upgrading the medical services on which our community relies. Considerable improvements are underway to restore this hospital to an acceptable standard to help cater for the increasing needs of a growing and ageing local community.

First, I point out that the hospital's facade was in a terrible state of disrepair. Mortar missing from bricks resulted in windows threatening to fall out so the former Government erected a safety fence around the hospital in case a falling window hit somebody. The hospital facade is being restored and the windows are being replaced, at a cost of more than \$700,000. It is a shame that the former Government allowed the deterioration to reach the point where a lot of money has to be spent mostly on the facade and not on what happens inside the hospital. However, the hospital's decades-old reticulated oxygen system is also being replaced. This equipment is essential to the proper functioning of a modern hospital.

I am excited that the maternity unit on which local mums rely is reopening. This highly anticipated project is supported by the community. An entire hospital floor remained bare for almost three years due to the decision of the former Government to close the maternity unit without any consultation. This deprived local women of choice, convenience and safety. I am pleased that more than \$1.7 million has been allocated for capital improvements to the maternity ward. We have also refurbished the Mona Vale Hospital dental clinic to provide three new dentists and more than \$175,000 in improvements. This will give a new lease of life to the clinic after a period of disruption and uncertainty. I was pleased to be joined at the clinic earlier this week by the member for Barwon, the Minister for Mental Health, and Minister for Healthy Lifestyles, together with senior staff from the Northern Sydney Local Health District to look at this important facility. This highlights the change in attitude regarding the clinic's importance.

I noticed also that even internal painting of the wards is underway. This may seem like simple maintenance but it greatly improves the spirits of staff and patients to be in clean and freshly painted wards. Certainly the staff and patients I have spoken to have said it makes a significant difference to them. It is also exciting that we are planning for the expansion of palliative care services. For the information of members who do not know, Mona Vale Hospital is located in one of the best positions on the New South Wales coast. It is absolutely appropriate for palliative care services to be situated in such a beautiful location so that people with terminal illness, those facing death, can appreciate the beauty of our earth and be treated in such a sylvan and beautiful place.

There is nothing more important than caring for the most vulnerable members of our community. I thank the hospital auxiliary, led by Eileen Gordon, and Pittwater Rotary, led by Hans Carlborg, for raising literally hundreds of thousands of dollars for this very important project. I note also that the mobile digital X-ray service we committed to is now up and running. Local general practitioners Suzanne Daly and Stephen Ginsborg and Mona Vale Hospital's chief radiographer, Ingrid Egan, have developed this terrific mobile X-ray service, which offers great convenience to many local patients, particularly the elderly. It is pleasing also to note that 28 new nurses will commence work later this month. I conclude by thanking the staff of Mona Vale Hospital; the community really appreciates their tireless efforts. Earlier this week I again joined the Director of Nursing, Jacqui Edgley, in touring the hospital. Jackie and her team do a fabulous job. We really appreciate their wonderful work and the way they serve our community. They are appreciated, they are valued and we thank them very much for their service.

TRIBUTE TO MRS JOAN FREEMAN

Mr RICHARD AMERY (Mount Druitt) [6.01 p.m.]: I place on the parliamentary record the fact that over the Christmas recess the Rooty Hill-Mount Druitt district suffered a great loss when Mrs Joan Freeman passed away in the palliative care ward of Mount Druitt Hospital. Joan's passing marked the end of an era for our community. When my wife and I moved to Rooty Hill in 1974 I quickly realised that the district comprised many pioneers, who over the years had worked tirelessly to get the facilities that many current residents take for granted. Joan Freeman and her husband, Tom, were two of those pioneers. Tom and his family had been residents of the district all their lives and, after marrying Tom, Joan quickly became part of the family and the district in the years following World War II.

In her struggles to raise a family Joan discovered that the area lacked many services and facilities. As Joan was a person of strong Christian values, she wanted the community to have a church. Not only was a church subsequently built, but Joan also had a chapel built in her backyard that she used extensively throughout her life. In the 1950s she was part of a team of residents who campaigned to build Rooty Hill Public School. When the school was constructed, Joan worked in the school canteen and was a scripture teacher for many years. Anyone associated with that school would have some knowledge of the role that Joan Freeman played there. Joan was on the organising committee to build Mount Druitt Hospital. However, when the hospital was completed she did not rest on her laurels: she became an official visitor, and continued in that role until almost the last months of her life. In fact, even in the palliative care ward at Mount Druitt Hospital, while she was dying, Joan took the time to speak to other residents and give them comfort. She even organised her own funeral.

