

# LEGISLATIVE ASSEMBLY

Tuesday 13 March 2012

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**The Speaker (The Hon. Shelley Elizabeth Hancock)** took the chair at 12 noon.

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

## BUSINESS OF THE HOUSE

### Notices of Motions

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

## PRIVATE MEMBERS' STATEMENTS

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### COASTLINK LODGE RESPITE CENTRE

**Mr DARREN WEBBER** (Wyong) [12.04 p.m.]: On 20 January 2012 I was privileged to attend the turning of the first sod ceremony for Coastlink Lodge, a new respite centre under construction at Watanobbi in my electorate of Wyong. This new centre will consist of two-purpose built houses that will deliver respite care for people with dementia and disabilities. Coastlink is a not-for-profit organisation that has operated across the Central Coast since 1985, with offices in Gosford, Berkeley Vale, Woy Woy, Mangrove Mountain and Wyong. Originally Coastlink provided services to younger people with disabilities; however, over time Coastlink has expanded its care to aged people who are both frail and suffering from dementia. Today Coastlink provides essential services to over 500 people with disabilities and dementia.

These new facilities will provide care for about 100 people per week. One of the houses will specialise in respite care for people with dementia aged 65 and over, while the other will provide respite for people with disabilities up to 64 years of age. These houses will provide a safe and caring environment for Coastlink's clients and will include sensory rooms for people with challenging behaviours and therapy rooms for people in need of higher levels of care. With over a third of the constituents in my electorate of Wyong aged 55 years and over, these respite homes are essential to the community. It is important to recognise the tremendous hard work and outstanding efforts of carers working not only for Coastlink but also across New South Wales. I pay tribute to the many carers in my electorate who are dedicated and committed to helping people in the community. I sincerely congratulate Coastlink on its outstanding achievements since 1985 and wish it the very best success in the future.

### CABRAMATTA ELECTORATE CHINESE NEW YEAR CELEBRATIONS

**Mr NICK LALICH** (Cabramatta) [12.06 p.m.]: I am privileged to represent in this Chamber my electorate of Cabramatta, which is the most culturally diverse community in Australia. Cabramatta is one of the world's great multicultural success stories—a true melting pot of cultures and the jewel of south-west Sydney. On any given day strolling down bustling John Street or Freedom Plaza one will find Australians of Serbian, Croatian, Macedonian, Italian, Lebanese, Laotian, Cambodian, African, Vietnamese and of course Chinese descent. In Cabramatta members of the community collectively celebrate one another's cultural and religious holidays and milestones. One such highlight of the calendar for the Cabramatta community is Chinese New Year. This year, as with previous years, I attended a host of community functions to celebrate this event and to wish the Chinese community a lucky and prosperous Year of the Dragon.

On Chinese New Year's Day I visited two of the largest Chinese temples in my electorate, the Ming Yue Lay Temple in Bonnyrigg and the Kuan Yin Goddess of Mercy Temple in Canley Vale. The Ming Yue Lay Temple in Bonnyrigg is administered by the Australian Chinese Buddhist Society under the leadership of President James Chan, Jensen Tran, Vinh Trang, Vincent Kong and others on the management committee. Madam Speaker, if ever you get the chance I encourage you to visit the Bonnyrigg temple during Chinese New

Year either at midnight or during the day. You will be greeted by a sea of Buddhist worshippers filing into the main shrine of the temple to pray for blessings for the upcoming year. The temple had vegetarian food on offer in respect of the day, as well as a multiple lion dance and Kung Fu performance by the Australian Teo Chew Association martial arts troupe. This association is led by the President Mr Hung Ly and Chairman Mr Frank Chou. For years the Australian Chinese Buddhist Society has made valuable contributions to the greater Cabramatta community, particularly the elderly. The society celebrates its knowledge and acknowledges its wisdom. I pay tribute to it for its past services and for providing Cabramatta with the authentic moral fibre that exists today.

As I said earlier, on Chinese New Year's Day I visited also the Kuan Yin Goddess of Mercy Temple in Canley Vale. The Canley Vale temple is administered by the Australian Chin Lien Chinese Association and is led by President Michael Chan. While visiting the Goddess of Mercy Temple I was able to give well wishes to more worshippers of the Buddhist faith and to pay my own respects at their great shrine. Chinese New Year celebrations are not confined solely to the temples of Cabramatta and its surrounding suburbs. During the Chinese New Year period, which lasts for two weeks, the Cabramatta central business district is packed to the rafters with revellers enjoying the sights, sounds, atmosphere and food.

Lucky colours and banners of red and yellow adorn shopfronts and every day one hears the familiar banging of drums as businesses invite lion dancers to bring them luck, good fortune and prosperity in the coming year. In addition to the previously mentioned Teo Chew martial arts group, I acknowledge the tireless efforts and performances of the Indo-Chinese Youth Sport Association, a martial arts group led by Ms Lisa Lim with the able assistance of her sister, Ms Stephanie McConnell. The atmosphere of Chinese New Year just would not be the same without the banging of drums and clashing of cymbals that accompany the lion and dragon dances.

It would be remiss of me not to mention another great temple in my electorate and its fantastic celebrations—the Tien Hau temple at Canley Vale led by the irrepressible Mr Chu and his son, the Deputy Mayor of Fairfield, Mr Dennis Huynh. This is another popular temple that sits majestically overlooking Canley Vale Road and Canley Vale station. I attended also celebrations and prayers in Freedom Plaza with the combined Chinese associations of greater western Sydney. This alliance brings together some 20 community organisations in the spirit of friendship and cooperation.

Those that I have not had a chance to mention include the Australian Chinese Descendants Mutual Association, the Hok Tek Non Profit Charity Association, the Australian Lao-Chinese Association, the Timor Chinese Association of New South Wales, the Sydney West Elderly Welfare Association, the King Fu Ma Zu Association, the Yun Yee Tong Dragon and Lion Dance Association, the Oceania Federation of Chinese Organisations from Vietnam, Cambodia and Laos Incorporated, the Australian Chinese Language School Association, the Sydney Tridung Alumni Association and the Phuoc Kien (Phuoc Duc) Alumni Association. Each of these groups contributes greatly to the health and success of Cabramatta and I wish them all happiness, good fortune, good luck and prosperity in the Year of the Water Dragon.

### **NORTH WEST RAIL LINK**

**Mr BART BASSETT** (Londonderry) [12.11 p.m.]: I congratulate the Premier and Minister for Transport on their fantastic announcement yesterday in the north-west that the corridors for the expansion of the North West Rail Link would be secured. Yesterday I was joined by my colleagues the member for Hawkesbury and the member for Riverstone. For many years the member for Hawkesbury, the member for Willoughby, the Hon. Gladys Berejiklian, in her role as Opposition transport spokeswoman, and I highlighted the need to expand the North West Rail Link to an interchange at the Richmond line, which would enable commuters living in the Hawkesbury and other local government areas to use that line and to access the North West Rail Link. Fifteen tenders and 25 contracts have now been let and this Government is getting on with the job. I congratulate the planners on their detailed planning. Environmental impact statements will soon be on public exhibition and the period for public comment on the corridors will be open until 18 May. Yesterday afternoon I contacted Blacktown, Penrith and Hawkesbury councils to encourage them to lodge submissions relating to the corridors.

Local government representatives, the member for Hawkesbury, the current Minister for Transport and I worked hard to highlight the need for public transport in Sydney's north-west. After years of hard work that we put into representing the needs of north-west Sydney, yesterday was a day for celebration. On many occasions the former Government promised to deliver the North West Rail Link but it always reneged on its promise. Since this Government was elected to office it has been getting on with the job of obtaining detailed engineering

plans and conducting soil sampling. I commend the Government for getting on with the job of expanding public transport in north-west Sydney, across western Sydney and throughout New South Wales. Many years ago the member for Hawkesbury and I were successful in lobbying for the upgrade of Windsor Road.

Since then we have been working hard to highlight the fact that the road expansion will be inadequate in the future if the North West Rail Link is not built. This Government quickly recognised the need to build the North West Rail Link and it got on with the job. I thank the Premier and the Minister for Transport for their fantastic announcement yesterday. Residents in our communities will be thrilled to be able to get on a train on the Richmond line, access the North West Rail Link and go to employment centres across western Sydney and to areas such as Chatswood to perform highly skilled jobs. It will be great for future generations. I have spoken recently in this House and on a number of other occasions about the changes that will be made. Our forefathers planned our communities within the County of Cumberland. Castlereagh Freeway was built and the land and corridors were set aside for the building of the M7, but no corridors were set aside for the North West Rail Link, which is expensive to build.

This Government is doing the right thing by setting aside the corridors to build better infrastructure at less cost in the future. What happened with the M4 East was a disgrace: the former Labor Government sold off a corridor that was set aside by our forefathers. It will now cost billions of dollars to build the M4 extension—money that did not have to be spent as the corridor was there and the service road could have been built. We now have to find billions of dollars to provide infrastructure that our communities so desperately need. I congratulate the Minister for Transport and the Premier on their fantastic announcement yesterday. I thank the Minister for Transport for listening to our calls and for setting aside that corridor to expand the North West Rail Link in the future. This Government is getting on with the job of rebuilding New South Wales.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [12.16 p.m.]: I endorse the comments made by the member for Londonderry. Over the past 11 to 12 years the member for Londonderry and I have been tireless advocates for the north-west of this State and we have argued for better road and public transport outcomes. I congratulate the Government, the Premier and the Minister for Transport on having the foresight, vision and conviction to build the North West Rail Link. As far back as 1998 the former Labor Government promised to deliver the North West Rail Link but it reneged on its promise. This Government is doing the right thing by setting aside those corridors for the provision of public transport in western Sydney in the future. In years to come people will look back on the decisions that were made today by this Government to secure those transport corridors for future expansion in the north-west of this State.

#### **CHALDEAN AUSTRALIAN ACADEMIC SOCIETY**

**Mr GUY ZANGARI** (Fairfield) [12.17 p.m.]: On Saturday 12 February 2012 the Chaldean Australian Academic Society hosted the second annual graduation and ceremony party at Club Babylon at St John's Park. Dignitaries included Mr Muhsin Al-Samarrae, the Iraqi consul, and Mr Haval Aziz, the Kurdistan regional representative. The mission statement of the Chaldean Australian Academic Society is as follows:

... endeavours to be the centre for all Chaldean Australian academics, to share knowledge, ideas and interests across all different professions and to promote, encourage, and maintain the Chaldean intellectual, culture, heritage, values and traditions among its members and the community at large through various cultural, academic and educational means and activities.

On that evening the traditional Chaldean celebration comprised fine food, music, song and dance. Tertiary and Higher School Certificate graduates for 2012 were acknowledged by the presentation of plaques. I commend the Chaldean Australian Academic Society for hosting the second annual graduation ceremony and party. It is to be congratulated on supporting and promoting academic excellence. There is a strong belief within the Chaldean Australian Academic Society in advancing students with the blessings and well wishes of the Chaldean community. The Chaldean Australian Academic Society is a shining example of how migrant communities should embrace the right to education in this country. It is only through education that any society can break down the barriers of poverty and intolerance.

This celebration welcomed new teachers, doctors, scientists and engineers into the New South Wales workforce—a sample set of the newly trained professionals who have been nurtured and fostered by the Chaldean Australian Academic Society. There were no shortages of doctorates, masters, bachelor degrees and diploma graduates being recognised that night. His Excellency Mar Gabriel Kassab, the Archbishop of the Chaldean Catholic Diocese of Australia and New Zealand, the Reverend Father Fady Salameh of the Melkite Catholic Church and His Grace Mar Yakoon Danil, the Archbishop of the Ancient Church of the East of Australia and New Zealand, were present to offer their prayers and blessings to the academic achievers and their families.

Higher School Certificate students with Australian Tertiary Admissions Ranks [ATARs] of 80 and above also were celebrated. For these students, academic achievement was measured by the final mark received on their Higher School Certificate. It was fitting to have the local principals present: Mr Ray Wooby of Freeman Catholic College, Bonnyrigg Heights; Mrs Narelle Archer of Mary Mackillop Catholic College, Wakeley; and Mr John Killeen of Patrician Brothers College, Fairfield. Also present and representing the Catholic Education Office of the Sydney Southern Region was Mr Michael Addicoat.

It is the hard work of the Chaldean Australian Academic Society that provides the guiding light for many young Chaldean Australians to finish their schooling and aim for tertiary qualifications. The Chaldean community is one of many new migrant groups making their mark on Australia's multicultural landscape. Their origins are predominantly from the war-torn country of Iraq and surrounding areas of the Middle East. Despite the hardship their families have faced in the Middle East, with many Chaldeans arriving in Australia as migrant refugees, their willingness to embrace education to better their families' predicament is admirable.

Despite the stereotypes that follow the emergence of any new migrant community, it is pleasing to see the Chaldean community rising above them and showing to Australia the valuable contributions that Chaldean Australians can make to society. I thank the organising committee for allowing me the honour of sharing the night's celebration and festivities with all the award recipients and their families and friends. In particular, I offer special thanks to Mr Bassam Frety and Mr Adris Frety, who are the founders of the Chaldean Australian Academic Society, for their wonderful work during the evening and for their hours of tireless contribution towards this successful evening. I commend the Chaldean Australian Academic Society for its wonderful contribution to the people of Fairfield and to the people of Australia.

### **BURRINJUCK ELECTORATE FLOOD DAMAGE**

**Ms KATRINA HODGKINSON** (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [12.22 p.m.]: By last Friday, 9 March 2012, my entire electorate of Burrinjuck had been declared a natural disaster zone. The floodwaters mostly have receded now, but they have left in their wake a massive clean-up effort for local communities. Initial reports of damage from across the electorate already total more than \$12 million. The damage varies quite markedly across the electorate, with the Boorowa and Gundagai shires bearing the brunt of the floods, each area's damage having been assessed in the order of \$4 million. The Harden Shire Council currently estimates its damage at \$1.4 million, the Upper Lachlan at approximately \$260,000, Weddin shire at \$800,000, Yass Valley at \$520,000, Young at \$528,000, and Cootamundra at \$255,000.

As the clean-up and assessment processes progress, figures related to flood damage in my electorate no doubt will increase significantly. In the Cowra shire, more than 250 kilometres of roads in low-lying areas near the Lachlan and the Belubula rivers and Back Creek have been damaged. As a result of that damage, emergency backup groundwater sources have had to be used to supply potable water to Grenfell, Gooloogong and Canowindra. On the evening of 29 February, the State Emergency Service [SES] issued a flood evacuation order for up to 60 residents in the Chiverton Road area near Back Creek at Cowra. I understand that, fortunately, none of the houses were inundated and that the State Emergency Service gave the all clear for residents to return to their homes by last Thursday afternoon.

Damage in Weddin shire mainly was restricted to local roads and culverts. Last weekend additional flooding caused the closure of the Newell and Midwestern highways at Marsden. Along with the floodwaters, Weddin Shire Council workers closing these highways had to contend with a large number of swimming brown and king brown snakes. In the Boorowa, Upper Lachlan, Yass Valley and Cootamundra shires, damage was restricted almost entirely to roads and culverts, with more than 50 individual roads suffering some form of damage. Young shire's infrastructure damage initially was assessed at approximately \$500,000, but losses of more than 700 sheep from at least two properties in Bribbaree have been reported.

While the township of Young escaped significant damage, the nearby villages of Murringo, Bribbaree and Koorawatha and areas in the vicinity of Crowther and Bendick Murrell suffered damage. Perhaps the two worst-affected areas in the electorate were Jugiong in the Harden shire and Gundagai, both of which are situated close to the Murrumbidgee River. Last week I visited both areas twice—firstly on Tuesday and again on Friday. The damage to infrastructure in both towns is significant. More than 30 roads were damaged across the Harden shire. In Jugiong, the local motel, the BP service station, the local pool, the Tegra quarry and the home of Greg and Merryn Hill were all flooded and sustained damage. It also should be noted that most of this property damage is not included in the \$1.4 million assessment carried out by the Harden council.

While in Jugiong last week, I met with Mayor Chris Manchester, Councillor Neil Reid, Craig Sargeant from Tegra quarry, and Paul Leseberg, who is the local NRMA patrolman and mechanic. In Gundagai, I met with Mayor Abb McAllister, local State Emergency Service controller Ross Tout, council general manager Graham Tickner, and council works manager Phil McMurray, emergency service workers, volunteers and constituents. I inspected damage through to the Brungle Bridge, including the famous racecourse, home of the Snake Gully Cup, which is looking much the worse for wear right now. More than 25 individual roads have been damaged within the Gundagai shire. In addition, the sewage treatment plant, the golf course, the caravan park, several homes and businesses—a total of 20—were inundated during the height of the flood. A big clean-up is ahead.

But amidst all the damage and property loss there was such a positive attitude in the local communities which pulled together and which continue to pull together to help each other. In Bribbaree, the community rallied together to move stock owned by others up to higher ground and, after the flood, they got together and cleared the roads and trees of dead sheep. It is an awful and gruesome task, but they got together and did it. In Cowra, Bunnings Warehouse provided a truck with a fuel card and two new wheelbarrows to help the State Emergency Service and Rural Fire Service volunteers carry sandbags to protect buildings—thank you, Cowra Bunnings. In Cootamundra, locals pitched in to fill sandbags. In Boorowa, heavy rain forced the cancellation of some of the Boorowa Show's events, but locals were committed to seeing the show's pavilion display, and judging went ahead. Sadly, both the Yass picnic and the Binda picnic had to be cancelled.

Craig Sargeant of Tegra in Jugiong in a very low-key manner mentioned that he had lent some machinery in Gundagai. The Gundagai State Emergency Service controller was full of praise for Craig and his company, Tegra, for generously lending not only machinery but also a sand agitator that allowed emergency workers to rapidly fill many more sandbags than would have been possible just with shovels. Paul Leseberg, even though his garage was inundated at Jugiong, took time out from fighting the floodwaters to inform the Gundagai State Emergency Service of the height of the flood in the village. For so many people, so much more will result from these dreadful floods that have swept right across regional New South Wales. I express high praise for the State Emergency Service volunteers, all other volunteers who were involved and local communities for their hard work and cooperation in the floods clean-ups.

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [12.27 p.m.]: I support the efforts of the great member for Burrinjuck in leading her community and acknowledge the fine work she is doing as the Minister for Primary Industries. Mr Deputy-Speaker, as you and I know, floods affect everyone in our communities. What has happened in the western part of the State has been a national disaster of immense proportions. It behoves all members to display leadership, and I commend particularly the member for Burrinjuck, the member for Wagga Wagga, the member for Murray-Darling and the member for Dubbo on their leadership in their communities and for standing side-by-side with the people of their electorates.

The Minister for Roads and Ports has indicated that the damage bill could be in excess of \$500 million. That sum does not include private property damage or stock losses, such as the loss of 700 sheep referred to by the member for Burrinjuck. Damage caused by floods brings not only financial cost but also psychological cost for our hardworking men and women in our regions. I endorse the praise expressed by the member for Burrinjuck for all hardworking volunteers.

## MENTAL HEALTH

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [12.28 p.m.]: The subject of mental health is slowly receiving the attention it deserves. Mental health is an issue that is now part of the fabric of everyday life, with one in four people each year experiencing a mental health problem. However, it is still such a difficult issue to comprehend when much about mental health, depression, anxiety, traumatic stress disorders and other conditions is considered irrational types of behaviours that are trying to be understood by a rational mind. Living with a mental illness is nothing to be ashamed of, and if we were all able to talk about issues and illnesses, perhaps fewer people would be untreated. If we talk about things we can learn, but if we do not talk about things we cannot learn. And if we cannot learn, how will we ever grow?

A fortnight ago I was accompanied by the very first New South Wales Minister for Mental Health, Kevin Humphries, and the Minister for Aboriginal Affairs, Victor Dominello, to open the mental health and drug and alcohol facility in Dubbo. This marked a significant milestone for mental health and drug and alcohol services not only in Dubbo but also throughout regional New South Wales. The demand for mental health services has grown exponentially in many communities across the State, and Dubbo is no exception. In the past

five years the Dubbo Mental Health and Drug and Alcohol Services have outgrown the facility in which they were located for a decade and their services have been spread across three different locations. Those services are now under one roof in a fully refurbished building, and this will enhance service access both locally and regionally.

The former St John Primary School was identified as a suitable location. It is located in the central business district, with immediate access to public transport, and is in close proximity to many other health providers—the service will no longer be hidden in a back lane. That facility has capacity for 120 full-time staff and, aside from management services that will operate from the refurbished centre, mental health services will be provided for adults, children, adolescents and the elderly. The Dubbo Community Support Team, the Acute Response Team and the Magistrates Early Referral into Treatment [MERIT] service will also operate from this facility.

The New South Wales Government has a clear vision to improve the lives of those who have been touched by mental illness and has made a commitment to make the delivery of quality mental health services a high priority. I congratulate all those involved in the development of the Dubbo Mental Health and Drug and Alcohol Services facility and I look forward to contributing to many more government attempts to achieve outcomes to improve the lives of those touched by mental illness. I am thankful that the conversation about mental health, which not too long ago was considered to be taboo within our community, is now being brought to the forefront, particularly in the Dubbo electorate. At the opening, Minister Dominello quoted Mother Theresa, who said that loneliness is the greatest form of poverty and mental health issue. These issues need to be addressed. I congratulate both the Premier and the Minister for Mental Health on their efforts to date.

### **SYDNEY ARTS AND CULTURE**

**Ms CLOVER MOORE** (Sydney) [12.32 p.m.]: Today I speak about the innovative ways in which inner-city space is being used to invigorate Sydney and make it a more culturally exciting place in which to live and to visit. Imagination and creativity are fundamental to cities and to ensuring a dynamic local economy to cater for the different needs and interests of residents and visitors. From the City of Sydney's consultation about the night-time economy, the strong message received was that people want diversity at night, including extended trading hours for shops and late-night museums, galleries and libraries. Last year the Australian Museum began its fantastic Jurassic Lounge evening series, which opens the museum and its collection of skeletons, taxidermy and preserved bugs while artists and local bands perform and wine is served.

Its last season attracted 22,000 people, many new to the museum, and I launched its third season in February. Crowds continue to flock to Late Night Library, in the six-star rated Surry Hills Library, for spooky storytelling, thought-provoking debates, live music, film screenings and steamy erotic fiction readings. It was recently nominated for Best Arts Event. The Customs House Library is following suit, with its very own Library Up Late program set to start soon. Our artists need affordable space to create and develop work, and to exhibit. The City of Sydney has established artist studios in a former council depot at Woolloomooloo and in properties in the central business district, Darlinghurst, Redfern and East Sydney, which are now being used by cultural and community groups while the council determines their long-term use.

The council is also seeking expressions of interest from cultural groups regarding other properties in William Street. The Paper Mill, an artist-run initiative that specialises in paper works, last year operated in a former bookshop located in a City of Sydney property in Ash Street. It did not just exhibit paper artwork but also ran events and workshops, such as zine making, screen printing and sketch club. The artist-run initiative Alaska Projects, which exhibits contemporary visual art in unconventional, unused spaces, is using the mechanic's office in the Kings Cross car park. Visitors need to search to find the location and artworks are presented in an unexpected environment, including stairwells and elevators.

Over the past few months artists groups and small creative enterprises have taken space in the council's Oxford Street properties, and council has approved the next stage of this exciting project to revitalise lower Oxford Street: the creation of live-work spaces. The council encouraged Frasers Property to turn vacant warehouses over to artists whilst it awaited redevelopment as part of its Central Park development on the Carlton United Brewery site. The Art & About public arts festival brings art, performance and music to our streets and public spaces and, importantly, to those who might never venture into a gallery. The program is expanding, and proposals are currently being sought from artists for the 2012 festival. Since 2007, Art & About has included a live laneways temporary art program, which will continue until the end of the Sydney Festival.

The Forgotten Songs installation of empty bird cages hanging in Angel Place, sounding the songs of bird species that once lived in the city's heart, has become a very popular permanent artwork. Reactivating the city's laneways, which were an underused resource, has been important to make Sydney a much more interesting and happening city. Following the inclusion in 2008 of the Liquor Amendment (Small Bars and Restaurants) Bill in State liquor laws, the inner city now has 53 small bars. This has led to a renaissance in live music. Many bars are appearing in the laneways and unexpected locations and are providing a real alternative to the heavy-drinking beer barns that used to dominate, and the violence associated with them.

The Finegrains Business Development Matching Grants Program encourages interesting small-scale enterprise and, together with the Laneway Art Program, complements other initiatives to revitalise laneways, such as creating pedestrian-friendly spaces with new lighting and paving. The council is converting the former Burton Street Tabernacles into the Eternity Playhouse—a new 200-seat theatre that will be managed by the Darlinghurst Theatre Company. This company provides opportunities for a wide range of small independent theatre companies, many of whom present work that might otherwise not be seen by Sydney audiences.

The existing Darlinghurst Theatre will remain as a theatre and the council is currently investigating possible future uses for it. Authentic culture must grow organically but there is much we can do to fertilise and stimulate that growth. The next challenge is to encourage private property owners to make their vacant spaces available for creative activities, rather than leaving them empty for long periods. The City of Sydney is currently looking at what can be done to remove obstacles and disincentives that may deter owners, but other levels of government also have a role to play. I encourage the State Government to join the City of Sydney in meeting this challenge.

### CAMPBELLTOWN TOWN HALL THEATRE

**Mr BRYAN DOYLE** (Campbelltown) [12.37 p.m.]: Campbelltown Town Hall Theatre is home to the spirited live performance culture of those living in Campbelltown—the opal of the south-west. On 17 February this year it was my privilege to attend the opening night of *High School Musical 2*, which was directed by Angela Cascarino, a talented teacher at John Therry Catholic High School, Rosemeadow. The musical, which was in production for over three months, highlighted some of the dedication, talent and direction in live performances in Campbelltown. Nicole Lotters, a beautiful and talented actress, played the part of Gabriella Montez. Nicole, formerly a student of John Therry Catholic and Magdalene Catholic high schools, has completed a Bachelor of Music at the Australian Institute of Music, and plans to travel to London later this year to work professionally in the music industry.

Cyprianna Singh, another very talented actress in vocal, drama and dance, also played the part of Gabriella Montez. Cyprianna is a student at Campbelltown Performing Arts High School. Jayden Sierra, a student at Macarthur Anglican College who is training at Vocalise at Leumeah, played the part of Troy Bolton. Jayden intends to study for his Bachelor of Musical Theatre at the Australian Institute of Music. Chris Glynn, a seasoned local performer since 2000, also played the part of Troy Bolton. Chris intends to study at Wollongong university. Campbelltown has a long history of drama and live shows. The Campbelltown Theatre Group [CTG] was established in 1956 and has grown into the largest and most established community theatre group in the Macarthur.

The group prides itself on producing quality plays and musicals while offering the local community affordable and professional entertainment. The Campbelltown Theatre Group welcomes both experienced actors and novices to the group to take part in its program each year. The World of Fine Theatre and Music [WOFTAM] Productions is another local group that is led by Mr Novakovich, a fine classical music director and leader of the St John the Evangelist Roman Catholic Church choir. Campbelltown, that great opal of the south-west, is steeped in history and is one of the cradles of New South Wales. As I said before, the home of theatre there is the Old Campbelltown Town Hall, which has more character and characters than perhaps Parliament itself.

The town hall was erected on the site of the cottage of George Worrall, who was hanged at Darlinghurst Gaol for the murder of Frederick George James Fisher, for which the iconic Fisher's Ghost Festival at Campbelltown is named. The single-storey section of the old town hall was erected in 1862 by James Bocking as a hall for the Sons of Temperance. The large rooms upstairs in this section were used as the council chambers and it was there that council's business was discussed around the large table that is still in that very room. It is there that the Campbelltown Theatre Group conducts many of its rehearsals.

The council chambers were used also as a meeting place for the Campbelltown Masonic Lodge Federation, which formed under the United Grand Lodge of New South Wales in 1890. At one stage the library was moved into the town hall and was located beneath the stage in 1886. In 1891 the fire station was erected on council land to the design of Mr A. R. Paton and when council required additional space in 1908 the brigade vacated those premises. The old fire station facade is still the entrance to the Town Hall Theatre. As I said, Campbelltown enjoys a great history, which includes the arts and live performances. It is where many young locals—the best of the opals of the south-west—display their talents and abilities, and it offers a great night out. I recommend that all members of the House travel to Campbelltown and enjoy some fine quality live theatre.

### LES DARCY FAMILY VAULT

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [12.42 p.m.]: I inform the House of the work that has been undertaken in my electorate to restore the family vault of legendary Australian boxer Les Darcy. On Saturday 25 February a commemoration service was held in King Edward Park East Maitland near the bronze statue of Maitland's famous boxing son to mark the restoration of the Les Darcy family vault. I was honoured to attend the ceremony in the dual capacity of the member for Maitland and the Minister for Heritage. Les Darcy's boxing career and life were cut short when he died on 24 May 1917 in the United States city of Memphis aged just 22, but his legend continues to live on despite the ravages of time. The Darcy family vault is both the resting place of, and a monument to, the young Australian who tried to achieve his dream of being a world boxing champion during the height of World War I.

The vault, located in the East Maitland Catholic Cemetery, required extensive repairs and restoration after the southern wall of the gravesite collapsed. In the late 1990s the local Les Darcy Committee recognised that something needed to be done about the condition of the gravesite. However, after obtaining several quotes for the work, the committee realised the task was beyond its resources. Maitland City Council decided in late 2007 to begin investigations into the work required and a conservation policy for the future management and care of the site. The New South Wales Government became involved when the Department of Commerce was engaged by the council for the project. After it was established that the required works would cost in the order of \$60,000, Maitland council commenced a project fund with a contribution of \$5,000. The New South Wales Government subsequently provided grants totalling \$20,000 towards the restoration while the Commonwealth Government allocated \$10,000 from its Commemorating Eminent Australians program.

The Les Darcy Committee and the Australian National Boxing Hall of Fame mustered community support to help achieve the fundraising objective required for the work. Pivotal were the contributions of Mr Geoff Bible, who now resides in the United States of America and who made the project a reality by providing over \$33,000 including the final payment needed to start the work—a generous contribution indeed. It is ironic that the vault, which was originally erected almost 95 years ago by public subscription, has been restored by a community prepared to contribute to the memory of Les Darcy. As one reads through historian Cynthia Hunter's paper on the Les Darcy Memorial in East Maitland cemetery, one cannot help but ponder the ongoing generosity extended to an Australian sporting legend. Is it purely the ongoing worship of a sporting hero, the perpetuation of a time in history when there was a genuine sense of community to help another get through tough times, or is it just keeping alive the adage that one good deed deserves another?

Yes, Darcy's boxing and his dream of a world title were about getting to the top of his chosen sport but it was also a means to an end to provide financially for his family. Les' good deed was giving prize money to his mother, Margaret, which eventually allowed his parents and large family to relocate from rural Woodville and build a new home in East Maitland. It is recorded that Les Darcy also bought a piano for his siblings and arranged for them to have music lessons. The generosity he displayed during his life would be returned to Les Darcy following his death. With the largest sporting club in Tennessee, the Memphis Phoenix Club, meeting all expenses, Les Darcy's body was returned home to the friends and supporters who attended a public meeting in Maitland to decide on a worthy memorial to mark Darcy's grave.

