

# LEGISLATIVE ASSEMBLY

Tuesday 27 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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### PENRITH STATE EMERGENCY SERVICE

**Mrs TANYA DAVIES** (Mulgoa) [12.09 p.m.]: I inform the House of the excellent work of the Penrith State Emergency Service, which is based in Claremont Meadows. In February the State Emergency Service had its busiest month in a long time due to flash flooding in the Nepean area and flooding in other parts of western Sydney. Unfortunately, the State Emergency Service is still very busy this month, cleaning up and helping the community return to normal life. The Penrith State Emergency Service responded to more than 400 calls for assistance in February, 189 of which were made on Thursday 8 February when the Penrith area experienced a torrential downpour of more than 100 millimetres in just a few hours, causing flash flooding.

The Penrith State Emergency Service responded quickly and put its team in boats specifically designed to navigate floodwaters and in other rescue vehicles across Penrith, Jamisontown, Kingswood, Londonderry, Cranebrook and Werrington. The Penrith State Emergency Service was also responsible for rescuing livestock and other animals. On that day in February the service was called to rescue stricken animals at a greyhound stud at Londonderry. Penrith State Emergency Service controller Darren Hudson told the media:

There was one flood rescue where we had a boat helping to rescue 50 greyhounds on Torkington Road. We did one rescue there and then we got a call saying we needed to come back, there were another 120 animals that needed help. But we got them all.

Most of the State Emergency Service volunteers were finishing work at their day jobs when the flood emergency broke out and there was a huge rush to get to the Claremont Meadows station to begin rescue operations. Many people in the Nepean area owe their safety to the dedication of State Emergency Service volunteers. The emergency did not end on the day of the downpour: There were another 38 calls for help the following day in the aftermath of the flash flooding. The Penrith State Emergency Service was also kept busy with flood evacuation and flood emergency situations in the Hawkesbury Nepean Valley earlier in March when Warragamba Dam overflowed and spilled into the Hawkesbury River.

On 8 March the Penrith State Emergency Service had 13 requests for assistance and volunteers were all hands on deck between 8.00 a.m. and 10.00 p.m., carrying out evacuations and rescues. The State Emergency Service did a fantastic job keeping the community informed of the situation as it developed. Updates were issued to community leaders, members of Parliament, local government officers and the media several times a day and with each new development. The new Facebook site launched recently by the Penrith State Emergency Service was a great success, with many people following the State Emergency Service page for updates. There has not been a major flood in the Hawkesbury Nepean Valley for over 20 years and many residents did not know what to expect or what to do.

The State Emergency Service swung flood evacuation plans into action and made people feel safe and relieved that their livestock and pets were also out of danger. I have visited the Penrith State Emergency Service twice recently, once with the Minister for Police and Emergency Services and on another occasion when I attended a State Emergency Service training night to meet the volunteers and observe what they do every

Wednesday night when they meet. I was very impressed with the quality of training provided and how volunteers with extensive experience impart their knowledge and expertise to new volunteers. I was also impressed with the dedication and camaraderie of the volunteers. They all have the community's best interests at heart.

One part of the training session was facilitated by a long-serving volunteer. The training facilities are second to none, with data projectors and PowerPoint slide presentations that bring to life the information that volunteers need. After the training session the volunteers went outside and practised fire-extinguishing techniques. Safety and personal protective equipment were at the forefront of every practical exercise they carried out. My only request is that the next time they have fire-extinguishing practice they bring marshmallows as it would add a certain sense of joy and flavour to the event. The volunteers' preparation and dedication meant that the Penrith State Emergency Service exceeded community expectations in combating the challenges that February and March have brought. I congratulate all New South Wales State Emergency Service volunteers on their selfless service in protecting our communities.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.14 p.m.]: I thank the member for Mulgoa for putting on the record the outstanding work done by the Penrith State Emergency Service. Many members have been subjected to flood events in their electorates in recent times and the way in which our State Emergency Service responds to those situations never ceases to amaze me, as I am sure it does for other members in this place. As the member for Mulgoa said, the volunteers take their training very seriously, and although they have day jobs they drop everything to respond to emergencies in a professional manner. The community owes these people a tremendous debt of gratitude. On behalf of the New South Wales Government I put on record our appreciation of the wonderful efforts of State Emergency Service volunteers right across the New South Wales community. If there is one thing that we Australians do very well it is pull together in times of crisis—whether during bushfires or floods—to help others in need.

#### **TZU CHI FOUNDATION**

**Mr NICK LALICH** (Cabramatta) [12.15 p.m.]: I agree totally with everything that has been said about the State Emergency Service volunteers. Today I pay tribute to the Tzu Chi Foundation, a charitable foundation that has grown into an international humanitarian organisation with special consultative status at the Economic and Social Council of the United Nations. Founded in Taiwan in 1966 by Buddhist monk Master Cheng Yen, the Buddhist Compassion Relief Tzu Chi Foundation is currently active in Australia, the United States of America, Canada, parts of Africa, South America, Malaysia, the Philippines, Thailand, Turkey, Singapore, Indonesia, Japan and the United Kingdom. Although originating in Taiwan, the Tzu Chi Foundation, as an apolitical organisation, also undertakes relief and charity work in the People's Republic of China, most notably through infrastructure projects, such as rebuilding schools and villages after the Sichuan earthquakes, as well as providing assistance when floods ravaged much of central and eastern China.

Volunteers from the Tzu Chi Foundation have a very special place in my electorate of Cabramatta. Numerous temple groups and associations delegate some of their religious activities to the Tzu Chi Foundation, comfortable in the knowledge that ceremonies will be conducted in the customary fashion and that the necessary respect is given in undertaking these ceremonies. As well, the Tzu Chi Foundation has an academy in Sydney, which this year will celebrate its thirteenth anniversary. The academy teaches students the Chinese language and the important values of having respect for themselves, their parents, others and the environment, as well as the importance of filial piety.

The Tzu Chi Foundation originally started in Australia in Brisbane when a long-time member of the foundation settled north of the border. After introducing the foundation through social gatherings and study groups, volunteer numbers began to swell. An office was also established in Sydney with the aim of promoting Tzu Chi's four main missions of charity, medical service, education and humanistic values. Liaison offices now exist in Melbourne, Perth, Brisbane and on the Gold Coast, with the main office and administration in Eastwood in Sydney on the site of an old NRMA depot. The logo of the Tzu Chi Foundation is very symbolic. Simultaneously bearing the lotus fruit and flower, the logo signifies that the world can be made a better place with the planting of good seeds; that only with these seeds can the flowers grow and bear fruit.

Currently a key focus of the Tzu Chi Foundation is the environment. Throughout Taiwan the foundation operates more than 4,500 recycling stations, contributing to a greener, more sustainable Taiwan. One project in which the Tzu Chi Foundation is leading the way is the recycling of polyethylene terephthalate [PET] plastic bottles into textiles. The PET plastic bottles are collected, rinsed and shredded and the shreds are then

broken down into a polyester resin, which is then spun into yarn and woven into cloth. Already some 11 million bottles have been recycled to make more than 150,000 blankets, which has been a vital part of the disaster relief programs also operated by the foundation. This is a holistic solution to disaster relief, stemming from recycling. Locally, the Tzu Chi Foundation assists with glass and battery recycling, energy-saving and carbon-oxygen reduction, and tree planting. I pay tribute to the important work that the Tzu Chi Foundation does internationally, in my electorate of Cabramatta and throughout Sydney. The foundation is a symbol of peace, help and respect, and I am confident that the foundation's future endeavours will continue to promote its four mission goals of charity, medical service, education and humanistic values.

#### **BIG4 NORTH STAR HOLIDAY RESORT AND CARAVAN PARK**

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [12.20 p.m.]: I bring to the attention of the House something very important that has occurred in the great electorate of the Tweed. At the recent Australian Tourism Awards the Tweed yet again confirmed itself as one of the premier holiday destinations in New South Wales. In my discussions with the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts, who is very supportive of the great North Star holiday park initiative, he confirmed that New South Wales tourism ventures won in 11 out of 26 categories Australia wide. That is a great effort on the part of our good Minister and our ever-flourishing tourism industry in this State.

The Big4 North Star Holiday Resort and Caravan Park, owned by Ian and Diana Beadel, was named the best holiday park in the country. Ian and Diana have revolutionised holiday park camping in Australia—a compliment often paid to them by their peers in the caravanning industry. I had the honour of serving as deputy chair to Ian on the tourism board, which is now known as Destination Tweed. I know how dynamic he is and interested not only in his business but also in the industry as a whole. I know that Ian and Diana invest a lot of money in training their staff. They also advise other industry operators about the best practice possible. Ian should hold his head high after receiving this award.

The North Star holiday park is located along an out-of-the-way road on a campsite that was all but abandoned 30 years ago, when the Beadels took over ownership. They frequently look to industry trends in Europe, the United States of America and South Africa to develop and build their business. Wellness centres that are popular in Europe may soon expand into the Tweed, but Ian has his eye particularly on a mini indoor golf centre in Cape Town, replete with caves and lasers. His main aim is to keep the kids entertained. Camping and holidaying are classic Australian pastimes, when the whole family can enjoy the outdoor experience without too much financial strain.

Ian says that extended families with between 30 and 40 members often visit the park for this very reason. This is exactly the type of tourism venture that the Tweed is happy to embrace and support. Family members return to their homes all across Australia remembering the fantastic holiday they had on the Far North Coast of New South Wales. Ian brings more than 100,000 bed nights to the Tweed each year—and with the facilities at the North Star holiday park, it is no wonder. North Star is one of the few five-star parks in the country, with luxury cabins, camping sites, a \$1.3 million water park—which I had the pleasure of opening recently—four swimming pools, three spas, a leisure retreat centre, and an indoor play centre for kids as well as a gym and sauna. It is one of the first water parks within a caravan park in this country. Every member of the family is catered for at the North Star caravan park. The only problem Ian faces now is finding more room to meet the increasing demand.

Not only does the North Star caravan park cater to holiday goers, it also provides a source of education and entertainment for locals through its Marine Environment Museum. The museum attracts many schoolchildren. The Hastings Point marine sanctuary is considered one of the best in the country, with a wide diversity of marine life. The museum, which is situated opposite some of the Tweed's finest beaches, has a strong focus on the local marine environment. It is the ideal field trip not only for visitors but also for local families and schoolchildren who wish to educate themselves further about the environment in which they live.

The Beadels have reinvigorated the Australian camping trip through their dedication to providing a family getaway with all the modern conveniences. The North Star's continued growth can only be good for the Tweed and New South Wales tourism as a whole, as Ian and Diana pioneer new ventures and ideas. Ian looks after his staff and treats them like an extended family. He gives them training and support, which is why Ian won this tourism award. Park visitors are provided with first-class facilities and staff are treated in a first-class manner. Once again, I remain 100 per cent committed to the North Star caravan park and to the Tweed.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.25 p.m.]: As the Minister for the North Coast, I congratulate the member for Tweed on his enthusiastic support for tourism and jobs in his electorate. I also thank him for drawing the attention of the House to the Australian tourism award for the Big4 North Star Holiday Resort and Caravan Park and to its wonderful facilities. I congratulate Ian and Diana Beadel on winning this award—it is no mean feat to win a national tourism award as it is a very competitive market—and on providing a wonderful facility for visitors to the Far North Coast. I also note that 48 per cent of tourists to northern New South Wales now come from Queensland compared to 38 per cent 10 years ago. So the Queensland market is increasing for us.

### **MOTHER TERESA PRIMARY, WESTMEAD**

**Dr GEOFF LEE** (Parramatta) [12.26 p.m.]: I have great pleasure in speaking about the newest primary school in the Catholic Diocese of Parramatta and the first school in the City of Parramatta for more than 40 years. On Monday 30 January this year Mother Teresa Primary, Westmead, officially welcomed 184 kindergarten to year 4 students to its newly built state-of-the-art school. Mother Teresa Primary serves the Sacred Heart Parish of Westmead with its sister school, Sacred Heart Primary, and has been established as part of the Westmead Catholic Education Precinct. The precinct includes Catherine McAuley Westmead, a 1,000-student girls' secondary school, and Parramatta Marist High School, a 1,000-student boys' secondary school on the same site, providing the opportunity for a kindergarten to year 12 education within the same precinct. Mother Teresa will grow to accommodate 420 students within the next few years.

The precinct has been established to accommodate current and future growth in the Westmead area and to meet the increasing demand for Catholic education. The precinct is based on contemporary educational and design principles, including a commitment to improving learning outcomes for all students; the creation of environments that will foster innovative learning and teaching strategies; prudent stewardship by sharing facilities and resources, where practicable; and the application of the best we know and understand about learning in today's world. In my recent discussions with the executive director of schools, Greg Whitby, he described the precinct as being part of a system of schools focused on delivering the best learning opportunities for students, supported by flexible learning environments that are technology rich and adaptive to the needs of today's learners and teachers.

I specifically draw the attention of the House to Parramatta Marist High School that recently has been named the first non-American school to become part of the New Tech Network, which offers an innovative approach to schooling through project-based learning. Parramatta Marist joins more than 100 secondary schools in the United States that have implemented the project-based learning model and are achieving outstanding results. In the 2011 Higher School Certificate examinations Parramatta Marist improved its band six results by 10 per cent and more than 75 per cent of students received university placements. On Thursday 22 March five principals and 150 beginning teachers were commissioned in their roles of service in the Catholic Diocese of Parramatta at the annual Education Mass held at St Patrick's Church, Blacktown.

It is great to note that something like one in four students in western Sydney is educated within the Catholic system. It is a major employer, with nearly 5,000 staff and something like 50,000 students within the Parramatta diocese. Approximately 1,000 teachers and staff from schools across the diocese and the Catholic Education Office attended the special commissioning ceremony and education mass celebrated by the Most Reverend Bishop, Anthony Fisher, OP. At the conclusion of the education mass, Bishop Anthony Fisher presented Brother Patrick Howlett, principal of Parramatta Marist High School at Westmead, with the *Croce Pro Ecclesia et Pontifice* papal award which, translated, means the Cross of the Honour of the Church—the highest recognition awarded by the Pope to a member of the religious order.

I congratulate Brother Patrick on receiving this award and on his decades of dedicated service in looking after students in the Parramatta area. Through his hard work and initiative he has improved the educational outcomes of students at Parramatta Marist High School and increased the school's community service. The caring attitude of the Marist Brothers is one reason why they have been so successful. They treat every student as an individual and build close family-like relationships within the school. I commend the Catholic Diocese of Parramatta and its executive director, Greg Whitby, for his stewardship of the organisation. I look forward to helping out when I can in the future.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.31 p.m.]: I join the member for Parramatta in highlighting the great job done by the Catholic education system. The member for Parramatta, who has a distinguished background in education, drew attention to the fact

that one in four children in western Sydney is educated by the Catholic system. A couple of my children have been educated by the Catholic system. I could not agree more with the member for Parramatta about the caring nature of the Catholic educators and the way in which they foster family relationships. The Deputy-Speaker would be only too well aware of the Catholic education system in his electorate of Lismore, just as I am aware of the Catholic education system in my electorate, and I am sure that as Deputy-Speaker he would concur with my statement that those Catholic educators do a fantastic job. It is great that the member for Parramatta put on the parliamentary record the wonderful job that they do.

**The DEPUTY-SPEAKER (Mr Thomas George):** With the indulgence of the House, as an old Marist boy, I add my congratulations to Brother Patrick Howlett, principal of Parramatta Marist High School, on receiving the papal award. I ask the member for Parramatta to pass on my congratulations.

**Dr Geoff Lee:** He will be here tomorrow.

**The DEPUTY-SPEAKER (Mr Thomas George):** I will convey my congratulations to Brother Patrick Howlett tomorrow when he is in Parliament House.

### TRIBUTE TO MAT CAMPBELL

**Ms NOREEN HAY (Wollongong) [12.33 p.m.]:** As a non-Marist Brothers participant I, too, congratulate Brother Patrick Howlett on receiving the papal award. I pay tribute to Mat Campbell, a local legend in Wollongong, who on Sunday played his 524th game of basketball in the National Basketball League [NBL] for the Wollongong NRE Hawks. It is also with a sense of sadness that I speak in this Chamber today because this monumental 524th game was Mat's last game for the club. After 17 years of playing for the Hawks, Mat has decided to hang up his boots and to see what life has to offer off the basketball court.

