

# LEGISLATIVE ASSEMBLY

Thursday 8 March 2012

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

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

## **CRIMES AMENDMENT (CONSORTING AND ORGANISED CRIME) BILL 2012**

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

## **MENTAL HEALTH COMMISSION BILL 2011**

**Message received from the Legislative Council returning the bill with amendments.**

**Consideration set down as an order of the day for a future day.**

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

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

## **COMPENSATION TO RELATIVES LEGISLATION AMENDMENT (DUST DISEASES) BILL 2012**

### **Agreement in Principle**

**Debate resumed from 16 February 2012.**

**Mr GREG SMITH** (Epping—Attorney General, and Minister for Justice) [10.07 a.m.]: I represent the Government on the Compensation to Relatives Legislation Amendment (Dust Diseases) Bill 2012. The bill purports to implement recommendations contained in the recent report of the New South Wales Law Reform Commission entitled "Compensation to Relatives". In particular, the bill seeks to alter the basis for determining damages in dust diseases cases. The primary way in which it does this is by overturning the so-called Strikwerda principle. Although named after a recent case, the Strikwerda principle reflects a longstanding common law rule. The principle requires that in assessing the amount of damages payable to a relative of a deceased person a court should deduct any damages that the relative has already received as a beneficiary under the deceased's will where the estate previously received damages in an estate action.

The Opposition got one thing right when it said that the Law Reform Commission recommends overturning the Strikwerda principle in relation to dust disease matters. However, it seems that the Opposition either has not read or has ignored the rest of the commission's report. The Law Reform Commission expressly states that the recommendation to abolish the Strikwerda principle should not be adopted without first obtaining an actuarial assessment as to the likely effect that such reform would have on damages claims and the overall liabilities of dust diseases defendants and their insurers and legal advice regarding any consequences for the amended and restated final funding agreement with James Hardie.

The Opposition has fallen over itself in a rush to get this bill before the House. It wants to appear to be championing the rights of dust diseases victims. However, the Opposition has done those victims no favours by bringing this bill on for debate. By failing to respond properly to all aspects of the Law Reform Commission's report the Opposition is creating greater uncertainty for those victims. Did the Opposition undertake any proper cost-benefit assessment before rushing this bill into the House? Did it undertake the actuarial assessment recommended by the Law Reform Commission? No, of course it did not. More importantly, did the Opposition get any legal advice as to whether the reforms in the bill are compatible with the James Hardie Funding Agreement?

Members will be aware that it is through that funding agreement that James Hardie provides for the long-term funding of future Australian asbestos-related personal injury claims against former James Hardie group companies. The Government supports the James Hardie Funding Agreement and notes that the associated legislation was passed by this House with bipartisan support. Under the funding agreement, the New South Wales Government has given a contractual promise not to undertake certain adverse legislative action. In particular, it has agreed that it will not legislate to alter the common law basis for determining damages in dust diseases cases. The Opposition cannot pretend to be ignorant of these terms, because the agreement was signed while Labor was in Government.

Further, the Law Reform Commission referred specifically to these provisions in its report. But did the Opposition obtain any legal advice to confirm whether this bill would breach that term of the agreement? Of course it did not. The Opposition seems to be willing potentially to put at risk the James Hardie Funding Agreement—an agreement which Labor signed and which asbestos victims rely upon to ensure continued access to compensation. It is willing to introduce a bill into this House without any assessment whatsoever as to its financial impact. Let me make this clear: the Government supports asbestos victims.

The Government are committed to ensuring that they continue to receive the compensation they deserve. It is for that reason that we cannot support the bill at this time. The bill is premature and opportunistic. The Government is in the process of obtaining the legal and actuarial advice that the Law Reform Commission recommended. Once we have that we will be in a position to respond properly to the commission's recommended legislative amendments. In coming months the Government will prepare and table a response to the report of the Law Reform Commission, based on a proper legal and actuarial assessment. The Government opposes the bill. It will not look after the bushranger tactics of the shadow Attorney General.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I warn members that I will not tolerate disruptive behaviour.

**Ms SONIA HORNER** (Wallsend) [10.12 a.m.]: I am pleased to support the Compensation to Relatives Legislation Amendment (Dust Diseases) Bill 2012 introduced by my comrade and colleague the shadow Attorney General and member for Liverpool. He is a learned person and he has done a great deal of research into this very fine bill. The purpose of the bill is to provide fairer compensation to asbestos victims and to ensure that the relatives of victims who die before their case is finalised receive part of the compensation the victim would have been awarded. The benefits for relatives of asbestos victims bill implements the Law Reform Commission's recommendation to provide fairer compensation to asbestos victims and their families. The bill seeks to abolish the Strikwerda case principle in dust diseases cases and will allow the families of asbestos victims who die before their case is finished to receive part of the compensation the victim would have received.

The bill will also allow the families of asbestos victims to commence a case for these damages up to 12 months after the death of their relative. We know that mesothelioma sufferers can often succumb to the disease shortly after diagnosis. The bill will ensure that families of these victims are able to receive part of their compensation should they pass away before their case is finalised. My colleagues and I are supportive of this bill because many of us have relatives or friends who have worked in environments in which they are susceptible to mesothelioma. Often many of our family members died and we did not even know they had the disease. Similar to the environment in which my comrade the member for Wollongong grew up, I grew up in Newcastle, where everybody worked at BHP or in the mines.

We are working-class people: no-one in my family had an education, except me. That is where people got jobs and it is where people got sick and often died. I am keen to support this bill because the disease has affected people I know, but no records about them have been kept. This bill is important because it is the families of working-class people who suffer because their partners die suddenly and they receive no compensation for it. These people are bringing up their families alone, unsupported and without finance. The bill strikes at the heart of what the Labor Party is about: ensuring that we look after not only those who suffered but also their families. That is our philosophy, and I hope that we continue to support that philosophy.

I will give a brief overview of the bill. In 1998 the then State Labor Government amended the law to allow relatives of deceased victims of exposure to asbestos to continue to prosecute claims commenced by victims for non-economic loss. This was not normally allowed in relatives' claims and the law provided that such claims ceased with the death of the victim. The change was justified on the sensible basis that mesothelioma often involved such a short time between symptoms and diagnosis on one hand and death on the

other that in practical terms such claims, if commenced, were unable to be completed. Again, sadly, my colleagues can provide many examples of this. The intent of the change to the law was subverted by the application of what is known as the Strikwerda principle, a common law ruling adopted by the High Court.

The principle means that any relatives who receive the benefit of any non-economic loss claim would have that deducted from the economic loss claim that they would normally be entitled to pursue. As well as subverting the 1998 legislation, this could give inconsistent results, depending on the precise terms of the deceased's will. A New South Wales Law Reform Commission report tabled on 9 November 2011 recommended the abolition of the principle and to enable claims to be commenced by relatives for up to 12 months after the death of the victim. The cost is estimated to be comparatively limited. In response to a question without notice on 10 November last year the Attorney General merely said that the Government was thinking about its response. In the previous Parliament The Greens moved a private member's bill to abolish the principle but this lapsed with the referral of the issue to the Law Reform Commission by the previous Government.

There are also recommendations concerning two subsidiary issues involving amendments to the Civil Liability Act, recommendation 2.2, and the Dust Diseases Tribunal Act 1989, recommendation 3.2. There is a lot more to the legislation and I am sure the shadow Attorney General will outline that for us. In conclusion, when I heard about the bill being introduced by my colleague the shadow Attorney General I was concerned to ensure that I took part in this debate because asbestos has affected many people I know in the Hunter. The shadow Attorney General and I believe that the Law Reform Commission has already made it clear that this proposal would not be unreasonably expensive and that there is no reason for the O'Farrell Government to oppose this bill. These are good, sensible changes to provide certainty to asbestos victims and their families.

**Mr STUART AYRES** (Penrith) [10.19 a.m.]: I will make a brief contribution to debate on the Compensation to Relatives Legislation Amendment (Dust Diseases) Bill 2012. I first became aware of the Strikwerda principle when a constituent of mine, Catherine O'Farrell, raised the issue with me in relation to the death of her husband, Robert Wallin. He was diagnosed with mesothelioma on 26 May and died about three months later. That is typical of this disease and it is the reason we are debating this bill. The speed with which this disease attacks people can be so aggressive that they are often not able to get legal proceedings underway before the person dies. That has led to an anomaly in the law that allows the amount of compensation flowing to the family and relatives to be compromised.

This is not a class issue. It does not matter what family one comes from, how much one's parents earn or what job one has done: dust disease is a silent killer and can attack a person without forewarning. It can destroy families very quickly and it is probably more aggressive than any other disease. Whether one is a Banton or a Signorelli, dust diseases go across all classes. There is little doubt that we need to address this issue but it is a question of timing. That is particularly difficult for families that are affected by this disease to understand because timing is often everything. However, the Law Reform Commission report indicates there are some matters we need to consider before making this fundamental change. It is worth noting that when the previous Government referred the matter to the commission the press release issued by John Hatzistergos contained these comments:

... if this amendment is recommended by the Commission, advise as to whether other legislative changes should be made or further economic modelling undertaken if it appears that, on a global basis, liabilities may materially be affected;

in considering any amendment, have regard also to the equity implications, including in terms of fairness as between defendants and claimants and as between different categories of claimants; and

to consider any related matters that the Commission thinks appropriate.

It states very clearly on page 48 of the report of the Law Reform Commission in its conclusions that on balance it has "reached a view that the Strikwerda principle can operate in a way that is potentially unfair". I do not think that is up for debate here and the Law Reform Commission has made that very clear. However, the situation is different in New South Wales compared with that in other States where the Strikwerda principle has been overturned, such as Victoria, South Australia and Western Australia, because this Government has an agreement with the James Hardie Fund. It would be catastrophic for families that have suffered this disastrous contact with mesothelioma if we tried to help a small group of people that have become lost in a legal anomaly only to disadvantage many more people through compromising the legal framework of the James Hardie Fund.

That is essentially why the Government opposes this bill. The Government does not oppose the concept of improving the law and improving the opportunity for families to be compensated; however, we need to take

prudent action. "Prudent" is the key word: that is the recommendation of the Law Reform Commission. It suggests that the Government take prudent action to consider all the implications if we were to make this change. Anyone who has to face a person who suffers this disease wants to ensure that every dollar goes to his or her family. There is little debate about that. I know from the contacts I have had with Catherine O'Farrell and her family that that message has come through very clearly to me. We cannot compromise the opportunities for families that do not fall under the Strikwerda principle.

I implore the Opposition to consider the reasons the Government is opposing this bill. We must protect everyone who is impacted by this disease. If the Law Reform Commission gives us a way to do that I am sure the Attorney General will construct legislation to overturn the Strikwerda principle to support people such as Catherine O'Farrell and others who have suffered as victims of mesothelioma. Until that happens it is just not prudent for the Government to make that decision. I support the position outlined by the Attorney General and oppose the legislation until we are able to ensure that, in a colloquial sense, we are not cutting off our noses to spite our faces.

**Mr RYAN PARK** (Keira) [10.24 a.m.]: I find it incredibly frustrating that for some reason the Compensation to Relatives Legislation Amendment (Dust Diseases) Bill 2012—a bill that my good friend the shadow Attorney General has prepared, researched and grounded in evidence—will not receive bipartisan support from this Chamber. This Government has to realise that it is not the font of all knowledge; it does not come up with every great idea. The past 12 months show that this Government has had very few great ideas. It is not its privilege alone to bring forward sound policy and legislative changes. In fact, one of the key roles of an Opposition is to challenge the Government and to ensure that issues members of the community raise and about which they are concerned are brought to this place and debated.

The shadow Attorney General has worked tirelessly over many years on behalf of victims to make sure that they get adequate compensation. A Labor Government led the action against James Hardie and brought some form—I emphasise the words "some form"—of compensation to the victims. Yet again today a Labor Opposition is standing up for Labor values that are community values to make sure that when people are the victims of this insidious, destructive and awful disease their families are not left high and dry simply because this disease takes people so quickly after diagnosis.

This is not about actuaries; this is not about reviews. The Government has a thousand and one reviews going on: it does not even know how many reviews are underway. It has spent its first 12 months in office with the largest majority since Adam was a boy and it has done nothing other than conduct reviews. This is not about reviews; this is about taking action. This Parliament is the place where we are given the privilege on behalf of our community to act, not to send our decision-making out to some review or some actuary to consider in a budgetary setting and say, "Geez, it might cost you a penny or two." It might cost a penny or two: there might be some minor costs in this.

**Mr Stuart Ayres:** It might cost the families.

**Mr RYAN PARK:** No, it will not cost the families. That is absolute rubbish. This is about members opposite trying to delay a sound policy and legislative proposal by the shadow Attorney General. This is a sound bill. It is grounded in evidence and common sense and it is grounded in the recommendations made by the Law Reform Commission. It is not something that we need to contract out and delay. I understand the Government has had the commission's response since November. Why in hell it has taken the Government this long to make a decision about whether or not it will respond is beyond me. It is now March and I suppose the Government will spend another six months waiting and contracting out and getting another review. Then we will have a review of a review and after that the Government will decide to review the review process. That is what this Government does. The members of this Government are very good reviewers—fantastic reviewers.

Members opposite should remember that they were elected in March last year and for the first three or four months they came into this Chamber and talked about how big their majority was and how many votes they won in this seat or that seat, which is fine, but they should do something about it. It is time the Government stopped the reviews, put a halt to them, and took some action. We are over reviews. The Government won seats throughout the State with unheard-of majorities. Well done. Some Government members were shocked that they won a seat. They are the winners, but now, 12 months on, it is time for them to take action. Government is not about review; it is about doing things.

When an experienced parliamentarian such as the member for Liverpool and shadow Attorney General brings forward sound legislation and policy that will make a difference to the lives of people who have lost

loved ones as a result of their having worked in an unregulated industry and not knowing the dangers the Government should not conduct more reviews. Government members should listen to their community and follow their heart and stop parroting the words prepared by members of the Attorney General's staff—words that are heavily grounded in Treasury-speak and every caveat known to man about the risks of asbestos exposure.

Government members won the election and they are the decision-makers. But when a good proposal is put forward by the Opposition they should support it. This week the Opposition supported legislation in relation to change of name applications by serious criminals. We did not walk away from it; we encouraged it because we considered it was good legislation. Government members should not make it a habit of listening to a few members of the Attorney General's staff and his department who are in cahoots with Treasury. We all know how it works. Treasury has graphs of expenditure and costs which they pull out and show to new governments. They point to the exposure and say that the triple-A credit rating may be threatened.

**Mr Stuart Ayres:** Point of order: My point of order is relevance. A significant amount of latitude has been given to the member for Keira. The triple-A credit rating has absolutely nothing to do with this bill.

**Mr RYAN PARK:** It is your reason for not supporting it.

**Mr Stuart Ayres:** No, it is not. The reason for not supporting it is because it compromises, or has the potential to compromise, the James Hardie fund. You are better than this.

**ACTING-SPEAKER (Ms Sonia Hornery):** Order! The member for Keira will direct his comments through the Chair and return to the leave of the debate.

**Mr RYAN PARK:** It is quite obvious that Opposition members are better than Government members. I wholeheartedly thank the member for Penrith for his support. I have listened to the member for Penrith, who has been in contact with a person who had this insidious disease, and I think he understands. I think that deep down the member for Penrith understands this is a stuff-up by the Attorney General. I think deep down he would love to leave behind the bureau-speak, not strictly follow the lines given to him by the Attorney General's office and speak about how he really feels. The member for Penrith realises that the shadow Attorney General has initiated sound legislation and policy. I encourage all members of the House to support this legislation, but not following another review.

Government members were not elected to continually conduct reviews. They were elected to make decisions—that is what parliamentarians do. We do not contract out our role to faceless people who do not understand community concerns. The Government has to make a determination. This is the place where the Government makes decisions. This is where the rubber hits the road. In their first three months in office Government members told us how great they were and spoke about the fantastic number of seats they won. It is time for them to support good legislation and policy when they are brought forward.

*[Interruption]*

The member for Baulkham Hills can just go to sleep. Government members should stick up for families who are doing it tough following the loss of loved ones very soon after diagnosis. This legislation will ensure that those families receive the compensation they need. I support the shadow Attorney General in bringing forward this legislation.

**Dr ANDREW McDONALD (Macquarie Fields) [10.35 a.m.]:** I support the Compensation to Relatives Legislation Amendment (Dust Diseases) Bill 2012. I cannot believe that Government members would not support a bill that will help those who suffer from asbestosis and mesothelioma. All members of the House need to be aware that in relation to asbestosis and mesothelioma we are currently in the calm before the storm. We are in the latent period, as the symptoms of asbestosis and mesothelioma develop 20 to 30 years after exposure to asbestos. You ain't seen nothing yet. The burden of disease of both these diseases is expected to increase dramatically over the next 10 years as those who have been exposed will develop symptoms.

The bill proposes to provide fair and just compensation for the relatives of victims of asbestos and to provide justice to those who are affected. It seeks to follow through the recommendation of the New South Wales Law Reform Commission report to strike down the Strikwerda word of principle and allow the 1998 amendments to the law to take effect. All members of the House need to have an understanding of the evils of asbestosis and mesothelioma. I will go into some detail about the medical issues because, while many of us do know people who are affected, asbestos victims are relatively rare.

Asbestosis is due to a lung condition called pneumoconiosis. Pneumoconiosis is a slow process of destruction of the air sacks or alveoli of the lungs. The air sacks are slowly destroyed and replaced by fibrous tissues. Pneumoconiosis is caused by the inhalation of asbestos fibres. It is a very slowly progressive disease. It causes a slowly progressive, diffuse replacement of the lungs by fibrous tissue. The lungs become less elastic and, literally, one slowly chokes to death. I urge all members to refer to the shadow Attorney General's contribution, especially his reference to the words of Eileen Sylvia Strikwerda, whose husband, Hans Jurgen Strikwerda, died. As quoted by the shadow Attorney General, Mrs Strikwerda said:

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 59 years old and I was nearly 53 years old when he died!

A greater tragedy than the death of Hans Strikwerda is that there are more like him who will die in similar circumstances during the next 15 years. That is why this bill is so important. The spectrum of lung diseases caused by asbestos is threefold: asbestosis, pleural condition causing focal and diffuse benign pleural plaques, and malignancies. There are two types of malignancies: small cell cancer of the lung and malignant mesothelioma. Since 1945, 7,000 Australians have died as a result of mesothelioma. That figure will rise to 18,000 by 2020. It has been argued that by 2020 other asbestos-related cancer deaths may reach 30,000 to 40,000. As I said earlier, this is the calm before the storm.

Exposure to asbestos results from mining and milling of the fibres and from using industrial applications of asbestos in the workplace, such as work with textiles, cement, friction materials, insulation and shipbuilding. There is also non-occupational exposure to airborne asbestos, such as from soiled work clothes brought home by an asbestos worker, renovation or demolition of asbestos-containing buildings and environmental exposure near industrial sources. Most patients who develop asbestosis are asymptomatic for at least 20 to 30 years after the initial exposure. The majority of people in New South Wales who have asbestosis do not yet know it. The latency period between exposure and symptoms is inversely proportional to the amount of asbestos exposure.

By contrast, pleural disease, such as pleural effusions, can occur within 14 years of first exposure to asbestos. However, the onset of those symptoms ranges from less than one year to up to 50 years after exposure. The early symptom of asbestosis is usually the very slow onset of breathlessness on exertion. That breathlessness progresses inextricably, even in the absence of further asbestos exposure. The fact that we are now less exposed to asbestos does not protect those who are already affected and who do not yet know it. There is no specific treatment for asbestosis. Once it is established it is a death sentence. We can simply encourage people who have it to stop smoking, to avoid further exposure, to vaccinate against pneumococcal disease and influenza and provide extra oxygen.

Asbestosis progresses to respiratory failure and lung cancer. Interestingly, the risk of lung cancer is greatly magnified by exposure to tobacco. Unusually in health, it is not additive; it multiplies. If a person is exposed to asbestos but does not smoke, there is a six-fold risk of malignancy. A smoker who has had no exposure to asbestos has an 11-fold increase in risk. However, a smoker who is exposed to asbestos has a 59-fold increase in risk—not 11 plus six, but 11 multiplied by six. Asbestos workers who smoked have a 59-fold risk of developing a lung malignancy. Other malignancies can occur in the larynx, the oesophagus and biliary system.

Asbestosis is also the only known risk factor for malignant mesothelioma, which is an insidious cancer with a dismal prognosis. I will provide details about the painful death caused by mesothelioma because all members should know what is involved. It is an inexorable local invasion. White fibrous tissue rapidly grows and expands to take over the lung cavity. Patients develop shortness of breath and chest pain and the tumour obliterates the pleural space and replaces any lung tissue. That causes blood without oxygen to be shunted through the lung, which is encased by this fibrous coating. That is not alleviated by providing extra oxygen. It leads to breathlessness, low oxygen take-up, weakness and a rapid, painful and inevitable death.

The median survival of patients with mesothelioma is between six months and 18 months. There is nothing we can do to increase that survival rate, and that is why this bill is so important. The rapidity of death from mesothelioma makes it unique among cancers. We have made no progress in treating mesothelioma and

asbestosis. The majority of people in New South Wales who are at risk and who do not yet know it will inevitably develop symptoms. As one epidemiologist said, "This is baked in the cake". These people are in our community, they will need the New South Wales Government's help and the New South Wales Law Reform Commission has recommended these changes.

I have provided detailed information about asbestosis and all members must know about this so that when they vote they know what they are voting about. If they oppose this legislation they will be opposing just and fair compensation for an existing condition. Their constituents are already affected by asbestosis and mesothelioma, which are cruel diseases. More deaths are inevitable and more families will be affected, and they need the certainty that this bill provides. That is why these changes were recommended by the Law Reform Commission. That is why this Government has no alternative but to implement these changes, even if it opposes this bill. These changes are inevitable and they are just and fair. That is why I support this bill.

**Mr PAUL LYNCH** (Liverpool) [10.47 a.m.], in reply: I acknowledge the contribution of the Attorney General and thank the members for the electorates of Wallsend, Penrith, Keira and Macquarie Fields for their contributions to the debate. The purpose of this bill is to provide fair and just compensation to the relatives of victims of asbestos. To reject this bill, as the Government has indicated it will, is to reject fair and just compensation for the relatives of victims of asbestos. That was particularly underlined by the Attorney General's amateurish, childish and histrionic performance this morning. He demonstrated a number of things, including his complete lack of understanding of this area of the law. He was clearly institutionalised in public prosecution for so long that he does not understand it.

What is worse is that the Attorney has absolutely no empathy; he has a complete lack of humanity about the dependents and surviving family of victims of asbestos. There is a moral void in his being that he cannot feel the sympathy that, frankly, most normal human beings would feel. The member for Penrith will vote against this bill, and I will deal with his contribution later. At least he demonstrated some sympathy, while the Attorney had none. The Attorney does not get it. He has been a prosecutor for far too long and he does not understand this part of the law. His complete lack of humanity is a very sad reflection on him, as was his childish aggression.

Of course, the substance of what he does is to privilege financial and corporate interests against those of ordinary people and ordinary families. The member for Penrith said that it is not a class issue: asbestosis and mesothelioma can affect anyone of any class. However, the overwhelming majority of people who have been exposed to asbestos have been ordinary workers, and the Attorney General and his supporters are clearly ignoring their interests. As I said, there was an extraordinary lack of sympathy in the position he put. His support for the rich and powerful against the ordinary people was clearly on display. In response to the specific points the Attorney raised, I suggest that he read the Law Reform Commission report. It is clear that he has not: if he had he would not have carried on the way he did. Recommendation 2.1 states:

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).

Recommendation 3.1 states:

Section 12D 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.

All of the calisthenics, rhetoric, carrying on and childishness of the Attorney General cannot get away from those fundamental recommendations. They are mentioned in the report in a number of places. Even if he had read the executive summary he might have seen the recommendations. However, it would appear that he did not even go that far. Whether or not the Attorney General likes it, legislation such as this has been enacted in three other States without any of the consequences that he referred to. In addition, the number of cases that will be affected is very small. It is a matter of justice rather than a plethora of cases. That is clear in the Law

Reform Commission report, but the Attorney obviously did not bother to read it. It is also clear in the submission from the Bar Association. If he had bothered to do any research he would know that that submission is on the public record. It is also the overwhelming view of every practitioner in the field. As to getting legal advice, I suggest that the Attorney General talk to someone who practises in this field. I do not think he has met a personal injury lawyer in his life. His contribution certainly suggests that he has not. When he talks to those who practise in the area, they will tell him that the number of cases involved is, in fact, very small. The Attorney General is denying justice, humanity and sympathy to the people involved in that small number of cases.

As to whether this legislation should proceed, let us bear in mind that it is fixing up an unintended consequence flowing from an amendment in 1998. It does not relate to some dramatically new head of damage; it is simply fixing up a small loophole for a small number of cases. To be greeted with the response that we have seen today is absolutely extraordinary. If there were substance to the Attorney General's position one might think that a somewhat different course of action would be taken. If the argument put by the Attorney General today was one in which he believed and was a cogent argument we would not have heard that argument today; we would have heard an announcement about the Government's position well before now. In fact, I note that the Attorney General did not say that any of the studies had been commenced.

The Government received the report in November and five months later people are still dying and relatives are still going without compensation—condemned to poverty and penury. The Government opposes the proposition and still has not commenced any reports. The Government's argument, because of the hypocrisy of its position, has no substance at all. As to the comments of the Attorney General about actuarial studies, he should read the Law Reform Commission's report. If he does he will find at paragraph 2.117 the comment that it is very difficult to do actuarial reports on this area because there are so few cases. The Attorney General can do as many actuarial reports as he likes. I suspect it will make little difference.

The member for Penrith made a couple of points that I should touch on. He said that we have to wait until the Law Reform Commission does further work. That statement is not right. The Law Reform Commission has finished its work and made its recommendations. Any further work that needs to be done must be done by the Government. As I understand from the Attorney-General's submission, no such work has started. The Law Reform Commission does not need to do any further work. The member for Penrith also said that although changes have been made in three other States we cannot take that as a guide as to what will happen with the final funding agreement. I direct the attention of the member for Penrith to paragraph 2.109 of the Law Reform Commission report, which states:

In this respect, it is noted that James Hardie has not made any attempt to renegotiate the FFA, or to secure a readjustment of it, in the light of the changes that have seen the *Strikwerda* principle abolished in three States.

One would have thought that if there were to be any real impact on the final funding agreement that something would have happened by now. Having said that, given the small number of cases that will be involved—as is clear from the Law Reform Commission report—one would have thought that it is extremely unlikely. That is why the Law Reform Commission has made recommendations in the way that it has. This bill is about fair and just compensation for the victims of asbestos and their relatives. The failure of the Government to support this bill means that it is not prepared to provide fair and just compensation. That is a tragedy for the families involved. Frankly, the behaviour of the Government is obscene. I commend the bill to the House.

**Question—That this bill be now agreed to in principle—put.**

**The House divided.**

**Ayes, 19**

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

**Noes, 57**

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

**Question resolved in the negative.**

**Motion negatived.**

**Bill not agreed to in principle.**

### COMMUNITY RECOGNITION NOTICES

**Question—That the following motions given by the members as indicated pursuant to notice be formally agreed to—proposed.**

#### FAIRFIELD CITIZEN OF THE YEAR JAN COLLIE

**Mr NICK LALICH**—That this House notes the achievement and contribution to the community of Ms Jan Collie, former CEO of Cabramatta Community Centre, who was awarded Citizen of the Year at the Fairfield City Council Australia Day Community Awards.

#### FAIRFIELD YOUNG CITIZEN OF THE YEAR ADRIAN WONG

**Mr NICK LALICH**—That this House notes the achievement and contribution to the community of Mr Adrian Wong who was awarded Young Citizen of the Year at the recent Fairfield City Council Australia Day Community Awards.

#### FAIRFIELD SPORTS ACHIEVER OF THE YEAR HAYDEN MATHEWS

**Mr NICK LALICH**—That this House notes the achievement and contribution to the community of Mr Hayden Mathews who was awarded Sports Achiever of the Year at the Fairfield City Council Australia Day Community Awards.

#### PEOPLE OF AUSTRALIA AMBASSADOR DR TIEN MANH NGUYEN

**Mr NICK LALICH**—That this House notes:

- (1) That Dr Tien Manh Nguyen has been named a People of Australia ambassador, continuing his hard work and commitment to the community.
- (2) That Dr Nguyen is a former national President of the Vietnamese Community in Australia.

#### GOLD TRAIL

**Ms KATRINA HODGKINSON**—That the House:

- (1) Notes that the Gold Trail tourism touring route commenced in Harden and Young in 2009 and has expanded to include the Yass Valley, Boorowa, Upper Lachlan, Harden, Weddin and Young shires.
- (2) Congratulates the Regional Gold Trail Committee for their hard work and dedication in furthering this important regional tourism attraction.

**MACARTHUR SWIMATHON FOR CYSTIC FIBROSIS**

**Mr JAI ROWELL**—That this House:

- (1) Commends the generosity of the Macarthur community in raising \$85,000 at the Macarthur Swimathon for Cystic Fibrosis.
- (2) Acknowledges the effort of the organisers and the support of the community that made the event a success.

**GREATER WESTERN SYDNEY GIANTS ACADEMY SQUAD**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates Taran Etto and Ben Wharton on being named in the Greater Western Sydney Giants Academy Squad for 2012.
- (2) Recognises the hard work and dedication the boys have shown to achieve this selection.

**AUSTRALIAN LINE DANCE CHAMPIONSHIPS AND ELISE SPINKS**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates dancer Elise Spinks, of Theresa Park, on winning the championship buckle at the 20th Annual Australian Line Dance Championships at the Tamworth Country Music Festival.
- (2) Acknowledges the hard work and dedication of Elise and her partner Madison Glover to fit in training between their studies.
- (3) Notes that they won seven golds, three silvers and one bronze medal at the Championships.

**NATIONAL YEAR OF READING AND WESTS TIGERS**

**Mr JAI ROWELL**—That this House:

- (1) Commends West Tigers Players Benji Marshall, Adam Blair and Chris Lawrence for visiting local schools to promote leadership, rugby league and the National Year of Reading.
- (2) Notes that the players have visited 33 schools, totalling more than 25,000 students, across the Macarthur, Liverpool and Southern Highlands regions.

**SOUL CAFE**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates Wallsend Baptist Church Soul Cafe for their ongoing service to the community.
- (2) Notes that the Soul Cafe has been operating in Wallsend for 6 months.
- (3) Wishes Pastor Phil Skinner and his team of volunteers the best for their continued success.

**JESMOND NEIGHBOURHOOD CENTRE AND DIANNE CARR**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates and thanks Dianne Carr for her contribution and commitment to Jesmond Neighbourhood Centre and the local community over the past 23 years.
- (2) Acknowledges Dianne's recent retirement and wishes her all the best in the future.

**WALLSEND TOWN BUSINESS ASSOCIATION STREET PLANTERS**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates the Wallsend Town Business Association on its green initiative to install 40 street planters in the Wallsend central business district.
- (2) Encourages local businesses to sponsor a street planter and improve the environment.

**KIAMA AUSTRALIA DAY AWARDS**

**Mr GARETH WARD**—That this House:

- (1) Congratulates the following Kiama Municipal Council 2012 Australia Day Award recipients:
  - (a) Myrtle Hartenstein, Citizen of the Year;
  - (b) Kimberley Abbott, Young Citizen of the Year;
  - (c) Patrick Sutton, Community Achievement Award;

- (d) Dennis Koks, Community Arts Award;
  - (e) Gary Louie, Scholastic Achievement Award;
  - (f) Sophie Clift, Youth Achievement Award;
  - (g) John Unwin, Services to the Aged Award; and
  - (h) Tully Robinson and the Werri Beach Boardriders, Sports Award.
- (2) Acknowledges the efforts and contribution to the Kiama community of these individuals.
  - (3) Thanks them for their continued work for the Kiama community.

#### **SHOALHAVEN AUSTRALIA DAY AWARDS**

**Mr GARETH WARD**—That this House:

- (1) Congratulates the following Shoalhaven Municipal Council 2012 Australia Day Award recipients:
  - (a) Mrs Shirley Coleman, Citizen of the Year;
  - (b) Miss Samantha Howcroft, Young Citizen of the Year;
  - (c) Miss Sarah Boddington, Sports Award;
  - (d) Mr William Miller, Highly Commended Sports Award; and
  - (e) Miss Kaitlyn Bryce, Junior Sports Award.
- (2) Acknowledges the efforts and contribution to the Shoalhaven community of these individuals.
- (3) Thanks them for the work they continue to do for the Shoalhaven community.

#### **WINGECARRIBEE AUSTRALIA DAY AWARDS**

**Mr GARETH WARD**—That this House:

- (1) Congratulates the following Wingecarribee Shire Council 2012 Australia Day Award recipients:
  - (a) Jennifer Bowe, Citizen of the Year; and
  - (b) Brittany McCrea, Young Citizen of the Year
- (2) Acknowledges the efforts and contribution to the Wingecarribee Shire community of these individuals.
- (3) Thanks them for the work they continue to do for the Wingecarribee Shire community.

#### **SHELLHARBOUR AUSTRALIA DAY AWARDS**

**Mr GARETH WARD**—That this House:

- (1) Congratulates the following Shellharbour City Council 2012 Australia Day Award recipients:
  - (a) Mr Keith Wilson, Citizen of the Year; and
  - (b) Miss Heather Devine, Young Citizen of the Year.
- (2) Acknowledges the efforts and contribution to the Shellharbour community of these individuals.
- (3) Thanks Mr Wilson and Miss Devine for the work they continue to do for the Shellharbour community.

#### **MRS CHRISTINE DRINKWATER**

**Mr GARETH WARD**—That this House:

- (1) Congratulates Mrs Christine Drinkwater, of North Nowra, on her commitment to public education since 1971.
- (2) Notes that Mrs Drinkwater was a teacher at Nowra East Public School.
- (3) Acknowledges Mrs Drinkwater's passion for teaching and dedication to provide a quality education to every student she taught.

**ILLAWARRA LIGHT RAIL MUSEUM SOCIETY AND MR BRIAN HOLMES AND MR TONY MADDEN**

**Mr GARETH WARD**—That this House:

- (1) Congratulates Mr Brian Holmes and Mr Tony Madden on their 40 years of service to the Illawarra Light Rail Museum Society.
- (2) Acknowledges the contribution made by Mr Holmes and Mr Madden since 1972.
- (3) Notes that Mr Holmes is a former Chairman, Treasurer, Operations Manager and remains Workshop Manager.
- (4) Notes that Mr Madden is a foundation member who called the first public meeting in 1971, served as the Secretary and is currently the Operations Manager.

**VOLUNTEER ALLISON HAMMETT**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates and thanks Allison Hammett for her volunteer work and commitment to advocating for those in our community with a disability.
- (2) Notes that after suffering a stroke Ms Hammett has assisted other stroke patients through her work on various stroke and brain injury rehabilitation advisory committees, including Hunter and New England Area Health, the Hunter Medical Research Institute and the University of Newcastle.

**PENRITH YOUNG CITIZEN OF THE YEAR NATASHA DUARTE**

**Mrs TANYA DAVIES**—That this House:

- (1) Notes that Natasha Duarte won the Kool Skools competition in 2008, which led to a record contract.
- (2) Congratulates Natasha on winning the 2011 Australian Children's Music Foundation's National Songwriting competition.
- (3) Notes that Natasha was awarded the 2012 Penrith Young Citizen of the Year for her musical talent.
- (4) Thanks Natasha for supporting her community by performing at charity events for bushfire victims and wildlife conservation.