Joan's work continued to expand over the years—indeed, the older she got the more her workload increased. She became a civil celebrant, helping people at weddings, the happiest times in their lives, and at funerals, the saddest times. I have attended many local funerals, some of dear friends, where Joan Freeman was the official celebrant. I am happy to advise the Parliament that all Joan's good work did not go unsung. Over the years she received numerous local awards and letters of recognition from volunteer organisations. She was Blacktown City Volunteer of the Year. Members will be aware of electorate women of the year presentations. Joan was Mount Druitt Woman of the Year.

Late last year Joan was awarded the Chifley electorate volunteer award and received the Order of Australia for her community and volunteer work. The community was greatly saddened to attend her funeral, one of the largest in the area for some time, at St Albans Church on Rooty Hill Road, Rooty Hill, on 15 December 2011. Joan paid me a great accolade by asking her family to ask me to speak at her funeral about her role as a community volunteer. It gave me great pleasure to accede to that request. Joan's name has been recorded in many places, on many documents and in many newspapers. Today I am very pleased to place on the record of the New South Wales Parliament the name of Mrs Joan Freeman. She lived well into her eighties and I do not think she wasted one minute of her life. She spent her life working for others. She was a dear lady, who will be sadly missed by her community and her family.

AUSTRALIA AND THE ASIAN CENTURY

Mr MARK COURE (Oatley) [6.06 p.m.]: Recently many of us in this place had the opportunity to share in the celebrations associated with Lunar New Year and the Year of the Water Dragon. It is an important celebration for the Chinese, Korean, Singaporean, Taiwanese and Vietnamese communities and an opportunity for the wider community to involve itself in an important cultural event. Indeed it is an opportunity to reflect on our relationship with Asia, particularly China. Much has been written over the past few years regarding Australia's relationship with China in the Asian Century. Often this view is expressed in a negative fashion: we must choose between our predominantly European history or a future within Asia.

The Federal Government's response to this identity crisis has been to announce a white paper on Australia in the Asian Century to help navigate Australia's future and provide a policy direction. Although we will not see the results of this soul-searching until later in 2012, it risks Australia playing catch-up, as an outsider viewing through the looking glass rather than Australia as a nation that is already a proactive member of the Asia-Pacific region. Indeed, the Gillard Government seems to have ignored the very real and strong connections that already exist with Asia—and this from a Prime Minister who said she did not believe in a big Australia.

New South Wales is a prime example of the deep and layered connections that already exist with Asia at a community level. New South Wales is home to the majority of Australia's Asian community, and Sydney

has thriving Chinese communities in Haymarket, Chatswood and Hurstville, as well as significant Vietnamese, Japanese and Korean communities. These multicultural communities have strengthened ties with their native countries, allowing greater understanding and economic opportunity. The importance of Asia's contribution to the New South Wales economy through tourism, investment in business and minerals, as well as education, cannot be underestimated.

The O'Farrell Government has rightly expanded these economic opportunities since March 2011. This has included visits to China and India—both emerging economies—by the Premier and visits to Japan and Korea by the Treasurer. The result of this relationship to date has been significant and the Government has achievements to its name, such as securing Sydney as the first international route for Scoot—Asia's newest long-haul budget airline—which will inject \$150 million into the economy; the New Twenty20 series between New South Wales and Mumbai; securing a tourism promotion deal with Hainan Airlines; and securing China Southern Airlines as the official airline and co-sponsor of the Sydney Festival 2012. This is real progress and delivers tangible results for the people of New South Wales without the need for a white paper to tell us what we already know: that government needs to provide a framework for business internationally and empower communities to exploit their economic and social potential.

Teaching Asian languages in schools is a prime example. According to CPA Australia there are as few as 300 students in Australia learning Mandarin in year 12. This figure is alarmingly low and immediately puts us at a disadvantage within the region. Promoting the teaching of Asian languages, whether it is Japanese, Korean, Indonesian, or in my case Mandarin, is a practical policy that is long overdue. According to AsiaLink at the University of Melbourne only 1,680 Australian students are studying in Asia. I firmly believe that teaching of an Asian language, whether Mandarin, Indonesian, Korean or Hindi, should be mandatory in schools across New South Wales and the nation. Australia is already a key part of the Asian region and the O'Farrell Government is leading by example to enhance positive relations with our neighbours. It is time the Gillard Government took note.