That memorial has now been structurally repaired and faithfully reconstructed to its 1917 design, with Maitland council informing me that a crew of young stonemasons from Rookwood were among the specialist craftsmen involved in components of the grave restoration. I note with interest that while Les Darcy's grave has been assessed to have State heritage significance, it is not currently listed on the State Heritage Register. With the centenary of Darcy's death now just five years away, it may well be prudent to review that situation. I look forward to assisting with that in my dual capacities. I congratulate Maitland City Council on its leadership regarding the Les Darcy family vault restoration project and the New South Wales and Commonwealth governments, but particularly the community of Maitland on its ongoing acknowledgement of our local hero.



## PROSTATE CANCER

**Mr KEVIN ANDERSON** (Tamworth) [12.47 p.m.]: Today I update the House on a group of support people who do a magnificent job. They go quietly about their business but perform a very important job in our community. On Saturday 10 March in Tamworth I had the pleasure of opening the 2012 NSW-ACT Chapter Conference of Prostate Cancer Support Groups. A number of groups across New South Wales do magnificent work. These groups are all made up of volunteers who support those men in our community who have been diagnosed with prostate cancer, offering them information on where to go, what their next steps are, and so on.

Prostate cancer develops in the prostate and accounts for more cancer-related deaths than any other cancer except lung cancer—and that includes breast cancer. It primarily affects men aged over 50 years but men over 40 should have regular check-ups with their doctors. It is a silent killer—a slow-growth cancer whose symptoms are often ignored because they can be hidden. Some of the symptoms include frequent urinating—much more than normal—and the urgent sensation that one needs to urinate immediately. Most men will ignore that as a passing phase but it is a warning sign that they need to go to their doctors and get checked out. The chapter conference on Saturday in Tamworth was very well attended, with more than 100 participants from across New South Wales. We welcomed to our fine district keynote speakers including Professor Suzanne Chambers from Griffith University, who talked about life after prostate cancer, and Greg Millan from the Shine a Light Prostate Cancer Support Group.

There was group training for men who had been diagnosed with prostate cancer and also for carers about how to cope with mixed group needs. Dr Joe Ennis spoke about diet, supplements and lifestyle changes for patients with prostate cancer. Ms Eileen Lavis, a leading physiotherapist, talked about exercise for prostate cancer survivors and their families. It is important to note that support groups at a local level, such as the one in Tamworth and others from across New South Wales, are extremely worthwhile because people who receive an unfavourable diagnosis may not know where to turn. They are extremely anxious about what happens next. People who are ill often find it comforting to speak to others who are going through the same or a similar experience, and factual information assists during times of need.

The Tamworth and District Prostate Cancer Support Group was formed in around 2003 under the leadership of Dr John Trollor, a leading medic in the region. The group attempts with limited funds to service Tamworth and surrounding districts including Attunga, Bendemeer, Currabubula, Kootingal, Moonbi, Manilla, Somerton, Werris Creek and Quirindi. People living in smaller communities often feel isolated, and a visit or phone call can be very reassuring. A great step forward for the region is the construction of the \$42-million cancer care centre, which is being built on the grounds of Tamworth Base Hospital and hopefully will be finished at the end of this year or early next year. This facility will provide health services closer to home, which is vital for regional New South Wales.

Following diagnosis, the dislocation from family and friends and the need to travel long distances often will be the deciding factor for or against treatment. Having services located closer to home will be a key benefit for the area and the people of my electorate welcome the cancer care centre by watching its progress and talking to builders at every opportunity. I thank Ray Dart and his team at the Tamworth and District Prostate Cancer Support Group. I urge them to continue their wonderful work and connectivity with people in the communities. They do a fantastic job. It was an honour to open the 2012 NSW-ACT Chapter Conference of Prostate Cancer Support Groups in Tamworth last Saturday.

## POWERHOUSE DISCOVERY CENTRE

**Mr DOMINIC PERROTTET** (Castle Hill) [12.52 p.m.]: The Powerhouse Discovery Centre in Castle Hill is home to more than 50,000 prized historical objects, ranging from a meteorite found in 1889 in Gilgoin to the Kylie showgirl costume worn by Kylie Minogue at the closing ceremony of the 2000 Sydney Olympic Games. The Castle Hill community is truly fortunate to have this place of knowledge and discovery so close to home. The Powerhouse Discovery Centre's latest acquisition is cause for celebration. The Australian AIDS Memorial Quilt was welcomed to the centre last week by the New South Wales Governor, Professor Marie Bashir, at a morning tea that I was fortunate to attend along with my colleague David Elliott, the member for Baulkham Hills.

The quilt that is now on exhibition in the Powerhouse Discovery Centre is an evocative record of those who have been lost to HIV. The project began in 1988 as a memorial yet has become an expression of compassion and awareness of the illness. Volunteers at the discovery centre have worked to preserve and

document information about the people remembered on the quilt, and I commend their work. It was truly an honour to have the Governor of New South Wales in Castle Hill for this event. Governor Maire Bashir was a tireless servant of the State of New South Wales long before her appointment in March 2001 and I was very pleased with the Premier's decision last year to extend Her Excellency's term until February 2014. I welcome also the Premier's decision to return the New South Wales Governor to Government House. At the time, I said:

This is a victory for common sense, and is a victory for those who, regardless of their views on the Crown, support the continuation of our state's heritage and traditions.

We are very fortunate to have someone with Marie Bashir's caring nature and genuine concern for local communities serve as Governor of this great State. The Powerhouse Discovery Centre is one of the most valuable cultural centres in the State of New South Wales. In 1947 the then Museum of Technology and Applied Science acquired nine hectares of land in Castle Hill. The past 20 years have seen the Castle Hill site utilised as a major off-site facility for the museum's larger transport and technology pieces, including horsedrawn carriages, agricultural and engineering equipment.

With the closure of the museum's facility in Jones Street, Ultimo in 2005, the Castle Hill site is now home to a wealth of historical objects that make for great viewing and a great story. I am amazed at the items on display at the museum, including the original Harry's Cafe de Wheels pie caravan used by Henry Charles Edwards in 1945 and the first tram to operate in New South Wales in 1879, carrying visitors between Redfern and the Domain for the Sydney International Exhibition. There are some random items as well. There is a really interesting mousetrap-making machine by Stanfield and Co, Mascot, which produced about 96 million traps in the 1940s.

**Mr Greg Smith:** How many mice are there?

**Mr DOMINIC PERROTTET:** I am not too sure. There was also a Christmas cracker making machine from the late 1930s—really interesting stuff, and I encourage all members to go to the Powerhouse Discovery Centre and have a look. Christopher Snelling, Manager of the Powerhouse Discovery Centre, has described the Castle Hill site as a "hidden gem" and I agree with that description. However, therein lies one of the problems for the museum: No-one really knows it exists. Two major impediments are the difficulty in accessing the museum and lack of signage in or around the museum. I am currently speaking with the office of the Minister for Roads and Ports in the hope of securing increased signage for the site. With the upgrade of Showground Road on the agenda, I hope that more people in the Castle Hill community and beyond—whether they live in Auburn, Baulkham Hills, Oatley or Strathfield—will go and have a look at the gems hidden in the Powerhouse Discovery Centre.

The museum is more than just a large collection of objects and history; it is a learning experience that is invaluable to people of all ages. The Powerhouse Discovery Centre is celebrating its fifth birthday this year, with celebrations last Saturday filled with music, machines, motorbikes, muscle cars and heritage pianos. A lot of fun was had by all. During upcoming Seniors Week celebrations from 19 March to 23 March the Powerhouse Discovery Centre will host Behind the Scenes Collection Tours. I commend the work of the 50 volunteers, who give their time to assist with the museum's operations. Such spirit and generosity is indicative of the people of Castle Hill, and I encourage all, young and old, to visit the Powerhouse Discovery Centre for a taste of history and a large dose of fun.

#### MINISTERIAL CONSULTATIVE COMMITTEES

**Mr CHARLES CASUSCELLI** (Strathfield) [12.57 p.m.]: Today I bring the House up to date with the progress being made by the ministerial consultative committees set up by the Hon. Victor Dominello, Minister for Citizenship and Communities.

**Mr Bryan Doyle:** What a great Minister.

**Mr CHARLES CASUSCELLI:** He is indeed—and what a great initiative this is. The ministerial consultative committees provide an additional channel of communication and engagement between people from diverse backgrounds directly to the Minister and the Government. It is reasonably well known that I co-chair three of those committees—ministerial consultative committees for the Korean community, the Russian community and the Chinese community. I admit I have not worked out why I was not made a co-chair of the committee for the Italian community but I am sure it has something to do with the fact that its members are relatives so I could not represent them. I share the task with my co-chairs, Mark Coure, the member for Oatley,

who is in the Chamber and who co-chairs the Chinese ministerial consultative committee; Matt Kean, the member for Hornsby, who co-chairs the Korean ministerial consultative committee; and Bruce Notley-Smith, the member for Coogee, who co-chairs the Russian ministerial consultative committee.

The ministerial consultative committees were formed only recently—late last year—but since then those three committees have held two or three meetings. We meet at Parliament House on Tuesdays, Wednesdays and Thursdays, with an average attendance of 15 to 25 community leaders who represent their communities. I am delighted to say they are leaders of organisations and institutions that serve their communities very well. It is interesting to note that they seem to represent vulnerable parts of the community—for example, providers of aged care services, youth, sporting services and businesses that support the most disadvantaged in our community. I am encouraged that Minister Dominello, in his uniquely Italian way, has suggested to other Ministers that they attend the committee meetings and engage directly with these community leaders. So far, the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs has attended. Duncan Gay, the Minister for Roads and Ports, has committed to attend, as has the Minister for Transport.

Some broad issues raised at the first committee meetings had a common theme including such things as visa-related issues, specifically dealing with the mentoring of skilled migrants. Some stringent conditions associated with these visas inhibit some individuals who are particularly attractive in their ability to contribute to the New South Wales economy. Much comment has been made about the promotion of language and culture in our State schools with specific emphasis on the amount of other languages and cultures being taught. That common theme runs across all three committees. Another issue of late is that of human trafficking and prostitution, especially with respect to Asian communities. Recently, the Minister for Citizenship and Communities asked the Community Relations Commission to undertake an inquiry to examine human trafficking and the exploitation of migrant sex workers.

The grants process also has been the subject of prominent discussion. While the Government makes available a significant amount of money through multiple grants programs, community understanding in how to complete nominations and follow the process is low. The general belief is that the most deserving communities are not receiving grants because of this lack of knowledge. Another issue was delivering culturally sensitive services to the aged and the treatment of community members on death. The Korean and Chinese communities would like that issue taken up. The challenge for us now is not the number of things these committees can address; rather, it is about selecting the top three matters the committees can undertake and in 12 months' time looking back and saying, "If it were not for our committee we would not have achieved those three things." The mission for the next committee meetings will be to select the top three issues from the 20 or 30 identified matters. I commend the Minister for this initiative.

### M5 EAST DUPLICATION

**Mr MARK COURE** (Oatley) [1.02 p.m.]: I take this opportunity to raise an issue of great concern for my community: the urgent need for investment in order to commence the construction of the M5 East duplication, one of the missing links in the Sydney orbital network. The M5 East duplication was identified by Transurban on the basis of the Transport NSW submission to Infrastructure Australia as "ready to proceed". The benefits to the greater Sydney region of funding the M5 East duplication are significant and important for commuters in my community. The reasons to prioritise the duplication of the M5 East are compelling relative to other projects. I shall address those reasons. First, the O'Farrell Government already has committed to funding the M5 West from Camden Valley Way to King Georges Road and construction has commenced, which was secured through a joint venture with Transurban at a cost of over \$450 million. The previous Labor Government failed to achieve this over the last 16 years. Furthermore, the New South Wales Government's 2011 Port Botany and Sydney Airport Transport Improvement Program submission to Infrastructure Australia identified:

[that] the M5 West Widening is compatible with a future possible M5 East duplication.

It makes sense to link the widened M5 West with a widened M5 East. The second reason this infrastructure is so necessary is its link to Port Botany and the Sydney Airport precinct. According to the Sydney Airport Master Plan, Sydney Airport accounts for 46 per cent of international air passenger journeys, 23 per cent of domestic air passenger journeys and 50 per cent of international air freights. In 2010-11, Port Botany handled one-third of annual containerised freight into and out of Australia. Therefore, the economic significance of this precinct to New South Wales and the nation cannot be overstated. These important gateways need to be better serviced by road infrastructure to ensure that Sydney Airport can operate efficiently and access is improved. I am sure everyone in this place has experienced traffic delays in and around the airport; it is no good for commuters nor is it a good experience for first time travellers to Sydney.

Perhaps the most compelling reason for this upgrade is the challenge of population growth in south-western Sydney over the coming decades. Population projections by NSW Planning and Infrastructure indicate that from 2011 to 2036 the population will increase substantially in areas of Camden, Campbelltown, Liverpool and Wollondilly. This will increase the number of vehicles on the M5 and make the need for investment in road infrastructure like the M5 East more urgent. My colleagues and I already have been proactive on this issue. Late last year I along with the members representing the electorates of Wollondilly, Campbelltown, Menai, Rockdale, Camden and East Hills wrote a joint letter to the Minister for Roads and Ports indicating our strong belief that the M5 East needed investment. Representations have been made also to Infrastructure NSW.

The O'Farrell Government has committed to developing a five-year infrastructure plan and a 25-year infrastructure strategy through Infrastructure NSW. This has been necessary as a result of the waste and neglect of road infrastructure by the previous Government. It is worth noting at this point the contributions of other members on this issue. The Leader of the Opposition and the shadow Minister for Roads and Ports, the member for Lakemba, tried to whip up fear about funding for the M5 East. I perused the *Hansard* and discovered that the Leader of the Opposition, Mr 15 per cent, has never mentioned the M5 East in this place.

**Mrs Barbara Perry:** Point of order: Private members' statements are to reflect on community matters and should not be political. That is what I was told when I said something out of order.

**ACTING-SPEAKER (Mr Lee Evans):** Order! I thank the member for Auburn, but I do not uphold the point of order. The member for Oatley has the call.

**Mr MARK COURE:** I will not be political. The member for Lakemba only got on the bandwagon last week when he raised the issue for the very first time. It is incredibly breathtaking for the member for Lakemba to claim that this is a vital piece of infrastructure for his community. Why did he not raise the matter earlier? Why did he not raise the issue over the last 16 years of the previous Labor Government?

**Mr Robert Furolo:** Point of order: I assume the member is asking a question.

**ACTING-SPEAKER (Mr Lee Evans):** Order! What is the member's point of order?

**Mr MARK COURE:** There is no point of order.

**Mr Robert Furolo:** The member is claiming that I have not raised this issue. I have raised these issues on numerous occasions. So he is misleading the House.

**ACTING-SPEAKER (Mr Lee Evans):** Order! There is no point of order. The member's time has expired.

### SOUTHERN SYDNEY NSW 2021 FORUM

**Mr JOHN FLOWERS** (Rockdale) [1.07 p.m.]: On the evening of Thursday 1 March I was pleased to attend the southern Sydney NSW 2021 forum in Hurstville. I thank the local community for its positive contributions, enthusiasm and attendance at the forum. After being welcomed by the member for Oatley, Mark Coure, the Minister for Transport, the Hon. Gladys Berejiklian, outlined the southern Sydney regional action plan that will guide policies to give effect to community priorities that improve the quality of life for the people of southern Sydney. The forum was an opportunity for people to come together and engage in genuine community discussion with local members of Parliament.

I acknowledge the hardworking local Liberal members of Parliament in the St George and Sutherland shire regions. They are Glenn Brookes, member for East Hills; Melanie Gibbons, member for Menai; the Hon. Mr Graham Annesley, member for Miranda and Minister for Sport and Recreation—sport plays a large role in the lives of so many in our region and the community has a hardworking Minister in Minister Annesley; and Mark Coure, member for Oatley, who is just as pleased as I am with the recently announced \$30 million upgrade of the St George Hospital emergency department.

I acknowledge the commitment of the Minister for Health, and Minister for Medical Research, the Hon. Jillian Skinner, to the southern Sydney region. Mark Speakman, member for Cronulla, and I share an electorate boundary and worked together on delivering safety upgrades on Taren Point Road. I am sure the

member for Cronulla would agree with me that the road network is a strong priority in our region and we will continue to work closely with the Minister for Roads and Ports, the Hon. Duncan Gay, on this very important issue. The Hon. Marie Ficarra, member of the Legislative Council and Parliamentary Secretary to the Premier, was also an attendee, as was the Hon. John Ajaka, also a member of the Legislative Council.

Southern Sydney members of Parliament are working closely with our local communities to deliver better quality infrastructure, sustainable development that enhances liveability, a valued and protected natural environment, and more support for the disadvantaged. The vision is for southern Sydney to continue to be a preferred location for higher order jobs, services, cultural events and tourism, providing a variety of opportunities for business, families and visitors. Southern Sydney is not only scenic but also very important to the State's economy, with vital infrastructure and Sydney Airport, Australia's largest airport, bordering on my electorate of Rockdale. I am advised that 16,000 people work directly on the airport site.

I am proud of my community and know that my southern Sydney colleagues in this place feel the same way. Members representing the St George region will continue to be the voice for our community on the projects that we want to see come to fruition after 16 years of slow progress. We will continue to be a strong advocate for the construction of the F6 and the M5 East duplication. The residents of southern Sydney deserve the best infrastructure that New South Wales has to offer and can responsibly afford. The O'Farrell-Stoner Government is committed to delivering for the families in our region.

My colleagues and I will work tirelessly over our term in office to deliver results. The NSW 2021 southern Sydney forum was a success. Again I thank Minister Berejiklian for her efforts on Thursday evening and the southern Sydney members of Parliament and the staff in the Premier's office for making the forum a great success. Most of all I thank the southern Sydney community for their input. This Government is committed to community consultation and we will continue to deliver responsibly for our region.

#### **NEPEAN HOSPITAL EAST BLOCK DEVELOPMENT**

**Mr STUART AYRES** (Penrith) [1.12 p.m.]: Yesterday I had the pleasure of visiting Nepean Hospital with the Minister for Health, Jillian Skinner, and my colleagues the member for Londonderry and the member for Mulgoa to open the hospital's new East Block development. The opening of the East Block marks a milestone in the progress toward modernising and redeveloping the Nepean Hospital campus so that it is well positioned to provide health services to the growing areas around Penrith. The East Block is set to expand the hospital's capacity by six operating theatres, an ambulatory procedure centre and two surgical wards able to accommodate up to 60 patients. As part of the development there have been significant upgrades to the intensive care unit and a relocation of the chapel at the hospital. This is a state-of-the-art facility designed by world-class health architects in consultation with clinicians, patients, nurses, families and many other people. It is a wonderful design with wide corridors and plenty of natural light, and the design incorporates the use of artwork.

It should be noted that the nurses have also played a key role through the work of their association representative, Peter Mason, who should be acknowledged for his organisation of many of the nursing activities that take place. It is also important to acknowledge the work of the senior medical staff council and the role that Peter Flynn plays in that. I acknowledge also members of the local health district board, ably led by Associate Professor Patrick Cregan, who does a fantastic job. The executive of the local health district has also played a particularly important role in this rollout, ably led by Mrs Kay Hyman, who has done an exceptional job with the board in the Nepean and Blue Mountains region. I place on record the outstanding work done by Health Infrastructure in the delivery of East Block and recognise the efforts of Anthony Manning, Martin Cook, Bruno Zinghini and Prue Hodgson in communicating about the extended development of the block.

Situated within a broader master plan for Nepean Hospital and the surrounding health precinct, the East Block is designed with the capacity for further expansion as the health demands of our changing population continue to grow. In addition, the hospital's master plan provides for new mental health and oral health facilities, which are currently under construction, with construction of Nepean Hospital's new multi-deck parking facility—a commitment made to the people of Penrith by the Liberals and Nationals at the last election—set to start once development approval is granted by Penrith City Council. That application has just been lodged with council and everyone in Penrith who utilises Penrith Hospital is looking forward to the construction of that car park and the completion of the mental health and oral health facilities currently under construction.

The master plan plays a vital role in the development of Penrith as a region, and it is an important part of my role as the member for Penrith to emphasise the role that health plays in our region. We need our own

plan, our own jobs and our own infrastructure. The current exodus of more than 60 per cent of our work force to other regions every working day is a burden on our east-west infrastructure. Health can play a major role in creating jobs across our region, particularly in the health and education precinct in which Nepean Hospital plays such a critical role. It is important to acknowledge the work of Penrith City Council, the advocacy work of the Penrith Valley Chamber of Commerce and the ongoing exceptional work of the Penrith Business Alliance in recognising the health and education precincts within Penrith as a source of investment and jobs growth in the region.

The role that East Block will play in bringing additional opportunities to the precinct cannot be underestimated. I acknowledge that East Block has been developed in conjunction with the Federal Government and recognise its \$96 million contribution to the project. I recognise also the work of the Federal Health Minister, Tanya Plibersek, and her predecessor, Nicola Roxon. This Government also has made a significant commitment to the Health portfolio through record levels of spending on health infrastructure across the State in its most recent budget. Nepean Hospital's East Block is a clear example of that. I will continue to advocate for improved services and facilities and East Block is an example of that advocacy.

### MACARTHUR SWIMATHON FOR CYSTIC FIBROSIS

**Mr JAI ROWELL** (Wollondilly) [1.17 p.m.]: Recently I was privileged to participate in the Wollondilly Cystic Fibrosis Swimathon. I am proud to say I have participated in this event since its second year. Before the swimathon, which is held on the weekend, there is a fundraising dinner to launch the event. Much-needed funds are raised to support cystic fibrosis sufferers with the ultimate aim of curing cystic fibrosis. At the launch we heard from a young girl living with cystic fibrosis who handed out straws to the hundreds in attendance and asked us all to breathe through one for a minute. We were not sure why we were doing this until she explained that that is how she feels when she breathes every day of her life. It then hit home just how tough it is living with cystic fibrosis.

Cystic fibrosis is the most common life-threatening recessive genetic condition affecting many children and young adults. Symptoms can include poor weight gain, bad coughs and repeated chest infections. Cystic fibrosis is a genetic disease that affects a number of organs in the body, especially the lungs, by clogging them with thick, sticky mucus. Repeated infections and blockages can cause irreversible lung damage and death. Mucus can also cause problems in the pancreas by preventing the release of enzymes needed for the digestion of food. This means that people with cystic fibrosis also can have problems with nutrition. On a daily basis, people with cystic fibrosis require intensive chest physiotherapy.

This breaks up mucus in the lungs, making breathing easier. Additionally, just to survive, it is not uncommon for a sufferer to take up to 40 enzyme tablets each day to help with the digestion of food. Cystic fibrosis is inherited by parents who carry the gene even though they may not have the disease themselves. It is estimated there are one million genetic carriers of cystic fibrosis in Australia. Approximately one in every 2,500 babies born is diagnosed with cystic fibrosis and there is no cure at the moment. Many children do not reach adulthood. The Wollondilly electorate is very generous and the community raised \$85,000 at the event. This is certainly a record for my community and I express my deepest respect and admiration for all those who gave generously.

The event is run by local people and was started by the great Michelle Fenech, who wanted to help a friend living with cystic fibrosis. Now the event is run by a committee headed by our local newspapers the *Wollondilly Advertiser* and *Macarthur Advertiser*. This year's event attracted many sponsors, including gold sponsors Wollondilly Community Leisure Centre, Peter Jermyn, DA Global, Plus Fitness, Camden Valley Inn, Xstrata Coal, the *Advertiser* newspapers and Macarthur Business Enterprise Centre, and the list goes on. This year I formed my own team, which was captained by cystic fibrosis sufferer Jaylee Booshand of Wollondilly.

Jaylee was crowned the 2009 Festival of Fishers Ghost Miss Princess and has used her position to raise awareness of cystic fibrosis in the region. One day Jaylee will need a lung transplant to survive. She said she wanted doctors to find a cure for the life-threatening disease because she does not want to leave her family. Jaylee, who is just now entering her teens, was an inspiration to our team. The team members included: Michael Shaw; Kathryn Steinweiss; Jarrad Hillard; Joshua Cotter from my office; Jason Zanotti-Buscetti, who was a fantastic fundraiser; my beautiful wife, Belinda, and our youngest son, Menzies; and members of Jaylee's family. The team raised much-needed funds to contribute to the overall total of funds raised. I can assure the House that seeing Jaylee swimming laps better than some of us, even though she was struggling to breathe,

really tugged on our heartstrings. More importantly, it showed that Jaylee is a young woman of strength. She told me that cystic fibrosis does not define who she is but is something she has and she will not let cystic fibrosis dictate how she lives her life.

Being told that you may die younger than everyone you know is something no young adult should have to hear. Jaylee's determination and strength are nothing short of amazing and she does everything in her power to fight the condition and increase awareness of the disease. Jaylee is one of approximately 80 people in the region with this life-threatening condition. Today I thank all those who organised the event and the community of Wollondilly for showing such great support for a worthy cause. I am humbled to be the member for Wollondilly as I know when the chips are down our community pitches in. Every year the editor of the *Macarthur Advertiser* swims in a grudge match against local politicians he has chosen. This year the member for Macarthur and I were the two unfortunate members he picked on. Without too much fanfare, he announced to the masses that there was to be a race: Jeff McGill versus the pollios.

I can inform the House that I did not win the race but through fear of embarrassment I put in a handy 20 metres with a great jump off the blocks. Unfortunately, the length of the pool was a bit longer than 20 metres and I will have to do some training before I take Jeff on next year. Also in attendance were Russell Matheson, Federal member for Macarthur; Bryan Doyle, member for Campbelltown; Chris Patterson, member for Camden; and the Minister for Sport and Recreation, Graham Annesley, who held the starter's gun. I thank them also for their support. I note that the member for Campbelltown and the member for Camden, great local members, are in the House today. Although we came together for a very serious cause, the day was a lot of fun and demonstrated how great a community we have in Wollondilly. I look forward to supporting Jaylee in the future and putting together an even bigger team for next year's event.

#### CAMPBELLTOWN CITY CHALLENGE WALK

**Mr CHRIS PATTERSON** (Camden) [1.22 p.m.]: I refer to an event that took place in my electorate last Sunday, the 2012 Campbelltown City Council Challenge Walk. This fantastic event, which is held at the Mount Annan Botanic Garden, brings the community together—not just my local community but people from far and wide. The Mount Annan Challenge Walk is a huge credit to Campbelltown City Council. One participant in the event was the member for Wollondilly, Jai Rowell, who is also a Campbelltown councillor. I want to say to him, Mayor Anoulack Chanthivong, general manager Paul Tosi and all the wonderful staff and volunteers involved that, once again, their efforts this year—the twenty-first year of the Mount Annan Challenge Walk—were outstanding.

The Premier participated in the event again this year, as he did last year whilst in Opposition. I walked with my fellow members of Parliament Mr Bryan Doyle, the opal of the south-west, and Mr Rowell, the member for Wollondilly, as well as Mr Russell Matheson, our Federal member of Parliament, and two of my staff, councillor Debby Dewbery and Brooke Logoitumua. Although I have not heard the final count, there must have been 5,000 to 6,000 people who took part this year. The purpose of the walk is not only to bring the community together but to raise awareness of a number of charities and their need for funds. Macarthur Disability Services is one of the wonderful charities that supports this walk. This institution, which is located in our area, supports the community in a number of ways. Macarthur Disability Services always prides itself on having the most number of walkers in the Challenge Walk, and this year was no exception. The Macarthur Disability Services team did a wonderful job. Steve Wisbey, the master of ceremonies, always puts in a great effort and I commend him for the great job he did on the day.

As I said, the Premier participated in the Challenge Walk. Participants could undertake a six-kilometre or 12-kilometre walk. We had registered for the six-kilometre walk. Upon finishing the six kilometres, the Premier said to me, "We have an hour to kill; we should do another six kilometres." I could not believe it. We started the second six kilometres but, thankfully, an overzealous official stopped us and said that as we had red tags we were not allowed to do the 12-kilometre walk. We were saved by the official. It went a step further. The member for Wollondilly, in the true spirit of competitiveness, left the Premier, the member for Campbelltown and me in his wake at the two-minute mark and shot across the line to beat us all.

**Mr Jai Rowell:** Point of order: It should be noted that the Premier was just rounding up the pack and staying with the member for Camden, who was out of breath.

**ACTING-SPEAKER (Mr Lee Evans):** Order! That is not a point of order.

**Mr CHRIS PATTERSON:** Mount Annan Botanic Garden is a tremendous success story and not only because of this event. One of the first announcements made by the Premier was free entry to Mount Annan Botanic Garden. Caz McCallum, chief executive officer of Mount Annan Botanic Garden, has told me since the introduction of free entry visitor numbers have increased 300 per cent. It is estimated that 300,000 visitors will take advantage of the free entry in the first year. Last year in September 50,000 people visited Mount Annan Botanic Garden compared to 10,000 in September 2010. The free entry is coupled with access to the gardens through a wonderful, brand new entry to Mount Annan Botanic Garden, opened by the Premier. Funding of \$19 million enabled that new entry to be built. Recently the Minister for the Environment, and Minister for Heritage opened a world best practice seed and plant bank at Mount Annan Botanic Garden. I commend Campbelltown City Council for a well-run and fun event and I look forward to next year's event.

**Private members' statements concluded.**

*[Acting-Speaker (Mr Lee Evans) left the chair at 1.27 p.m. The House resumed at 2.15 p.m.]*

**QUESTION TIME**

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*[Question time commenced at 2.17 p.m.]*

**MINISTER FOR TOURISM, MAJOR EVENTS, HOSPITALITY AND RACING**

**Mr JOHN ROBERTSON:** My question without notice is directed to the Minister for Tourism, Major Events, Hospitality and Racing. Last week the Minister said he had heard about rumours of sexual harassment at The Star in early January at the theatre. Did the Minister discuss those rumours with the Premier, and was Sid Vaikunta mentioned in those discussions?

**Mr GEORGE SOURIS:** I became aware of rumours, which were non-specific, regarding the managing director's absence at a function at the Lyric Theatre in early January. If there were rumours of sexual harassment on that night, I do not have any recollection of hearing them. I have only ever acted properly. There are a number of independent inquiries to which Opposition members should refer any material they might have, and should allow those independent inquiries to run their course.

**MEMBERS OF PARLIAMENT SERVING ON LOCAL COUNCILS**

**Mr BRUCE NOTLEY-SMITH:** My question is directed to the Premier. What is the Government doing to end the practice of members of Parliament also serving on local councils?

**Mr BARRY O'FARRELL:** I thank the former mayor of Randwick for his question. I welcome the group of Auditors-General who are present in the visitors' gallery today. I understand that the collective term for a group of Auditors-General is a ledger of Auditors-General. It is a privilege to be a member of Parliament. In return for their vote every four years, members of the community expect a 100 per cent effort from members of Parliament in this role. Last year, the issue of the dual role of councillors and State members of Parliament arose, and I asked the Minister for Local Government to inquire into the matter. He did and, to his credit, he did so publicly, releasing in November a discussion seeking community feedback on the issue of members of Parliament holding dual roles as local councillors.

The discussion paper highlighted that New South Wales was the only mainland State in which State members of Parliament were also allowed to hold the dual role of councillor or mayor. More than 450 submissions were received, and the Government has considered those views in formulating its position. The Government will introduce legislation that will prohibit members of Parliament contesting local government elections. This will end the practice of members of Parliament also serving on local councils. The proposed amendments to the Local Government Act will allow a transition period of 18 months after every State election. That means, for example, a councillor standing and winning a seat at the 2015 State election will be able to continue in both roles until the next local government election—scheduled for September 2016.