**VICTOR CHANG SCHOOL SCIENCE AWARD AND JOSIAH PAECH**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Josiah Paech, of Penrith Christian School, on being awarded a Victor Chang School Science Award for outstanding achievement in scientific studies in 2011.
- (2) Congratulates Josiah on his physics assignment of a guitar amp made out of cardboard.

**TENNIS ATHLETE OF THE YEAR NICHOLAS FARMER**

**Mrs TANYA DAVIES**—That this House congratulates Nicholas Farmer, of Claremont Meadows, on being awarded the Tennis Athlete of the Year award at the Western Sydney Academy of Sport's awards night.

**ARNDELL EQUESTRIAN CARNIVAL AND APRIL JACKSON**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates 13 year old April Jackson, of Orchard Hills, on winning the Keyhole, Western Polo Bend and Scudahoe categories in the interschool Arndell Equestrian Carnival.
- (2) Congratulates April for being named open sporting champion for years 7 to 9 at Kingswood High School.

**NEW SOUTH WALES CRICKET TEAM AND JOSHUA LALOR**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Penrith first grade cricketer Joshua Lalor, of St Clair, who made his debut for the New South Wales Sheffield Shield cricket team in November 2011.
- (2) Notes that Joshua took 5 wickets in his debut against Western Australia.
- (3) Notes that Joshua was selected for the New South Wales Blues 50 overs Cup side and the Australian Chairman's XI side that played India in December 2011.

**BROWN FAMILY**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates the Brown Family, of St Clair, on their theatrical success.
- (2) Congratulate 10 year old Billie Brown, 3 year old Cadie Brown on their roles in Emu Sports Clubs production of "The Hunchback of Notre Dame".
- (3) Congratulates Billie, Cadie and their 12 year old brother Ricki Brown on their roles in "Alice in Wonderland".
- (4) Recognise the hard work of their mother Cindy Brown who is a backstage assistant for "Alice in Wonderland".

**WESTERN SYDNEY UNEMPLOYED YOUTH MENTORING PROGRAM AND PETER CARNEY**

**Mrs TANYA DAVIES**—That this House:

- (1) Recognises the hard work of Youth Worker Peter Carney, of St Clair, who has designed a mentoring program to help unemployed youth in Western Sydney.
- (2) Congratulates and thanks Peter Carney for helping the young men he mentors to be positive role models for younger children.
- (3) Acknowledges the hard work of all community workers in Western Sydney who collaborate to address social issues in the community.

**UNIVERSITY OF WESTERN SYDNEY SCHOLARSHIP AND RYAN CHAPMAN**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates 17-year-old Ryan Chapman, of Glenmore Park, on being accepted into the University of Western Sydney to study a Bachelor of Business and Commerce.
- (2) Congratulates Ryan on receiving an academic excellence scholarship from the University of Western Sydney and acknowledges the hard work to win the scholarship.
- (3) Notes that Ryan is the first member of his family to be accepted into university.
- (4) Thanks the University of Western Sydney for its financial support of young students.

**BRANDON LEES**

**Mrs TANYA DAVIES**—That this House congratulates 18 year old Brandon Lees, of Glenmore Park, on his selection to star in the play "Let Me In" at the Newtown Theatre Short + Sweet Festival.

**ART4AGRICULTURE**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates students at Caroline Chisholm College on winning the Art4Agriculture 2011 Archibull Prize with their depiction of the beef industry titled "Moobiks Cube".
- (2) Recognises the value of the Art4Agriculture Archibull Prize in providing students with an understanding of the challenges of sustainable farming and a means of connecting communities with the producers of food and fibre.

**NEW SOUTH WALES KICKBOXING CHAMPION SHELLY DOBLE**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Shelly Doble, of Colyton, on becoming the New South Wales kickboxing champion.
- (2) Notes that Shelly has only participated in the sport for less than three years.
- (3) Encourages Shelly to pursue her goal of becoming a professional kickboxer.

**MOCK TRIAL COMPETITION AND CAROLINE CHISHOLM COLLEGE**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Caroline Chisholm College on winning the New South Wales Law Society Western Sydney mock trial competition.
- (2) Acknowledges the hard work of Jane Wilson, Legal Studies teacher, in helping the students to develop their skills.
- (3) Congratulates team members Jessica Preston, Chantelle Rushton, Alex Borg, Carli Heald, Jessica Fenech, Ellen Toan, Emily Southan, Riley Earl and Erin Mifsud.

**NEW SOUTH WALES UNDER 18 WOMEN'S BASKETBALL TEAM AND EMILY POTTS AND RHIANNON HOPE**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Emily Potts and Rhiannon Hope on being selected in the New South Wales Under 18 Women's Basketball team to play at the Australian Junior Championships.
- (2) Extends its best wishes to the team for the Australian Championships in April this year.

**PREMIER'S ANZAC MEMORIAL SCHOLARSHIP AND ABBEY MITCHELL**

**Mrs TANYA DAVIES**—That this House congratulates Abbey Mitchell on being awarded a 2012 Premier's ANZAC Memorial Scholarship, which includes an 18-day trip to commemorative and historical sites in Vietnam and Singapore.

**TROY LENNON**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Troy Lennon, of Glenmore Park, on being selected to play the lead role in the Penrith Musical Comedy Company's production of "Xanadu".
- (2) Notes that Mr Lennon is a member of the famous Lennon Brothers Circus.
- (3) Congratulates Mr Lennon for following his dreams and returning to theatre.

**DISABILITY FUTSAL SQUAD AND CHRIS O'DOWD**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Chris O'Dowd, of Glenmore Park, on his performance in the New South Wales disabled team at the National Futsal Championships in Canberra.
- (2) Thanks NOVA Employment for its sponsorship of Chris to assist him to compete in the championships.
- (3) Congratulates Chris on being selected in the Australian disability futsal squad.

**ORDER OF AUSTRALIA MEDAL RECIPIENTS CATHY CRAIG AND JUNE WOLLARD**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Cathy Craig and June Woolard on being recognised with the Order of Australia Medal for their community work at the Penrith Community Kitchen.
- (2) Recognises the 19 years of volunteer service that Cathy Craig and June Wollard have given to people in need in the Nepean area.

**SYDNEY WEST DANCE SPORT CHAMPIONSHIPS**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates Oxley Park Public School, Banks Public School, Blackwell Public School and St Clair Public School for their outstanding performances in the 2011 Sydney West Dance Sport Championships.
- (2) Congratulates Blackwell Public School junior participants on winning their division and the senior participants on coming second in their division.
- (3) Acknowledges the hard work of Rod Woolard, of Blackwell Primary School, for organising the Sydney West Dance Sport Championships.

**OPERA AUSTRALIA AND HEATHER TOWNSLEY**

**Mrs TANYA DAVIES**—That this House:

- (1) Congratulates nine year old Heather Townsley, of Glenmore Park and a student of the Penrith Conservatorium of Music, on her selection for a role in Opera Australia's production of "Turandot".
- (2) Notes that Heather was one of 20 singers selected through auditions.

**CANTERBURY CHILD AND FAMILY INTERAGENCY**

**Ms LINDA BURNEY**—That this House:

- (1) Congratulate the Canterbury Child and Family Interagency for its initiative in inviting parents and pre-school aged children to attend Playgroup in the Park, on Thursday 16 February at Wiley Park.

- (2) Acknowledge that the aim of the group is to raise awareness of the benefits of playgroups and that play is an important aspect of children's learning and development.
- (3) Notes that the activities and games also provide an opportunity for participants to meet other families and workers from local children's services.

#### **CANTERBURY AQUATIC AND FITNESS CENTRE BEAT IT PROGRAM**

**Ms LINDA BURNEY**—That this House:

- (1) Congratulates the Canterbury Aquatic and Fitness Centre's "Beat It" program to encourage people with diabetes or those coming back to training after an injury or illness, to exercise.
- (2) Notes the ten week program consists of classes, goal setting, education sessions on nutrition, exercise and general health as well as fitness assessments.
- (3) Notes that the program has made a difference to people's lives since 2009.

#### **CANTERBURY COMMUNITY SERVICE AWARD AND MRS AUDREY TOLLHURST**

**Ms LINDA BURNEY**—That this House:

- (1) Congratulates Mrs Audrey Tollhurst on receiving the 2012 Canterbury City Council Community Service Award on Australia Day.
- (2) Notes her commitments include volunteer secretary of the Campsie Uniting Church, chairperson of Earlwood Uniting Preschool, and a volunteer for palliative care at Canterbury Hospital.
- (3) Acknowledges her commitment, dedication and tireless work that greatly benefits the community of Canterbury.

#### **PERSIAN INTERNATIONAL FILM FESTIVAL**

**Ms LINDA BURNEY**—That this House:

- (1) Congratulates Sanaz Fotouhi and Amin Palangi, of Canterbury, the co-directors of the inaugural Persian International Film Festival.
- (2) Acknowledges the aim of the festival is to showcase the rich diversity of film making across Afghanistan, Iran and Tajikistan.
- (3) Notes that the festival is making its debut on 23 February 2012 at Dendy Cinema, Opera Quays.

#### **AUSTRALIAN DIAMONDS NETBALL TEAM**

**Ms LINDA BURNEY**—That this House:

- (1) Congratulates the Australian Netball team, the Diamonds, for achieving the world number one ranking in 2011.
- (2) Congratulates the Diamonds for winning the bronze medal at the World Netball series in 2011.
- (3) Congratulates the Diamonds for winning the Holden Netball Test Series 2011 and retaining the Constellation Cup.

#### **CYSTIC FIBROSIS SWIMATHON AND MADDY HARLEY**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates Maddy Harley who beat Olympic swimmer Geoff Huegill in a 50 metre freestyle race yesterday to raise funds for Cystic Fibrosis New South Wales.
- (2) Notes that the Swimathon raised more than \$85,000 for those living with cystic fibrosis in New South Wales.
- (3) Acknowledges the efforts and support that has been provided to all those living with cystic fibrosis in the community.

#### **WIRRIMBIRRA SANCTUARY**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates Wirrimbirra Sanctuary for its shows exhibiting Australian wildlife for a gold-coin donation.
- (2) Acknowledges the volunteers, workers and supporters of the sanctuary for their continued hard work and support that they provide in the upkeep of the sanctuary.
- (3) Notes that Wirrimbirra Sanctuary is the only place of its kind in the region where the public are able to be close to the native Australian wildlife.

**INTERNATIONAL SPORT AND EMMA SALZKE**

**Mr JAI ROWELL**—That this House:

- (1) Acknowledges the recent study tour undertaken by Emma Salzke, of Glen Alpine, to Vietnam.
- (2) Congratulates her for the work she completed at the University of Physical Education and Sport, Ho Chi Minh City Sport Training Centre.
- (3) Notes her contribution to international sport through promoting AFL and lifestyle skills abroad.

**BILL AND LILA OLSEN SIXTIETH WEDDING ANNIVERSARY**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulate Bill and Lila Olsen, of Forster, on their sixtieth wedding anniversary.
- (2) Notes that Bill is a former builder from Harbord in Sydney and Lila, from Bingara, were married in Inverell on 20 February 1952 and have lived in Foster for the past 18 years.

**QUOTARIAN VOLUNTEER OF THE YEAR CAROLYN ERICKSON**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Carolyn Erickson on being named "Quotarian Volunteer of the Year" by Quota International.
- (2) Notes that Carolyn joined the Quota Club of Taree five years ago and has also worked for the Westpac Rescue Helicopter Service, Meals on Wheels and the Dune Restoration Program.

**NORTH COASTAL ZONE VOLUNTEER OF THE YEAR DAVID BURLEY**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates David Burley on being named North Coastal Zone "Volunteer of the Year" for his outstanding contributions to sport and the community.
- (2) Notes that David is also President of the Mid North Coast Junior Cricket Council, a delegate to the North Coastal Zone, manager of the under 16 team, and a coach of the under 14 Emerging Blues.
- (3) Acknowledges he continues to play cricket and mentors many junior cricketers on ways to improve their skills.

**FORSTER SURF LIFE SAVING CLUB**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Forster Surf Life Saving Club for becoming Lower North Coast Branch Champions 2012.
- (2) Notes that the Forster beat six other surf clubs to win the title and won both the junior and senior-master categories.

**LAWN BOWLS UMPIRE DON MCPHERSON**

**Mr STEPHEN BROMHEAD**—That this House congratulates Don McPherson, a member of the Forster Bowling Club, on 25 years of service as a national umpire in lawn bowls.

**LAWN BOWLS UMPIRE REG WOODS**

**Mr STEPHEN BROMHEAD**—That this House congratulates Reg Woods, a member of the Forster Bowling Club, on 20 years of service as a National Umpire in lawn bowls.

**MANNING RIVER TIMES AND TERRY MCCAFFREY**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Terry McCaffrey on his 40 years of employment with the Manning River Times.
- (2) Notes Terry started as an apprentice hand and machine compositor on 21 February 1972 and is now the production manager.
- (3) Notes Terry is known for his ability to adapt to rapid changes in technology.

**SUTHERLAND STATE EMERGENCY SERVICE**

**Mr LEE EVANS**—That this House congratulates the Sutherland State Emergency Service for the recent hand over of a new vehicle and a rescue boat and for work done in the recent flood emergencies in NSW.

**HEATHCOTE ELECTORATE SURF LIFE SAVING CLUBS**

**Mr LEE EVANS**—That this House recognises the invaluable volunteering done by the surf life saving clubs within the Heathcote electorate.

**BUNDEENA AMBULANCE SERVICE**

**Mr LEE EVANS**—That this House recognises the work done by the Bundeena Ambulance Service officers, often under difficult circumstances.

**ROYAL NATIONAL PARK FACILITIES**

**Mr LEE EVANS**—That this House recognises and congratulates the Royal National Park Management and Staff on the opening of the new Audley Dancehall and Weir Cafe.

**ENGADINE HIGH SCHOOL F1 IN SCHOOLS AUSTRALIA PROJECT**

**Mr LEE EVANS**—That this House:

- (1) Congratulates the Engadine High School Team on their success in making the National Reengineering Australian Foundation F1 Schools Project.
- (2) Looks forward to celebrating further engineering successes in the near future.

**HUNTER CATHOLIC COMMUNITY SERVICES**

**Ms SONIA HORNER**—That this House:

- (1) Notes that welfare organisation, Catholic Community Services, has warned that more than 40 percent of Hunter residents seeking help for impulsive hoarding are at risk of becoming homeless.
- (2) Notes it is the only specialist hoarding and squalor support service in the Hunter.
- (3) Acknowledges its efforts in assisting Hunter residents.

**SENIORS WEEK AND MRS JOSEPHINE MORRIS**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates Mrs Josephine Morris on being nominated for a 2012 New South Wales Seniors Week Achievement Award for Community Service.
- (2) Notes Mrs Morris' significant work with Manyana and District Seniors Association and the local community.
- (3) Notes the significant contribution made by South Coast Seniors to the development of the local community.

**HUSKISSON RSL AMATEUR FISHING CLUB**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates Rod Simpson and the Huskisson RSL on the organisation of the 2012 Huskisson RSL Amateur Fishing Club School.
- (2) Notes the Huskisson RSL Amateur Fishing Club has been running since 2006.
- (3) Notes the program promotes care for the environment and safe water skills while teaching local children the lifetime skill of fishing.

**ILLAWARRA ACADEMY OF SPORT AWARDS**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Notes the 2011 Illawarra Academy of Sport presentation night took place on 17 February 2012.
- (2) Congratulates athletes on successfully graduating from the 2011 Academy Program.
- (3) Congratulates all recipients of the 2011 Illawarra Academy of Sport awards.
- (4) Congratulates the Illawarra Academy of Sport, particularly President Mr Brian Weir, PSM, on their continued successful with local athletes.

**YMCA NEW SOUTH WALES YOUTH PARLIAMENT**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Notes the launch of the 2012 YMCA New South Wales Youth Parliament took place at Parliament House on Tuesday 21 February 2012.
- (2) Notes the YMCA New South Wales Youth Parliament is a program that gives young people a voice in the running of New South Wales.
- (3) Notes the 2012 YMCA New South Wales Youth Parliament is in its eleventh year and received a record intake.
- (4) Congratulates the YMCA New South Wales on its continued sponsorship of the Youth Parliament Program.
- (5) Wishes all participants well in their participation in the YMCA New South Wales Youth Parliament program.

**NORTHERN BEACHES MOBILE DIGITAL X-RAY SERVICE**

**Mr ROB STOKES**—That this House:

- (1) Recognises all those involved in the commencement of the Northern Beaches Mobile Digital X-ray Service.
- (2) Congratulates Pittwater GPs Dr Suzanne Daly and Dr Stephen Ginsborg for their outstanding service to the northern beaches community and their advocacy and design of this innovative service.
- (3) Notes the strong support for this service by the Manly-Warringah Division of General Practice and management of local aged care facilities.
- (4) Commends Northern Beaches Health Service staff including General Manager Frank Bazik, Chief Radiographer Ingrid Egan, Assistant Chief Radiographer Ken Cassar, Dr Andrew Montague, James A-Une, Pete Richardson, Bill Cuong Trinh and Christine Seeto for helping facilitate the introduction and operation of this invaluable service.

**LAYNE BEACHLEY AIM FOR THE STARS FOUNDATION AND MEGHAN RUTLEDGE**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates national motocross champion Meghan Rutledge on being awarded a grant from the Layne Beachley Aim for the Stars Foundation.
- (2) Acknowledges the hard work and dedication of 16-year-old Meghan.
- (3) Notes that Meghan will travel to the United States of America to continue competition and training at an international level.

**BARGO BUNNIES RUGBY LEAGUE FOOTBALL CLUB**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates the Bargo Bunnies rugby league team on its return to the Group 6 competition for rugby league after a four decade absence.
- (2) Acknowledges the dedication of the Coach Todd Borthwick, players, supporters and the community for support of the Bargo team.
- (3) Notes the team will train at Bargo Sportsground and play home games at Hannaford Oval, Wilton.

**PAUL WAKELING MOTOR GROUP CLUB CYCLE 24-HOUR INDOOR CHALLENGE**

**Mr JAI ROWELL**—That this House:

- (1) Commends the Paul Wakeling Motor Group Club cycle 24 hour indoor challenge to help raise money for South African children affected by HIV and AIDS.
- (2) Acknowledges the co-ordinators Steve Wisbey and Mandy Avinou who have helped organise the event with Macarthur Disability Services.

**SOUTH WEST SYDNEY ACADEMY OF SPORT**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates the South West Sydney Academy of Sport for their local athletes with a disability program.
- (2) Notes that the program began in 2009 and has made a significant contribution to the local region.
- (3) Encourages local residents in the Wollondilly region to support this program.

**PEOPLE OF AUSTRALIA AMBASSADOR CARMEN LAZAR**

**Mr NICK LALICH**—That this House recognises the achievement and contribution to the community of Ms Carmen Lazar of the Assyrian Resource Centre who has been named a People of Australia Ambassador.

**GRANVILLE ELECTORATE SPORTING ORGANISATIONS**

**Mr TONY ISSA**—That this House:

- (1) Wishes the sporting organisations in the Granville electorate good luck for 2012.
- (2) Acknowledges the cricket, soccer netball, rugby league, AFL and rugby union sporting organisations.
- (3) Acknowledges the benefits of an active life and membership of sports groups for young people.

**HOLROYD AND PARRAMATTA COUNCILS AUSTRALIA DAY ACTIVITIES**

**Mr TONY ISSA**—That this House:

- (1) Expresses its appreciation to Holroyd and Parramatta Councils for their hard work to deliver excellent Australia Day activities.
- (2) Acknowledges and welcomes the new citizens who are now proud Australians.

**SHELLHARBOUR COUNCILLOR PAUL RANKIN**

**Mr GARETH WARD**—That this House:

- (1) Congratulates Shellharbour Councillor Paul Rankin for participating in the Albion Park Show Society's Great Camel Race on 14 January 2012 to raise money for Camp Quality.
- (2) Acknowledges the efforts of Councillor Rankin to raise funds for this important and worthwhile charity.

**Question put and resolved in the affirmative.****Community recognition notices agreed to.****LUPUS**

**Ms SONIA HORNERY** (Wallsend) [11.04 p.m.]: I move:

That this House:

- (1) notes that 10 May 2011 is World Lupus Day;
- (2) notes that a support group has been established to give heart to those people in the Hunter with lupus and to raise money to fund research at the John Hunter Hospital; and
- (3) notes that the people of Wallsend appreciate the work of Ms Juliet Roosendaal, Honorary President of the Scleroderma Lupus Support Society, which provides assistance to sufferers of a disease more prevalent than many recognise.

It is with great pride that I speak to this motion. It was wonderful to have encountered and made friends with Ms Juliet Roosendaal, the Honorary President of the Scleroderma Lupus Support Society. World Lupus Day began with a proclamation seven years ago by an international steering committee. The proclamation was a call for action for governments around the world to increase their financial support for lupus research, awareness and patient services. The proclamation reflects the emerging issues faced today by people around the world who suffer with lupus. Juliet describes lupus to as an autoimmune disease that mainly affects women in their childbearing years. The ratio is nine females to one male.

As we celebrate International Women's Day it is relevant to note that this disease principally affects women. Lupus affects women usually in the 24 to 45 years age bracket—the most productive childbearing years. It causes photosensitivity, joint muscle pain, chest pains from pleurisy and, if not diagnosed and treated early, it can go to the severe form of lupus nephritis, which can lead to a person needing dialysis or a kidney transplant. Juliet was diagnosed with lupus when she was 42. She had two aunts who suffered from lupus and she inherited a predisposition to the disease. Juliet plays an important role as Hunter president of the society. She and the group support newly diagnosed patients with lupus and other recognised connective illnesses.

The society holds two seminars annually—one in March and one in October—promoting information dissemination about the disease and helping to find assistance and support for people to deal with the disease.

Many people who suffer from this disease choose not to join a support group. The support society has about 400 members but an estimated 700 to 800 people in the Hunter suffer from autoimmune disease. It is treatable, but the sufferer needs constant medical supervision and is often required to take different medications. Sometimes people may suffer side effects from those medications such as hair loss, and they can also leave people open to infection.

Consequently, the person being treated with the disease needs lots of support. The lupus society teaches people how to self-manage their disease in order to lead a healthy and good life. The society works in partnership with the Autoimmune Resource and Research Centre [ARRC] at the John Hunter Hospital. The centre, which is directed by immunologist Associate Professor Glenn Reeves, educates, supports and instigates research, and a management advisory committee made up of executive members, medical advisory members and community members has been formed. Juliet said:

We started off with 80 members in our support group and we are constantly encouraging people to join us. By educating patients we are empowering them. In the 1960s people were given a lifespan of around five years after diagnosis but now with earlier diagnosis, better treatment and increased awareness, people are getting better care and expanding their life. Lupus is not curable but treatable and you can successfully live with lupus and other autoimmune diseases if you have good medical supervision. Anyone can get an auto immune disease.

Everyone on our committee has an auto immune disease [and] in spite of that we have to raise money each year, we have to have insurances, we have to be able to fund the room we hire for where we have seminars and support group meetings ... Each year the ... society has to raise \$10,000 to aid the research of the resource centre. As well as that we have to fund advt. we put in the paper. We raise all the money ourselves.

People with an illness who are members of this group still make sure they raise \$10,000 each year; we take our hats off to them. Juliet adds:

I personally would like to see general practitioners be given more education about auto immune patients. They haven't had adequate training about lupus and auto immune diseases. I don't blame them because there is a substantial amount of research and work to do on this illness.

Juliet often talks on the radio and advertises very well. She concludes by stating:

It's only my body that has Lupus, I am still very much healthy in mind and spirit. This disease interrupts your life, you can get around it but if you take it one day at a time you can try to live your life as normal as possible.

**Mrs LESLIE WILLIAMS** (Port Macquarie) [11.11 a.m.]: I thank the member for Wallsend for raising this important issue. I note the wonderful work of not only support groups helping those suffering from lupus but also the many people across New South Wales who support sufferers and carers of people with a range of health issues. As the member for Wallsend noted, 10 May is World Lupus Day, which is a call to governments around the world to invest funds in lupus research, awareness and services for patients. Lupus is one of many types of autoimmune diseases. An autoimmune disease is when the body's immune system responds inappropriately to the normal substances and tissues in the body.

In a healthy immune system the body reacts to foreign bodies known as antigens, such as viruses or bacteria, by producing proteins called antibodies to attack them. In autoimmune diseases the body attacks its own cells thinking that they are pathogens or germs. Lupus is a chronic autoimmune disease that can cause considerable damage to the body as a result of an excess of proteins, resulting in inflammation and considerable pain. Whilst extensive research has not provided us with conclusive answers about the cause of lupus it is believed there may be a number of triggers including hormones, certain medications, particularly those in the sulfa and penicillin groups, some foods, stress, genetics, pregnancy, exposure to ultraviolet light, smoking and, of course, viruses and bacteria.

Lupus affects more than 20,000 Australians, with the disease more than twice as prevalent in Aboriginal Australians as it is in non-Aboriginal Australians. Ninety per cent of lupus sufferers are women. The disease usually develops between 15 and 45 years—during the reproductive years. Statistics indicate that women are five times more likely than men to die from complications related to lupus. However, it occurs also in children, with most diagnoses occurring during puberty. Data regarding prevalence and incidence of scleroderma vary widely, but estimates are that the prevalence in Western countries such as Australia ranges from 50 to 300 cases per million people and the incidence, that is the number of people per year diagnosed with scleroderma, ranges from 2.3 to 22.8 cases per one million people per year.

As mentioned, the causes of lupus are unknown and, not surprisingly, symptoms are broad and impact on each sufferer in different ways and to varying extents. However, in many cases it appears there is some

inherited tendency to develop autoimmune diseases. In people with this inherited tendency other factors such as infections and some drugs may play a role in triggering autoimmune diseases. There is no cure for lupus or scleroderma, but early diagnosis and treatment can help in managing the symptoms and lessening the chance of permanent damage to organs or tissues. Because lupus and scleroderma are different in every person, treatments and medications are prescribed based on individual needs. Care is usually managed by specialist immunologists. For mild cases of lupus and scleroderma medicines may include over-the-counter pain relievers and anti-inflammatory medicines.

For more severe disease or when internal organs are affected, stronger prescription drugs are prescribed to quieten the immune system and protect organs such as the kidneys, heart and lungs from further attack. The onset of symptoms is often referred to as episodes or flare-ups. The symptoms can include joint pain, swollen joints, fatigue, fever, skin lesions and rashes, anaemia, hair loss, seizures, mouth ulcers, changes in weight, anxiety, depression and headaches. Not surprisingly, these myriad symptoms can lead to organ damage, often to the kidneys, which on many occasions is the primary cause of death for lupus patients. As stated previously, no two lupus sufferers will experience the same combination or similarity in symptoms so there is no single diagnostic test for lupus.

I take this opportunity to highlight the fantastic initiative of World Lupus Day to raise awareness about lupus. On this day people are encouraged to wear orange and by doing so raise awareness about this insidious disease that impacts on the lives of so many Australians. On this day members will see in their electorates a range of community events including fundraisers, forums and seminars. I encourage members to support these functions wherever possible. I comment briefly on the support group that has been established to help people affected by lupus and which aims to raise money for ongoing research. I am certain this support group, like so many others, will be heavily reliant on volunteers so it is appropriate to highlight and acknowledge these wonderful people.

Until people are in the position of needing to contact a support group such as this one, they probably will not have a real understanding of their amazing work and their ability literally to change people's lives. As a result of the serious medical condition of one of my own children I learnt firsthand the depth of impact such support groups have on the sufferer, the carer and the wider community. Having the opportunity to sit down and talk to someone who has been through a similar experience can be so comforting, informative and grounding. Often these support groups are part of a parent association. I take this opportunity to acknowledge the Lupus Association of New South Wales. I direct members to the association's website and Facebook page, which provide excellent sources of up-to-date information for both members and the public about lupus.

In that way they, too, will undoubtedly learn much more about the disease and the great work the association is doing to raise awareness and much-needed funds for ongoing research. In her motion the member for Wallsend noted the appreciation of the community for volunteers such as Juliet Roosendaal, who is the honorary president of the Scleroderma Lupus Support Society. I am sure members join me in thanking volunteers such as Juliet for the wonderful work they do across all our 93 electorates. I thank them for their dedication and their endless hours of work for the benefit of others in their communities.

**Dr ANDREW McDONALD** (Macquarie Fields) [11.18 a.m.]: I support the motion and pay great tribute to Juliet Roosendaal, the Honorary President of the Scleroderma Lupus Support Society. This is a great society because although lupus is uncommon—it affects one in 700 Australians—it has many features that are similar to scleroderma, which affects even fewer Australians, so having a society that represents the interests of both groups is a great achievement. Juliet Roosendaal is one of our true heroes. Lupus is short for systemic lupus erythematosus, or SLE. World Lupus Day is vital in raising awareness, supporting research and advocating for services for people with lupus. With an incidence of one in 700, lupus is unfortunate in that it is common enough to affect many but rare enough to have difficulty in attracting funds to raise awareness, and for research and support services.

As members have stated, the cause of lupus is not clear, although the disease runs in families and most theories state a mixture of genetic predisposition and an environmental trigger. The result of this trigger is inflammation, and the result of that inflammation is pain, swelling and damage. The symptoms come and go, they vary from mild to severe and they affect almost every part of the body. Because the symptoms of lupus—fatigue, weight loss, joint pain and fever—are so non-specific, for many people who suffer from the disease there is a long period when the disease is misdiagnosed. In the United States it is sometimes as long as four years. There is no specific simple blood test to detect lupus, but a mixture of blood tests and clinical symptoms

enable experts to make a diagnosis. To find lupus a general practitioner must know where to look. There is considerable room to improve the education of all medical professionals and the community about the need to look specifically for lupus because the disease mimics many other conditions.

As other members have said, 90 per cent of those diagnosed with lupus will be women, and those who are pregnant are particularly affected because they have a significant increase in the risk of pre-eclampsia and a rapid increase in blood pressure. A child has a 20 per cent chance of being affected by the disease, which can result in the child having a rare heart condition called heart block; some children may need pacemakers. As members have said, there is no cure for lupus. It is a lifelong condition and it is all about using medications to control symptoms. That is why Juliet's support group is so vital. No-one knows what it is like to have lupus if one has not walked in the shoes of someone who has it. Support groups are vital for empowering patients and giving information that clinicians would not think to give.

For example, the side effects of the medications, especially the steroids and anti-malarials, vary from person to person. Patient education is vital. Most people tend to forget 90 per cent of what they are told in a doctor's surgery. That is why such support groups are vital for continued education of those who are affected or their family members. The Hunter has a well-developed medical research community, and that is another reason this society is so important. Lupus is not curable, but 90 per cent of sufferers are still alive 10 years after diagnosis. Some people have a long life with an increased risk of complications. That is why this society is so wonderful. I pay great tribute to Juliet Roosendaal and her support society.

**Mrs ROZA SAGE** (Blue Mountains) [11.22 a.m.]: I support this motion. World Lupus Day highlights this insidious disease—lupus erythematosus, or lupus for short. There are two main types of lupus and they differ significantly in the type and severity of symptoms. Lupus is in the group of autoimmune diseases where the body attacks its own healthy tissues. Systemic lupus erythematosus, also known as SLE, can affect almost any organ or system of the body. In most people only the skin and joints are affected. However, in other people systemic lupus erythematosus can affect the kidneys, lungs, heart, blood vessels and/or brain. Discoid lupus, which is also known as chronic coetaneous lupus erythematosus, is generally milder than systemic lupus erythematosus and usually appears as a red scaly rash on sun-exposed areas such as the face, scalp, arms, legs or trunk.

Most people with discoid lupus have symptoms only on their skin. As has been said, there is no known cause, although it is thought there is an interplay between genetics and environmental factors. Systemic lupus erythematosus is characterised by flare-ups and remissions. Lupus can cause severe symptoms, including joint pain or swelling, as seen in about 50 per cent of people with lupus, skin rashes that get worse with sun exposure, fever, loss of appetite and weight loss. Fatigue, weakness and lethargy affect about 10 per cent of people with lupus. Most people with lupus will never experience all the symptoms, and no two individuals seem to experience identical symptoms. Infections are one of the leading causes of death in people with lupus, and early diagnosis is extremely important.

The aims of treatment for lupus are to reduce inflammation in tissues and improve quality of life. Treatment must be individualised, taking into account the severity of the disease. Currently, there is no known cure but medication is effective in keeping it well and truly under control. As the member for Macquarie Fields said, most of the medications used reduce inflammation, which is what causes problems in many autoimmune diseases. Non-steroidal anti-inflammatory drugs, anti-malarial drugs to reduce joint pain, and steroids, which are effective anti-inflammatory medications, are the drugs of choice for treating serious complications. Immune-suppressing drugs are generally used when serious disease is present and cytotoxic drugs, which are potent immunosuppressive agents.

The outlook for most people with lupus is good. Early detection, effective treatment and some lifestyle adjustments enable most people with lupus to feel well and live normal lives. As with many diseases, exercise is encouraged and smoking in particular is discouraged as it exacerbates the condition. It is thought that smoking can also trigger the condition in some cases if the potential to develop the disease exists. Only a small minority of people find that the condition substantially reduces their quality of life. People with lupus need to be continually conscious of and monitor their wellbeing. I congratulate the Hunter scleroderma lupus support group and in particular Ms Juliet Roosendaal on their continuing efforts to address the disease and support its sufferers. Support groups are vital to helping people cope with diseases such as lupus.

**Ms SONIA HORNER** (Wallsend) [11.26 a.m.], in reply: I thank the member for Port Macquarie, the member for Macquarie Fields and the member for Blue Mountains for their wonderful contributions. As a nurse

who has hands-on experience, the member for Port Macquarie is particularly interested in medical issues and understands the disease. The member highlighted World Lupus Day. Lupus affects more than 20,000 Australians and 90 per cent of them are women. Sadly, we are talking about this disease on International Women's Day. Lupus occurs in children. The data is widely known, but the cause is still unknown. The member for Macquarie Fields paid tribute to Juliet and her wonderful work. World Lupus Day has been vital in raising awareness of this disease. The member for Blue Mountains described the two different types of lupus and the aims of treatment. Importantly, she highlighted that not only must we discourage smoking in everyday life but clearly we must discourage smoking by anyone who has an autoimmune disease because it exacerbates the problems.

Finally, it is important to ensure that we support the research undertaken at the Autoimmune Resources and Research Centre [ARRC] based at John Hunter Hospital. The running costs of the research centre are very high, and I am more than happy to support it in any way I can. Research is vital for the future goodwill and health of all people who are ill, particularly the thousands in Australian society who have lupus. I congratulate Juliet Roosendaal on bringing all this information together and making those in my electorate office in Wallsend aware of lupus and the importance of her support group. On behalf of the House, I thank all the volunteers for their wonderful work. In particular, I thank the volunteers who have lupus for their wonderful work in conducting this support group. They deserve our praise and acclamation.

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

**Motion agreed to.**

### UNIVERSITY OF NEWCASTLE

**Ms SONIA HORNER** (Wallsend) [11.29 a.m.]: I move:

That this House:

- (1) congratulates the University of Newcastle and its graduates on the record number of graduation ceremonies at the University during May 2011; and
- (2) wishes the students the best of luck for the future.