BARANGAROO DEVELOPMENT

Mr JAMIE PARKER (Balmain) [6.11 p.m.]: Today I continue my efforts to expose the facts on the Barangaroo development. Last year I outlined evidence that points to a billion dollar gift to Lend Lease by the former Government and the obligation on the current Government to act. My speech highlighting Lend Lease's underpayment for Barangaroo is further corroborated by my understanding that Lend Lease agreed to pay approximately \$200 million for the Darling Quarter land that now houses the low-rise Commonwealth Bank Buildings. When the gross floor area and relative location of the site is taken into account and compared to Barangaroo's superior location, it again demonstrates that the former Government failed to obtain full market value for Barangaroo. In response to my speech on this issue, the Barangaroo Delivery Authority stated that it had Barangaroo independently valued, and in any case the Barangaroo sale was the result of an intense competitive tender process that ensured that the best possible price was obtained.

However, Government Information (Public Access) Act requests to the Barangaroo Delivery Authority have revealed that the Barangaroo Delivery Authority commissioned three valuations. Of what—the unimproved capital value of Barangaroo for the purpose of determining a carrying value in the books of the Barangaroo Delivery Authority? It never commissioned a full market valuation of Barangaroo South. The true market value of Barangaroo South is significantly more than the unimproved value obtained by the Barangaroo Delivery Authority. The unimproved capital value is referred to as "the Barangaroo valuation" in Barangaroo Delivery Authority board minutes and may well imply that the board was allowed to believe that it was the true market value.

The supposedly intense competitive tender was in fact a very selective invitation by the Barangaroo Delivery Authority to Lend Lease, Multiplex and Mirvac to bid for a private public partnership, with the selection criteria being a subjective mix of architectural merit, financial outcomes, and capacity to undertake the development. Mirvac declined to tender early in the process, citing difficulty in obtaining development funds. At the time Multiplex was suffering a major disaster at Wembley Stadium and must have been a questionable contender. Predictably the so-called partnership is almost unbelievably one-sided, with the Government being deprived of in excess of \$1 billion on the land sale. Further, the Barangaroo Delivery Authority's financial forecast in the Auditor-General's report indicates up to \$1 billion of government money to be spent on public works to facilitate the Lend Lease development including remediation, reconstructing the headland, building a pedestrian tunnel to Wynyard, building a new wharf, providing a cruise ship terminal and, worst of all, potential exposure to cost overruns on remediation and public transport infrastructure.

If Wynyard cannot cope with the Barangaroo traffic delivered by the tunnel, the Government will be facing multi-billion dollar expenditure to increase heavy rail infrastructure. As has been pointed out, the public transport problem might not have existed at all if Barangaroo had remained at the scale envisaged before the Barangaroo Delivery Authority took over from Sydney Harbour Foreshore Authority. It is increasingly obvious that the Government would be billions of dollars ahead and the project would have been well underway if the Barangaroo Delivery Authority had simply stuck with the contest-winning design of Hill Thalys, kept the scale at 380,000 square metres, sold the building sites individually and left the approval process to the statutory authorities that handle other city buildings. The only beneficiary of the convoluted Barangaroo process is Lend Lease.

Ms Kristina Keneally: Point of order: The member's knowledge of Barangaroo may or may not be correct. Private members' statements are supposed to pertain to matters in the member's electorate.

Mr JAMIE PARKER: And this is my electorate.

Ms Kristina Keneally: No, it is in the seat of Clover Moore. I would like the member to explain how this impacts on his electorate rather than going through his tortuous understanding—

Mr JAMIE PARKER: It is no surprise the member for Heffron is seeking to interject, because the former Government is culpable for a disgraceful history with Barangaroo. My local community is subject to the part 3A requirement, because of noise impact, for 18 months during construction and the impact of these planning decisions on the constituents of Balmain. To date, Government Information (Public Access) Act requests made since the election to the Sydney Harbour Foreshore Authority to get the value of the Darling Quarter transaction, and to Sydney Ports to get the land rentals of the Macquarie Bank and KPMG buildings have all been denied, apparently to prevent us obtaining further evidence of the true market value of the Barangaroo South—

Ms Kristina Keneally: Point of order: Mr Acting-Speaker, you did not rule on my point of order. The member is continuing to talk of valuations of a piece of land not in his electorate.