This will provide a smooth transition and minimise disruption to local government including the need for any by elections. There are a number of compelling reasons why the Government is going down this path. Firstly, it is not practical for people to be in two places at once. One need only ask the Government Whips to get confirmation of that assertion. There will be times when councillors have to choose between attending



Parliament, or leaving early, and attending a council function. Even the member for Blacktown—allegedly the hardest working Opposition leader New South Wales has ever seen—cannot be in two places at once. Often he is nowhere to be found.

**Mr John Robertson:** You found me this afternoon.

**Mr BARRY O'FARRELL:** You are always down on level 6. You should get out and talk to the public; talk about strategic wage policy; talk about education policy—

**The SPEAKER:** Order! The Premier and the Leader of the Opposition will cease arguing across the table.

**Mr BARRY O'FARRELL:** Last week we witnessed in this Parliament a first in its history: the first time an Opposition leader has not had the guts to ask a question of the Premier.

**Mr John Robertson:** Point of order: If I thought the Premier would answer a question, I would ask him.

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

**Mr BARRY O'FARRELL:** I thank the Leader of the Opposition for that confirmation. We have had a number of issues of concern in this State—we have had floods and we have had to make policy decisions—but, frankly, since the year ticked over the Leader of the Opposition has shown more concern about North Shore people getting to the Sydney Festival than any other issue across New South Wales. It has to end. We do not need his representation on the North Shore. There can be a conflict of interest when, for instance, a member of a local community, a local group or a small business, disagrees with a decision of the local council and wants to raise it with his or her local member only to discover that that local member is a councillor who was party to the decision. Having dual roles blurs responsibilities and accountabilities and there is the potential for perceived or real community concerns about inappropriately using one position to benefit the other position.

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

**Mr BARRY O'FARRELL:** These reforms will bring New South Wales into line with other mainline States. One cannot be a member of the Victorian Parliament and be a councillor. One cannot be a member of the Queensland Parliament and be a councillor. The same applies in South Australia and Western Australia. State members of Parliament cannot serve in the Federal Parliament or vice versa. It is important to keep a distinction between the three levels of government that we have in our Australian democracy. I note that these reforms have been welcomed by the New South Wales Business Chamber. The reforms will affect the Government party rooms, they are sensible, they are in the interests of the public of this State and they will deliver a better outcome.

#### **MINISTER FOR TOURISM, MAJOR EVENTS, HOSPITALITY AND RACING**

**The SPEAKER:** Order! The House will come to order before the member for Toongabbie asks his question so that I can hear it. I call the member for Murray-Darling to order. The member for Toongabbie has the call.

**Mr NATHAN REES:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts. Given that the Minister was aware of rumours against Sid Vaikunta, a special employee at The Star casino with responsibilities under the casino licence, why did the Minister not report this to the Independent Liquor Gaming Authority in January?

**The SPEAKER:** Order! I will allow the question.

**Mr GEORGE SOURIS:** As I have said in answer to a previous question, I became aware of rumours that were of a non-specific nature regarding the managing director's absence—

**The SPEAKER:** Order! If the member for Canterbury listened to the answer, she might learn something.

**Mr GEORGE SOURIS:** —at a function at the Lyric Theatre in early January. If there were any rumours of sexual harassment on that night, I do not have any recollection of hearing them. As I have said on a number of occasions also, there are a number of independent inquiries to which Opposition members should refer any material they may have and should allow those independent inquiries to run their course.

### **PUBLIC EDUCATION**

**Mr CHRIS HOLSTEIN:** My question is directed to the Minister for Education. What is the Government doing to improve educational outcomes in public schools?

**Mr ADRIAN PICCOLI:** I thank the member for Gosford for his question. It is great to be part of a reforming government in New South Wales. What a breath of fresh air after 16 years of that mob opposite. This Government is getting on with the business of improving this State—planning reforms, land use reforms, capital works in hospitals and schools, the North West Rail Link; the list goes on and on. On Sunday we added a huge reform of public education to that growing list of great achievements for the O'Farrell-Stoner Government.

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

**Mr ADRIAN PICCOLI:** I was very proud to be present on Sunday with the Premier, the presidents of the Primary Principals Association and the Secondary Principals Council, some great teachers, students and parents, to announce this great reform—one of the biggest reforms in education in almost 100 years. At the heart of everything we do in education, particularly around this reform, is what is in the best interests of students. Local schools and local decisions are about students and making sure that students in New South Wales are placed at the centre of all decision-making.

Teachers and principals understand the learning needs of their students better than anybody else and the Liberal and National parties trust them to make the decisions based on that understanding. We will collaborate with all key stakeholder groups to develop the statewide policy framework that will provide the details to make this reform happen. We know that quality teaching is at the heart of exceptional school education. I wish to share with the House some of the responses that we have received from some of the principals and stakeholder groups across New South Wales in response to this reform. Claire Downey, a teacher at Plumpton High School, where we were on Sunday, said:

I believe these reforms will allow teachers and principals the time and autonomy to get back to doing what they do best—providing a positive and rewarding learning environment for students. With more flexibility and freedom over our classes, we can utilise resources more effectively and provide lesson plans that suit the students.

Over the past few days in the media no-one could have missed the endorsement of the procurement changes that we announced on Sunday. Schools can now locally purchase items worth up to \$5,000. This will allow schools to support local business and will cut through red tape for principals. They no longer have to trawl through a website and buy their supplies from some central office; they can now go down to the shops. The principal of Albion Park Public School, Jim Cooper, said this about the procurement changes:

Under the current system ... I have to go through the procurement system to buy a packet of Band-aids. But what I'll be able to do now is say to my ladies in the office, "No, you don't have to fill out three forms, make four phone calls and have to spend half an hour on a computer trying to find who the supplier is, you can go over to the chemist and buy a couple of Band-aids."

**Ms Carmel Tebbutt:** And pay twice as much.

**Mr ADRIAN PICCOLI:** I would have to call the member for Marrickville "Tepid Tebbutt". She has not been quite sure how to respond to this reform because deep down she appreciates that it is a positive reform.

**Dr Andrew McDonald:** Point of order: This is a clearly unacceptable under Standing Order 73. The Minister is making a personal reflection.

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

**Mr ADRIAN PICCOLI:** I was ignoring the member for Macquarie Fields, which is incredibly easy to do. The most important aspect of these reforms is how they will lead to improved student outcomes. I will give the House a couple of examples. Castle Hill High School was part of the 47 school pilot. It has been trialling this devolution model.

**Ms Carmel Tebbutt:** With extra funding.

**Mr ADRIAN PICCOLI:** The member for Marrickville interjects again. I will have to get out my blue folder.

**Mr Barry O'Farrell:** The blue or the red one?

**Mr ADRIAN PICCOLI:** The blue folder. Castle Hill High School implemented some key initiatives. It created an additional year adviser position to support student attendance across the school. Some of those changes led to over 50 per cent of students achieving an Australian tertiary admission rank [ATAR] of 90 in the 2011 Higher School Certificate. Over 50 per cent of students who achieved a ranking over 90 were boys. That is an increase of 100 per cent on the previous year. Castle Hill High School also created a head teacher mentor position. [*Extension of time granted.*]

[*Interruption*]

I thought members opposite would be silent to listen to this good news. The Auditors-General who are in the gallery today may wish to take this reform back to their jurisdictions. Castle Hill High School created a head teacher mentor position to assist senior boys with their learning, specifically targeting boys with obvious capacity who were not achieving. That school achieved a 100 per cent increase in the number of boys who achieved an Australian tertiary admission rank of over 90. These are great results. These reforms have achieved great results in schools for special purposes, public schools, primary schools and high schools. The most important thing about any reform in education is that it leads to improved student outcomes, and that has been the focus of this reform. There are about 30 elements to this reform, at least half a dozen of which would be major reforms on their own.

We all understand the importance of quality teaching. One of the most significant reforms is linking salary progression to achieving teacher standards. The Australian Institute of Teachers has established these standards led by the New South Wales Institute of Teachers. These reforms will link salary increments to teacher standards. This is all about assisting what is already a fantastic profession. We have got a great teacher workforce and these reforms will help teachers to be even better. This Government knows that what makes the biggest difference to students is the person who stands up in front of them. We have a fabulous teacher workforce and this Government will always back teachers and help them to be as good as they can be.

**Ms Carmel Tebbutt:** Then why don't you pay them more than 2.5 per cent?

**Mr ADRIAN PICCOLI:** I know the member for Marrickville was the Minister for Education for a period—

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

**Mr ADRIAN PICCOLI:** —and I am tempted to look at some of the attempted reforms by the previous Labor Government. That would not take very long. I am proud of this reform. I know all members of the Liberal-Nationals Government are also proud of this reform and we look forward to its implementation.

#### THE STAR CASINO AND PETER GRIMSHAW

**Ms LINDA BURNEY:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing.

**The SPEAKER:** Order! Members will come to order so that I can hear the question.

**Ms LINDA BURNEY:** What discussions, if any, did the Minister or his office have with the communications director, Peter Grimshaw, about when the five-year review into The Star casino would be released?

**Mr BARRY O'FARRELL:** I intend to answer that question because the Minister has now been asked 17 questions in a row by those opposite without a shred of evidence being brought forth.

**Mr Nathan Rees:** Point of order: This is the Parliament of New South Wales; it is not a protection racket.

**The SPEAKER:** Order! That is not a point of order. The Premier is entitled to answer any question. I refer the member to previous rulings and practice.

**Mr BARRY O'FARRELL:** The Minister has been asked 17 questions in a row without a single allegation being substantiated. Who was it who referred this matter to the Independent Commission Against Corruption on 2 March?

**Mr John Robertson:** I know who it was.

**Mr BARRY O'FARRELL:** So why does the Leader of the Opposition not have confidence in the Independent Commission Against Corruption? Having referred the matter to the commission the Leader of the Opposition seeks to go fishing in this Chamber.

**The SPEAKER:** Order! I call the member for Shellharbour to order. I call the Leader of the Opposition to order. I call the member for Toongabbie to order.

**Mr Nathan Rees:** Point of order: My point of order is under Standing Order 129, which relates to relevance to the question asked.

**The SPEAKER:** Order! I am sure the Premier will return to the leave of the question.

**Mr BARRY O'FARRELL:** I draw the attention of the House to the question asked by the member for Canterbury. As I have been asking members of the media for more than a week, as the Leader of the Opposition was asked at his press conference on 2 March, and as the member for Canterbury has implied today: Precisely what decisions has the Government made relating to the casino in almost 12 months? The answer is that the one decision the Government made was whether I would attend the opening of the casino. There is no scandal in that.

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

**Mr BARRY O'FARRELL:** I had a better and earlier offer from Mark Scott, the managing director of the ABC, to present at the National Local Radio Awards. There is no scandal or corruption in that.

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

**Mr BARRY O'FARRELL:** There is no need for the Independent Commission Against Corruption to investigate that. But the fact is that we have an independent investigation underway through the Independent Liquor and Gaming Authority because the chairman of that body said two weeks ago—

**Ms Linda Burney:** Point of order: It is a question of relevance. If the Premier wants to take the question, why does he not answer it?

**The SPEAKER:** Order! The Premier is being relevant to the question. The member for Canterbury will resume her seat.

**Mr BARRY O'FARRELL:** The Independent Liquor and Gaming Authority has commissioned a second inquiry because The Star sacked its managing director for what has now been revealed as two complaints of sexual harassment. It is important to note that the decision was made by The Star after its chairman said there was an internal investigation.

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

**Mr BARRY O'FARRELL:** The Independent Liquor and Gaming Authority is investigating because last year it conducted an arms-length inquiry into the casino's licence through Gail Furness, SC. That was the five-year statutory review. Rather than that inquiry being influenced by any government staffer, it found that the casino's licence should be renewed. That proves two things: the independence of the Independent Liquor and Gaming Authority and that people can have hopes, wishes and views on things but that does not translate into decisions. We have now had 17 questions from an Opposition that referred this matter to the Independent

Commission Against Corruption on 2 March. The question for the Leader of the Opposition is this: Why does he not trust the Independent Commission Against Corruption [ICAC]? Why does he not trust the commission that so many of his former colleagues currently are before?

**Mr John Robertson:** Madam Speaker—

**The SPEAKER:** Order! The Leader of the Opposition will resume his seat. It was a rhetorical question.

**Mr BARRY O'FARRELL:** We have a reference by the Leader of the Opposition to the Independent Commission Against Corruption and an inquiry by an independent Office of Liquor, Gaming and Racing. I assume that if any of the matters raised in the 17 questions asked by Opposition members are relevant, they will be examined in either inquiry. As I said last Monday week, the office of the Director General of Premier and Cabinet is investigating whether the code of conduct was breached.

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

**Mr BARRY O'FARRELL:** The question is this: Where is the beef? Where is the evidence that a single Government decision, whether made by the Minister for Tourism, Major Events, Hospitality and Racing, the Premier, our ministerial staff, or Cabinet was influenced at all? There was no decision, except an invitation to attend a function.

**Ms Linda Burney:** Point of order: My point of order relates to relevance.

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

**Ms Linda Burney:** The question is: When will the five-year review of The Star casino be released?

**The SPEAKER:** Order! I know what the question is. The Premier is being relevant. The member for Canterbury will resume her seat.

**Mr BARRY O'FARRELL:** Let me tell the Labor Party what the word "independent" means. Under Labor, "independent" meant a wink and a nod and "produce a result we want". I will not tell the Office of Liquor, Gaming and Racing how to conduct its inquiry, I will not tell the Independent Commission Against Corruption how to conduct its inquiry—they will do the job they are expected to do as watchdogs of this State—and I will not expect Mr Eccles to follow orders from me. Labor wants it every which way. Labor members smear, they start rumours, they are full of innuendo but they cannot point to a single fact or a single decision made by Government that has been influenced.

The inquiry conducted by the Office of Liquor, Gaming and Racing recommended the renewal of the licence. Star sacked its managing director after investigating complaints of harassment. The Office of Liquor, Gaming and Racing is doing another inquiry. For me, the issue is: How did the emails and texts get into the media? Given that Star has demonstrated its capacity to download staff emails and texts, why has Star not taken the trouble to prove whether there is a leak at the Star. It is becoming very grubby, and the direction it is coming from is the Star.

**The SPEAKER:** Order! I have been informed by the Clerk that the clock has malfunctioned. Question time will conclude at 3.04 p.m.

#### OUT-OF-HOME CARE

**Ms MELANIE GIBBONS:** My question is addressed to the Minister for Family and Community Services, and Minister for Women. How is the Government working to improve the lives of the State's most vulnerable children?

**Ms PRU GOWARD:** I thank the member for Menai for her question and for her abiding interest in this topic. What a pity the question on out-of-home-care reforms was not asked by the member for Canterbury, who thinks it is more important to ask question No. 17 of the Minister for Tourism, Major Events, Hospitality and Racing. The reforms were introduced by the former Government with support from the then Coalition Opposition. We are embarking upon a reform that was too hard for the former Government. I am very pleased

today to add to the list of reforms that have begun and that have been achieved by the current Government in its first term and in its first year. This Government inherited Labor's dysfunctional out-of-home care system. Its dysfunctionality was observed by many reporters and commentators. It was inequitable and financially unsustainable, and the outcomes for many children and young people in the system were often poor and tragic.

Today I am pleased to announce we have made significant progress towards meeting our election commitment to transfer out-of-home care to non-government organisations, as recommended by Justice James Wood and, at that time, as supported by the then Labor Government. The transfer began on 1 March. In less than a year the current New South Wales Government has done what Labor failed to do in 16 years. Thirty-five non-government organisations have agreed to reform arrangements covering 96.4 per cent of current contracted placements. This sets up New South Wales and its children for a better system in which non-government organisations manage all children and young people in statutory care.

New, improved and, I would say, sustainable arrangements have been agreed to, including innovative incentives for better outcomes, such as adoption. We are also inviting tenders from new as well as existing non-government organisations to help grow the capacity of the whole system, including out-of-home care in New South Wales. The reform is about improving services. It is about putting children and young people at the centre of the reforms. As Justice Wood said, non-government organisations are more nimble, and Community Services should instead be focused on its performance in relation to its key statutory responsibility—the protection of children at risk of significant harm. Between 2004-05 and 2010-11 under Labor, out-of-home care expenditure increased by approximately 15 per cent a year—from \$304 million to an amount that was anticipated to reach approximately \$700 million.

Each year, the number of children and young people who were entering out-of-home care continued to increase. There were enormous inconsistencies in unit costs from one non-government organisation to the next for placements, and they were not transparent. I advise the House that the Labor Government was formerly paying non-government organisations between \$37,000 and \$52,000 for the same funded non-emergency general foster carer service, and between \$135,000 and—wait for this—\$446,000 for funded non-emergency intensive residential care services. Is that fair? Is that sensible? Clearly it is not. That was extremely expensive, but they did not need to be treated differently, depending on which way the coin fell that day. That was what happened under Labor. Extremely expensive so-called emergency placements, which were individually tailored agreements, were used rather than program-funded places. Why was it acceptable that children with similar needs received varying levels of care at such different prices?

**Dr Andrew McDonald:** It's called emergency.

**Ms PRU GOWARD:** No, it was not emergency placement. This was ongoing care dressed up as emergency service. It was inequitable, it was unfair and it was simply unsustainable—it was not a system this Government was prepared to allow to continue. As of 1 March, we have a fairer system. I refer to the introduction of uniform price contracts for all out-of-home care placement types. The dramatic differences in placement unit costs and the use of individual client agreements for placements were key drivers in the soaring cost of out-of-home care. At the core of the out-of-home-care system today are wonderful carers who open their hearts and their homes to children and young people. Respect for carers is important and will be maintained. Individual non-government agencies may well work differently with carers from the way they worked in the past. After all, this is all about encouraging the very best from each non-government organisation. Each non-government agency will continue to determine how best to respond to the needs of a child within the framework and funding package.

#### **MINISTER FOR TOURISM, MAJOR EVENTS, HOSPITALITY AND RACING**

**Mr PAUL LYNCH:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing. Previously the Minister admitted to having what he called private discussions with Mr Grimshaw about matters at the Star. Have the Minister and Mr Grimshaw ever had meetings or discussions about any matters relating to the casino in his professional capacities?

**Mr BARRY O'FARRELL:** This question follows from what I said earlier and it follows from the 17 questions directed to the Minister for Tourism, Major Events, Hospitality and Racing by Opposition members over the past week and a half. In the past week there have been floods across the State. Have Opposition members congratulated the State Emergency Service? Have Opposition members asked questions about emergency relief? No, they have not. Have they asked questions about the schools devolution trial?

I would have thought—given that the only opposition to it is coming from the Teachers Federation—they would have jumped to their feet to ask that question. Instead, Opposition members ask questions today about out-of-home care.

**Mr Paul Lynch:** Point of order: So far the answer has absolutely no relevance to the question that was asked.

**The SPEAKER:** Order! I am sure that after introductory remarks the Premier will return to the leave of the question.

**Mr BARRY O'FARRELL:** The question follows the answer I gave a moment ago in which I made the point that there has been no decision before the Government over the past 12 months that the Government has had to make.

**Mr Nathan Rees:** Point of order: Except for the award of a new licence.

**The SPEAKER:** Order! That is not a point of order. If the member continues to take such points of order I will have him removed from the Chamber. I remind the member for Toongabbie that he is on three calls to order.

**Mr BARRY O'FARRELL:** Therein goes my definition of independence. The Independent Liquor and Gaming Authority—

**Mr Richard Amery:** Point of order: Under Standing Order 126 a member may ask a Minister a question in relation to matters before the House.

**The SPEAKER:** Order! I am aware of the terms of Standing Order 126. What is the member's point of order?

**Mr Richard Amery:** As you have already ruled, the Premier can intervene but he should answer the question directed to the Minister.

**The SPEAKER:** Order! I have already ruled on that point of order. The Premier is making introductory comments. I am sure he will return to the leave of the question.

**Mr BARRY O'FARRELL:** I take the advice of the member for Mount Druitt. After all, he saw Sir Henry Parkes in this role. It follows from what I have said that no decision has been made. No decision has been before government except for the invitation to the opening. The definition of "independent" under the Act that applied through 16 years of Labor government, including since the casino was established, states that the renewal of a licence is a matter for the Independent Liquor and Gaming Authority, not a matter for Cabinet and not a matter for the Minister. The question is based on a false premise. Those opposite do not seem to understand that a partner of a victim of sexual assault or harassment would seek to prevent further punishment caused by media publication of that victim's name. Labor seems to believe that victims of sexual harassment deserve no protection from such unwarranted media exposure.

**Mr John Robertson:** Point of order: At no point have we sought to insert or been inclined to insert those names.

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

**Mr John Robertson:** For the Premier to suggest that we would do something like that is the most despicable—

**The SPEAKER:** Order! The Leader of the Opposition will resume his seat. That is not a point of order. I call the Leader of the Opposition to order for the third time. I warn the Leader of the Opposition that if he makes one more outburst like that I will have him removed from the Chamber. The Premier has the call.

**Mr BARRY O'FARRELL:** What would people expect of a party that during my time in this place was known for turning a blind eye to allegations of abuse against one of its own female members of Parliament? What would people expect of a party that hung a paedophile whistleblower called Gillian Sneddon out to dry?

Those opposite have no sensitivity about these issues. I make the point again that it was the Star that sacked its managing director after investigating two allegations of sexual harassment. That was not a public issue until 2 February when the Star made a statement to the Stock Exchange. It had not been leaked prior to 2 February. I said a moment ago that Echo Entertainment has some explaining to do.

Why has it not investigated the leak of text and emails that have found their way to the media when it clearly has the capacity—I did not know it existed—to download text and emails? Its inability to do that goes to whether it is serious about these issues. We know that its failure to tackle that issue undermines its credibility further. We know that it employed a public affairs company and we know that Michael Salmon, a former senior adviser to Bob Carr, is at that public affairs company. It just demonstrates another case of Labor—whether in this House or outside—being prepared to do anything to score cheap political points regardless of the sensitivity, concern, despair and anguish of a victim of sexual harassment.

### **NORTH-WESTERN SYDNEY PUBLIC TRANSPORT**

**Mr BART BASSETT:** My question is addressed to the Minister for Transport. What are the latest developments in relation to improving public transport in Sydney's north-west?

**Mr Richard Amery:** Barry, you can take this.

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

**Ms GLADYS BEREJIKLIAN:** I thank the member for Londonderry for this important question and for his continuing interest in the residents of the north-west who for too long were ignored by Labor when it came to public transport. I am pleased to report that in addition to getting on with the job of building the North West Rail Link, the New South Wales Government is determined to secure a corridor for future public transport beyond the route we are currently preparing to build the new rail line. This is an important development because taking this step to preserve the corridor for the future means communities and businesses will be better able to plan with certainty about future public transport infrastructure.

We have released a public discussion paper to consult with the community over which of two potential corridors should be preserved for future public transport. Yesterday I was pleased to join the Premier and the hardworking members from north-west to outline the two options. The first is the Cudgegong Road to Riverstone option, from the end of the North West Rail Link heading north-west to the Richmond line south of Riverstone station. This is a distance of about 3.3 kilometres. The second option is Cudgegong Road to Schofields and Marsden Park. This is from the end of the North West Rail Link heading west to Schofields Station, then further on to the fast-growing area of Marsden Park. That option is about 6.8 kilometres.

As we know, more than 200,000 people will move into the north-west growth centre over the next two to three decades. That is around 70,000 new houses in the Riverstone, Schofields and Marsden Park areas. Existing planning policies and powers will be used to protect the corridor for future public transport use. This protection means any development within or near the corridor will not be allowed to impact the viability of the corridor's future use for public transport. This is the type of foresight that was sadly lacking under the former Labor Government. As Sydney Business Chamber Executive Director Patricia Forsythe said:

This is a return to how we once planned for transport in Sydney—by thinking ahead and locking away the land today for transport projects of the future.

This was also endorsed by Infrastructure Partnerships Australia Chief Executive Officer, Brendan Lyon, who said:

One of the reasons Sydney's transport network has fallen so far behind is because the State hasn't taken a long-run view of Sydney's development and growth and ensured that motorway, utility and rail corridors have been set aside for the future.

Not only is this Government doing the catch-up work for 16 years of Labor neglect, but it is also making the smart decisions that will serve this State well for decades to come—smart decisions like building the North West Rail Link, which the Government is getting on with delivering. I am very pleased to report that a total of 15 major tenders have been issued and 25 contracts have been awarded for a variety of works on the North West Rail Link. The tenders and contracts awarded for major technical and professional services include planning approvals, noise and vibration expertise, and land survey work. Geotechnical and survey work is continuing. All this has been achieved in less than a year. The best the former Labor Government could achieve in 16 years was



some whizz-bang announcements and glossy brochures about rail—or metros—to the north-west, followed by a few low-key cancellations. We know that the culprits are still sitting opposite. It must have taken some hide for them to say last week that they are yet to see a sleeper on the North West Rail Link.

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

**Ms GLADYS BEREJIKLIAN:** The reason they have not seen a sleeper on the North West Rail Link is that their Government was a failure when it came to public transport. It is because in 16 years the only thing their Government did for the north-west was issue a couple of press releases.

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

**Ms GLADYS BEREJIKLIAN:** Why will the Leader of the Opposition not support this important project? The former Labor Government announced, then cancelled, then announced projects. The South West Rail Link is another example. But in all their self-congratulation those opposite forgot to mention that when they left office after a decade of talking about the South West Rail Link not one new sleeper had been laid on that rail line. The sleepers are sitting opposite. It took a Liberal-Nationals Government to lay the first new sleeper on the South West Rail Link. Labor talked about it for 10 years; we have delivered it. The people of the north-west and south-west of Sydney can be confident that unlike the former Labor Government this Government will deliver both those rail lines. They can be confident that we will leave this State in a much better position than it was left in by Labor. *[Time expired.]*

#### **MINISTER FOR TOURISM, MAJOR EVENTS, HOSPITALITY AND RACING**

**Mr JOHN ROBERTSON:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing. In November it was reported that the Minister had called on the independent authority to investigate illegal prostitutes at the Star. Did the Minister discuss this story with Peter Grimshaw?

**Mr GEORGE SOURIS:** This is absolutely ridiculous. I say again: I have done everything properly. If members opposite have any more inane accusations they should send them to the independent bodies investigating these matters.

#### **FLOOD RELIEF**

**Mr JOHN WILLIAMS:** My question is addressed to the Deputy Premier. How is the Government getting on with the job of assessing and repairing infrastructure damage caused in the latest floods?

**Mr ANDREW STONER:** I thank the inimitable member for Murray-Darling for his question. Since the House last met most of the State has been blessed with a string of bright, sunny autumn days in stark contrast to the torrential rain experienced over recent weeks. While this respite has been welcomed by flood-stricken communities, it has done little to stop the ocean of muddy water winding its way across much of New South Wales destroying vital infrastructure, agricultural produce, and private and public property and, sadly, claiming two lives. Residents in the electorate of the member for Murray-Darling are battening down in preparation for floodwaters heading towards their communities, including Hay and Balranald. Yesterday with my colleague the member for Murrumbidgee, who also is the Minister for Education, I visited flood-affected communities in the State's south with members of the State Emergency Service to see firsthand the damage and the recovery operation. In Griffith we met with local residents and business owners busy getting on with the hard and dirty job of recovery.

**Mr Adrian Piccoli:** We met the good Tony Catanzariti.

**Mr ANDREW STONER:** Yes, we met the good Tony Catanzariti in Yoogali. Nearby Yenda is experiencing its worst flooding. Despite receiving evacuation orders less than a week ago, locals are back on the ground already helping out with the recovery process. Impact assessment teams are in the area recording the extent of the damage. They have identified the number of homes inundated by over-floor flooding as follows: 120 homes in Griffith, 140 in Yoogali, 300 in Yenda and up to 200 properties in north Wagga Wagga. As we have seen in other floods across the State this year, our State Emergency Service volunteers and professionals have been magnificent rescuing, preparing properties, accommodating and helping with the clean-up. I commend also the NSW Farmers Association for its initiative in establishing a fodder and agistment register as well as setting up a volunteer bank.

The association has been contacted by many people living in and around Sydney who want to do their bit to help their friends on the land. This is a wonderful way to provide much-needed help and at the same time reduce the city-country divide. I encourage anyone interested in either of these programs to register on the association's website at [www.nswfarmers.org.au](http://www.nswfarmers.org.au). This major natural disaster comes at a time when the Government is preparing its second budget. While the State has contingency funding set aside for such events, it is too early to assess fully the financial impact of these recent floods on revenue and expenditure other than to say that the impact to the State's economy and, of course, the budget is expected to be significant. In the meantime our priority is to ensure that adequate resources are available to support those communities most in need. That is the focus of this Liberal-Nationals Government.

We must compare that to the approach of those opposite. On Friday the Leader of the Opposition made the startling claim that the Premier had, to use his words, "abandoned New South Wales flood victims". Later that day on 2GB Ben Fordham rightly called those comments a "massive low blow" and observed that the Leader of the Opposition had politicised the floods. The Leader of the Opposition again demonstrated his unerring ability to misjudge his audience by telling 2GB listeners that "the Premier had politicised his elderly mother" by visiting her in Darwin. That is unbelievable. It was a bizarre and embarrassing contribution from an Opposition that so far has asked 19 consecutive questions about the Star casino issue but not one question about the Government's many policy reforms, including better management of city roads and transport or the well-received Local Schools, Local Decisions package. We are cleaning up the mud; they are throwing it.

**Question time concluded at 3.04 p.m.**

## **LEGISLATION REVIEW COMMITTEE**

### **Report**

**Mr Stephen Bromhead**, as Chair, tabled the report entitled "Legislation Review Digest No. 12/55", dated 13 March 2012, together with minutes of the committee meeting regarding Legislation Review Digest No. 11/55, dated 6 March 2012.

**Report ordered to be printed on motion by Mr Stephen Bromhead.**

## **PETITIONS**

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

### **Armidale Rural Referral Hospital Upgrade**

Petition requesting support for funding for the major upgrade of Armidale Rural Referral Hospital, received from **Mr Richard Torbay**.

### **Pets on Public Transport**

Petition requesting that pets be allowed on public transport, received from **Ms Clover Moore**.

### **Walsh Bay Precinct Public Transport**

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

### **Pet Shops**

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

### **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**.

### **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**.

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

### **Wilga-Wilson Precinct for Seniors Living**

Petition requesting planning approval for the Wilga-Wilson precinct for seniors living, received from **Mr Rob Stokes**.

## **CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**

### **Education Reform**

**Mr MATT KEAN** (Hornsby) [3.06 p.m.]: There cannot be a more important priority motion than one that ensures we deliver world-class education in New South Wales. What is a more important priority than giving our children the keys to their future? What can be a more important priority than helping our children fulfil their promise? There can be no greater priority than improving the New South Wales education system. Members on this side of the House believe that that is the number one priority. The only person who does not believe that education improvement is the number one priority is the Leader of the Opposition. He believes the number one priority is improving his approval ratings. I offer him some free advice: You will not improve your approval rating by tawdry, grubby attacks—

**Ms Carmel Tebbutt:** Point of order—

**The SPEAKER:** Order! I remind the member for Marrickville about the taking of points of order during the giving of reasons as to why a motion should be accorded.