More than 5,000 fans, including Mat's wife, Renee, his two daughters, Hannah and Sarah, and his parents, David and Cheryl from Bendigo, turned out to wish Mat well and to watch his final game, as did his local member. Mat was greeted with roars and cheers from the crowd as he took to the court in an almost rock star like fashion. I am pleased to report that the Hawks had a convincing win against the Adelaide 36ers at the WIN Entertainment Centre. The final score was 92 to 78—a fitting tribute for his final game. Mat also received the keys to the city from the Mayor of Wollongong and is now a household name across the Illawarra. Mat is highly respected by his community and his peers from all clubs that play in the league.

Mat has a career high of 36 points, which was scored against the Townsville Crocodiles at The Swamp in Townsville on 11 December 2005. In that game he also scored a career high of nine from 14 three-point goals. Mat was an integral part of the famous 2000-2001 National Basketball League championship team and was co-captain with Glen Saville, his mate from Bendigo. "Sav", as he is known to us, stepped down as co-captain soon after that and Mat went on to lead the Hawks as captain every season since. Mat's other achievements include his dedication and determination when three years ago his beloved club looked as though it might fold.

Mat led the Save the Hawks campaign in February 2009 to ensure Wollongong's further participation in the National Basketball League. When it was thought there would no longer be a future for the Hawks in the national competition, Mat managed to find a backer for the 2009 season, keeping the Hawks in the premiere basketball competition of Australia. Save the Hawks raised the required amount to keep them alive, including \$230,000 from foundation members who each provided \$5,000 and a \$1 million guarantee by Arun Jagamatranka and his company Gujarat Natural Resources Environment [NRE]. The new not-for-profit organisation also managed to gain the support of Australian Health Management [AHM] as naming rights sponsor.

Over the past 10 years I have had the pleasure of knowing and working with Mat on a number of occasions. He is a genuine, committed, loyal and humble young man. I was not surprised to see that he looked a little overwhelmed by the attention he received on Sunday. One of my many associations with Mat and the Hawks was to be a part of their AHM Right Choices personal development and social awareness program developed specifically by the Wollongong NRE Hawks. This outstanding and innovative program is designed to help teenagers as they confront a range of common social issues so that they can make better informed decisions and plan for a positive future by adopting a healthy lifestyle. Hawks players and coaching staff are all involved and they go to local schools to deliver the program, to set an example and to present positive role models such as Mat Campbell. I congratulate Mat Campbell on his outstanding career. The Illawarra electorate and I will be sad to see him go but we wish him all the best in his future endeavours.

In addition to Mat Campbell's success, recently the Red and White has been doing very nicely in Wollongong. On the St Patrick's Day weekend, when many of us were wearing green, I had the absolute delight of watching the Illawarra Dragons smash the Wests Tigers 36 points to 12. Brett Morris, Dan Hunt and Michael Weyman played outstandingly well and Steve Price, head coach, did a great job. On Saturday 24 March the Dragons also secured a win over the Manly-Warringah Sea Eagles at WIN Jubilee Oval, Kogarah. The team is enjoying great success, just as Mat Campbell did during his wonderful career with the Hawks.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.38 p.m.]: I join the member for Wollongong in congratulating Mat Campbell on his stellar career. To play 524 games is an amazing effort. I wish Mat well in his retirement.

### **TRIBUTE TO CLARENCE "BULLA" BRAMBLE**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.38 p.m.]: I pay tribute to the late Clarence "Bulla" Bramble. Bulla, as he was affectionately known, passed away on 3 March 2012 and is survived by his wife, Gwen, his sons, Graham, Wayne and Owen, and his grandchildren. Bulla Bramble was a great local icon, particularly in the southern end of my electorate around Smiths Lake, Tarbuck Bay and the Pacific Palms area. He was also a great supporter of The Nationals for many years. Bulla was born in Port Macquarie on 11 May 1926. He was the fourth eldest of 15 children born to Clarence and Maggie. They lived in a tin and pole hut at Crowdy Bay. He remembered that when he was about four years old an easterly gale blew a 1,000 gallon tank over the ocean, so it was time to move on. His family moved to Pacific Palms and in 1939 his father set about building the Charlotte Bay school that 17 Bramble children attended.

The family lived at Brambles Reserve as it is now named and fished in Smiths Lake. Bulla came from a family of professional fishermen. Crowdy Head is a great fishing port, as is the entire southern end of Myall Lakes. The house that his father built in 1939 at Brambles Reserve was what we would all affectionately call a fishing hut. Bulla and the other 16 members of the family lived in that hut. They had a fishing licence that allowed them to build the hut and they lived there until a few years ago when the then Department of Lands forced them to move out. I made representations to the department on Bulla's behalf and was told that the hut was not the only place he had. I asked what that meant and was told that he had two other properties at Smiths Lake that were rented. We lost the argument, the family moved out and the reserve was handed back to the community.

The family lived at Brambles Reserve and Bulla's favourite weekend activity was walking with his brothers and sisters from Sandbar Beach around the headland to Seal Rocks, camping at No. 1 Beach, and fishing their way back to Brambles Reserve. They would then have a meal and go professional fishing with haul nets. Bulla often said that when he was young he loved fast cars, slow women, handline fishing and attending local dances at Bulahdelah. He obtained his fishing licence when he was 13 and at 72 passed it on to his grandson, Mick. One of his hobbies was boatbuilding, and some of his creations are still being used today. He also loved to draw with charcoal and pencil and to have a good yarn with his mates.

Bulla met his wife Gwen—a wonderful lady—66 years ago when he went to Seal Rocks to fish. He was supposed to stay for only a week, but ended up staying for 20 years. Bulla and Gwen were married on 31 July 1953 and built a home. Bulla said that his greatest joy was the birth of his three sons. The family left Seal Rocks for the boys' education and returned to Brambles Reserve, which was his home for 68 years. Bulla passed his knowledge of fishing to his children and was proud to see them carry on his legacy as professional fishermen. Bulla was a bushie on the coast. He was a salt of the earth person who would do anything for anyone and he spent much of his time helping others. If any local professional fisherman had a problem with a net he knew that Bulla would fix it in a couple of days. One of the great traditions in Forster-Tuncurry is The Nationals Christmas party. Each year Bulla would supply Wallace Lake trout for the event, which is only found locally. I pay tribute to Bulla. May he rest in peace.

### **NEW ENGLAND STUDENT FINANCIAL LITERACY PROGRAM**

**Mr RICHARD TORBAY** (Northern Tablelands) [12.43 p.m.]: As our nation moves towards admitting greater numbers of students to higher education institutions we should be aware that this involves greater responsibilities for universities in a range of areas. Many new students from lower socioeconomic backgrounds will be the first in their families to enter university. As such, many will have also limited family financial backup and little experience in managing their own money. University attrition can be sheeted home to many causes, but one that has received less attention than it should is students' ability to cope financially on a

stringent budget. Many universities, particularly the University of New England, based in Armidale—and I know the Minister for Local Government, and Minister for the North Coast who is at the table knows it well—have excellent programs designed to assist students to make the transition from school to the academic world. They provide catch-up and support programs that help students to manage the demands of their academic work, and counselling as well as one-to-one assistance are provided when required.

Today I draw the attention of the House to an initiative at the University of New England that is tackling one of the greatest student stressors; that is, the ability to manage on a limited budget. A report entitled "Exploring the wellbeing of students studying at an Australian university", produced by Annie Andrews and Joyce Chong of the University of New South Wales, shows that student wellbeing and mental health have a considerable impact on academic performance. The progression from parental guidance to self-guidance, the increased need for independent living skills, the necessary consolidation of interpersonal relationship skills, the need for time management skills, and exposure to risk-taking behaviour within peer groups with the freedom of independence are key issues.

The survey found that students with lower socioeconomic status experience increased mental health problems. A student wellbeing survey undertaken in 2009 involving more than 3,500 students also found that students struggling financially demonstrate more psychological distress, anxiety and depression than students who reported adequate or secure financial circumstances. It also found that those students require help to acquire skills to manage stress, anxiety and depression. New England Mutual, the University of New England and its Students in Free Enterprise group are collaboratively tackling this issue through a series of financial literacy forums for students and the creation of a website. Centrelink, real estate agents and local job agencies are also involved in these Talking Cents forums, which began just after the start of the academic year.

One of the key issues that emerged is the social stigma attached to and the embarrassment of admitting financial problems, talking about them within a peer group or seeking help before debt reaches crisis point. The positive feedback from the forums has been that they have opened up the issue for students, provided advice about how students can better manage their incomes and given them information about where to go for help. Before the forums many students were not aware of their entitlements through Centrelink, how to find part-time work, strategies to curb spending and the student loans and support networks available to them. Opening up the subject also made them feel less embarrassed about openly discussing their problems with student leaders and their peers.

Mary White College head, Trent Pohlmann, told me that the program has had a positive impact on the students who attended. He said that many first-year students arrived at university with limited financial skills and found it challenging to keep within a budget to pay for their accommodation, textbooks and socialising. One skill they learned from the forums was to leave their credit card at home when they went out and to stay within a budgeted amount. The forums also opened up their eyes to the total annual cost of cups of coffee and that regularly having a few drinks with friends could blow their budget. Counsellors report that issues like not having the money to fix a personal computer that has broken down can often affect a student's academic performance. Students can drop out of university not because they cannot manage academically but because they have got themselves into a financial mess, are loath to admit it, and do not seek help.

New England Mutual is to be congratulated on initiating the financial literacy program and working with its University of New England partners to help overcome this problem and to make life more viable for students. Assisting them to find part-time jobs, to socialise without blowing the budget, to put aside money to meet their commitments, to understand their financial entitlements and to seek help before they get into serious trouble is an important contribution to student wellbeing. It will take some time to assess the full impact of this initiative, but I have no doubt that teaching students how to manage their finances more strategically will add to both their confidence and their academic performance.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.47 p.m.]: I thank the member for Northern Tablelands for drawing the attention of the House to this very important issue. As I am a former University of New England student and as the member for Northern Tablelands is Chancellor of the university, we both have an understanding of the special challenges confronting students attending regional universities. I commend the University of New England for recognising the problems of maintaining students' psychological and financial wellbeing and for implementing initiatives to address that issue. Financial constraints are a serious problem for students attending Southern Cross University in my electorate. Many are trying to hold down a part-time job and to do their studies. I thank the member for raising this important issue and congratulate the University of New England on its initiative.

### TRIBUTE TO JOE MARSTON

**Mr CHRIS HOLSTEIN** (Gosford) [12.48 p.m.]: I acknowledge and pay tribute today to an Australian legend, Mr Joe Marston. Mr Marston is from Umina in my electorate of Gosford on the Central Coast. Some people may not know who he is now, but they soon will. His visage will appear on Australia Post's latest series of commemorative stamps naming him as an Australian legend. Joe is one of eight football players from various codes who have been chosen for this honour. Mr Ahmed Fahour, the Chief Executive Officer of Australia Post, said that the 2012 legends were chosen for their contribution to Australian sporting culture and for playing a vital role in shaping Australia as a great sporting nation. Joe Marston was left speechless when he received the call informing him of his selection for this honour.

After recovering, he said he thought he must have done something right, and thought it was indeed a great honour to be selected in this category. Joe Marston was the first Australian not only to play for a British football club but also to reach an FA Cup final. The club was Preston North End in 1954—and it was 58 years ago. The Fédération Internationale de Football Association [FIFA] considers Mr Marston to be a pioneer and a standard-bearer for Australian soccer. Preston North End was relegated to the second division of English football in 1949. Then a talent scout for the club saw Joe Marston playing for Leichhardt-Annandale in Division 1 of the New South Wales State league. He was impressed enough to offer to fly Joe and his wife, Edith, to England to trial him for the team.

After that, the club signed him up. In 1951 the club's fortunes began to change when Joe was promoted from the reserves to the starting line-up. Preston North End eventually returned to the first division in 1952 and finished behind Arsenal. Joe played 196 consecutive games for the club and spent five years with Preston North End. Despite an offer of \$80,000 to transfer to Arsenal—which was a fortune in those times—Joe returned to Australia, to his homeland, and in 1966 continued his pioneering ways. He was the first man to both captain and coach the Australian team and he played for the squad on 37 occasions. At the official Australia Day lunch in Sydney, Mr Marston was presented with a 24-carat gold replica of the 60¢ stamp on which his visage will appear.

Joe also has been honoured with being awarded the Order of the British Empire. He is the winner of the Alex Tobin Medal. He has been inducted into the Sports Australia Hall of Fame, the New South Wales Hall of Champions and the Football Federation's Australian Hall of Fame. The medal that is awarded for the best player in the A-League grand final is named after him—the Joe Marston Medal. In the context of sporting champions, it would be remiss of me not to offer my congratulations to the Central Coast Mariners, who on Sunday in New Zealand defeated the Wellington Phoenix, two goals to one. In doing so, they claimed the top of the table for the Hyundai A-League and claimed the Premier's Plate. I note Joe Marston's proud achievements and pay tribute to a proud Central Coast resident.

### TRIBUTE TO THE HONOURABLE MILTON MORRIS, AO

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [12.52 p.m.]: I take this opportunity to provide an update to the House on the Hon. Milton Morris, AO. On 23 February an era came to an end when, after 30 years of leadership, Mr Morris stood down as the Chairman of the Hunter Valley Training Company. Mr Morris is known as Mr Maitland, not only in Maitland but more widely, and is very affectionately regarded. He became the founding Chairman of the Hunter Valley Training Company following his retirement from this place in the early 1980s. In 1981 the Hon. Pat Hills, the then Minister for Industrial Relations, made the approach and asked Milton to chair a not-for-profit company aimed at helping young people get apprenticeships so that they could commence their working life. Mr Morris has told of the conversation he had with Minister Hills, and the Minister's concern that hundreds of tradesmen were being imported from England when there were thousands of school leavers. The conversation is said to have been as follows:

"Well mate", Minister Hills said, "I want you to set up the training company—we're going to look after those school leavers. And we are especially going to look after those people who were duds at school—they will be stayers."

Few could have realised the impact that this training company would have on the lives of young people in the Hunter Valley and, in later years, other parts of New South Wales and most recently Queensland. The Hunter Valley Training Company was the first of its kind in Australia. It was created by the New South Wales Government in partnership with industry and unions to provide a new approach to apprentice training. There was tripartite agreement that the potential for future skills shortages would become a reality if traditional training and recruitment policies were not addressed.

The initial brief was to train apprentices to create tradespeople to work on the Bayswater power station. Chairman Morris assembled his team of Kay Sharp as general manager—his former electorate officer—and Rae

Black as office manager, and commenced work on the challenge issued by Minister Hills. I note that both Rae and Kay worked with Mr Morris throughout the years and continue to be of great support to him. Only recently, Kay stepped down. Thirty years later and the Hunter Valley Training Company "family" now numbers of the order of 20,000 trades men and women who can proudly say that the Hunter Valley Training Company provided the foundation for their trade training. The organisation can also proudly boast that it is the oldest and largest group trainer in Australia. As Milton Morris was quoted as saying:

It is rewarding to see lives changed—young people who only wanted to be tradespeople, who were sometimes discouraged at school and sometimes by their parents. They take to a trade and end up top tradesmen and tradeswomen.

I refer to people like Rebecca Connell, a 20-year-old Hunter Valley Training Company trainee who last October was named Australia's Trainee of the Year at the National Group Training Awards held in Melbourne. Rebecca was completing her traineeship in laboratory techniques through Hunter-V-Tec, which is the Hunter Valley Training Company's registered training organisation, and was working for a host employer, Eraring Energy. Even though Milton has made the move to what he calls "the backbench", he will continue to be a board member of the company. The new chairman of the Hunter Valley Training Company is Bob Cameron, Maitland businessman and former managing director cum non-executive chairman of Centennial Coal.

When we reflect on the career of the Hon. Milton Morris, there are many highlights we could point to from his long years of service to the public. I know he is proud of seatbelts in cars from his long reign as the Minister for Transport. Even though he is the retired member for Maitland, Milton Morris today still has the admiration of constituents in my electorate—three decades after he left office, which must also be a great source of pride. I am the third Minister to represent Maitland and the first woman, but I will never fill the shoes of Milton Morris. To have guided the Hunter Valley Training Company as he has, from an idea to an organisation that has posted amazing results, must rate as a huge career achievement—and so it should.