ACTING-SPEAKER (Mr John Barilaro): Order! I believe the member is in order.

Ms Kristina Keneally: No, Mr Acting-Speaker—

ACTING-SPEAKER (Mr John Barilaro): The member for Heffron will resume her seat. The member for Balmain has the call.

Mr JAMIE PARKER: What does the member have to hide? A request for the Lend Lease contract and Barangaroo Delivery Authority minutes were denied. Government Information (Public Access) Act requests to the Barangaroo Delivery Authority for the tender documents, responses by Lend Lease and Multiplex, minutes of the meetings and Barangaroo Delivery Authority board briefings, the non-redacted Lend Lease contract and the KPMG validation report, and other requests to establish the validity of the tender process, have all been denied or delayed beyond the statutory response times. Is it any wonder that questions are being asked of the former Government about whether true market value has been obtained for the people of New South Wales?

Ms Kristina Keneally: Point of order: The members' time has elapsed.

Mr JAMIE PARKER: The Government must honour—

ACTING-SPEAKER (Mr John Barilaro): Order! The member's time for speaking has expired.

CENTRAL COAST WETLANDS

Mr DARREN WEBBER (Wyang) [6.16 p.m.]: The Central Coast Wetlands is the new name for the old pioneer dairy site, a spectacularly beautiful area on the fringes of Tuggerah Lakes in my electorate of Wyong. On 2 February the Minister for Environment and Heritage, Robyn Parker, along with the Minister for Resources and Energy, Chris Hartcher, unveiled the new name of this regional ecotourism and educational site in an event that coincided with World Wetlands Day. This site is a crucial habitat, breeding ground, and sanctuary for over 186 species of bird, a variety of mammals, reptiles and amphibians. The site was originally

part of the Chapman Tuggerah pioneer dairy established in 1897. Over the years it has been used for various activities and in 2000 was handed over to the community by the State Government after years of limbo. This was following the former Coalition Government's decision to preserve the site and not build a power station, which would have been an environmental disaster.

Since being elected to Parliament I have assisted in every way possible to progress the site and worked with the trust members. The idea to rebrand the site came about after a visit to the Hunter wetlands with the member for the Entrance, Chris Spence. We recognised the importance of regional branding to evoke identity and maximise exposure. Together with the trust members responsible for the site and Central Coast Tourism the idea has blossomed into being. While many Central Coast residents may not be aware of the location of the pioneer dairy, this new branding will give the site an unmistakable identity that will market the site as not only a local tourism destination but also a national and international destination. Further, the rebranding of this site is a fantastic boost to the Wyong area, which now boasts a site of regional Central Coast importance.

When I was growing up and attending Berkeley Vale primary school the lyrics of our school song—which I will refrain from singing—included, "Berkeley Vale, Berkeley Vale, on Tuggerah Lake so blue." All four school houses were named after local birds: egrets, herons, ibises, and jabirus. What used to puzzle me as a young bloke was that Tuggerah Lake was far from blue and very few of those four birds were seen around the catchment area. I learnt later in life this was the result of extensive farming and urban development in the lake's catchment area over many decades. The Central Coast Wetlands provide a unique opportunity to help restore the lake to her former glory. The wetlands are the lungs of Tuggerah Lakes as they filter and clean the water entering the catchment. It is hoped that the reinvigorating of the wetlands, will encourage bird life back to the area and return the water to the crystal blue that it once was.

Working together with Minister Parker, Minister Souris and Minister Hodgkinson, we are developing a Central Coast regional tourist destination and hope to have the site ready for tourist operations in the near future. It is hoped that the Central Coast Wetlands will attract more outdoor, active and nature-based travellers for short breaks to the Wyong region and will enhance the lifestyle and culture of Central Coast residents. The ability to encourage ecotourism within Wyong will be a great boost not only to the tourism sector, with tourism estimated to generate \$250 million for the local Wyong economy annually, but also to local businesses. It also will boost local jobs, education outreach and Aboriginal learning for locals.