**Ms Carmel Tebbutt:** My point of order is relevance. This is an important debate.

**The SPEAKER:** Order! I remind the member for Marrickville of the new standing orders relating to priority debates. The member for Hornsby has the call.

**Mr MATT KEAN:** We have all read the Gonski review with concern: that student performances across the country have slipped over the past decade; at the growing division between our high-performing and our low-performing students; and that funding arrangements are too complex and lack coordination. This motion should be accorded priority because it recognises the most comprehensive and far-reaching education reforms that we have ever seen. These reforms will empower school principals and shift decision-making responsibility from head office to the school level. This policy marks the State's biggest education revolution in more than a century. Our opponents are sceptical because the last education revolution was delivered by the Labor Party. What have we got from the education revolution delivered by the Labor Party?

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

**Mr MATT KEAN:** The children of Labor's education revolution are still waiting for a laptop on every desk in every classroom, let alone a high-speed internet connection. The children of Labor's education revolution are still paying for the record waste and mismanagement resulting from Labor's Building the Education Revolution program. Labor's education revolution was nothing more than trite, pointless rhetoric. This motion should be accorded priority because education is the number one priority on which this House should focus. [*Time expired.*]

### **The Star Casino**

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [3.10 p.m.]: This motion calls for the establishment of public hearings as part of the ongoing inquiry into The Star casino. Right now this sordid affair continues to play itself out across the media. Every day we see a continuation of texts and emails being revealed and the chief of communications in the Premier's office conspiring with the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts to withhold information from the Premier.

Nothing could be more serious than somebody in the Premier's office withholding information. It gets worse. What we see playing out here is the old boys' network. People like the Premier, Peter Grimshaw and Norm Nixon are old mates from the Greiner-Fahey years; they have been mates for a long time.

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

**Mr JOHN ROBERTSON:** They work together to make sure that nothing gets out. What we saw today was startling and unprecedented. It is no wonder that the Minister for Tourism, Major Events, Hospitality and Racing has left the Chamber. I watched the Minister leave before this motion was debated and I know why he did so. Today the Premier of New South Wales humiliated the Minister for Tourism, Major Events, Hospitality and Racing by not allowing him to answer legitimate questions.

**Mr Brad Hazzard:** Point of order: I ask that the member be brought back to the leave of the motion.

**The SPEAKER:** Order! The member's time has expired. The member will resume his seat.

**Mr Nathan Rees:** Point of order: With respect, Madam Speaker, the member for Blacktown has not been given his full time.

**The SPEAKER:** I am informed by the Clerks that the member's time has expired. The member for Blacktown may have another 50 seconds.

**Mr JOHN ROBERTSON:** What we saw today was the Premier protecting the Minister for Tourism, Major Events, Hospitality and Racing, the Hon. George Souris.

**Mr Brad Hazzard:** Point of order: The member was given an additional 50 seconds. The member should be reminded to stick to the leave of the motion, which is about public hearings.

**The SPEAKER:** Order! I draw the attention of the Leader of the House to the new sessional orders.

**Mr JOHN ROBERTSON:** The reason there are no public hearings on this matter is that no-one in this Chamber is prepared to answer questions. The Premier is protecting the chief communications director and a Minister, whom he humiliated today—a former leader of the National Party. Government members all watched a former leader of the National Party being humiliated. This matter requires public hearings because so far the House has seen only a Premier and a Minister trying to cover up this matter and sweep it under the carpet. There was a whitewash by the head of the Department of Premier and Cabinet— *[Time expired.]*

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

**The House divided.**

#### **Ayes, 65**

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

**Noes, 22**

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

**Pair**

Dr Lee

Mr Daley

**Question resolved in the affirmative.****EDUCATION REFORM****Motion Accorded Priority****Mr MATT KEAN** (Hornsby) [3.22 p.m.]: I move:

That this House supports the Government in delivering on its election commitment to give decision-making power back to local schools and school communities.

Earlier, in urging the House to accord this motion priority, I said there can be no higher priority for members of Parliament than improving the education system in New South Wales and delivering world-class education for our students. I say that knowing that members of this place are engaged in many important endeavours, such as rebuilding the State's economy, reforming the delivery of health care and fixing our transport system. Our success in all such endeavours begins, not when a businessman comes up with an idea, or when a nurse or doctor does the rounds; our futures are determined each and every day that our children enter the classroom. There can be no greater priority than improving our education system. We owe that to our children and to our future.

This reform will revolutionise how we deliver education in New South Wales. The Coalition Government believes decisions ought to be made by those closest to the people affected by the decisions. This Government trusts school principals, teachers and communities to decide what is best for them. That is why the Government is delivering on its election commitment to return decision-making power to the schools and school communities of New South Wales. Earlier I touched on the Gonski report, which flagged problems in our education system. This reform is necessary. The former Minister for Education and Training did not have the courage to deliver this reform, and she failed to do so. She did not have the courage to stand up to her paymasters in the union movement. This material reform will effect a change that this State needs.

Increasing school autonomy is a cornerstone of real reform in education. A good example of the importance of increasing local autonomy was seen in the Building the Education Revolution [BER] program. Government schools were not given the same opportunity as were non-government schools to manage their projects. Evidence from the Federal Government's own Building the Education Revolution task force shows that government school buildings constructed under the program cost two or three times more than did similar constructions delivered in the non-government school sector. It is an indisputable fact that involving principals and schools in their own projects results in greater value for money.

That constructing school buildings cost two or three times more in government schools than those built by non-government schools meant that the extra money spent could have gone to improving programs, improving teacher training and student learning—spending the money where it should be spent, on improving student learning outcomes by improving the ability of teachers to teach. I spoke with the principal of Asquith Public School, which provides an example of the failure of the Building the Education Revolution program. The school wanted a covered learning area. The cost was \$200,000, which was \$100,000 more than was left in the school's original budget. That denied the school a covered learning area.

A local quote for those works was \$60,000. So the school could have funded and built a facility that would have made a material difference in learning outcomes in the school community of Asquith had it been

able to organise that project locally. It is important to recall why the Building the Education Revolution debacle occurred. Essentially, it was because local schools were not trusted to manage their own projects. The Coalition trusts schools to make their own decisions over infrastructure, with appropriate support. Trusting local school communities and granting them greater autonomy will encourage more community involvement and truly revolutionise teaching and learning.

I am in favour of any program that will give schools more control over staffing, programs and the spending of the schools' resources. That will allow them to better accommodate students' needs and respond quickly as things change. The Coalition trusts principals. We believe in treating staff like adults, and we believe in engaging school communities and building school pride. All the evidence suggests that learning outcomes are improved by devolving power on the making of decisions to people who are closest to those who will be affected by those decisions.

**Ms CARMEL TEBBUTT** (Marrickville) [3.27 p.m.]: I move:

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

this House calls on the Government to confirm that no school in New South Wales will lose funding or have to increase class sizes as a result of the Local Schools Local Decisions reforms.

The Government said this is one of the "most significant and far-reaching reforms in a decade". Those were the words used by the Government in its announcement. Well, forgive us for being sceptical, but the Coalition Government has a history, in the short year it has been in office so far, of overpromising and under-delivering reforms in education. No matter where one looks, time and again we see evidence of the Government overpromising but under-delivering. Given the way the reforms were announced, one can understand why there has been so much criticism of them. There was no consultation with the key stakeholders responsible for implementing the reforms. Teachers had no briefings on the reforms, despite the Minister saying time and again before the election that he was committed to working constructively with teachers.

No costings were given regarding these reforms. The "most significant and far-reaching reforms in a decade", according to the Government, came without costings, without detail and without framework. All of that will be provided down the track. Education is really important to the parents of New South Wales—those who trust that every day their children go off to school the teacher will do the right thing by them, and trust that the Government will get the right policy settings to support our hardworking teachers. The parents, students and teachers in New South Wales deserve a bit better than a four-page document that is supposedly the "most significant and far-reaching reforms in a decade". If they are the most significant and far-reaching reforms in a decade why is there no detail? Why are there no costings? Why did the Minister not consult with teachers? Why did the Minister not consult with key stakeholders?

The Opposition is looking for three very clear and simple commitments from the Government with regard to these reforms. First, the Government must clearly say that no school in New South Wales will lose funding as a result of these reforms, and there are very good reasons why the community is sceptical with regard to the Government's record in this area. To date we have seen time and again the Government penny-pinching in the Education portfolio. First and foremost, the Government has introduced preschool fees. Government preschools are now being forced to charge fees, which has never been done before. Secondly, the Government is reaching its hand into school bank accounts and taking back the interest. Thirdly, just at the weekend we saw that the penny-pinching has got so bad that schools are now going to have to pay to print the certificates for the Premier's Reading Challenge. That is how mean-spirited this Government is.

We seek very clear commitments that no school will lose funding and that class sizes will not increase as a result of these reforms. The Government speaks very proudly of the benefits of the devolution pilot operating in 47 schools. Let us not forget that the New South Wales Labor Government established that pilot, and we all know that that pilot has been successful because those schools were given additional funding to buy in the extra support they needed. So when the Government talks about a new careers adviser or an extra teacher here or extra support there, those 47 schools were provided with additional funding to do that. There has been no promise of additional funding with regard to these reforms.

Secondly, we call on the Government to sit down and consult with the teachers over these reforms. Teachers are raising many questions about the reforms and they deserve answers. Thirdly, and most importantly, the Government has to outline how these reforms will improve the focus on teaching and learning in our schools. Giving principals greater autonomy is all very well, but if it is greater autonomy over a shrinking

budget and if it is greater responsibility to pick up the functions from head office that are no longer being done because of the staff cuts imposed by this Government, that is not in the best interests of students. We call on the Government to make those three commitments.

**Mr JOHN FLOWERS** (Rockdale) [3.32 p.m.]: As a former teacher I am pleased to speak in debate on this motion accorded priority on the Local Schools, Local Decisions reforms. These are by far the most significant reforms to the New South Wales education system in more than a century. The hardworking Minister for Education has done more for schools in his first 12 months as Minister than the Labor Government did over the past 16 years. The Coalition Government is delivering on its election commitment to give decision-making powers back to our schools and school communities, who are best equipped with the knowledge of how to manage resources. What could be more important than giving New South Wales government schools the opportunity to respond to the needs in their local areas rather than formulas and forms dictated to by one large centralised bureaucracy?

When I was teaching it was always the case, as it still is, that the school community understands its students' needs much more than does head office. School budgets will be managed by the school principals, and this includes both staffing and non-staffing resources. Schools will manage more than 70 per cent of the total public school education budget. Currently, schools directly manage less than 10 per cent of the total public school education budget and manage up to 600 separate line items and small program budgets. Managing resources efficiently and effectively is critical for our schools, and the new resource allocation model, which will be developed by mid-2012 for staged implementation from 2013, will fund schools directly. That funding will reflect not just the student numbers but also the complexity.

Principals will now be free to make more local decisions for purchases up to \$5,000. Schools will be able to call upon local contractors, thereby supporting the local community. These changes will eliminate many wasteful practices. The reforms will remove the unnecessary bureaucratic processes and red tape which have hindered schools for years. This education reform is about students, it is about the school community and it is about quality education. Local Schools, Local Decisions is giving decision-making power back to schools. This Government is listening and it is delivering.

**Mr GUY ZANGARI** (Fairfield) [3.35 p.m.]: How about the verbiage from across the table today. I state at the outset that I support the motion as amended by my colleague the member for Marrickville. There is no doubt that this is about government cost-cutting. The leaked Treasury documents state that the Government is cutting between \$500 million and \$700 million of recurrent funding out of the New South Wales Department of Education budget. Let us talk about how we will not lose funding for literacy and numeracy programs and how we will improve the literacy and numeracy of our students. No-one has mentioned anything about the programs happening in schools—the programs for gifted and talented pupils or the special needs programs. I will address the issue of special needs programs later when I speak about the way in which the Minister treated students with disabilities earlier this year. I notice that the Minister, who is sitting opposite, is smirking.

What about technology programs? What about programs supporting first-year-out teachers and those teachers who are working very hard in schools? There has been no mention of vocational education and training programs and no mention of increased class sizes. We all know that increasing class sizes is detrimental to teaching and learning, and the member for Riverstone should know that because he was a part of the Diocese of Parramatta. Students need a learning environment where teachers do not have the distraction of having to teach a large class. Yesterday the Minister said there are no costings. It is amazing that the Government claims that this is the biggest educational reform in New South Wales, yet the Minister does not even have any costings available. Let us look at the Government's performance so far in 2012. First, 750 schoolchildren were left on the kerbside, out in the cold, on the first day of school. Then there was the introduction of public preschool fees.

**Mr Kevin Conolly:** Point of order: My point of order relates to relevance. The member for Fairfield has only three minutes in which to speak and he has veered right off the subject matter.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I have heard the point of order and I uphold it. I draw the member for Fairfield back to the leave of the motion.

**Mr GUY ZANGARI:** I will get back to the motion because as we are discussing looking at the amended—*[Time expired.]*

**Mr MATT KEAN** (Hornsby) [3.58 p.m.], in reply: I appreciate the input from the member for Marrickville and the member for Fairfield. It was one of the more bizarre and interesting works of fiction that I have ever heard. These conspiracy theories may work in the Australian Labor Party but in the real world people work off the facts, and the facts on the record are—

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Fairfield has made his contribution.

**Mr MATT KEAN:** —that there will be no funding cuts. The Education budget will be unaffected by these reforms. There will be no change to class sizes, contrary to the view put forward by the member for Fairfield. The member for Fairfield forgets what this reform is about. It is about putting students at the centre of decision-making, empowering them and improving learning outcomes. The former Minister for Education and Training, who is present in the Chamber, did nothing to improve student learning outcomes and had no zeal for reform.

**Mr Nathan Rees:** Point of order: The greatest change in education in this State in the last half century was the increase in the school leaving age.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! That is not a point of order.

**Mr MATT KEAN:** Blaxcell Street Public School is a real-world example of a school that has been positively impacted by this policy. This school has employed an additional teacher to establish a year 1 class to assist students who have not met kindergarten exit levels due to late school entries or new arrivals from overseas. This has led to improved student outcomes on the kindergarten to year 2 literacy and numeracy continuum. The school also created an additional executive position to mentor and support 42 new scheme teachers across the board. This led to an improved capacity of new scheme teachers to meet the individual needs of their students.

The purpose of this reform is to improve learning outcomes for students and improve the way that teachers teach. I am delighted to support anything that will improve learning outcomes for students because education is the key to our future. Our future success as a nation will be determined by the policies that we implement today. Members on this side of the House recognise the challenges that we face in education. They have been outlined in the Gonski review. Over the last decade education standards have declined. This reform seeks to redress the imbalance. We will not adopt the do-nothing approach that was taken by our opponents in their 16 years in government. This is a material reform. Those opposite pay lip-service to empowering local communities, but we must look at what they do and not at what they say.

**Question—That the words stand—put.**

**The House divided.**

**Ayes, 60**

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



**Noes, 22**

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

**Pair**

Dr Lee

Mr Daley

**Question resolved in the affirmative.****Amendment negatived.****Motion agreed to.**

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! It being before 4.00 p.m. the House will now proceed with Government Business.

**MENTAL HEALTH COMMISSION BILL 2012****Consideration in Detail****Consideration of the Legislative Council amendments.***Schedule of amendments referred to in message of 7 March 2012*

No. 1 Page 8, clause 14 (1). Insert after line 3:

- (a) progress of the preparation of the draft strategic plan,

No. 2 Page 8, clause 14 (1). Insert after line 6:

- (c) the funding of mental health services in New South Wales

**Motion by Mr Kevin Humphries agreed to:**

That the House agree to the Legislative Council amendments.

**Legislative Council amendments agreed to.****Message sent to the Legislative Council advising it of the resolution.****PRIMARY INDUSTRIES LEGISLATION AMENDMENT (BIOSECURITY) BILL 2012****Bill introduced on motion by Ms Katrina Hodgkinson.****Agreement in Principle**

**Ms KATRINA HODGKINSON** (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [3.54 p.m.]: I move:

That this bill be now agreed to in principle.

The Primary Industries Legislation Amendment (Biosecurity) Bill 2012 aims to improve New South Wales capability to respond to a biosecurity emergency. The bill will amend four Acts—the Animal Diseases (Emergency Outbreaks) Act 1991, the Plant Diseases Act 1924, the Fisheries Management Act 1994, and the

Noxious Weeds Act 1993. The bill is concerned with addressing two areas. Firstly, it will address gaps and limitations in our legislation that may prevent an effective response to a biosecurity emergency; and, secondly, it will improve New South Wales's compliance with the four national biosecurity agreements to which we are signatory. The bill is important because it will provide a framework for better protecting not only our primary industries but also our natural environment and our lifestyle.

Before I set out the provisions of the bill, I remind the House of the significant threat that pests, weeds and animal and plant diseases pose to the New South Wales economy, to the environment and to the general community. Due to Australia's geographic location, we remain free from many harmful pests, weeds and diseases that affect other parts of the world. This provides significant economic, environmental and social benefits. Serious animal diseases such as foot and mouth disease and rabies are not present in Australia. New South Wales is also free from many pests and diseases that plague other States, such as red imported fire ants in Queensland, European house borer in Western Australia and chestnut blight in Victoria. However, we certainly cannot afford to be complacent.

The risk and threats to New South Wales's biosecurity status are becoming more complex. A changing climate, globalisation of trade and travel and population increases are putting pressure on natural ecosystems and driving competition for resources. In early 2011 New South Wales became a signatory to the Intergovernmental Agreement on Biosecurity [IGAB]. The goal of this agreement is to minimise the impact of pests, weeds and diseases on the Australian economy, environment and community. The agreement sets out the goals, priorities, roles and responsibilities of jurisdictions in relation to biosecurity management.

The agreement is supported by two response agreements and one response deed—for animal diseases, plant pests and diseases, and the environment. These agreements set out how responses to biosecurity emergencies will be managed and how costs will be shared between government and industry groups that are signatories. As a signatory, New South Wales has an obligation to ensure it has the appropriate legislation and systems in place to respond to emergency biosecurity incidents. Reviews of New South Wales biosecurity-related legislation, the equine influenza outbreak in 2007 and the recent outbreaks of Hendra virus and myrtle rust have revealed a number of limitations and gaps in our legislation.

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

**Ms KATRINA HODGKINSON:** Limitations and gaps can mean longer response times and costs and greater risks to New South Wales. The bill seeks to address these gaps and limitations in the immediate term and to ensure that our systems are better aligned nationally. In the longer term, the Government is looking to develop more streamlined and integrated biosecurity legislation and a new biosecurity strategy for New South Wales. However, this is a long-term project, and the amendments proposed in this bill are necessary to ensure that we can respond appropriately to an emergency biosecurity incident.

The provisions in this bill can be divided into four categories—those that relate to pests and diseases of animals, plants, fish and the threats posed by noxious weeds. I will now outline the amendments in relation to each of the four Acts, beginning with the Animal Disease Emergency (Outbreaks) Act 1991. The first proposed amendment will broaden the scope and objectives of the Animal Diseases (Emergency Outbreaks) Act 1991 to apply to the control of emergency animal pests as well as animal diseases.

"Emergency animal pests" are defined in the bill as animals that are not indigenous to a particular area and that are declared by the Minister to be an emergency animal pest. An example of an emergency animal pest that may be declared is the red imported fire ant, which is currently found in Brisbane. They severely damage the environment, they are a threat to agriculture and tourism, and they certainly threaten people's outdoor lifestyle because of their bite or sting. Being able to declare emergency animal pests will greatly assist the capability of New South Wales to respond to animal pests that may have an impact on the environment, community and business activity as well as primary production.

The bill will introduce a new part to the Act that includes a mechanism to deal with emergency outbreaks of animal pests. The new part contains a duty to notify; powers to declare and regulate infested places, restricted areas and control areas; and provisions relating to permits to enter and exit these areas. The new part does not introduce new eradication, control and management tools. These tools already exist in the Act in relation to animal diseases and are common to biosecurity legislation in general. This part will make these

powers available in respect to outbreaks of emergency animal pests. To make sure all relevant powers in the Act are available to respond to such outbreaks, existing provisions relating to importation orders, destruction orders, quarantine orders and disinfection orders will be extended so that they also apply to emergency animal pests.

Provisions in the Act dealing with inspectors' powers will also be extended with respect to emergency animal pests, including powers relating to seizure and impounding, collecting verbal and documentary information, search and entry and requiring assistance. There will be a new offence with a maximum penalty of \$110,000 or two years' imprisonment for the intentional or reckless release of an emergency animal pest. This is consistent with the Act's approach to the possession or administration of animal disease agents. Part 6 of the Act that relates to the Emergency Animal Diseases Compensation and Eradication Fund will be amended to also apply to emergency animal pests.

The bill will also amend the powers for the destruction of animals. Currently, the Act contains broad powers that allow domestic animals—such as cattle and pets—to be destroyed during an emergency disease outbreak. However, the Act only provides for the destruction of wild and feral animals in limited circumstances, that is, when an area restriction order or control order is in place. If we have an outbreak of foot and mouth disease animals that may be infected or could become infected may need to be destroyed. This could include feral pigs and deer. It is important that there is a clear power for this to occur. Therefore, the Act will be amended to provide the Minister with the power to order the destruction of wild and feral animals if they are infected or reasonably suspected of being infected or they are in a declared area and the Minister considers it is reasonably necessary to do so to prevent the spread of a disease.

The Act will also include a provision that the Minister must consult with the Minister responsible for the administration of the National Parks and Wildlife Act if the destruction of native animals is proposed. The bill will make a series of changes to the Act to extend the application of certain provisions to anything that could be infected with an emergency animal disease or infested with an emergency animal pest. Currently the provisions relating to animal diseases specifically refer to a disease affecting "animals, animal products, fodder, fittings, soil and vehicles". However, animal pests may infest many other things, for example, structures or equipment. These amendments will provide maximum flexibility for the control measures that may be needed in response to animal disease or pest emergencies.

The bill includes other amendments that are aimed at improving the effectiveness of the Act. The bill provides the Minister with the power to authorise inspectors to take specified measures in a restricted area or a control area for the purpose of controlling or preventing the spread of an emergency animal disease or an emergency animal pest. The Act will be amended to allow the director general, instead of the Minister, to determine the means by which a general permit may be granted. A permit may, for example, be issued to allow a person to enter or leave an infected place or a restricted area. This will allow the issue of permits to happen more quickly and provide for greater efficiency and less red tape.

Inspectors' powers will be extended to allow them to take photographs and videos when exercising their search and entry powers under section 45 of the Act. These modern technologies are an objective and effective way to document animal pest and disease-related matters. Inspectors will also be able to exercise their functions in areas that have been declared to be a control area within the preceding two years. This power already exists under section 45 in relation to areas that have been quarantined or declared to be an infected place or a restricted area. This will provide consistency in the Act. Finally, the bill proposes to allow the director general to delegate his or her functions under the Act. This will reduce red tape and unnecessary bureaucracy.

The final amendment I will refer to in relation to the Animal Diseases (Emergency Outbreaks) Act 1991 is informed by the recent Hendra virus outbreaks in New South Wales. The Hendra virus is a potentially deadly disease. Since June 2011 the virus has caused the death of 10 horses on eight properties in New South Wales. The virus can also be transferred to humans. To help prevent the spread of the Hendra virus between horses on the same property horses need to be separated. If the owners refuse or cannot separate the horses, inspectors need the power to move the horses within the property. The Act currently does not include this power. Therefore, the Act will be amended to give inspectors the power, in a quarantine order, to restrict the movement of any animal onto, within or out of the quarantined property.

I will now turn to those provisions of the bill that address plant pests and diseases and proposed changes to the Plant Diseases Act 1924. First, the Act will be amended to define and recognise emergency plant pests and emergency plant diseases. The Minister will have the power to declare, by order, an emergency plant pest or an emergency plant disease. This declaration will allow for the use of certain strong powers in urgent

situations. One of these powers is the destruction and disposal of plants, or the covering of plants or other property if the Minister believes this is necessary to eradicate or prevent the spread of an emergency disease or emergency pest. Currently the Act only provides for infected plants to be destroyed, not plants or other property that may be a source of infection.

For contagious plant diseases such as citrus canker or fire blight the ability to destroy or dispose of plants and property that may not yet be infected will allow a buffer zone to be created, effectively isolating the disease and preventing its spread. This power will be available only if the Minister believes that taking such action is necessary to eradicate or prevent the spread of an emergency disease or emergency pest. This is an established best practice response tool. Another power that will be made available to combat emergency plant pests and diseases relates to control orders. Currently the Minister may, by a control order, authorise inspectors to enter specified land or premises to carry out work for the prevention or control of a pest or disease.

However, individuals must first be provided with notice of the proposed work and an opportunity to object to those works. Following these amendments to the Act, if a control order is made by the Minister that relates to an emergency plant pest or disease, an individual will not be able to object to the director general about the actions authorised in the control order. This amendment will ensure that actions to control emergency plant pests and diseases can be taken quickly so as to minimise the opportunity for such serious pests and diseases to spread. The bill also allows the Minister to declare, by order, that a plant emergency exists or is imminent and that it is necessary to take emergency actions to eradicate or prevent the spread of the disease or pest during a specified period, known as the emergency period.

If such a plant emergency is declared a court will be prevented from granting an interim injunction that would have the effect of preventing, restricting or deferring emergency action being taken during the emergency period. This power may be used, for example, if fire blight was found in an area of New South Wales. Fast action would be needed to prevent it from spreading because fire blight spreads by wind. Without fast and unimpeded action the disease will spread. This amendment will not prevent a court from making a permanent injunction or a final order in proceedings at any time. Emergencies are only declared when there is a serious risk to health, property or business activity. It is therefore crucial that preventative or other management action is not delayed by a court order in the initial stages.

Secondly, this bill will amend the Plant Diseases Act 1924 to improve the control and eradication of plant pests or diseases. Preventive measures—such as spraying crops—reduce the chance of a plant pest or disease entering, spreading or establishing in New South Wales. These measures are often applied to plants that are not yet infected but are at risk of infection. The Plant Diseases Act 1924 provides for treating a disease or preventing its spread. It does not explicitly provide for the implementation of preventive measures, such as spraying uninfected crops. Consequently, the bill defines the word "treat" to incorporate preventive measures, and amends the Act so that the Minister may order the treatment of uninfected plants for the purpose of preventing the spread, eradicating or lessening the risk of the pest or disease establishing.

The Act also will be amended so that such an order, as well as the declaration of a quarantine area and notification of special regulations for quarantine areas, may be published urgently in a newspaper, on radio or television, or on a government website. The order will still have to be published in the *Government Gazette* as soon as practicable. During the equine influenza outbreak in 2007 the New South Wales Department of Primary Industries website generated up to 8,000 visits a day. The internet and social media are technologies that should be used in urgent situations as a fast and effective way of informing the public. Allowing these notifications in the Plant Diseases Act 1924 to be published through modern media will ensure that the implementation of response measures is not delayed as a result of the gazettal process.

For greater efficiency the bill will allow an inspector to accept an undertaking from a landowner to take steps to deal with a plant pest or disease. Currently only the Minister can accept an undertaking from a landowner or occupier to undertake specific measures in relation to plant pests and diseases instead of declaring a quarantine area. Providing inspectors with this power will result in operational efficiencies and reduced red tape. It is consistent also with provisions in the Stock Diseases Act 1923. On another issue, the Emergency Plant Pest Response Deed requires New South Wales to take all reasonable steps to ensure that individuals advise the Government within 24 hours of becoming aware of a plant pest or disease.

The Plant Diseases Act 1924 requires the occupier of land to report the presence of a notifiable plant pest or disease within 24 hours. Agronomists, for example, who may be called on to identify a plant pest and disease, are not required to notify under the Act. To satisfy national commitments and to compel more people to

report the Act will be amended to apply to any person who is in possession or control of, or who has been consulted in relation to, a plant or plant product or soil that he or she suspects is infected with a notifiable pest or disease. The bill includes amendments to improve surveillance capabilities. Currently the power to enter property to inspect plants is limited. Powers of inspection will be expanded to allow an inspector to enter any land, premises, vehicle or vessel to conduct surveillance if there is reasonable cause for suspicion that a pest or disease may be present at or likely to spread to that land, premise, vehicle or vessel.

The power to conduct surveillance will be subject to existing requirements of the Act that ensure an inspector's powers of entry are only exercised reasonably and in appropriate circumstances. Inspectors will continue to be prohibited from entering any part of a premise that is used for residential purposes. The Act will be amended also to allow inspectors who enter premises to take photographs or videos. These technologies are critical for objectively documenting plant pest and disease matters, and for collecting evidence. The bill will also expand the power of an inspector to ask questions and collect information. Currently inspectors are restricted to questioning only fruit and plant vendors. As well, they cannot compel people to provide them with documentary information that may assist an investigation.

The ability of inspectors to ask questions and collect information is essential for tracking the movement of potential plant pests or diseases. Collecting documentary information from nurseries greatly aided our capability to trace myrtle rust in the initial response stages of the outbreak in 2010. However, nurseries were not compelled to provide the department with this information. Section 18 of the Plant Diseases Act will be amended to provide inspectors with the power to question any person and require documentary information that an inspector reasonably believes may provide information relevant to the control, including spread or eradication, of a plant pest or disease. The bill will remove the privilege against self-incrimination in relation to requirements to provide information and answer questions by inspectors. However, any such answers or information will not be admissible as evidence against the person in criminal proceedings.

Finally, the bill includes some amendments to the Act aimed at improving both administrative and operational efficiencies. The bill will extend the life of control orders from six to 12 months and increase the quarantine period from 21 to 40 days or such period as may be determined by the director general. This will increase operational flexibility and efficiency. The bill makes it clear that the provision in the Act that prohibits payment of compensation for things done by inspectors and others does not prevent compensation being paid under an agreement entered into by the State. For example, the Emergency Plant Pest Response Deed states that the owner of a crop or property that is damaged or destroyed as a result of implementing an approved response plan may be eligible for reimbursement payments. This amendment will clarify that those payments can be made if the industry is a signatory to the deed, or if the National Emergency Plant Pest Management Group agrees that compensation should be paid.

The final group of amendments to the Plant Diseases Act concerns the Governor's power to declare a pest or disease. Currently the Governor can declare anything to be a pest for the purpose of the Act. However, the Governor can only declare an organism to be a disease if, in effect, the organism falls within the definition of "disease" in the Act. If an organism does not fall within that definition there is no capability to declare it to be a disease for the purposes of the Act. This means that necessary powers would not be available to control an outbreak of such a disease. As well, the Act currently requires the Governor to make such a declaration, which can be a time-consuming process. Therefore, the bill will enable the Minister rather than the Governor, to declare anything to be a disease. To ensure that declarations come into effect without delay the Act will include a special provision that allows the order to be effective upon signing. However, publication of the order will still be required within 14 days.

I now turn to amendments to the Fisheries Management Act 1994 that relate to fish and marine vegetation. The powers in the Act for dealing with noxious fish and marine vegetation are inconsistent with the powers for dealing with diseases of fish and marine vegetation. For example, the Minister can declare a quarantine area in relation to a declared disease but cannot declare a quarantine area because of the presence or suspected presence of noxious fish or noxious marine vegetation. Quarantine areas are an important tool for managing biosecurity risks. Noxious fish and marine vegetation can cause serious devastation to a marine environment. The bill therefore will amend the Act so that a quarantine area can also be declared because of the presence or suspected presence of a noxious fish or noxious marine vegetation.