Milton Morris had conferred upon him by the Queen the award of an Officer of the Order of Australia for his contribution to youth, politics and the community. Recently he donated dozens of scrapbooks of pictures and press clippings from his time as our representative in Maitland. I am pleased the Mitchell Library has agreed that the collection should stay in Maitland. These are a great historical asset for the Maitland Library. I conclude my speech by saying: "Mr Maitland", Mr Milton Morris, AO, thank you from the people of Maitland and from all those who trained at the Hunter Valley Training Company. We salute you and look forward to your continuing brilliant career.

### **CAMDEN HOSPITAL AUXILIARY**

**Mr CHRIS PATTERSON** (Camden) [12.57 p.m.]: I bring to the attention of the House the Camden Hospital Auxiliary—a group that is an integral part of the Camden community. Like so many service clubs and charity groups within our community, it gives so much to the people of my electorate. I take this opportunity to thank and acknowledge the Paul Wakeling Motor Group that supports Camden and Campbelltown hospitals tremendously. Both Paul and his son Scott do a great deal for our local area. Camden Hospital Auxiliary is a volunteer group and, I am confident in saying, one of the oldest and most experienced groups of tireless volunteers that help to make Camden a wonderful place in which to live. They make a wonderful contribution to our community and set a great example to us all in what community spirit means.

Members of this wonderful organisation are often in town, or on the corner of John and Argyle streets, holding a street stall and selling crocheted items to our community to raise money and donate it to the Camden Hospital. Other fundraising activities include hospital stalls, barbecues, a stall at the Camden Show, which was held last weekend and which was another extremely successful show, raffles, and of course their famous knitted chickens that people look forward to every Easter. The fundraising activities of Camden Hospital Auxiliary are so successful that in the past 12 months alone, the auxiliary has purchased a MyoTrac Infinity system for speech pathology, a MET Trolley and a defibrillator for the emergency department, a Maxi power tilt hanger combination lifter and Ultra Low Safety Beds for the clinical research unit, and the medical transit unit with a total value of \$38,800.

This wonderful effort is duplicated year in and year out, and one would be hardpressed to put a dollar value on not just the equipment donated but also the time taken to raise funds. I mention also the wonderful staff at Camden Hospital. Under the guidance of Leisa Rathborne, Camden Hospital is extremely well run and professional, with a very dedicated group of doctors, nurses and administrative staff. The generous contributions from the 35 hardworking members of the auxiliary have contributed significantly to the services and level of care available to our community at Camden Hospital. I thank every member who plays an important part and is

highly valued and respected by fellow members, and I acknowledge every member personally: President Keith Evans, Vice President Robyn Jance, Secretary Helen Evans, Dorothy Flynn, Wendy Day, Joy Cooper, Lyn Laycock, Lucy Aquilina, Pauline Bell, Ros Birch, Sandy Burgin, Christine Cavill, Eileen Dixon, Heather Douglas, Brian Douglas, Ilona Ferguson and Pauline Finlay.

I acknowledge also Joanne Gray, Christel Hartmann, Daphne Hobson, Daphne Hussey, Michael Jance, Barbara Kral and Esma Lillis, Maureen McNeil, Bob McNeil, Maureen Noyce, Linda Larsen, Carol Phillips, Lorraine Phillips, Lee Taylor, Beryce Toovey, Lorraine Wheeler, Marcia Whitton and Eda Woodward. I witnessed firsthand the support the members of this group give to one another, not just to Camden Hospital, when I had the honour of presenting Helen Evans, the auxiliary's secretary, with a Community Service Award from the Premier. This is one of the highest awards that is given to volunteers in our State. Helen's husband, Keith, and a dozen women arrived at my office for the presentation. It was so special to acknowledge Helen's efforts over many years of her working tirelessly for our community.

In May this year Camden Hospital Auxiliary will celebrate 110 years of service and will host week-long celebrations, with one of the highlights being the opening of a time capsule found in the wall at the hospital, then the resealing and replacing of the capsule in the wall for future generations to enjoy. The opening of this capsule will give us a great insight into Camden and the hospital's history. I am sure when the capsule is opened in the future it will have the same significance as it has now. At every significant event in Camden Hospital it is reassuring to know that this wonderful organisation is there in support. It is an honour to have an organisation in Camden with such a successful, rich history and respected reputation. I congratulate the Camden Hospital Auxiliary on a wonderful 110 years of service and look forward to the next 110 years.

### STATE EMERGENCY SERVICE

**Mr JOHN WILLIAMS** (Murray-Darling) [1.02 p.m.]: I am very reluctant to make this private member's statement. Historically, we have usually heard high praise in this House for the State Emergency Service. However, recently the Hay community was confronted with a situation that would result in the Murrumbidgee River rising to a level of nine metres. That does not mean that the river is going to rise above the banks by nine metres. A drive around Hay reveals that the levee banks are virtually non-existent. In many areas they sit probably not much more than knee-high off the ground. For 120 years, Hay has experienced plenty of floods and the Hay Shire Council is the organisation that normally acts in an emergency. With the announcement of a level of nine metres, the council proceeded, as it has always done, to increase the height of the levee by a metre to accommodate the increased river height. In December two years ago, the Hay community experienced a flood of about 8.8 metres, and it coped very well.

Hay was positioned very well to manage the recent flood event and, in the community's mind, there was never going to be any risk. However, the State Emergency Service arrived, pushed the shire council out of the way and took over immediately. It announced that an evacuation order would be made, primarily because somewhere, in some place, was a certified document showing a levee bank at 8.1 metres. No-one can find that document and we do not think it exists. The levee bank in some areas of Hay has existed since well before the 1956 flood, so certification is not a real issue. As a result of the evacuation order the nursing home and hospital—Haydays—removed patients and transferred them to Griffith, which created huge problems.

Unfortunately, two elderly patients died while being transferred to Griffith, for which the State Emergency Service is not to be blamed, but a fair bit of stress was involved. Patients were shifted around all sorts of wards, wherever they could be put, in Griffith Hospital, which was fairly distressing to their families. The State Emergency Service also immediately closed the school, which will not reopen until Thursday of this week. The banks closed and businesses in the main street experienced a massive decrease in business. The majority of people in Hay stuck to their digs and said they were not going—they had seen it all before. Last Friday I was in Hay when the river had peaked and it was pretty much a non-event, but the State Emergency Service, in its wisdom, decided to keep the evacuation order in place until Thursday of this week.

For some reason—it might have been the discussions I had with its officers—on Sunday morning the State Emergency Service decided to lift the evacuation order. It was too late for a lot of businesses that were badly affected by this downturn. The locals were hugely frustrated. They regarded the effort of the State Emergency Service as the only threat to Hay, and it cost a huge amount of money. As a member of Parliament, I am constantly reminding people in Hay that the Government is battling to provide for some of their needs, yet they see this huge expenditure which they believe was unjustified. I have had at least 40 phone calls from people who were affected by this decision.

### TRIBUTE TO HIS HOLINESS POPE SHENOUDA III

**Mr MARK COURE** (Oatley) [1.07 p.m.]: I take this opportunity to note the passing of His Holiness Pope Shenouda III, the leader of the Coptic Orthodox Church, who died on 17 March 2012. His passing has deeply affected members of the Coptic community who live in my electorate. It was only recently—several weeks ago—that I had the opportunity to visit Saint Mark Coptic Orthodox Church in Arncliffe to join the Coptic community for its regular Sunday service. It is a large community that makes a fantastic contribution to the St George area, including my region as well as south-western Sydney. My grandparents were born in Egypt and, therefore, the Coptic community means a lot to me.

The Coptic community continues to expand, which has resulted in significant challenges with respect to its property and local parking. It was most unfortunate that the leader of the Coptic faith passed away so soon after the happy occasion when I visited. My thoughts and prayers are with the Coptic community. They mourn the loss of a distinguished spiritual leader of deep faith, who was a strong advocate for tolerance, religious harmony and dialogue. As the leader of the Coptic community for more than 40 years, Pope Shenouda III was renowned for his extensive efforts to promote faith and tolerance through his commitment to interfaith dialogue.

In 1973 Pope Shenouda was the first Coptic Orthodox Pope of Alexandria to meet the Pope of Rome in more than 1,500 years, a fitting testament to Shenouda's commitment to fostering the message of unity between Christian denominations. I also praise Pope Shenouda for his efforts both within Egypt and globally to achieve a lasting peace with the neighbours of the Coptic Church. I admire his longing to promote reconciliation with the Islamic community throughout Egypt and the Middle East. He served as leader and figurehead throughout a difficult and turbulent period in Egypt's history. There is no denying that it has been hard for the Christian community in Egypt, particularly during the events of the past 12 months, which have seen the removal of the former president and a change of direction in Egyptian politics.

I was fortunate enough to be able to mark Pope Shenouda's passing at the service on Monday 19 March. I was honoured to be able to share my sympathies, and I thank my parliamentary colleagues, in particular the Minister for Citizenship and Communities, the Hon. Victor Dominello, the member for Granville, the member for Rockdale, and members from the other place, including the Hon. Shaoquett Moselmane, the Hon. Amanda Fazio, the Hon. David Clarke and the Hon. Marie Ficarra, who were there along with members of other religious denominations. It is fair to say that more than 3,000 of the city's Egyptian Coptic community gathered at Saint Mary's and Saint Mina's Coptic Cathedral at Bexley to mourn the death of His Holiness Pope Shenouda III. He was a remarkable man and he will certainly be missed.

### BLUE MOUNTAINS WILDPLANT RESCUE SERVICE

**Mrs ROZA SAGE** (Blue Mountains) [1.11 p.m.]: On a cool, wet and misty Blue Mountains day, quite like many other days in the Blue Mountains, I visited the Wildplant Rescue Service nursery at Katoomba. This organisation is another of those unique Blue Mountains ventures where a person passionate about a need not met started a small venture that blossomed and grew. In 1993 Mikla Lewis developed the idea of saving the natural plant heritage of the Blue Mountains from blocks of land destined for imminent development. These rescued native plants were then propagated and on sold. She reasoned that a group of people working together could rescue more plants and so Wildplant Rescue Service was born in 1994.

Mikla observed that the rate of bushland being taken for building new homes in the Blue Mountains also meant that a number of plant species were being lost to the bulldozer, threatening the biodiversity of the Blue Mountains flora. After receiving permission from the owners and council the plants were removed, cared for in pots and then sold. Today little development is taking place so the emphasis has changed. Wildplant Rescue Service is a not-for-profit organisation of volunteers with two paid staff—not full time—that is still true to Mikla Lewis' original ideals but has developed further to catalogue and provide valuable information on the biodiversity of the Blue Mountains World Heritage area.

A number of volunteers and staff attended the morning tea at which I was present with chairperson Anne Rickwood, vice-chairperson Christine Bulsar, and treasurer Judy McLean showing me around their current premises at the Clairveaux Complex at Oak Street in Katoomba. The group moved to its current location in 1998 with the help of a grant from the National Parks and Wildlife Service. Prior to this move all the propagating had occurred in Mikla Lewis' garage. Since 1994 there has been little new development in the Blue Mountains so there is less call to rescue plants. However, great emphasis has been placed on data collection and propagation, which takes up most of the volunteers' time and the space in the small nursery at the site. The aims

of Blue Mountains Wildplant Rescue Service include education by involvement, and talks with schools and community groups such as local garden clubs, which its members visited just a week before, and the maintenance of public awareness of the plant biodiversity of the Blue Mountains.

Over the years, the service has provided tens of thousands of plants to Roads and Maritime Services for landscaping of the upgrade to the Great Western Highway, and continues to do so as its widening continues. It also provides plants for landcare and bushcare groups in the Blue Mountains, Blue Mountains City Council, gardeners, landscapers, schools, the Hawkesbury-Nepean Catchment Authority and CityRail at the nursery as well as to private collectors. It also runs stalls at village festivals. It will be holding a stall at the Springwood Foundation Day festival this coming Saturday. The money raised goes back to buying potting mix and containers, paying wages and upgrading facilities.

The nursery is very ably managed by Tanya McLean, who was also present at the morning tea. She gave me a tour of the facility and kindly answered my many questions. During my visit I was shown the database the group has established. Veronica Paul has drawn on her extensive experience as a systems analyst to create a most comprehensive, professional and scientifically useful recording system, which would be the envy of any tertiary institution. The database utilises code numbers from each specimen collected, be it plant material or seed. This is then entered on the record and placed on the propagation pots.

Records are kept of the date of planting, the times of germination, the success rate of cuttings, the environmental conditions the specimens were found in, the method employed for germination and the method of storage of any seeds. This information is very important for any future research. The group has recently purchased a refrigerator for the purpose of storing seed collected. The group also works with other seed banks in Australia. Although volunteers run Wildplant Rescue Service, they are a very knowledgeable group that participates in training through TAFE courses and information sessions with experts. It is an amazing dedicated group of people and I wish them continued success in this important service to the environment and plant biodiversity.

#### **YARRAWONGA MULWALA MULTISPORT FESTIVAL**

**Mr GREG APLIN** (Albury) [1.16 p.m.]: At the western end of my electorate are the twin towns of Mulwala and Yarrowonga, separated only by the Murray River. Though situated in different States, they have that particular amalgam of cooperation and competitiveness that characterises border communities and keeps them lively. Sometimes cross-border towns have to deal with frustrating legislative inconsistencies—and this forms part of the workload for the new Cross Border Commissioner. But mostly these river communities are found to be working together for their mutual benefit and advancement.

A recent initiative of Yarrowonga Mulwala Tourism is the development of a multisport festival to take place on 20 and 21 October this year. This is an opportunity to showcase the natural beauty of Lake Mulwala and the riverside landscape of the region. The Yarrowonga Mulwala region is known as Sun Country. Tourism is strongest over the warmer months when the lake and river provide wonderful recreation opportunities. One of the aims of the local tourism authority is to widen the period during which visitors travel to the region by initiating events that take place in the cooler months. Research carried out by Yarrowonga Mulwala Tourism reveals that those visitors who attend specific events will revisit an area on numerous subsequent occasions.

Sport and outdoor recreation are important activities in this border region. The tourism authority approached Triathlon Victoria about hosting an event. The timing was perfect. A series of regional triathlons was under development and Yarrowonga Mulwala made it into the program for 2012. It seems that residents of Melbourne are not too keen to have their streets closed off quite so regularly on weekends as part of the triathlon season. The result is an enthusiastic push to get events into the regions where logistics can be managed with more contained impact on local populations. This is where towns like Mulwala and Yarrowonga have found their opportunity. Regional living certainly has its advantages. The weather along that stretch of the Murray is much warmer in October than the weather further south. For this reason the Yarrowonga Mulwala event has been nominated as the season opener for triathlon competition.

Organisers have approached triathlon organisations in New South Wales, Victoria and the Australian Capital Territory seeking assistance with promoting and funding the event as a regional sports festival with a wide reach. It is expected that competitors will travel from right across south-east Australia. Organisers are planning for a minimum of 300 competitors and have cause to believe that the involvement of New South Wales, Victorian and Australian Capital Territory triathlon associations will boost numbers even further. At

present the program will commence on Saturday 20 October with a dash event comprising a 300-metre swim, a 6.67-kilometre bike ride and a two-kilometre run. The dash is open to all school-aged children between 12 and 16. Schools can enter teams in the dash.

On the same afternoon there will be a sprint event, which will stretch the stages out to a 750-metre swim, a 20-kilometre ride and a five-kilometre run. The event will suit teams as well as individuals. Moira and Corowa shire councils are expected to send teams. It is expected that teams will be sent from emergency services and New South Wales clubs. All of this is a build-up to the main event: an Olympic distance triathlon to be held on Sunday 21 October—the big one. Competitors will start with a 1.5-kilometre swim followed by a 40-kilometre bike ride before finishing with a punishing 10-kilometre run. Early indications are that teams could be coming from regional football and netball clubs, and there have been indications of support from a number of the Australian Football League [AFL], National Rugby League [NRL] and A-League football clubs. It is also anticipated that Australian Olympian or World Cup level athletes, as well as politicians, might take to the water and streets of Mulwala and Yarrawonga for one of the three events.

As I mentioned, Mulwala and Yarrawonga have a beautiful setting along the river and Lake Mulwala. Competitors and their families will certainly enjoy moving in for the weekend and they will also experience the multi-sport village, which will be established as the central location for the festival. The multi-sport village will be located at the eastern end of the Yarrawonga foreshore and will also be the start and finish line for the events. What a great place for spectators, supporters and friends to gather. One of the features of the village will be a market where local producers will present and sell their goods to a new audience. Organisers are actively seeking sponsorship for the festival. One of the benefits for sponsors will be the opportunity to join the producers' market and raise their profile among the triathlon community.