Central Coast Tourism was instrumental in designing the logo branding for the Central Coast Wetlands. I take this opportunity on behalf of the trust to thank Oliver Philpot for managing that process. I also congratulate the trust members on achieving this milestone and working closely with me over the past year to progress the site through many bureaucratic obstacles and much red tape. I look forward to the plan of management review later this year. I offer my sincere thanks to the trust chairperson, Adrian Gale, and Marlene Pennings for their hard work and contributions. Adrian and Marlene and the other trust members can be immensely proud of what they have achieved and be excited about the opportunities ahead. I encourage everyone to visit the Central Coast and to enjoy our beautiful beaches and bushland and our new Central Coast Wetlands. It will be a great experience for the whole family.

SEX TRAFFICKING

Mr CHARLES CASUSCELLI (Strathfield) [6.21 p.m.]: At a recent Korean Ministerial Consultative Committee meeting the issue of Korean women being coerced or tricked into working in the sex industry was briefly discussed. I have had a number of discussions with Korean community leaders about this issue. I must admit that the majority of advertising in local newspapers for prostitutes and brothels features Asian women. Koreans are a dignified and respectful people. They are rooted in tradition, but they embrace the modern world. They have strong family values, they are a cohesive community and they are now reaching out to others much more than they have in the past. It is distressing to members of that community, both men and women, that Korean women are exploited and presented almost as the face of the sex industry in many local newspapers.

This problem has many dimensions and the continuing operation of illegal brothels, the standard of regulation and compliance of legal brothels and human trafficking means that women may end up in sexual servitude. I am aware of Korean community concerns about reports suggesting that at least 1,000 Korean nationals are working in the local sex industry. Some could be there as a direct result of sex trafficking. I am unable to confirm the veracity of the numbers, but there is real concern in the community. Immigration Minister Chris Bowen recently said that his department would conduct a targeted analysis of the student visa program to find any links with the sex industry. The Federal Government has previously indicated that \$50 million in funding has been allocated to fight domestic anti-trafficking initiatives since 2003.

We have a substantial network of organisations involved in the anti-human trafficking community, including law enforcement agencies and support services. Clearly, that is not enough; we all need to do more. Stories of young Asian women arriving in Australia and being met at airports by strangers coercing them to participate in the sex industry are real; they are not Hollywood scenarios. They are far too common and they destroy the lives of young women. Having spoken to a number of people who are active in helping victims of sexual exploitation, I know that part of the problem stems from the fact that women over the age of 18 must ask for help, it cannot be forced on them. If a woman is found to be under 18 years of age, immediate and effective action can be taken to remove her from the exploitative situation regardless of her wishes.

The problem of protecting women over 18 years of age boils down to two issues: first, providing them with information about where to get help if they decide to seek it; and, secondly, making it easier for them to access support services provided by organisations such as the Salvation Army, the Red Cross, Asian Women at Work and others. Increasing awareness of sex trafficking and the risks of working in the sex industry before a woman is caught up in it is critical. My two daughters were shocked when we recently watched *Taken*, a movie starring Liam Neeson. Unfortunately, in the real world there is no Hollywood ending. The only guaranteed outcome of sexual servitude is tragedy and grief.

I have today approached the Minister for Citizenship and Communities about this critical issue, which affects our Korean friends and neighbours and which speaks to their dignity and honour. I urged the Minister to consider asking the Community Relations Commission to look into the issues and problems associated with the trafficking and exploitation of Korean women in the sex industry in New South Wales and to establish what is being done to address these problems. I am pleased to report that the Minister immediately agreed to my proposal.

He has assured me that he will request the commission to conduct an inquiry and to provide him with recommendations about how the New South Wales Government might be able to cooperate with the Federal Government to address this issue. I am hopeful that representatives of the commission will meet with Korean community leaders, experts and other public sector authorities involved in this area. I also hope to arrange a meeting between the Korean Ministerial Consultative Committee and the chair of the commission, Mr Stepan Kerkysharian. I will also be meeting with Dr Kyungja Jung from the University of Technology, Sydney, who has conducted research into the issue of Korean migrant sex workers.