To improve the responsiveness of the Act quarantine orders will be able to be published through more immediate media in urgent situations, such as on television, the department's website or radio, instead of solely in the gazette. In addition, the existing quarantine provisions that relate to declared diseases only provide for

certain areas to be declared a quarantine area. This is problematic where diseased or noxious fish are present in the hull of a moving boat. For example, if New South Wales authorities believe that the hull of a boat contains Asian date mussels, they would not be able, under the Fisheries Management Act 1994, to quarantine the boat until it was stationary.

If the boat is allowed to dock the mussels may establish in the area, smother bottom-dwelling communities and affect the ecological balance in the area. The bill will allow the boat to be quarantined if it carries diseased or noxious fish and marine vegetation. This will provide the Minister with the power to direct the movement of the boat, and order the destruction of diseased or noxious fish and marine vegetation at an appropriate location. The bill also allows for maximum flexibility in the types of movement controls that can be used to prevent the spread of a diseased or noxious fish and marine vegetation. At the moment, fish and marine vegetation can be moved within the quarantine area, for example, from boat to boat. This gives pests and/or diseases the chance to spread.

The Act will be amended to allow a quarantine order to prohibit or restrict the movement of fish or marine vegetation into, within or out of a quarantine area. An offence will be created for the intentional or reckless release of live noxious fish or live noxious marine vegetation. This is already an offence in respect of diseased fish or marine vegetation. Penalties will be made consistent. The maximum penalties for the sale of live noxious fish or marine vegetation will be increased to \$55,000 for corporations and \$11,000 for individuals. This is the same as the maximum penalties for the sale of diseased fish and marine vegetation. The bill will provide for regulations to be made with respect to eliminating or preventing the spread of noxious fish and marine vegetation.

These regulations may provide for the destruction of noxious fish or marine vegetation, the examination and testing of fish and vegetation taken from a quarantine area or the making of notification requirements with respect to noxious fish or noxious marine vegetation. These amendments will help New South Wales to achieve the outcomes sought by the national strategy "A Strategic Approach to the Management of Ornamental Fish in Australia". Similar provisions are found in key biosecurity legislation in New South Wales with respect to land-based animal and plant pest and disease management. It is appropriate that such regulations can be made under the Fisheries Management Act 1994. Finally, the bill will make it clear that Fisheries officers have the power to take photographs and videos when conducting a search. These modern technologies are an objective and defensible way of documenting inspections. This is a sensible amendment.

I turn now to noxious weeds and amendments to the Noxious Weeds Act 1993. Emergency weed control orders and quarantine orders are two tools for declaring areas infested under the Noxious Weeds Act 1993. Several amendments are proposed to these provisions to improve our ability to control and eradicate weeds in certain situations, particularly in emergencies. The bill will extend the period for which orders are valid, because the existing periods are too short to ensure that all necessary control actions can be completed. The term of an emergency weed control order will be extended from a maximum of three months to a maximum of 12 months. The term of a quarantine order will be amended from six months to a maximum of 12 months. At the moment control and quarantine orders are only effective when they are published in the gazette. This can be a lengthy process and is not the fastest way to communicate a message to stakeholders.

The bill will amend the publishing requirements and in urgent situations will allow orders to be published through media such as the department's website, television and radio. The orders will commence once they are published. The bill also provides the Minister with the power to declare land to be a quarantine area if the Minister thinks that class 1 or class 2 noxious weeds are reasonably likely to spread to the land. This amendment will allow for a buffer zone to be created for those plants that could pose a serious threat to primary production or the environment. Buffer zones are a management tool to isolate and stop the spread of pests. They are effective in managing weeds that could pose a serious threat to primary production or the environment, or are likely, by their sale or movement within New South Wales, to spread in New South Wales or to other jurisdictions.

A further amendment concerns requirements to report a notifiable weed under the Noxious Weeds Act. The Act currently requires the occupier of land to report to an authority within three days of becoming aware that the notifiable weed is on the land. In order to better meet the State's reporting requirements set out in the national biosecurity agreements and compel more people to report the Act will be amended to require any person who, in a professional capacity, becomes aware or suspects a plant is a noxious weed to report its presence within 24 hours. This is consistent with the Plant Diseases Act and Animal Diseases (Emergency Outbreaks) Act. The National Environmental Biosecurity Response Agreement states:

Agency staff should be empowered to inspect, test, treat, and disinfect any animal, plant, land, water or item.

At the moment the Act only allows inspectors to remove or destroy noxious weed material. Removal and destruction can be unnecessarily severe measures. As well, the Act does not allow action to be taken against suspected noxious weed material. The bill will allow inspectors to test, treat, disinfest or otherwise deal with noxious weed material, suspected noxious weed material and anything that may contain noxious weed material. Finally, the bill will introduce a new provision that allows the Minister to declare, by order, that a weed emergency exists or is imminent, and that it is necessary to take emergency actions during a specified period, known as the emergency period.

If such a weed emergency is declared a court will be prevented from taking any action that will have the effect of preventing, restricting or deferring any emergency action during the emergency period. This amendment will not prevent a court from making a permanent injunction or a final order. This provision means that New South Wales will meet the requirement of the national agreements that jurisdictions have in place, arrangements that allow for fast and effective action against an emergency noxious weed incursion. The provisions in this bill will commence on assent, with the exception of the amendments to the Animal Diseases (Emergency Outbreaks) Act included in schedule 1.

It is not possible for those provisions to commence straightaway because some of them require regulations in order to become operational. As New South Wales is a signatory to four national agreements, it has an obligation to ensure it has the appropriate legislation and systems in place to respond to emergency biosecurity incidents. The national agreements were subject to significant industry consultation prior to their commencement. The bill proposes sensible amendments that will provide a consistent approach to animal and plant pests and diseases, and weeds; provide for more efficient and effective operational and administrative arrangements; and greatly improve the capability of New South Wales to respond to emergency pests, weeds and diseases that affect the economy, the environment and our community. I commend the bill to the House.

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

## **CENTENNIAL PARK AND MOORE PARK TRUST AMENDMENT BILL 2012**

### **Agreement in Principle**

#### **Debate resumed from Thursday 23 February 2012.**

**Ms CARMEL TEBBUTT** (Marrickville) [4.15 p.m.]: I speak to the Centennial Park and Moore Park Trust Amendment Bill 2012 on behalf of the Opposition. This bill amends the Centennial Park and Moore Park Trust Act 1983. Centennial Parklands cover more than 360 hectares just five kilometres from the Sydney central business district. I, as others have done, acknowledge and appreciate the foresight of Governor Macquarie in putting aside the land for the Sydney Common, much of which is covered by the Centennial parklands today. It is appropriate that 29 years after the original legislation was enacted it is updated to better reflect modern realities. Part of that modern reality is the vibrant business community that has built up around Fox Studios.

Since it opened in 1998 Fox Studios Australia has established itself as a leading film production centre, hosting filmmakers and actors from around the world, as well as employing thousands of locals. On a 13-hectare site, just minutes from the city centre, the studio has eight sound stages, several production offices and workshops, and more than 60 independent entertainment industry businesses. Retail and entertainment facilities in the area include shops, cinemas, cafes, restaurants, parks, major sporting facilities and entertainment venues. These are all major tourism draws for visitors and locals alike. There cannot be too many Sydneysiders who have not at some point seen a game at the Sydney Cricket Ground or Sydney Football Stadium, or gone to a restaurant, pub, club or film in the vicinity.

Centennial Park, Moore Park and Queens Park, which are all covered by this amendment bill, are all magnificent parks that any city would be proud to have. They do not exist in a vacuum. They are used day in and day out by tens of thousands of people for sport, entertainment and recreation. This bill will help ensure that assets such as the E. S. Marks Athletics Field do not fall into disrepair. Long before Sydney had an Olympic Stadium, it had the E. S. Marks Athletics Field. The field was named after Ernest Samuel Marks who was born in Maitland in 1871. Mr Marks served in World War I and went on to become Lord Mayor of Sydney. He was also a member of this House, representing North Sydney from 8 October 1927 to 8 September 1930. More importantly, though, as his obituary in the *Sydney Morning Herald* on 4 December 1947 states:

Alderman Marks probably did more for amateur sport in Australia than any other man.

From 1888 to 1890 Mr Marks won more than 40 trophies as an athlete. He was a founder and executive member of the New South Wales Amateur Athletic Association, the Amateur Athletic Union of Australasia and the International Amateur Athletic Federation. More than 90 per cent of the Centennial Park and Moore Park Trust's recurrent revenue comes from its commercial enterprises such as the more than 40 licences and leases for businesses including Fox Studios, the Entertainment Quarter and Centennial Parklands Dining. This bill will extend from 20 years to 50 years the maximum term of a lease the trust can enter into.

While this aspect of the bill is supported by Labor, we remain concerned at provisions that allow a maximum lease term of up to 99 years by the Minister. The second part of the bill will, in part, enable the Centennial Park and Moore Park Trust to delegate its functions to State or local government agencies. It will also be possible to sub-delegate to authorised persons if the delegate is authorised to do so by the trust. This, and additional amendments to indemnify trustees against compensation claims, are sensible moves that will help make the parklands more secure. The Opposition does not oppose this legislation but it will seek to move an amendment in the other place.

**Mr BRUCE NOTLEY-SMITH** (Coogee) [4.29 p.m.]: I am pleased to speak in support of the Centennial Park and Moore Park Trust Amendment Bill 2012. Parts of Centennial Parklands in the beautiful Queens Park are located in my electorate of Coogee. Indeed, in my inaugural speech in this House last year I called Centennial Park the playground of my constituents. The parklands are a beautiful setting for an early morning run, a bike ride, a family barbeque, a game of touch footie or a game of golf at Moore Park golf course, or a meal at that wonderful restaurant in Centennial Park. I have been going to Centennial Park since I was a kid and long before I can remember. Centennial Park and Moore Park play host to many major events and have a rich history dating back to the mid nineteenth century, when they served as Sydney's fresh water supply, prior to their transformation in 1888 to the wonderful Victorian parklands that they now are, in commemoration of the founding of the colony of New South Wales.

The parklands are rich in heritage, containing 12 items on the National Trust register and nine on the State Heritage register, as well 34 items deemed to be of local significance by the Randwick and District Historical Society. The parklands are also home to a number of native, exotic and threatened species of flora and fauna, and the Centennial Park and Moore Park Trust plays an important role in the stewardship and preservation of those species for future generations. I, as much as anyone else, do not want the integrity of the Centennial parklands compromised and all the rich history and heritage lost to future generations. It is for these reasons that I support the Centennial Park and Moore Park Trust Amendment Bill 2012.

This bill contains a number of important provisions that will allow the Centennial Park and Moore Park Trust to improve its operational efficiency, and provide greater opportunities for the trust to seek enhanced commercial revenue to manage the parklands for the benefit of the community. More investment means improved facilities, which in turn means higher returns for the trust and a better asset for the community and for all to enjoy. The trust has a number of ageing and deteriorating assets, such as the E. S. Marks Athletics Field—which I pass almost daily and am shocked at the state that it is in—and Moore Park Golf House, both of which require significant investment to bring them to acceptable standards of safety and amenity. Without this legislation the Centennial parklands trust would have great difficulty financing the infrastructure improvements that will be possible under the new arrangements.

Indeed, they are in their dilapidated state now because of the restrictive red tape imposed upon the trust. By allowing the trust to enter into longer-term leases, this bill will encourage investment from the private sector, which will then drive the necessary infrastructure improvements. Let us be quite clear: this bill is not about generating commercial returns for their own sake. This amendment is about allowing investment that will improve the amenity, safety and accessibility of an important State asset for the benefit of the community. The recurrent budget of the Centennial Park and Moore Park Trust, which is used to maintain the parklands at such a high level, is largely funded by the trust's licences and leases. More than 93 per cent of the trust's budget is funded through commercial activities, and increased investment will increase the level of infrastructure that the trust can provide.

The trust is to be commended for the very difficult work it has done over the years given the ever-increasing call on its budget. As a councillor and mayor of Randwick I have had a long and ongoing association with the trust. I have found its members to be very committed to preserving and looking after the very best interests of the parklands. I believe the trust fully supports this amendment. Any further lease period of up to 99 years must be approved by the Minister, and must meet the objects of the trust set out in the legislation. Those objects are to maintain and improve the trust lands; to encourage the use and enjoyment of the trust lands



by the public by promoting and increasing the recreational, historical, scientific, educational, cultural and environmental value of those lands; to maintain the right of the public to the use of the trust lands; and to ensure the protection of the environment within the trust lands.

This bill will also reduce operational inefficiencies by making amendments to cut red tape, in line with our Government's NSW 2021 commitment. These include providing indemnities for trustees within the Act, instead of separate deeds; clarifying delegation powers; allowing for written resolutions of trustees outside of the meeting; consolidating landholdings into a new schedule; and ensuring annual reporting requirements are consistent with the Annual Reports (Statutory Bodies) Act 1984. In summary, this bill makes changes that are in line with the Government's NSW 2021 commitment to strengthen our local environment and communities, and cut red tape. It will assist the parklands in remaining a place of recreation and amenity for generations to come. I commend the bill to the House.

**Ms CLOVER MOORE** (Sydney) [4.35 p.m.]: I oppose the Centennial Park and Moore Park Trust Amendment Bill 2012, which is an attempt to further alienate important parklands that are vital for the health and wellbeing of an increasingly densely populated city. The bill is about creating more revenue through longer leases that attract commercial uses aimed at reducing the ever-decreasing and now almost negligible contribution by government to park renewal and maintenance. It is a disgrace. It is not that long since the bicentenary of the far-sighted Governor Lachlan Macquarie was celebrated. A move by Labor to hand over Moore Park to the Sydney Cricket and Sports Ground Trust was foiled after more than 700 people attended a protest meeting, which the city organised at Paddington Town Hall and at which Neville Wran and Malcolm Turnbull spoke. And it has not taken long for the relatively new Liberal-National Government to be at it again, proposing to alienate and commercialise more of what is left of Lachlan Macquarie's 1811 Sydney Common bequest that includes the Centennial and Moore park lands.

This bill increases the limit on leases on the Centennial parklands from 20 years to 50 years granted by the Centennial Park and Moore Park Trust, and up to 99 years with ministerial approval. The latter is tantamount to freehold title and, if past history is any indicator, it is highly unlikely that such long-leased land would ever be returned to open space. This bill adds to an ongoing and irresponsible history of successive governments betraying the Macquarie bequest—made "for the benefit of present and succeeding inhabitants of Sydney". It is an outrageous history that has left more than half of the original 1,000-acre bequest alienated forever, and which continues with bills like this to eat away at what is left.

Leased public open space is never ever repatriated. Here are some examples. In 2006 public land held in trust with the Sydney Cricket and Sports Ground Trust was rezoned by Labor for commercial and residential development, and we now have a number of developments built and planned, including the new rugby league headquarters. Thanks to the previous Government's legislation, these developments go up without any community consultation or public approval process, and what was formerly intended as public land is now used as a land quarry for vested and sporting interests. And this is public land we are talking about. The people in my electorate have not forgotten the tawdry McDonald's proposal associated with the tennis centre in Moore Park, which the previous Liberal Government approved without reference to anyone, but which thankfully did not proceed because of a change of government.

The whole island site that includes Moriah College, which occupied the land on a 99-year lease, was slated for return to the Centennial Parklands by two government reports in the 1980s and 1990s. But Moriah College was ultimately given freehold ownership under former Minister Kelly, with funds going into State coffers. Even the temporary tram sheds on Moore Park that became redundant in the 1960s were sold by the Labor Government for the Supa Centa, even though at the time there was ample vacated industrial land nearby across South Dowling Street. The principle at play here was public land for government revenue. In proposing longer leases for commercial activities the bill ultimately sponsors alienation in perpetuity of trust lands. In doing so, the bill is inconsistent with the legislated duties and objects governing the Centennial and Moore Park Trust, which are:

1. To maintain and improve trust lands,
2. To encourage use and enjoyment of the trust lands by the public by promoting and increasing the recreational, historical, scientific, educational, cultural and environmental value of those lands,
3. To maintain the right of the public to the use of the trust lands, and
4. To ensure the protection of the environment within the trust lands.

In 1992 my Centennial Park and Moore Park Trust (Macquarie Sydney Common) Amendment Bill, supported by the then Carr Labor Opposition and then enacted, stopped plans to rezone the showground site for sale and development. The bill confirmed the site as public land and put it under the stewardship of the Centennial Park and Moore Park Trust. The intent was always to return the land to the much-depleted Macquarie bequest. I opposed the extended lease to Fox Studios, part of which was subsequently on-sold for commercial purposes. A recently approved concept plan will see the development of nine new buildings on that site—on public land. The bill before the House will allow extension of existing leases ensuring that this public land will never be returned to its intended open space use.

The ongoing kowtowing of governments to vested and sporting interests could see my showground bill ultimately frustrated with increasing commercial development, which was the original intention of the Greiner Government. The proposed leases also run counter to commitments to remove car parking from parklands. Some 2.2 hectares of Moore Park were carved off for the Eastern Distributor, removing the western edge forest. In response, the then Government committed to removing car parking from Moore Park, which was supported by a plan of management. Yet cars continue to park on Moore Park during events, alienating the space and damaging the turf. Longer leases threaten to make car parking in current areas permanent.

As it has always been, it is left to local communities to fight to protect Macquarie's bequest. One would think that in the enlightened days of 2012 our governments would have learnt that open space is essential and that what is left should be preserved for future generations. One would think that this Government would be aware that adjacent to the parklands residents live with little or no private open space. By 2036 Green Square—Australia's biggest urban renewal project—will provide for 40,000 new residents, all living in apartments. Governments must start valuing open space and understand that funding it is an investment in our future. The Government's contribution to the trust's recurrent budget is now less than a pathetic 7 per cent. Yet the Government is estimated to earn more than \$665 million in stamp duty from the Green Square development, with 22,000 new houses selling for between \$650,000 and \$1.1 million. This revenue should be invested back into the area to provide for the local community's open space needs as well as for light rail.

Under the bill the parklands will be more susceptible to long-term alienation by commercial interests. Leases will make the lands easier and more attractive to long-term developments by commercial and sporting bodies, and as the value of inner-city land increases so will the temptation to shave off more and more trust land for private profit. The justification put forward by the Minister that revenue is needed to upgrade existing sporting facilities takes us down the road of ever-diminishing open space. Over the passage of time ongoing reinvestment and renewal will be required and if these public lands are to serve the recreational needs of an increasingly densely populated city the alienation of any more land has to be stopped.

Ninety-nine-year leases are considered by most to be the same as freehold. Thirty-year leases provide enough time to pay back loans and most business models do not go beyond that. Long leases create a mindset in the private sector about the development potential of the land. Long-term leases pass from generation to generation and/or company to company until eventually the obliging government of the day thinks that the original purpose of the land has been forgotten and allows a permanent transfer. Ministerial approval to grant leases and licences greater than 50 years is no comfort—it is dependent on the will of the government of the day, and recent history has not been kind to the Macquarie bequest or to the people who own the land who are left to regret the actions of successive governments. In fact, one of my constituents said that ministerial approval encourages deals with the potential for corruption.

Finally, the rules governing the future of public land—our land—promote secrecy and exclusion. Siting and development on land controlled by the Sydney Cricket and Sports Ground Trust can be approved by the relevant Minister without public exhibition, notification or public consultation. For example, what rationale could there be for siting rugby league headquarters at Moore Park, kilometres away from the heart of the game and its fan base? The proposal to transfer Moore Park land—our land—to the Sydney Cricket and Sports Ground Trust was never made public but was found out about through rumours and leaks. There has been no community consultation on this bill, which will lengthen leases, despite its significance to the future of the parklands. This bill, which is short-sighted, is a betrayal of a bequest that the visionary Macquarie left for future generations. It ignores the fast-growing need for inner-city open space and it shows the continuing irresponsible stewardship of our public estate. I stand again in this Parliament against the alienation and the commercialisation of public open space, and I ask the Minister to stop the rot. I oppose the bill.

**Mr JOHN SIDOTI** (Drummoyne) [4.43 p.m.]: I speak in debate on the Centennial Park and Moore Park Trust Amendment Bill 2012. Everybody living in Sydney is familiar with these magnificent parklands

comprising Centennial Park, Moore Park and Queens Park. Together they comprise more than 360 hectares and are only four kilometres from the centre of the city. The parklands are administered by the Centennial Park and Moore Park Trust, a New South Wales government agency. The responsibilities of the trust cover low-lying wetlands, ornamental lakes, pine and native forests, expanses of grass, playing fields, a golf course, tennis and netball courts, riding paths and an entertainment quarter. The parklands are home to more than 15,000 trees.

Centennial Park is the largest parkland, comprising 220 hectares, and it was created to commemorate 100 years of European settlement in New South Wales. Thirteen years after it was opened the park was chosen as the site for the inauguration of the Federation of Australia. Originally it was a catchment area of swamps, sand dunes and springs fed by underground waterways. It was called Lachlan Swamps and served as Sydney's main water supply from 1837 to 1859, when a growth of industry, poor maintenance, livestock grazing and garbage dumping gradually polluted the swamps. They were turned into the ornamental ponds we know today. Moore Park was opened in 1869 and was the site of Sydney's first zoo. It was also the place where the first polo match was played. Between 1895 and 1899 Queens Park contained an 11-hole golf course.

All eight sets of gates into Centennial Park were built between 1887 and 1900. With their massive carved stone pillars and ornate design the Paddington Gates are the most imposing and were built for the park's official dedication in 1888. With such a rich history, it is the responsibility of the State Government to ensure that the parklands are maintained and improved, and this bill aims to do exactly that. It will improve the administrative efficiency of the trust and give it more scope to increase its revenue base. Last year the parklands were enjoyed by the community on more than 11 million visits. It is one of the most visited public parklands in Australia and one only has to go there to see why. This more than supports Henry Parkes' vision when he founded the park in 1888 and described it as "the People's Park". It really is, as former resident Patrick White observed, "the lungs of the city".

The Centennial Park and Moore Park Trust Act came into effect in 1983. Prior to that, the park was administered directly by staff of the Premier's Department. The government of the day recognised that there was a need to protect this valuable asset and introduced legislation to establish an independent trust. The trust's objectives were to place limits on future alienation, appropriation and resumption. The trust established an independent Centennial Park Trust to maintain and develop trust lands and to encourage and further their many uses at that time. Between then and now the park has developed into a virtual cornucopia of activities. There is an entertainment quarter, a golf course—on which I play regularly—and daily activities that appeal to a large variety of people. People can play golf, ride a horse, walk a dog, go to an outdoor cinema, play sport or just relax and have a picnic.

The trust has always been diligent in ensuring that this precious green space is protected. Under the existing legislation the objectives of the trust are to maintain and improve the trust lands; to promote and increase the recreational, historic, scientific, cultural and environmental value of the trust lands; and to maintain the right of the public to use the trust lands. The proposed amendments, which I support, will further strengthen the environmental sustainability of the parklands. Such is the management of the parklands that it is largely self-funded and the trust is to be congratulated on having more than 93 per cent of its recurrent budget of \$20 million derived from its commercial activities, which include Moore Park Golf House, community events and more than 40 licences and leases for entities such as Fox Studios, the Entertainment Quarter and Centennial Parklands Dining.

A major objective of this bill is to extend the maximum term of the lease from the current 20 years to a maximum of 50 years. The bill will also allow a maximum lease term of up to 99 years, which will enable the trust to enter into longer-term leases to improve the commercial viability of private sector investment in the parklands. The protection of the parklands' green space is further supported by two statutory documents: the Centennial Parklands Plan of Management and the Centennial Parklands Conservation Management Plan. The Centennial Parklands Plan of Management was prepared with extensive community consultation. In developing the plan the trust sought input from a wide range of interested stakeholders and carefully considered the many comments received from the community.

The plan of management specifically includes a commitment to ensure that the existing balance between green open space and built elements is preserved. For example, when the parklands restaurant was built with a slightly larger footprint than the previous structure, nearby park facilities were demolished to ensure the balance between green open space and built elements was maintained. Similarly, the conservation management plan recognises that special measures are required to ensure that the parklands significance is protected and properly managed. The parklands heritage, including its buildings, monuments and statues, and its natural

beauty and culture have led to its listing on the State Heritage Register and the Register of National Estate. That listing means that special measures are required to ensure that it is protected and properly managed. This bill will achieve that.

The conservation management plan dictates policies to guide the overall conservation and management of the diverse heritage of the park. These include the development of management plans for flora and fauna, and adequate environmental planning instruments to ensure protection of the parklands environment. Other management plans include the tree master plan and the master plans for Moore Park and Queens Park. All these emphasise the parklands vital role in sustaining natural processes and biological diversity on a scale that is rare in the inner urban environment.

The trust regards itself as the custodian of the parklands, its heritage and its open space. There has been strong philosophical, strategic and operational commitment by successive trust boards to protect the green space in the parklands for everyone—from fitness fanatics to lounge lizards on blankets enjoying the peace and the beauty of the park. This is a place that everyone loves and we all want it to be preserved. The proposed bill will strengthen the ability of the trust to maintain and improve Centennial Parklands and continue the legacy of Sir Henry Parkes to provide a people's park for generations to come. I commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [4.51 p.m.]: On behalf of the Greens I contribute to the debate on the Centennial Park and Moore Park Trust Amendment Bill 2012. The bill amends the Centennial Park and Moore Park Trust Act 1983 to provide the trust with greater opportunities to seek enhanced revenue, to manage the parklands and to tidy up some provisions and remove redundant provisions from the Act. As we have heard, the Centennial Parklands encompasses Centennial Park, Moore Park and Queens Park and covers more than 360 hectares in Sydney's eastern suburbs. More than 11 million visits were made to the parklands in 2010-11. The trust is the New South Wales government agency that is responsible for planning and managing the parklands as a place of national significance for the enjoyment, social connection and wellbeing of the community.

We have heard contributions recognising the importance of this magnificent piece of land as part of the 1,000-acre bequest by former Governor Macquarie. As we have heard, the parklands are the lungs of the city and deserve respect, attention and, most importantly, protection. The proposed legislation will extend the maximum duration of leases including options that the trust can enter into from 20 years to 50 years, or 99 years if approved by the Minister. The Greens oppose these provisions and I will outline our reasons shortly. The tidying up amendments to streamline the Act are relatively uncontroversial. The Government has drawn particular attention to some of the assets, including the E. S. Marks Athletics Field and the Moore Park Golf House, which the Government says will require substantial investment to bring them to acceptable levels of safety and amenity.

We have heard also that the trust is almost entirely self-funded, with only a minimal percentage of its income derived from government sources, which are sufficient only to pay insurance costs. Obviously the efficiency drives of this Government and former governments have seen the State government contribution lessening each year. The trust is seeking to increase the means by which it can attract investment from commercial enterprises to ensure that the facilities in the parklands are updated to achieve a continuous income stream. To date there has been no retention of significant funds to pay for these upgrades where required.

I say parenthetically that because of the Callan Park Trust Bill this is an issue for me as the member for Balmain. The legislation provides for a trust to be established to manage the Callan Park area that is similar to the Centennial Park or Parramatta Park trusts. That is yet to come to fruition but as it is part of the Callan Park master plan we hope that the Government will look favourably upon it. The difficulty in the Callan Park situation is that no commercial activities can be undertaken. Exceptions include educational, non-government organisations and other recreational and mental health facilities, but that presents us with a challenge. Returning to the trust in this bill, The Greens concerns are twofold. Our first concern relates to the issues highlighted by the member for Sydney. Governments of both political persuasions have not covered themselves in glory as a result of the processes undertaken when public land was alienated.

We have seen the creeping erosion of much of this space and I agree with the member for Sydney that it has to stop. To my mind and to the mind of any sensible observer, the opportunity for 99-year leases to be approved by the Minister is tantamount to freehold. A 99-year lease provides very little flexibility for the government or the trust if things change in the future. The 99-year lease provides a temptation for increasing areas of land to be used for commercial or other development. That temptation will increase as the

Government's contribution to the trust diminishes. It is the view of The Greens that the 99-year lease is unacceptable. I reiterate the comments that were made earlier that it will lead to difficulties for Ministers when it is up to the Minister to sign the lease to say that he or she will approve the 99-year lease. That is another concern.

Over time we have seen many well-intentioned conservation management plans, but this conservation management plan will lead to decisions that will abide not for 10 or 20 years but potentially for 99 years. Caution must be exercised. The Greens are not opposing this legislation because we are against commercial returns on some of those sites. The questions that we have relate to the length of the leases, which is why in the other place The Greens will move amendments to ensure that 30-year leases are appropriate in regard to the E. S. Marks Athletics Field and the golf course. The Greens support 30-year leases because, as people involved in business will know, calculations of profits and returns in excess of 30 years are very unusual and the return on investment beyond 30 years is generally written down to zero. It is our view that extending the existing 20-year leases by a decade is sufficient.

I also have experience as a mayor in local government. We have a great many heritage buildings that require significant work where commercial operations can take place. The leases on those sites are for 30 years. That provides for a good return on investment and it will do the same in this case without increasing privatisation of the land within the parks. Granting a 50-year lease to the whole of the parklands would allow increasing privatisation of any plot of land on which a building currently stands. Despite that change seeming reasonable, there is no guarantee that facilities that are currently small in scale would not be maximised to the detriment of the amenity of regular park users under a future board of management—and I say that without casting any aspersions on the existing trust.

The Greens are taking a cautious and conservative approach to this matter. We recognise that the original bequest from Governor Macquarie has been eroded. Over the past few decades there has been creeping erosion which should not be allowed to continue. For reasons of financial responsibility it is reasonable that 30-year leases be allowed for some of these facilities, but 50 or 99 years seems unreasonable. It is our view that this bill should not be supported. In the other place The Greens will move amendments to allow for flexibility in the trust, but a 99-year lease which is tantamount to freehold should not be adopted in any circumstances. The Greens do not support this proposal.

**Mr MARK SPEAKMAN** (Cronulla) [4.58 p.m.]: I am delighted to support the Centennial Park and Moore Park Trust Amendment Bill 2012. I am also delighted by the unanimity shown so far in this House that Centennial Park and Moore Park are important assets for the community in Sydney and in New South Wales. The parklands receive 11 million visits a year making them one of the most visited public parklands in Australia. Parklands that consist of 360 hectares not far from the central business district are a fantastic natural and iconic asset. One of our jobs as legislators and as a Government is proper stewardship of our natural and built heritage, which is why the O'Farrell Government is moving forward with the Dharawal National Park. As parliamentarians we must be committed to preserving open space.

I agree with one of the comments made earlier by a member of the Opposition that open space is essential and should be preserved for future generations. We are in furious agreement about the preservation of open space, its importance, and the iconic nature of Centennial Park and Moore Park, but we appear to disagree about the appropriateness of amendments in the bill that will extend leasehold terms to 50 years or, with ministerial approval, to 99 years. The member for Sydney outlined all types of conspiracy theories. She suggested that this bill has been introduced by a venal, rapacious O'Farrell Government that is hell-bent on raising revenue, but she overlooked the fact that it is the trust that wants this legislation.