Many positives will result from this initiative of Yarrawonga and Mulwala tourism. On the one hand there will be economic positives for the region and, once established as a success, there will be ongoing financial benefits from year to year. On the other hand there will be all the lifestyle and health messages that will flow from the event—what living in regional New South Wales is about. Those communities are not simply seeking visitors for the money they will spend locally; the festival will be a reinforcement of the health and lifestyle messages we want our children to embrace. I wish Mulwala and Yarrawonga all the best for their multi-sport festival.

### SHOALHAVEN RELAY FOR LIFE

**Mrs SHELLEY HANCOCK** (South Coast—The Speaker) [1.21 p.m.]: It is with much pleasure that I refer to Relay for Life. The Shoalhaven Nowra 2012 Relay for Life will take place this weekend at Nowra Showground and the Shoalhaven Ulladulla 2012 Relay for Life will take place at Milton Showground this weekend. This is a subject close to all of our hearts.

**Mr Ryan Park:** Hear! Hear!

**Mrs SHELLEY HANCOCK:** I acknowledge the interjection by the member for Keira. We all do what we can to help our local Relay for Life events. Across the State each year thousands of volunteers band together at their local clubs, showgrounds, leisure centres and other open spaces rain, hail or shine to raise funds for cancer research in this country. When Relay for Life began in New South Wales around 40,000 people participated annually. It now takes place in every Australia State and is celebrated in more than 600 communities across 21 countries. It is the largest fundraising event for cancer research in the world. The mission of Relay for Life is to spread a healthy lifestyle message to the community, as well as to the hundreds of people who participate in events right around the State. This year the Nowra Showground will once again be home to one of the most successful Relay for Life events held in New South Wales: the Shoalhaven Nowra 2012 Relay for Life. With more than \$1million raised since its inception nine years ago, the organising committee of Relay for Life continues to surpass all fundraising expectations.

**Mr David Elliott:** Second only to The Hills.

**Mrs SHELLEY HANCOCK:** I do not want to hear any member referring to second only to anything. The Shoalhaven Nowra Relay for Life is the best event in the State. To date the Shoalhaven Nowra 2012 Relay for Life has raised a total of \$164,422.70 and is well on the way to meeting its ambitious \$275,000 target. Last year the Shoalhaven Nowra Relay for Life was held on the weekend of 26 March—a very special day for members in this place: the State election—so I was not able to participate but the Shoalhaven Nowra 2011 Relay

for Life raised \$278,272, its greatest result so far, surpassing the previous record set in 2010. Last year some 112 teams and 1,596 participants took part, compared with 135 teams and 2,200 participants in 2010. In the first Shoalhaven Nowra Relay for Life, held in 2003, some 500 people took part. This year 1,773 people will participate as part of 149 teams. What incredible statistics and what an incredible event for all of us to attend.

Particular mention must be made of the fantastic effort of some of the teams who have held functions and fundraising events such as bake sales, barbecues, auctions, sleepovers and dinners to raise money for Relay for Life. I note the fantastic efforts of Mrs Bronwyn Freeman and her team the Cure Walkers, who have raised \$19,337.85. The Rock 'n' Roll Roses under the leadership of Captain Wendy Miller has also made a tremendous effort in raising \$9,635.85. Wendy is no stranger to Relay for Life: she has been involved for the past eight years. In that time Wendy and her loyal band of volunteers have raised more than \$85,000. I congratulate all teams and participants on their efforts to make the Shoalhaven Nowra 2012 Relay for Life even more successful. I also congratulate the hardworking organising committee, under the chairmanship of Mr Greg Brennan. Each year this event gets better and better because of the time and effort of our volunteers.

The Shoalhaven Ulladulla 2012 Relay for Life is in its second year. It is also going phenomenally well; having raised more than \$80,000 last year. The Shoalhaven Ulladulla 2012 Relay for Life is aiming to raise a lot more money this year. I note the motion moved by the member for Kiama on 15 February and the contributions made by members on both sides of the House. Support for Relay for Life is shared across the Parliament. I acknowledge the efforts of all members in their communities for this very special event, including the efforts of the member for Port Macquarie who, last weekend, participated in the Hastings Relay for Life. I thank the members for the electorates of Pittwater, Port Macquarie, Monaro, Camden and Wollondilly for kindly donating to "Team Hancock" in the Shoalhaven Nowra 2012 Relay for Life. I thank all those who attended the sausage sizzle held at Parliament House last week House to raise money for "Team Hancock". I look forward to participating and wish all participants well for this weekend.

### **THE SPOT FOOD AND FILM FESTIVAL**

**Mr BRUCE NOTLEY-SMITH** (Coogee) [1.26 p.m.]: On Sunday 11 March I had the great pleasure of attending The Spot Food and Film Festival held at The Spot, Randwick. The Spot is famous for its art deco 1930s cinema, the Ritz, and its wonderful assortment of cafes and restaurants. Today it is a vibrant place, but that has not always been the case. In the 1980s and the early 1990s demolition of the Ritz was on the horizon and the small commercial centre was slowly being abandoned. The revitalisation of the cinema by its owners, the Ziade family, who offered the cheapest cinema tickets in eastern Sydney, gave The Spot a new lease of life. But John Deegan, Chairman of The Spot Business Association, wanted to go one step further to put The Spot on the map.

Befitting its role as an entertainment centre, John proposed that The Spot Film Walk of Fame be established, with plaques honouring great players past and present in Australia's entertainment industry being placed in the pavement around The Spot. John also suggested that a street festival be held to coincide with the annual unveiling of new plaques. In 2008, as Mayor of Randwick, I was able to bring John's dream to reality and the first The Spot Food and Film Festival was held. The first movie star to be inducted was Charles "Bud" Tingwell, along with past greats Reginald "Snowy" Baker and Dame Judith Anderson. Since 2008 Jack Thompson, Roy Billing, Michael Caton, Gary Sweet, Claudia Karvan and Steve Bisley have been inducted into the Australian Walk of Fame. After a modest start in 2008, this year tens of thousands of locals and visitors alike crammed the closed-off streets of The Spot to enjoy the food, craft and information stalls, and to soak up the live entertainment.

It was truly humbling for me to be part of the incredible success of this festival. A couple of people must be singled out for that achievement. The huge events team at Randwick City Council—that is, two people—comprises Katie Griffith and Maria Parras. As mayor it was a joyous experience to work with them. Two more professional, talented, creative and hardworking people will not be found anywhere. They are to be congratulated, along with their boss and Director of City Planning, Sima Truuvert, on the great event The Spot Food and Film Festival has become. This year's inductees to the Walk of Fame were Barry Otto and Deborah Mailman, two great Australians of theatre and television. I recognise the work of Barry Watterson, who conceived the idea of the Australian Film Festival, which runs concurrently with The Spot festival and continues to grow, promoting the great work of Australian filmmakers through screenings at The Ritz and this year outdoors at Clovelly Beach. I congratulate all involved in this year's event and thank Mayor Scott Nash of Randwick City Council for his continuing commitment to this wonderful cultural event in Randwick.

## TRIBUTE TO HIS ROYAL HIGHNESS KING GEORGE TUPOU V, KING OF TONGA

**Mr BRYAN DOYLE** (Campbelltown) [1.30 p.m.], by leave: I advise the House of the recent death of King George Tupou V of Tonga. His Majesty will be remembered with admiration and appreciation for his guidance to achieve democratic reform in Tonga in 2010. As Chair of the Ministerial Community Consultative Committee for Maori and Pacific Communities I attended a memorial service for King Tupou V last night at the Cube Convention Centre, Campbelltown Catholic Club, in the great opal of the south-west—Campbelltown. Councillors from Campbelltown City Council and the Federal member for Werriwa also attended. The memorial was attended by well over 400 members of the Australian Tongan community and was hosted by my friend and President of the Macarthur Pacific Tongan Community, Salesi Tupou. I addressed the assembled mourners and passed on the condolences of Premier Barry O'Farrell and the Minister for Citizenship and Communities, Victor Dominello.

I told the assembly that grief is the price we pay for love and that, from the many people expressing their grief, it was obvious that the King of Tonga was well loved. I said that the King would have been proud of those Tongans who came to Australia and now are proudly called Australian citizens. I spoke of mentioning the Tongan community in my inaugural speech in this place and telling the Parliament about the great work in Campbelltown and Macarthur by Australians of Pacific heritage, including our Tongan friends. The ceremony was conducted by my friend Mr Benny Fonua, the Tongan community's public liaison officer. A musical item followed each speaker at the service. I told the gathering that we are a people of hope and for them to remember where they were when they heard the news that the King of Tonga had died. I asked them to look around at everyone present to draw strength from their grief, love and support.

During the ceremony we heard the cries of newborn babes. I told those assembled that, as we are a people of hope, those cries represented the sound of new life. I said that we believe in an afterlife and may the angels take the King by the hand and present him to God Most High so He may grant the King eternal life and shine perpetual light upon him, and may he rest in peace. Today as a mark of respect all flags in New South Wales and, indeed, across Australia are flying at half mast. Last night's ceremony commenced at 7.00 p.m. and did not conclude until well after 11.00 p.m. at the conclusion of all speeches. There were rousing renditions of the Australian and Tongan national anthems. Australians of Tongan descent and I farewelled King George Tupou V, the King of Tonga, with respect. His funeral will be conducted in Tonga today.

### Private members' statements concluded.

*[Acting-Speaker (Mr Gareth Ward) left the chair at 1.35 p.m. The House resumed at 2.15 p.m.]*

## ASSENT TO BILLS

Assent to the following bills was reported:

Government Information (Public Access) Amendment Bill 2011  
 Children (Detention Centres) Amendment (Serious Young Offenders Review Panel) Bill 2011  
 Crimes (Criminal Organisations Control) Bill 2012  
 Criminal Procedure Amendment (Summary Proceedings Case Management) Bill 2011  
 Courts and Crimes Legislation Amendment Bill 2011  
 Education Amendment (Record of School Achievement) Bill 2012  
 Mental Health Commission Bill 2011

## ADMINISTRATION OF THE GOVERNMENT OF THE STATE

**The SPEAKER:** I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T F BATHURST  
 Lieutenant-Governor

Office of the Governor  
 Sydney, 26 March 2012

The Honourable Thomas Frederick Bathurst, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, Professor Marie Bashir, having assumed the administration of the government of the Commonwealth, he assumed the administration of the government of the State at 11.00 a.m. on Monday 26 March 2012.

## BUSINESS OF THE HOUSE

### Notices of Motions

**Government Business Notices of Motions (for Bills) given.**

## QUESTION TIME

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[Question time commenced at 2.21 p.m.]

### THE STAR CASINO

**Mr JOHN ROBERTSON:** My question is addressed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts. Has the Minister or his media adviser, Norm Lipson, been summoned to appear before the Furness inquiry into The Star casino?

**Mr GEORGE SOURIS:** No, I have not been summoned to appear before the Independent Liquor and Gaming Authority hearings that commence next week. As the Independent Liquor and Gaming Authority made clear yesterday, the identities of the witnesses summoned to the inquiry will be made known on 2 April 2012 by Ms Furness. It would be inappropriate for me to make any comment on these matters in advance of the hearings.

### DHARAWAL NATIONAL PARK

**Mr LEE EVANS:** My question is addressed to the Premier. How has the Government delivered a new national park for south-west Sydney and the Illawarra?

**Mr BARRY O'FARRELL:** I am pleased to be able to answer the member for Heathcote and I was pleased that he, the member for Campbelltown, the member for Camden, the member for Wollondilly and the member for Oatley were able to join me on Sunday, along with the Minister for the Environment, who has done sterling work on this matter, at the Dharawal Estate Conservation Authority for the declaration of Dharawal National Park. Dharawal was gazetted as a national park yesterday—and that is great news—after first being promised 18 years ago by Bob Carr, a former Labor Opposition leader. In November 1993 Bob Carr was depicted on the front page of my favourite local paper, the *Macarthur Advertiser*, allegedly drinking from a creek in the Dharawal region. I say "allegedly" because given Bob's well-known health issues, I am not sure he would ever let such water touch his lips.

The fact is, however, he promised the national park in November 1993. When he was elected to government in March 1995 did he deliver it in his first year of government as he promised on the front page of the *Macarthur Advertiser*? No. Did he deliver it in his second year? No. What about in any of the 10 woeful years he was Premier of this State? No. Did the successors of Bob Carr—if that is not an oxymoron—deliver the national park? No. This Government—the government in which the member for Maitland is the environment Minister and the members I referred to at the beginning of my answer are significant members—has delivered in 12 months what those opposite could not do or would not do in 16 years.

Why is it important to do so? I would have thought that of all the people in this place the member for Canterbury would actually have supported this declaration; that she would not be doing what she normally does, and that is rabbiting on trying to interrupt responses to questions. I say that because amongst the great virtues of this area are some of the most significant Aboriginal heritage items and some of the greatest preponderance of significant Aboriginal rock art to be found across New South Wales. And that is in addition to the ecological and biological diversity that exists in Dharawal National Park.

For any number of reasons, whether it be the eastern pigmy possum, the broad head snake—which as I said on Sunday I did not realise existed outside those opposite in this Chamber—the population of koalas in the park, the three nationally significant flora items in the park or, importantly for people like the member for Heathcote and the member for Oatley, the pristine nature of creeks in the upper reaches, the O'Hares and Stokes creeks, or the headland of the significant Georges River, this region should have been declared a national park when Bob Carr was elected in 1995. But of course he did not do that. What was the response of members opposite when we announced our commitment? They pooh-poohed the idea. I wish to put on the record the fact that the former Premier still holds the record for the biggest swing in any State election. Eamon Fitzpatrick and Bruce Hawker helped Kristina Keneally win the record of 20 seats left—

**Dr Andrew McDonald:** Point of order: The Premier has clearly lost his written notes. He has forgotten about the mining in Dharawal.

**The SPEAKER:** Order! The Premier does not need written notes. His answer is entirely relevant to the question.

**Mr BARRY O'FARRELL:** Bruce Hawker and Eamon Fitzpatrick helped the former Premier and they ended up with 20 seats and helped Anna Bligh in Queensland end up with seven seats. We are hoping they go on to help Julia Gillard.

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

**Mr BARRY O'FARRELL:** I particularly wanted to draw attention to the comments of a member in the upper House, Luke Foley, in relation to Dharawal National Park. Mr Foley said that this declaration was ill conceived, not appropriate and would cost in compensation. Well, we have delivered it; it was gazetted yesterday without a single dollar of taxpayer compensation being paid. We deliver; they whinge. We deliver; they promise and fail to deliver. We are the true protectors of the national estate in New South Wales.

### THE STAR CASINO

**Mr JOHN ROBERTSON:** My question is addressed to the Premier. Before the election the Premier said that the Government would be whiter than white and that "where there are misdemeanours, there will be consequences". Why then in his Government's first year has the Premier refused to act against George Souris, Peter Grimshaw, Norm Lipson, Geoff Provest, Adrian Piccoli and Robyn Parker?

**Mr BARRY O'FARRELL:** I am very glad to get this question from the Leader of the Opposition. It seems to go to his theme of alleged broken promises. I say "alleged broken promises" because at a quick glance—and I do not waste a lot of time on what he puts out—

**The SPEAKER:** Order! The Leader of the Opposition has asked the question; he should listen to the answer.

**Mr BARRY O'FARRELL:** At a quick glance one of my favourites was that we did not introduce the donations laws quickly enough. Could that be because the Labor Party and The Greens in the upper House delayed it whilst we had an unnecessary and costly parliamentary inquiry? I notice also that amongst the so-called alleged broken promises is one relating to the planning review. The claim is that we have broken a promise on a review that is not going to be released until next month. What great crystal ball gazing by the members opposite. When it comes to the Pacific Highway, an issue that should be a matter of bipartisanship, the people who have threatened the 2016 dual carriageway deadline for the Pacific Highway are the colleagues in Canberra of those opposite.