I will conclude my contribution by quoting Jenny Stanger, the supervisor of the Salvation Army Safe House, who believes that community awareness is critical in dealing with this issue. Jenny believes that education of frontline personnel most likely to come into contact with trafficked people should be a priority. She cites examples of police and community groups responding to incidents of wage disputes, domestic violence, self-harm and assault that were actually cases of trafficking and/or slavery. Jenny and her staff have also identified cases by following up media stories and by proactively reaching out to community and government agencies.

Jenny and the safe house team want to reduce the links in the chain of assistance for trafficked people so that people can access protection and support more easily and more quickly. She believes that we need to saturate the community with practical information about how to recognise a possible trafficked person and to pose some of the questions that should be asked. She points out that this issue is not on the radar of most people who may be in a position to help. We may very well need to increase community awareness, especially the awareness of those people who may unknowingly come into contact with victims.

COOGEE ELECTORATE AUSTRALIA DAY HONOURS RECIPIENTS

Mr BRUCE NOTLEY-SMITH (Coogee) [6.26 p.m.]: I take this opportunity to give well-deserved credit to the five individuals in my electorate who received Australia Day honours this year. While we are all barbecuing and celebrating the values we share and stand for as Australians, the Australia Day holiday is a great opportunity to recognise those who have contributed to the community and ultimately to Australian society through their careers and other service, be it in the medical, the arts, the business or the human rights fields.

Dr Michael Brydon of Clovelly was honoured for his 30-plus-year contribution to paediatrics. As the director of the Sydney Children's Hospital and the Sydney Children's Hospitals Network, Dr Brydon has worked to improve the health and lives of sick children, ensuring the highest possible level of treatment and care and placing great emphasis on supporting parents in impossible situations at often traumatic periods in their lives. It is this aspect of his work that he says keeps him most inspired. His desire to help those in need is also evident in his and his family's dedication to charity work, including for the Matthew Talbot Hostel.

Bronte's Joan Ford helped to transform the role of women in our society from the time when they were hired only as secretaries—what a dreadful time. By helping women balance their work and home lives, she eventually brought about a cultural change that resulted in significant changes to equal employment initiatives for women, including overseeing the shift that allowed women to be hired as engineers in a previously male-dominated industry. Reflecting on a time when women could not receive superannuation once they became pregnant, Joan is proud to see where we are now. She has certainly made a difference.

Few people would volunteer much of their time, let alone as significant a portion of their life as Helen Poulos of Bondi Junction has. She is another recipient who has done great work for the Sydney Children's Hospital. Starting as a volunteer for St Vincent's Hospital, Helen went on to become a team leader at Sydney Children's Hospital in supporting sick children and their families. It is evident from the fact that Helen's service was entirely voluntary that she has a warm heart for the kids at Sydney Children's Hospital and a dedication to the hospital's promise to deliver high-quality care.

Richard Haddock, also a Bronte resident, was recognised for his contribution to the business sector and for his service to social welfare organisations within the Catholic Church. In his career Richard has served in various executive roles and is presently the chairman of CatholicCare, the Curran Foundation and the Sisters of Charity Foundation. With so much involvement in charitable causes, it is obvious Richard has spent his career with a passion in his heart to help others. Richard accepted his award, pleased with the acknowledgement that not only he but the not-for-profit sector received. He hopes that he has inspired many more people to get involved.

Professor Martin Green has worked in the photovoltaics field since the 1970s. In 1974, at the Coogee electorate's very own University of New South Wales, Professor Green initiated the Solar Photovoltaics Group, which went on to contribute to developing silicon solar cells. The recipient of many awards before this, Martin has served the scientific community through his passion for the developing of cleaner and more affordable energy sources that will benefit our nation as the world looks for alternative resources for energy. He even had his portrait painted, with fellow scientist Ross Garnaut, for the 2010 Archibald Prize; it was a finalist. Professor Green is still a professor at the University of New South Wales, teaching and promoting the field of photovoltaics.

Australia Day honours are a great way to congratulate and give due recognition to those in our country who have worked to better our community, our nation and, in some fields, the world. But a greater purpose has arisen out of these honours, that is, to officially validate the honoured and state that what they are doing or have done is important, inspire them to press on and achieve more and also to inspire those around them. We can only imagine the rewarding feeling they must be experiencing, both for themselves and for the fields in which they work. I am inspired by their convictions. I congratulate them on their achievements, and I commend their work to the House.