Many people say that education is the key to life. It allows us to be better aware of our surroundings and fully appreciate the existence of concepts we may not have considered previously. As a former teacher, I understand the importance of educating students to the best of their ability so that they will become contributors to our society. There is no doubt that without education society suffers. Education determines a person's future and paves the career paths of every individual in society. Therefore, the increase in student enrolments at the University of Newcastle is to be highly commended. The institution's healthy increase in student enrolments is undeniably a positive move for the university and for society itself. It will lead to a growth in funding, an increase in international students and an increase in opportunities for research.

An educated society is something most educators and professionals wish for, although this does not happen by itself. The motivations of individuals are of course important, although the context in which education occurs is a defining factor in how successful one may be in learning. The process of education needs to be nurtured. I call on the O'Farrell Government to fund improvements for these university students, who will undoubtedly suffer from limited resources. Without development, the existing services available to students will be limiting for those wishing to improve their education. What will happen to the already congested parking on the campus when more students have no viable option other than to drive? Is the current availability of public transport sufficient for these extra students who will be travelling back and forth on a regular basis? Does the university need to build more facilities at Callaghan Campus, as well as at the Ourimbah and Port Macquarie campuses, to help accommodate the increase in student enrolments?

These are issues that must be considered. Just as a person may receive a smaller share of a birthday cake if more people turn up, students will suffer from a reduction in the availability of resources that are provided to help nurture their education. International students are undeniably a key element for universities to consider. They are profitable for the University of Newcastle but it is certainly expensive for their families in their countries of origin to send them. They add a richness and cultural diversity to our area, particularly around Jesmond, that we have never seen before, and it is something we all welcome. For many international students, relocating to a foreign country that has a different language is a challenging experience. International students

need to be able to cultivate their education in a supportive environment that offers access to services specified to assist their education. The question has to be asked: Are the current mechanisms in place sufficient to support extra students who require assistance?

Without a doubt, an increase in student enrolments will have many advantages, with benefits being extensive for educational institutions as well as society itself. However, simply offering more places for students will not automatically translate to a more educated society. Yes, students play a significant role in the success of their education. Yes, students will have access to educational resources. Unfortunately, merely having access to some educational resources will not hone the skills and knowledge developed by students. Resources, including though not limited to transport, parking, accommodation, and the educational services available within institutions, need to be sufficient to handle the demand that extra students will place on available resources.

**Mr TIM OWEN** (Newcastle) [11.34 a.m.]: It gives me great pleasure to make a contribution and respond on behalf of the Government to the motion moved by the member for Wallsend. I agree with the comments of the member for Wallsend about the graduations and congratulate the University of Newcastle on its graduation ceremonies. There were 11 last year at its main campus at Callaghan—a record number. Despite some of the misgiving the member expressed about the university offering places, almost 4,500 students graduated from the university last year. I congratulate the university in that respect. It is a very significant achievement and no doubt that will be the case in 2012 as well.

I refer to a couple of highlights for the University of Newcastle. I acknowledge the following four prominent Australians awarded honorary doctoral degrees: Sister Maureen McGuirk, AM, who has been a Sister of Mercy since 1949 and has been influential in the New South Wales education system as a teacher, school principal and researcher; Mr John Olsen, AO, the internationally renowned artist who was born in Newcastle; Mr Michael Johns, who recently retired as Deputy Chancellor and has been a dedicated member of the University Council since 1990; and Professor Christopher Chen, who is renowned as a pioneer of in-vitro fertilisation [IVF] and has spent more than 40 years contributing to the knowledge and advancement of the field of reproductive medicine.

The university has certainly come a long way. In 1951 Newcastle University College was established under the authority of the former New South Wales University of Technology, now the University of New South Wales. Only five full-time students were enrolled when classes began. This number grew, along with the community's desire for its own university, leading to the establishment of the University of Newcastle in 1965. The university reports that in 2010 its student enrolments were 35,500, a remarkable increase of 8.6 per cent from the previous year. That enrolment number will continue to increase throughout the decade. The University of Newcastle is integral to the Newcastle-Hunter region. It has a substantial impact on the economic development of the whole region, providing its primary supply of graduates. Studies have shown that graduates from regional areas are more likely to remain in regional areas and seek employment there. One of the 2011 law graduates from the University of Newcastle stated:

Most recent law graduates aspire to make a difference. My aspirations are the same, but to stay local and help my community.

The university is the second largest employer in the Hunter region behind Hunter New England Health. In 2010 the number of people on the payroll at some stage throughout the year amounted to almost 10,000. In 2010, 21 per cent of the full-time student load was made up by international students, representing a significant source of revenue for the University of Newcastle and particularly the region. It is the university's mission to develop the educational opportunities that support the economy and the people of the Newcastle-Hunter region. This Government strongly supports that approach. I am proud to be part of a Government that shares this commitment. Certain groups in Australia have been traditionally underrepresented in higher education.

This reflects the lower participation rate of students from a lower socio-economic background in this country. The University of Newcastle is leading the way in increasing participation by low socio-economic status students. In 2010, 27 per cent of the student body at the university comprised students from a low socio-economic status background. This figure is much higher than the national average of 15 per cent. The university should be congratulated on that. Almost 30 per cent of Australians live in areas classified as regional or remote. However, students from regional and remote areas together form less than one-fifth of students at university in Australia. Again, the University of Newcastle is a vital element in closing this divide.

Without its campuses, students would have to travel between 75 and 160 kilometres to attend other main university campuses. The university also covers a much broader area of regional New South Wales

through its Department of Rural Health and Rural Clinical Schools. These are based in Tamworth, Taree, Armidale and Moree and allow students to complete health and medical training in a rural setting. The Hunter Medical Research Institute is the only medical research institute in regional Australia. It brings together health and medical researchers from the university and from Hunter New England Health. The university has a range of programs that aim to increase regional and rural participation. One of these is the Regional and Rural Preference Scheme.

This scheme increases regional and rural access to the university by allocating potential students from these areas with higher admission ranks. Another scheme is the university's \$85 million plan to upgrade student accommodation. Partnerships between universities, schools and TAFE NSW institutes help to lift participation, especially by rural and regional students. The university's Port Macquarie and Central Coast campuses are examples of partnerships with TAFE NSW institutes in key regional locations. Those campuses have a combined full-time equivalent student load of 3,300 students—a remarkable 46 per cent increase from 2006.

Already the University of Newcastle is making a substantial contribution to regional and rural participation and access to higher education. I congratulate two key vice-chancellors, the recently retired Mr Nick Saunders and Ms Caroline McMillan, on their outstanding work in this area and the great strides that the University of Newcastle has made with respect to rural and regional students. I thank the University of Newcastle for its important work, and again congratulate the university and its graduates on the record number of graduation ceremonies held in 2011 at its main campus. I wish all graduates successful and fulfilling careers.

**Mr CLAYTON BARR** (Cessnock) [11.40 a.m.]: It is with pleasure that I speak in debate on the motion moved by the member for Wallsend relating to the University of Newcastle. I am an alumni of the old Seahorse and I graduated in 1993, which means I have been a graduate for longer than I was a student, which is a sad state of affairs. The record number of ceremonies at the University of Newcastle is a reflection of the terrific things that are happening in Newcastle. The reputation and outreach of the university are recognised globally and it is doing extremely well. The member for Newcastle mentioned the number of international students who study at that university, which leads me to believe Newcastle's lifestyle and way of life must be far more appealing than that of many other places.

A growing trend in our communities is for tertiary education not to reach the heights that it once reached—it provides for more mainstream students and no longer caters for only elite students. The University of Newcastle is at the forefront of the educational changes that have occurred over the past 20 to 30 years. I refer to what the member for Newcastle said about the Port Macquarie and Central Coast campuses. The movie *Field of Dreams* contains the oft-quoted line, "If you build it, they will come." I strongly believe that the success of the Central Coast and Port Macquarie campuses can be attributed to the University of Newcastle.

To that end, I issue it with a challenge. We have an increasing population with many diverse needs in the Upper Hunter and the Central Hunter and we will be looking increasingly to those areas to house our populations and to build our future industries. We will need a skilled and trained workforce to do so. I live in an electorate that has the lowest levels of tertiary education in New South Wales, and perhaps even in Australia. In the past people in my electorate have not aspired to gaining a tertiary education but these days they are looking increasingly in that direction. Perhaps the next outreach or regional centre of the University of Newcastle could be located somewhere in my neck of the woods.

**Mr Greg Piper:** Get in line, mate; get in line.

**Mr CLAYTON BARR:** Lake Macquarie is hardly a regional area. Regional areas might include places such as Branxton, Cessnock, Kurri Kurri, Singleton, or maybe even Maitland. I issue the University of Newcastle with a challenge as the population in that region will continue to grow. The university's reputation is recognised globally and it has the wherewithal to provide the Upper Hunter and Central Hunter with a skilled and trained workforce. I challenge the University of Newcastle to build a campus and the students will come. I commend the member for Wallsend for bringing this matter to the attention of the House.

**Mr ANDREW CORNWELL** (Charlestown) [11.44 a.m.]: I reiterate my colleague's congratulations to the University of Newcastle and its graduates on the record number of graduation ceremonies held at the university's main campus in April and May. I also wish all the graduates the best for the future. The University of Newcastle contributes to the economic development of the Newcastle and Hunter regions in so many important ways. It is the primary source of graduates for the area, it is the second largest employer in the region,

it injects substantial revenue into the region, it makes an enormous social and cultural contribution, and it facilitates important research in regional communities. In fact, the University of Newcastle is a vital research university for New South Wales and Australia.

Let me explore this aspect in more detail. The University of Newcastle is one of the top 10 universities in Australia in research funding. The university received a remarkable \$75 million in external research funding in 2010, a figure that has doubled in the past six years. An amount of \$14 million was received from the Australian Research Council for 38 projects rising to the ninth highest level of funding from the council. An amount of \$10.4 million was received from the National Health and Medical Research Council for 20 projects. The university also attracted \$5 million from the Newcastle Clean Coal Council for research to explore low emissions coal technology. This figure is equal to one-third of the total funding available from the New South Wales Clean Coal Council.

The University of Newcastle is also undertaking a number of research projects that will be of great significance to New South Wales. The first is the Newcastle Institute for Energy and Research, established in 2010, which will be a world-class energy and resources facility when complete. The university won \$30 million for the project from the Commonwealth Education Investment Fund. The second is a \$90 million clinical research building at the Hunter Medical Research Institute, which is also due for completion this year. This facility will house researchers from the university and from Hunter New England Health. In addition, the university's Rural Adversity Medical Health Program was allocated a further \$1.1 million by NSW Health for the continued provision of mental health assistance in regional and rural settings.

The University of Newcastle attracts world-class researchers. In 2010 many were honoured and received awards both in Australia and internationally. These include Professor John Carter, Pro Vice-Chancellor for the Faculty of Engineering in the Built Environment. Professor Carter was named one of Australia's most influential engineers for 2010 by the Institute of Engineers, Australia. Laureate Professor Jonathan Borwein was one of 17 scientists elected to the Fellowship of the Australian Academy of Science, the peak body of scientists in Australia. Another researcher is Professor Kevin Galvin, Director of the University's Research Centre for Advance Particle Processing. Professor Galvin and his industry partner, Ludowici, were awarded the Core Chemical Engineering Award at the IChemE awards in Manchester in the United Kingdom.

The university's research staff, projects and level of funding show how the university is a vital research hub for New South Wales. In summary, the University of Newcastle is a key institution of importance to regional New South Wales and to our State's research communities. It would be remiss of me not to acknowledge the new incoming Vice-Chancellor, Professor Caroline McMillen, whom I welcome to Newcastle. She brings a wealth of experience from South Australia and will be a great asset to the university. I also thank Professor Nick Saunders, the outgoing Vice-Chancellor, who led the university through very challenging financial times. His leadership made an enormous difference. I congratulate the soon-to-be outgoing Chancellor, Professor Trevor Waring, and welcome the incoming Chancellor, Ken Moss. The University of Newcastle is a vital part of Newcastle and the Hunter and it makes an enormous contribution. I am therefore very happy to support this motion.

**Mr GREG PIPER** (Lake Macquarie) [11.48 a.m.]: I am pleased to support the motion moved by the member for Wallsend and note the importance of the University of Newcastle not only to Newcastle and the region but also to the Hunter, New South Wales and Australia. Other speakers have articulated the wealth of opportunities that are provided by the university. From my observations, the university plays an extraordinary role in the area. I have observed the university from its infancy, having grown up in Newcastle and having commenced my education in the 1960s and 1970s. The University of Newcastle, which was opened in 1965, developed in such a way that it has become an integral part of the fabric of the Hunter region. The university was established to service the industrial heartland of New South Wales, which was Newcastle at the time. Newcastle has changed and as a result the service delivery and employment paradigm has evolved, and the university has changed with it.

The member for Charlestown referred to challenges that have confronted the university in recent times. That should not be glossed over because it was a difficult time for the university administrators, the staff and the many students, who were concerned about the impact on its reputation. The problems went beyond the university's financial viability to allegations of plagiarism. Those issues were dealt with professionally and systematically to the great credit of the university and outgoing Vice-Chancellor Nick Saunders, a man of great vision and capacity. He has been a great leader and he was ably assisted by his colleagues. I have yet to meet the incoming Vice-Chancellor, Caroline McMillen, but I am looking forward to doing so. I have an appointment to meet her next week in my capacity as Mayor of Lake Macquarie.

That brings to mind the strategic partnerships that are created in a region that allow us to get much greater leverage from the ability of any one organisation. I welcome Ms McMillen to the area and wish her all the best during her time at the university. I put on record my appreciation for the efforts of the outgoing Vice-Chancellor, Nick Saunders. I support the member for Wallsend in calling for appropriate investment in the university's infrastructure as the demand on it to service the community and our country continues to grow. We must ensure that it has the infrastructure it needs and that it is accessible. It must be a campus that attracts international students, in particular, as well as students from the local area, around the State and across the country. I thank the member for Wallsend for moving this motion.

**Ms SONIA HORNERY** (Wallsend) [11.51 a.m.], reply: I thank the member for Newcastle, the member for Cessnock, the member for Charlestown and the member for Lake Macquarie for their wonderful contributions. They are all good, hardworking local members of Parliament. The member for Newcastle pointed out that 4,500 students graduated from the University of Newcastle last year. That was a fantastic achievement. He also mentioned the honorary doctorates that were awarded and stated that the university has come a long way since the 1950s. He also said that the university is integral to the Hunter region—we all wholeheartedly agree with that—and that it is the second largest employer in the region after the hospital. As the member for Wallsend, that means I have the biggest employers in my electorate. Of course, along with that comes huge responsibility.

The member for Newcastle referred to the university's efforts to encourage the enrolment of students from low socio-economic backgrounds. Often people from those backgrounds are disenfranchised from universities and I would like to see a fair dinkum attempt to change that. He also acknowledged the good work of the Hunter Medical Research Institute and congratulated the new vice-chancellor—who just happens to be a woman. On International Women's Day it is great to acknowledge the numerous women in leadership roles in this country. Caroline McMillen is a wonderful woman and, like my colleagues, I am looking forward to working with her. The member for Cessnock said that, like me, he is a graduate of the University of Newcastle. In fact, I have been a student there on three occasions and obtained my honours degree there. It is a wonderful institution and the member is a sterling example of the graduates who call Cessnock home.

The member for Cessnock pointed out that Cessnock has the lowest level of education in New South Wales. The Government must address that issue, and it could do so by following up on his suggestion that the next university outreach should be at Cessnock. The member for Charlestown mentioned the university's vital role in the local economy and its social and cultural contributions. He also referred to the large number of research projects being conducted and welcomed our new female vice-chancellor. The member for Lake Macquarie highlighted the importance of the university not only to the Hunter but also to the State. I was impressed by his statement that it is integral to the fabric of the area. He also said that Newcastle has changed and, like me, he agrees that, along with the encouraging enrolments, we must ensure that we invest in infrastructure for the university community. I urge members to support this motion.

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

**Motion agreed to.**

#### **LAKE MACQUARIE LOCAL AREA COMMAND**

**Mr GREG PIPER** (Lake Macquarie) [11.57 a.m.]: I move:

That this House:

- (1) notes that the population served by the Lake Macquarie Local Area Command is approximately two and a half times the State average;
- (2) notes that the police-to-population ratio is approximately half of the State average; and
- (3) calls on the Minister for Police to ensure an equitable pro rata provision of police staffing and resources to serve residents of Lake Macquarie.

I have moved this motion because the people of Lake Macquarie do not have an equitable level of police staffing compared with the rest of New South Wales. This motion has three parts. The first two parts simply state irrefutable facts and I will demonstrate that there is no honest basis to argue against them. The Lake Macquarie Local Area Command covers the city of Lake Macquarie, which includes almost all of the electorates of Lake Macquarie and Charlestown, much of the electorate of Swansea and parts of the electorates of Wallsend

and Cessnock. I note the respective members' interest in this matter. The first part of the motion calls on the House to note that the Lake Macquarie Local Area Command serves a population approximately two and a half times the State average. That simple fact is obvious from information provided by the NSW Police Force, Planning and Infrastructure NSW and the Australian Bureau of Statistics.

The NSW Police Force website contains a statement on police strength dated January 2012 showing that New South Wales has 16,069 police officers, 12,440 of whom are deployed across the 87 local area commands. According to the Planning and Infrastructure NSW "Population Bulletin" of May 2011, the State's population was 7,253,000 at 30 September 2010. If that population were spread over the 87 local area commands, the average population per command would be 83,368. I know that that calculation is simplistic, but it is appropriate in this argument. According to the latest figures from the Australian Bureau of Statistics, the population of Lake Macquarie is 200,849.

These figures show that the Lake Macquarie Local Area Command services 2.41 times the average population compared with the State's 87 local area commands. I can provide Government members with the Australian Bureau of Statistics figures. Although there has been a further allocation of staff to bring the command up to 90 per cent of its authorised strength, this has scarcely touched the issue of an equitable per capita level of staffing. Staffing figures alone demonstrate the enormity of the task in managing the command, but it is made all the more difficult by the area's geography. The local area command serves 92 suburbs and villages spread around much of Lake Macquarie's 175 kilometres of shoreline. This presents a great logistical challenge. The facts clearly support the first paragraph of my motion and place it beyond argument that the motion deserves the support of the House.

The second paragraph of my motion calls on the House to note that the police-to-population ratio of the Lake Macquarie Local Area Command is approximately half the State average. This is supported by information from the NSW Police Force and the Australian Bureau of Statistics [ABS]. Across the State's local area commands the police-to-population ratio is 12,444:7,253,000, which equals one police officer for 583 people. Lake Macquarie has a population of 200,849 and is served by a police strength of 231 officers, giving a police-to-population ratio of 1:869. This means that every police officer in the Lake Macquarie Local Area Command must serve 50 per cent more residents than the State average, and this is after the interim allocation that was made immediately following the Parsons review. Some local area commands are below the average ratio, which exacerbates the inequity of staffing at Lake Macquarie.

Since giving notice of my motion, changes in staffing have reduced the margin but there is still an unacceptable difference between the service to residents in Lake Macquarie and that provided to residents in other areas. The motion's third paragraph is not a simple quantitative matter, as was the case for the first two paragraphs. It is a request for this House to call on the Minister for Police to ensure an equitable pro rata provision of police staff and resources to serve the residents of Lake Macquarie. I am sure other members would put a similar argument on behalf of their electorates. As I have shown previously, each police officer in the Lake Macquarie Local Area Command serves a population 50 per cent greater than the average local area command based officer in New South Wales.

There is an historical basis for raising this matter because the current inequity goes back many years. I gave notice of this motion on 11 May 2011, not long after New South Wales voted for a change in the way the State is run. The residents of Lake Macquarie clearly rejected the government of the day and, clearly, a fair share of the State's police officers and resources was one of their greatest demands. The history of police understaffing in Lake Macquarie and the argument for equitable treatment has been overtaken by other events. On 17 June last year in this House I asked the Attorney General, representing the Minister for Police, the following question:

With the Lake Macquarie Local Area Command having around half the average police per capita of New South Wales local area commands, as well as a geographically challenging area covering at least in part five State electorates, how will the Government address this shortfall in personnel?

The Attorney General's reply was:

The Government has asked former Assistant Commissioner Peter Parsons, APM, to undertake a comprehensive audit of police numbers across the State to examine where police are, where they need to be, and how best to use them to protect and serve our communities.

I made a detailed submission for consideration by the Parsons audit. Every member of this House should be disappointed if the process does not address paragraph (3) of my motion—that is, to deliver an equitable per

capita provision of police staffing and resources—because that is what all members would want for their electorates. Although the issues set out in my motion have, to some small extent, been offset by an interim staffing allocation, the principle behind the motion is as valid today as it was on the day it was written. The issues raised in my motion are as important today as they were on every occasion I have raised them in this House over the past five years. Adequate police staffing is vital in one of the State's largest and fastest-growing areas. I can see no valid reason for argument against this motion. The motion should be supported by the House.

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [12.03 p.m.]: I move:

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

this House:

- (1) congratulates the Government on its election commitment to increase police numbers to 16,356 authorised positions by June 2014; and
- (2) notes that the Government has already taken action to boost police numbers in rural and regional local area commands following the December 2011 attestation.

The New South Wales Government is committed to delivering the resources and equipment the NSW Police Force needs to do its job. I am sure all members on both sides of the House will stand behind the fine working men and women of the NSW Police Force in their arduous task of protecting our local community. Today is a day of sorrow for the NSW Police Force and for all residents of New South Wales because today the funeral of Senior Constable David Rixon will be held in Tamworth. The Hon. Michael Gallagher, the Minister for Police and Emergency Services, will attend, together with the member for Tamworth, the Hon. Kevin Anderson, and the Premier. We all share the grief over the death of Senior Constable David Rixon.

We all want to give those hardworking men and women the resources to do their job properly and to keep them safe so that they can go home to their family at the end of a shift. The NSW Police Force has been doing an excellent job 24 hours a day, seven days a week keeping the people of New South Wales safe. The Government's first budget is delivering on our election commitment to increase police authorised strength to a record 16,356 positions by June 2014. More than \$214.4 million over four years has been allocated to employ 550 more police officers. At the beginning of this year 150 of those positions came on line, boosting authorised strength to 57,956. These additional positions came on line at the same time as a class of more than 500 recruits attested from the Police Academy in December last year.

I was pleased to accompany the Hon. Michael Gallagher, Minister for Police and Emergency Services, to attend the Police Academy at Goulburn—a fine institution—to see such a large number of young men and women ready to put their life and limb on the line for the protection of the people of New South Wales. I was excited to be present at the ceremony, but it was an even more special moment to be present when a number of those recruits commenced work in my great area of the Tweed. One of the local senior sergeants commented that he had never seen so many police in the station at one time. The officers who came to my electorate from this special class of recruits certainly boosted morale in my neck of the woods.

I can advise the House that of those who graduated from the Police Academy in December 18 probationary constables commenced work at Lake Macquarie Local Area Command, 20 probationary constables were allocated to the Tweed-Byron Local Area Command, and 13 were sent to the Richmond Local Area Command. Wagga Wagga—which has been declared a State emergency area because of the terrible floods, but thankfully has been spared the worst—received 12 officers. New England Local Area Command welcomed 16 new recruits. The list goes on. In all, some 300 probationary constables, or about 60 per cent of that attesting class, were allocated to local area commands outside the Sydney region. The allocation of these recruits was informed by the audit of police resources carried out by Peter Parsons, the respected former Assistant Commissioner of Police. Many members on both sides of the House know Mr Parsons. He is a fine fellow and he did an excellent job eliminating political interference in the allocation of police numbers.

That is something I had argued for when we were in opposition, particularly over the past four years. Police are finally being sent where they are needed, in particular, to regional areas. The Parsons audit helped to give the Government and the community a clear picture of where our police are and where they need to be. The Minister for Police and Emergency Services and the Commissioner of Police agreed to provide an immediate response to one of the key recommendations of the audit, that is, the long overdue injection of police officers into regional and rural areas. I strongly believe that this Government should be congratulated for what it has achieved in 11½ months—more dedicated police officers for our rural and regional communities and for the great people of New South Wales.

I reflect on the previous Government's performance, particularly in regional and rural areas. Under the former Government too often we were starved of resources—and I am not only speaking about the lack of young men and women police officers to fill our police ranks. For example, in my electorate we had a police dog handler but he did not have a dog. We had a police boat but no-one was authorised to drive it. I brought that gross mismanagement to the attention of the House. I encourage all members to tell their local police that they will see an increase in resources, particularly in rural and regional areas. I have received nothing but positive feedback in my local area, and as I travel around the State representing the Minister for Police and Emergency Services I am getting the same buoyant responses. As a result of the Parsons' report finally professional, not political, decisions are being made.

**Ms SONIA HORNERY** (Wallsend) [12.10 p.m.]: The motion moved by the member for Lake Macquarie calls on the Minister for Police and Emergency Services to ensure an equitable pro rata provision of police staffing and resources to serve the residents of Lake Macquarie. I support the member in his valid quest to ensure an equitable police officer-to-population ratio in this State. At 6 o'clock this morning I listened to a podcast of Newcastle local news. The first report was about a spate of armed robberies in the Hunter, a further report was about break-ins in Lemon Tree Passage last night and there was a report about police setting up a strike force in Lake Macquarie. More and more break-ins, robberies and incidents of domestic violence are taking place in the Hunter and Lake Macquarie areas.

As the member for Lake Macquarie said, police in Lake Macquarie are facing significant challenges because, on a pro rata basis, they have to deal with many more people than do police in other local area commands. A friend of mine from Wallsend—she grew up in Wallsend, as I did—is sitting in the public gallery. If she had a crime-related problem—although I am sure she does not—she would have to ring the Lake Macquarie Local Area Command. I have no doubt that she would agree with me that more police are needed on the beat. I am not familiar with the relationship that the member for Tweed has with the Hunter, in view of the geographical location of his electorate. I will take great interest in noting whether other Government members support the motion moved by the member for Lake Macquarie, who works hard to ensure the safety and security of his electorate, as I do in my electorate.

The amendment proposed by the member for Tweed does not relate in any way to the motion moved by the member for Lake Macquarie. I am disappointed with the attempt by the self-congratulatory Liberal-Nationals to undermine the motion moved by the member for Lake Macquarie. If the Government was elected last year on the platform that it would improve the safety and security of people in the Hunter, then it should take action in this regard. According to research I have undertaken and articles in the local rags, the Government is looking at closing Cardiff, Charlestown and Boolaroo police stations. That means that the people in my electorate will not be served by a police station in close proximity.

For the residents of Edgeworth or West Wallsend, the closest police stations are at Toronto or Belmont, which are miles away. How will closing police stations improve the safety and security of the people in Edgeworth, West Wallsend, Argenton, Cardiff and Charlestown? The member for Lake Macquarie was courageous in moving this motion. His concerns are valid. The Lake Macquarie Local Area Command is unique because police in this command have to traverse a large peninsula. I hope that all members support the member for Lake Macquarie and his request for more police resources in Lake Macquarie.

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [12.14 p.m.]: I congratulate the member for Lake Macquarie on bringing this matter to the attention of the House. Although I agree with the intent of the motion, I make my contribution in support of the motion as amended by the member for Tweed. The part of the original motion that relates to police-to-population ratio does not do justice to the issue of police resources. For example, if the member's motion were supported, the community of Brewarrina, which has a population of about 1,800, would be entitled to only two police officers. Two police officers would not be sufficient to address the diverse needs of the Brewarrina community, given its isolation and long history of entrenched Indigenous issues, as well as occupational health and safety issues. Myriad issues must be factored into the allocation of police resources.

The motion moved by the member for Lake Macquarie undersells the endeavours of the Government to address police resourcing. For 16 years the efforts of those opposite to address police resourcing in New South Wales were a disgrace. On numerous occasions various models were placed before the former Government. The workforce allocation model was ignored, the police allocation model was ignored, and the constables allocation model was ignored. I add that in 2009 I played a part in the development of the constables allocation model. Those models took into consideration issues that were required to be assessed, such as where, why and how

police need to be employed. This Government is committed to a proper assessment of these diverse issues. We got on the front foot and asked Peter Parsons to conduct an audit. Every member was given the opportunity to make a contribution to that audit. The member for Lake Macquarie made a submission to that audit but, surprisingly, other members did not.

This Government inherited a roller door of Ministers in the Police portfolio. That is an indication of how little care and regard the former Government gave to this important issue. Under the Labor Government there were eight Ministers and nine separate appointments: Whelan, Costa, Watkins, Scully, Watkins again, Campbell, Brown—the guy in the underwear—for four days, Kelly and then Daley. Daley was the last Minister for Police that I served under as a police officer. We used to joke that it was helpful his surname was Daley: the police Ministers changed so often, his name would be easy to remember. The issue of police staffing was taken to the former Government time and again, but the NSW Police Force and the people of New South Wales were ignored. Shame on the former Government.

The O'Farrell Government has got on with the job. Recommendation No. 1 in the Parsons audit was to improve police operational capacity to 90 per cent. That recommendation was achieved with the last class attested at the Police Academy in December. The Orana and Canobolas local area commands could not get a police man or woman to save themselves until this audit was undertaken and recommendation No. 1 was adopted. The Lake Macquarie Local Area Command has been given additional resources. Those additional resources would not have been made available under the former Government. A great deal of work still needs to be done in this area, but I do not have sufficient time to speak to it in detail in this debate. We must get this right. The Government has started the job and it will continue to work on the issue of police resources.

**Mr ANDREW CORNWELL** (Charlestown) [12.19 p.m.]: I, too, support the amendment proposed by the member for Tweed. The member for Lake Macquarie gave notice of the motion in May last year, shortly after the Coalition was elected to Government. The motion highlights 16 years of Labor neglect, during which time Lake Macquarie Local Area Command was underresourced. The timing of the motion is a reflection of the former Government's neglect. The O'Farrell Government is committed to improving police resources and I am committed to delivering for the people of the Lake Macquarie area. I made a submission to the Parsons report based on the advice of local police, not on the advice of spin doctors.

Over recent weeks in the media the member for Wallsend has tried to accuse the Government of breaking a promise in relation to Glendale police station. No promise was given by this Government. The only broken promise was by the previous Labor Government in 2008 when it promised to build a police station but failed to deliver on that promise. This Government has delivered an additional 20 police to the Lake Macquarie Local Area Command in the short 12 months that it has been in government. We also commissioned the Parsons review to examine the delivery of police services. If we end up adopting a district and patrol model, it may change the way that policing is delivered.

The member for Wallsend recently complained in the media about Glendale police station. If it were so important to her, why did she not make a submission to the Parsons review? That was an appropriate opportunity to represent her community and to ensure that her constituents' views were heard. If this issue was so important to her she should have made a submission. She had her chance and she missed it. The member for Wallsend also said that she read in a "local rag" that police stations were to be closed. I suggest she sit down and read the Parsons report. It may comprise 200 pages but it is an engaging read. It states that the previous Government in 2010 had earmarked those stations to be closed and sold. The Parsons review examined the allocation of police resources and, as I said, the way policing is delivered may change if we adopt a district and patrol model.

I wish to correct the member for Wallsend: It is not this Government's policy; it was the former Labor Government in 2010 that earmarked those stations for sale between 2010 and 2012. It is important that I place those facts on the record. The Parsons report is now before the Commissioner of Police and we await his response. I believe it will make a great difference in the Lake Macquarie area. I take this opportunity to acknowledge the hard work of staff of the Lake Macquarie Local Area Command. We are lucky to have a local area commander of the capacity of Craig Rae, who does a tremendous job, and fantastic senior staff. I congratulate every officer in the command because, as noted in the motion moved by the member for Lake Macquarie, they have done it tough. That is a result of 16 years of neglect under the former Government. This Government is committed to resolving the problem.

**Mr GREG PIPER** (Lake Macquarie) [12.23 p.m.], in reply: I thank the member for Tweed and Parliamentary Secretary for Police, the member for Wallsend, the member for Dubbo and the member for

Charlestown for their contributions to the debate. I note that the member for Tweed proposed an amendment to my motion. However, I do not concur with the amendment. The Government has lost the opportunity to be congratulated by the Opposition or Independents because it has gone down the slippery slope and followed the modus operandi of the former Government; that is, constantly using self-congratulatory techniques.

It is not necessary for the Government to take that self-congratulatory approach. When the Government does the right thing it will be acknowledged and congratulated. I acknowledge that the Government has acted very quickly and taken positive action to support the platform it took to the election in March 2011. I support also the Minister for Police and Emergency Services, the Hon. Michael Gallacher, in commissioning Peter Parsons to carry out a review into policing. It portends good things for policing in New South Wales. I acknowledge also, as the member for Tweed said, the attendance of the Minister for Police and the Premier—

**Mr Richard Torbay:** And the member for Tamworth.

**Mr GREG PIPER:**—and the member for Tamworth at the funeral of Senior Constable David Rixon. I acknowledge the sad loss sustained by his family, his friends and his community as a result of this regrettable, tragic incident. We all support our local police. I have worked closely with the member for Charlestown and the member for Wallsend on policing issues—in particular, with the member for Wallsend in the previous four years but now more so with the current member for Charlestown. I thank the member for Charlestown for the approach he has taken in his dealings with me. It is very refreshing.

However, I have worked closely with previous Lake Macquarie local area commanders as well as the current commander, Craig Rae, and I have not seen a great deal of change in the numbers of police. I appreciate the additional 20 officers in the last tranche, but we are still below our operational numbers. Police in the area have been greatly compromised by the geographic nature of Lake Macquarie, which stretches from Catherine Hill Bay right around the lake through to Wyee. I accept that there must be equity of provision, but my motion does not necessarily provide for a complete and equitable allocation of police officers per capita. Adjustments will always be made based on local circumstances and demographics. I ask the House to support my motion.

**Question—That the amendment be agreed to—put.**

**The House divided.**

**Ayes, 60**

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

**Noes, 23**

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

**Question resolved in the affirmative.**

**Amendment agreed to.**

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

**Motion as amended agreed to.**

### NATURAL DISASTER RELIEF

**Mr RICHARD TORBAY** (Northern Tablelands) [12.40 p.m.]: I move:

That this House calls on the Government to undertake a review into the payment of Category C grants under the Natural Disaster Relief and Recovery Arrangements with a view to bringing the New South Wales allowance of \$15,000 into line with the \$25,000 available to applicants in Queensland.

Even though I gave notice of this motion almost 12 months ago it is still relevant, given the continuing floods. I acknowledge the many communities that have suffered and the incredible work of our volunteers, particularly the emergency services, but also many others who have done and continue to do so much to assist people in their time of great need. The floods in January 2011 will be remembered in my area mainly for the dreadful loss of life just across the border in south-east Queensland as villages in the path of the floodwater were inundated by an inland tsunami. We all saw the footage of that on television. Natural disasters continue to occur and have an enormous impact; they pay no heed to State boundaries. Those same events also had a profound impact on the people living in the northern part of my electorate. Some of the floodwaters that caused so much destruction in Queensland swept through villages on the border such as, Mingoola, Bonshaw, Yetman, Drake and Tabulam, and the major township of Tenterfield.