The trust is constituted by community representatives, people with corporate and tax expertise and people who know what is commercially necessary to support the sustainability of Centennial Park and Moore Park. People who are charged with maintaining and improving trust lands, encouraging the use and enjoyment of trust lands, protecting the environment within trust lands and maintaining the right of the public to use trust lands want this legislation. In other words, the people with expertise, who are at the coalface—not theoreticians in this Chamber who are deciding what may or may not be commercially attractive or practicable—want this legislation. That is what they say we need to make the Centennial Park and Moore Park precinct environmentally and financially sustainable.

We all want open space, and there is no suggestion to the contrary, but we want usable, safe and sustainable open space. People at the coalface want this amending legislation because some of the assets are

ageing, in disrepair, or are unsafe. To upgrade the E. S. Marks Athletics Field and Moore Park, the funds must come from somewhere. It is all very well for the member for Sydney and to a lesser extent the member for Balmain to speak about declining Government contributions for the upkeep of Centennial Park, but the money has to come from somewhere. It is all very well for the member for Sydney indignantly to suggest that the State Government should be contributing funds to the upgrade of Centennial Park, but we must remember that she is in the unique position of being all talk and having no responsibility.

The member for Sydney does not have to identify the taxes that will need to be increased or where expenditure will have to be cut to raise those funds. It is all well and good to be an Independent, who does not have to find the money by increasing taxes and cutting expenditure. She can talk, talk, talk, but she does not have to do the walk. The money has to come from somewhere, and the upgrade has to be self-funded. The Centennial Park and Moore Park Trust is charged with the responsibilities to which I have referred and has identified this legislation as the best means of raising the funds. I enthusiastically support this amending bill. The most controversial part of the bill is that it proposes to increase the terms of leases. That is not unusual or exceptional. For example, section 19 of the Sydney Harbour Foreshore Authority Act 1998 is Labor Party legislation that allows for 99-year leases, subject to ministerial approval.

Extended lease provisions of this bill are not exceptional or unusual or some type of government conspiracy in the hands of developers. It is all about empowering the trust to have maximum flexibility to be able to raise funds for the purpose of maintaining an asset we all agree is unique and iconic. The other proposals in the bill do not appear to have attracted any opposition so far. They will streamline the operation of the trust and allow it to delegate its functions to State or government agencies as well as to a class of people prescribed by the regulations. That will improve the ability of the trust to provide safe and secure parklands. The bill also provides for indemnities to trustees against compensation claims.

Currently the Act is silent in relation to indemnities. When this bill is passed, it will mean that trustees will not personally be liable for compensation claims arising from injuries and damage to property within trust lands. The remainder of the bill will cut red tape. The big platforms on which the Coalition went to the 2011 election was cutting red tape, getting New South Wales moving and making New South Wales number one again. That involves cutting red tape at a macro level and examining seemingly innocuous legislation with a fine-tooth comb, such as the Centennial Park and Moore Park Trust Act 1983, to get rid of red tape and improve operational efficiency at every level, and that is what this bill will do. I wholeheartedly support the bill. I commend the bill to the House.

**Mr TONY ISSA** (Granville) [5.04 p.m.]: I am pleased to support the Centennial Park and Moore Park Trust Amendment Bill 2012. The trust is constituted by representatives of the community as well as State and local government and acts on behalf of the people in New South Wales to manage the parklands. The Government consulted the trust in the preparation of this legislation. The purpose of the legislation is to assist the trust to better carry out its responsibilities. The bill will amend the Centennial Park and Moore Park Trust Act 1983 to improve the operational efficiency of the Centennial Park and Moore Park Trust. The bill will improve the trust by facilitating greater opportunities to seek enhanced revenue for management of the parklands for the enjoyment, social connection and wellbeing of the community, and it will remove redundant provisions of the Act.

Some people might think that this legislation will take investments away from the trust, but that is not the case. This legislation will result in improved security of assets that belong to the community. After all, the trust functions on behalf of the community. As we know, more than 90 per cent of the trust's budget is funded through commercial activity. That funding is used mainly to promote, maintain and improve the parklands. The Centennial Parklands encompass Centennial Park, Moore Park and Queens Park and cover more than 360 hectares on a site that is located in Sydney's eastern suburbs and not far from the central business district [CBD]. It is estimated that in 2010-11, 11 million visits were made to the parklands. The Centennial Park and Moore Park Trust is a New South Wales government agency that is responsible for the planning and management of the Centennial Parklands. The trust's mission is to manage Centennial Parklands as a place of national significance for the enjoyment, social connection and wellbeing of the community.

This legislation will extend the maximum duration of a lease, including options, that the trust can enter from 20 years to 50 years, or 99 years with ministerial approval. I cannot envisage anyone investing funds for the improvement of parklands in the short term. For that reason this Government is encouraging people to invest money in the longer term in parklands, which will benefit the whole community. This is an important reason.

From my experience of the manner in which the Parramatta Park Trust operated and my close connection with the park, I understand the need for a longer lease. It facilitates planning over a longer period to enable governments to provide improved facilities for the community. The bill also will provide indemnity for the trust and trustees so that actions taken in good faith under the Act will not attract personal liability. The legislation also will expand the types of persons to whom the trust can delegate its functions and allow those persons to sub-delegate those functions, if the delegate is authorised in writing to do so by the trust.

The bill addresses a number of other issues, but the trust is responsible for a number of assets, such as the E. S. Marks Athletics Field and the Moore Park Golf House that have required substantial investments to bring them to an acceptable standard. If people who object to this legislation visit the parklands and examine the trust's assets they will realise how much money is needed to improve them and bring them to an acceptable standard of safety and amenity. Partly for that reason the Government is providing longer leases so that people will be encouraged to invest in preservation of this iconic asset.

The increased maximum duration of lease that the trust can enter into is in line with the maximum duration of lease for comparable agencies, such as the Sydney Harbour Foreshore Authority, which grants 99-year leases. I have the privilege to know the former general manager of the Sydney Harbour Foreshore Authority, who today is the chief executive officer of Parramatta City Council. He explained to me the benefits of long leases, such as, being able to plan for the future and provide good outcomes for the community. Overall, the proposed amendments are designed to ensure the commercial sustainability of an important government asset, to provide a safe, attractive environment for the community and to improve administrative efficiency in the governance and operations of the trust. This bill will make changes that are in line with our Government's commitment to the community and to the environment, and I am pleased to support the bill.

**Ms GABRIELLE UPTON** (Vaucluse—Parliamentary Secretary) [5.10 p.m.]: I am pleased to support the Centennial Park and Moore Part Trust Amendment Bill 2012. The Centennial Parklands, encompassing Centennial Park, Moore Park and Queens Park, cover more than 360 hectares of Sydney's eastern suburbs, in an area adjacent to my electorate of Vaucluse. The three main parks, excluding the entertainment precinct, are listed on the State Heritage Register of New South Wales. They contain areas of local, State and national significance and are extraordinarily important to residents in the electorate of Vaucluse and wider Sydney.

The parklands have particular significance to me because I grew up a street away from Queens Park and two streets away from Centennial Park. As a child I swung on the swings in Queens Park, attended Little Athletics there and walked across it each Saturday morning when I was a university student and working part-time at Bondi Junction. My children have played in the playgrounds, played sports on the fields, learned to ride their bikes there and participated in school holiday educational programs in the park. My family has celebrated many significant events there—most recently my mother's seventieth birthday. On Saturday mornings my husband and I ride our bikes in the park, along with many others, and we have attended fundraisers there for worthy causes. The parklands have been and will continue to be a major part of the fabric of my life.

The Centennial Parklands are managed by the Centennial Park and Moore Park Trust. The trust's mission is to manage Centennial Parklands as a place of national significance for the enjoyment, social connection and wellbeing of the community. In order to achieve this, the trust in its Centennial Parklands Plan of Management 2006-2016 outlines its aims as follows: to maintain and strengthen the integrity of Centennial Parklands; to ensure equity of access and diversity of leisure experiences; to work in partnership with key stakeholders; and I emphasise this final aim, to achieve a sustainable organisation that delivers sound business practice and improved revenue in addition to assured core government funding. The bill's intent is to secure improved revenue for the trust so that it may continue to provide those fantastic facilities for the benefit of the broader New South Wales community.

The bill will enhance the ability of the trust to achieve these aims, despite the scaremongering by some of our colleagues across the Chamber and others outside the Chamber. The proposed amendments are designed to improve the financial sustainability of an important government asset; provide a safe—I emphasise the word "safe"—and attractive environment for the community; and improve administrative efficiency in the governance and operations of the trust. I note that the last point has not been greatly contested by the other side of the House. Let us remember—as the member for Cronulla pointed out—the trust wants these changes. We are responding to the trust. As the member for Cronulla also pointed out, the trust has community representatives on its board. The trust has asked for these changes and the Government has decided they are in order and in line with the mission and aims of the trust.

The Minister for the Environment, and Minister for Heritage talked about the prescience of Governor Lachlan Macquarie when in 1811 he set aside 490 hectares of land to be later dedicated to the public. He had more foresight than the former Labor Government. The former Labor Government could have made the necessary investment in the parklands over the past 16 years, but it did not. That is shameful given the then economically prosperous times, with record stamp duty flowing into the State's coffers. Investment in the parklands was not made and we have inherited a black hole in the budget that impacts on the O'Farrell Government's ability to upgrade and maintain our State—not only in relation to the parklands but investment in broader community infrastructure, the health system and public assets. Those 16 years represent a wasted opportunity.

The parklands are a popular resource because they have evolved and adapted to remain relevant to the wants and needs of our community while not losing their distinctive Victorian-era identity—as can be seen in the statues and fencing and the many other wonderful public elements on display. The parklands host an array of activities and events, ranging from sport and recreational to educational, social and entertainment. This bill is relevant to those purposes. The parklands need substantial financial investment to bring them to a standard necessary for today's safety requirements and public enjoyment. Without such investment those assets will deteriorate even further, which may lead to partial or full closure of existing facilities to the public. No member of the House or the public would want that to happen.

The ability of the trust to attract private funds is particularly important for the refurbishment of ageing assets, such as, the E. S. Marks Athletics Field and the Moore Park Golf House, which require substantial investments to bring them to acceptable community standards of safety and amenity. They are in a sad state of disrepair, particularly the E. S. Marks Athletics Field. Anyone who has been there would realise that significant investment is required to raise it to a standard where it can be used by the community—the purpose for which it was dedicated all those years ago. I support the provisions in the bill, which will provide the trust with more opportunities to seek greater commercial revenue to manage the parklands for the benefit of the community. The provisions allow for leases of up to 50 years. Leases of up to 99 years will be granted only with ministerial approval. The bill will encourage investment from the private sector in these important assets to improve the amenity, safety and accessibility of the parklands for the wider community of Sydney.

The Centennial Park and Moore Park Trust is largely a self-funded government enterprise that does not have the financial capacity to fund significant infrastructure improvements. The amendments in this bill provide an increase on possible lease terms to make large-scale infrastructure investment more attractive to the private sector. As the member for Granville said, the private sector requires a term in which it can recoup its capital investment, and that is what this bill gives. I emphasise—and I do so because there has been some scaremongering around this issue—that the balance between the natural and built environments will not change as a result of these amendments. Rather, they will make the future of the parklands more secure by allowing greater investment in the built assets so that as a community we will continue to be able to use these facilities.

Our Government is committed to reducing red tape, as can be seen from many other bills that have come before the House. A bill on which I led in this Chamber about the reform of the governance of universities addressed the rollback of red tape in that sector. We are also addressing red tape in this bill. The bill will reduce operational inefficiencies in line with our Government's New South Wales 2021 commitment. These include providing indemnities for trustees within the Act, instead of separate deeds; clarifying delegation powers; allowing for written resolutions of trustees outside meetings by circular minutes; and ensuring annual reporting requirements are consistent with the Annual Reports (Statutory Bodies) Act 1984.

These changes contemporise the operations and governance of the parklands, they are well overdue and they were called for by the trust. They are an important part of what the Coalition is committed to doing across the State. Transparency and accountability in organisations are paramount. Equally, government regulation should not distract an organisation from its main mission and purpose and waste scarce funding and resources. This bill allows the trust to better focus on those important objectives. I strongly support the bill. The lease terms offered are comparable to those available for other State assets. The trust wants these changes. We are brave enough to make them, unlike the Government before us. There is much scaremongering by other parties about the parklands' open space being alienated. That simply is not the case under this bill. This bill will allow for important investment into existing facilities to upgrade them to the safety and amenity the New South Wales community deserves. I commend the bill to the House.

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [5.20 p.m.], in reply: I am pleased to speak in reply on this important bill and acknowledge those members who



have spoken in this debate representing the electorates of Drummoyne, Coogee, Cronulla, Granville, Vaucluse, Sydney, Marrickville and Balmain. As some speakers mentioned, this bill is about streamlining the management of Centennial Park and Moore Park. The bill will ensure that we reduce red tape so that the trust can operate in a self-sustaining way to protect the green space already established in the Act. The bill is not about impinging on the existing green space; it is about caring for and maintaining Centennial Park and Moore Park responsibly to secure its future. The trust that operates the parklands on behalf of the people of New South Wales has been diligent in ensuring that this precious green space is protected. As other speakers have mentioned, the trust wants these changes to manage the parklands effectively and to maintain the existing commercial enterprises for use by the broad population of New South Wales, not just those who live near and around Centennial and Moore parks.

Those members on this side of the House who spoke to the bill detailed that the objects of the trust include requirements to maintain and improve the lands; protect and increase the recreational, historical, scientific, educational, cultural and environmental value of the lands; and maintain the right of the public to use the lands. This bill is what the trust wants. Other members mentioned that the trust represents a broad cross-section of the community that understands the trust's role in managing the parklands. Previous requests by the trust to support its role fell on deaf ears. Certainly, the O'Farrell Government has listened to those requests. The trust's objects are not changing; they are maintained in the Centennial Park and Moore Park Trust Act. There is no change to the Act. The proposed amendments further strengthen the environmental sustainability of the parklands. The protection of the parklands' green space is further supported by two statutory documents: the Centennial Parklands Plan of Management and the Conservation Management Plan.

Indeed, the green space around the park will not change, contrary to what other speakers and those outside this Chamber would have people believe. The Centennial Parklands Plan of Management was prepared with extensive community consultation and is the governing document for the master plans. It specifically includes a commitment to ensure that the existing balance between green open space and built elements is preserved. The bill makes no change to that green space. For example, when the Centennial Parklands Cafe was built with a slightly larger footprint than the previous structure, nearby facilities were demolished to ensure that the balance between green open space and built elements was maintained. Similarly, the Conservation Management Plan recognises that special measures are required to ensure that the parklands' significance is protected and properly managed. The plan provides conservation policies to guide the overall conservation and management of the Centennial Parklands diverse heritage.

These policies include the development of management plans for flora and fauna and adequate environmental planning instruments to ensure protection of the parklands' environment. Other management plans include the Tree Master Plan and the master plans for Moore Park and Queens Park. These all emphasise the parklands' vital role in sustaining natural processes and biological diversity on a scale that is rare in the inner urban environment. As has been said previously, we respect and admire our forefathers for their great foresight in setting aside this large tract of land. This bill is about managing that environment with appropriate responsibility and protections in place. The bill makes no changes to those protections for the green space around Centennial Park and Moore Park. The trust regards itself as the custodian of the parklands and takes that responsibility seriously. The Government also takes that responsibility seriously. The trust protects the parklands' heritage and open space. Successive trust boards have held a strong philosophical, strategic and operational commitment to protect the parklands' green space for active and passive recreational use.

Like the member for Vaucluse, I am sure many members in this House have played sport or been a spectator, walked their dogs, ridden horses, pedalled bikes, played golf or enjoyed any of a range of recreational activities throughout the parklands. This park generates passionate advocacy amongst those who value green open space so close to a major city. We must protect this park and look after it. This bill is not about changing that responsibility—of course, some people would have us believe otherwise. The objects of the Act are not changed. No change is made to the plan of management or to the trust committees. Any development within the parklands must comply with the plan of management and the master plan. The changes proposed in this bill will lead to positive outcomes for people to make the parklands' operation more efficient for the trust. The Opposition, The Greens and the member for Sydney have not focussed on these changes. They have focussed only on 99-year leases, which I will comment on shortly. As a result of these legislative changes there will be less red tape and more streamlined management.

As a result of legislative change in the 1990s, this Parliament recognises that today the trust is responsible for a number of deteriorating assets. That is the purpose of the bill. The E. S. Marks Athletics Field and the Moore Park Golf House require substantial investment to restore them to acceptable standards of safety

and amenity. These assets were not part of the trust's portfolio when the Centennial Park and Moore Park Trust Act 1983 was enacted. The Government recognised the importance of this issue and provided capital funding of \$967,000 for the E. S. Marks Athletics Field track and \$295,000 for refurbishment of the Queens Park pavilion. However, a significant injection of funds is needed to bring the park's facilities into compliance with the building code and the Disability Discrimination Act requirements. The trust is largely self-funded but does not have additional resources to fund such significant infrastructure improvements without outside investment from the private sector and other sources.

The current licence or lease term is insufficient to attract private investment of the scale required. Such investment requires certainty of a lease period. The bill addresses this critical issue by extending the term of the lease or licence that can be entered into by the trust from a maximum of 20 years to a maximum of 50 years, or 99 years with ministerial approval. It is the 99-year lease that The Greens member for Balmain and the Opposition have chosen to focus on. That is not an unusual requirement. As other members have pointed out, 99-year leases exist in other places and were available under the former Labor Government. The Parramatta Park Trust provides an opportunity for longer leases and the Historic Houses Trust has a 99-year lease in relation to the Wentworth Mausoleum.

The proposal developed for Western Sydney Parklands by the former Labor Government granted a 75-year lease to Blacktown City Council. The Sydney Harbour foreshore and other parts of Sydney have long-term leases where it is responsible and reasonable to do so. Clearly, commercial entities approaching the end of a lease will not invest in a facility. The Minister will have the flexibility to extend a lease to a commercial entity, which will encourage continued investment. The Greens member for Balmain said that 99-year leases should not be supported under any circumstances. I am disappointed by his comments. That would mean that leases would not have been granted for the Museum of Sydney, the Wentworth Mausoleum or the Nurraging Reserve in the Western Sydney Parklands.

It is appropriate that these entities are able to grant long-term leases. Sadly, that is the issue that the Opposition and The Greens have focused on. As Government members have pointed out, this bill is about sensible amendments to State legislation which will give these parklands a bright future and ensure sustained and streamlined management. The bill will give the trust the opportunity to ensure that the parklands are maintained and that parts of the parks, such as E. S. Marks Athletics Field, attract investment. In this way, the trust can plan for the future and the wider community can enjoy the parklands. The bill does not effect any change to green space. I am encouraged by the many speakers who have acknowledged that this bill is about responsible management, delivering on the requirements of the trust and providing certainty. I commend the bill to the House.

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

**Division called for and Standing Order 181 applied.**

**Noes, 4**

Ms Moore  
Mr Parker  
Mr Piper  
Mr Torbay

**Question declared 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.**

**CRIMINAL PROCEDURE AMENDMENT (SUMMARY PROCEEDINGS CASE MANAGEMENT)  
BILL 2011**

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

**ELECTRICITY GENERATOR ASSETS (AUTHORISED TRANSACTIONS) BILL 2012****Agreement in Principle**

**Debate resumed from 6 March 2012.**

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [5.38 p.m.]: I lead for the Opposition on the Electricity Generator Assets (Authorised Transactions) Bill. The bill is not about electricity generators or even privatisation. It is about trust, honesty and integrity. More accurately, it is about the Government's lack of any of those qualities. The bill stands as an undeniable testament to the Premier's complete lack of honesty and integrity and as a massive breach of trust with the people of New South Wales. Premier O'Farrell came to the last election promising to be whiter than white: he promised to raise the bar on ministerial standards and accountability; he promised, in relation to electricity, that he was "prepared to be upfront with the people of New South Wales about our plans". And he promised that he had absolutely no plans to privatise the State's electricity generators.

Yet today the O'Farrell Government brings forward a bill to sell off the State's publicly-owned generator assets. The simple truth is that this bill is a slap in the face for every voter who backed Barry O'Farrell for Premier of New South Wales—in fact, a slap in the face for every person in this State who listened to the Premier's promises and entrusted him with his electoral mandate. Throughout the past 11 months the Premier has tried to weasel and worm his way out of this promise, but there is no arguing the facts. In 2007 in his reply to the Budget Speech, the member for Ku-ring-gai, when Leader of the Opposition, put forward the sale of retail electricity to fund a new Infrastructure Fund. He was at pains to show his proposed sale of electricity assets would not include the sale of the generation poles and wires when he stated:

I stress again: the sale of the retail electricity business does not involve any sale of those State assets responsible for the generation, transmission and distribution of electricity.

In 2008 the now Premier opposed the long-term leasing of electricity generation assets. And just weeks before the election the Premier made a solemn commitment not to privatise electricity in what will go down in history as the Lithgow declaration. In the Lithgow declaration the member for Ku-ring-gai said:

We have absolutely no plans to privatise either the generators or the poles and wires.

Those were the statements of the Premier recorded in the Lithgow *Mercury* on 28 January 2011. Yet today, in government, the Premier has gone back on his promise, turned his back on the Lithgow declaration, and is selling the publicly owned generators. This is just another sad chapter in the Premier's already growing, and long, list of examples of saying one thing in opposition and doing the complete opposite in government—just like his promise to keep electricity prices low. On 24 June 2010 the now Deputy Premier called on the then Government to reject the Independent Pricing and Regulatory Tribunal recommendations with regard to price settings. On 1 February 2011 the Premier said:

The New South Wales Liberals and Nationals support any measures to reduce the impact of power prices.

Then, in July last year, the Premier showed complete contempt for the public by passing on an 18 per cent rise in electricity bills. And we know, when it comes to electricity prices, there is more pain to come from this Government in July this year. But it goes further. Not only is the Premier blatantly and remorselessly breaking crystal-clear election promises; he is also breaking the five conditions on electricity privatisation set down by the Coalition in 2008—conditions that its members described as being "fundamental to protecting the public interests". I will read those conditions because it is pertinent to this debate to highlight the fact that what we heard from the Coalition in opposition is vastly different, on this and so many other issues, to what it does in government. Condition 1 was:

All sale and/or lease arrangements be subject to the Auditor-General reporting to Parliament before finalisation of the sale or lease. These arrangements would include—but would not be limited to:

- timing and price;
- conditions for workers, pensioners and low-income earners; and
- price guarantees for consumers.

Premier O'Farrell made no commitment that a sale of the State's generators would be subject to an Auditor-General review and parliamentary debate before the transaction is finalised. Condition 2 was:

Completion, release and adoption of a rural communities impact statement focusing on, among other issues, jobs, prices and services levels.

No rural communities impact statement has been released for debate on how this privatisation of electricity generators will affect jobs, prices and service levels in rural and regional New South Wales. This bill will be a moral test for The Nationals members of Parliament like the member for Upper Hunter, who is not in the House, the member for Bathurst, who also is not in the House, and the member for Orange. Those members were elected on a platform that they would oppose electricity privatisation. Let us see what they do when it comes to voting on the bill. Will they do the right thing and join members on this side of the House in a vote against the privatisation of electricity generators in their electorates, a proposal that will put at risk hundreds of local jobs? Or will they turn their backs on their local communities, despite being elected on this anti-privatisation platform? This will be a test for The Nationals. It will be a test of whether there will be yet another example of The Nationals failing to stand up for the interests of regional and rural New South Wales—along with its failure to match Federal funding for duplication of the Pacific Highway. Condition 3 was:

Establishment of an independent oversight body comprising the Auditor-General, a community representative and a financial expert to monitor the use of funds realised from the sale.

The funds are proposed to go into Restart NSW, with funding being released on a discretionary basis by the Treasurer—with no community representation. Infrastructure NSW might be asked to put forward some recommendations. The problem with Infrastructure NSW, as all members of this Chamber know, is that it is filled with Liberal Party mates. There is no financial expert sitting on Infrastructure NSW. And, most damning of all, it has not a single community representative. Those on the Government side would like to tell us that Nick Greiner is broadly reflective of the community. Well, there is a lot I could say about Nick Greiner, but I will resist saying anything other than that Nick Greiner cannot pass himself off as community representative. There is one thing he is not, and that is a community representative.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! Does the member for Wakehurst rise on a point of order?

**Mr Brad Hazzard:** No, Mr Assistant-Speaker. I put my hand on the lectern while listening with interest.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is no point of order.

**Mr JOHN ROBERTSON:** I would have thought it an act of disorder for a member to approach the lectern without having the call. I would have thought the Leader of the House would know that. Condition 4 states in part:

... establishment of a parliamentary oversight committee to guarantee delivery of improvements in clean, green and renewable energy investment resulting from the sale.

No oversight committee has been proposed or established to ensure any proceeds from an asset sale are used to promote green and renewable energy. In one of the most blatant acts of hypocrisy, the Premier joined the Prime Minister to announce the Clean Energy Finance Corporation and the 40 jobs it brings to Sydney. The Premier demonstrated his hypocrisy by supporting Tony Abbott's campaign to shut down the Clean Energy Finance Corporation, yet last week standing with the Prime Minister and crowing that 40 jobs were coming to New South Wales in the Clean Energy Finance Corporation. Condition 5 outlined in 2008 states:

Retention of the so-called poles and wires businesses in public ownership, and appropriate safety nets for pensioners, low-income families and employees as determined by the Auditor-General.

The proposed asset sale has no protection or safety net. There are no guarantees in this bill for the retention of poles and wires businesses in public ownership. There are no safeguards in this bill against price rises for pensioners. There is no safety net for household and family electricity bills and there is no protection in this bill for low-income families. The Coalition said that its electricity asset sale conditions were fundamental to protecting the public interest, but the Premier is ignoring every single one of them in his sale of the electricity generators. We must ask: If it is not in the public's interest, in whose interest is it? The Premier is desperate to

sell off our electricity assets because he is covering up his inability to manage the State's finances. That is despite the promise from the Premier before the election that he would stop government treating electricity companies as cash cows and using them to cover up budget deficits.

In less than a year the Premier has destroyed the budget, plunging this State into deficit for the next four years and doubling the Government debt to more than \$15 billion, despite the former Labor Government leaving it with a \$1.3 billion surplus. Those on the other side might like to crow about what they have been arguing is a black hole, but I suggest each and every one of them go and read their own Treasurer's Budget Speech. In his Budget Speech the Treasurer acknowledged that there was a surplus in the budget when he took office. That does not come from us; that comes from the Treasurer. In his speech he said there was a budget surplus of \$1.3 billion and in less than a year we have seen the Government plunge us into deficit. The problem is that the deficit will not end in four years' time; the Premier is reportedly planning to go even further with his electricity sale plans. Late last year the *Daily Telegraph* reported that sources had stated:

Mr O'Farrell's office was quietly briefing an angry business community that the government would go with a plan to sell the poles and wires at the next election—2015.

And the Schott report recommended that:

The Government should set up a specialised unit to investigate and restructure for the lease or sale of assets and businesses ...

We can now expect that the Premier will establish an asset sales hit squad charged with selling off as much of the State's silverware and farms as possible to prop up an inept Government that is unable to manage the State budget and the economy. The Premier has broken his promise not to sell off the State's electricity generators. He has thrown away his own guidelines for the sale of any public electricity assets—guidelines that he said were fundamental to protecting the public interest—and he is planning to go further, with plans afoot for full privatisation. In less than 12 months the people of New South Wales have learnt that they cannot trust this Premier.

The Premier is thumbing his nose at the public, he is breaking the clear commitments he made to the public and he is selling off our State's future to cover up his inability to manage the State's economy. We continue to see a Government led by a Premier who said anything to get himself into office, but now that he is there he cannot be trusted to keep those commitments. We oppose the bill. We know that this is bad for New South Wales but, more importantly, it is bad for consumers and it is bad for families struggling to make ends meet who will suffer at the hands of this Government if it sells off these electricity generators. The Opposition opposes the bill.

**Mr CHRIS HARTCHER** (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [5.53 p.m.]: I support the Electricity Generator Assets (Authorised Transactions) Bill 2012. At the commencement of his speech we had the benefit of a number of quotations from the Leader of the Opposition that related to the Premier and statements made by the Premier. I will begin my speech with some quotations about the Leader of the Opposition and his comments. The first quotation is an open letter that Paul Keating, the former Prime Minister, wrote to John Robertson on 27 October 2008:

When I met you and went through the history of the establishment of the east coast electricity market by the Government I led in the 1990s, and why the privatisation of the New South Wales power stations was consistent with the benefits of that market, you never offered one serious point in rebuttal. Not one cogent economic argument to thwart the logic. You batted the argument to one side, implying it would somehow be sorted out before the rupture arose. But instead, like a banshee on a rampage, you tore at the Government's entrails until its viability was effectively compromised.

That is what former Prime Minister Keating said about John Robertson and his views on electricity privatisation. Former Labor Senator Steve Hutchins—the Transport Workers Union king, the man who was such a power figure in the right wing of the New South Wales Labor machine—said about electricity privatisation and John Robertson:

It is ironic that the man who destroyed Labor in power is (now) the party's leader in Opposition.

At every level, Labor spokesmen shudder when they speak about John Robertson and electricity because John Robertson was elected on a platform of opposing privatisation but his first act as Minister for Corrective Services was to privatise a prison—the anti-privatiser became Labor's first privatiser.

**Mr Nathan Rees:** That's misleading.

**Mr CHRIS HARTCHER:** The member for Toongabbie said "That's misleading" with a straight face. The member for Toongabbie knows exactly what happened because he was a Minister in the Iemma Cabinet when Iemma was rolled by Robertson on privatisation—when Bernie O'Riordan, John Robertson and all the boys got together and said, "Let's roll Iemma. Let's install Nathan Rees", and then, of course, Nathan Rees did not do what the right wing wanted so the roll continued. It is not for me to go into the long story of John Robertson's betrayal of every principle that he supposedly stood for when he brought in privatisation. It is not for me to point out the massive inconsistencies in his position as trade union boss, trade union supremo, and his actions in government, because that is all on the public record—study after study of what he did when he was running the trade union movement and what he did when he was in government.

The whole argument for electricity privatisation, so eloquently put by the Treasurer, was put again and again by Morris Iemma, by the Government in which Nathan Rees was a Minister and by the former Labor Government when it advocated in this Parliament—starting with Bob Carr and Michael Egan, then Morris Iemma, then Eric Roozendaal and following through at every level of the Labor Party—the privatisation of the electricity generators in New South Wales. That was Labor caucus policy in this State. But it was not Labor conference policy and the differentiation came when Bob Carr was rolled at the annual conference and then when Morris Iemma was rolled at the annual conference. The people of New South Wales have seen that it does not matter if you vote Labor at a State election because the decisions will not be made by the elected government that you vote for. They will be made by the trade union bosses in Sussex Street. It was the nightmare that came true.

The New South Wales Government understands and acknowledges the public interest in privatisation, especially in relation to essential services such as electricity. It also understands the cost-of-living pressures—including the spiralling electricity prices—facing the people of this State. The Government has placed these concerns at the centre of consideration of these issues and is acting in the interests of all New South Wales consumers to keep electricity prices as low as possible. The Government has reaffirmed its 2011 election commitment to retain ownership of the electricity network businesses, the poles and wires. The Government is committed to correcting the incompetence and mismanagement of the power system that has occurred over the past 16 years. As part of an election commitment, the New South Wales Government established a special commission of inquiry into the former Government's electricity transactions. The Honourable Justice Brian Tamberlin, QC, was appointed as special commissioner. The Government undertook this inquiry to make an informed decision on the future use of electricity assets.