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

**Mr BARRY O'FARRELL:** Yesterday the member for Camden was with the Federal Minister for Infrastructure and Transport on the F5, a road that has been upgraded over three years at a cost in the order of \$115 million. That was funded on an 80:20 Federal-State mix. The Hunter expressway, which is currently being constructed through a number of electorates including that of the member for Maitland, the Minister for the Environment, is being funded on an 80:20 mix also. Under those opposite—

**Mr John Robertson:** Point of order: My point of order is on relevance. The question was very specific and it related to consequences and why the Premier has not acted. It was not about the Pacific Highway or funding, it was about actions and consequences relating to his Ministers.

**The SPEAKER:** Order! I ask the Premier to return to the leave of the question.

**Mr BARRY O'FARRELL:** The question was about alleged broken promises. I am detailing the fact that the word "alleged" is a stretch when it comes to the document put out by those opposite. A sum of \$2.3 billion dollars is proposed to be taken off the table—

**Mr John Robertson:** Point of order:—

**The SPEAKER:** Order! Does the Leader of the Opposition wish to speak further to the point of order or does he wish to take a different point of order? I have asked the Premier to return to the leave of the question. He is now establishing relevance.

**Mr John Robertson:** He is clearly flouting your ruling.

**The SPEAKER:** Order! The Premier is not flouting my ruling; he is trying to establish relevance.

**Mr BARRY O'FARRELL:** I am speaking to the credibility of the claims of the Leader of the Opposition and the credibility of the glossy brochure that he put out yesterday. They have taken a thumping. They take advice from Bruce Hawker and end up with 20 seats and what do they do to celebrate that anniversary? They put out the sort of glossy brochure that people voted for on 26 March last year. I am not surprised that the Leader of the Opposition squirms in relation to the Pacific Highway because people will die, people will be injured and he will not stand up for them.

**Mr Michael Daley:** Point of order: If anyone is doing any squirming here, it is the Premier who is trying to protect his mate over there—

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

**Mr Michael Daley:** He has gone nowhere near the question.

**The SPEAKER:** Order! The member for Maroubra will resume his seat. The Premier will return to the leave of the question now that he has established relevance.

**Mr BARRY O'FARRELL:** Three of the people named by the Leader of the Opposition have had no finding of fact against them, not even a pointed decision made by government. That very issue was confirmed again yesterday by the head of the Independent Liquor and Gaming Authority, who said that he could categorically state that no member of his authority, including himself, had been politically interfered with by anyone in this Government or the staff of anyone in this Government. When it comes to the Minister for Education, Mr Boston's report is very clear.

**The SPEAKER:** Order! The Leader of the Opposition wanted the Premier to answer the question. He is now doing that and the Leader of the Opposition should listen. I call the Leader of the Opposition to order.

**Mr BARRY O'FARRELL:** Why did the Independent Commission Against Corruption reject the Leader of the Opposition's referral?

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

**Mr BARRY O'FARRELL:** He is the bloke who makes referrals to the Independent Commission Against Corruption but does not trust it, and he is the bloke who today is trying to avoid the fact that the commission has stated there was no corruption for it to investigate. It is a joke, and the Leader of the Opposition is a joke. No wonder his ratings are where they are.

#### **BUSINESS MIGRATION**

**Mr JOHN BARILARO:** My question is directed to the Deputy Premier. What has been the response to the release of the Government's migration strategy?

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

**Mr ANDREW STONER:** Madam Speaker, I compliment you on a stellar first year as Speaker of this House.

**The SPEAKER:** Thank you; I have enjoyed it immensely.

**Mr ANDREW STONER:** I thank the member for Monaro for a very good question. Of course, the parents of the member for Monaro are among the many great examples of hardworking migrants carving out a successful life for themselves and their children in regional New South Wales. There is no doubt that high value migration has a critical role to play in improving our State's productive capabilities. Migrants can provide many of the skills we need to underpin the actions we are taking to rebuild the economy both in Sydney and throughout regional New South Wales. Business migrants, in particular, bring with them experience, international connections, entrepreneurial skills and capital to establish new businesses and grow jobs in our great State.

By focusing on skills gaps, streamlining visa processing and providing broader options for overseas investors this Government is getting on with the job of attracting high-value migrants to grow our economy and grow jobs, as outlined last week in the New South Wales Strategy for Business Migration and Attracting International Students. We will work with other key stakeholders including the Federal, Victorian and Queensland governments on increasing our share of State government-sponsored skilled migrants and our share of business skills migration. We will work with regional communities on the operation of our skilled migration program, to simplify requirements for investor migration to New South Wales and to broaden the range of investment options recognised by the Commonwealth, and we will work with the Commonwealth to explore options for a new investor visa, and to extend streamlined visa processing and post-study work rights for a broader pool of overseas students based in New South Wales.

I am pleased to report that the Government's strategy has been particularly well received. At a stakeholder briefing last week Mr Jost Stollman, himself a classic entrepreneurial migrant success story, warmly welcomed the strategy. Jost came to Australia from Germany in 2004 on a New South Wales-sponsored investor provisional 165 visa. In Germany he was the founder of a \$US1 billion company and went on to become a Minister in the German Schroeder Government. I know the member for Canterbury is not interested in this but I think the public and other members are. In Sydney Mr Stollman established a company that was listed by *BRW* magazine last year as the fourth fastest growing enterprise in Australia. Our strategy is designed to encourage this sort of entrepreneurial migration from all over the world. The New South Wales Business Chamber's Chief Executive, Stephen Cartwright, supported our plan—

**Mr Ryan Park:** Oh, that's unusual.

**Mr ANDREW STONER:** Is the member opposed to the Business Chamber?

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

**Mr ANDREW STONER:** His comment was:

NSW needs to become more active in making clear that the State welcomes skilled migrants, investor migrants and visitors undertaking international education.

Manpower Group Managing Director, Lincoln Crawley, said:

The State governments need to work closely with Federal and I was very pleased to see in the announcement this morning that that's exactly what the NSW Government is going to be doing.

The Chief Executive Officer of the Australian Council for Private Education and Training, Claire Field, said:

We congratulate the NSW Government on the strategy, which sends a clear message to international students, investors and business migrants that NSW is indeed 'open for business'.

Given that the population of New South Wales accounts for 30 per cent of the national population we are endeavouring to lift our share of State-sponsored skilled migrants from the 11 per cent share that was achieved under the members opposite. We are correcting the laziness and complacency of those opposite to get our economy moving again. The final word on this should reside with the editorial in the *Sydney Morning Herald* appropriately titled "Opening Sydney to the World" that stated that the New South Wales Government's strategy was "a refreshing change of attitude". We could not agree more. It is indeed a refreshing change of attitude that tells the world we are open for business.

## PACIFIC HIGHWAY UPGRADE

**Mr ROBERT FUROLO:** My question is directed to the Deputy Premier. The former Nationals member of Parliament and NRMA president Wendy Machin has described the Government's refusal to fund its share of the Pacific Highway as disingenuous and has said that the decision will ensure further long delays in upgrading this dangerous highway. Why will the Government not fund its promise to upgrade the Pacific Highway by 2016?

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

**Mr ANDREW STONER:** They have got a hide. This Government has taken its share of the funding of the Pacific Highway from a paltry 86:14 that members of the Opposition reigned over when they were last in government, helped along by a \$300 million deduction in their disastrous September 2008 mini-budget.

**The SPEAKER:** Order! The member for Lakemba has asked the question. He should listen to the answer.

**Mr ANDREW STONER:** They were funding 14 per cent and we have injected an additional \$468 million to bring the ratio up to 80:20.

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

**Mr ANDREW STONER:** Earlier in response to a question from the Leader of the Opposition the Premier outlined how consistently the funding for national road projects, including the Hunter expressway and a number of other projects, is 80:20 in this State.

**Mr Michael Daley:** Point of order: My point of order is relevance. Wendy Machin said in the *Coffs Coast Advocate* that it was the Howard Government that set the 50:50 funding split.

**The SPEAKER:** Order! I heard the question. The member for Maroubra is out of order. That is not a point of order. I call the member for Maroubra to order.

**Mr ANDREW STONER:** The hide of the former roads Minister, who presided over that woeful 86:14 contribution from the New South Wales Government, to take that point of order. It is unbelievable hypocrisy.

**Mr Michael Daley:** Point of order—

**The SPEAKER:** Order! I will not be as tolerant in relation to this point of order.

**Mr Michael Daley:** It was 50:50 and \$618 million—

**The SPEAKER:** Order! The member for Maroubra will resume his seat. I call the member for Maroubra to order for the second time. I call the member for Maroubra to order for the third time. If members continue to use points of order as opportunities to debate a motion or interject across the table I will no longer acknowledge them. I place the member for Canterbury on three calls to order. I remind the member for Maroubra that he is on three calls to order.

**Mr ANDREW STONER:** The fact is that the Federal Government has been funding national transport infrastructure projects, including the Hume Highway duplication, the Hunter expressway, the widening of the F5 and F3, improvements to the Barton Highway and the Great Western Highway between Mount Victoria and Lithgow, the proposed Parramatta to Epping rail link and of course projects in other States in this nation at a rate of 80:20 or better. The 2016 completion date for the Pacific Highway has been threatened by only one thing, that is, the Federal Labor Government shifting the goalposts when it comes to its share of funding an important—

**The SPEAKER:** Order! I remind the Leader of the Opposition that he is on three calls to order. He will cease interjecting.

**Mr ANDREW STONER:** For arguably the most important national road transport link in Australia, the Federal Government is threatening to pull \$2.3 billion out.

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

**Mr ANDREW STONER:** If it is not achieved by 2016 it will be due to the Gillard Labor Government, with the full support of those opposite.

**The SPEAKER:** Order! The member for Lakemba will control himself.

## ELECTRICITY PRICES

**Mrs TANYA DAVIES:** My question is addressed to the Treasurer. What is the Government doing to put downward pressure on household electricity bills?

**Mr MIKE BAIRD:** I thank the member for Mulgoa for her question. She has fought to improve the cost of living for many families across her electorate for years, and has put up with those pressures. This

Government is delivering on another election commitment to help with the cost of living. The Minister for Resources and Energy, I and indeed the entire O'Farrell Government are acting to put downward pressure on electricity prices to help households doing it tough. We are increasing the low-income household rebate to \$215 per year, which will help 700,000 electricity consumers currently. At the same time we are introducing a new family energy rebate of \$75 per year from 1 July 2012, which will help 540,000 families across the State. That will provide up to \$250 each to eligible households that are struggling with rising power bills. The O'Farrell Government is helping these families with these initiatives that we have announced.

A new State-owned corporation will be more efficient and cost-effective. The new structure will bring together Ausgrid, Endeavour Energy and Essential Energy and it will maintain the individual brands. There will be a shared corporate service, reductions in corporate overheads, fewer boards, small head offices and efficiency gains worth more than \$400 million over four years. This reform is about making sure taxpayers and electricity consumers get value for their money. I am sure every member in this House, certainly members of the Government, but Opposition members seem to be against this—

**Mr John Robertson:** Just for the record, we are.

**Mr MIKE BAIRD:** I heard the Leader of the Opposition say he is against this. What will the reform that he is against do? It will put \$250 on the kitchen tables of families across this State. What does the Leader of the Opposition want to do with the cost of living? What would he do? We are proud to stand by and help families across this State that are doing it tough with electricity and power bills. We are happy to give them that money—

**The SPEAKER:** Order! I again remind the Leader of the Opposition that he is on three calls to order. This is my final warning.

**Mr MIKE BAIRD:** The O'Farrell Government is also committed to do everything it can to reduce the impact of Labor's carbon tax because it knows that from 1 July—as the Minister for Resources and Energy will outline again and again—electricity prices will increase by 10 per cent on the back of the carbon tax. We will continue to ask the Federal Labor Government to look after our consumers. The Council of Social Service of New South Wales [NCOSS] said that this is a better targeted reform to the families that need it most. It also said that it is "better targeted than the Labor's Fairness for Families announcement". Do we all remember Fairness for Families? It has been about a year since the election. We do remember a Fairness for Families policy. I have it here: it shows a kitchen. It was the centrepiece of Labor's re-election strategy.

What did it say? The former Premier claimed "my cost of living plan, the Fairness for Families will give household budgets across the State the break they need." It sounds impressive. They claimed it would limit the increase in fees, taxes and charges, including stamp duty, land tax, motor vehicle tax, driver licence fees, and vehicle registration fees. It sounds almost too good to be true. What did the costing show? Let us look at the details. What did Tony Harris say? What benefits to families would these measures in Fairness for Families deliver for families? What does it say about stamp duty? In the costing document the benefits to families on the basis of the stamp duty, zero. The benefits to families on the land tax measures proposed—

**Dr Andrew McDonald:** Point of order: The question was about electricity prices and not about a policy.

**The SPEAKER:** Order! I am aware of the question. The Treasurer has established a context for his answer. The member for Macquarie Fields will resume his seat.

**Mr MIKE BAIRD:** On motor vehicle tax, on registration fees, on drivers licence fees, what was the impact on families on the basis of this policy?

**Government members:** Zero.

**Mr MIKE BAIRD:** We know what families across this State need. They want a Government that will actually act, not talk—not give brochures but act. The O'Farrell Government is delivering rebates of \$250 to families across this State that need it most. That is a Government listening. That is a Government caring. And that is what the O'Farrell Government is all about.

**Mrs TANYA DAVIES:** May I seek an extension?

**The SPEAKER:** Order! Does the Treasurer seek an additional two minutes?

**Mr MIKE BAIRD:** No.

### **KEMPS CREEK RADIOACTIVE WASTE SITE**

**Mr PAUL LYNCH:** My question is addressed to the Premier. Will the Premier confirm that soil containing low levels of radioactive contamination will be dumped at Kemps Creek in Western Sydney?

**Mr BARRY O'FARRELL:** No, I cannot confirm because, as I understand it—and I will get advice from the Minister for Finance and Services—and as we announced, soil will be tested on site by the Australian Nuclear Science and Technology Organisation. Any toxic soil will be disposed of at Lidcombe. That is in line with what we said. The interjection from the member for Auburn is probably about five or six years too late because it was her Government that upgraded the Lidcombe facility.

**Mrs Barbara Perry:** You know that's not right.

**The SPEAKER:** Order! The member for Auburn will not interject or debate the issue.

**Mr BARRY O'FARRELL:** They put millions of dollars into the facility to ensure that it was suitable to house toxic radioactive waste. That was not a decision made by this Government; the Labor Government decided to upgrade that facility. I am happy to come back to the House with a detailed answer, but this Government's election commitment is on track.

**Mr John Robertson:** Point of order: Perhaps I can help the Premier. I have a letter—

**The SPEAKER:** Order! The Premier does not need the assistance of the Leader of the Opposition. There is no point of order. The Leader of the Opposition will resume his seat.

**Mr BARRY O'FARRELL:** As I was saying when I was so rudely interrupted—but not as rudely interrupted as the Labor Party was in Queensland on Saturday—

*[Interruption]*

It must have been great in the households of Opposition members on Saturday night. They would have been rubbing their hands together with glee because finally someone had done worse than they did. Everyone but the former Premier could have said that because the swing was bigger in this State. She still goes down in history as the—

**Mr Paul Lynch:** Point of order: This is the predictable point of order. Whatever the Premier is now doing it is definitely not relevant to the question he was asked.

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

**Mr BARRY O'FARRELL:** I was reflecting on red hot results and radioactivity and the apparent danger to the Labor Party in any State.

**The SPEAKER:** Order! That is not relevant. The Premier will return to the leave of the question.

**Mr BARRY O'FARRELL:** I was rudely interrupted by the Leader of the Opposition. Is he still the leader or is the member opposite working on the numbers? Who knows? I am backing the member for Cessnock, because the member for Wollongong has ruled herself out. As the Minister for Finance and Services said, waste will be removed and tested on site under the supervision of the Australian Nuclear Science and Technology Organisation. In the event that any hazardous material is found, it will be separated and taken to a secure existing storage facility operated by the New South Wales Office of Environment and Heritage at Lidcombe. As I said, that facility was upgraded to take this type of waste under a Government in which the member for Auburn was a Minister.

**The SPEAKER:** Order! The member for Auburn will cease interjecting. The Premier is answering the question.

**Mr BARRY O'FARRELL:** The former Government spent \$4 million in 2007-08 upgrading this facility to comply with the requirements for the secure storage of radioactive materials under the Australian Radiation Protection and Nuclear Safety Agency code of practice entitled "Security of Radioactive Sources". According to my notes, all preliminary testing has indicated that no hazardous radioactive material is likely to be found. However, in a display of abundant caution, the Government has prepared for that contingency and will implement a world's best practice monitoring regime through the Australian Nuclear Science and Technology Organisation.