TUMBATREK

Mr GREG APLIN (Albury) [6.31 p.m.]: Down at the Tooma pub in 1984, so ancient lore has it, a much younger and more sprightly Tim Fischer was campaigning for the Federal seat of Farrer. Local journalist George Martin offered to take Tim up into the Kosciuszko National Park to see firsthand some of the wonders of the region so that he might become a more informed advocate for tourism in Tumbarumba shire. In this very Australian manner, Tumbatrek was born. However, after 2007 the trek went into recess and Tim headed off to his appointment at the Vatican.

But the trek has been resurrected and this year, for the second time, I pulled on the boots and joined the adventure. The 2012 event began on Friday 27 January with a dinner at Mannus Wines, overlooking the vines at sunset. Next morning, trek participants comprising journalists, politicians, scientists, Wiradjuri people, Tumbarumba Shire Council staff, National Parks and Wildlife staff and others were bussed to Mannus Lake, where the walk began. As I looked around the peaceful landscape it was difficult to imagine the hard, indeed violent, scenes that had taken place there. During the 1870s gold was discovered and mined along the creek, which was later covered by a lake bounded by the famous Hume and Hovell walking track.

The story goes that "Big Hole", near an old wooden bridge over a creek, was the site of a convict mutiny. Convict workers threw their sickles into the waters of the creek in protest over poor food. It seems the convicts were given bread made from old, mouldy flour, while all the good wheat from the area was being sold elsewhere. The rebellious convicts were marched to Yass and sentenced to be flogged. These were harsh times

in a frequently harsh, isolated bushland. These mountains and valleys once more rang to the sounds of conflict when, in the 1890s, a pitched battle took place between staff and strikebreaking shearers on Mannus Station against unionised shearers. Fortunately, the 2012 trek was more peaceful.

As the day progressed we moved into land that had been subdivided and settled under the Soldier Settlement Act. But much of this land was not suited to farming. Returned servicemen battled to produce merino wool from their allotments and would perhaps be surprised now to see the introduction of more productive pine forests, such as Hadley Park and the Seymour plantation. We walked down to a cascading waterfall on Lower Mannus Creek. Although the waterfall has only a small volume of water passing through it now, the flow has been known to increase hundreds of times over in times of flood. Indeed, the wall of the Mannus Dam was breached during the 2010 floods, and our Government has committed to spending \$4.9 million to fix this infrastructure.

Into the valley we entered the Bogandyera Nature Reserve, a national park covered by red stringybark, broadleaf peppermint, apple box and scribbly gum. Up the side of the valley there were areas of black pine and kurrajong. Along the lower ridges of the Mount Garland fire trail the vegetation changed once again, with the appearance of grass trees. There were spectacular views across the rich grazing lands of the Maragle and Tooma valleys towards the Dargals and the main range that includes Mount Kosciuszko. We descended through the Paton family properties to the picturesque Tooma Inn for well-earned refreshments. And then it was on to the Southern Cloud lookout and Paddy's River Falls, before returning to Tumbarumba late in the day.

The last time I joined Tumbatrek was in 2007, when the event was jointly organised by Snowy Hydro. We camped overnight at Geehi, and I well remember lying on the stones in Swampy Plains Creek after a hot day of hiking, simply soaking in the cool mountain water. Of course, Tim Fischer turned the trek into a real event where anything could happen. There were times when political business was carried out on this bush trek. In 1997 there was a most memorable occasion when Mr Fischer, in his role then as Acting Prime Minister, received a fax that had travelled from London to Canberra and up into the Snowy Mountains. The fax carried greetings and congratulations from the then British Prime Minister, John Major, for the role of the Australian Navy in rescuing English yachtsman Tony Bullimore. News travelled from the mountain top to the rest of the nation.

In 2001 Mr Fischer retired from Federal Parliament and has now announced another stage of retirement. I wish him and his family all the best and, to use the American expression most apt to a life of hiking, wish Tim "happy trails". Tim Fischer's iconic walking staff, taken on so many Tumbatreks, has now been passed to Michael McCormack, the member for Riverina, who has donned his own Akubra rather than accommodate Tim's weather-worn hat. The tradition continues.