Guided by the industry experts and the Tamberlin report, the Government will implement the recommendations of the special commission into the electricity transactions, including the sale of some electricity assets. This sale will include the Eraring, Delta West, Delta Coastal and Macquarie Generation generators, the generation development sites previously identified, and a sale or lease of the Cobbora mine. With the implementation of these recommendations, New South Wales consumers will benefit from a more competitive electricity sector, which will help to put downward pressure on rising electricity prices. Like the Owen inquiry before it, the Tamberlin inquiry found that:

It is consistent with a competitive electricity market that the retail businesses and wholesale generation businesses be privatised.

The revenue raised through this sale will be passed on to the people of New South Wales to increase downward pressure on power prices. The Government expects that its approach will generate more competition in the electricity sector, adding further downward pressure on power prices for consumers. However, the privatisation of generators is only one step to help minimise the impact of electricity price increases. The Government is implementing a range of policies to reduce the upward pressure on electricity prices. We have capped electricity dividends at forecast levels. We have requested the Australian Energy Market Commission [AMEC] to undertake an independent review into the setting of future reliability standards for electricity distribution networks.

We have also called on the Commonwealth to immediately compensate New South Wales households for the added costs to their bills from the Federal renewable energy target. This follows Independent Pricing and Regulatory Tribunal advice that a major impact on its announcement of electricity price increases is the financial cost to retailers of complying with obligations under the Commonwealth Government's renewable energy target. Finally, as per our election commitment, the Government will be merging the three New South Wales electricity distribution businesses to deliver more than \$400 million of cost and efficiency savings over four years. Members of this Government are committed to helping the people of New South Wales get the maximum return on their assets.

We are committed to establishing a campaign for downward pressure on electricity prices and we are committed to maintaining our integrity to the public. Those opposite pledged again and again to sell off the power assets and they assassinated Morris Iemma because he had the foresight to say the sale must go ahead. Opposition members are the inheritors of Bob Carr and Morris Iemma, but they lack the integrity to do what those former Premiers wanted to do, which was get the maximum return for the people of this State. Every member opposite is a captive led by John Robertson who was elected on a platform of anti-privatisation but who then privatised Parklea Correctional Centre. Members opposite are sell-outs. If I had more than 13 seconds remaining for my speech, I could say something about every one of them. The current Government stands for the people of this State. It has integrity and will honour its election commitments.

**Ms TANIA MIHAILUK** (Bankstown) [6.04 p.m.]: I love the way the member for Terrigal rewrites history. We needed a good laugh this afternoon. The sale of electricity generators is yet another broken promise by this Government. Before the election the Premier made a promise to the people of New South Wales to not support electricity privatisation. I am sure the Premier regrets saying this in January 2011 in Lithgow:

We have absolutely no plans to privatise either the generators or the poles and wires.

He made that commitment then, and a couple of days later he said:

We have ruled out the sale of poles and wires because that is where the jobs are and we are determined to protect jobs.

What a load of hogwash. The Premier has decided that no longer matters. Once again the Government has clearly demonstrated that it is willing to betray the trust of the people of New South Wales.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Bankstown will be heard in silence. I call the member for Drummoyne to order.

**Ms TANIA MIHAILUK:** This Government already has declared war on workers by slashing the entitlements of nurses, teachers and police officers. Electricity workers will be the next to go. The Premier has to front up to the people and apologise for breaking his promise. In May 2011 the Treasurer said that during the term of the O'Farrell Government, Parliament would continually monitor and scrutinise the actions of Government. What another load of hogwash. It was a noble sentiment, but it is not reflected in the content of this bill. Let us have a good look at this bill. Part 2 clause 6 specifies that the Treasurer will authorise deductions made from the proceeds of the sale. Part 3 clause 7 provides that the Treasurer has and may exercise all such functions as are necessary or convenient for the purposes of an authorised transaction. Part 3 clause 9 grants the Treasurer control of the transaction companies for the purposes of an authorised transaction.

Part 3 clause 12 allows the Treasurer to authorise another Minister to exercise functions in relation to particular assets, rights and liabilities—that is of course if he does not have the ticker himself. Part 4 clause 14 gives the Treasurer authority over staff transfers. The bill puts complete responsibility for all matters relating to this sale into the Treasurer's hands. This bill is a 60-page blank cheque for the Treasurer to act as he deems appropriate. If the Treasurer believes that he should be accountable to Parliament why is there no parliamentary oversight of this process in the legislation? There must be parliamentary oversight of the Treasurer's role in the sale of electricity assets. I know the Treasurer is probably relieved that after handing half of his responsibilities to the Minister for Finance, the Premier has finally trusted him with some responsibility, but that does not justify the lack of appropriate scrutiny in this legislation.

**Mr John Sidoti:** That is not your wording.

**Ms TANIA MIHAILUK:** It is, actually. In 2008 the Coalition put forward five conditions that would have to be met for it to support electricity privatisation. The Coalition said that these conditions were fundamental to protecting the public interest. I ask the Treasurer: If those conditions were so vital in 2008, why are they not being met in 2012? The Coalition demanded that all sale and all lease arrangements be subject to the Auditor-General reporting to Parliament before finalisation of the sale. Why is there no requirement for that in the bill? Why is there no mechanism to require the Auditor-General to review the sale before or after the fact?

The Coalition also demanded the completion, release and adoption of a rural communities impact statement focusing on, among other issues, jobs, prices and service levels. We now know that does not concern the member for Tweed, who has been staring into too many sunsets. Has a rural communities impact statement been prepared? Why not? Could the Government fear what the statement might say about its proposal? The

Coalition also demanded the establishment of a parliamentary committee to guarantee delivery of renewable energy investment and an independent oversight committee to monitor the use of the funds resulting from the sale.

The Coalition also demanded the provision of appropriate economic safety nets for pensioners, low income families and employees, as determined by the Auditor-General, yet that is not provided in the legislation. I ask the Treasurer to address these concerns during his reply. My electorate of Bankstown and other parts of western Sydney have vast areas of low-income families, so the provision of an adequate economic safety net concerns me. I ask the Treasurer to explain during his reply why safety nets are not provided in the bill. This bill represents a violation of the promise made by the Coalition prior to the election. The Opposition opposes the legislation.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [6.09 p.m.]: I support the Electricity Generator Assets (Authorised Transactions) Bill 2012.

**Ms Tania Mihailuk:** Shame.

**Mr STEPHEN BROMHEAD:** It is interesting to listen to Opposition members and what they have to say because we soon realise that their speeches totally lack substance and any real argument. When members of a political party decide to attack legislation, it is fundamentally important that they should first demonstrate credibility.

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

**Mr STEPHEN BROMHEAD:** When we look back over Labor's 16 years in government, it is obvious that Labor totally lacked credibility. What do Labor Party icons say about members of the New South Wales Labor Party? Let us talk about Michael Costa, who is a former Labor heavyweight. What did he say about the Leader of the Opposition, who led for the Opposition during this debate? He said:

... Robertson has neither the political intellect nor the political courage to be a credible alternate premier.

**Mr John Sidoti:** Who said that?

**Mr STEPHEN BROMHEAD:** Michael Costa from the Labor Party. Paul Keating wrote to the Leader of the Opposition and said:

If the Labor Party's stocks ever get so low as to require your services in its parliamentary leadership, it will itself have no future.

Another political heavyweight and former President of the Australian Labor Party, Senator Steve Hutchins, said:

... New South Wales Labor now led by an undeserving John Robertson is in Opposition after four of the most shameful years in its history.

Importantly, Senator Hutchins went on to refer to credibility. If a politician attacks legislation or a policy, he or she must have credibility and integrity. Senator Steve Hutchins said that the credibility of the Labor Party was already shot following its emphatic defeat on 26 March and that, if it is even possible, the Labor Party's reputation continues to be trashed under the leadership of John Robertson. On 26 March last year the people of New South Wales devastated the Labor Party—that once proud political party—and Labor members know when they make a speech against Coalition policy or legislation that they have no credibility.

The Leader of the Opposition referred to matters such as a breach of trust and said there was no promise to sell electricity industry assets. The belief in my electorate and throughout the entire media is that the Liberal and Nationals Government will not sell the poles and wires, and we are living up to that promise. We will not sell the poles and wires. This legislation is about generators. We did not suddenly decide that this legislation was what we were going to do. We relied on the Tamberlin report that followed a special and wide-ranging commission of inquiry. Mr Tamberlin's recommendation was that the electricity generators should be either leased or sold. Labor went to the 2007 election and said, "We will not sell electricity assets." As soon as the election was over, Labor members were falling over themselves to sell electricity assets.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! Opposition members will come to order. The member for Myall Lakes will be heard in silence.



**Mr STEPHEN BROMHEAD:** They sold the electricity assets. It was the dud deal of the century. To cover it up and in an attempt to protect themselves from the community, accountability and proper inquiry, Labor prorogued Parliament, and Parliament was shut down for five months. That was a denial of democracy. It was far worse than any other previous incident in the history of this Parliament. The people of New South Wales know that and that is why they delivered an unambiguous message on 26 March. Unfortunately for Opposition members, they still have not got the message that the people of New South Wales do not accept their arguments because they have no credibility.

**Mr John Sidoti:** That is right.

**Mr STEPHEN BROMHEAD:** They have no credibility at all. The Leader of the Opposition also referred to hypocrisy. No more needs to be said other than, "Hypocrisy, thy name is Labor." It was 16 years of incompetence, and for 16 years the people of New South Wales accepted Labor's lies. Before each election, Labor would promise, "We will have some highways", and, after the election, the promise was scrapped.

**Mr Guy Zangari:** Point of order: My point of order relates to relevance under Standing Order 129.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! There is no point of order. Standing Order 129 relates to relevance in question time, not to relevance in debate.

**Mr Guy Zangari:** I ask you to draw the member for Myall Lakes back to the leave of the bill.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Fairfield will resume his seat. I remind members that when they take a point of order, they should know the standing order to which they wish to refer. Standing Order 129 relates to relevance during question time, not to relevance during debate on agreement in principle.

**Mr STEPHEN BROMHEAD:** For the benefit of those on the opposite side of the Chamber who are too dumb to understand, I point out the relevance of credibility.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Myall Lakes will not cast reflections of that nature on Opposition members.

**Mr STEPHEN BROMHEAD:** I apologise to all the dumb members of society for mentioning them in the same sentence as Labor. The point I make is that politicians who decide to attack the Government must have credibility, and that is relevant to this debate because, when it comes to the sale of electricity, Labor has no credibility. The other factor relating to relevance is that the Leader of the Opposition referred to credibility, trust and hypocrisy during his speech on this bill. He also referred to privatisation, and it must be remembered that he was the one who privatised prisons. It was Labor Party policy to sell electricity. The relevance is that there is no integrity in Labor's argument because, as I said earlier, Labor members fell over themselves to sell electricity assets after the 2007 election.

Some other schoolteachers in the building cannot understand that. The member for Bankstown referred to broken promises, so let us consider that statement. The people of New South Wales endured 16 years of broken promises and incompetence. An example of Labor's incompetence is that \$500 million was wasted on the Rozelle Metro without a sod being turned, and \$100 million was spent on the Tillegra Dam without a blade of grass being disturbed. The inertia was scandalous. In the four years prior to the 2011 State election, not a thing was done. Labor treated the electorate at large like absolute idiots. At the 2011 State election, the people of this State, particularly constituents in regional areas, sent a message to the Labor Party that they no longer accepted what Labor was telling them and they did not accept at all that Labor had anything worthwhile to say. A quick check of recent polls shows that the voters' message has not changed.

Unfortunately for Opposition members, who collectively would not have sufficient brains to cover the knuckle of a canary, they have not accepted the verdict of the people. What is even more unfortunate for Labor members is that collectively they have a glass jaw and are unable to accept criticism. Unfortunately, they have not learnt the lesson. The sale of electricity generators is good for New South Wales. It will create more competition in the energy market. It puts downward pressure on power prices for consumers. It will avoid the need for upgrades in the future. It frees up funds for infrastructure in New South Wales. Most importantly, the legislation protects the jobs of employees.

As I said earlier, this came about because of the Special Commission of Inquiry into Electricity Transactions conducted by Brian Tamberlin, QC. That inquiry released its findings on the sale of electricity assets in New South Wales in October last year. That report recommended that the Government sell or lease those generation assets, which is good for New South Wales. It is good that we have money coming in for infrastructure, almost 40 per cent of which is for regional New South Wales. The member for Bankstown can laugh about the people of regional New South Wales but they have been struggling for 16 years under Labor and they are looking forward to Infrastructure NSW and this Government delivering on infrastructure, and they are looking forward to the Government delivering on its pre-election promises. [*Time expired.*]

**Mr NICK LALICH** (Cabramatta) [6.20 p.m.]: I speak in debate on the Electricity Generator Assets (Authorised Transactions) Bill 2012 which has as its intention to authorise the sale of the State's electricity generator assets to the private sector. The Treasurer stated that the bill will enable the sale of the State's generators, including the Eraring and Delta West generators. The O'Farrell Government will tell us that it is following the findings of the Special Commission of Inquiry into Electricity Transactions conducted by the Hon. Brian Tamberlin, QC. I revisit a key finding of the Tamberlin report that puts to bed all the criticism that was levelled at the former State Labor Government over electricity transactions:

The Inquiry is of the view that:

- a. The governance structure adopted;
- b. The process by which the assets were offered to the market; and
- c. The decision to sell the assets the subject of acceptable bids were, in the circumstances of the then Opposition's position not to support the legislation, the economic climate, the expert advice available to the Government and the uncertainty over carbon pricing, reasonable and appropriate.

The term "reasonable and appropriate" is the hallmark of any good government and something to which the O'Farrell Government should aspire instead of the callous, uncaring and incompetent performances we have witnessed so far. It is important that these independent findings are put on the record after all the misinformation we have received and the misleading statements we have heard from Government members. The Treasurer has told us that the purpose of this bill is to free up funds for infrastructure spending. In 2008 members of the Liberal-Nationals Coalition robbed this State and local communities of important funding channels just to gain political advantage. They have a lot to learn. One does not become a politician to play politics; one does it to help the people and the communities of New South Wales. Members who contributed earlier to debate on this bill said that current Opposition members wanted to sell the power industry, which is not true.

The policy-making body of the Australian Labor Party is its State conference. State conference voted down any intention to sell the electricity industry. We are sticking with that. We will not sell the power industry. We are constant in our decision; it is the Government that has changed its mind. Barry O'Farrell did not do what businesspeople were telling him to do, that is, to sell the electricity industry, support the Iemma Labor Government and obtain finance for infrastructure. At the time he did not listen to the businesspeople and he did not support the proposal by the Labor Party to sell the electricity industry. Labor's State conference decided it was not to be sold and that is what we are sticking to. Our decision has been constant; we do not want the electricity industry sold.

This bill, under the guise of electricity generators, is all about trust and honesty, which is what we do not have from the Government. The Government speaks about money going into infrastructure spending but where is its honesty and integrity when it boasts about commencing the South West Rail Link? The former Labor Government and not the Liberal Party commenced work on the South West Rail Link. There is no escaping that fact, no matter how creative Government members are with the truth. The trouble is that Government members are very loose with the truth. The former Labor Government commenced work on the South West Rail Link. The Labor Opposition remains committed to looking after the families and communities of south-west Sydney. This Premier, who calls himself the Minister for Western Sydney, had the nerve to cancel a much-needed commuter car park in Cabramatta and Canley Vale. The Premier should know how important parking is in Cabramatta but he has not been to Cabramatta since the last election.

**Mr Bryan Doyle:** Point of order: My point of order relates to relevance under Standing Order 76.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! I remind all members that Standing Order 76 is the correct standing order for relevance during debate and Standing Order 129 is the correct standing order for relevance during question time. The member for Campbelltown has rightly pointed out that the member for Cabramatta has strayed well outside the leave of the bill. While I rule that it is legitimate to include some history

and preamble in a debate, I think services in south-western Sydney are outside the purview of the bill, which relates to electricity generation. I uphold the point of order and draw the member for Cabramatta back to the leave of the bill.

**Mr NICK LALICH:** Barry O'Farrell has not been to my area since I defeated his dream candidate, Dai Le, at the last State election—the second time she was defeated. This bill makes no commitment to ensure that all persons employed by the generators will be guaranteed further work with another public sector agency. The problem with this bill is that there is no guarantee for all workers—a hallmark of the O'Farrell Government. In the past 12 months Barry O'Farrell has crucified workers at every opportunity. Unlike the 2008 Iemma Government bill and the gentrader agreements, there is no provision in this bill to protect the entitlements or the conditions of workers who transfer to the purchasers of the private entities.

Again, workers' rights are not being looked after which does not surprise members of the public. Taking the axe to workers' rights has become the calling card of this O'Farrell Government. Who can forget the enormous public sector rally that marched on this House in protest of the Premier's unfair public sector reforms? Who can forget the thousands of New South Wales police who converged on Macquarie Street baying for the Premier to let him know what they thought of his changes to the Police Death and Disability Act. This bill gives the Treasurer unfettered power to do everything necessary to transact the transfers contemplated by the bill. It remains to be seen whether these actions hold up to muster. The Opposition opposes this bill.

**Mr TIM OWEN (Newcastle) [6.26 p.m.]:** After hearing the incoherent ramblings of the policy-free, do-nothing Opposition—

**ACTING-SPEAKER (Mr Gareth Ward):** Order! Opposition members will come to order. The member for Newcastle will be heard in silence.

**Mr TIM OWEN:** —it gives me great pleasure to talk in debate on the Electricity Generator Assets (Authorised Transactions) Bill 2012. Opposition members should all sit back and listen as they might learn something. Let me get some of the facts on the table. The member for Cabramatta got one thing right—Treasurer Mike Baird introduced the bill to authorise the sale of the State's electricity generator assets to the private sector. As has been said by my colleagues on this side of the Chamber, this bill implements the recommendations of the Special Commission of Inquiry into Electricity Transactions conducted by Brian Tamberlin.

**Mr Nick Lalich:** Who wrote your speech?

**Mr TIM OWEN:** I wrote my speech. The Tamberlin report suggests that legislation should be enacted to enable the Government to offer for sale or long-term lease the Eraring and Delta West generators which are subject to gentrading agreements, and the Macquarie Generation and Delta Coastal generators. The report also recommended:

The Inquiry does not consider there to be any good purpose to be served by the State continuing to own generation assets in NSW.

Those are the facts and that is the good policy that we will implement. The New South Wales Liberal-Nationals Government is spending \$7 billion more on infrastructure in its first four years than Labor did in its last four years. The O'Farrell Government is catching up on the infrastructure backlog left to it by those opposite.

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

**Mr TIM OWEN:** The bill will only support further investment in the development of much-needed infrastructure for New South Wales. Those are the reasons why the Government is selling these assets. In line with this Government's election promise, the bill does not authorise the sale of the State's electricity distribution and transmission assets, or the poles and wires. The bill will enable the sale of the State-owned electricity generators Macquarie Generation, Eraring Energy and Delta Electricity and will result in the sale of electricity development sites or the leasing of Cobbora mine. In addition to the recommendations from Mr Tamberlin, the reason the New South Wales Government is selling generator assets is that it wants to do three key things: free up funds for infrastructure spending—something I do not think Opposition members understand—see more competition in the energy market, which will reduce prices, and help put downward pressure on power prices for consumers.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Drummoyne and Opposition members will not engage in conversation across the table.

**Mr TIM OWEN:** They are the key reasons we are selling the assets. As I mentioned already, we are spending \$7 billion more on infrastructure in the first four years than those opposite did in their last four years. This bill will release additional funds that will contribute to the Restart NSW Fund. The Government established that fund for major infrastructure projects of which 30 per cent will be invested in regional New South Wales to aid cities, such as Newcastle, to develop and prosper—something those opposite never did. One key reason the Tamberlin inquiry recommends the sale of assets is to encourage more competition in energy markets and encourage private sector investment in generation in New South Wales. The final report states:

The Inquiry does not consider that the objectives of a competitive electricity market or reliability of supply are advanced by maintaining the status quo.

With the sale of the generator assets the O'Farrell Government is thinking about the people of New South Wales. Our Government is recognising the sharp rise in electricity prices in recent years. Our Government is putting pressure on power prices for consumers and businesses. According to the Independent Pricing and Regulatory Tribunal [IPART], and Opposition members should listen to this—

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

**Mr TIM OWEN:** —over the past five years under Labor electricity prices rose 60 per cent, while the consumer price index increased just 16 per cent.

**Mr John Sidoti:** How much?

**Mr Chris Holstein:** How much?

**Mr TIM OWEN:** Under Labor electricity rose 60 per cent, while the consumer price index went up only 16 per cent. This is more evident in regional areas where some customers of Essential Energy reportedly experienced increases in regulated electricity retail tariffs of around 85 per cent between 2004 and 2011. That is not what the people of New South Wales deserve—Labor needs to pay attention to that. It is important to note that the bill authorises the transfer of electricity generator employees to another public sector agency for the purpose of the sale. Transferred staff will be governed by their applicable awards, agreements and determinations. All employee benefits, including annual leave and superannuation, will remain the same. As stated by the Treasurer and this side of Government, protection and transfer mechanisms offered to employees will be an all-important consideration during the negotiation of transaction agreements. Employee protections are part of this bill despite the scaremongering from the Opposition and the unions. The Liberal-Nationals Government is getting on with the job of rebuilding the infrastructure that this State desperately needs.

**Mr Nick Lalich:** It hasn't started. You talk about it but nothing is happening.

**Mr TIM OWEN:** We are building it. It is starting. It is moving forward at a great rate, especially in regional areas such as my electorate.

**Mr Nick Lalich:** We always opposed it and we still do.

**Ms Anna Watson:** What are you doing? All you are doing is slashing and burning. You're not doing anything. You're only slashing and burning jobs, jobs and more jobs.

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

**Mr TIM OWEN:** The member for Shellharbour should note that our Government is being honest with the people of New South Wales. We are delivering on our commitments on electricity reform by undertaking an independent inquiry into Labor's gentrader sale and implementing recommendations from the inquiry. It is all upfront and pretty straightforward. In comparison, former Labor Premier Mr Morris Iemma made the following statement in Parliament on 9 May 2007, "There will be no sale of electricity generation, transmission or distribution." However, Labor spent the next four years trying to do exactly that. An article reported in the media states:

Iemma and former New South Wales Treasurer Michael Costa are ruthlessly pushing for the sale despite Iemma's pre-election assurances that he would never privatise electricity ...

The article further stated that on the sale of generators Iemma said:

[it is] the most important micro-economic reform in this state in decades.

That is what Labor said. We are doing the job. Therefore I do not expect those opposite today to object to the Electricity Generator Assets (Authorised Transactions) Bill 2012 considering that their Government pushed so hard for the sale for four years.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! I remind the member for Cabramatta that he is on two calls to order. I call the member for Cabramatta to order for the third time.

**Mr TIM OWEN:** The introduction of the bill is evidence of this Government delivering real reform to drive and build infrastructure regeneration for this State. This bill is a key part of the Government's commitment in NSW 2021 to build the infrastructure our State needs and make a positive difference for our economy and the people of New South Wales. This bill will implement the recommendations of the Tamberlin inquiry and free up funds so desperately needed for our State's infrastructure. For this reason I commend the bill to the House.

**Mr GUY ZANGARI** (Fairfield) [6.34 p.m.]: I oppose the Electricity Generator Assets (Authorised Transactions) Bill 2012 in its entirety. This bill seeks to privatise the electricity generation infrastructure of New South Wales that in the long run will be to the detriment of the hardworking families of my electorate of Fairfield and throughout this State. What a difference four years makes in the life of Barry O'Farrell. If my memory serves me correctly, four years ago when Premier Barry O'Farrell was still Barry O'Farrell, Leader of the Opposition, he stood on this side of the Chamber and withdrew his support for a bill that would have achieved the very result that this bill aims to achieve.

Four years later, his Treasurer puts on the proverbial table an instrument seeking this Chamber's blessing to act on behalf of this Government to privatise the electricity generators of New South Wales. Essentially, the Premier and Treasurer are saying to the people of New South Wales, "Trust us" to secure the future electricity needs of the people of New South Wales by allowing the Treasurer overarching powers to sell off the very infrastructure that provides the homes of New South Wales with electricity. This bill is worrying. Part 3 of the bill which is headed "Facilitating authorised transactions" confers overarching powers on the Treasurer to facilitate and ensure the sale of electricity generators without any accountability to this Chamber.

Indeed, coupled with part 4 of the bill, which sets out the vesting powers of the Treasurer to facilitate the transfer of public utilities to the private sector, this bill creates an image akin to olden day James Bond movies with the Treasurer playing the part of a double agent trying to sell a dirty bomb to a rogue State. This analogy is further supported by the fact that this obvious lack of transparency is extended also to the supply of information to Treasury about the transactions of a State-owned corporation. According to schedule 2 to the bill, the safeguard governance embodied in section 29 (2) of the State-owned Corporations Act 1989 does not apply to a transaction by a State-owned corporation under the provisions of this bill. Section 29 (2) of the State Owned Corporations Act 1989 states:

The board of a statutory SOC must supply to the portfolio Minister such information relating to the affairs of the SOC or any of its subsidiaries as the portfolio Minister may from time to time request.

Why all the haste and secrecy? What does this Government have to hide with electricity privatisation? Perhaps more telling in this Government's venture to rid the State of ownership of its electricity generation infrastructure is its lack of objective now to go down this road after rejecting such a move about four years ago. Late last year the murmurs emerged to justify such a sale to implement the findings of the Tamberlin report. Indeed, in his agreement in principle speech the Treasurer stated:

Importantly, the bill implements the Government's response to the Special Commission of Inquiry into Electricity Transactions conducted by the Hon. Brian Tamberlin QC ...

However, as pointed out by the Tamberlin report, the Government needed to give reasons why it should sell its electricity generation infrastructure in New South Wales and provide a set of objectives to govern that sale. Despite such caution, it is clear from the Treasurer's agreement in principle speech that this proposed legislation lacks any justification to sell off the electricity generation infrastructure of New South Wales apart from selling off what belongs to the people.

It is selling off the very infrastructure that provides the people of New South Wales with a reliable supply of electricity on a daily basis. This infrastructure provides employment for thousands of everyday mums

and dads. In short, it is infrastructure we rely upon on a day-to-day basis. To sell it off without any overarching objective and without contemplating the everyday realities of the people of New South Wales and the people whose livelihood is reliant on the energy industry is short-sighted and lacks vision. To borrow one of my favourite expressions from the Minister for Transport, it is mindless. I oppose the bill.

**Mr CHRIS HOLSTEIN** (Gosford) [6.40 p.m.]: I make a contribution to the debate on the Electricity Generator Assets (Authorised Transactions) Bill 2012. The main purpose of the bill is to authorise the sale of the State's electricity generator assets to the private sector. It also implements the Government's response to the recommendations of the Special Commission of Inquiry into Electricity Transactions, which was conducted by the Hon. Brian Tamberlin, QC. The bill enables the sale of the State's generators, including the Eraring and Delta West generators which are subject to the former Labor Government's gentrader contracts and agreements. In addition, this Government also intends to sell or lease the Cobbora mine and to sell electricity development sites. These businesses combined operate the major power stations that generate electricity in New South Wales.

If the question were asked as to the benefits to New South Wales from the selling of these assets the answer would be as follows: it will free up funds for infrastructure spending; it will create more competition in the energy market; it will help put downward pressure on power prices for consumers; and it will encourage private sector investment in generation. The bill allows flexibility in how the transaction is to be structured. In so doing, it allows for the optimisation of the size and quantity of the market offerings, enabling business and assets to be restructured prior to going to the market place. For example, the sale would be by way of a direct trade sale or a public float of shares. The final decision in this regard will be made after receiving expert advice and having regard to the market conditions at the time.

It is important to emphasise that this bill does not authorise the sale of electricity network business—in other words, the poles and wires. Why is it important to emphasise this? Before the other side start their usual scare campaign and misrepresentation of the facts, as they do on a regular basis, the Government announced that last November the electricity distribution and transmission business will remain in public ownership. In relation to the sale of the generators, an important consideration will be the protection and transfer mechanisms offered to employees during the negotiation of transaction agreements. The bill authorises the transfer of employees of the electricity generators to another public sector agency for the purposes of the sale. Also, transferred staff will maintain continuity of service and superannuation arrangements. These sales will directly benefit the people of New South Wales because they will free up funds that are much needed for infrastructure.

Following a decade of neglect by those opposite, approximately 30 per cent of these funds will be invested into regional New South Wales. As we are all aware, there has been a sharp rise in electricity prices. The good member for Newcastle pointed out that according to findings by the Independent Pricing and Regulatory Tribunal, electricity prices rose by 60 per cent in the last five years of the former Government—those opposite—whereas the consumer price index rose by only 16 per cent in the same period. These sales will help put downward pressure on power prices for consumers and businesses. This bill helps to deliver on the Government's commitments for electricity reform. The Government initiated the independent inquiry into Labor's gentrader sale and we are now implementing the recommendations of the inquiry. There have been a few interesting quotes from both sides of the House. I think the best one came from a James Bond movie. The Hon. Brian Tamberlin, QC, stated:

The inquiry does not consider that there is any good purpose to be served by the State continuing to own generation assets in New South Wales.

I commend the bill to the House.

**Mr MARK SPEAKMAN** (Cronulla) [6.44 p.m.]: Good government is about governing in the public interest and not for noisy vested interests. The Electricity Generator Assets (Authorised Transactions) Bill typifies the difference between those on this side of the House, who are interested in good government and the public interest, and those on the other side of the House, who are under the thumb of Unions NSW. The Government supports this bill because it wants to govern in the best interests of the taxpayers and consumers of New South Wales—not the Electrical Trades Union and Unions New South Wales, for whom the Opposition leader is a mouthpiece. This bill is in the interests of the consumers of New South Wales because it will increase downward pressure on prices. Under the watch of the previous Government—during the last five years of its governance—electricity prices rose 60 per cent.

Despite the scaremongering by the Opposition as to how the privatisation of generators will increase prices for consumers, in fact, under public ownership prices went up 60 per cent. The Victorian experience shows that the increased competition that privatisation brings increases downward pressure on prices and is

good for consumers. This is good for taxpayers because modelling by Infrastructure Partnerships Australia estimates that somewhere between \$3.3 billion and \$6.5 billion will be released for spending on infrastructure. That is funding for roads, hospitals, police stations, train lines—all the things that were underfunded by the previous Labor Government. This bill is good for the taxpayers of New South Wales.

Do those in Opposition seriously want to tell us that projects like the North West Rail Link and upgrades to hospitals should not go ahead but a power station should stay featherbedded and under the domination of unions? Is that what the Opposition says? So that union mates of the Labor Opposition have a cosy arrangement, consumers should pay more and more for electricity—as they did during the last five years of the Labor Government? Is that what the Opposition says? This Government governs in the public interest—unlike the faceless men and women who control the Labor Party conference. This Government governs in the interest of the consumers. Is the member for Fairfield telling his constituents that they should pay higher electricity prices so that his union mates can have a cosy life in power stations?