I note that in the glossy document released by members opposite to celebrate being kicked out of office, because they released too many glossy documents, one of the alleged broken promises relates to Kemps Creek. As the member for Mulgoa knows, it is rubbish. I will not use the cow expression. It is rubbish. If the member for Auburn wants the truth she should tell the House about the Labor Government spending money to upgrade a facility in her electorate to take radioactive material. She was either asleep at the Cabinet table or she simply ignored her residents.

### SPECIAL EDUCATION SERVICES

**Mr ANDREW CORNWELL:** My question is directed to the Minister for Education. How is the Government providing greater support to students with disabilities in government schools?

**Mr ADRIAN PICCOLI:** I appreciate the question and the member's interest in public education and, in particular, his support for students with disabilities. It is great to be a member of a Government that is reforming education, health, transport and the other areas ignored by the previous Government. I must give credit to all the members of the Liberal-Nationals in this Parliament for achieving this reform. They have been agitating over the years, both in government and in opposition, about the need to reform the way in which we support students with disabilities. Like me, they have visited schools and built relationships with their communities. That advocacy has ensured that reforms such as this have been introduced.

**Ms Carmel Tebbutt:** Thank you, Prime Minister.

**Mr ADRIAN PICCOLI:** I am proud to be the Minister for Education and also to be a member of the effective Government for which the people of New South Wales have been waiting for 16 years. I acknowledge the interjection of the member for Marrickville, which nicely segues to the blue folder that I have been carrying around. I will enlighten members about her performance as Minister. We have seen a number of reforms in the education sector over the past three or four weeks. One of the three most significant reforms is the greatest introduced in 100 years and the other two are also very important. However, I return to the performance of the member for Marrickville. An article in the *Daily Telegraph* of 7 March 2007—

**Ms Sonia Hornery:** Point of order—

**The SPEAKER:** Order! Government members who do not come to order will be placed on calls to order. I call the member for Murray-Darling to order.

**Ms Sonia Hornery:** Madam Speaker, I ask that you direct the Minister to return to the leave of the bill, which is about the Government's performance.

**The SPEAKER:** Order! The House is not debating a bill; this is question time. The Minister is about to answer the question.

**Mr ADRIAN PICCOLI:** I will respond to the interjection. The article states:

Education Minister Carmel Tebbutt is nowhere to be seen.

My overflowing email inbox contains not one press release, opinion or policy message from her.

The article was written by Maralyn Parker when the member for Marrickville was the Minister for Education and Training. The Government's announcement today is about terrific reform that will benefit all students with disabilities in this State. The Commonwealth Government will contribute \$48 million for public schools under the National Partnerships Program, which applies to all three education sectors. Today I had the pleasure of attending Fort Street Public School with Dr Geoff Newcombe from the Association of Independent Schools of

New South Wales and Brian Croke from the Catholic Education Commission. The relationship between the Commonwealth Government and New South Wales Government means that all students with disabilities across all education sectors in New South Wales will benefit. The Government also announced what New South Wales will do with that National Partnerships funding, which comprises five elements.

Four of those elements are funded by National Partnerships additional funding, which this Government of course supports. They relate to improving the capacity of all schools to support students with disabilities and for professional development. The program will involve the training of up to 6,000 teachers to give them a better understanding of their obligations under the Disabilities Standards for Education and to build their skills. We have great teachers and the Government is using this as an opportunity to make them even greater. We will fast track the development of a functional assessment tool. I make particular reference to the Hon. Robyn Parker's role as chair of an upper House inquiry into disability services.

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

**Mr ADRIAN PICCOLI:** This Government is implementing one of the key recommendations in the report that resulted from that inquiry. Unlike members opposite, this Government is implementing those recommendations. This measure will be one of the most significant parts of the reform process. I refer members to a letter I recently received from a parent, which was copied to the member for Toongabbie, relating to the functional assessment tool. [*Extension of time granted.*]

This particular reform, this functional assessment tool, is one of the things of which members of this House can be most proud. Currently, to receive individual assistance of less than \$6,000 for a student—above \$6,000 nothing changes for students—a parent has to go to a doctor and ask for a diagnosis of his or her child. I have two children, a four-year-old and a one-year-old, and it makes me emotional to think about going to a doctor and asking a doctor to put a label on my children in order to get—

**Dr Andrew McDonald:** It is their job; that is what they get paid for.

**Mr ADRIAN PICCOLI:** I understand that, and I am not blaming anybody for it. That is the nature of the system and we are changing it so that students do not have to be labelled. I will read the letter I referred to earlier, but I will not name any names. It states:

In March 2011, as the school had begun to experience our son's challenging behaviours for themselves ... the school indicated and urged us to push for a diagnosis along the lines of Autism Spectrum Disorder [ASD].

Later this parent says:

We arranged for our son to see a child psychologist who conducted screening for ASD and ADHD. The psychologist indicated that our son was not diagnosable with ASD, but that he was diagnosable with ADHD.

The letter goes on to state how difficult and emotionally challenging it was to get a diagnosis. These are significant changes. We have made additional changes. As I said, there are five key elements to this reform, which is supported by parents, including Di Samuels from the South Coast, who said:

They've increased the number of teacher aides at the school and the staffing has been more flexible, so there has been some team teaching occurring.

It's been great to see that the various kids that need help haven't needed a label and that they've got help in a timely fashion so that they're now able to access programs on a daily basis—specialist learning programs that they need as opposed to what was happening before which was an hour a week ... [*Time expired.*]

### **EVERY STUDENT, EVERY SCHOOL INITIATIVE**

**Ms CARMEL TEBBUTT:** My question is directed to the Minister for Education. Will the Minister guarantee that no school will be worse off and that no school will lose support teacher learning assistance positions as a result of the Every Student, Every School reform that he announced today?

**Mr ADRIAN PICCOLI:** I am very pleased to be asked that question and to have 12 minutes to respond about the terrific reform we announced today—and I will get to the question in a second. To continue the previous quote, the parent said—

**The SPEAKER:** Order! Perhaps the Minister could answer the question first.

**Mr ADRIAN PICCOLI:** It is an important question.

**The SPEAKER:** Order! I have suggested that the Minister return to the leave of the question.

**Mr ADRIAN PICCOLI:** It is an important question that I have been asked.

**Mr John Robertson:** Then answer it.

**Mr ADRIAN PICCOLI:** I will get to it; I will answer the question.

**The SPEAKER:** Order! I do not need assistance from Opposition members. I trust that the Minister will return to the leave of the question.

**Mr ADRIAN PICCOLI:** No-one with a permanent position will lose their jobs as a result of these reforms.

**Ms Carmel Tebbutt:** That is not the question.

**The SPEAKER:** Order! The Minister has answered the question.

**Mr ADRIAN PICCOLI:** As I said at the beginning of my previous answer, all students will benefit as a result of these reforms. The problem with the Opposition's approach to everything in education is that they can only do something if they throw a bucket of money at it. What we are doing here is making sure that the money we are spending is allocated much more effectively.

**Mr Robert Furolo:** Who are the winners and who are the losers?

**Mr ADRIAN PICCOLI:** The Opposition asked me the question; its members should at least have the decency to listen to the answer. We have seen what happened in the Illawarra where this reform was trialled. The vast majority of principals want this change. I was in the process of quoting a parent. Let us forget about the schools and teachers; what do parents want to see? What is in the best interest of students? No-one knows what is in students' best interests better than their—

**Ms Anna Watson:** Point of order—

**The SPEAKER:** Order! The Minister for Education will resume his seat. I warn the member for Shellharbour that if she is going to say this is not true, that will not be a point of order.

**Ms Anna Watson:** I am going to say that it is not true and he is misleading the House—

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

**Ms Anna Watson:** He is misleading this House.

**The SPEAKER:** Order! The member will resume her seat. The member for Shellharbour should read the standing orders in relation to points of order. The Minister for Education has the call.

**Mr ADRIAN PICCOLI:** I did not hear what I was meant to be misleading the House about, but we are changing the way that resources are allocated to support students with disabilities. I will give an example. A typical travelling support teacher team from one of our regions, the Illawarra-South Coast—a team of six support teachers led by an assistant principal—looks after 60 schools. Over three months the support teachers managed to visit only 23 of those 60 schools. In other words, 37 schools missed out because the support officers did not have time to get to them. The support for those 23 schools varied greatly. One school received only one visit, while another school received 71 visits. The problem is that, particularly in regional electorates—in parts of New South Wales like the Illawarra-South Coast, south-western New South Wales, the North Coast, the North West and the Central West—teachers spend three-quarters of their time on the road. They do a great job, but they are hampered by the fact that they spend three-quarters of their time on the road.

**Ms Carmel Tebbutt:** Point of order: I refer to Standing Order 129, relevance. The question was very simple. Will the Minister give a guarantee that no student will be worse off—yes or no?

**The SPEAKER:** Order! The Minister is providing a relevant answer to the question.

**Mr ADRIAN PICCOLI:** The answer to the question is that there is \$48 million in additional funding—

**Ms Carmel Tebbutt:** Federal money.

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

**Mr ADRIAN PICCOLI:** That funding is going into this program to lift the capacity of every school to deliver for students with disabilities. The evidence is overwhelming in every aspect of education that the best way to improve student performance is to lift the capacity and capabilities of the teaching profession. That is the best way to support students. That is what we are doing with the \$48 million that the Commonwealth is providing, which is more than welcomed by the New South Wales Government. We always look for ways of developing positive partnerships with the Commonwealth, and this is one example. But we are also changing the way that we allocate resources to students with disabilities. It is not the best use of teachers' time to spend three-quarters of their time in a vehicle. We are putting those resources directly into schools so that parents like Di Samuels near Bega can see the types of benefits that they bring for her students. She said:

It's been great to see that the various kids that need help haven't needed a label and that they've got help in a timely fashion so that they're now able to access programs on a daily basis—specialist learning programs ...

*[Time expired.]*

### NURSING STAFF NUMBERS

**Dr GEOFF LEE:** My question is directed to the Minister for Health, and Minister for Medical Research. What has the Government done in its first 12 months to deliver on its election commitment of providing more nurses for our health system?

**Mrs JILLIAN SKINNER:** I thank the member for Parramatta for his question and commend him for his interest in health matters relating to his electorate. The message is simple: We are delivering on our election commitment, with 2,000 more nurses—additional permanent nurses—working in our hospitals since the election. In only one year we are well on the way towards delivering on our election commitment of 2,475 nurses—we already have 2,000, a much greater number than Labor had.

**Dr Andrew McDonald:** That is not true.

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

**Mrs JILLIAN SKINNER:** On Sunday I had the great pleasure of attending the Royal College of Nursing Australia Nursing and Health Expo. Everyone there was rejoicing about the extra nurses in our public hospital system.

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

**Mrs JILLIAN SKINNER:** On Monday—the anniversary of our election—I took great pleasure attending Royal North Shore Hospital, where I welcomed the 43 new nurse graduates who were starting their 12-month stint at the hospital. In the past three months members of Parliament have welcomed 2,163 new nurses around the State.

**The SPEAKER:** Order! Members will cease their discussions across the table.

**Mrs JILLIAN SKINNER:** I would have thought all members of Parliament would be welcoming these new nurses. It is surprising that Opposition members do not. I was with the member for Murray-Darling at Broken Hill, where I welcomed eight new nurses and I was with the member for Dubbo welcoming 35 nurses there—22 will work in Dubbo and 13 will go to remote hospitals in Bourke, Brewarrina, Forbes and across the system. I know the Premier was happily joined by the member for Parramatta in welcoming 161 new nurse graduates to Westmead Hospital, and the 97 on the Central Coast are welcomed by every member of this House. Of the new nurse graduates, 581 are heading to western Sydney and 593 to rural and regional New South Wales. The Government is delivering. I will quote someone I do not often quote in this Parliament.

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

**Mrs JILLIAN SKINNER:** In an interview on ABC radio this morning Mr Brett Holmes, the General Secretary of the NSW Nurses' Association, was asked by Linda Mottram, "Are you willing to go so far as to congratulate the Government?" She was speaking about our extra 2,000 nurses. He replied, "Well this is very good news. In fact, we are progressing along increasing the number of nurses in our public hospital system. It is a good improvement. We are seeing responses from our members who are experiencing increases in the numbers as a result of the nurse-to-patient ratios delivered by the nursing hours model in their wards and units, and people are starting to believe that they are starting to deliver the sort of service that patients deserve."

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

**Mrs JILLIAN SKINNER:** Those on this side of the House are "starting to deliver"; those opposite never did. More than that, the Government is delivering on infrastructure. The Government promised \$3 billion in its first four years in office; it is delivering \$4.7 billion. The Government promised \$125 million for Blacktown Hospital. In fact, I was very pleased to visit Blacktown Hospital with the Premier and local members to talk about the Government's delivery of \$300 million, including the provision of desperately wanted car parking spaces. This funding has been welcomed by the Federal Labor member for Greenway, Michelle Rowland, and by the former member for Blacktown, Mr Paul Gibson—I do not think the current member for Blacktown joined the community in welcoming this funding.

I was also in Campbelltown the other day delivering on other promises made by this Government. The Government promised \$40 million for Campbelltown but it is delivering \$139 million—contrast that with the former Labor Government. In the past 10 days I have visited 10 hospitals where I have listened to clinicians and seen first-hand the inspiring work being done in our health system, including at Nepean, Blacktown, Tamworth, Blue Mountains, Bathurst, Lithgow, Campbelltown, Liverpool and Royal North Shore hospitals, and the Royal Hospital for Women. The Government is receiving plaudits for the work it is doing in putting extra nurses on wards and for delivering on its promises to upgrade infrastructure promised but not delivered by Labor.

**Question time concluded at 3.12 p.m.**

#### **JOINT STANDING COMMITTEE ON ROAD SAFETY**

##### **Report**

**Mr Greg Aplin**, as Chair, tabled the report of the Joint Standing Committee on Road Safety entitled "Inquiry into School Zone Safety" report No. 1/55, dated March 2012.

**Ordered to be printed on motion by Mr Greg Aplin.**

#### **LEGISLATION REVIEW COMMITTEE**

##### **Report**

**Mr Stephen Bromhead**, as Chair, tabled the report entitled "Legislation Review Digest No. 13/55", dated 27 March 2012, together with minutes of the committee meeting regarding Legislation Review Digest No. 12/55, dated 13 March 2012.

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

#### **BUSINESS OF THE HOUSE**

##### **Suspension of Standing and Sessional Orders: Routine of Business**

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.13 p.m.]: I move:

That standing and sessional orders be suspended to provide that:

- (1) on Monday 2 April 2012 the routine of business is to be as set out in the sessional order for Tuesdays;
- (2) on Tuesday 3 April 2012 the routine of business is to be as set out in the sessional order for Wednesdays; and
- (3) on Wednesday 4 April 2012 the routine of business is to be as set out in the sessional order for Thursdays.

As next week is Easter week there has been a slight change to the sitting days, which members were notified about some months ago.

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

**Motion agreed to.**

#### **JOINT STANDING COMMITTEE ON ELECTORAL MATTERS**

##### **Extension of Reporting Date**

**Motion by Mr Brad Hazzard agreed to:**

That:

- (1) clause (3) of the resolution of 22 June 2011 appointing the Joint Standing Committee on Electoral Matters be amended to extend the reporting date on the 26 March 2011 State Election from 12 months to 18 months; and
- (2) a message be sent acquainting the Legislative Council of the resolution and requesting the Legislative Council to pass a similar resolution.

**Message sent to the Legislative Council advising it of the resolution and requesting it to agree to a similar resolution.**

#### **PETITIONS**

**The Speaker announced that the following petition signed by more than 10,000 persons was lodged for presentation:**

##### **Hunters Hill Radioactive Waste**

Petition requesting an immediate stop to the transfer of radioactive waste from Hunters Hill to Lidcombe, received from **Mrs Barbara Perry**.

**Discussion on petition set down as an order of the day for a future day.**

**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**.

##### **Animals Performing in Circuses**

Petition requesting a ban on exotic animals performing in circuses, 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**.