Mingoola and Bonshaw are located on the Dumaresq River and there are many primary producers along the river and in the Mole River valley. The floodwaters came down the Dumaresq valley and swept away bumper crops that were on the point of harvest, hundreds of kilometres of fencing and concrete bridges. The floodwaters washed out the entire road network, cut power lines into the area and forced people from their homes. It was devastating when I viewed much of the damage that had occurred. In Tenterfield, homes were inundated by floodwaters, roads were washed out, pavilions in the historic showground were damaged, and flood debris littered the town. To the east of Tenterfield, residents near Drake and Tabulam were isolated by floodwaters and faced massive restoration bills to replace roads and fences that were washed away.

In the days and weeks that followed I spoke with and met many of the residents who were trying to recover from those losses. Landholders lost all sorts of equipment, in particular irrigation equipment, and bales of newly harvested hay. One farmer I spoke to lost a complete crop of pumpkins and all his fencing. One local cellar door winery wrote off the whole 2011 vintage and lost customers who were unable to get to the property because of the washaways. They are a pretty resilient group on the border and they got on with the job of recovery. They were not alone because many volunteers came, including the young men from Armidale, the BackTrack team, who spent weeks working alongside farmers in Mingoola and Bonshaw fixing fences.

The declaration of category C natural disaster relief was a welcome announcement. I welcomed it and so did the communities, as did the communities in Queensland. But the differences between the two States are very significant even though the houses in these border towns can be just metres from each other. I will highlight some of the differences. Let us look at the natural disaster relief funding for primary producers. In

New South Wales, once the declaration has been made, primary producers can get up to \$15,000 per farm enterprise for clean-up and immediate restoration costs. For the same category in Queensland it is \$25,000, with an initial \$5,000 to assist with immediate costs. It is very different and it is much easier to access in Queensland, particularly that first \$5,000. The subsequent claim of \$20,000 is to recover costs paid for repair and damage. There is a significant difference.

*[Interruption]*

The member for Murray-Darling always interjects in debates about primary producers. He is a great supporter of them. Small businesses can get up to \$15,000 for clean-up and immediate restoration costs. In Queensland, it is up to \$25,000 with an initial \$5,000 to help with immediate costs. The Queensland system is far more flexible than the system in New South Wales. Those of us whose electorates include border town communities, and there are a number of such members here, particularly from regional, rural, inland and coastal areas that border other States, will be interested in those differences. When one looks at the loans available to primary producers one sees the maximum in New South Wales is \$130,000, with a concessional interest rate for up to 10 years and a two-year interest and repayment-free period available on request.

In Queensland the maximum is \$250,000—that is a very substantial difference—with an initial interest rate of 4 per cent, terms up to seven years and an interest-only component of two years. For small business it is the same. In New South Wales the maximum is \$130,000 and in Queensland it is \$250,000. I acknowledge that this Government has taken a positive step with the appointment of a cross-border commissioner. Councillor Steve Toms, the Mayor of Glen Innes, has been appointed to the position and will be an outstanding first Cross Border Commissioner for New South Wales. Members can see the size of the task he faces in the matter I have raised. People living in border communities are very frustrated at the differences between States when dealing with things such as disaster relief.

I have outlined the different responses when natural disasters occur but one can also imagine the differences in paperwork, bureaucracy, and the problems of who to ring and how the responses should be handled. Those aspects are frustrating. I welcome the appointment of the Cross Border Commissioner and I am sure this matter will be on his agenda. This Parliament could make the task a whole lot easier when it comes to natural disasters by having a set of rules that are consistent for people living in border communities. I urge all members to support the motion.

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [12.47 p.m.]: I respond on behalf of the Government to what I believe is a very important issue. Members on both sides of the House understand that New South Wales and other parts of Australia have been deeply affected over the past 18 months to two years by some of the worst natural disasters, whether they be tropical cyclones up north or, more particularly at the moment, the floods and the massive damage they are causing not only to western towns but also to the fabulous city of Sydney, which has suffered recently. The ability of governments to respond is important as is the ability to get the aid and support to affected areas in a timely fashion.

I note the member for Northern Tablelands referred to cross-border issues that he has experienced. Unfortunately, natural disasters do not recognise State boundaries. That is why I was very pleased recently when the Premier, the Hon. Barry O'Farrell, signed a memorandum of understanding with Anna Bligh, the Premier of Queensland. Much of that arose from the flood inquiry. All members will be aware of the significant amount of damage caused just over a year ago in metropolitan Brisbane when many properties were damaged. The memorandum of understanding referred to not only sharing emergency services but also developing cross-border responses in the form of aid and other types of support.

Recently I had discussions with representatives from the State Emergency Service, the Rural Fire Service and many other volunteer organisations that respond to people's needs and I know that they are developing a joint response package. The provision of aid and resources is an ongoing debate. I am sure that discussion is also held in the electorate of the member for Northern Tablelands. New South Wales has 14 river systems in flood, the most significant of which—the Darling, Lachlan and Murrumbidgee rivers, which I am sure all members are aware—have resulted in major flooding. In total, 70 per cent of the river catchments across the State have been subject to flood warnings, an area which, extraordinarily, amounts to roughly the size of Spain.

At the peak of the floods in recent days 13,000 people were evacuated from towns such as Forbes, Gundagai, Yenda, Urana, Barellan, Cowra and of course Wagga Wagga. I note the hardworking member for

Wagga Wagga is in the Chamber. Thousands more towns right across the State's south-east remain under warning for possible evacuation. Sadly, I am advised that many hundreds of homes have been flooded, with residents now facing the heartbreaking task of returning to properties severely damaged by floodwaters. The member for Lismore, the Minister for the North Coast, and I have made numerous representations to the Minister for Primary Industries about possible assistance as a result of the recent floods on the Far North Coast.

It is not only people in small towns and businesses that are affected but also the farmers and the agricultural industry. In my area a good cash crop for sugar cane farmers is soya beans. For three consecutive years they have lost their soya bean crops at a cost of \$15,000 each time. They have also lost a significant amount of sugar cane, and they are doing it very tough. Previous aid they had received has been used to replant, and only a few months later they have lost the replanting, and that has occurred for three consecutive years. They are doing it extraordinarily tough. They are the backbone of our great country.

During the last floods on the North Coast I had the pleasure of accompanying the Federal Minister for Emergency Management, the Hon. Robert McClelland, on an aerial view of my electorate and the electorate of Lismore to comprehend the extent of the damage. He also reviewed the extent of the damage on the Gold Coast and throughout the hinterlands. I found him a fair dinkum fellow who had some very proactive ideas. Unfortunately he does not hold that portfolio anymore, which will be a loss to the Federal Government. This matter should be dealt with by a whole-of-government approach—Federal, local government and State—not a State-by-State approach.

After the Brisbane floods a national flood levy was imposed. I have heard that to date New South Wales has not received any of that flood levy money. I have heard concern on the Queensland side of the border that its Government is still sitting on a large pool of money. We must look a lot further than financial assistance. The insurance industry should also be involved. I know many people in my electorate now pay an extra \$2,000 per annum on a normal house block just for flood insurance, something which they cannot afford. More and more people in my electorate are opting out of flood insurance. One resident of a house on the banks of a river was charged an extra \$5,000 just for the flood insurance levy. They will not insure at the price, which is why this matter needs a whole-of-government approach.

**Mr DARYL MAGUIRE** (Wagga Wagga) [12.55 p.m.]: This motion has been moved at an appropriate time. Throughout regional and rural New South Wales communities are suffering terrible devastation. Indeed, I have just flown in from Wagga Wagga where our city was threatened with the breaching of the levee banks. Luckily we dodged that one, but the community of north Wagga Wagga did not. Their levee banks did not save them this time and about 250 homes went under. Right along the Murrumbidgee catchment, indeed the Murray-Darling and the Murray, as we speak communities are battling and sandbagging their homes, evacuating and making safe their possessions and their communities. Communities from the Brindabella, the Goobragandra Valley, through to Tumut and Adelong have suffered terrible damage in the past week.

Thankfully, this time we had some time to prepare, unlike in 2010 when communities in Lockhart and The Rock experienced flash flooding. Sadly, many of those communities have been affected by this event, and some of them had not finished their repairs and maintenance from the previous event. As we speak, communities are battling, particularly those further down the river in Narrandera, Griffith, Yenda, Forbes and so on. I pay tribute to the enormous efforts of the State Emergency Service, the Voluntary Rescue Association, the Rural Fire Service, the Air Ambulance, local councils, individuals, local members, mayors and others. It has been a case of all shoulders to the wheel and our communities have performed magnificently.

It is timely to talk about the assistance that is available to those affected by these types of events, and it is appropriate that a review examine any deficiencies that may exist in the system. In the meantime communities have challenges ahead of them, and it is important that we as parliamentarians do all we can. It is important that communities that are not affected by these floods do all they can to help those people who have lost everything. I have flown over the Goobragandra Valley, the Brindabella and I have been with communities in The Rock. I doorknocked and talked with people who really need our help. I thank the Premier, Barry O'Farrell, for visiting Wagga Wagga, seeing firsthand the damage and talking to people about the events. He expressed his support for the communities up and down the Murrumbidgee Valley.

Yesterday the Prime Minister visited Wagga Wagga and I told her how appreciative we were that she came to support our community. There will be many challenges ahead after some difficult times. I know that from time to time patience was tested. I particularly thank James McTavish, the controller of the State Emergency Service in the region. He has done a magnificent job with his dedicated team of people. It is not

until I sat in the operations office that I understood how many organisations have to be coordinated to work as one. For a number of days I filled in the gaps, doing my bit. Local knowledge is a great asset when challenges such as this are faced. I also acknowledge the communities of Tumut and Wagga Wagga and all those throughout the valley who emerged from nowhere. I congratulate the people who filled sandbags in the middle of the night and contributed in so many different ways. Well done. This motion that calls for a review is very timely and appropriate.

**Mr RICHARD AMERY** (Mount Druitt) [12.59 p.m.]: The Opposition is pleased to support the motion moved by the member for Northern Tablelands. He calls on the Government to undertake a review of category C grants—the natural disaster payments made in New South Wales—compared with the grants offered to Queenslanders facing similar disasters. I note that notice was given of this motion last May in response to the natural disasters affecting New South Wales and Queensland a little more than a year ago. We are obviously living in a very volatile time.

The motion does not refer to introducing a new natural disaster relief system, nor does it suggest that the existing system is inadequate. It simply points out that some States have made changes to their relief grants and that the New South Wales Government should examine whether this State's grants are sufficient. The amounts payable have not been amended for some years and, like all other assistance packages, they are subject to review from time to time. Therefore, the request of the member for Northern Tablelands is reasonable. Sometimes motions demand that the Government allocate large amounts that are not factored into the budget. This motion asks only that it examine the assistance package available to people who are the victims of natural disasters and, given that, it should be supported.

The motion moved last May is very topical today. I am sure that all members support the member for Wagga Wagga and other members whose electorates have been flooded over the past week. We in western Sydney have experienced heavy rains, but they are causing nuisance flooding in comparison. That is not to say that some people have not suffered individual disasters. However, the footage being broadcast from regional areas demonstrates why the Government has declared a natural disaster in Boorowa, Forbes, Gundagai, Wagga Wagga, Tumut, the Snowy Mountains and Young, to name but a few areas. Members offer their sympathy and moral support to those affected by the floods, which have been graphically described by the member for Wagga Wagga today. This motion is reasonable: it is simply a request that the Government review assistance packages that have not been reviewed for a long time. It is reasonable to ask the Government to review an issue that should have been reviewed a long time ago. I support the motion.

**By consent, Orders of the Day (Committee Reports) postponed to permit the conclusion of the current debate.**

**Mr RICHARD TORBAY** (Northern Tablelands) [1.02 p.m.], in reply: I thank the House for its indulgence. This is an important motion and concluding it today sends a positive message that this Parliament is considering important issues. I thank the members for Tweed, Wagga Wagga and Mount Druitt for their contributions to this debate on this timely and very important motion. We acknowledge what communities go through when natural disasters occur. The contribution of the member for Wagga Wagga was another reminder of the problems caused by disasters that take a long time to address. Not long ago we were talking about Moree and the devastation that occurred there. The member for Dubbo was keen to make a contribution to this debate but time did not allow him to do so. He would have spoken about the Forbes community and the disaster being experienced there. Of course, Bourke, Walgett, and Wee Waa are also being affected.

We must constantly review our policies and procedures. When those of us who live in border communities experience a natural disaster and try to access assistance we are confronted by a maze of rules and different policies and procedures. There is no clear avenue to follow. A New South Wales primary producer living on the border with Queensland sees his neighbour a stone's throw away across the border receiving \$25,000, \$5,000 of which is available immediately, while he receives only \$15,000 after going through a far more rigorous and lengthy application process. The same applies to small businesses dealing with a natural disaster. New South Wales small businesses receive \$15,000 and Queensland small businesses receive \$25,000. In addition, New South Wales primary producers and small businesses can access \$130,000 in loan funding while Queensland primary producers and small businesses can access \$250,000 after the same natural disaster. Given those anomalies, the appointment of a cross-border commissioner is welcomed.

This Parliament can resolve this issue by supporting this motion calling on the Government to review and streamline these processes to ensure that people can access consistent support. Natural disasters do not

recognise State borders. I welcome the support of members on both sides of the House. This is a good motion because it seeks to do what the community believes we as good legislators and leaders should do; that is, to consider the impact that natural disasters have and to enable people to access the services and support that they should be given at times of greatest need. I commend the motion to the House.

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

**Motion agreed to.**

#### **PUBLIC ACCOUNTS COMMITTEE**

**Report: Examination of the Auditor-General's Performance Audits October 2009 to June 2010**

**Debate resumed from 23 February 2012.**

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

**Report noted.**

#### **LEGISLATION REVIEW COMMITTEE**

**Report: Legislation Review Digest No. 11/55**

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

**Mr STEPHEN BROMHEAD** (Myall Lakes) [1.09 p.m.]: As Chair of the Legislation Review Committee I take this opportunity to comment on the recent Legislation Review Digest report tabled on 6 March 2012. This is the eleventh digest prepared by the Legislation Review Committee of the Fifty-fifth Parliament. Ours is obviously the hardest working committee of this House. Given that this is the eleventh digest produced by the Legislation Review Committee, it is timely to remind the House of the committee's role in identifying issues in proposed legislation and regulations that may trespass on personal rights and liberties and providing commentary regarding these issues in the digest. If the committee considers that an issue warrants further attention the committee will refer the matter to Parliament. On other occasions the committee will simply provide commentary on matters deemed worthy of discussion, even if the committee does not ultimately find that a particular provision trespasses on personal rights.

The eleventh digest examined six bills introduced in the sitting week commencing 21 February 2012. The committee has referred elements of one of the six bills to the Parliament for consideration. The bill is the Noxious Weeds Amendment Bill 2012. I will now speak briefly on this bill. The Noxious Weeds Amendment Bill 2012 makes a variety of amendments to the Noxious Weeds Act 1993. The amendments include: extension of certain powers of local control authorities and border inspectors; clarification of the land in relation to which a plant is a noxious weed; extension of border inspections of agricultural machinery entering New South Wales; and, enabling the Minister to grant exemptions from the Act in relation to class 2 noxious weeds that are only notifiable on Lord Howe Island.

The committee noted that the bill permits an authorised officer or inspector to require a person to answer questions regarding information that may assist in tracing and determining the source or destination of any matter suspected to be noxious weed material. The committee is concerned that such a requirement could potentially infringe upon a person's right to silence as answering such questions could incriminate them in some wrongdoing. The committee noted the safeguards contained in the Act which allow for the dismissal of incriminating evidence obtained through responses. However, such a safeguard has the potential to disproportionately affect those individuals who are aware of their right to silence. The committee refers to Parliament whether this provision infringes on a person's right to silence and the freedom from self-incrimination.

Three bills had a commencement by proclamation clause and it is standard for this committee to comment when the commencement date for a bill is not established in the legislation. The committee made comments in relation to issues set out in section 8A (1) of the Legislation Review Act 1987 when considering the following bills: the Births, Deaths and Marriages Registration Amendment (Change of Name) Bill 2012; the Centennial Park and Moore Park Trust Amendment Bill 2012; the Coroners Amendment Bill 2012; and the Road Transport

Legislation Amendment (Offender Nomination) Bill 2012. Those comments related to the following issues, which have the potential to impact unduly on personal rights and liberties: excessive punishment, presumption of innocence, and retrospectivity. Whilst the committee will always note when such issues arise in a bill, the committee felt that the issues outlined in the amendments were reasonable in the circumstances.

For a detailed consideration of these issues I invite members to review the digest. The committee made no comment in relation to one of the bills, the Save Gosford Public School Bill 2012. In conclusion, I remind the House that the digest aims to assist members in their consideration of bills and highlight the issues that the committee considers when it reviews bills that have been tabled in the House. I thank the committee staff who have worked on the digest: Carly Sheen, Emma Matthews, Jason Ardit, Emma Wood, Todd Buttsworth and Jenny Whight. I also thank the members of the committee, the member for Swansea—who has now been replaced by the member for Kiama—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. They 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) [1.13 p.m.]: Legislation Review Digest No 3 of 2012 was the eleventh digest of the Fifty-fifth Parliament. I acknowledge my fellow members of this committee, the members for Myall Lakes, for Parramatta and for Rockdale and our colleagues in the other place, the Hon. Dr Peter Phelps, the Hon. Shaoquett Moselmane and Mr David Shoebridge. I also welcome to the committee the member for Kiama, who joined the committee this week. Once again I acknowledge the hardworking committee staff: Emma Matthews, Emma Wood, Jason Ardit and Todd Buttsworth. I note that I was unable to attend the committee meeting this week. I thank Mr David Shoebridge and the Hon. Shaoquett Moselmane for attempting to resolve the ongoing matter of the time for this meeting. I understand that several potential solutions were suggested by those members but they were rejected.

This week's digest canvasses six bills, including the Births, Deaths and Marriages Registration Amendment (Change of Name) Bill 2012. I have already addressed the Chamber regarding this legislation. However, I take this opportunity to commend the Attorney General for his conduct with regard to this bill. Often members identify potential issues with a bill which might be addressed by other legislation outside the scope of our briefing material. Such was the case when I raised concerns relating to the provisions for offenders listed on the Child Protection Register. The Attorney General makes it his practice to respond to concerns raised by members on both sides of the Chamber. I think this is appropriate and I encourage all Government Ministers to follow the Attorney's example.

The committee also reviewed the Road Transport Legislation Amendment (Offender Nomination) Bill 2012. The committee noted that part of the bill may be retrospective in that it may apply to individuals who submitted their nomination prior to the bill coming into effect. However, given that the process in that regard will be largely unchanged by the bill, the committee concludes that it is reasonable in the circumstances. I was somewhat concerned by the proposal to limit the scope for the confiscation of vehicles involved in aggravated burnout offences. Burnouts are not only a nuisance but also associated with road rage offences. Reducing the scope for the confiscation of vehicles involved in burnouts may lead to few, if any, vehicles being confiscated.

It is difficult to demonstrate that a burnout is aggravated and it will be harder for police to take vehicles involved off our roads or issue warnings. Burnouts also do significant damage to roads, leading to increased costs for both councils and the Roads and Maritime Authority. The committee noted that although the Coroners Amendment Bill 2012 contains a provision that is to have retrospective effect, the retrospective provision only applies to prevent a person suspected of an offence in connection with a deceased person's death from requesting that a post mortem examination not be conducted on that person. The committee concluded that the bill was not unreasonable. I commend Legislation Review Digest No 3 of 2012 to the House.

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

**Report noted.**

*[Acting-Speaker (Mr Lee Evans) left the chair at 1.18 p.m. The House resumed at 2.15 p.m.]*

#### **REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**Mr ANDREW STONER:** I advise members that should the Premier be absent from the Chamber today during question time, as Deputy Premier I will answer questions on his behalf. Further, in the absence of the Minister for Education, the Minister for Citizenship and Communities will answer questions relating to that portfolio.

## JAPAN TSUNAMI FIRST ANNIVERSARY

**The SPEAKER:** On 11 March 2011 at approximately 5.00 p.m. Sydney time a massive earthquake, registering 8.9 on the Richter scale and the largest in Japanese history, struck off the east coast of Japan, about 400 kilometres north-east of Tokyo. In its wake came an unstoppable tsunami of unimaginable scale and destruction—it was up to 10 metres high. Next Sunday marks the first anniversary of that terrible day. Japan's National Police Agency has put the total of dead or missing people from the disaster at more than 19,000, and countless numbers were injured, displaced and homeless. More than 337,000 buildings were destroyed or partly destroyed, and more than 680,000 damaged.

Australians often band together in a state of crisis and extend offers of support to our international friends in need. The outpouring of donations in response to the Japanese tsunami was extraordinary. The Red Cross launched the Japan and Pacific Disaster Appeal 2011, raising more than \$23.5 million to assist affected communities. Donations of clothing, toiletries, children's toys and food were also received from across the country. A 76-person multiagency urban search and rescue task force from New South Wales was deployed to Japan to provide assistance with search and rescue activities and to supplement national and other international resources. The task force worked in conjunction with the Kyoto Fire Department and teamed with Swiss and New Zealand task forces.

Task force members worked under very challenging conditions, which included regular after-shocks that reached 6.5 magnitude and subsequent risks of another tsunami, deteriorating conditions at the Fukushima nuclear power plant, and severe weather, which reached minus 17 degrees Celsius, often with heavy snow. The task force returned home on Monday 21 March 2011, but the close relationship forged between New South Wales and the Japanese authorities during the deployment continues to this day. The Japanese Government was deeply grateful to these men and women who provided such critical and urgent focus and attention when it was most needed. For the Japanese Government and the people of Japan the long road to recovery continues. So too does our commitment to them through our strong bonds of friendship.

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

## DEATH OF SENIOR CONSTABLE DAVID RIXON

### Ministerial Statement

**Mr ANDREW STONER** (Oxley—Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services) [2.25. p.m.]: It is with sadness that I speak on this the day of Senior Constable David Rixon's funeral. Senior Constable Rixon was a well-respected highway patrol officer who was tragically killed last Friday while on duty in Tamworth. He spent more than half his life in uniform, much of it in country New South Wales. It is a well-known fact that everyone in a country town knows their local cops. The people of Tamworth knew Senior Constable Rixon particularly well; he was the face of road safety throughout the region. He was passionate about saving lives; yet his life was so cruelly taken. Tamworth and our Police Force have lost one of their finest.

Fiona Rixon has lost her soul mate, and their six children, to use Fiona's words, "have lost the most amazing and supportive father any child could ask for". I am sure all members join me in extending our deepest sympathies to Senior Constable Rixon's family, friends and colleagues in the Police Force at this difficult time. Our police dedicate their working lives to the service and protection of our communities and we honour and admire the courage and bravery of all officers in this State. In upholding the law and keeping the people of New South Wales safe, our police put their lives on the line on a daily basis, as we saw so tragically just last Friday. I know it is of little comfort at this most difficult of times, however the Government will ensure that financial support is provided to Mrs Rixon and the children both now and in the years ahead.

A public appeal is being run through the Police Association and I understand that the NSW Police Force is also establishing an internal appeal to which police officers will be invited to make salary deductions. The Premier today contributed \$10,000 on behalf of the New South Wales Government, and support will also be provided through Police Legacy. Right around the State we reacted as one to the horrific news. There is perhaps no better illustration of our collective emotions than the actions of a six-year-old girl who attended Tamworth police station last Friday and offered police at the front counter her birthday cake, telling the officers they needed it more than she did. On behalf of the Government and the people of New South Wales I offer heartfelt condolences to the family, friends and colleagues of Senior Constable David Rixon.

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [2.23 p.m.]: There can be no greater tragedy than when a police officer lays down his or her life in the line of duty, gunned down in a senseless act of violence; no pain more acute than that felt by a family left without a husband, a father and a son; no sorrow more overwhelming than that of Senior Constable Rixon's colleagues in the NSW Police Force, who continue to carry the same burden of responsibility that placed Senior Constable Rixon in harm's way. Senior Constable Rixon was an exemplary officer, a pillar of his community and a stalwart of law and order in Tamworth.

While it is hollow solace to the family members David Rixon has left behind, the entire State of New South Wales stands firmly behind them and will offer them every bit of support that it can. There is nothing that strikes deeper to the heart of our community than a direct assault on the men and women in blue. There is nothing more affronting to our sense of right and wrong than criminal actions perpetrated on those who dedicate their lives to protecting the rest of us so that we might never have to experience the same. Scott Weber, President of the Police Association, recently stated that most of us in this House cannot appreciate the difficulty, stress and danger of life in the Police Force. The truth of those words rings loudly in our ears in the wake of Senior Constable Rixon's death.

Senior Constable Rixon had been in the Police Force for over 20 years, serving all over northern New South Wales and Newcastle; from Waratah to Gunnedah, from Belmont to Hamilton and of course Tamworth. But it is our entire State that has been shaken by this grim slaying. We have been left numb by the pointless, needless death of Senior Constable Rixon, and just as with every loss of a police officer, it has left our community scarred and damaged. The events of last Friday morning serve as a constant reminder to us of just how precious life is and how lucky we are to live in safety and security, protected by people like Senior Constable Rixon.

He was well respected by his colleagues, friends and family and, by all accounts, he has left a deep impression in the lives of so many. It was only the day before this dreadful incident occurred that we saw 800 officers marching through the streets of Sydney to commemorate 150 years of policing in New South Wales. Tragically there are over 250 names on the NSW Police Force Honour Roll, officers who have paid the ultimate price in service to the people of New South Wales. Sadly, Senior Constable David Rixon joins that number. The thoughts and prayers of the Opposition, together with the people of New South Wales, are with Senior Constable Rixon's family, his wife, Fiona, and their six children. May he rest in peace.

**The SPEAKER:** I note that the flags are flying half-mast in Parliament House today following the request from the Premier.

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

#### REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

**The SPEAKER:** The House will note that the Premier has returned to the Chamber and will be present to answer questions during question time.

#### QUESTION TIME

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*[Question time commenced at 2.28 p.m.]*

#### THE STAR CASINO AND NORM LIPSON

**Mr JOHN ROBERTSON:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts. According to evidence in the *Australian* newspaper the Minister's media adviser, Norm Lipson, was aware of sexual harassment allegations at The Star casino on 9 January. When did he first inform the Minister about those allegations?

**The SPEAKER:** Order! I refer the Leader of the Opposition to Standing Order 128, which states that questions should not ask for confirmation of media reports. I rule the question out of order.

**Mr Michael Daley:** Point of order: Madam Speaker—

**The SPEAKER:** Order! I have ruled the question out of order because it asked for confirmation of a media report.

*[Interruption]*

**The SPEAKER:** Order! The member for Keira should read the standing orders. I call the member for Keira to order.

**Mr Michael Daley:** Point of order: Madam Speaker—

**The SPEAKER:** Order! I have made my ruling. The member will resume his seat or I will place him on a call to order. I call the member for Shellharbour to order.

### FLOOD RELIEF

**Mr DARYL MAGUIRE:** My question is addressed to the Deputy Premier. What is the latest information on the flood crisis gripping New South Wales, including action the Government is taking to get communities back on their feet?

**Mr ANDREW STONER:** It is good to see the member for Wagga Wagga back in this place. He has been in his community helping his constituents cope with an extraordinary natural disaster—so extraordinary that the Premier recently declared a state of emergency in that part of the State. In Sydney, as people are still drying out from what was by any definition an extraordinary deluge this morning, it is timely to provide an update to the House on the flooding situation here and across the State. Last night and today both Sydney and the Illawarra have experienced heavy rain and flash flooding. In Sydney the Cooks River and Wolli Creek are now subject to flood warnings, with flash flooding in the Tempe central business district and low-lying areas. The Georges River is also now on flood watch, with State Emergency Service volunteers doorknocking approximately 90 homes adjacent to the Georges River near East Hills. I understand that a number of roads in the area have been closed.

This morning the Bureau of Meteorology recorded a mild tornado event that tracked through Kurnell and Randwick. I am pleased to say that it appears to have caused only minor property damage. The significant weather event across metropolitan areas has no doubt caused our thoughts to return to the many communities across the State that continue to face grave threat to life and property. Currently the State Emergency Service is responding to the most significant flooding in inland New South Wales in a generation. The Emergency Service State Operation Centre has been in continuous operation for the past eight weeks. Seventy per cent of the river catchments across the State—that is equivalent in area to a country the size of Spain—have been subject to flood warnings.

At its peak in inland New South Wales at the beginning of this week nearly 13,000 people were evacuated from communities, including in Wagga Wagga, Forbes, Gundagai, Yenda, Urana, Barellan and Cowra. The State Emergency Service has undertaken 150 flood rescues during this event, including nine overnight involving people trapped in their cars and homes as a result of rising water. I am advised that this morning the State Emergency Service came to the rescue of 120 schoolchildren isolated by floodwaters in the Southern Highlands. The State Emergency Service has deployed more than 3,000 volunteers in response to the current floods and is placing additional resources on standby in areas likely to be affected by the severe weather warning, with concerns about flash flooding.

These volunteers have been tasked with a range of important roles, including swift water rescue specialists, flood boat teams, aviation, community engagement and logistics. It is important to note that the State Emergency Service has received vital support from Fire and Rescue NSW, the NSW Police Force, the Rural Fire Service and a range of non-government partners, including the Adventist Development and Relief Agency—otherwise known as ADRA—Anglicare and the Australian Red Cross. Flood relief efforts would not have been possible without this support, and I acknowledge the important contribution made by all those organisations. Today evacuation orders are current for a number of areas, including Griffith, North Yenda, Beelbanger, parts of Gundagai and Ungarie. Up to 300 square kilometres of water is now flowing across the Riverina west of Griffith and I understand that the town of Forbes in the Central West has been cut in three places by floodwaters.

The State Emergency Service will continue to monitor the situation and provide support to flood-affected communities as required, including preparing and warning communities downstream from the

floodwaters. I have been told that 400,000 sandbags have been distributed to shore up the defences of threatened communities and properties. I join with the Minister for Primary Industries in urging southern New South Wales farm producers to report flood damage. Accurate information on flood damage is critical for New South Wales authorities to determine the extent of the damage and assess potential support measures. Farmers are asked to report all forms of damage, including stock and fodder losses, and damage to crops, pastures, fencing and other farm infrastructure.

This on-the-ground information helps the Department of Primary Industries plan its emergency response measures, such as fodder drops and aerial surveillance, as well as longer-term assistance and support that may be available for farmers and their communities. In southern and far western areas the Department of Primary Industries has so far responded to more than 555 calls for assistance, moved 19,000 head of sheep and cattle out of floodwaters and to higher ground, and dropped five tonnes of fodder to stranded animals. Finally, I urge all never to forget the dangers of attempting to cross floodwaters.

**Mr John Robertson:** You'd know.

**The SPEAKER:** Order! The member's interjection is uncalled for.

**Mr ANDREW STONER:** That is a typically grubby comment at a time when we are dealing with a massive natural disaster. Tragically two lives have already been lost during this flooding event as a consequence of people trying to cross flooded roadways. Please remember: If an area is flooded, forget it. Do not drive, ride or walk through floodwaters. It is simply too dangerous.

#### THE STAR CASINO AND NORM LIPSON

**Mr JOHN ROBERTSON:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts. Given that the Minister's media adviser, Norm Lipson, was aware of sexual harassment allegations at The Star Casino on 9 January, when did he first advise the Minister of those allegations?

**Mr GEORGE SOURIS:** All I can say on that matter is that the Government is cooperating fully with the investigation, as the Premier has already said. The investigation has been independently appointed by the Independent Liquor and Gaming Authority. Ms Gail Furness, SC, has been appointed to conduct the inquiry. In an article in the *Sydney Morning Herald* dated 7 March the chair of the Independent Liquor and Gaming Authority said that he defended the conduct of the inquiry, which he said was proceeding "properly and thoroughly" and would not be influenced by recent revelations or "diverted by media speculation or political debates". If members opposite have relevant material, they should take it to the Independent Liquor and Gaming Authority.

**The SPEAKER:** Order! I call the member for Canterbury to order. The Leader of the House will resume his seat.

#### STATE ECONOMY

**Mr CRAIG BAUMANN:** My question is directed to the Treasurer. With the release today of the latest jobs figures for New South Wales, how is the Government meeting the challenges facing the economy?

**Mr MIKE BAIRD:** I thank the member for Port Stephens for his question. Having worked in business, he understands the need for financial management in government. Today I will give the true economic picture in New South Wales. I am pleased to confirm that, despite the economic challenges, the level of unemployment in New South Wales remains unchanged at 5.2 per cent. While we have had some positive news on New South Wales jobs growth today, and there was positive news on economic growth yesterday, the truth is that we still have a lot of work to do.

Global conditions continue to put pressure on the economy and they have hit the State's revenue. As I said yesterday, GST is down by \$600 million. Yesterday's housing demand figures show that challenges remain. It is important to note that on days like today under the former Government its Treasurer would have held a press conference to tell people that the economy was rosy and that the Government was wonderful. In contrast, we are getting on with the job. We are facing challenges, but we are doing what is in the interests of the people of New South Wales.

[*Interruption*]

Members opposite do not want to hear the good news for the people of New South Wales. They should be applauding the fact that there are jobs in the economy. I thought they would be interested in that. But, no, they have gone into a frenzy. Listen to them. Importantly, the Government is getting on with the job. While members opposite are smearing the economy, we are getting on with the job of looking after it. I know that members opposite struggle with the facts, but I propose to tell them some anyway. The Australian Bureau of Statistics labour force data for February showed that the unemployment rate in New South Wales was steady at 5.2 per cent. Nationally, unemployment increased from 5.1 per cent to 5.2 per cent. Unemployment in Victoria, Queensland and South Australia increased. In New South Wales 2,500 additional jobs come into the economy. Since the O'Farrell Government was elected—members opposite struggle with the numbers but here they are—almost 20,000 jobs have been created in New South Wales.

**The SPEAKER:** Order! The member for Maroubra will come to order. The member for Cessnock will come to order. The Leader of the House will come to order.

**Mr MIKE BAIRD:** This is important and members opposite should hear this. While New South Wales put an additional 20,000 jobs into the economy, 3,300 jobs were lost across the rest of the country. Notwithstanding the economic challenges New South Wales is making progress.

**Dr Andrew McDonald:** Point of order: My point of order relates to relevance. I need to help the Minister. He has clearly forgotten one of the lines of his speech—

**The SPEAKER:** Order! That is not a point of order. The member for Macquarie Fields will resume his seat. The Minister is being relevant.

**Mr MIKE BAIRD:** I was not going to talk about Labor's record but I think I have to. We have seen what the O'Farrell Government has achieved. What did we see under Labor? What did we see over the past decade in economic growth? It was the lowest in the country. What did we see in jobs growth? It was the lowest in the country. What did we see in confidence? It was the lowest of any State for most of the past five years. Members opposite do not like to hear good news for the people of New South Wales. The O'Farrell Government has got on with the job. Jobs growth has come but in challenging circumstances, and we need to acknowledge that. The Government certainly acknowledges that.

**The SPEAKER:** Order! Members will come to order. The Treasurer will be heard in silence.

**Mr MIKE BAIRD:** I would like that, Madam Speaker. It would be very polite. We saw that New South Wales has the highest quarterly and annual growth of any non-mining State.

**The SPEAKER:** Order! I call the member for Toongabbie to order. I call the member for Maroubra to order.

**Mr MIKE BAIRD:** We also saw this week that confidence in New South Wales is above average.

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

**Mr MIKE BAIRD:** Under the O'Farrell Government there is more confidence and more economic growth and there are more jobs.