Is the member telling his constituents that they should suffer from a lack of school and hospital maintenance so that we can featherbed power stations in New South Wales? This bill is in the public interest because it will put downward pressure on prices. It is good for consumers and taxpayers because it will unleash more money for infrastructure in New South Wales. It is a no-brainer. The Tamberlin inquiry concluded that, given the manifest disadvantages of the gentrader model, the State ought not to persevere with that option. The independent inquiry—one of the Government's election promises—concluded that there was no good purpose to be served by the State continuing to own generation assets in New South Wales. The objects of the bill are that a competitive electricity market and reliability of supply are advanced by maintaining the status quo.

Downward pressure on prices is good for consumers but so is increased reliability of supply. Privatisation of generators will increase the capacity for investment in generators and increase the reliability of supply. That is another advantage for consumers. For all those reasons it is a no-brainer. It is a no-brainer that the bill is in the interests of the wider public of New South Wales. We have not heard one cogent policy reason in opposition to this bill. Opposition members are about protecting their union mates. The Government will transform New South Wales and make New South Wales number one again for taxpayers and consumers. The Government puts the interests of the public above those of union mates. I commend the bill to the House.

**Ms GABRIELLE UPTON** (Vaucluse—Parliamentary Secretary) [6.49 p.m.]: I welcome the opportunity to speak in debate on the Electricity Generator Assets (Authorised Transactions) Bill 2012. This bill does the important work of authorising the sale of State electricity generator assets to the private sector, including those subject to Labor's gentrader contracts—contracts by which the former Government sold the output of the State electricity generation businesses but not the underlying assets. The gentrader contracts will be assigned to private sector purchasers of the associated generation assets. The bill also authorises the sale of electricity development sites and the sale or lease of the Cobbora coalmine.

There are a number of electricity generators in New South Wales, both State and privately owned. The largest is Macquarie Generation, a State-owned body, which owns and operates coal-fired power stations at Bayswater and Liddell. Delta Electricity, which also is State-owned, owns and operates Mount Piper, Vales Point, Wallerawang and Munmorah as well as a gas-fired station at Colongra. Because of the former Government's imperfect transactions, the output of Delta's power stations at Mount Piper and Wallerawang became subject to a long-term gentrader arrangement with TRUenergy, a wholly owned subsidiary of the CLP Group listed on the Hong Kong stock exchange. Eraring Energy is a State-owned corporation that owns and operates coal-fired power stations at Eraring and Shoalhaven, another generator asset. The output of Eraring is subject to a long-term gentrader arrangement with Origin, Australia's largest energy retailer.

The bill implements the Government's response to the recommendations of the Special Commission of Inquiry into Electricity Transactions conducted by the Hon. Brian Tamberlin, QC. The Tamberlin report warned that maintaining the status quo would not achieve the objective of a competitive and reliable energy market that the New South Wales community needs. Those are strong words indeed. The former Government was not sure whether it wanted to sell anything at all in the electricity sector, with pledges that there would be no sale of electricity generation, transmission or distribution assets. However, it set about doing just that. The former Government's link to unions in the electricity sector led to it turning itself into knots about what it would go forward on. And what a mess it got itself in when in 2010 there was a packaging of the sale of the electricity generator assets—an inordinately complex transaction. It was a sale that "dare not speak its name"—a sale that by another name failed to realise what good governance is about: the best value for the people of New South Wales.

The gentrader model was designed to allow the ownership of power stations to be retained by the government and the contractual rights to trade the electricity produced to be held by privately owned gentraders. It was the suboptimal option relative to a full sale of the assets. The main thing that option did was placate the unions, because there was no transfer of the underlying assets and the workforce. What a missed opportunity: important structural microeconomic reform in New South Wales was not undertaken and the people of New South Wales continue to pay the price in the form of higher electricity prices. Far from achieving reform that would move New South Wales toward helping develop a contestable National Electricity Market, the transactions saddled the people of New South Wales with risks—those relating to the electricity market, coal supply and the costs of operating and maintaining the generators.

Unfortunately, the O'Farrell Government cannot reverse those scrambled transactions. We would if we could, but it would be too costly and not in the interests of the State, as the Tamberlin inquiry found. This bill is important. It will facilitate things that the O'Farrell Government is determined to do—the things that the New South Wales voters showed they want by so strongly supporting us at the last State election, that is, de-risking our financial profile and making sure that commercial risks of generating electricity are not borne by New South Wales taxpayers. With the sale as proposed by this bill, we will not have to fund the ongoing maintenance of the generators and make major capital investment into the future generating capacity of this State. The sale proceeds will be paid into the Restart NSW Fund—a fund dedicated to underwrite major infrastructure projects, with 30 per cent of the funds being invested in regional New South Wales. We will invest the funds in important infrastructure never delivered by the former Government—roads, transport and hospitals.

Having private sector ownership will create more competition in the energy market. This side of the House thinks competition is a good thing; it brings out the best in all of us. In this case, competition will help put New South Wales residents first by putting downward pressure on energy prices. Any proposed sale will have to be approved by the Australian Competition and Consumer Commission to ensure there is no reduction in competition. Section 50 of the Commonwealth Competition and Consumer Act prohibits acquisitions that would result in a substantial lessening of competition in the market. There will be a rigorous process and detailed scrutiny of prospective bidders.

To make sure we realise the best outcome for New South Wales we need to plan for the sale. We need to set up transaction entities, and this bill facilitates that process. It permits the Treasurer to transfer staff to another public sector agency for the purposes of the sale. Transferred staff will maintain continuity of service and their superannuation arrangements. Industrial conditions will be preserved under part 4 of the bill. Under the bill, the sale can be by way of an initial public offering or a trade sale. Flexibility along these lines is critical so that the best value for the sale is realised for New South Wales—something the former Government just could not or would not do.

Under schedule 5 if the electricity generator assets are transferred via an initial public offering, maximum shareholder ownership levels will be set to ensure the business is not vulnerable to takeover at a critical time in its settling down. However, what form the final sale structure takes will depend upon market conditions and expert advice from those who run global asset sale transactions. This important bill commences the hard work—the reform—that the former Government failed to undertake. It provides the framework to engender more competition in the energy market, put downward pressure on power prices for consumers and free up funds for infrastructure spending that the people of New South Wales deserve. I commend the bill to the House.

**Business interrupted and set down as an order of the day for a future day.**

**ACTING-SPEAKER (Mr Gareth Ward):** Order! It being before 7.00 p.m. the House will now consider the matter of public importance.

## **FLOODS**

### **Matter of Public Importance**

**Mr DARYL MAGUIRE** (Wagga Wagga) [6.57 p.m.]: The matter of public importance I raise is flooding in New South Wales. In recent weeks the State has experienced floods of a magnitude not seen since 1956, and in some communities even earlier. Flood levels in some instances are the highest since records have been kept. As this discussion is occurring, 53 local government areas have been declared natural disaster areas. The latest, declared just this afternoon by the Minister for Police and Emergency Services, include Hay,



Bombala, Murray shire and Central Darling. That announcement came quickly on the tail of a number of electorates being declared disaster zones following days and even weeks of rain events. Roughly a third of all local government areas are now affected by flooding.

From the Queensland border to Victoria, from the Blue Mountains to the west, rural and regional communities are battling floods. As I speak, Wagga Wagga is cleaning up after flooding; places such as Tumut and the Goobragandra and Brindabella valleys have been devastated by floodwaters. In some cases communities had prior warning of flooding. But, sadly, some areas suffered severe damage caused by flash flooding. They include Lockhart and The Rock, to name just two. The Murrumbidgee and Riverina are experiencing flooding events of a type never before recorded; waters have flowed through Barellan, Yenda, Griffith and beyond, making their way to the Barren Box swamp and eventually to the Murray River.

Floodways in the Darling River system from the Queensland border through to Menindee and the Murray River have flows as high as those in 1956 but, I am told, over an even wider area. There has been tremendous media coverage of this flood event. The media have kept the public informed about the floods in regional New South Wales and on the coast, including areas such as Coffs Harbour and Ballina. The South Coast also has been affected by floods and rain events have occurred across regional New South Wales, in the Sydney catchment area and in the Hawkesbury region. Much assistance will be needed.

I acknowledge and commend the very great input of the State Emergency Service, the Rural Fire Service, local councils, police and all the emergency services groups for the way in which they have pulled together during this emergency. I witnessed their assistance firsthand when Wagga Wagga was experiencing an emergency due to its levy banks being threatened. The levy banks are built to 10.7 metres, but the flood was forecast at 10.9 metres. The North Wagga Wagga levy banks are built to 9.8 metres, which meant the inundation of 240 homes. However, if the levy bank gave way another 2,000 homes would have been affected. I want to acknowledge the assistance provided by all those services.

On Sunday I took my own fire truck down to North Wagga Wagga and helped residents wash out their homes. I met people who came from across the State to volunteer and help us clean out houses and get ourselves back on track. I also acknowledge the enormous contribution of the Army. We are blessed to have their services in our city, and they are helping throughout the region. Although time is limited, I want to raise the issue of the need for more assistance. Currently, the State and Federal governments are in discussion on the provision of assistance, but more needs to be done. The Prime Minister, the Leader of The Nationals, the Premier and the Leader of the Opposition visited the area, but I understand there is still no agreement on the provision of extra assistance. This is an important issue. I encourage them to have further discussions and progress this issue so that help can be given to all those who are affected by these disastrous floods.

**Ms CHERIE BURTON** (Kogarah) [7.02 p.m.]: I join the member for Wagga Wagga in placing on record the Parliament's recognition of the plight of many people throughout New South Wales who have suffered greatly from these floods. The floods have had a major impact on businesses, farms and families, which most of us can only imagine. The New South Wales flood crisis is the worst in almost 160 years and could continue for more than a month. Local communities will continue to be affected as the floods make their way down the Lachlan and Murrumbidgee rivers, impacting on towns.

Wagga Wagga has been declared a disaster zone, along with another 46 local government areas. Many towns have received unprecedented levels of rainfall. In total, there have been 17,000 calls for emergency assistance, 13,000 residents evacuated, 7,000 people isolated, 3,500 people requiring State Emergency Service assistance and 155 people needing to be rescued. Two thousand homes have been flooded. Some homes have experienced up to 1.5 metres of water internally, whilst others have had water lapping their roofs. The scale of destruction to homes and businesses is extremely extensive: it encompasses structural damage and damage to building contents. It has affected peoples' ability to trade and earn a livelihood.

As floodwaters recede, our farmers will assess the damage to their land and crops. They will suffer a huge burden with short-term economic losses and potential losses due to the future effects of the floods. The President of the New South Wales Farmers Association, Fiona Simpson, believes there will be massive losses on a range of crops and stock in the flooded regions. Many seasonal fruits and vegetables will be damaged and our rice crops and orchards will incur long-term effects. The politics of the aftermath of flooding will continue. I also join the member for Wagga Wagga in asking the State and Federal governments to get together and sort out an assistance package.

It is fair to say that each flood leaves a footprint on communities from which we can all learn many lessons. For example, the direction of floodwaters, the height of levy banks, the timing of dam releases and the devising of flood management plans all have to be reconsidered after each major flood. We can all appreciate the details of the floods given to this House by the member for Wagga Wagga. He will look at how this flood impacted on his community compared with past floods, as will all members whose electorates have been affected by the floods. The Sydney area has not been immune from heavy rain. Members who represent electorates in Sydney's north-west have suggested that raising the dam wall of Warragamba Dam will stop all floods. There is little evidence of that. The role of the former Government in the planning of flood management in that area was supported by scientific evidence.

People in flood-affected areas should be cautious of community leaders who say that floods can be totally stopped by dams. Dams provide a level of flood mitigation benefits. However, the way dams are managed always focuses on the protection of the dam. That is why we saw water flowing down spillways at Warragamba Dam and at rural locations such as the Burrinjuck Dam. In the investigations and reviews that will follow these floods, the work on dam safety will be a necessary component to the flooding aftermath in the months and years ahead. Labor, when in government, undertook many flood management strategies across the State, including the Hawkesbury-Nepean catchment. The infrastructure constructed in that region has resulted in the saving of much property from the effects of the recent flooding. Warragamba Dam—another great Labor project—has continued to do its job for the residents of all the metropolitan areas.

The member for Wagga Wagga called on the State and Federal governments to get together to sort out a package of assistance. Previous Labor governments have set a precedent by responding quickly and decisively to provide relief to flood-affected residents of New South Wales. In 1999-2000 the Carr Government provided \$12.5 million for flood plan management across the State and more than \$200 million for assistance with the flood crises. In December 2007 the Iemma Government extended its Natural Disaster Assistance to include all flood-affected towns. In January 2008 it announced that families and businesses needing to purchase vehicles to replace those that had been written off by the floodwaters would be refunded stamp duty and that all State Emergency Service and Rural Fire Service volunteers would be exempted from payroll tax.

During the mid North Coast floods of May 2009 the Rees Government appointed former New South Wales Commissioner of Police Ken Moroney to coordinate the recovery operations, and in July 2009 the Rees Government provided \$2 million in funding to repair roads in the Moree shire that were damaged by previous floods. I acknowledge again the plight of New South Wales residents who have been severely affected by these recent floods. Our sympathy goes out to families who have lost loved ones. All flood-affected communities need swift, effective and well-coordinated assistance to deal with the impact of the floods and long-term support to aid in their recovery. The Government will receive bipartisan support in that regard.

**Mr DARYL MAGUIRE** (Wagga Wagga) [7.07 p.m.], in reply: I thank the member for Kogarah for her contribution. I note that a recovery centre has been established in the old Salmat building, manned by all the organisations charged with assisting the residents throughout the region. Businesses have been affected badly because of the evacuations that have taken place. There has been enormous road damage and infrastructure damage, which will cost many millions of dollars to repair. One councillor suggested that his council area's infrastructure damage will amount to some \$50 million. When one multiplies that by the number of councils that I mentioned—about 53 councils—one can see that the damages bill will be huge.

Stock has been lost, fodder has been lost and there has been destruction of businesses. Enormous damage is occurring in the Murrumbidgee area, which is the food bowl of New South Wales, particularly in the area that grows fruit and vegetables. The wine harvest also will be affected. The member for Kogarah mentioned the need for assistance. The Government has been assisting with the provision of services and funding but further assistance seems to have been lost in discussions between governments at all levels. I met with the Prime Minister when she visited the area and I listened to her news broadcast in which she indicated that the Federal Government would be very sympathetic to requests for assistance from New South Wales.

We appreciate the fact that the Prime Minister visited the area, as did the Premier and Leader of the Liberal Party, the Leader of The Nationals, and of course Tony Abbott. The community realises we have a long way to go to clean up what has been a catastrophic event for the region. The tragedy of all this is that most of the communities in our region are just recovering from the events of 2010. Indeed, as I walked and doorknocked The Rock and Lockhart just last week I was told stories of people who had carpeted their homes the week before and who were recovering from the torrential downpour and flash flooding that occurred. We have to try to place ourselves in the position that these people face. They will again need the sympathy and help of everyone across

this State. I urge all those involved to ensure that all resources are made available so we can get these people back on their feet and get regional, rural and coastal New South Wales operational again. I say again to those emergency services and to all the people that have made a contribution and are continuing to do so: Thank you so much; you are magnificent.

**Discussion concluded.**

## **PRIVATE MEMBERS' STATEMENTS**

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### **THE DISABILITY TRUST**

**Mr RYAN PARK** (Keira) [7.11 p.m.]: It gives me great pleasure to speak tonight about an organisation in the electorate of Keira that services the Illawarra region called the Disability Trust, which has been in place for many years. It supports those community members who suffer from a disability and their families and carers, whether it is a physical or intellectual disability, whether it is autism, or whether it is a young child, a mum or dad, or an elderly person. This organisation goes out of its way to support those most vulnerable in our community. It is an organisation that has been part of our community for many years. It continues to put the needs of its clients—people with a disability and their carers—above everything else. It is a fantastic advocate on behalf of those in our community who have a disability as well as on behalf of the disability sector in general. It provides a range of services across the board through respite and home care.

Essentially it provides people with the level of support they need to remain somewhat independent and to not have to leave their home. It is also an opportunity for the trust to provide support to the carers. This may take the form of assistance with showering or assistance with household tasks. It may take the form of general around-the-home assistance to make life easier for people suffering from a disability as well as their carers. In addition, it also provides excellent community-based services. Many members of this House will be familiar with these services. The trust provides day programs and assists people with sport and recreational opportunities. It also assists people with links from school to the workplace as well as from school into a training opportunity. This is an important service to our community. Gone are the days, hopefully never to return, when we put people with a disability in a corner and let them look after themselves or relied on their families to do so. Now it is all about making sure they are just as much a part of our community as anyone else.

I place on record the important role that the Disability Trust plays in my electorate and the broader Illawarra community in supporting those families. I also say this: All of us who are fortunate enough to be in this place must make sure we do whatever we can, whether it is from a policy perspective, through funding grants or legislation, or other reform, to ensure that we deal with disabilities on a bipartisan basis and work together. These people do not need any more challenges than those they already face. In communities like mine where there are a significant number of people suffering from disabilities, organisations like the Disability Trust needs members of Parliament to advocate, to fight and to work through the bureaucratic challenges that those organisations experience every day.

No-one on this side of the House will ever argue with members on the other side of the House when it comes to trying to improve the lives of people with disabilities and their carers. All of us know that carers are often the forgotten heroes in our society. Day in and day out they have to manage, help and support a person with a disability. Carers also have to live with the fact that when they are gone someone will have to look after the person with a disability for whom they currently care. It is our job as people who are privileged to be in this place to make sure we always advocate on behalf of people with disabilities. I thank the Disability Trust for its work in our region and I thank those who care for the disabled community. I also thank the disabled community in my electorate for the work and support it gives to the community.

### **MENAI ELECTORATE COMMUNITY SERVICE ORGANISATIONS**

**Ms MELANIE GIBBONS** (Menai) [7.16 p.m.]: Tonight I speak about two important community organisations that service my electorate of Menai. It is important to regularly get away from our desks, computers and phones and to venture out into the community. One of my goals during my first term as the member for Menai was to visit as many community groups as possible. We all get invited to a wide range of events, but we do not always get to see these groups in action on a working day. Last month I had the pleasure of paying a visit to two fantastic community organisations that service my electorate. The Young Adults Disabled Association [YADA] is based in Liverpool and provides a fantastic day program for adults with disabilities throughout the Liverpool area and beyond.

The association runs twice-weekly social support activity programs for young adults with a disability in the Liverpool and Fairfield City Council areas. For a few dollars it provides bus transport for the participants, morning tea and a centre-based day care program to get them out of the house and give them the opportunity to undertake an activity with friends. I had the chance to visit its headquarters in Liverpool where its second service runs. As a not-for-profit organisation, the association relies on many sources for funds. Its secondary service is three community stores that sell recycled goods that are donated to the association and all the funds come back to fund the day programs. The Young Adults Disabled Association has converted a house into a busy workshop full of hardworking volunteers. Inside, it is a never-ending cave of unwanted and pre-loved goods. Mountains of clothes, home wares, electronics, books and hardware line the walls.

When I visited I spoke to a few of the volunteers who were busy sorting through the items, each one proud to support the work of the association. It is testament to the cause that the association has so many dedicated volunteers. One of the volunteers I met that day is one of the program's participants who enjoys it so much that she wanted to volunteer at the Young Adults Disabled Association too. The association's manager, Buffy McDonald, showed us around and gave us a tour of the facilities. I learnt that the association accepts donations of just about anything. One man was pulling apart an old television set and taking out all the electronics that can be recycled. Another volunteer was sorting through children's toys, handbags and books. Another was collecting screws, bolts and other odds and ends to sell in packs. The association also accepts a lot of unwanted clothes and those that are unusable are sold as scraps. A veritable wonderland of treasures is being given a second chance.

The other organisation I was able to visit recently was the Autism Advisory Support Service in Liverpool. I spoke about this group last year after attending its fundraiser, but as I said earlier there is nothing quite like visiting the premises to get a true understanding of what the service does. The Autism Advisory Support Service provides advocacy and support to families and individuals living with autism. It is a not-for-profit charity run by parents of children with autism for children and adults with autism and their families. The service provides an autism community house in Liverpool, a 24-hour autism hotline, support groups, social groups, parent workshops and lots more. Its mission is to empower children with autism and their families through knowledge and support. The house is set up with an area for water play, an exciting playground, plenty of information, and a therapy room.

The founder and president, Grace Fava, is an absolute powerhouse and is dedicated to the cause after her own experiences with her children's autism diagnosis. Grace and her small team operate out of their Liverpool community house and provide therapy, resources and advice. The Autism Advisory Support Service is able to step in and help families get more support for their children and better outcomes at school. They act as a link between families and other service providers. Many people come to the service desperate for help because their child is behaviourally difficult or struggling at school. Grace and her team are able to put them in touch with the right services and the appropriate resources to help them get back on track. Autism is becoming more prevalent and is presenting in varying degrees. For some it is minor socialising problems; for others it is severe behavioural issues leaving parents at their wits' end.

At school many students with autism are simply labelled as troublemakers, instead of being diagnosed correctly. There are also issues with families from diverse cultural backgrounds as any type of disability can be seen as an embarrassment or worse. Grace and her team try to educate and empower families living with autism. Research has shown that early intervention is incredibly important with autism and the Autism Advisory Support Service is particularly focused on getting the information out. Each year it holds a charity ball to raise funds for its services and last year I was able to attend. This year I hope to join the service again to support this fantastic organisation. Disability is a cause close to my heart. I am thankful to have two fantastic organisations such as the Young Adults Disabled Association and the Autism Advisory Support Service servicing my electorate.

### **ROBERTS PARK, GREENACRE**

**Ms TANIA MIHAILUK** (Bankstown) [7.21 p.m.]: Roberts Park in Greenacre is an important local facility of which I am a proud supporter. During my time as mayor and now as member for Bankstown I have sought to secure investment in Roberts Park and the Roberts Park clubhouse. Sporting fields provide an excellent opportunity for communities to come together. Sport has always played a large role in Australian culture and provided an avenue for, in particular, new and first generation migrants to meet other players their age and participate in community life. During my term as mayor I oversaw several significant upgrades to Roberts Park. In 2007 Bankstown City Council, with the support of the former State Government, installed play equipment on the north-eastern side of the park.

In 2008 the existing pathway was refurbished and new pathways were added. In 2009 and 2010 the council installed a new players' shelter and undertook further works for the paths and fencing. We also made improvements to the car park, installed subsurface drainage and undertook sand grooving. In 2010 we unveiled the Roberts Park master plan and upgraded the playing fields, the pathways and improved access to the clubhouse and car park. Roberts Park is home to the Greenacre Tigers, a great local national rugby league team. I commend Shadi Kassem, Secretary of the Greenacre Tigers, for his work advocating on behalf of his team. I also acknowledge the President of Greenacre Tigers, Nga Turia, for his contribution to the club.

Earlier this month I attended the opening of the Roberts Park clubhouse. It was a pleasure to have an opportunity to tour the new clubhouse and to see the outcome of years of investment in Roberts Park. With Roberts Park, Greenacre has a community facility to rival any in south-western Sydney. I acknowledge Sydney Ports for the funding it provided in partnership with Bankstown City Council for this important project. I also acknowledge the contribution of Bankstown City Council, in particular the current mayor, Councillor Khal Asfour. The two-storey amenities building includes the clubhouse as well as a kiosk, viewing area, change room and outdoor pergola area. The project had a total value of \$400,000, of which \$300,000 was provided by Sydney Ports and the council contributed \$100,000 in funding.

I understand that the council has applied for funding from New South Wales Sport and Recreation to make further improvements to the Roberts Park amenities and that the result of this application is yet to be determined. I encourage the Minister for Sport and Recreation to tour the Roberts Park facilities to see firsthand the potential for further investment. I know that the Minister is a long-time national rugby league supporter and I am sure the Greenacre Tigers would love the Minister to attend one of their games. The Canterbury-Bankstown Bulldogs in particular and other sporting groups have supported the executive of the Greenacre Tigers, the volunteers and the families, and the players to develop their skills. In my role as member for Bankstown and also as shadow Minister for Healthy Lifestyles I will continue to advocate for great community facilities such as Roberts Park to receive the funding that they deserve.

### **THE GRANDMOTHERS FILM**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [7.25 p.m.]: Last Friday I attended the film set of *The Grandmothers*. I went to the set on location at Seal Rocks in the wonderful electorate of Myall Lakes. Unusually for this year last Friday was a bright and sunny day. It was the type of magnificent, beautiful day that is par for the course in Myall Lakes—the greatest place to live and the best holiday location on the coast of New South Wales. The water playgrounds of Australia are in Myall Lakes. There are numerous lakes, the Manning River with the only delta formation in the Southern Hemisphere, 46 kilometres of beaches in the greater Taree area and numerous other beaches in the Great Lakes. Members will be interested to know that Seal Rocks is probably the only place where the inhabitants do not want their roads sealed. On a number of occasions over the years the Great Lakes Council announced that it would seal the road. The response has been outrage, the signing of petitions and people throwing themselves onto the road to stop it from happening because they do not want anyone to know about their piece of paradise.

As I said, it was beautiful sunny day in Seal Rocks when I went onto the set where the cast was filming. The cast includes Australian actress Naomi Watts and American actress Robin Wright, who played Jenny in *Forrest Gump*. The cast also includes rising Australian stars Xavier Samuel and James Frecheville. I am told that both Xavier and James had parts in the *Twilight* movies, but in which ones I do not know. Line producer Barbara Gibbs met me on set. She is a wonderful lady. I also met Paul de Carvalho from Screen NSW. This movie is being funded partly by Screen NSW and Screen Australia. I also met Peter Lawless, who is a genius of a fellow who went all over Australia in search of locations, found Seal Rocks and convinced the producers and others that it was the place to film the movie.

Based on the novella by acclaimed British writer Doris Lessing, *The Grandmothers* is a tale of love, lust and the power of friendship, which charts the unconventional and passionate affairs embarked on by two lifelong friends, Lil and Roz, who fall in love with each other's 17-year-old sons. Afraid of facing the ire and judgement of their insular seaside community, the two affairs continue over the years in secret, until their discovery threatens to tear apart the new lives and families of the young men who must eventually choose between following convention or following their true desires.

This production teams New South Wales producer Andrew Mason, whose productions have included *Tomorrow, When The War Began*, the *Matrix Trilogy*, *Swimming Upstream* and *Danny Deckchair*, and his local crew with internationally acclaimed European collaborators, the award-winning and highly experienced French

directing and producing team of Anne Fontaine and Philippe Carcassonne whose recent feature *Coco Avant Chanel* was nominated for an Oscar. Also part of the team is United Kingdom screenplay writer Christopher Hampton, who has received Academy Award nominations and won awards for *Atonement* and *Dangerous Liaisons*. The filming at Seal Rocks generated 100 local jobs and injected almost \$1 million into the local economy. It was good that locals could watch what was going on. We boarded a \$130,000 rubber duckie that was taken along the beach and then launched to travel to the mother ship, which was a big dolphin watch cruise boat with a water slide et cetera, and on to the pontoon where the filming was taking place. A pod of dolphins appeared right on cue. It was an absolutely great day.

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [7.30 p.m.]: I thank the member for Myall Lakes for drawing the attention of the House to another investment in film that is occurring in New South Wales, with the assistance of Screen NSW and Screen Australia. We heard that the small community has received \$1 million and that 100 local jobs have been provided. I do not think I have ever seen Hansard reporters more engaged in a private member's statement than they were in that given by the Parliament's very own version of Bill Collins. I look forward to seeing *The Grandmothers*, which is being filmed at the lovely Seal Rocks. I wish Naomi Watts, an esteemed actress, and all those involved in the production all the very best. I hope they enjoy their stay in New South Wales, working with the O'Farrell-Stoner Government to boost our smaller communities.

### SHELLHARBOUR AUSTRALIA DAY AWARDS

**Mr GARETH WARD** (Kiama) [7.31 p.m.]: I bring to the attention of the House two incredibly deserving 2012 Australia Day Award recipients in the Kiama electorate. I had the great pleasure of attending Shellharbour City Council's Australia Day Awards Dinner on Thursday 19 January at Addison's Seafood Restaurant in Shellharbour. I commend my friend and local government colleague Mayor Councillor Kellie Marsh, who was master of ceremonies for this event. I also commend the chair of the Australia Day Awards Committee, Deputy Mayor Councillor Marianne Saliba—a former member of this House—for her outstanding efforts in making the night a memorable one for all who attended. I also note the attendance of my friends Councillor Helen Stewart, Councillor Paul Rankin and Councillor David Boyle. My friend and colleague the member for Shellharbour, Ms Anna Watson, was also present.

I also pay tribute to the Federal member for Gilmore, Joanna Gash, who was in attendance. This is the last time that Joanna Gash will attend a Shellharbour Australia Day Awards ceremony as she has announced her retirement from Federal Parliament. I pay her a great tribute for her work in the Shellharbour community. She has been a fine advocate for her electorate of Gilmore over a number of years, and I wish her all the very best for the future. The event commenced with a stirring welcome to country by Uncle Reuben Brown, a distinguished local Elder who is a fine representative of the local Aboriginal community. I cannot understate how culturally important it is to recognise Australia's first people and the respect we must pay to our first and original custodians of country. The Shellharbour City Council 2012 Australia Day Award recipients were Mr Keith Wilson, Citizen of the Year, and Miss Heather Devine, Young Citizen of the Year.

Mr Wilson has for many years assisted Cancer Carers Illawarra. After losing several family members to cancer battles, including his mother, brother and sister, Mr Wilson has managed to raise an estimated \$2 million over the past 12 years for this important charity. Mr Wilson is an absolute inspiration to the Shellharbour community, having dedicated his post-retirement years to helping others affected by cancer. When I sat and listened to his achievements it reminded me of the many battles that my family has faced with cancer, having lost my grandfather, my uncle and having a mum who survived breast cancer. People like Mr Wilson are owed a great deal of credit and recognition for their work in the community. He has chosen to dedicate his life to working for others, and that is indeed an enormously creditable goal. I am overwhelmed by the amount of work that Mr Wilson has invested in helping others. I am delighted that he was recognised with this most auspicious honour on behalf of a deeply grateful community.

Miss Devine was recognised for her extensive work as a volunteer and mentor within the Shellharbour community. She is a wonderful young lady who represents a large number of youth in the area who often lack positive mentoring and role models. The Albion Park High School student has been working as a community volunteer for a respite program called Saturplay for the past three years. She is an advocate for people with a disability within community groups, such as scouts, and is a source of knowledge and information about understanding and accepting people with a disability. Miss Devine is also an example of an outstanding young person who has shown maturity beyond her years. I certainly look forward to watching her grow and develop and to seeing the work that she will continue to do for a grateful community.

The Australia Day Awards provide councils with the opportunity to recognise those residents who continue to strive for the betterment of their local area. I extend my personal gratitude to Mr Wilson and Miss Devine for the dedicated and tireless work they continue to do for our local community. I also mention many other nominees who have done wonderful things across the Kiama electorate. These two individuals have been recognised for their service, distinguished as it is, but I pay tribute to all volunteers across New South Wales who do the jobs they do, day in and day out, often without recognition—which they have not sought and do not seek—for the betterment of our community. They make their community, New South Wales and this country a much better place in which to live.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.36 p.m. until  
Wednesday 14 March 2012 at 10.00 a.m.**

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