### **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 Ministers had lodged responses to petitions signed by more than 500 persons:**

The Hon. Jillian Skinner—Armidale Rural Referral Hospital Upgrade—lodged 14 February 2012  
(Mr Richard Torbay)

The Hon. Jillian Skinner—Nepean Hospital Parking Facilities—lodged 15 February 2012  
(Mr Stuart Ayres)

The Hon. Michael Gallacher—Tamworth Crime and Antisocial Behaviour—lodged 14 February 2012  
(Mr Kevin Anderson)

The Hon. Duncan Gay—Wyong Road Traffic Control Signals—lodged 23 February 2012  
(Mr Chris Spence)

The Hon. Duncan Gay—Jigamy Farm Road and Signage—lodged 22 February 2012  
(Mr Andrew Constance)

The Hon. Gladys Berejiklian—Inner West Light Rail Extension—lodged 15 February 2012  
(Ms Carmel Tebbutt)

The Hon. Katrina Hodgkinson—Terranora Inlet Fish Netting—lodged 14 February 2012  
(Mr Geoff Provost)

The Hon. Greg Smith—Tamworth Crime and Antisocial Behaviour—lodged 14 February 2012  
(Mr Kevin Anderson)

### **COMMUNITY RECOGNITION NOTICES**

**By leave and pursuant to resolution the Speaker identified that General Business Notices of Motions (General Notices) Nos 41, 44, 45, 57, 63, 66 to 69, 71, 74, 75, 75, 77 to 80, and 86 had been reclassified as General Business Community Recognition Notices.**

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

#### **NATIONAL VOLUNTEER WEEK**

**Ms CHERIE BURTON**—That this House:

- (1) Notes the theme for National Volunteer Week 2011 is "Inspiring the Volunteer in You".
- (2) Notes that National Volunteer Week provides an opportunity to acknowledge, highlight and thank those 5.4 million Australians who volunteer in their communities each year.
- (3) Notes that Volunteering Australia is the national peak body for volunteering, representing the views and needs of the volunteer movement while promoting the activity of volunteering as one of enduring social, cultural and economic value.
- (4) Calls on the Government to continue the support and initiatives of the previous Government with respect to volunteering in New South Wales.

#### **MOTHERS DAY CLASSIC WALK/RUN**

**Ms CHERIE BURTON**—That this House:

- (1) Congratulates Women in Super for establishing the Mothers Day Classic Walk/Run for breast cancer research.
- (2) Notes that the purpose is to raise money for breast cancer research, to increase awareness of breast cancer within the community and to support and remember those touched by cancer.

- (3) Acknowledges that Women in Super established this event because breast cancer is one of the leading cancer related deaths in females.
- (4) Recognises that from modest beginnings in 1998 the Mothers Day Classic has grown from 3,300 participants in the first year to over 100,000 in 2010 and has raised over 7.8 million for breast cancer research projects.

#### **TRIBUTE TO KENGO YAGAMI**

**Ms SONIA HORNER**—That this House:

- (1) Notes that Kengo Yagami, Head Coach Swimming, Lake Macquarie City Council, has mentored young swimmers, hosted many overseas swimming squads, promoted “World Peace through Swimming” and that his efforts are highly appreciated by our community.
- (2) Congratulates Kengo Yagami for the valuable friendship links he has fostered between the Hunter and Japan.

#### **MARINE RESCUE NSW VOLUNTEERS**

**Mr ROB STOKES**—That this House:

- (1) Notes the outstanding work undertaken by Marine Rescue volunteers in communities throughout New South Wales.
- (2) Notes that on Saturday 7 May 2011 volunteers from the Cottage Point Marine Rescue Unit, led by Commander David White and his crew John Bensley, Luke Andrews, Paul Millar and Luke Hogarth, were involved in two successful emergency situations involving critically injured boat owners.
- (3) Notes the skill and professionalism shown by these volunteers.
- (4) Congratulates all Marine Rescue volunteers throughout New South Wales on their invaluable contribution in keeping our waterways safe.

#### **DISABILITY TRUST WHITE KNIGHTS FUTSAL TEAM**

**Mr GARETH WARD**—That this House:

- (1) Recognises the achievements of the Disability Trust White Knights Futsal Team and wishes them well as they head to Italy for the Global Games in September this year.
- (2) Congratulates the Futsal Team on their success at the National Championships in Canberra in January 2011.
- (3) Recognises the opportunities provided to people with disabilities by Sports4All.
- (4) Acknowledges the achievements of Gerringong resident Mitchell Forrest on being selected for the national team.

#### **BROTHERS OF ST PATRICK**

**Mr GUY ZANGARI**—That this House:

- (1) Notes the contribution of the Brothers of St Patrick towards the education of young men and the Brothers' support of the local community since 1953.
- (2) Commends the Patrician Brothers community (College, Old Boys Union, Junior Rugby League Club, Soccer Club, Cricket Club) for their tireless work within the Fairfield electorate.

#### **NSW SENIORS WEEK ACHIEVEMENT AWARDS**

**Ms LINDA BURNEY**—That this House:

- (1) Congratulates Mrs Susan Rance and Mr Ken Curtis, winners in the category of community service/volunteering in the 2011 NSW Seniors Week Achievement Awards.
- (2) Recognises the significant contributions made by these volunteers.

#### **STARS OF TAFE 2011 AWARDS**

**Mr GARETH WARD**—That this House:

- (1) Congratulates the recipients of the Stars of TAFE 2011 Awards held at the CityBeach Function Centre on Thursday 19 May 2011.
- (2) Commends the work and efforts of Dianna Murray, Institute Director and especially her dedication to growing the TAFE sector.
- (3) Commends the hard working teachers, staff and students in the NSW TAFE sector.

**WOONONA SURF LIFE SAVING CLUB**

**Mr RYAN PARK**—That this House:

- (1) Notes that the Woonona Surf Life Saving Club has been contributing to the local community for over 90 years.
- (2) Notes that the Woonona Surf Life Saving Club encourages a safe surf environment at Woonona Beach and actively aims to develop self-confidence and leadership skills amongst members.
- (3) Congratulates Woonona Surf Life Saving Club on achieving bronze level status in the Surf Life Saving NSW Quality Clubs Program.

**NEWTOWN NEIGHBOURHOOD CENTRE**

**Ms CARMEL TEBBUTT**—That this House:

- (1) Notes that Newtown Neighbourhood Centre has been assisting the local community for over 30 years and offers a range of important services for older people, people with mental illness, people from culturally and linguistically diverse backgrounds, people on low income and people with disabilities.
- (2) Notes that Newtown Neighbourhood Centre organises the Newtown Festival, a celebrated annual event to fundraise for the centre.
- (3) Congratulates and thanks the Centre's Executive Officer, Ms Lisa Burns, the Board and the many volunteers and staff for this valuable community service.

**FAIRFIELD MEALS ON WHEELS**

**Mr GUY ZANGARI**—That this House:

- (1) Notes the contribution of Meals on Wheels Fairfield to the elderly and disabled.
- (2) Congratulates the volunteers and management for their preparation and delivery of food to the community.

**TELSTRA BUSINESS WOMEN'S AWARDS**

**Ms SONIA HORNER**—That this House:

- (1) Urges the community to nominate outstanding local women for the 2011 Telstra Business Women's Awards.
- (2) Notes that the prestigious award provides an excellent opportunity to uncover our best local business women and acknowledges the contribution they make within our community.

**CANTERBURY OLYMPIC ICE RINK**

**Ms LINDA BURNEY**—That this House:

- (1) Notes that Canterbury Olympic Ice Rink is celebrating 40 years, being in operation from 1971 to 2011.
- (2) Congratulates Cheltzie Lee for finishing in 21st place in the senior ladies singles at the World Figure Skating Championships in Russia in April/May.
- (3) Congratulates Danielle O'Brien and Gregory Merriman who finished in 37th place in senior dance at the World Figure Skating Championships in Russia.
- (4) Congratulates Fire on Ice Synchronized Skating Team who recently competed in Finland in April at the World Synchronized Skating Championships where they finished in 18th place.

**BLACKTOWN CITY NETBALL ASSOCIATION**

**Mr JOHN ROBERTSON**—That this House:

- (1) Notes that the Blacktown City Netball Association has been supporting local netball teams in the Blacktown area since 1967.
- (2) Notes that the Blacktown City Netball Association has over 3500 members and supports 26 netball clubs.
- (3) Acknowledges the massive contributions of over 1000 volunteers who help run the Blacktown City Netball Association.
- (4) Congratulates President Sandra Marks for her 39 years of involvement with the club and her tireless dedication to netball in Blacktown.

**CHINESE AUSTRALIAN SERVICES SOCIETY**

**Ms LINDA BURNEY**—That this House:

- (1) Notes that on 5 March 2011, the Chinese Australian Services Society (CASS) celebrated its 30th anniversary at its head office in Campsie.
- (2) Acknowledges that CASS assists with the integration of Chinese-speaking people into Australian society and fosters mutual understanding between Chinese Australians and the wider community.

**LIFE@LEANNES COMMUNITY CAFE**

**Mr GUY ZANGARI**—That this House:

- (1) Notes the charitable work carried out by staff at Life@Leannes Community Cafe in Villawood.
- (2) Acknowledges the selfless contribution made by the volunteers in providing meals and other services to the community.

**HUNTER SPORTS HIGH SCHOOL RUGBY LEAGUE TEAMS**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates the Under 15 and Under 18 Hunter Sports High School rugby league teams for their wins at the rugby league trials held last week.
- (2) Congratulates the 12 Hunter players who were selected for the Northern 15 years side for the NSWCHS selection trials and the 8 players selected for the Under 18 Northern team.

**Question put and resolved in the affirmative.**

**Community recognition notices agreed to.**

**CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY****Special Education Funding**

**Ms MELANIE GIBBONS** (Menai) [3.17 p.m.]: I urge the House to accord this motion priority in celebration of today's announcement of \$63 million by the Federal Government to support better education outcomes for students with disability in New South Wales.

**The SPEAKER:** Order! The member for Fairfield and the member for Cabramatta will come to order.

**Ms MELANIE GIBBONS:** This motion should be accorded priority because more than 100,000 New South Wales school students with disability will be better off. A good education is one of the best starts we can give a child—

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

**Ms MELANIE GIBBONS:** So members should support this motion for priority. Students with disability are less likely to complete year 12, which puts them at greater risk of unemployment and social exclusion. This boost in funding will help students with disability in government, Catholic and independent schools finish their schooling and secure employment. Importantly, no school will be disadvantaged. This funding will mean that the Government will provide a specialist teacher—

**The SPEAKER:** Order! The member for Maroubra and the member for Kiama will cease interjecting during the priority argument.

**Ms MELANIE GIBBONS:** —for every school, allowing it to better meet the needs of students with disability across the State. The Government will give more teachers more opportunities for further training and mentoring, accredited online study options, and scholarships for teachers to study special education. The Government will be committed to giving our teachers the skills, resources and knowledge to best serve students in all educational needs across the State. This motion should be accorded priority because the funding will make way for the development of a functional assessment tool, based not solely on a student's disability diagnosis but on his or her additional educational needs. This is a win for students, parents and teachers. The New South Wales Government's initiative Every Student, Every School is about giving children with disability the best possible education by ensuring that teachers and schools are more able to meet their learning and support needs. It deserves priority because it should be noted that children with disability in all sectors will benefit from this injection of funds.

Some \$47.9 million will flow to the New South Wales government sector, where more than 90,000 students with disabilities, learning difficulties or additional behaviour needs are enrolled in more than 2,200 schools; \$11.3 million will go to Catholic schools; and \$3.8 million will go to more than 35 mainstream and special independent schools. I am in favour of any program that addresses the changing needs of our school communities and the diversity of disabilities in our schools. Today is an important step forward for the education of students with a disability in New South Wales. I am proud to be part of a government that is committed to ensuring that students are given the best education possible and the best chance in life to succeed.

### Government Performance

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [3.20 p.m.]: My motion states:

That the House notes that the O'Farrell Government has broken 200 promises to the people of New South Wales in its first year since the election.

The O'Farrell Government has sent electricity prices soaring, and we have seen public transport fares increase at almost double the rate of inflation, instead of delivering on key election commitments to keep the cost of living down. We have seen the loss of tens of thousands of jobs since the Government took office. The State has rolling budget deficits for the first time—

**The SPEAKER:** Order! Members will either leave the Chamber or resume their seats.

**Mr Brad Hazzard:** Point of order: First, the Leader of the Opposition should not be using a prop. Secondly, the member is not supposed to be reading.

**The SPEAKER:** Order! The Leader of the Opposition is referring to notes, which he is entitled to do.

**Mr Brad Hazzard:** Don't use the prop.

**Mr JOHN ROBERTSON:** I am referring to notes.

**The SPEAKER:** Order! I have ruled on the point of order. The Leader of the Opposition will continue.

**Mr JOHN ROBERTSON:** The Premier's promises about the standards of his Government have been farcical. We saw the scandal involving the Parliamentary Secretary for Police and Emergency Services, the former member for Clarence, who was forced to resign in disgrace. The Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts is embroiled in the sordid Star casino affair.

**Mr Brad Hazzard:** Point of order—

**The SPEAKER:** Order! There will be increased agitation about the Leader of the Opposition's use of that document. The Leader of the Opposition may refer to the document, but he cannot use it as a prop.

**Mr JOHN ROBERTSON:** We have seen the saga of The Star casino and the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts, as well as the Parliamentary Secretary for Police and Emergency Services, the former member for Clarence. We have seen the current Parliamentary Secretary for Police and Emergency Services asked questions about electoral funding. This Government is not scandal free. The Premier refused to sack the Minister for Education and the Minister for the Environment, and Minister for Heritage for their failures and their appalling dereliction of ministerial duties. It makes a mockery of the Premier's promise that his Government would set higher standards.

The list is long but the Premier sits at the top of it, with 54 broken direct promises in less than a year. The Coalition promised that it had no plans to privatise electricity but a bill to privatise electricity is already before this House. The Government is also overturning the 26-year ban on uranium exploration. With police numbers in decline, the Premier said that he would maintain police numbers at a level effective to fight crime, but greater Sydney is 242 police officers down. The Government promised to replace unflued gas heaters but it made excuses for not doing so.

**Question—That the motion of the member for Menai be accorded priority—put and resolved in the affirmative.**

**SPECIAL EDUCATION FUNDING****Motion Accorded Priority**

**Ms MELANIE GIBBONS** (Menai) [3.25 p.m.]: I move:

That this House commends the New South Wales Government for working with the Federal Government to deliver greater funding for students with disabilities in New South Wales schools

Today is an important step forward for the education of students with disabilities in New South Wales. I am proud to celebrate today's joint announcement by the Minister for Education and the Federal Government's Parliamentary Secretary for School Education, Senator Jacinta Collins, of \$63 million from the More Support for Students with Disabilities initiative. This funding will benefit more than 100,000 New South Wales school students with disability by giving them greater access to classroom support and specialised equipment. This funding has two key aims: to enable students with disability to finish their schooling, and to help them secure a job once their formal education is completed.

We have evidence that students with disability are less likely to complete year 12, putting them at greater risk of unemployment and of social exclusion. Obviously, this is not a desirable outcome. So today we commit to delivering a better outcome for students with disability in New South Wales. I am also pleased to say that this boost in funding will help students with disability in government, Catholic and independent schools over the next two years. No school will be disadvantaged. As I said when establishing priority, all sectors will benefit from this injection of funds: \$47.9 million will flow to New South Wales government schools, \$11.3 million will be for Catholic schools, and \$3.8 million will be for more than 35 mainstream and special independent schools.

It is also great to receive support from the Executive Director of the Association of Independent Schools of New South Wales, Dr Geoff Newcombe, and the Executive Director of the Catholic Education Commission of New South Wales, Dr Brian Croke, for this announcement. This funding will feed into the State Government's new Every Student, Every School initiative, which is designed to give children with disability the best possible education by ensuring that teachers and schools are more able to meet their learning and support needs. After extensive consultation with parents, teachers and principals we have been told that they want more specialist support in regular mainstream schools. No teacher's aide will lose their job. Indeed, one key change that this Government will introduce is to provide a specialist teacher for every school to better meet the needs of students with disability across the State.

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

**Ms MELANIE GIBBONS:** We will also expand specialist support services and resource options for students with complex disabilities and high support needs. It is about recognising that one size does not necessarily fit all and each student, each child, will have differing needs. To address this a functional assessment tool will be developed based not solely on the disability diagnosis but on additional educational needs. It is a win for students, parents and teachers. Materials will be developed professionally and, along with other support, will help teachers to adjust the curriculum to meet the individual learning and support needs of students with disability. This includes accredited online study options and more than 300 scholarships for teachers to undertake retraining to gain post-graduate qualifications in special education.