#### THE STAR CASINO AND NORM LIPSON

**Mr JOHN ROBERTSON:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing, and the Arts. This afternoon I have written to Chris Eccles and asked him to investigate Norm Lipson for breaches of the ministerial code of conduct by failing to disclose information about alleged sexual harassment at The Star casino to the Minister. In light of this, will the Minister now stand down Norm Lipson immediately?

**Mr Brad Hazzard:** Point of order: No, it is such a stupid question I will withdraw the point of order.

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

**Mr GEORGE SOURIS:** No.

### INTERNATIONAL WOMEN'S DAY

**Mrs ROZA SAGE:** My question is addressed to the Minister for Family and Community Services, and Minister for Women. Given it is International Women's Day today, can the Minister outline how the Government is empowering and supporting women in our community?

**Ms PRU GOWARD:** As I think all members are aware, communities all over New South Wales have celebrated International Women's Day in community events today. The member for Strathfield and I joined Strathfield council in handing out International Women's Day ribbons in the rain at a very wet railway station. We looked at and celebrated the marvellous work of 20,000 volunteers who help with the education of disadvantaged Australians at the Voice, Interests and Education of Women [VIEW] Club lunch at Parliament House on Monday. Yesterday the World of Women Film Festival was held at Parliament House, which promotes and supports the fantastic work of women in the film and television industry.

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

**Ms PRU GOWARD:** The UN Women International Women's Day breakfast at Darling Harbour continues to grow and now involves 1,700 women. It was a pleasure to be there with so many of my women Government colleagues and the Opposition spokesperson for Women. On Tuesday there was a morning tea and forum on women's policy priorities in Parliament House with leading advocates and women's organisations, which was again well attended by members of Parliament—I thank them for that—as well as community members. To celebrate International Women's Day in 2012, this Government has announced a new and improved awards system to celebrate women and the great contribution they make to our State and in our communities.

The NSW Women of the Year Awards will acknowledge both our high achievers and our local heroes. This year every person in New South Wales will have the opportunity to nominate a woman to either category via our website. Labor could manage only 75 nominations to an award when there are 3.7 million women in this State. We need to see that number grow. Winners will be chosen from a short list based on a number of criteria, which are all transparent and publicly available. They will properly highlight the contributions women make. It is also an opportunity to reflect on the different ways that women contribute to our State. From this year we also will invite members of the public to vote—

**The SPEAKER:** Order! The member for Canterbury will have an opportunity to ask a question, but she cannot do so now.

**Ms PRU GOWARD:** —for the People's Choice Community Hero Award. Inviting the public to choose their local heroes is yet another way in which the O'Farrell Government is boosting openness and transparency. Members opposite do not like hearing this. They do not like admitting they did nothing. They do not like admitting they could not find more than 75 women in the whole State.

**Mr Chris Hartcher:** They probably nominated themselves.

**Ms PRU GOWARD:** They probably did nominate themselves. The winners of this year's Women of the Year Awards will be decided not by the Premier's office but by a panel of six, including journalists, Mr David Gallop from the National Rugby League [NRL], Captain Paul Moulds from the Salvation Army, and Ms Jodie Fox from Shoes of Prey, who is one of the State's leading female entrepreneurs. I think that is a very credible panel of distinguished people and I am appalled that the Opposition does not think a game as significant to the culture of this State as NRL has no role in this. In addition to these improved statewide awards, members of Parliament will be given an opportunity to acknowledge an individual in their electorate and I have written to members today inviting them to nominate their local woman of the year.

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

**Ms PRU GOWARD:** International Women's Day is not just about celebrating; it is also about discussing the need for real reform. This Government is committed to addressing the inequalities that continue to exist between men and women. The Australian labour market remains the most sex-segregated among the Organisation for Economic Cooperation and Development [OECD] nations. [*Extension of time granted.*]

A key priority in the NSW 2021 State plan is to increase the proportion of women working in traditionally male vocations. That is why last week I announced the Council for Women's Economic

Opportunity, which will provide specialist advice to this Government to make every trade traditional for women. We will not close the famous wage-gender gap without addressing this issue. The reasons women continue to be under-represented in large sections of the workforce need to be examined. That gender pay gap that we talk so much about has only widened in the past 10 years and it is easily attributed to the role of the mining boom and the absence of women in those occupations. We need industry leaders to champion solutions that—

*[Interruption]*

I know the member for Wollongong does not understand this: economics is not her strength but she might get something out of it.

**The SPEAKER:** Order! The Minister has the call.

**Ms PRU GOWARD:** We need industry leaders to champion solutions that increase the participation of women in non-traditional jobs. The role of the new council is to identify strategies that make it possible for girls and women to consider a non-traditional occupation. For the first time a Women's Advisory Council addressing women's economic opportunity will include men because, as we have said, just as it is wasteful to ignore the talents of more than half the population in the workforce, so too would it be foolish not to enlist men in this important goal—another reform from the O'Farrell Government.

### THE STAR CASINO AND PETER GRIMSHAW

**Mr PAUL LYNCH:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts whilst he continues to hold those portfolios. When did the Minister become aware that Peter Grimshaw made representations on his behalf to a Fairfax journalist last September to prevent him from printing a story about him?

**Mr GEORGE SOURIS:** In 1941 an equally foolish question was answered with the word "Ohi". I say "Ohi" also to the member for Liverpool.

**Mr Michael Daley:** Point of order: The question did not seek a yes or no answer. The member for Liverpool asked, "When did the Minister become aware—"

**The SPEAKER:** Order! The Minister has answered the question. The member for Maroubra will resume his seat.

**Mr Michael Daley:** You can't hide forever. What have you to hide?

**The SPEAKER:** Order! The member for Maroubra will resume his seat. I call the member for Maroubra to order for the second time.

### FUEL PRICES

**Mr JAI ROWELL:** What is the Government doing to ensure that petrol stations and petrol retailers provide clear and reliable information to consumers?

**Mr ANTHONY ROBERTS:** Unlike those opposite who support the carbon tax, I know that the member for Wollondilly appreciates the pressure that New South Wales consumers are under as a consequence of rising energy costs. As this House would be aware—

*[Interruption]*

I will deal with those issues shortly. Fair Trading is conducting a number of compliance campaigns, which include rounding up travelling con men and removing a batch of toxic dummies from the marketplace.

**Mr Ray Williams:** If the Minister refers to the Leader of the Opposition he should use his correct title.

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

**Mr ANTHONY ROBERTS:** I apologise. In order to avoid any confusion in the House I will refer to the dummies as poisonous pacifiers. Pricing clarity is a fundamental consumer right and of particular importance when

it comes to essential commodities such as petrol. That is why, following requests from the Motor Traders Association and the Service Station Association, I instructed NSW Fair Trading to commence a major compliance operation to address misleading and deceptive petrol advertising by service station operators in this State.

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

**Mr ANTHONY ROBERTS:** I can understand why the member for Toongabbie did not go to Canberra. He and the member for Maroubra—the collective brains of the Opposition—have some intelligence.

**The SPEAKER:** Order! The Minister will return to the leave of the question.

**Mr ANTHONY ROBERTS:** Last month Fair Trading investigators conducted initial inspections of 302 service stations across the State, including 177 in regional New South Wales, as part of the O'Farrell-Stoner Government's commitment to rural and regional New South Wales. The inspections covered all major fuel companies, along with number of independent operators. The inspections showed that 24 per cent of stations selling unleaded fuel were not complying with the information standard under the Fair Trading Regulation 2007 which requires the display of the full price of unleaded fuel.

The inspections also identified a number of other potentially misleading advertising practices and discount schemes. Some of the advertising practices are of particular concern, including: the inclusion of obscure references to terms and conditions that apply to discounts and the use of an extremely small font in some of the wording about how consumers could obtain a discount. It also appears that some service station operators are misleading consumers by advertising the price of ethanol blended, or E10, petrol rather than standard unleaded fuel, as required by law. They appear to be doing this because E10 is typically cheaper than regular unleaded petrol.

**Mr Richard Amery:** Get away with you.

**Mr ANTHONY ROBERTS:** As soon as the member for Mount Druitt gets into a car and behind a combustion engine I would welcome that; however, when he does so he should say hello to Doris the donkey for me.

**The SPEAKER:** Order! The Minister will return to the leave of the question.

**Mr ANTHONY ROBERTS:** There is nothing wrong with steam. The results from these inspections suggest that a significant number of service station operators may be engaging in misleading and deceptive conduct under section 18 of the Australian Consumer Law or breaching the product information standard in the Fair Trading Regulation. Yesterday Fair Trading began a major compliance operation to investigate up to 60 New South Wales service station operators who may be misleading and deceiving consumers. My department has commenced enforcement action against five operators for making false and misleading representations involving cash-back rebates, membership and voucher schemes and bait discount advertising. On a side note, I understand that in the United States of America petrol companies are strong advocates of ethanol blended petrol and actively promote it to their customers. There does not seem to be the same support for ethanol blended petrol in New South Wales by the same major fuel companies. This will be the target of further investigation by Fair Trading. Petrol companies should be supporting the use of E10 by consumers.

**Mr NATHAN REES:** Madam Speaker—

**Mr Jai Rowell:** I seek further information from the Minister.

**The SPEAKER:** Order! Is the member for Wollondilly seeking the call?

**Mr Jai Rowell:** Yes.

**The SPEAKER:** Order! The member for Toongabbie will resume his seat. The Minister and the member for Wollondilly will resume their seats. Given the disorder in the House this afternoon all members who have been placed on one or two calls to order are now deemed to be on three calls to order. The member for Wollondilly has the call.

**Mr JAI ROWELL:** This issue is of such importance to the people of Wollondilly, I ask that the Minister be granted an extension of time.

**The SPEAKER:** Order! The Minister has an additional two minutes to conclude his answer.

**Mr ANTHONY ROBERTS:** The member for Wollondilly understands that petrol prices are a key issue when it comes to families doing it tough under the current Federal Government. Petrol companies should not be using E10 as bait to get consumers to drive into their service stations where they can be charged a higher price for another product. If petrol companies are misrepresenting their products and/or are using E10 to mislead consumers I will instruct Fair Trading to take action. Under the Australian Consumer Law it is an offence to make false and misleading representations about goods and services. The maximum fine under the Australian Consumer Law for making false or misleading representations about goods and services is \$220,000 for an individual and \$1.1 million for a corporation. I have instructed my department to apply the full force of the law. To complement the compliance operation, Fair Trading has established a hotline on 1800055555 so that motorists can report instances where they consider that they have been misled by advertising at service stations.

I hope that motorists will work with Fair Trading, particularly in the lead-up to Easter. Fair Trading has also created an online complaints form on its website, [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au). This compliance action could save some motorists up to 10¢ a litre. This is important work and it shows that good government can make a difference. It is a point of contrast between those on this side of the House and those opposite. The O'Farrell-Stoner Government is doing what it can to lighten the load for consumers. We actively work with industry to identify opportunities to bring about positive change; we work towards compliance with the law; and we work towards transparency and certainty. In contrast, members opposite work towards a carbon tax that will ensure New South Wales households will face increases of up to \$500 a year and businesses up to \$4,200. My message is that if petrol station operators do not fix their house, we will fix it for them.

### THE STAR CASINO

**Mr NATHAN REES:** I direct my question to the Minister for Tourism, Major Events, Hospitality and Racing. Did the Minister know about claims of sexual harassment at The Star casino in January?

**Mr GEORGE SOURIS:** On this occasion, ne (which is Greek for "yes"). I first became aware of rumours in early January when I attended a function at the Lyric Theatre. An independent investigation is being conducted by Ms Gail Furness, SC.

**The SPEAKER:** Order! Is the member for Toongabbie rising on a point of order?

**Mr Nathan Rees:** No, I want to ask a supplementary question.

**The SPEAKER:** Order! The Minister has not finished his answer.

**Mr GEORGE SOURIS:** Ms Gail Furness, SC, is conducting an independent investigation on behalf of the Independent Liquor and Gaming Authority and certain other matters have been referred to the Independent Commission Against Corruption. If members of the Opposition have material pertaining to the current situation at The Star casino, they should take it to the relevant independent organisation.

**Mr NATHAN REES:** I have a supplementary question. What steps did the Minister take to determine the veracity or otherwise of the rumours he heard?

**Mr Brad Hazzard:** Point of order: The simple question was whether the Minister was aware. The member for Toongabbie is now asking about what steps were taken. It is an entirely different matter and it has nothing to do—

**The SPEAKER:** Order! The member has asked a supplementary question, as he is entitled to do.

**Mr Brad Hazzard:** The member should spend some time reading the standing orders when he goes to bed tonight.

**The SPEAKER:** Order! I am sure that we could all benefit from reading the standing orders. The member is entitled to ask a supplementary question and I am allowing him to do so.

**Mr GEORGE SOURIS:** This is a matter for the independent inquiry to determine. If the member has any material, he should take it to the independent inquiry.

**NORTH-WESTERN SYDNEY PUBLIC TRANSPORT**

**Mr KEVIN CONOLLY:** My question is directed to the Minister for Transport. What public transport improvements has the Government made for the commuters of Sydney's north-west?

**Ms GLADYS BEREJIKLIAN:** I thank the member for that important question and congratulate him on his great advocacy for his electorate. I know that he, like every other member representing that booming area, wishes that the North West Rail Link had been delivered as promised by the former Labor Government. I share his frustration that that did not happen.

**The SPEAKER:** Order! I remind Opposition members that several of their number are now on three calls to order.

**Ms GLADYS BEREJIKLIAN:** They have a lot to say now, but they did nothing about this when they were in government. I also share the frustration of the member for Riverstone that the 400,000 people who already call the region home must still endure painfully long commutes because the previous Government was in a public transport paralysis. It is no secret that despite the transport challenges facing the north-west of Sydney it is a great place to live. All members will attest to that. That is why another 70,000 new homes are expected to be built in the Riverstone, Schofields and Marsden Park areas over the next 40 years to accommodate more than 200,000 people. Those people are all relieved and delighted that the O'Farrell Government came to power in 2011 and that it is finally delivering what Labor could not—a rail service. The North West Rail Link is well underway. We have already let 15 tenders and before long two environmental impact statements will go on public exhibition.

**The SPEAKER:** Order! The member for Marrickville and the member for Macquarie Fields will come to order.

**Ms GLADYS BEREJIKLIAN:** They do not like this. I will inform the House of what the not-so-sharp shadow spokesperson said about the North West Rail Link in the other place. She said on radio 2SM in December last year:

The North West Rail Link is an important project and it will be built.

She also cautioned the Government in the same interview by saying that the Government should not repeat the mistakes of the past. Even the shadow spokesperson accepts that the line will be built by this Government. I have been interested to hear the positive, sensible reaction of so many north-west residents who are glad the line is coming, and who say what a boon it will be for their children and future generations. While this Government is getting on with the job of delivering Australia's biggest rail infrastructure project, it is also delivering immediate improvements to make life a little easier for those north-west residents who commute by bus.

In line with our election commitment to increase services, I am very pleased to announce—and I know that the local members are pleased to hear—that 24 new buses will be running 46 new services between the north-west and the employment centres of Macquarie Park, Artarmon, North Sydney, Milsons Point, Sydney city and Parramatta, starting on 19 March. These new services will run in the morning and evening peaks and will make for a more comfortable journey for commuters who struggle to get a seat on existing services. I hope that the extra services will also encourage some who travel by car to consider taking the bus, therefore helping to ease congestion on the M2.

Customers who live in these growing parts of Sydney from Rouse Hill to Blacktown have been asking for more frequent services to the city and Parramatta. Unlike Labor, this Government has listened to the community and responded. I am happy to say that among the improvements are four new buses and eight new weekday services on the 611 Blacktown to Macquarie Park route. That is something the former Minister for Transport did not deliver in his own electorate when he was in government. There will also be a new bus and two extra weekday services for the T63 Kellyville Ridge to Parramatta service. In addition, a new, direct 602 Rouse Hill town centre to North Sydney route will be introduced on the M2. I know that the member for Hawkesbury will be happy about that.

There will also be five services in the morning peak and five in the evening peak on this new route. Passengers using this new service are expected to save up to 25 minutes per trip. That will be great because they

will not have to change buses. New buses and extra services add up to one thing for the people of the north-west: a better journey to and from work, which they desperately need. The rollout of these new buses and services is expected to be completed by June. I look forward to receiving feedback from the people of the north-west and the great members of Parliament who represent them.

### WALLARAH 2 COAL PROJECT

**Mr GREG PIPER:** I direct my question to the Minister for Resources and Energy. Does the proposed Wallarah 2 coalmine have a current exploration licence? If not, given the Government's previous refusal to approve an application, what are the implications for any current proposal or future project application?

**Mr CHRIS HARTCHER:** If the House will indulge me, of all the exploration licences in New South Wales there is none about which I am more familiar than the Korea Resources Corporation [KORES] project in the Wyong valley on the Central Coast. Exploration licence No. 4911 was granted in October 1995 by the Carr Labor Government and it expired in 2010. The Labor Government took no action at that time in respect of exploration and under the Act it therefore continued until a determination was made. In September 2011 I wrote to the company advising them that it was my intention to cancel the exploration licence, giving them a certain amount of time to show cause as to why I should not cancel the licence. The company has since responded with a carefully presented formulation. That formulation, asking that the licence not be suspended, is of course being assessed and determined by the department in accordance with the law.

In November 2011 the company lodged an application under the Environmental Planning and Assessment Act 1979 with the Minister for Planning and Infrastructure for a development consent for the granting of a mining lease. In January 2012 the Director General, in accordance with the law, issued the Director General's requirements. At every level, the O'Farrell Government has acted appropriately in accordance with the law of New South Wales, whether it is the Mining Act 1992 or the Environmental Planning and Assessment Act 1979. The issue of great significance in relation to Korea Resources Corporation application and the exploration licence is the protection of the water catchment area for the Central Coast. The valleys over which the exploration licences are granted lie in the electorate of the member for Lake Macquarie who has taken a consistent interest in this matter, for which I thank him.

Above all, I thank the member for Wyong and the member for The Entrance who have waged a determined campaign to ensure that in any consideration by Government under the planning or mining laws the interests of the people of the Central Coast are fully protected and that the water catchment of the Central Coast is appropriately and fully protected and respected. I pay to those two outstanding local members full and due respect. However—and there is always a however—in 2011 this application become a major election issue on the Central Coast. The NSW Labor Party avoided making a decision in 2007 by setting up an inquiry appointed by Frank Sartor. That was in order to get them over the 2007 election. They set up the inquiry and deferred the making of any decision at all.

The whole issue dragged on and on and the public opinion polls continued to spiral downwards for Labor until two days before the Government went into caretaker mode and former Minister Tony Kelly issued a declaration that the mine would not be allowed to proceed. I repeat: two days before. But it was coincidental that within two days of that announcement Labor had corflutes all over the affected area proclaiming "Labor will stop the mining". How could the corflutes have been printed so quickly, well may members ask? Is there mental telepathy at work within the Australian Labor Party? Or did the member for Wyong have certain inside knowledge? [*Extension of time granted.*]

There is a great book written by Vere Gordon Childe—which probably the member for Liverpool alone in this House has read—called *How Labor Governs*. I recommend it to all members. Although it was written in the 1920s, it tells exactly the same story.

**Mr Paul Lynch:** Point of order: I am delighted at the reference to Vere Gordon Childe's eminent work because he well describes in that book exactly the sort of—

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

**Mr CHRIS HARTCHER:** *How Labor Governs* shows how Labor disregards the rules and fundamental laws of our society, how Labor ignores the planning laws, how Labor ignores the mining laws, and how Labor ignores every basic requirement.

**Mr Paul Lynch:** Point of order. There are two parts to my point of order. First, I note that it is a delight to hear comrade Hartcher quoting a Marxist writer.

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

**Mr Paul Lynch:** The other point is relevance. The Minister has clearly strayed widely from the question.

**The SPEAKER:** Order! The Minister will continue his answer.

**Mr CHRIS HARTCHER:** All my life I have wanted to be welcomed into the Labor Left. I have finally got there today.

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

**Mr CHRIS HARTCHER:** We have a perfect example—as the member for Lake Macquarie, the member for The Entrance and the member for Wyong are only too aware—of an important issue, affecting 53 per cent of the water catchment of the Central Coast, being debated in the most narrow political terms two days before the then Government went into caretaker mode, with the corflutes already printed, ready to go. This Government will act in accordance with the law. We have given public undertakings that the water catchment of the Central Coast will be respected in a determination under the Environmental Planning and Assessment Act 1979 and under the Mining Act 1992. We will make sure the water catchment of the Central Coast is fully protected. [*Time expired.*]

**Question time concluded at 3.16 p.m.**

#### **DISTINGUISHED VISITORS**

**The SPEAKER:** Order! I welcome to the public gallery members of the Assyrian Parliamentary Friendship Group.

#### **PETITIONS**

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

##### **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**.

##### **Inner West Light Rail Extension**

Petition requesting the continued construction of the Greenway project as part of the Inner West Light Rail Extension, received from **Ms Carmel Tebbutt**.

##### **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**.

##### **Pet Shops**

Petition opposing the sale of animals in pet shops, 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**.

##### **Slaughterhouse Monitoring**

Petition requesting mandatory CCTV for all New South Wales slaughterhouses, 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 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**.

## **REAL PROPERTY AMENDMENT (PUBLIC LANDS) BILL 2012**

### **Agreement in principle**

**Debate resumed from 7 March 2012.**

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [3.17 p.m.]: I will speak briefly on the Real Property Amendment (Public Lands) Bill 2012 and express some of my concerns. I compliment the Treasurer on bringing forward this legislation, which will give greater surety to title in relation to State forests and national parks in New South Wales. However, I have some concerns in relation to other public lands that are managed by local government, such as road reserves. I am concerned as to whether those lands could be sold if they came under Torrens title and a local council moved to take them over.

There have been a number of examples of councils that managed Crown land trusts turning those lands into what I would term a milch cow for local government, rather than maintaining the reserves as trusts, as was the original intent. I have been made aware of community concerns that if councils had the opportunity to sell closed roads or Crown roads or travelling stock reserves that the intention of this legislation could be negated and councils would have an opportunity to raise money from previously gazetted Crown land. Torrens title land would be more attractive to local government than Crown land. I ask the Treasurer to address those issues in his reply speech. I commend the bill to the House.

**Mr MIKE BAIRD** (Manly—Treasurer) [3.20 p.m.], in reply: I thank all members who have contributed to debate on the Real Property Amendment (Public Lands) Bill 2012. This bill makes a small change to the Real Property Act 1900 that will assist in the goal of converting all land in New South Wales to Torrens title. The Torrens system of title registration in New South Wales is an integral part of the State's economy as it underpins billions of dollars of economic activity each year. The Torrens system provides certainty of title and a guarantee by the State that the title is correct. A person who has an interest recorded in the register can rest assured that, subject to a few exceptions, their interest cannot be defeated by another unregistered interest.

Land that is not under the Torrens system, being Old System land and Crown title land, does not enjoy the same benefits that the Torrens system provides. Over the years the Land and Property Information Division has gradually converted land under the Old System and Crown title to Torrens title. As a result of this conversion process only a small fraction of land in New South Wales is still under the Old System title. At the same time, the amount of Crown land still held under the Crown title system is also being reduced through the conversion process of Land and Property Information. The goal of the conversion process is to have all land in the State under the one uniform title system.

In order for Land and Property Information to continue the conversion of all land in the State to Torrens title, the Real Property Act requires a minor amendment. The bill will make it absolutely clear that land governed by the National Parks and Wildlife Act 1974 and the Forestry Act 1916 may be converted to Torrens title. I note that the proposal contained in the bill will not change how a national park or State forest may be dealt with. The bill will not change the status of national park or State forest land; it simply allows Land and Property Information to convert the title of the land. I commend the bill to the House.

**Question—That this bill be now agreed to in principle—put.**

**Motion agreed to.**

**Bill agreed to in principle.**

### **Passing of the Bill**

**Bill declared passed and returned to the Legislative Council without amendment.**

**NOXIOUS WEEDS AMENDMENT BILL 2012****Agreement in Principle****Debate resumed from 7 March 2012.**

**Mr CHRIS PATTERSON** (Camden) [3.21 p.m.]: I make a contribution to debate on the Noxious Weeds Amendment Bill 2012. The object of the bill is to enhance the prevention of new weed entry and for more effective weed management in New South Wales. The bill addresses recommendations from the 2010 statutory review of the Noxious Weeds Act 1993 and was developed in extensive consultation with community, industry, State and local government organisations. Without a doubt weed management is one of the major challenges facing Australia today. Weeds threaten our valuable agricultural industries, influence the economic viability of our communities, affect human health and pose a major threat to our unique biodiversity. Weeds cost Australia over \$1.5 billion per year in lost production and control measures. In New South Wales alone, weeds cost an estimated \$600 million in lost production every year.

The most widely accepted definition of a weed is a plant that is growing where it is not wanted or growing out of place. In New South Wales, noxious weeds are those plants that have been declared under the Noxious Weeds Act 1993. Weeds with the potential to impact on agriculture, animal or human health or to damage the environment are potential candidates for declaration as noxious weeds. At times in the electorate of Camden, which is a mixture of suburbia and farmland, the weed problem appears to be out of control. Camden Council has eradication programs to tackle the problem, but it is akin to painting the Harbour Bridge: no sooner is one end of a park or bush corridor cleaned up and the weeds have appeared at the other end. I am sure our local farmers are just as frustrated, given that their livelihood is entirely reliant on the produce from the farm, either animal or crop.

In the Camden local government area there are also extensive aquatic weed infestations, primarily alligator weed; a weed of national significance. Alligator weed is dispersed in various locations throughout the Camden local government area but the north-eastern section is the main hotspot—particularly Leppington. Council is working with occupiers of the land in these areas to minimise the spread and reduce the infestations. Camden, Wollondilly and Campbelltown local government areas are participating in a joint alligator weed project in the Nepean River, which has resulted in a dramatic reduction in infestations along the river. The project is ongoing but recent weather has hampered herbicide application efforts.

Serrated tussock is also slowly encroaching on Camden. Should this weed get a foothold, significant areas of agricultural land will be affected. Camden Council has been working closely with landholders in the southern section of the local government area to prevent its further spread and to reduce its impact. African olive, privet and honey locust are particularly invasive weeds, and they are having a huge impact along riparian lands and major roads. Noxious weeds in the Sydney Basin are seen often as a biodiversity issue; however, they are also a threat to agricultural lands and waterways in Camden. When this legislation is enacted it will better reflect current weed management policy objectives and invasive species policy, and it will help councils to minimise and combat noxious weeds.

The Minister will be able to prohibit noxious weeds being brought into New South Wales, and it will be an offence to fail to comply with any order issued. The Minister, by order, will be able to prohibit or regulate the bringing into New South Wales of noxious weed material or anything else that the Minister considers is likely to introduce noxious weed material into New South Wales. A person who fails to comply with such an order will be guilty of an offence, with a maximum penalty of \$11,000. This is about protecting New South Wales producers and the environment from the unnecessary introduction of weeds to New South Wales. Inspectors will have stronger powers to include machinery and equipment that may possibly have noxious weeds within them when brought into New South Wales.

The bill also will provide a mechanism for the Minister to exempt or limit the operation of certain provisions of the Act in relation to species declared as noxious weeds on Lord Howe Island. Occupiers of land are legally required to control noxious weeds if that land is subject to a weed control order. However, the occupier may not necessarily be the landowner. The bill will require the local control authority—usually the county council—to have the mechanism to quickly establish who the occupier is. This will allow the local control authority to more efficiently fulfil its obligations under the Act. It is proposed to enable a local control authority, by written notice, to require a private landowner whose land is subject to a weed control order to provide the local control authority with the name and contact details of the occupier and a description of the land. It will be an offence not to do so, with a maximum penalty of \$2,200.

Public authorities are already required to notify the local control authority of the name and contact details of an occupier of land that is owned by the public authority. However, public authorities are not required to provide a description of the occupied land. To ensure consistency in the Act and to improve the information provided to local control authorities, the bill also proposes that public authorities will be required to provide a description of the land that is occupied by each occupier. Noxious weeds may not be of concern to many who reside in city areas but in rural areas they are sometimes to the point of being out of control.

Weed management is important to our viability as a productive State and the bill will enable stronger powers to ensure the prevention of new weed entry. Today is International Women's Day. On this day the work of women around the world is universally recognised. I want to place on record how much I acknowledge, respect and admire the many and varied contributions women make to our lives and our communities. I take this opportunity to recognise Gail Hodges, the private secretary to the Minister for Health, whose birthday it is today. She is a great woman. I commend the bill to the House.

*[Business interrupted.]*

### **DISTINGUISHED VISITORS**

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I acknowledge the presence in the House of the Hon. Pat Farmer, former member for Macarthur, who has completed his epic run from the North Pole to the South Pole. He is the guest of the member for Camden, the member for Campbelltown and the member for Wollondilly.

### **NOXIOUS WEEDS AMENDMENT BILL 2012**

#### **Agreement in Principle**

*[Business resumed.]*

**Mr JAI ROWELL (Wollondilly)** [3.30 p.m.]: It is a great pleasure to see Pat Farmer, who is a good friend, here today. I speak on the Noxious Weeds Amendment Bill 2012, a bill designed to help preserve the natural beauty of Wollondilly and the State of New South Wales. Following a report into the Act, a number of recommendations were made to improve the Act's effectiveness and to improve consultation on several key issues. The bill is designed to improve noxious weed management in New South Wales. A main focus will be the ability to respond more rapidly when authorities determine the existence of a noxious weed.

The bill is the result of the Government's commitment to preserve our native flora and fauna, together with a commitment to private-public sector equity in weed management. Furthermore, this amendment takes into consideration the 64 submissions supported by the noxious weeds authority. Given that Wollondilly has a large urban-rural interface area, this bill is particularly important to my electorate. Many residents of Wollondilly rely on the land as a source of income. Families like the Silms, the Biffens and the Fairleys all rely on the land and the invasion of noxious weeds would have a significant, detrimental effect on their livelihood.

Weeds are an ever-present threat to our local environment and way of life. Not only do they have a severe impact on agricultural activities, costing upwards of \$3 billion nationally, they also contribute a raft of other factors, including: competition with commercial plants resulting in reduced productivity; adverse effects on public infrastructure through the deterioration of roadways and waterways; adverse effects upon human and animal health from poisonous or irritating plants; increased risk due to fire hazards created by uncontrolled weed growth; adverse effects on soil and water quality through soil contamination and aquatic plant pests; adverse effects on tourism and recreation; deterioration of natural ecosystems through competition with native flora; and adverse effects upon the viability of rare or endangered species and ecological communities and other indigenous flora and fauna. That is why this bill should be supported.

Amendments found in this bill include: providing a more realistic measure of weed control program in the State; giving greater powers to the Minister over prohibited material and related fines; preventing the spread of weeds by extending movement control powers for agricultural machinery coming into the State from neighbouring States, in particular, Queensland; extending the power of inspectors in relation to inspecting noxious weed specimens; and allowing a Local Court authority to require landowners to provide details of land occupiers, including contact details. Further amendments are also included in this bill but I will focus more on the local implication of the bill.

The electorate of Wollondilly comprises two great council areas—Campbelltown City Council and Wollondilly Shire Council. I know that both councils are focused on the invasion of noxious weeds and its potential effects within their boundaries. I commend the councils on the work they do each and every day. I highlight the work of Campbelltown City Council of which I am presently a councillor. Within its local government area 105 species of weeds are declared noxious. Some of the most significant of these are blackberry, lantana, Chilean needle grass, morning glory, privet and balloon vine.

Campbelltown City Council currently undertakes weed control works guided by its Noxious Weed and Pest Animal Management Strategy 2009-2014, which ensures works are strategically targeted and that they focus upon: the highest biodiversity value natural areas; strategic sites along high-risk pathways, such as the uppermost sections of a catchment to limit the migration of weeds along waterways; areas of high conservation value, including endangered ecological communities; and high-threat weed species, including declared noxious weeds under the Noxious Weeds Act 1993 and weeds of national significance.

The council is a partner in a memorandum of understanding with the Sydney Weeds Committee for the implementation of a Weeds Action Plan. Under the Weeds Action Plan, the Sydney Weeds Committee administers grant funds from the New South Wales Department of Primary Industries, and we thank the Minister for those grants. This grant funding comes with strict requirements and is also based on the selection criteria which I have listed. Council spends approximately \$90,000 per year on noxious weed control, a combination of the grant funding and council's contribution.

The council currently contracts weed treatment and bush regeneration works at 17 reserves within the local government area including: 6.2 hectares at John Kidd Reserve, control of woody weeds and blackberry, a weed of national significance within the endangered ecological community Cumberland Plain woodland; three hectares at Cooks Reserve, primary weed control within the endangered ecological community shale sandstone transition forest; eight hectares at Fishers Ghost Reserve, primary weed control targeting woody and vine weeds; 19 hectares at Smiths Creek Reserve, primary weed control within the endangered ecological community shale sandstone transition forest; and eight hectares at Eagle Farm Reserve, primary weed control targeting woody weeds within the endangered ecological community Cumberland Plain woodland. Council undertakes aquatic weed control along both the Georges and Nepean rivers and their tributaries to treat infestations of Ludwigia and alligator weed.

The council's Private Property Inspection Program targets weeds of national significance as well as areas of high ecological value. Weeds typically targeted during inspections include privet, blackberry, grass weeds and aquatic weeds. To date, in the 2011-12 financial year Campbelltown City Council has conducted 248 private property inspections. Actions following these inspections include a total of 44 weed advice letters being issued to enforce the treatment of any weeds identified. Whilst these works represent a substantial effort and allocation of resources, there still remains a substantial threat to our native ecosystems, of which many are threatened, such as the Cumberland Plain woodland. Additional funding would assist to effectively maintain these areas. Again, I note that the Minister is at the table listening to my contribution.

In addition, environmental weeds, although not declared noxious, continue to compound the problem, as their eradication has no source of funding. For example, African olive poses a significant threat to the ecology, landscapes and vistas of the region. Further funding is required to address this issue and assist landowners in the effective treatment of the species and management of habitat. My contribution highlights the significant impact noxious weeds have on the region, evident through one council alone. If we multiply this across the State we are able to grasp a better understanding of the bill's significance to the entire State. I commend the hardworking Minister's review of the Act and for moving the bill, which I commend to the House.

**Mr CHRIS HOLSTEIN** (Gosford) [3.37 p.m.]: I speak on the Noxious Weeds Amendment Bill 2012. The Noxious Weeds Act 1993 regulates noxious weeds in New South Wales. These weeds can have a significant economic and environmental impact on the State. The Act aims to reduce the negative impact by establishing various control mechanisms for noxious weeds and provides for the monitoring and reporting of weed management in New South Wales. A report of the statutory review of the Act conducted in 2010 identified a number of amendments that would bring about an improvement in the Act's effectiveness. It also recommended further consultation on a number of issues, including the Government's commitment to private-public sector equity in weed management responsibility.

The review took into account 64 stakeholder submissions and its recommendations were supported by the Noxious Weeds Advisory Committee. In 2010 the then New South Wales Government released a statutory

review issues paper for the Noxious Weeds Act 1993 and the report was tabled in the New South Wales Parliament in September 2011. Only last month the Government introduced this bill to amend the Noxious Weeds Act 1993. The bill contains amendments designed to strengthen the preventative and investigative measures contained in the Act. It aims to reduce the risk of new weeds establishing in New South Wales and, importantly, allows authorities to respond more rapidly. The bill also seeks to clarify several administrative functions.