The New South Wales Government has acknowledged the value of tourism in this region, granting organisers the sum of \$20,000 each year for three years for Tumbafest, which has been named a New South Wales Regional Flagship Event. A further \$20,000 has been committed by Destination NSW. I encourage members to make their own trek to Tumbarumba shire. They will be impressed. I would like to thank Michael McCormack and Ian Chaffey, Mayor of Tumbarumba Shire Council, for organising the trek, and George Martin for his notes on the history and geography we encountered on the journey.

NATIONAL DAY OF SERBIA

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [6.36 p.m.]: I wish to inform the House that yesterday, 15 February 2012, was celebrated as the National Day of Serbia, and I ask the House to join with me to send our best wishes to the Serbian community of New South Wales. There are around 35,000 people in the New South Wales community who lay claim to Serbian ancestry, according to the last census undertaken in 2006, and 7,000 of these people were born in Serbia. Serbian national day gives an opportunity for those in the New South Wales community with Serbian background to celebrate significant milestones in the history of Serbia.

The day commemorates two significant moments in the history of Serbia. The first commemorates the commencement of the Serbian people's fight for independence on 16 February 1804, more than 208 years ago. It was the day when the Serbian people in a village named Orasac started the first of the Serbian uprisings against the ruling Ottoman Empire, which had suppressed the Serbian people following the Ottoman's success in the Austro-Turkish war between 1787 and 1791. The uprising lasted until 1813 and the end of the Russo-Turkish War of 1806 to 1812. After this war, the Ottoman Empire was able to shift resources to Serbia and overcame the

Serbian people. However, the Serbs undertook a second uprising, starting in 1815, when Serbian leader Milos Obrenovic declared war on the Ottoman Empire. This second uprising was a successful campaign, which came to an end in 1817 when a treaty was signed with the Ottomans and the principality of Serbia was declared.

The second event commemorated on Serbian national day is the signing of the first constitution for the principality of Serbia, which occurred on 15 February 1835. The signing of the constitution was when Serbia transformed from an Ottoman province to an independent parliamentary principality. Serbia was only the second nation that abolished feudalism after France, and the constitution also paved the way for parliamentary democracy to be introduced. These were still radical ideas in Europe at the time that that occurred.

Serbia was not formally recognised as an independent democracy until the Treaty of Berlin in 1878. However, the country has operated informally as an independent State since the constitution was signed, and continued to fight for formal recognition of independence until 1878. This is why the National Day of Serbia commemorates both these events—the first Serbian uprising and the signing of its constitution. It was these events that bookended the struggle that Serbia undertook in order to find independence and freedom. Since 1985 the Serbian nation has developed into a nation of more than seven million people, with an \$86 billion economy. Like Australia, indeed like New South Wales, the services sector accounts for the largest portion of its workforce, with approximately 50 per cent of workers employed in that sector. But Serbia, as we know, has continued to face struggles.

Tensions between the Serbs, the Croats and the Bosnians, which previously resulted in the war in the former Yugoslavia between 1991 and 1999, still exist. Australia, and indeed New South Wales, was willing to help and instituted a humanitarian immigration program for refugees who were impacted by the war. From 1992 to 1995 more than 23,000 Serbian refugees settled in Australia by way of the program. In New South Wales 33,000 Serbian refugees were settled, with 74 per cent of them born in Bosnia or Croatia. Those Serbs who settled in Australia during this period joined thousands who had made their way to Australia following World War II. Indeed, my parents-in-law were amongst the latter, escaping in the 1950s from the oppressive Tito regime to build their lives happily and safely in New South Wales.

The Serbian population has contributed to the development of New South Wales whilst maintaining its traditional links to Europe. In New South Wales, for instance, the Serbian community has two newspapers and Serbian radio programs on SBS. The community has become well established, respected and integrated. Indeed, my father-in-law was a beneficiary of the welcoming arms that New South Wales extended to immigrants. He received a scholarship to study architecture at the University of Sydney, after which he established a successful architectural practice that supported his family. The Parliament and the community are proud to share this important day and celebrate those who travelled from all around the world to make Australia their home. On behalf of the New South Wales Government, the Minister and the Premier, I extend to the Serbian community in New South Wales a successful future, as we join with its members to celebrate their independence and freedom.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.40 p.m. until
Tuesday 21 February 2012 at 12 noon.**