Weeds make up more than 20 per cent of the flora of all regions in New South Wales. A survey of weeds in New South Wales was conducted in 2006. This survey identified a total of 1,386 species. Of these, 190 are listed under the Noxious Weeds Act. The distribution of established, new and emerging weeds is generally highest in New South Wales coastal regions, such as my electorate of Gosford on the Central Coast. It might be appropriate to state exactly what a weed is. A weed is any plant that requires some form of action to reduce its effect on the economy, the environment, human health or amenity. What is the economic impact of weeds on New South Wales and Australia? Most recent data and research from the Cooperative Research Centre for Australian Weed Management states that in 2004 the financial cost of on-farm weed control in Australia was approximately \$1.4 billion, and production losses from weeds were estimated at \$2.2 billion, giving a total of \$3.6 billion. In 2007 the same body estimated the cost at \$4 billion per year. In 2011 the Local Government and Shires Associations stated that weeds in New South Wales alone cost \$1.2 billion in lost production and control.

Weeds also pose a significant threat to New South Wales biodiversity. In 2006 a study of the impacts of weeds on biodiversity in New South Wales found that 419 threatened species populations and ecological communities in New South Wales were threatened by weeds. The key statutory instruments regulating noxious weeds in New South Wales are the Noxious Weeds Act 1983 and the Noxious Weeds Regulation 2008. The Act sets out the responsibilities of the Minister for Primary Industries, local councils, landowners and occupiers. It also sets out the powers for undertaking weed control activities. The lead New South Wales government bodies for noxious weed control are the Department of Primary Industries and the Office of Environment and Heritage. Additional roles and responsibilities are shared by bodies such as local councils, the Noxious Weeds Advisory Committee and catchment management authorities.

Noxious weed management in New South Wales is classified according to four policy approaches: prevention, eradication, containment and asset protection. Each matches the invasion process of a weed species from arrival through to establishment. Noxious weed control programs are funded by a variety of sources, including Commonwealth and State. Expenditure by the Department of Primary Industries on noxious weed control rose from \$8.4 million in 2009-10 to \$11 million in 2011-12. The 2011-12 budget has allocated \$68 million to the Office of Environment and Heritage to manage pest animals and weeds, and to improve fire management in national parks. In summary, the bill will allow the Minister, by order, to prohibit or regulate the bringing into New South Wales of noxious weed material. Failure to comply with such an order carries a maximum penalty of \$11,000.

The bill extends the power to make movement controls, which at present apply to certain agricultural machinery from Queensland, to include a larger range of machinery that enters the State from any other State or Territory. It also extends the powers of inspectors to include machinery and equipment in general. The bill extends the powers of inspectors but only in relation to dealing with noxious weed material. It allows inspectors to examine, to take samples, photographs or videos of and to seize, detain, remove or destroy suspected noxious weed material. The power of inspectors to enter property remains unchanged. Noxious weeds have been a constant issue during my 20 years' experience in local government. The member for Mount Druitt said that although there are different weed infestations in different areas, the problem is statewide.

I acknowledge that noxious weeds are a problem in the electorates represented by the member for Dubbo, the member for Tamworth, the member for Clarence and the member for Orange. I acknowledge also that noxious weeds have an impact on coastal areas, such as the electorate of the member for Myall Lakes. I take this opportunity to acknowledge Gosford council's long-serving weeds officer, Eddie Langton. No more dedicated council officer have I met in my 20 years in local government. He is committed to the removal of weeds within our community and he does a fine job. He is an example of the dedication at a level of government that is often not recognised for its contribution towards the removal of noxious weeds. I commend him today, and I commend this bill to the House.

**Mr JOHN BARILARO** (Monaro) [3.44 p.m.]: I support the Noxious Weeds Amendment Bill 2012. I note that while Government members have been lining up to speak on this bill, members opposite are absent. It is good to see the member for Cabramatta appear, because I think he is interested in noxious weeds. This bill

complements other initiatives of the New South Wales Government to better manage and control widespread weeds, which are the second-greatest threat to biodiversity after land clearing and habitat loss. There are more than 1,650 naturalised weeds in New South Wales, and more than 340 of these weeds are thought to be impacting on biodiversity. Weeds are considered widespread when they are established in the landscape and are close to reaching their maximum distribution in a region. These weeds include serrated tussock, which is a tough weed in Monaro, lantana, fireweed and bitou bush.

The impact of widespread weeds on biodiversity is so serious that a number of weed species have formally been identified as key threatening processes under the New South Wales Threatened Species Conservation Act. To effectively tackle the problem of widespread weeds, the Department of Primary Industries, catchment management authorities and the Office of Environment and Heritage have worked together to develop the biodiversity priorities for a widespread weeds statewide framework. The framework was finalised in 2011 and is available on the Department of Primary Industries website. The framework identifies the biodiversity assets at risk from widespread weeds in New South Wales and prioritises the sites for weed control in the 13 catchment management authority regions. The framework recognises that the most effective way to manage widespread weeds is to take a site-led approach. This means identifying significant assets or sites in a region and protecting them from the impact of weeds. This management technique was piloted through the threat abatement plans used for lantana and bitou bush.

The plan for bitou bush identified 169 sites where weed management was critical for the survival of species, populations and ecological communities. In Bundjulong National Park on the North Coast control programs have resulted in a 90 per cent decline in the cover of bitou bush. On the Yacaaba peninsular north of Port Stephens there has been an 80 per cent reduction in bitou bush. The biodiversity framework is designed to guide decision-making and future investment in weed control by catchment management authorities, local government, Landcare, Coastcare, Bushcare, Dunecare and Indigenous people, as well as community conservation and volunteer groups.

The bill complements current arrangements to manage widespread weeds in a number of ways. The inclusion of a new power to prohibit or regulate the bringing of noxious weed material or things that are considered likely to introduce noxious weed material into New South Wales from other jurisdictions will create an effective pre-border management tool. It will help prevent the entry into New South Wales of new weeds that may occur and be widespread in another State or Territory. The bill will also expand a current power to regulate the movement of machinery coming into New South Wales, and make the machinery subject to cleaning, inspection and movement provisions as it crosses the border.

Instead of just agricultural machines being able to be regulated via section 31 of the Act, the bill extends section 31 so that any machinery and equipment is able to be regulated via that section. In practice only machinery and equipment that is considered a high-risk vector of weeds will be declared to be subject to section 31. This is an important point. There was no fireweed in Monaro not long ago. It started with some isolated outbreaks of fireweed, but then reports became more regular, which then became a worry. Fireweed outbreaks were being reported in Bombala, throughout Monaro and up through Brown Mountain. The fireweed species was not meant to grow in Monaro conditions—not much grows in Monaro conditions—and it is difficult to say why it has occurred, but fingers are being pointed directly at both stock and machinery movements.

Currently, local control authorities have no effective means of finding out who is the occupier of a privately owned parcel of land. This bill will change that. The bill will enable local control authorities to compel private landowners to provide occupier details and descriptions of the occupied land. It will also require public landowners to provide a description of any land occupied by another person. This will allow for fast and effective action against individuals who are poor weed managers. The bill will strengthen the Government's capability to manage widespread weeds and will complement arrangements already in place. The amendments I have mentioned are part of a suite of changes needed to respond to the continuing war on noxious weeds. Weed management is serious in tackling a real problem that is choking land that is otherwise useful for farming. There is no doubt that weeds are a serious problem in an area like Monaro. Ideally, we need to become proactive, not reactive. Saying "Look, there's a problem over there, let's go spray" is no longer good enough.

We have to understand the species in an area, the site of infestations, the diversity, and how they are disturbed, but just as importantly how they get there in the first place. In the Monaro we know we have problems with extensive infestations of St John's wort, thistle of various species and African lovegrass, which have been around for a long time. By knowing the species that are already here we should be able to put together a strategic proactive program of management. We should be aiming at prevention. But of course when

prevention fails, successful control requires a management program that removes the weed by cultivation or chemicals. Whether we do so by mechanical controls, pasture improvement, biological controls or chemical controls, it is important that we respond early and regularly to eradicate a problem that has a large and negative impact both on the economy and the environment.

As stated earlier, the Noxious Weeds Amendment Bill 2012 aims to improve noxious weed management by reducing the risk and by being able to respond more rapidly when weeds arrive. The Liberal and Nationals Government's war on noxious weeds continues. We are determined to get on top of an issue that is so devastating. In January, and in line with our election commitment, an increased funding boost through our Regional Weeds Action Program saw \$8 million invested in the continuing fight to tackle weeds around New South Wales. I am pleased the Minister is in the Chamber so that we can thank her for that extra funding, which is really helping in an area such as the Monaro. Under the Regional Weeds Action Program, the Liberal and Nationals Government is supporting the rollout of 13 regional weed management projects, moving away from a localised and narrow approach.

The revamped Regional Weeds Action Program is delivering a more strategic and regionally coordinated approach to weed management. Through the 2011-12 New South Wales Regional Weeds Action Program year two grant allocations, Cooma-Monaro Shire Council in my electorate received \$272,701, Palerang Council and Southern Tablelands received \$565,421 and the Southern Councils Group received \$458,252 for their war on noxious weeds. The Monaro and the south are beneficiaries of a Liberal and Nationals Government that understands the impact that weeds have on our community, our economy and the environment and is committed to the war on weeds. Management of noxious weeds has been a lifelong issue, especially in regional and rural areas like the Monaro. It is a problem that is choking valuable and functional farming land. In areas of marginal farming land it becomes a serious threat to viability.

Weeds displace native species, contribute significantly to land degradation and reduce farm productivity. It has been estimated that the cost of weeds to farmers in terms of lost production and control is as high as \$1.2 billion a year. We all know that it takes a cooperative effort by every stakeholder to try to manage weeds—private landowners, public landowners, Crown landowners and those who move through different regions. It also needs a strategic approach using the tools we have at our disposal, which can be covered by three steps. Education is absolutely key to landowners. We must give them the relevant information that they need in order to tackle the problem. They need to keep up with the latest management practices, recognise the threats and understand their obligations. Of course, not everyone will fulfil their responsibility to manage and control noxious weeds, and for those that fail to comply enforcement is the second step. But enforcement should be a coordinated response that has communication front and centre with the non-complying party.

Enforcement should be seen as a tool to reduce further non-compliance. Of course, if non-compliance continues, step three is greater accountability, so legislation will be required to provide a strengthened and realistic measure of weed control, such as the amendments in the Noxious Weeds Amendment Bill 2012. I commend the Minister and her office for what some may think are minor changes to the Act, but for those that are dealing with this issue these amendments deliver much-needed common-sense relief and further authority in the fight against noxious weeds. I also acknowledge the great proactive work that councils do in the electorate of Monaro—Palerang, Cooma-Monaro, Snowy River, Queanbeyan and Bombala. They make a great effort in managing weeds in my electorate. I commend the bill to the House.

**Mr CRAIG BAUMANN** (Port Stephens—Parliamentary Secretary) [3.53 p.m.]: It is great to see that the number of Opposition members in the Chamber has doubled to two when for the preceding 10 minutes there was only one Opposition member in the House. Of course, two Opposition members is a big advance on the total absence of Opposition members for about 15 minutes prior to that. I will make a brief contribution to the Noxious Weeds Amendment Bill 2012. The object of the bill is to amend the Noxious Weeds Act 1993 as follows: to clarify the land in relation to which a plant is a noxious weed; to enable the Minister to regulate or prohibit the bringing of noxious weed material into New South Wales; and to enable local control authorities to require owners of land subject to a weed control order to provide details of the occupiers of the land.

Further objects of the bill include: to extend control measures in relation to agricultural machines to machinery and equipment, to extend provision for border inspections of agricultural machinery from Queensland to machinery or equipment entering New South Wales from anywhere in Australia, to enable the Minister to grant exemptions from certain provisions of the Act in relation to class 2 noxious weeds that are notifiable only on Lord Howe Island, to extend certain powers of inspectors to deal with noxious weed material—including the taking of samples, photographs or video recordings—so as to enable them to deal with

anything they reasonably suspect to be or to contain noxious weed material, and to make it clear that the functions of local control authorities under the Act may only be delegated under the Act. When I was elected Mayor of Port Stephens following the 2004 local government elections my first duty was to close an alligator weed conference being hosted by council, a conference my predecessor had opened two days earlier.

When I asked the obvious questions—what is alligator weed and why did we hold the conference here?—I learnt a lot about noxious weeds in my region. Alligator weed—the summer-growing, perennial herb with the pretty white flower—is the bane of the pest control officers in Port Stephens. It is the vegetative equivalent of the member for Keira—extremely aggressive, extremely annoying and difficult to get rid of. Port Stephens has the dubious claim of being home to three-quarters of the identified alligator weed in Australia, a massive 3.5 hectares. Alligator weed competes with native flora, contaminates grazing pastures, threatens our drinking water supplies and renders valuable land unfit for cropping. If unchecked, it completely covers waterways, to the extent that you can just about walk on it. It is very difficult to kill as it is resistant to chemicals and has to be dug out, and it has to be disposed of carefully because it can travel and infect new areas with relative ease.

Unfortunately, Port Stephens also can lay claim to being home to almost all of the recorded infestations of Chinese violet, a class 1 notifiable noxious plant. Chinese violet is a national proprietary weed that is currently the subject of an eradication project being conducted by Port Stephens Council. This rapidly growing plant has a smothering habit and can out-compete most crops for water and nutrients. It is mostly spread by seed, but can also send down roots from the sprawling stems, smothering native and other desirable plants. Unfortunately, our hardworking weed control officers at Port Stephens Council have also recently identified kidney leaf mud plantain in the area. I congratulate the Minister on her leadership in bringing this bill before the House. This legislation will provide an essential tool to gain control over noxious weeds in New South Wales. I cannot help wondering why this bill was not introduced 16 years ago. I commend the bill to the House.

**Mr NICK LALICH** (Cabramatta) [3.57 p.m.]: I speak on the Noxious Weeds Amendment Bill 2012. The objects of this bill are to amend the Noxious Weeds Act 1993 as a consequence of a recent statutory review of the Act as follows:

- (a) to revise certain of the objects of the Act,
- (b) to clarify the land in relation to which a plant is a noxious weed,
- (c) to enable the Minister to regulate or prohibit the bringing of noxious weed material into NSW,
- (d) to enable local control authorities to require owners of land subject to a weed control order to provide details of the occupiers of the land,
- (e) to extend control measures in relation to agricultural machines to machinery and equipment,
- (f) to extend provision for border inspections of agricultural machinery from Queensland to machinery or equipment entering NSW from anywhere in Australia,
- (g) to enable the Minister to grant exemptions from certain provisions of the Act in relation to Class 2 noxious weeds that are notifiable only on Lord Howe Island,
- (h) to extend certain powers of inspectors to deal with noxious weed material so as to enable them to deal with (including to take samples, photographs or video recordings of) anything they reasonably suspect to be or to contain noxious weed material,
- (i) to make it clear that the functions of local control authorities under the Act may only be delegated under the Act,
- (j) to make other minor or consequential amendments (including standardising terminology and providing for matters of a savings or transitional nature).

This legislation is the result of a statutory review of the 1993 Act commenced by the former State Labor Government, which involved extensive consultation with relevant stakeholders, the community and local and State government bodies. In some years as much as \$930 million was spent by agricultural businesses on controlling noxious weeds through weed, pest, land and soil activities. Weed management also comes at an estimated cost of \$1.5 billion nationally. My local government area of Fairfield invests \$500,000 per year on bush regeneration and weed management activities as part of the Creek Care Program. Funds are used to manage and improve 57 sites along the city's five major creeks: Clear Paddock Creek, Prospect Creek, Orphan School Creek, Cabramatta Creek and Green Valley Creek. About 90 per cent of this budget is used to control and remove weeds, and more than 13,500 hours of bush regeneration and weed management was undertaken in the 2010-11 financial year.

Fairfield City Council officers are also active members of the South West Sydney Regional Weeds Committee, ensuring that my community's local government area is kept up to date with latest developments and techniques in the management of weeds locally. We also have an active local community education program that aims to engage the community in identifying and managing noxious weeds across the city. Educational brochures are distributed as part of this program. In Fairfield city alone there are 80 species of noxious weeds including blackberry, green cestrum, privet and lantana. Because they have the ability to become prolific, it is all the more reasonable that controls and measures are put in place to protect against them. Since European settlement, weeds have become an unfortunate blight on our urban and native landscape. By improving the management of noxious weeds in New South Wales and protecting landowners and the wider community we are taking positive steps to ensure our environment is well looked after. The Opposition supports this bill.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [4.02 p.m.]: I am pleased to speak after the member for Cabramatta, who supports the Government's Noxious Weeds Amendment Bill 2012. I am surprised he did not mention the Cabramatta Creek flying fox when he described the tributaries in his electorate. I speak in favour of this bill and commend the Minister for Primary Industries for introducing it. The Minister truly understands the issues that confront people who live in regional and rural areas. She has a background on the land and has dealt with farmers across this State for many years. She understands that weeds are a widespread problem and that something should have been done about them a long time ago. I know that farmers in my community of Bathurst will be pleased to hear about this legislation. They would think it is a breath of fresh air that someone is listening to their concerns and that this Government is trying to do something to control the spread of weeds across New South Wales.

However, many challenges lie ahead. The control of noxious weeds is becoming an ever-increasing problem all over New South Wales. I deal with five local government areas in which a country council manages and controls weeds—an ongoing battle which it believes it is losing. The Minister has addressed this problem by making necessary changes to take on the battle. This legislation is about improving the control of noxious weeds in New South Wales by protecting landowners, neighbours, the community and the environment from the damaging effects of noxious weeds. Weeds contribute to land degradation and reduce farm and forest productivity, and the bill will give us the tools to continue to combat the proliferation of weeds. I speak with farmers all the time and they are doing their utmost to eradicate weeds on their properties.

I commend them for their efforts over the years in their ongoing battle to control weeds. The eradication of noxious weeds is costly to farmers. In the past few years farmers have experienced drought, but weeds do not hold back during droughts, they simply continue to thrive. A heavy cost is involved in controlling and eradicating weeds. Nationally it is estimated that weeds cost up to \$1.5 billion per year for Australian farmers. I acknowledge the 2010 review, which was open to extensive consultation with various stakeholders. I am pleased that the Minister has taken those recommendations on board.

**Mr Nick Lalich:** Commenced by Labor.

**Mr PAUL TOOLE:** The difference is that this Government has acted on the recommendations whereas Labor put them in the bottom drawer and they never saw the light of day. For more than 16 years documents were put in the bottom drawer.

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

**Mr PAUL TOOLE:** People in regional and rural areas were neglected and that is why Country Labor no longer exists. We do not even know who you are.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! I remind Opposition members that all members who were on one call to order are deemed to be and remain on three calls to order. The member for Bathurst will be heard in silence. I call the member for Oatley to order.

**Mr PAUL TOOLE:** The legislation shows that members on this side of the House are serious about and realise the importance of controlling noxious weeds. This is not a joke, contrary to what the Opposition seems to think. The legislation sets out various processes for declaring, classifying and controlling noxious weeds. It requires occupiers of land to notify and control noxious weeds on their land and establishes local control authorities that are responsible for the management of noxious weeds in their local area. As I have said, in most cases it would be the local council or a country council. The legislation provides for noxious weeds inspectors and authorised officers, and sets out their powers.

The legislation also makes provision for the establishment of a Noxious Weeds Advisory Committee that will advise the Minister on all aspects of noxious weed management, including declarations, allocation of grant funds, regulations under the Act and policy issues. Weeds have a major impact on agricultural productivity and the environment in New South Wales. The first amendment is to extend objective 3 (a) (iii) to refer to preventing, eliminating and restricting the spread of both existing and new significant weeds. The current section refers only to restricting the spread of existing significant weeds and makes no mention of preventing or eliminating the spread of existing significant weeds. Another amendment in this bill will clarify the area where a noxious weed is declared. The clear intention of the legislation is that a weed may be declared noxious in a specific area or areas.

The bill clarifies that a plant is considered to be a noxious weed only in the area to which the relevant weed control order applies. The next amendment relates to a new ministerial power to prohibit or regulate the bringing into New South Wales or parts of New South Wales noxious weed material or anything else the Minister considers is likely to introduce noxious weed material into New South Wales. Currently the Act is extremely limited in its power to prevent the entry into New South Wales of high-priority weeds, new weeds from other States and Territories, weed material or anything else that may be contaminated with weeds or weed material. The penalty for failing to comply is a fine of \$11,000.

This legislation is about protecting New South Wales producers and the environment from the unnecessary introduction of new weeds into this State. Occupiers of land are legally required to control noxious weeds if that land is subject to a weed control order. However, the occupier may not necessarily be the landowner. In many cases we know they are absentee landholders. The local control authority should have a mechanism whereby it can quickly establish who is the occupier. This will enable the local control authority to more efficiently fulfil its obligations under the Act. It is proposed to enable a local control authority to require, by written notice, a private landowner whose land is subject to a weed control order to provide the local control authority with the name and contact details of the occupiers and a description of the land.

To make the amendment enforceable, the bill proposes making it an offence for failing to comply with any such requirement. The maximum penalty for this offence is \$2,200. I also commend the Minister for ensuring that the amendments apply not only to agricultural machinery such as grain harvesters and augurs coming into this State but also to other machinery. Mining is having a major impact in other States and heavy machinery is being transported across our borders. We must ensure that that machinery is thoroughly cleaned so that we prevent the introduction of new weeds in this State.

I am also pleased to note that inspectors will now have the power to investigate, manage, identify and trace noxious weeds and to establish their source. The legislation provides that inspectors can take samples of anything they suspect to be noxious weed material or to contain noxious weed material. Inspectors will also be able to take photographs or video recordings of any such thing. These amendments will greatly assist inspectors to identify and trace noxious weeds. This amendment is being made because the Act does not expressly provide that inspectors have the power to take photographs and video recordings when investigating a noxious weed matter. We must get on top of this issue and the relevant authorities must have the power to do so.

**Mr Nick Lalich:** And this side of the House supports that.

**Mr PAUL TOOLE:** I am pleased that the Cabramatta Creek flying fox has offered the Opposition's support. I have acknowledged that support previously, but it is gratifying that members opposite appreciate the good work that the O'Farrell-Stoner Government is doing. Obviously they are pleased we have a government that is getting on with the business of representing the people of this State. It does not matter where people live; this Government is introducing policies to address the problems left behind by members opposite after 16 years in office. The former Government failed and neglected the people of New South Wales. This bill contains sensible amendments that will deliver significant benefits to New South Wales. I congratulate the Minister and commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [4.12 p.m.]: I speak on behalf of The Greens.

**Mr Andrew Constance:** The Greens are going to speak about weeds.

**Mr JAMIE PARKER:** We are indeed. It is an important issue.

**Mr Andrew Constance:** He is laughing now.

**Mr JAMIE PARKER:** Sometimes the member for Bega's juvenile and embarrassing high school attitude shocks even me. The Noxious Weeds Amendment Bill 2012 is an important piece of legislation, which is of particular interest to environmental groups. I acknowledge the former Government and the former Minister for Primary Industries for instituting the statutory review of the Act. I also acknowledge the work of the new Minister in introducing this bill, which includes some important amendments—although The Greens would like it to go further. It is a very positive move and it deserves to be supported. The bill proposes amendments to the Noxious Weeds Act 1993 as a result of the statutory review of the Act that was tabled on 7 September 2011.

The amendments strengthen the objectives of the Act, they offer some protections from weeds being imported from other States and they broaden local authorities' inspection powers. I will not address each of the eight key amendments because they have been dealt with in detail by members who have already spoken in this debate. However, I note the issues that have been raised about ambiguity in the definitions, giving the Minister new powers, requiring landowners and public authorities to provide additional information, expanding inspection powers, creating special conditions for Lord Howe Island, giving inspectors additional powers to undertake investigations and take samples, and clarifying that the relevant functions of local government must be delegated under the Act.

The bill contains positive steps with regard to environmental protection and biosecurity. It is also consistent with the arguments put by environmental non-government organisations to the review. However, although the amendments are a step forward, the Government has not taken other important steps. The introduction of a capacity to prohibit weed species from being imported into the State is an important development. The Act deals with controlling and preventing the spread of weeds only after they have been introduced into the State. Importation restrictions can serve to address new species as well as species from elsewhere in Australia that could become a problem for New South Wales. I acknowledge the importance of that measure and it is an important issue for members from rural and regional areas. Members who have contributed to this debate, the NSW Farmers Association and the media have highlighted the problems caused by weeds on agricultural land. They are also a problem for people in suburban areas not only for health reasons but also because of the cost of eradicating them.

While The Greens support the bill, we point out that it takes a black-list approach that allows importation of any material not explicitly prohibited by the Minister. A permitted list—the white-list approach—under which any species would be prohibited by default until it passed a risk assessment would provide a stronger preventative mechanism. White listing is consistent also with the Commonwealth's approach and has been used in Western Australia since 1997. The review of the Act found broad support—including from environmental non-government organisations—for a white-list approach. The Minister has indicated that a time line for further consultation will be developed. Introducing a white-list approach and risk assessment system would involve major reforms that could not realistically be achieved through amendments to the current bill. It will be crucial to ensure this proposal stays on the political agenda. Most of the other proposed amendments appear to be reasonable improvements in investigating breaches and enforcing restrictions.

The major difficulty is that most of the mechanisms for decision-making about noxious weed classifications are discretionary and reside with the Minister. There are no legislative provisions that allow environmental authorities or scientific input to trigger processes for declaring a noxious weed or for local authorities to declare weeds. Again, the review has indicated that further consultation should take place on these issues, and I would welcome that. I support this bill and acknowledge the work of the former Government. I also acknowledge the work of the Minister and her department. This bill is an important component in solving the problem of noxious weeds. The Greens believe that the development of the white-listing process should be a priority for the Government. In addition, as other members have pointed out, reforms are required to ensure that decisions about noxious weed classification are locally appropriate. They must address environmental and agricultural concerns and, as always, they must be based on the principles of ecologically sustainable development.

**Mr ANDREW CONSTANCE** (Bega—Minister for Ageing, and Minister for Disability Services) [4.18 p.m.]: I acknowledge what the member for Balmain has said about The Greens' concerns. There is no doubt that noxious weeds have a dramatic impact on farming communities in country New South Wales. We are facing major challenges in the south-east with serrated tussock and African lovegrass. It is particularly concerning that fireweed has emerged on the South Coast and in some areas it is affecting up to 60 per cent of pastureland, which is rendering it useless. That is a major cause for concern. As members have said previously in this debate, noxious weeds cause about \$1.5 billion worth of damage to our State each year.

Some 2,500 introduced plants are now established in the wild and approximately 20 new species are found growing in Australia every year. The rate at which fireweed has taken hold on the South Coast is frightening. Such an outbreak impacts on the social and economic wellbeing of our farming communities. I know of farmers in my part of the world who have suffered terrible impacts from infestations of noxious weeds, particularly fireweed. We want more work done on potential biological control of noxious weeds. The local farming community has set up a committee to continue to lobby hard on this issue. I pay particular tribute to Noel Watson, who has led this charge over many years. I commend the Minister for Primary Industries, the Hon. Katrina Hodgkinson, for the work that has been done.

The amendments proposed by the bill have been canvassed in the debate, and I will not revisit them. I reiterate the need to empower local control authorities to work with landholders and occupiers of land to make sure the right things happen. We hear all too often complaints from farmers about what is or is not being done to manage weeds over the fence on a neighbour's property. I am particularly aware of this concern on the coast where a lot of absent landholders do not spend the time and energy that we would otherwise like to see to address noxious weed problems. This legislation sets out to strengthen elements of responsibilities of landowners and occupiers for noxious weed control.

Penalties are prescribed in relation to notifications regarding occupiers of land. That is an important provision of this legislation. The bill sets about trying to provide greater consistency in the New South Wales invasive species plan. One point I raise now and will continue to raise with the Minister is the many different layers of authorities involved in weed management and the resources applied to manage noxious weeds across the community. The O'Farrell Government is committed to meeting this challenge head-on. The bill before the House is worthy of the support of all members. It will certainly be welcomed by the farming community in my area. I urge all members to support the bill in the light of the enormous benefits to be derived from it.

**Ms KATRINA HODGKINSON** (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [4.22 p.m.], in reply: The genesis of the Noxious Weeds Amendment Bill 2012 was a statutory review of the Noxious Weeds Act 1993 conducted in 2010. The report on the statutory review recommended making a number of amendments to the Act to improve its effectiveness. I am glad to be giving effect to these recommendations today. I am also very pleased that the Opposition supports the bill. The member for Mount Druitt noted that both sides have committed to addressing noxious weeds, and it is very pleasing that we set forth as a Parliament to try to eliminate as best we can insidious outbreaks of noxious weeds.

I thank the many members who spoke in this debate for their valuable contributions. They are the member for Mt Druitt, the member for Dubbo, who is my Parliamentary Secretary for Natural Resources, as well as the members representing the electorates of Tamworth, Myall Lakes, Orange, Clarence, Mulgoa, Albury, Camden, Wollondilly, Gosford, Monaro, Port Stephens, Cabramatta, Bathurst, Balmain and Bega. These members provided insight into the fight against noxious weeds in their electorates and in New South Wales more broadly. They also highlighted the importance of the bill for the future fight against noxious weeds in New South Wales.

The member for Myall Lakes referred to a point raised by the Legislation Review Committee as to whether a provision in this bill infringes on a person's right to silence and the freedom from self-incrimination. I take this opportunity to explain the relevant amendment. First, I note that the Noxious Weeds Act already includes a provision that allows an authorised officer or inspector to require certain persons to answer questions regarding information that may enable the source or destination of noxious weed material to be traced or determined. The bill simply extends this power to information that may assist in tracing or determining the source or destination of any matter that the inspector or authorised officer reasonably suspects to be noxious weed material.

Let me assure members that this power is not used lightly. It is designed for situations where the information is critical for the effective management or eradication of a serious noxious weed outbreak. Without this information the likelihood of the outbreak being effectively managed or eradicated could be significantly reduced. I refer also to comments made by the member for Balmain in relation to this point. It is therefore extremely important that inspectors and authorised officers are able to obtain this information. In addition, the Act provides that if a person claims before answering the question that the answer might incriminate him or her, neither the question nor the answer is admissible in evidence against the person in criminal proceedings. The only exception to this protection is for offences relating to obstructing an inspector, authorised officer or other authorised person. A report published in 2005 by the Cooperative Research Centre for Australian Weed Management placed the national cost of weeds at about \$4 billion annually.

Members of the House understand the serious impact that noxious weeds can have on primary production, biodiversity, landscape, tourism, water and other assets and human health. These amendments are appropriate. The proposed amendments to the Noxious Weeds Act 1993 will improve weed control and management across the State. By making these amendments, the objectives of the Act will better reflect current weed management policy and objectives; New South Wales will have stronger pre-border weed protection capability; there will be a reduced risk of the spread of noxious weeds from other jurisdictions and within New South Wales; better protection will be provided to the unique flora and fauna of Lord Howe Island; and local control authorities and noxious weed control officers will be able to work more effectively. By taking action to address weeds, we can improve primary industry productivity, account for the needs of threatened and endangered plants and animals, and deliver broad environmental benefits. I commend the bill to the House.

**Question—That this bill be now agreed to in principle—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill agreed to in principle.**

### **Passing of the Bill**

**Bill declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

## **TRAFFIC ENFORCEMENT CAMERA REVENUE**

### **Discussion on Petition Signed by 10,000 or More Persons**

**Mr MARK COURE** (Oatley) [4.27 p.m.]: It gives me great pleasure to speak to this petition signed by more than 13,500 residents of New South Wales who are concerned about road safety and expenditure of public money on road safety initiatives. I congratulate the NRMA and the Police Association of NSW on bringing forward this issue and generating public interest in it. The petition calls for all revenue from fines generated by safety cameras to be put back into road safety initiatives. Revenue from traffic fines is expected to raise approximately \$300 million this financial year, and that is a significant amount of money that could be redirected into improved road safety.

The NRMA and New South Wales Police Association have recommended that 40 per cent of revenue from safety cameras be used to recruit 200 highway patrol officers, at a cost of \$110 million, and that the remaining 60 per cent be invested in roads and road safety education. This would put extra police on our roads to deal with irresponsible drivers and, through education, improve the quality of drivers, particularly young drivers who are most often at risk of injury or mishap as a result of inexperience. Far too many people die in road incidents across New South Wales every year and sadly members of the community have become cynical about the effectiveness of safety cameras as a worthwhile means of changing driver behaviour and reducing the road toll.

Some of these issues were brought to light by the audit of speed cameras conducted by the Auditor-General which made a series of recommendations to improve the use of speed cameras. This also resulted in the switching off, or removal of, 38 of 141 cameras that were found to be revenue raising and not fulfilling a definitive road safety role. The response to this petition from the Minister for Roads and Ports indicates that further to the audit a New South Wales speed camera strategy is currently being developed. The measures advocated in this petition are deserving of consideration as a part of that review and it is a commonsense approach to the expenditure of revenue raised from safety cameras. A similar approach has been used in other jurisdictions to advance road safety measures.

In a similar vein, the Federal Government recently announced that \$2 million confiscated from criminals will be used to support police and community youth clubs and help to reduce the risk of young people succumbing to a life of crime. It is an example of the Government using money generated by the misdeeds of the criminal members of society in order to alleviate a significant community problem. That is how public money should be used. Road safety has improved over the years through the concerted efforts of government and stakeholder groups, including campaigns regarding the wearing of seatbelts, drink-driving, speeding in school zones, driver fatigue, and improved education and training for learner and provisional drivers.

The end result has been fewer fatalities on our roads and, arguably, smarter drivers. However, according to the NSW Centre for Road Safety there were 378 fatalities in New South Wales in the 12-month period ending February 2012. This number is still too high and the Government should be looking at all available options to improve road safety and reduce fatalities. This is a commonsense initiative that has been advocated by the NRMA and the Police Association of NSW. I wholeheartedly support the petition and I am grateful for the in-principle support offered by the Minister for Roads and Ports.

**Mr ROBERT FUROLO** (Lakemba) [4.32 p.m.]: The New South Wales Labor Opposition welcomes the tabling of this petition and indicates its support for the campaign by the NRMA and the Police Association of NSW. I acknowledge representatives of those organisations who are in the public gallery today. We congratulate those organisations on their initiative and their commitment to road safety in New South Wales. It is great to see organisations other than the Labor Opposition committed to improving road safety. The New South Wales Opposition believes improving road safety should be the first priority of the Government's roads policy—that is, all decisions made, all policies introduced and all choices about funding should have as their prime directive improving road safety. That is why we call on the Government to embrace the campaign and acknowledge the strong support of the more than 13,000 people who have signed this petition. But, more than that, we are calling on the O'Farrell Government to deliver on the intention of this petition and increase funding for road safety initiatives to the value of revenue generated from traffic fines.

If the O'Farrell Government is serious about improving road safety, if it is serious about improving transparency, if it is serious about reducing fatalities, and if it is serious about increasing highway patrols, it will increase funding for road safety equivalent to the value of the revenue from traffic fines. This would mean an extra \$300 million to improve safety. On the proportions suggested by the NRMA and the Police Association of NSW, this would mean an extra \$110 million for improving our roads, an equivalent amount for better-resourced and more highway patrols, and \$55 million for improved road safety education. If the Premier simply substitutes the current allocations for these initiatives, which are funded from consolidated revenue, with equivalent funds from traffic fines, the Liberal-Nationals Government will have conned the people of New South Wales. On that point I refer to the wording of the petition, which states:

We ask that revenue raised from traffic fines, in particular enforcement cameras, be used as extra funding for specific road safety measures ...

The former Labor Government commenced a sustained program of improving road safety and reducing accidents and fatalities in New South Wales. In fact, between 2002 and 2010 fatalities on our roads were reduced by 25 per cent. That compares favourably with the reduction across the rest of Australia for the same period, which was only 18 per cent. In 2008 there were fewer fatalities on our roads than at any other time since records began in 1944. This is despite there being 15 times more registered vehicles, 11 times more licensed drivers and double the State's population. But of course there is more to be done. That is why the New South Wales Opposition supports the hypothecation of traffic fine revenue for road safety initiatives. It is why the Opposition calls on the O'Farrell Government to support it too and it is why we want to see this Government show true leadership by increasing funding for important road safety initiatives—not by substituting the consolidated revenue with fine revenue but by adding it to these programs.

While we are talking about road safety and road policy, it is a good opportunity to reflect on some of the initiatives of this Government in the first 12 months of its term. This policy is useful for the Government because it adds credibility to what has been 12 months of pretty ordinary roads policy. Already in the Government's first 12 months those opposite have walked away from the M4 East extension. It has refused to commit to essential infrastructure like the M5 East, the M2 to F3 link or the F6 missing link. The Government has walked away from its Pacific Highway commitments because it has failed to agree to a construction deadline of 2016. The Government has refused to rule out increasing tolls or introducing time of day tolling or distance tolling and it has refused to reduce tolls on the M4.

**Mr Mark Coure:** You did nothing for 16 years.

**Mr ROBERT FUROLO:** That is not true, is it? Let us be clear: Have Government members heard of the M7? That road was built by the former Government, as was a whole series of other roads—for example, the M5 East extension, which services not only my electorate but your electorate. And it is your Government that is proposing to put a toll on these roads.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! I remind the member that he should address his comments through the Chair.

**Mr ROBERT FUROLO:** The Government has refused to rule out increasing tolls on our roads, refused to rule out the introduction of time of day tolling, refused to rule out distance tolling so people in the Blue Mountains, Penrith and south-western Sydney will pay more to travel to work, refused to rule out introducing tolls on the M4—

**Mr Mark Coure:** Your Government put in more tolls than any other Government.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! I call the member for Oatley to order for the second time.

**Mr ROBERT FUROLO:** The Government has refused to rule out putting tolls on roads that motorists have already paid for. [*Time expired.*]

**Mr LEE EVANS (Heathcote) [4.37 p.m.]:** I thank the member for Lakemba for his contribution to this important discussion. I am proud to support the petition, which calls for traffic fine revenue collected across New South Wales to be invested in making our roads safer. By making this change, it would direct as much as an extra \$300 million towards road improvements, better driver education and more highway patrols throughout the State. This is an idea that makes so much sense it is difficult to understand why it was not implemented decades ago. The NRMA and the Police Association of NSW have proposed that 40 per cent of traffic fine revenue should go towards improving road infrastructure, 40 per cent should be used to recruit 200 highway patrol officers and the remaining 20 per cent should be provided for a crucial boost to road safety education.

The funding of road safety education is especially important when one considers that a 17-year-old driver with a P1 licence is four times more likely to be involved in a fatal crash than a driver over the age of 26. Despite representing just 15 per cent of all drivers, young drivers make up about 36 per cent of annual road fatalities. The revenue raised from traffic infringements would be allocated to a panel of experts to ensure that every dollar raised is spent as efficiently as possible to enhance road safety. Beyond the safety benefits, the measure would also please motorists, who feel that speed cameras are installed to raise revenue for the State Government's coffers. The Minister for Roads and Ports, the Hon. Duncan Gay, has already addressed the notion of decommissioning cameras that were not providing a desired safety benefit according to the Auditor-General's report.

The change advocated in the petition would further remove doubt that the purpose of the remaining speed cameras in New South Wales is to prevent crashes and save lives. Each year, 417 people on average are killed on New South Wales roads. This means that each year 417 families across the State lose a parent, a partner, a son or a daughter. Just between 2006 and 2010 more than 2,160 people lost their lives on New South Wales roads, and 180,000 people have been killed on roads throughout Australia since record-keeping began in 1925. Beyond the human tragedy, the annual economic cost of road crashes is conservatively estimated at \$3 billion per annum in New South Wales and more than \$18 billion across the country. In many cases, these deaths could have been prevented by a safer driver and better infrastructure. I believe the initiative will send a clear message that New South Wales is seriously committed to reducing the annual road toll. I commend the petition to the House.

**Mr GUY ZANGARI (Fairfield) [4.39 p.m.]:** I speak today in support of the petition jointly organised by the NRMA and the Police Association of NSW requesting that revenue raised from traffic enforcement cameras be spent on road safety initiatives. To state the obvious, the fact that this petition has received 10,000 signatories indicates the profound public expectation that moneys raised from road-related fines should be directed to road safety and improving road infrastructure. Road safety is of paramount importance. Every year hundreds of lives are lost on roads right across New South Wales. One of the main instruments used by successive governments in New South Wales to address the issue of road safety is the imposition of financial penalties intended to act as a deterrent to speeding and to remind people to be mindful of how they conduct themselves and their vehicles on our roads.

Over the years as the number of offences that attract a financial penalty increases along with the value of the financial penalty for each offence, the community has every right to expect that revenue raised will be ploughed back into road safety. The New South Wales Labor Opposition supports this petition because road safety is, and always will be, a top Labor roads policy. The New South Wales Labor Opposition calls on the O'Farrell Government to hypothecate traffic fine revenue for road safety measures in addition to maintaining the current budget for road safety. The New South Wales Labor Opposition also calls on the O'Farrell Government to replicate the previous Labor Government's record on road safety. On Labor's watch the road toll reduced by more than one third, from 620 in 1995 to 405 in 2010.

Road safety measures introduced by the previous Government included school safety zones, flashing lights for school zones, safety cameras and mobile speed cameras. It also made a significant investment in road safety education campaigns such as the "Speeding—no-one thinks big of you" advertising campaign—remember that? Hypothecation of speeding fines will also help the community feel confident that traffic safety measures such as speed cameras, red light cameras and safety cameras are not for revenue raising—a lie that the Coalition perpetuated over and over again when it was in opposition—but are genuine road safety measures. While most people in my electorate understand that the speed camera on Fairfield Street between Scott and Mandarin streets was installed to improve road safety for drivers and pedestrians, people in my community also want to ensure that road safety programs will be protected from the changing priorities of government. If the Coalition Government is genuinely concerned about improving road safety now and into the future it should support this sensible policy.

**Discussion concluded.**

**ACTING-SPEAKER (Mr Gareth Ward):** Order! Before we proceed with private members' statements I thank those people in the public gallery who came to listen to the discussion on this petition.

**PRIVATE MEMBERS' STATEMENTS**

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**AUSTRALIAN NUCLEAR SCIENCE AND TECHNOLOGY ORGANISATION**

**Mr MARK SPEAKMAN** (Cronulla) [4.42 p.m.]: On Tuesday this week I spoke about uranium exploration, particularly in the context of climate change. Today I would like to discuss aspects of nuclear medicine and nuclear research, which are of particular interest to my Cronulla community. Last Friday, 2 March, I spent four hours at the Australian Nuclear Science and Technology Organisation [ANSTO] complex at Lucas Heights in the Sutherland shire. I learnt firsthand about the outstanding research and nuclear medicine work carried out at this facility. Around 1,200 people work at the Australian Nuclear Science and Technology Organisation, including around 300 people with PhDs. Many have specialist qualifications and knowledge held by maybe only a handful of people anywhere in the world. A large proportion of the staff live in the Sutherland shire, including in the Cronulla electorate.

For most of us, our experience of nuclear reactors comes from much-forgotten year 11 or year 12 physics classes or from seeing shocking news stories such as the Fukushima disaster that, one year later, continues to unfold on the east coast of Japan. We tend to overlook the vital nuclear medicine work that constitutes much of the ANSTO operations. Eighty-five per cent of the nuclear medicine used by Australian hospitals is developed at ANSTO. Some 600,000 patient doses of radiopharmaceuticals are produced each year. Australia is one of only two countries in the world—the other is South Africa—able to create, to process and to deliver nuclear medicine from the one site. Considering the size of Australia and some of the remote locations this medicine must reach, the fact that it all comes from one central processing point is a remarkable feat of logistics—logistics that are stretched at times, such as when Qantas was grounded last year.

While some of us were wondering whether we would be able to get to our meeting in Melbourne or that wedding in Queensland, hospitals and medical practitioners would have been wondering whether they were going to get their new batch of radiopharmaceuticals so they could continue to treat cancers and continue to scan their patients for other diseases. The Australian Nuclear Science and Technology Organisation is also home to the Institute of Materials Engineering, which is internationally recognised for its experience in nuclear waste management and treatment. In particular, the development of the synrock process and subsequent products could lead to a safer waste product and remove the ability for nuclear waste to be reprocessed.

The Bragg Institute—named after William and Lawrence Bragg, a father and son team who lectured and studied at the University of Adelaide and won the Nobel Prize for Physics in 1915—uses material from the Open Pool Australian Lightwater [OPAL] reactor at Lucas Heights for neutron scattering, which can be used to determine the structure and properties of materials. This is incredibly important for biotechnologies when scientists try to understand how enzymes, proteins and new synthetic materials interact. It is equally important for scientists trying to understand the properties of materials being considered for use in future computers and storage devices. Just as important as the creation of nuclear medicine, just as important as the work done to mitigate the potentially harmful nature of nuclear waste and just as important as the work done to understand the very nature of the world in which we live, is the work done by the Institute for Environmental Research.

Much of what we understand about present and future climate change and the reasons behind these changes is being investigated by the Institute for Environmental Research. Being able to trace the source of air pollution, being able to examine water that is tens of thousands of years old, being able to examine ice cores delivered from Antarctica and being able to examine the human impact on the environment are remarkable things. It is impossible in a five-minute speech to do justice to all that is achieved at Australian Nuclear Science and Technology Organisation. I was honoured to spend several hours touring ANSTO and to have the experience of peering over the edge of a working, active nuclear reactor, and to meet the staff. I thank Lucy Clynes for being a wonderful guide on the day. I thank in particular Tricia, Doug, Enzo, Rodney, David, Steve, Patrick and Deborah for the interest shown in my visit.

### TRIBUTE TO THE HONOURABLE PATRICK FARMER

**ACTING-SPEAKER (Mr Gareth Ward):** Before I call the member for Wollondilly, it gives me great pleasure to acknowledge the presence in the Speaker's gallery of Mr Patrick Farmer, former Federal member for Macarthur and Parliamentary Secretary to the Minister for Education, Science and Training in the Howard Government. On behalf of all members of the House, I welcome you to the Legislative Assembly of New South Wales.

**Mr JAI ROWELL (Wollondilly) [4.47 p.m.]:** Today I speak about the great the Hon. Pat Farmer, former Federal member for Macarthur, ultra-marathon runner, humanitarian and a good friend. It is great to see him in the Speaker's gallery today. A number of months ago I updated the House on Pat's progress as he ran through the incredible heat of the deserts, the freezing cold of the Antarctic and the endless highways linking the many cities, towns and villages he visited. Pat's epic journey has seen him run from the top of the North Pole, through Alaska, Canada, North America and down through the dangerous mountains and jungles of Central America and South America. His efforts were so demanding that one would think he enjoyed the punishment. But, no, it was his determination to help others that forced him through adversity time and time again.

As I have mentioned before, the common efforts of individuals to ease poverty via conventional fundraising methods are noble causes, and I commend all who give selflessly to them. Pat Farmer, however, had the ability to do more. He is blessed with an athletic figure and an infectious charm that immediately disarms people. He has a smile that you cannot help but love and an ability to speak to the masses with ease—everyone can see his smile now. Before politics Pat raised a significant amount of money as a result of a number of events, helping to raise not only funds but the profile of a number of charities. A number of those endeavours include raising more than \$3 million for Diabetes Australia, Lifeline, Careflight International and the Westmead Millennium Institute for Medical Research.

Pat Farmer is perhaps best known for his record-breaking 14,964-kilometre Centenary of Federation run around Australia in 1999, taking 191 days to complete his journey. But Pat Farmer decided to eclipse all other charitable endeavours he had pursued in the past by undertaking this run. That decision was not an easy one for him to make. Leaving behind a young family, leaving an electorate he had represented for close to a decade and leaving a country he had helped shape, he embarked on his trip of a lifetime. Not content with the current level of aid or the capacity of organisations to provide that aid to those less advantaged, Pat embarked on a partnership with the International Red Cross as the main beneficiary of his run. To complete his mission—to raise millions of dollars for the International Red Cross—Pat ran approximately 80 to 90 kilometres per day, often increasing the figure to 118 kilometres per day. He could not slow down or miss a day; he was literally in a race against time.

To get to the South Pole in time he adhered to a strict schedule, mapped out and calculated, rain, hail or shine. But Mother Nature was not his only threat. The jungles of Central America and South America, traversing through Colombia, Panama and Peru, saw him expand his entourage of doctors, crew and supporters to include armed guards, who were hired to ensure his safe passage through this difficult terrain. But Pat is no stranger to a fight. He is the first to admit that he may have polarised people during his political career, yet he always claimed it was because he was determined to fight for the people he cared about and the issues in which he believed. It cannot be denied that Pat is a man fundamentally focused on making this world a better place before he leaves it. As the Federal member for Macarthur, he certainly left his community billions of dollars ahead of schedule.

Many months have passed since my original update and before I was able to give the House a progress report, in true Pat Farmer form, Pat ran faster and harder than anyone has before and finished. I urge members to acknowledge the great man who is present in the Speaker's gallery this afternoon. Mate, it almost killed you but

you did it. Not only have you made your country incredibly proud of you but also you have forced the world to stand up and take note of that for which you have fought. The money that you raised will go directly towards helping those on the ground who need it most. More importantly, the message that you have sent to the world is that one can achieve whatever one sets out to do, no matter how difficult it may seem, and that the endeavours undertaken for those less fortunate than us are truly the most noble.

The book *Pole to Pole: One Man, 20 Million Steps* will be launched in two weeks. Pat, I expect a personally signed copy for my collection. It will go with the signed *Bible* you were given when you were sworn in as a Federal member, which you kindly gave to me. The Hon. John Howard, AC, former Prime Minister of Australia, will be the guest of honour at the launch and I proudly will be the parliamentary host. I encourage any proud Australian, anyone looking for inspiration, or anyone keen to delve into what I am sure will be a fascinating read, to purchase the book. Pat, I am proud to be fortunate enough to call you a friend. I am relieved that our country's greatest humanitarian ambassador is safely home on Australian soil. I commend Pat Farmer and his book to the House.

### **BUNGENDORE PUBLIC SCHOOL ROAD SAFETY**

**Mr JOHN BARILARO** (Monaro) [4.52 p.m.]: School zone flashing lights have now been installed on Malbon Street, Bungendore. Those lights have been warmly welcomed by the Bungendore community and will go a long way towards improving pedestrian safety at Bungendore Public School. Ms Kay Selmes, in a lovely phone call to my office, said just how awesome we were for getting flashing lights installed at Bungendore school. Flashing lights slow down motorists and warn them that they are about to enter a school zone. The lights operate automatically when school zone 40-kilometre per hour speed limits are in force and increase driver awareness of those zones. Flashing lights have been found to slow down motorists by an average of seven kilometres an hour when they enter a school zone.

During the election campaign I made a commitment to the Bungendore community that a Liberal-Nationals government, if elected, would move the installation of school zone flashing lights outside Bungendore Public School to the top of its priority list. Malbon Street, Bungendore, is a section of the Kings Highway and one of the busiest streets in my electorate. Unfortunately, despite the obvious dangers posed by the poorly advertised 40-kilometre an hour school zone, the previous Government did not prioritise this project. Responding to the obvious need and the tireless appeals from the community, the then Leader of the Opposition and I were happy to make that commitment to the people of Bungendore. I congratulate the Minister for Roads and Ports on his work to make this commitment a reality. I was privileged to have Minister Gay with me in Bungendore last month for the announcement. Unlike the previous Government, which was renowned for grand announcements and photo opportunities, this Government makes only believable and deliverable announcements.

The school zone flashing lights were erected within two weeks of the announcement. This demonstrates that the Government is getting on with the job of building infrastructure and delivering the services that matter. This week has been the week of Senator Bob Carr. I can recall him visiting my community in 1995 and promising a much-needed ring road for Queanbeyan. Unfortunately, like many things promised by the former Labor Government in its 16 years in office, nothing was delivered. Once again this highlights the clear distinction between Labor and Liberal governments. I also congratulate Minister Gay on the Government's commitment for an extra \$13 million over the next three years for the rollout of school zone flashing lights right across New South Wales. Those new lights will be part of the New South Wales Government's next round of installations in its \$13 million election commitment to fast-track the installation of flashing lights to an additional 540 school zones over four years. Other communities will shortly appreciate the benefits of safer school zones such as those that are now enjoyed at Bungendore Public School.

By the end of June 2012 there will be more than 820 flashing light school zones across the State, covering more than 990 schools, which is more than one-quarter of all the schools in New South Wales. I am proud to be part of a Government that is firmly committed to improving safety for our children in school zones. I also congratulate those in my community who continue to advocate on behalf of their school communities. I place on record my thanks to all the fantastic parents and citizens associations that volunteer their time for the betterment of all our children and our communities. Bungendore Public School is lucky to have Ms Sharon Baxter-Judge leading the charge on behalf of its school community. As the member for Monaro I get to meet these wonderful people each and every day—a particularly rewarding part of my role. It is that wonderful community spirit, which is demonstrated daily in the electorate of Monaro and other rural and regional electorates, that makes us so unique. I am proud to call the electorate of Monaro my home.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [4.56 p.m.]: I thank the member for Monaro for sharing with the House how a parent from Bungendore Public School thought he was awesome. The member for Monaro, who is always fighting for his constituents, is concerned about school safety and represents his community well. It is refreshing to have such a strong advocate fighting for his community and delivering on this Government's commitments. I congratulate the member for Monaro on his awesome work.

### VICTORIA CROSS RECIPIENT AND MEDIA COMMENT

**Mr DAVID ELLIOTT** (Baulkham Hills) [4.57 p.m.]: With a heavy heart I draw the attention of the House to something of great concern to me. I speak of something that has disappointed those in the defence community and disgusted the broader Australian community. Australians have the utmost respect for military service and service personnel. There can be no doubt that the community acknowledges and appreciates the sacrifice that those men and women make in order to protect our country and our way of life. The community owes all defence personnel a debt of gratitude that cannot easily be repaid. It goes without saying that few are more deserving of our thanks and praise than those 98 Australians who have been awarded Australia's highest military honour—the Victoria Cross.

The Victoria Cross is reserved for acts of valour, gallantry and devotion to duty, and those who receive it deserve this exceptional reward. Each Victoria Cross recipient is a hero and his or her deeds exemplify Australia's very best. I can think of few other acts of public service that receive the same level of community gratitude, and rightly so. That is why George Negus and Yumi Stynes' unwarranted assault on Corporal Ben Roberts-Smyth, VC, provoked such a stern rebuke from the entire community. Their comments were simply outrageous and completely lacking in respect. To attack a Victoria Cross recipient in such a way is a slur against every past and present member of the Australian Defence Force. I shudder at the thought of how the families of fallen diggers must feel when they hear these comments. In my own modest military career I had the privilege to serve with a corporal like Ben Roberts-Smith, VC. Unfortunately, my corporal never made it home.

It makes me sick to think how his widow must now feel as a result of these selfish remarks. While I am sure Negus and Stynes thought that their comments were hilarious, the reality is that all they have done is denigrate an Australian hero and insult the entire nation. It is worse that there now exists a very real chance that such behaviour will be replicated by others in a tacky attempt to be funny. However, it has been pleasing to see such an outpouring of public support for Corporal Ben Roberts-Smith, VC, and the Australian Defence Force in general in the wake of this disgrace. The community has made it clear that anything less than the highest respect for service men and women is unacceptable. Like the rest of the community and particularly the defence families in my electorate of Baulkham Hills, I sincerely hope this is the last time anyone degrades a true Australian hero in such an undignified way. We can do so much better.

### FAIRFIELD ELECTORATE SCHOOLS

**Mr GUY ZANGARI** (Fairfield) [5.00 p.m.]: I acknowledge the tremendous work carried out by schools in the Fairfield electorate and the Fairfield local government area. As a former teacher I know how challenging and rewarding the vocation of teaching is. I am proud to highlight the commitment to quality education held by teachers across the Fairfield region. The results speak for themselves. This private member's statement will not be enough to express my gratitude to the teachers of Fairfield. Maybe over the course of the year I will be able to highlight many more school achievements. Fairfield High School is located in the heart of my electorate. Over the past 12 months the principal, Robert Mulas, and his staff have been busy delivering an innovative program aimed at skilling students in areas not catered for by the New South Wales vocational education and training curriculum.

I have had the chance to witness the new courses being taught and studied during my visits to Fairfield High School. Students in senior years have the opportunity to undertake courses in motor mechanics, floristry, hairdressing and bricklaying. These work skills courses keep students at school for their final two years whilst achieving new skills. Fairfield High School also received acclaim this year for presenting the model of multiculturalism at the school to the United Nations. I am told the principal and student representatives impressed the United Nations conference and stole the show with their presentation. Without the dedication and support of teachers the achievements of Fairfield High School would not have been possible.

Another magnificent school in Fairfield is Westfields Sports High School. Westfields Sports High School is the envy of many schools within Fairfield and probably across the State. The sports programs offered are world class and so are the facilities. In October last year I was fortunate to witness the opening of the new

synthetic football pitch and change room facilities. This school has produced some of the finest sports men and women this country has seen in recent memory. Patrician Brothers' College, Fairfield also has much to be proud of. It is a systemic Catholic high school delivering comprehensive education to boys.

Like Westfields Sports High Schools, Patrician Brothers' College has triumphed on the sporting field and has also achieved outstanding Higher School Certificate results in recent times. The results and achievements of these schools simply do not happen overnight. Whether at a government or non-government school, it takes years to nurture and educate students. As a former educator in the Fairfield area and a local representative, I would be lying if I did not say that I am proud of the achievements of all the schools in the area. That is why I must correct a statement made in this Chamber on Wednesday 22 February 2012 at 5.01 p.m. by the member for Smithfield, Mr Andrew Rohan, who said:

I note the comments of my good friend and colleague the member for Fairfield, who I understand failed an entire class in his previous life as a teacher at Freeman Catholic College.

That comment is incorrect, unjustified and offensive to me and the hardworking teachers of Freeman Catholic College at Bonnyrigg. I inform the member that the average mark for the school's year 12 studies of religion class last year ran circles around the State average and some students achieved band six and band five results. For the information of the member for Smithfield, of all the Catholic systemic high schools in the archdiocese of Sydney, the 2011 Higher School Certificate results of the students from Freeman Catholic College were ranked number one. The college has a strong reputation for academic excellence and enrolments are highly sought after by those in the wider Fairfield community. When I was a teacher at Freeman Catholic College I was part of many symposiums, holiday classes and night study programs. I ask the member for Smithfield to research his speeches regarding education and get his facts right. It is obvious the member has misused parliamentary privilege in this Chamber.

## FLOODS

**Mr DARYL MAGUIRE** (Wagga Wagga) [5.05 p.m.]: I inform the House of events that have occurred in the Wagga Wagga electorate and the Riverina over the past week. Due to terrific media coverage, members will have seen the floods and damage that the area has experienced from storms and floodwater. The Goobragandra valley, the Brindabella Ranges, Adelong, Tumut, The Rock, Lockhart and of course Wagga Wagga have all been affected by torrential rain and flooding rivers and creeks. The suburb of North Wagga Wagga was evacuated. Some 800 people moved into the city, leaving behind their homes and possessions. The levee banks at North Wagga Wagga are built to a height of 9.8 metres. The levee banks in the city of Wagga Wagga are designed to withstand a 10.7 metre flood. The flood was forecast to reach 10.9 metres.

Therefore, on the night of Monday 5 March the decision was made to evacuate the city. It was done quickly by the community and without fanfare or fuss. I pay credit to the community for heeding the warning and reacting so swiftly to the direction by the State Emergency Service. Thankfully that flood has now passed, but the levee bank at North Wagga Wagga was breached. Some 240 homes were inundated, which will of course affect those 800-odd residents who were evacuated. In a few days when the water recedes the clean-up will begin. That is a monumental task but I expect, like always, our community will rally together to help those people of North Wagga Wagga who have lost some possessions and will face a tough time getting their homes back in order.

I worked out of the operations centre. The Department of Primary Industries, the State Emergency Service, the ambulance service, the council, transport, the Army and charity and health organisations all coordinated their responses to requests during the flood emergency. Travellers were caught in the area by the quick-rising waters—waters that our community has never before seen converge. In 1974 we had one of the largest floods, but we have never seen a flood on the scale that we experienced this time through the valleys. Communities such as The Rock, which are only just recovering from the flood of 2010, again bore the brunt of this flash flooding. Luckily they did have some warning and were able to prepare themselves, but sadly there is never enough time. Lockhart again experienced terrible damage. The service stations, the supermarket and other places were inundated. We face a great challenge to once again make them operational in order to provide basics such as fuel.

I pay tribute to the Army. Under Colonel David Hay the army filled sandbags non-stop for days in preparation. They worked day and night. I commend the State Emergency Service and all of the volunteers who came from across the State for their efforts. Those volunteers are now moving to communities in Griffith,

Yenda, Forbes and other places that are now feeling the same effects from high rainfall as we experienced. I pay tribute to the leadership of the State Emergency Service, James McTavish, and his team. I commend the volunteers and paid State Emergency Service personnel for the leadership they gave. I acknowledge the role played by the mayors of the cities and towns of Tumut, Wagga Wagga and Lockhart in this emergency.

I acknowledge also the Insurance Council of Australia, which has already taken steps to help us provide relevant information on claims. I thank the Premier for setting up the recovery centre, which will begin operating very soon so that there is a one-stop-shop for information available to everyone affected by the floods. Last but not least I thank the media for the sensitivity it has shown in its coverage of this emergency. It would have been an emergency of dire proportions if the levee banks had not held, with 8,000 people being displaced and more than 2,000 homes inundated. That was averted but sadly hundreds of homes in Griffith and elsewhere have been inundated and people have been evacuated. I say to our fellow Australians, as we always do, that it is time to put our shoulders to wheel, roll up our sleeves and give our friends a hand.

### ORANGE ELECTORATE ARTS

**Mr ANDREW GEE** (Orange) [5.10 p.m.]: I draw the attention of the House to recent achievements in the arts in the Orange electorate. The historic town of Gulgong in the Orange electorate has suffered some blows in recent years, including the loss in January 2011 of its iconic folk festival when a committee was unable to be formed to run the event. As a result tourism in January last year suffered a severe downturn that affected local businesses and the community was without an entertainment event that so many enjoyed. However, in the months following that January a group of local music enthusiasts got together and formed a new committee with the aim of bringing the Gulgong Folk Festival back to life.

This vibrant new committee, led by local muso Richard Lawson, set about planning the festival for January 2012. It changed the weekend, moving it back a week from the traditional New Year weekend so that it no longer clashed with other music events such as the Woodford Folk Festival in Queensland. Richard and his committee—including Michael O'Brien, who is also a noted television script writer, David Miles, who operates the only solar-powered straw bale recording studio in the world at his Totnes property, Ross and Judy Kurtz, Jim and Rhonda Westwood, Ray Loughlin and Percy Thompson—all worked hard to attract more than 80 artists, including headline acts Bill Chambers and Anne Kirkpatrick, who came to Gulgong for the festival.

With them came a large contingent of musicians, who also helped to boost the local economy during the three days of the festival. The Gulgong festival is unique in that it uses multiple venues, giving music lovers a choice of venues to hear the music talent on show. I was delighted to attend the festival on Saturday and to introduce the headline acts at the main venue, the Gulgong Memorial Hall. Earlier that afternoon I was able to enjoy performances at the iconic Prince of Wales Opera House, a unique venue with outstanding acoustics. Enthusiasm for the event was infectious and even this humble member performed a duet of Johnny Cash's *Ring of Fire* with Richard Lawson for local television news. I will invite the member for Bathurst to join me for a rendition next year. There was great atmosphere in the town and many visitors mingled with locals, highlighting the delight of the Gulgong community in the return of their folk festival. I thank the organisers for their hard work and Destination NSW for supporting the event.

The city of Orange is a vibrant, cultural centre of the Central West. Late last month the local performing arts community was recognised for its theatrical talents, with six wins at the Canberra Area Theatre [CAT] Awards, which were attended by the hardworking member for Monaro. These annual awards acknowledge the outstanding achievements of theatre companies from all over New South Wales. The Orange Theatre Company's production of *The Witches of Eastwick* and *A Few Good Men* secured two wins each while Kinross Wolaroi School secured two wins for its production of *Beauty and the Beast*. Directors of the *The Witches of Eastwick*, Peter Young and Scott Halls, also scored a win for best director of a musical or variety show.

The three witches from *The Witches of Eastwick*, Rebecca Brown, Emma Forde and Alex Carroll, were named the best ensemble in a musical for their roles in this production. The group had performed a routine from the show to a standing ovation just prior to being named winners. The award for best actor in a leading role in a play was taken out by Greg Pringle for his portrayal of Colonel Nathan Jessop in *A Few Good Men*. Kinross Wolaroi School celebrated dual wins when it won the best orchestra for a school or youth musical and the best youth actress in a featured role in a musical for the performance of Olivia Fisher, who portrayed Babette in the school's musical *Beauty and the Beast*. These results show the outstanding talent of people in my electorate of Orange, which is placed amongst the leading cultural centres in this great State of New South Wales. It is with great pride that I acknowledge these outstanding achievements from both ends of the mighty Orange electorate.

**ACTING-SPEAKER (Mr John Barilaro):** I attended the Canberra Area Theatre Awards and presented a number of awards on the evening. It was a wonderful opportunity to highlight the great work of theatre companies and schools in Orange, and many other regional communities. It was an excellent night.

**Mr ANDREW GEE:** I thank the Acting-Speaker for his attendance; it was much appreciated.

### **BLUE MOUNTAINS ELECTORATE HOSPITAL VOLUNTEERS**

**Mrs ROZA SAGE** (Blue Mountains) [5.15 p.m.]: During the past week I had the pleasure of recognising and congratulating the wonderful hardworking volunteers who help in our local Blue Mountains hospitals. The Blue Mountains has two very highly regarded hospitals, one at Katoomba—the Blue Mountains District Anzac Memorial Hospital, known as Katoomba hospital—and Springwood Hospital. Katoomba hospital is a rare war memorial, designed as a functional building. It was built in 1925-1927 and is listed on the State heritage register. It has been extended and renovated over the ensuing years and continues to serve the community well. It is an acute care hospital with a 24-hour emergency department, operating theatres, obstetrics and gynaecology, paediatrics, general medicine, rehabilitation, geriatrics and palliative care units. It has a hydrotherapy pool, which was built through a great community campaign led by Mrs Marie Wood.

The buildings, the care and facilities are highly valued by the mountains community. This was evidenced in the past few years of the previous Labor Government, which was determined to remove the maternity unit but faced a community that was equally as resolute that it would not. The community won. This defence of community infrastructure is the result of a community that cares. There is no better demonstration of this than the hospital volunteers, who give of their own time and energy to give that extra caring dimension to the hospital culture. I was at the hospital with the Chief Executive Officer of the Nepean Blue Mountains Local Health District, Ms Kay Hyman, to recognise these selfless volunteers and to acknowledge those who have given 10 years of volunteering.

The hospital auxiliary, including President Paula Savage, Secretary Ann Fisher, Treasurer Dorothy Clampett and other members, was present. The pink ladies, with their now one pink laddie, were represented, as were the palliative care volunteers. The auxiliary is an important source of extra funding for the hospital, running raffles, the annual quilt show and the annual concert, as well as the hospital gift shop. The community strongly supports their endeavours with the Orpheus Strings, a very high standard amateur string orchestra that donates time and expertise to the annual concerts. The pink ladies—volunteers—help by providing little touches such as looking after flowers received by patients, bringing magazines and newspapers, and generally being a friendly face in an environment that can be lonely and frightening for some.

The palliative care volunteers help in that most difficult area where people are dying. They provide comfort and support in a highly emotionally charged situation. This indeed is a very difficult job. The 10-year volunteering awards were presented to Sharon Phillips and Wendy Jones, both pink ladies, and also Shirley Simpson and Pat McKeown. As with most volunteers, they did not expect any recognition for their work, but were grateful to be recognised. I had a lovely morning tea with the volunteers and together we cut the special celebration cake provided by the hospital in appreciation.

In addition to Katoomba hospital, I visited Springwood Hospital Auxiliary to recognise the magnificent work of the volunteers there. Springwood Hospital is a community-based hospital that opened in 1976. The surrounding Springwood community fundraised for many years to build the hospital, together with some government funding. As with Katoomba hospital, the community is fiercely protective of its hospital and has a very strong commitment to its wellbeing. The hospital is small, with only 32 beds. It has an operating theatre that performs mainly day surgery, which includes ophthalmology and general surgery. There is a great emphasis on geriatric and rehabilitation services, and a small but very highly regarded palliative care unit. The types of services reflect the aging demographics, with patients from the entire health district located to Springwood.

Over the years the Springwood Hospital Auxiliary has raised an enormous amount of money and has provided an outdoor annex as well as many other items. Its current project is to buy high-low beds and self-moulding mattresses. Aply led by the President, Richard Jackson-Hope, the group—comprising the secretary, Sarah French, the treasurer, Jill Williams, past presidents, Mrs Margaret Mulvaney and Peter McTaggart, and numerous other members—raised more than \$6,000 at a recent trivial pursuit night. It also has an annual hospital fete, which the community avidly looks forward to. I heartily congratulate all those wonderful volunteers who are helping in our wonderful Blue Mountains hospitals.

## GOSFORD ELECTORATE SENIORS WEEK CELEBRATIONS

**Mr CHRIS HOLSTEIN** (Gosford) [5.20 p.m.]: Today I acknowledge and pay tribute to our senior citizens for their wonderful contribution to our local communities and to our great State. For more than 50 years we have marked their contributions by designating Seniors Week as a celebration of their efforts and the continued engagement of senior citizens in the everyday life of the State. Our seniors are an ever-growing demographic, which demands that we in government put the issues of our senior population into the mainstream of policy-making. My colleague the Minister for Ageing will release the Government's Ageing Strategy in July this year. The strategy will outline how the Government will put in place the right services and training measures so that we can fully realise the opportunities arising from an ageing population and effectively support our seniors into the future.

Seniors Week, which will take place between 18 and 25 March, will be an entertainment-packed week of events, awards, music and activities, including the Premier's Seniors Week Gala Concert. Central Coast seniors are always short of tickets for this very popular concert. In Gosford, our Seniors Week celebrates and thanks our seniors for their valuable contribution to our society. It provides us with an opportunity for all generations to celebrate with older people. Our Seniors Week aims to celebrate older people and their contribution to family, friends, workplaces and communities, provides enjoyable opportunities for getting together both with older people and across the generations, and demonstrates that seniors can be healthy, active and continue to learn, promote and celebrate the diversity of older people in the communities, challenge some of society's stereotypes around ageing, and invites us all to consider our relationships with and attitudes towards older people.

Some of the events that will take place during Seniors Week in Gosford include barbecues, national park four-wheel-drive tours, bus tours, cricket matches, cardiopulmonary resuscitation [CPR] and first aid demonstrations, visits to the Australian Reptile Park at Gosford, sport and recreational activities, beach safety talks and tours, hearing assessments, a seminar on saving money and energy, aqua and exercise classes, a Seniors Gala Day, a seniors photography competition, a hymn fest, and internet training, to name but a few. I am proud to say that my electorate office is sponsoring, and I am hosting, a Brisbane Water morning tea cruise titled "Gosford to Broken Bay—The Adventure of a Lifetime", with pick-up points at both Gosford and Woy Woy wharves. The vessel has a carrying capacity of 165 people and is already fully booked. This fantastic response to, and engagement with, all the activities and events for Gosford Seniors Week is very encouraging and demonstrates the willingness of seniors to remain engaged with their communities.

I am really looking forward to my day on the water with our senior citizens because it will give me the opportunity to listen to them and their ideas and concerns, and to enjoy the very beautiful and tranquil surroundings of Brisbane Water. In other cultures, elderly people are held in high esteem and their wisdom and experience are utilised for the benefit of society. Australia has a lot to learn in that regard, but I am encouraged by some positive signs, such as the Ageing Strategy that is being driven by Minister Constance, which I hope is the embryonic stage of a paradigm shift in thinking about elderly people in Australian society. In conclusion, I reiterate my thanks to our senior citizens, and I pay tribute to all senior citizens for their magnificent contribution to our community in Gosford as well as to the entire State.

## PENEUETA AH CHONG SUPERANNUATION ENTITLEMENTS

**Mr PAUL LYNCH** (Liverpool) [5.24 p.m.]: I draw to the attention of the House the employment difficulties encountered by a hardworking constituent of mine, Peneueta Ah Chong. Mr Ah Chong is a welder by profession. He was employed by a firm called Garard from approximately 13 June 2007 to October 2009. Garard is a company that is located in my electorate. During that period, superannuation entitlements in the amount of more than \$9,000 accrued to him as part of the legislated superannuation scheme. This, of course, is to be paid by the employer. None of it has been paid, in spite of the fact that a company called Garard, which is apparently operated by the same people, is still operating in Liverpool, according to Mr Ah Chong. The company's letterhead in various documents to employees refers to Garard only as the name of the employer. Mr Ah Chong's pay slips reveal that the employer's full title was Garard Pty Ltd, ABN 31097841079.

The pay slips also indicate both that the employer knew the identity of Mr Ah Chong's superannuation fund and its obligation to pay superannuation. There was even an amount appearing each week of the employer's superannuation liability. Regrettably, however, more than \$9,000 of that entitlement was not paid by the employer on behalf of Mr Ah Chong—despite the employer's obligation to do so. Garard operated at 69 Elizabeth Drive, Liverpool, but subsequently located to 12 Homepride Avenue, Warwick Farm. Mr Ah

Chong informed me that an organisation called Garard is still operating from that address, and from my own observation there is certainly still activity on that site. My constituent obviously was concerned during the course of his employment that his superannuation was not being paid. However, Mr Denis James of Garard kept providing assurances that superannuation payments would be made. For example, one document distributed to employees by Garard, a copy which I have seen, reads as follows:

As of this week, an arrangement has been put in place with The Australian Tax Office that will see everyone's Superannuation paid up-to-date by February 2009.

That document is interesting for three reasons. First, it confirms on Garard letterhead that various superannuation payments had not been made by the company to Mr Ah Chong. Secondly, it confirms that the problem extended beyond Mr Ah Chong to other employees. Thirdly, it is interesting that the promise it contains—that Mr Ah Chong's superannuation would be paid—was broken. That was not the only time the issue was raised with Garard and Mr James. On a number of occasions Mr James provided assurances that the superannuation would be paid, including when Mr Ah Chong's employment was ended in 2009. It was not paid. Those assurances were not honoured. They were lies. One is forced to the view that we cannot believe a word Mr James says.

After five years and despite all those assurances, Mr Ah Chong still has not had his superannuation entitlements paid. Presumably that also applies to others in the workforce at Garard's. I am told by Mr Ah Chong that at any one time there are approximately 50 employees there. The business still seems to be running on the site. Clearly there is still money there. Mr Ah Chong advises me that either the company or its owners at the very least own property in the Liverpool area. Clearly there are assets that could be realised to meet the legal obligation to pay employees their superannuation. Mr Ah Chong does not understand why exploitative employers such as this one can retain assets and money, but not pay their employees what they are legally owed. Understandably, Mr Ah Chong says it is quite unfair that he works hard, but his employer breaks the rules and does not pay the entitlements that are owed.

Mr Ah Chong has been assiduous in prosecuting this matter since his employment ceased at Garard in 2009. He saw me shortly afterwards and I made representations to the Federal Minister. That resulted in a complaint being lodged with the Australian Tax Office [ATO]. The Australian Tax Office receives approximately 20,000 complaints each year from employees about employer superannuation. The Australian Tax Office advises that there is generally a high level of compliance by employers. That makes cases such as this, where there is no compliance, even more appalling. Mr Ah Chong's efforts with the Australian Tax Office thus far have been unsuccessful. It appears as though the company is now undergoing liquidation, which bodes ill for recovery. However, Mr Ah Chong fears a phoenix-like resurrection of a similar but different corporate structure. Certainly my basic corporate searches suggest a number of similar corporate entities that are not in receivership.

Interestingly, several years ago the company concerned was in the local newspapers complaining that the then State Government was not providing adequate financial assistance to assist with its business. This demand for corporate welfare from the State sits oddly with its failure to be a good corporate citizen and make superannuation payments for its workers. As it happened, its demands for corporate welfare related to what it called a world first for a concrete placement crane. The truth is that the company had a patent pending, the crane was not yet proven to actually work, and the manufacturing process was still in the development stage. The then Department of State and Regional Development considered the claims that the company was making at that stage were unrealistic, but that did not stop Garard demanding public money.

I do not see why public money should be doled out to companies that are not prepared to adhere to basic obligations, such as paying superannuation. That is not the only double standard in this story. Prior to the 2007 election, Mr James distributed a letter to his employees dated 23 August 2007 that, among other things, urged his employees not to vote for Labor in the forthcoming Federal election because that would give unions too much power and influence. Granted his contempt for the law, I am not surprised that he does not want unions to represent his employees.

#### **ALBURY AND BORDER RESCUE SQUAD FIFTIETH ANNIVERSARY**

**Mr GREG APLIN** (Albury) [5.29 p.m.]: Sometimes we say to a helpful friend, "Thank you, you've saved my life." Today I say a public thank you to an organisation that genuinely and quite literally saves lives, and which has done so for the past 50 years—the Albury and Border Rescue Squad. These are the people we

rely on to come to the scene of an accident, when lives are in peril or when someone's child goes missing while walking in bushland. The American Pony Express achieved fame by pressing on with its work despite harsh conditions. "Neither rain, nor snow, nor death of the night can keep us from our duty" is its oft-recited motto. The Albury and Border Rescue Squad would find this list of difficulties far too brief and inadequate to describe its working conditions.

Indeed, its members work where lives are in the balance, at the very tipping point of life itself. The squad is trained to perform rescues at road accidents, along cliffs, underwater and in waterways, and deep underground in cave systems. Squad members carry out search and rescue in dense bushland and at high altitude. Sometimes they are working in factories and other industrial environments, surrounded by heavy machinery; at other times they work in the intimacy of someone's home. But this is not a complete list. I can add animal rescue and at times providing crime scene lighting. That is the job in all its breadth and scope. And we can all imagine what scenes of trauma, indeed horror, its members must encounter. They face these grim challenges on our behalf.

The Albury and Border Rescue Squad celebrates 50 years of operation this year. It can be easy to take it for granted that its members will simply appear at the time of need, but we must never forget that these heroes are by the roadside, in the water or scanning bushland in the depths of a cold night as volunteers. Indeed, the first name for the organisation, founded after a number of drownings in local waterways, was the Albury Border Land and Water Rescue Club. The word "club" provides an idea of the enthusiasm and mateship that produced this highly effective organisation. Meetings in those early days were held in members' homes and sometimes down at the pub. Over time it was renamed as an association and finally a squad—one of 62 such squads operating in New South Wales, and the accredited primary response rescue squad for the Albury region.

In 1963 the squad completed 42 hours of rescue activities but by 2011 this had grown to 1,056 operational hours, plus a further 2,783 hours of associated training and fund raising. Last year they rescued 53 persons. In the early days one of the first major pieces of equipment for the club was a Stromberg boat, donated by North Albury Apex in 1962. While most of the squad's current work involves road rescues, the initial focus was on the waterways of the border region. One of the divers was Des Walters, who served with the squad from 1966 to 1981. Des dived on 17 body searches in the first seven years. He went on to hold offices as secretary, treasurer and president, and was awarded honorary life membership of the Volunteer Rescue Association in 1979. Des learnt to dive with the squad and then ran a local diving business in Albury for 30 years.

Des took his training to new heights—or perhaps depths—as a member of Standards Australia committee SF17 and as an instructor for police divers from Queensland, Victoria and the Australian Capital Territory. Des knew no boundaries. He set up the first commercial diver training courses for South Australia and New Zealand and ran the first non-English speaking commercial diver training in Turkey. He became the only hyperbaric tunnel trainer in Australia, working on tunnels for Airport Link in Sydney, Gold Coast Desalination, Melbourne Main and Northern Sewerage, Kia Tak and Link 200 in Hong Kong, Wonthaggi Desalination, Southern Seawater Desalination, Airport Link in Brisbane, and for the Port of Miami in Florida in the United States. Others who made their mark include the late Jack Bowdren, father of the squad, who received the Order of Australia in 2002, and John Boyd who received the Emergency Service Medal in 2009.

When the call comes in, it might take squad members to the river where they don their diving gear. It could be a call to remove a person trapped in machinery, up on scaffolding at a building site or down a trench. A building may have collapsed and an injured person is awaiting rescue from those who will pull away the rubble. Sometimes squad members are confronted by a road accident scene where they personally know people who have been killed or injured. How hard this must be. So today I congratulate the Albury and Border Rescue Squad on its significant anniversary, and thank its members, current and past, for their vital work. It is much appreciated by your community. Particular recognition goes to squad presidents over the years: Jim Higgs, Chris Straw, Bert Woodall, John Horsefall and Mr A. Gould; and to squad captains Stuart Dye, John Boyd, Cliff Newman and Keily Howard. To secretary Paul Marshall, thank you for the opportunity to have been part of your fiftieth anniversary celebrations.

#### JUSTICES OF THE PEACE

**Mr RICHARD AMERY** (Mount Druitt) [5.34 p.m.]: Today I draw attention to the provision of justice of the peace services in my electorate. My electorate office has always been able to provide a justice of the peace service because through the years all of my staff have held the office of justice of the peace. Years ago

this service involved a few people coming into the office each day to have statutory declarations signed and copies of legal documents and various other items, especially immigration documentation, certified. The number of persons presenting to my office was always manageable and did not encroach on the normal electorate office duties of my staff. In recent years the number of organisations requiring the signature of a justice of the peace has increased dramatically. Banks no longer arrange for the signing of their loan applications, for example, and many other items such as Seniors Card applications and traffic infringement declarations now require certification by a justice of the peace.

In many cases this also involves the photocopying of documentation, which I am sure all electorate offices do to assist their constituents. As the service in my office became more well known, it became a practice of other organisations, some of which had a justice of the peace in their building, to refer people to my electorate office. This included the information desk of the local Westfield shopping centre. The result is that last year more than 5,200 people attended my electorate office seeking the services of a justice of the peace. Many of those people were carrying a handful of documents—in some cases up to 20, 30 or 40 documents—that required certification. Members can appreciate the time taken to provide that service. In recent months my office imposed a limit of 15 documents that it could handle at any one time; people with more than 15 documents must leave their documentation and collect it at another time. This year the number has increased even further.

Last month I convened a meeting at the Mount Druitt Hub, a new building funded by the Federal Government and Blacktown council. As the name implies, the building is a community hub with a library, a coffee shop and meeting rooms. The meeting involved representatives of Blacktown council, particularly the director of volunteering, Federal member for Chifley Mr Ed Husic, whose electorate office is located only yards from my electorate office, representatives from Westfield and the Mount Druitt courthouse. I had also been in contact with the Mount Druitt police involved with this matter and the Mount Druitt post office. As a result we have worked jointly towards the establishment of a roster of locations where a justice of the peace service will be available on different days of the week. Of course, my office will be one of those locations. I intend to advertise extensively where a justice of the peace can be accessed in the Mount Druitt town centre. I should point out that Mount Druitt town centre is not the only place that provides a justice of the peace service.

I am pleased to note that during this process I found out that the Plumpton shopping centre has arranged for community volunteers to provide a justice of the peace service during certain hours and on certain days of the week. However, this issue has raised another issue that I would like the Attorney General to investigate. Changes made some years ago mean that people who can be appointed as a justice of the peace must be supported by a community group—generally a sporting group; a community organisation had to certify that it needed a justice of the peace to undertake its activities. The other category is that of local businesses. Local businesses, solicitors' offices, real estate agents and so on can certify that an employee is required to be a justice of the peace and that is sufficient grounds for a person to be appointed as a justice of the peace. The applications go through the office of the local State member.

The number of people who hold the office of justice of the peace for no reason—they are not a member of a community group and they are not employed by a local business—has been virtually eliminated by the new changes to the justice of the peace legislation in the past couple of years. This has forced more and more people to search offices and businesses to find a justice of the peace who has the time to assist them. I have raised this matter because any review of justice of the peace services by the Government and the Attorney General should address the growing demand for justice of the peace services and the requirements of organisations that need documentation signed. For example, my area has a large migrant population that needs documentation signed. The Government should consider whether we are approving enough justice of the peace applications to provide a service to our constituencies.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [5.39 p.m.]: In offering some bipartisan support to the member for Mount Druitt, I acknowledge the role of our office staff in providing justice of the peace services. My office is located in the Rouse Hill Town Centre and is inundated with requests not only by the various businesses but also by people from my electorate and adjacent electorates to provide that service. The member for Mount Druitt mentioned that in some cases 20, 30 or 40 documents are witnessed at a time. Only two weeks ago one of my office staffers had to sign 75 individual documents. Consequently my office ordered a stamp through the Department of Parliamentary Services to assist in the numerous requests for the services of a justice of the peace. My staff were questioned about the appropriateness of the stamp. I can assure the House that the stamp saves my staff endless amounts of time when they are witnessing numerous documents. I can assure the department that the stamp has absolutely no use outside the office whatsoever. We probably go through three or four stamps each year. I certainly endorse the comments of the member for Mount Druitt and encourage the Attorney General to take on board the need for more justices of the peace in the community.

## PITTWATER TRANSPORT SECURITY

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [5.40 p.m.]: The northern beaches and my community of Pittwater face ongoing challenges with transport security. Unfortunately, it is no secret to anyone that buses on the northern beaches experience problems with alcohol-related violence and disorderly conduct. This problem is not new; rather it has worsened gradually over recent years to the point that services operating along the Pittwater Road corridor are now regularly touted in media reports as being amongst the most notorious in Sydney. It is clear to our community that this activity has become systemic, discouraged innocent commuters from utilising public transport and placed unnecessary demands on drivers. Thankfully, however, we now have a transport Minister in New South Wales who is prepared to admit that serious problems exist and has acknowledged that this situation will not fix itself.

In 2009 I spoke in this place about the possibility of introducing dedicated uniformed police officers on our buses to alleviate disorderly conduct and provide protection for commuters. At that time I predicted that without such an initiative the situation would deteriorate. Of course, this idea was ignored by the platoon of transport Ministers we saw in the final years of the previous Labor Government and, as predicted, things worsened. However, my community and I are delighted that the current transport Minister is listening to the concerns and wishes of commuters and has acted to address these issues. The recent announcement that a dedicated Police Transport Command will be established to assume responsibility for transport security across the entire public transport network was enormously well received by local commuters.

Officers from this specialist command will be tasked specifically with monitoring and counteracting antisocial and criminal behaviour on our buses and helping to ensure comfort and safety for passengers. Equally important is that this change responds directly to appeals from local drivers for more assistance and protection—particularly on Thursday, Friday and Saturday evenings. These men and women are literally on the front line in dealing with disruptive behaviour on our buses and regularly face uncomfortable and potentially dangerous situations. Whilst the existing sporadically placed transit officers operating on our buses do a good job under tough circumstances, they are no match for uniformed police officers with expertise and legal authority.

Everyone deserves to feel safe on public transport and not be deterred by drunk and unruly passengers. Obviously, our police are the best equipped to deal with this behaviour. Many commuters have seen firsthand the huge difference in commuter behaviour with the presence of uniformed police officers on or near buses. It is anticipated that this effect will be emulated on a larger scale when the Police Transport Command is rolled out across our transport services. As I said earlier, this change in transport security certainly is needed and this proposal certainly is a huge step forward for transport security on the northern beaches. However, it is essential also that the community supports this action. Drunk, disorderly and disruptive behaviour on our buses is not funny, does not impress anyone and potentially places lives at risk.

Whilst idiotic behaviour is unavoidable to an extent, community support is vital. We must look out for and support drivers, report all incidents to police to enable hot spots to be identified and targeted, and keep an eye on friends and mates to ensure they do not cross the line and do something they will regret or be arrested for. Whilst the Government certainly has a major role to play in helping to ensure that passengers and drivers remain safe, community vigilance can play a vital supporting role. The announcement of a dedicated Police Transport Command joins a range of other improvements introduced by the New South Wales Government over the past 12 months to help improve public transport throughout Pittwater and the northern beaches.

These include the addition of more than a dozen new articulated air-conditioned buses at the Mona Vale depot; more evening services for commuters travelling to and from the central business district; a revised route for Pittwater's express services entering the central business district during the morning peak period; an increase in community transport funding, including for residents on Scotland Island; and the preparation of a feasibility report for the introduction of a Northern Beaches Bus Rapid Transport System. These positive announcements, coupled with the introduction of the Police Transport Command, highlight the shift towards improved public transport on the northern beaches. I commend our depot manager at Mona Vale, Jay Zmijewski, and his team for their outstanding service to our community and their cooperation as these important changes are introduced.

I commend Pittwater Council, especially Mayor Harvey Rose and the Community Development Manager, Lindsay Godfrey, for their strong collaboration with the northern beaches police in helping to combat antisocial behaviour throughout our community, including that experienced on our buses. I commend also Doreen Cruickshank, the local area commander for northern beaches police, who has done an extraordinary job

in working with the community. With the introduction of these changes on our buses, ongoing community support and strong cooperation across the different levels of government we will soon start to see a significant improvement in the challenges being faced with transport services through our community.

### **BELROSE COUNTRY CLUB SILVER ANNIVERSARY**

**Mr JONATHAN O'DEA** (Davidson) [5.45 p.m.]: Belrose Country Club, a large retirement complex set on nine acres of beautiful gardens in my electorate of Davidson, has just reached a major milestone celebrating its silver anniversary. The club was opened on 28 February 1987 with 200 independent living units, comprising one, two and three-bedroom apartments, and 26 serviced apartments offering a higher level of care. The retirement complex is conveniently located on Forest Way, Belrose, in a beautiful and peaceful setting. Its attraction to local people is evident, with more than 90 per cent of residents having previously lived within a 10-kilometre radius of the village. The Belrose Country Club currently has about 300 residents, of which more than 25 per cent are 90 years of age or older. It is important that we, as an ethical society, take care of the elderly, including through the provision of adequate medical care. Belrose Country Club provides 24/7 on-site carers helping residents with various health issues. It also offers a wide variety of activities designed to stimulate physical, mental and social wellbeing, and maintain an active mind and body.

Activities vary from trips to the theatre, picnics and other events in the club's own bus to the work of a diversional therapist to run quizzes, arts and craft, and writing courses. Each month residents can choose from approximately 90 activities to keep active. I am told that even more activities are planned, including a computer centre where residents can learn to set up an email address, use the internet and understand social technologies like Facebook. The residents of Belrose Country Club include World War II veterans, prisoners of war, and the last surviving member of the original Russian Ballet Russes—Anna Barnes (nee Volkova). Anna was unable to attend the recent opening of the Ballets Russes Costume Exhibition at the National Gallery of Australia, but was happy to point out that she had worn several of the costumes on display, dating back to 1937.

The oldest resident of the village, Ted Jamieson, will turn 100 this year. He was the founder of a local real estate business in Forestville. Other residents include a survivor of three years in Changi, Sandakan and Kuching prison camps. He has attended several functions as a guest of the Australian Government, including the sixty-fifth anniversary memorial ceremony of the Sandakan Death March at the Sandakan Memorial Park, Sabah, Borneo. He does not want his name to be mentioned, but I can tell members that he is an inspiration to many. At 95 years old he walks without a stick and drives a car, and he is looking to return to Borneo for this year's Anzac Day ceremony.

On 28 February the Belrose Country Club celebrated its twenty-fifth anniversary with a three-course gala dinner and entertainment in its recently refurbished club lounge. The event was hailed a huge success. The owners of Belrose Country Club, Retire Australia, should be proud of their achievements. The 21 full-time and part-time staff of the retirement complex help to make the retirement village a safe, comfortable and engaging environment for our society's elderly. I wish Belrose Country Club, its manager Dennis Ellis, the residents and staff good health and happiness for the future.

### **SYDNEY MARDI GRAS**

**Mr BRUCE NOTLEY-SMITH** (Coogee) [5.50 p.m.]: On Saturday evening I was proud to join with more than 9,000 people on 134 floats braving the wind and rain to celebrate the Sydney gay and lesbian community's night of nights, the Sydney Mardi Gras. From its origins as a protest march in 1978 the Mardi Gras parade has become an integral part of Sydney's events calendar and is now a city-wide celebration of diversity and gay, lesbian, bi, transsexual, queer and intersex [GLBTQI] pride. This year, though, there seemed to be one over-riding message—equality. Almost every float I saw on the evening had a message in one way or another supporting same-sex marriage equality. For some time now the issue of same-sex marriage has loomed large on our political landscape, and for many Mardi Gras was the perfect opportunity to show their support for this cause—a cause I endorse wholeheartedly.

Whilst I have attended and marched in many Mardi Gras parades in the past, this was my first as a member of the New South Wales Parliament. I joined with other gay Liberals in the parade, including Sydney City Councillor Shayne Mallard, Woollahra Councillor Peter Cavanagh and Randwick Mayor Scott Nash. I was also joined by many young and not-so-young Liberal supporters of our cause and our community, including my colleague the member for Heathcote, Lee Evans. I thank Lee and all our supporters who joined me on the night for the march. I give special thanks to my partner, Paul, for his support in putting together our altogether modest float, which was a Holden ute.

Also attending the parade from the sidelines was our Premier and Leader of the Liberal Party, Barry O'Farrell, who I am informed is the first New South Wales Premier in history to attend the Mardi Gras parade. It is great to see the leader of our great State provide his support to the event, the GLBTQI community and the Sydney Gay and Lesbian Mardi Gras organisation. The Liberal Party is and always has been a broad church. I believe we need to show that the GLBTQI community has our support and that the issues surrounding same-sex rights are not solely the domain of those on the left of politics.

During last year's election campaign I joined with the Hon. Don Harwin, MLC, and the Liberal candidate for the seat of Sydney, Adrian Bartels, to pledge the Liberal Party's support for Mardi Gras by providing access to major events funding, exemptions from user-pays charges during the parade and assistance from New South Wales Government departments to better develop the parade as a major tourist attraction for the Sydney area. The Sydney Mardi Gras is now well established as a mecca for the gay community around the world, bringing together more than 20,000 visitors and attendees from more than 40 different nations. The Mardi Gras reaches more than 70 million people globally through press coverage and other media, and brings \$30 million into the New South Wales economy each year. With Destination NSW and the Government backing Mardi Gras, I hope the event will continue to go from strength to strength and show why Sydney is truly the events capital of Australia.

The fruits of this partnership are already beginning to show. Last Thursday evening I had the honour of officially welcoming Kylie Minogue to Sydney, who was the guest of honour at the parade. The strategic partnership between Destination NSW and the Sydney Gay and Lesbian Mardi Gras was instrumental in bringing Kylie back to the Mardi Gras for the first time since 1998 to celebrate her twenty-fifth anniversary in the entertainment industry. Kylie holds a very special place in the hearts of Sydney's gay and lesbian community and I felt especially privileged to welcome her and thank her for her attendance. By all reports, her performance at the Mardi Gras parade was brilliant.

I thank the Mardi Gras team, headed by chairman Peter Urmson, for its hard work in bringing the parade back for another year, and of course the selfless and dedicated Mardi Gras volunteers who ensure the parade goes ahead with military precision. I also thank the NSW Police Force for looking after both the participants and the public, and thank the well-behaved revellers for making the job of the police much easier. I look forward to seeing a bigger and better Mardi Gras next year, and I will indeed be marching. I commend the work of Sydney Gay and Lesbian Mardi Gras to the House.

#### **BREAKFAST POINT ROTARY CLUB PRIDE OF WORKMANSHIP AWARDS**

**Mr JOHN SIDOTI** (Drummoyne) [5.55 p.m.]: It gives me great pleasure to make this private member's statement about the Breakfast Point Rotary Club Pride of Workmanship Awards breakfast I attended at 7.00 a.m. today at Breakfast Point. It was a great pleasure to recognise six members of the local community who were being honoured for their achievements with a Pride of Workmanship Award. The award gives positive reinforcement to employees by demonstrating that not only are they doing a great job; they also are valued by their employer and the community. Rotary initiated this award in 1975 as a way of helping employees to achieve their goal of job satisfaction. Local businesses promote the award under the theme of "Do it once—do it well". Nominees such as the recipients this morning are from both the organisation and the wider community. It is a further example of the commitment of the Rotary organisation to its local communities.

As the member for Drummoyne I am a proud supporter of the work of Rotary. This morning in my speech I mentioned that it helps me to do a better job because of its close ties to the community and the understanding it has of the issues that affect people and the issues they care about. I also mentioned to a large number of the attendees this morning that prior to entering Parliament I had strong small business contacts. I understood only too well the importance of small business and its value to society. I also made the commitment that I would work just as tirelessly in the Parliament as I did for myself in small business, as I understand the many challenges small businesses face. I also had the opportunity to acknowledge the winners of the awards and congratulate them on a job well done. They came from a variety of workplaces.

There was a postal worker who always made sure her team was working hard to provide a high level of service and dedication to customers. There was a young man who works in real estate and plays touch football, and had pledged to shave off all his hair if he raised \$1,500 for the Leukaemia Foundation. There was a dedicated doctor who believed in going that little step further for all his patients. There was a young pharmacy assistant who, no matter how busy she was, always took the time to help her customers. There were also two recipients from the community service area, both of whom are well known to the community. One is a talented

and creative retiree who always puts her skills to good use by voluntarily knitting items to be sold to raise money for blind citizens. The other person, who is also talented, has always thought of the community before himself. As a master craftsman in the boatbuilding industry he made items to be sold for the Association of Blind Citizens.

Do members notice something that these people had in common? It is the word "always". They always gave of their best, whether it was in their work, their sport, their voluntary activities or on behalf of their community. "Always" is not easy to achieve and I guess that is why these six wonderful community members were such appropriate recipients of the awards. I took the opportunity to congratulate them and the Breakfast Point branch of Rotary for sponsoring these valuable awards and wished them all the very best. I acknowledge the recipients of the Pride of Workmanship Awards: Leslie Buskariol, postal services; Cameron Nicholls, real estate agent; and Dr Marek Steiner, medial practitioner.

Alana Thomas, pharmacy assistant, also received a Pride of Workmanship Award. Margaret Petersen, and Hector Sanders received community service awards. Hector Sanders has had a great affiliation with the area. He ran a marina and boat repair services along the waterfront in Mortlake and Cabarita for a number of years and is now enjoying retirement. Finally, I thank Karen Mortimer, one of the organisers of the event. She is also Principal of Concord West Public School, where she does a wonderful job. I thank the President of the Rotary club, Tom Croker, for his hospitality and Alex Ebert, a friend and member of Rotary. It was a great raffle and we had a lovely breakfast. It was an enjoyable event and I look forward to the next one.

### **KIRKTON-LOWER BELFORD COMMUNITY**

#### **SAVE OUR SUBURBS GROUP**

**Mr CLAYTON BARR** (Cessnock) [6.00 p.m.]: I draw to the attention of the House the power and passion I and my staff have witnessed recently from two of the small communities in my electorate—the community of Kirkton-Lower Belford near Branxton and the Save Our Suburbs group from West Wallsend, Holmesville and surrounds. Kirkton-Lower Belford is an area that is currently being looked at by AGL Energy for coal seam gas exploration. AGL Energy held a community meeting recently at Kirkton Public School on a Monday afternoon to explain its side and to try to get the locals on side. At least 50 people from a community that has just 114 properties or homes attended the meeting. Information was delivered by AGL and its expert staff. The residents asked insightful, intelligent and well researched questions.

The residents were attentive and passionate, sceptical and respectful, knowledgeable and articulate. They ranged in age from approximately 30 years old to 80 years old. They were farmers, coal miners, housewives, teachers, husbands, wives, sons and daughters all looking out for their interests, each other's interests and their community's interests. They attended the meeting increase their knowledge about something that will affect them directly now and into the future. They took it in turns in asking questions. They were men and women who had done their homework—they came to the meeting prepared. They were able to feed off each other and by doing so increase the knowledge of all in attendance. They presented a formidable team on a topic that is polarising to say the least. They are a team that I would be pleased to have by my side both now and in the future—but I think they vote for the Coalition.

The very next night I was privileged to attend and witness a community meeting of the Save Our Suburbs group of West Wallsend and Holmesville. Since 2009 this group has been fighting a housing development of 400 plus houses in their area. The development has been defeated once, but it was resubmitted in a slightly different form and the fight is on again. It will be subject to a ruling by the Joint Regional Planning Panel in the near future. My staff and I have attended three Joint Regional Planning Panel meetings over the past 12 months and there is still no result. The Save Our Suburbs community meeting was attended by approximately 150 people—it was standing room only at the West Wallsend Workers Club. This impressive turnout was from two small suburbs that have just 1,000 homes between them. These people are locals who love where they live, their surroundings, the flora and fauna of the local area and the lifestyles they have etched out for themselves and their families. They are humble people, but they care.

They came from all walks of life—teenagers still at school, retirees and both blue and white collar workers—to support each other and to reinforce that they are prepared to fight for their community. The group is being led by locals who do not know the meaning of defeat and who will not be worn down by opponents with deep pockets. The group has good memories as well as accurate records, and holds each and every person they have enlisted for help to account for their statements and/or promises. The group's arguments against the

development are passionate, factual and valid. They are also well researched and to date have been able to back up each of their arguments with facts. They seem to know more about planning than the developers. The reality is that they offer far greater openness and transparency than the developers themselves. Both groups display the passion and commitment that many in my electorate feel for their community and make me both humble and proud to be their elected representative in this House.

### **WIKILEAKS, JULIAN ASSANGE AND BRADLEY MANNING**

**Mr JAMIE PARKER** (Balmain) [6.05 p.m.]: I respond today to the efforts of so many people in my local community to speak out in support of Julian Assange, WikiLeaks, and Bradley Manning. I am proud of the activists in my community and around New South Wales, the work of my Federal Greens colleagues, trade unionists, journalists and jurists—just to name a few. They are a small part of a huge international movement to support human rights, whistleblowers, and above all promote openness, transparency and truth in government. Just this week we voted for the former Premier of this State to fill a vacancy and thus become a Federal senator. The Prime Minister has declared that she will immediately move him to the front bench and he will then become the foreign Minister.

By all accounts Bob Carr is a man of strong intellect and conviction. But he takes on a role in a Government that has failed to do what we would all expect of government if we were overseas. Today I am calling on Bob Carr to do the right thing: to reject the appalling position that the Australian Government has taken and be an advocate for Julian Assange. It now seems that Mr Assange is facing the prospect of the enormous resources of the United States justice system being levelled against him. The Greens in the Australian Federal Government and I in the State Parliament are demanding the Australian Government take action to ensure that the legal and consular rights of WikiLeaks editor-in-chief Julian Assange are upheld. It is a right that we should all take for granted. There is the potential for him to be transferred to the United States.

We are concerned that our Government has done nothing to investigate the secret United States grand jury investigation into WikiLeaks, which could lead to Mr Assange's extradition to the United States. We know the Australian Government had even considered charging Mr Assange with treason, but later retracted its previous statements that Mr Assange's actions were criminal. Australian Prime Minister Julia Gillard failed to support Mr Assange after calling the leaks "an illegal act" and even suggested that his Australian passport should be cancelled. The Federal Government backtracked from those decisions in the face of international and national pressure. Australia's new foreign Minister should ask our friends in the United States about this secretive grand jury process, the evidence and the motivations for such an unprecedented targeting of an Australian citizen.

Emails leaked from the United States intelligence consultants Stratfor have confirmed that the United States Government has a grand jury indictment for Mr Assange. The Australian Government should be making a strong public stand to support an Australia citizen abroad who has been subject to the most extraordinary attacks and threats for simply exposing the truth. The attacks do not stop with Julian Assange but have extended to attempts to financially cripple WikiLeaks in order to keep the secrets of so-called diplomacy, war, the reality behind the corporate world and the intelligence community and what passes for politics in many places of the world from the view of the public. Funding institutions such as Visa, MasterCard, PayPal, Western Union, and Bank of America have refused to handle payments for the organisation. I encourage members and the wider community to visit WikiLeaks website, [www.wikileaks.org](http://www.wikileaks.org), and donate to ensure that its important work can continue and to call on those firms that are engaging in the financial blockade to reverse their attempts to suppress the work of WikiLeaks to promote openness and transparency in government.

I cannot mention the work of WikiLeaks without addressing the plight of Bradley Manning, a 23-year-old army intelligence analyst who is alleged to have leaked video, documents and cables demonstrating human rights abuses by the United States military and their contractors, as well as evidence of spying and bribery and the now notorious "collateral murder" video. The video showed the killing of civilians, including two Reuters journalists, by a United States Apache helicopter crew in Iraq. The collateral murder video showed the world the real face of war—innocent people brutally killed. It was a powerful moment which was an important part of the effort to force the withdrawal of troops from Iraq. Not a single person has been harmed by the release of this information, unlike the deaths seen in the information released.

Although Bradley has not yet been tried he was held in solitary confinement for the first 10 months of his incarceration. During this time he was denied meaningful exercise, social interaction and sunlight, and he has occasionally been kept completely naked. A country with such proud rhetoric as the United States should be

supporting and protecting whistleblowers, not subjecting them to treatment which the United Nations rapporteur has described as "cruel, inhuman and degrading treatment". I encourage members to visit [www.bradleymanning.org](http://www.bradleymanning.org) for more information on this important issue. I conclude by saying that I trust the former Premier of this State will now take on his role as a foreign Minister and act to defend the dignity of all of those people in Australia, protect the human rights of Mr Assange, and promote justice, openness and transparency in the world.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 6.10 p.m. until  
Tuesday 13 March 2012 at 12 noon.**

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