We are committed to giving our teachers the skills, resources and knowledge to best serve students with all educational needs across the State. I think we all agree that a teacher workforce that is better equipped to understand and meet the learning and support needs of the full range of students in classrooms is a great outcome. This initiative will also provide health, allied health or other professionals to strengthen school support for students with disability. Principals will remain responsible for determining how their school's resources are used to best meet the learning and support needs of the students in their school. This means that the school will be able to decide how best to allocate funding resources to suit the individual school, rather than be expected to adhere to the department-issued decision. Schools will even have the option to pool their resources with other schools. They can utilise technology to help with hearing and speech or to help focus on certain needs.

I am proud to support greater flexibility and independence for our schools so that they can use this funding to achieve the best outcomes at a local level. I have worked in the disability sector and I know some of the challenges schools face to meet the needs of all students, including those with special needs. I am sure all

members would have come across this situation. Today's funding announcement is a step in the right direction to improving access to comprehensive education for students with a disability, and helping the 90,000 students in the public sector is a great outcome. It is clear that it is an area of need and I am pleased to celebrate this announcement today.

**Ms CARMEL TEBBUTT** (Marrickville) [3.30 p.m.]: I lead for the Opposition on this motion. I move:

That the motion be amended by adding the following words after "schools":

"and calls on the New South Wales Government to guarantee that no school will lose support teacher learning assistance positions, and that no student will be worse off as a result of the Every Student, Every School reforms."

I move the amendment because this is an extremely important area of government policy and government action. There is no doubt that supporting students with a disability in our schools is an area of great complexity and emotion, and people have many ideas on how best this should be achieved. The Illawarra trial that the Government proposes to extend across New South Wales has been the subject of intense debate and parental concern, in particular, at a significant forum held in this place earlier this year. It is incumbent on the O'Farrell Government to give this guarantee to parents, students, teachers and teachers' aides who do the important work of supporting and educating students with a disability in our schools.

Time and again members of the O'Farrell Government have stood in this place and attacked the Federal Government in all manner of ways and for all manner of initiatives and development. Today the Coalition Government has tried to pass off increased Federal funding as its own achievement. The O'Farrell Government and the Minister for Education are so desperate and devoid of achievements, initiatives and action that they have to pass off Federal Government funding, activity and achievement as their own. I think this House and definitely members of the community would see through that. There is not one person who would not welcome additional funding for students with a disability, and we congratulate the Federal Government on that additional funding.

However, no additional funding is coming from the O'Farrell Government. This funding is from the Federal Government. The O'Farrell Government is using this funding to roll out a series of reforms that will mean fundamental change for students across New South Wales with a disability. Parents have raised a range of concerns, including that schools will lose out under the new funding arrangements, particularly schools that have a greater number of students with autism than the community prevalence of autism. They are concerned about that definition. They welcome the move away from having to have a diagnosis of autism, but the fact that schools will be funded on the basis of community prevalence of autism rather than actual numbers is something that causes concern for parents.

Parents are concerned that schools will lose support teacher learning assistance positions or teachers aides. I welcome the guarantee of the member for Menai that there will be no loss of teachers' aides positions. However, we need to know that no school will lose teachers aides positions. It is one thing to say that the number of teachers' aides will remain the same. If the teachers' aides are moved from one school to another school and that school loses overall a teacher's aide position, then parents have a right to be concerned about that. Parents are also concerned that special education teachers will be required to teach outside their area of expertise without appropriate training and support and that language support classes will be abolished.

These are real concerns. The O'Farrell Government and the Minister for Education must come clean and allay the fears of the community that these things will not come to pass. Above all, parents do not have confidence in the Government. In particular they do not have confidence in the Minister for Education to deliver complex reform for students with a disability after the debacle of the assisted transport scheme. Compared with this reform that was relatively straightforward—it involved contracts to deliver students with a disability to school. This is far more difficult, more complex reform. Parents in New South Wales have already felt the blunt side of reform O'Farrell Government style and they do not like it.

**The DEPUTY-SPEAKER (Mr Thomas George)**: I recognise the former member for Cronulla in the gallery. I welcome him back to the Parliament.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [3.35 p.m.]: I support the motion moved by the member for Menai that this House commends the New South Wales Government on working with the Federal Government to deliver greater funding for students with disability in New South Wales schools. This is a landmark decision. It is a bold initiative and one I am very proud that the Government is supporting. I am glad

that members of the public are in the visitors gallery to hear that the Government stood up to the Labor Party when it tried to impose a carbon tax on the whole of Australia that would affect mums and dads across this State while members opposite sat quietly and did nothing.

The Minister for Education has worked hard with the Federal Government to provide \$63 million to support people with a disability. Finally we have a Minister who is working with the Federal Government. Former Prime Minister Kevin Rudd and former Premier Morris Iemma could not work together. They had numerous problems in reaching a united policy on anything. It is this Government that has introduced reform and action across the State while Labor members run typical scare campaigns about attacks on wages and conditions. That is absolute rubbish. We hear only these claims from them rather than policy and reform. Today's announcement by the Minister for Education will result in more than 100,000 New South Wales school students having greater access to classroom support and specialised equipment. The \$63 million will be a funding boost for government, Catholic and independent schools.

The Minister and members of this House realise the great need for this type of support. As a former schoolteacher I can say that this is long overdue. The mums, dads and teachers involved in schools all agree that this is a great initiative. Without this initiative, students who go to year 12 will have a greater risk of later being unemployed or suffering social exclusion. The announcement will feed into the Government's Every Student, Every School policy. For many years Federal and State governments have been called upon to improve funding and support arrangements for students with disabilities. This landmark decision is a great start. The funding will help boost the ability of teachers supporting students and by providing them with training and mentoring—I am very pleased about that. It is a step forward for education and for our students. I am proud to be part of a Government that has initiated this move.

**Mr GUY ZANGARI** (Fairfield) [3.38 p.m.]: I support the amendment moved by the member for Marrickville calling on the New South Wales Government to guarantee that no school will lose support teacher learning assistance positions and no student will be worse off as a result of the Every Student, Every School reform. Last Friday, 23 March, I had the pleasure of visiting Les Powell School in Mount Pritchard, a school that caters for 80 students with a whole spectrum of disabilities. The school has 12 hardworking teachers and 12 hardworking teachers' aides. The hardworking principal, Mr Sargon Makko, and his dedicated staff ensure that students receive quality education inside and outside the classroom—formal and informal. Schools such as Les Powell can offer solid programs only if they have support from State and Federal governments.

I ask the Minister to ensure that schools such as Les Powell get their fair share of funding and that specialist teacher support is not removed from these schools. The Federal Government is serious about education, which is why it is providing more support for students with disabilities under this initiative. I commend Prime Minister Julia Gillard for her commitment to students, but especially to students with learning and physical disabilities. Parents are concerned about the Illawarra trial and only yesterday I received two letters from concerned parents in the Fairfield electorate who have students attending Canley Vale Public School. I ask the Minister to guarantee that no government school will lose its specialist teacher support. I do this is because the Minister has a track record.

The Minister's report card so far this year shows that on day one, 750 students with disabilities were left stranded on the side of the road. This indicates the Minister is struggling. We note that the funding is going to government, Catholic and independent schools to give disabled students the best possible start. That is essential. Once again I congratulate the Federal Labor Government on its outstanding commitment to education. It is good to see that the New South Wales Government has actually acknowledged that the Federal Government has such a clear commitment. We note that the aims for students are to finish school and secure a job, two very important matters.

**Ms MELANIE GIBBONS** (Menai) [3.41 p.m.], in reply: I am happy to thank the Federal Government when it does something good and helps us to provide \$63 million for students with disabilities. That is helpful and good, and I am appreciative of it. The State Government will utilise that \$63 million properly and make the most of it to provide the best possible education for kids with disabilities. We all understand that if a child does not make it to year 12, leaves school and does not take up an apprenticeship or undertake further training that child can sometimes be at a disadvantage, particularly if a disability is involved. We do not want them to start behind the eight ball; we want them to have the best future possible. Parents are appreciative of this change and the fact that their kids may get more time with a teacher's aide and more specialist education. They need that one-on-one time. If we can provide that more often and more regularly than they are receiving it at present that will be a great step forward.

This reform is about helping the kids. That is what it all comes down to: providing them with a proper education. A mother came into my office this week and told me she was struggling to get her son to school. He has a disability and is finding the education does not quite suit his needs. This funding will give him one-on-one time with a teacher's aide, which is exactly what he needs. Importantly, it also ensures that the teachers have time to learn: they will be able to access scholarships so that they can learn how to teach these children. It is also important that they can liaise with special schools to find out what they do and what works for them, and how to get the best education possible for these children.

This initiative for students with a disability will provide more appropriate assistive technologies to support students to work more independently in inclusive environments. It is most important that that takes place. Training and mentoring teachers and school leavers to build their skills and knowledge in specialist education is extremely important. It will enable them to provide the education these children need so that they can leave school and be positive and active members of society. Hopefully, we will be able to help them to get employment.

**Dr Geoff Lee:** Capacity building.

**Ms MELANIE GIBBONS:** That is right, it is about capacity building on an ongoing basis and giving them the best start in life. This initiative supports the establishment of specialist teacher support in every New South Wales government school. It develops the materials, and provides professional development and other support to help teachers adjust their curriculum to meet children's individual learning needs. It expands specialist support services and resource options for students with complex disabilities and high support needs. Most importantly, it also provides health, allied health and other professionals to strengthen school support for students with a disability.

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

**The House divided.**

**Ayes, 24**

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

**Noes, 59**

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

**Question resolved in the negative.**

**Motion negatived.**

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

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Community Recognition Notices**

**Mr BRAD HAZZARD:** Members would be aware that the House has resolved to give non-controversial notices of motions the status of community recognition notices. The member for Keira has indicated that he wishes a modest amendment to notice of motion No. 54 standing in his name on the *Business Paper*. I indicate that the Government does not object to the amendment, the effect of which will allow the notice of motion to be recognised as a community recognition notice.

**Mr RYAN PARK:** The amendment I propose is the addition of a third paragraph to the notice of motion in the following form:

- (3) notes all members of Parliament can register to get involved with this initiative to improve the overall appearance of their local communities.

## **COMMUNITY RECOGNITION NOTICES**

**Question—That the following motion given by the member as indicated pursuant to notice, as amended by leave, be formally agreed to—proposed.**

### **GRAFFITI ACTION DAY**

**Mr RYAN PARK—**That this House:

- (1) Notes that 15 May 2011 is Graffiti Action Day, when communities around Australia get together to clean up graffiti around the local neighbourhood and look at ways of reducing graffiti on a permanent basis.
- (2) Notes that the economic cost of graffiti is estimated to be over \$100 million a year to the NSW economy and that graffiti has been shown to have a negative impact on the way in which the community perceives the overall safety of their local area.
- (3) Notes all members of Parliament can register to get involved with this initiative to improve the overall appearance of their local communities.

**Question put and resolved in the affirmative.**

**Community recognition notice agreed to.**

## **LOCAL GOVERNMENT AMENDMENT (MEMBERS OF PARLIAMENT) BILL 2012**

**Bill introduced on motion by Mr Donald Page.**

### **Agreement in Principle**

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [4.00 p.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the Local Government Amendment (Members of Parliament) Bill 2012. The object of the bill is to remove the potential for conflicts of duties between State and local council matters by ensuring that a person can serve in only one elected position at any one time in either the Parliament of New South Wales or on a local council. To achieve this, the bill proposes that the Local Government Act 1993 be amended to disqualify a person who is a member of the Parliament of New South Wales from being, at the same time, a

mayor or a councillor of a local council. This bill brings New South Wales into line with the other Australian mainland States—Queensland, Victoria, South Australia and Western Australia—where it is already prohibited to serve concurrently as a State member and a councillor.

The bill will allow a sitting councillor, including a mayor, to stand for election to the New South Wales Parliament. If elected, the councillor will be able to complete his or her term of civic office provided that term does not exceed two years. This will apply to all current and future terms of civic office. This will allow most councillors who are elected to the New South Wales Parliament to see out their term of civic office. New South Wales State general elections are held on the fourth Saturday in March every four years. Local government ordinary elections in New South Wales are held approximately 18 months later, on the second Saturday of September every four years. Consequently, mayors and councillors who are elected to the New South Wales Parliament at a State general election will be able to retain their civic office until the end of the term of the council.

This phased approach will ensure continuity and certainty for councils, communities and candidates for both local government and State elections. There may be occasions when a sitting councillor or mayor is elected to the New South Wales Parliament at a State by-election. If this happens they may retain their dual role for a maximum period of two years. At the end of two years they must choose which role they wish to retain and resign from the other. Should a serving mayor or councillor who is elected to the New South Wales Parliament at a State general election nevertheless choose to resign his or her office as a councillor then in most instances he or she will be able to do so without triggering a by-election. This measure is the direct result of the Government's initiative in 2011 in amending the Local Government Act to provide councils with the opportunity to avoid filling a vacancy in a civic office when it occurs within 18 months prior to an ordinary council election. This saves councils the time and cost of holding by-elections during the run-up to ordinary elections.

A member of the New South Wales Parliament will not be forced to resign his or her seat in Parliament to be eligible to stand for civic office. This is because the bill will allow a member of the New South Wales Parliament to stand for civic office, that is, as a mayor or councillor, either at a local government by-election or ordinary election. If elected to civic office the member of the New South Wales Parliament has a choice of either resigning as a member and entering civic office or remaining in the Parliament. This choice must be made prior to the first meeting of the council following the council election.

The Local Government Act 1993 provides a legislative framework reflecting contemporary community expectations and gives local councils broad powers to plan for and provide local community services and facilities. It ensures that leadership of councils is provided by all of the elected councillors who work together to provide good governance for the benefit of their community. Councillors can, and do, have a major impact on the health and wellbeing of the whole community. Consequently the importance of the community's confidence in the integrity of its councillors cannot be underestimated. One of the key ingredients supporting that confidence is the underlying principle that those who are elected as local government councillors should not have obligations to other governments that may limit their impartiality or their ability to act in the best interests of their local community.

Such competing obligations can impact on the effective and appropriate exercise of a person's role as a local government representative in two respects. First, the person may be influenced in the performance of their role as a mayor or councillor by the obligations owed to another level of government or by political considerations arising from service in the State Parliament. Secondly, the demands on a person's time that arise from meeting their obligations as a member of the State Parliament may inhibit their capacity to effectively represent the interests of the community the council serves.

This proposal will address concerns that have been frequently raised by community groups and members of the public about the level of performance and value judgements made by some councillors who also serve as members of the New South Wales Parliament. Those concerns have included difficulties faced by ratepayers when determining who to approach when they wish to raise a problem with their local member of Parliament about their council and the member happens to be the mayor or a councillor on that council. Fairness and equity are a problem in the sense that mayors and councillors who are not members of Parliament will not have the same capacity to raise issues directly in Parliament or with Ministers with whom they do not have regular contact.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Sydney will have her opportunity to take part in the debate. The Minister will be heard in silence.

**Mr DONALD PAGE:** There is also the potential for people to have perceptions about the inappropriate use of one position for the purposes of another. The proposal is also a further step in the implementation of the Government's policy to enhance the autonomy of councils and democracy and accountability in local government. This proposal is also made in the context that the local government sector in New South Wales has expressed a desire to more clearly define the responsibilities of State and local government.

Members will no doubt be aware of the historic Destination 2036 conference that was held in Dubbo in August of last year. That conference was a joint initiative between the New South Wales Government, the Local Government and Shires Associations of New South Wales and Local Government Managers Australia (NSW). It was attended by the leaders of all 152 local councils in the State. The primary purpose of Destination 2036 was to create a sustainable future for the local government sector. One of the key outcomes of the Dubbo conference was agreement that local government should be a strong and effective tier of government with clear responsibilities.

Further, it is proposed that a new intergovernmental agreement between the New South Wales Government and local governments be developed that will also bring clarity to local government's responsibilities. This bill will assist in ensuring that elected representation in each tier of government—that is, State and local—is distinct, thereby enhancing clear and distinct responsibilities. I stress that this proposal is not targeted at any particular member of the New South Wales Parliament nor at any local government mayor or councillor; it is about all persons currently in the New South Wales Parliament.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I remind Opposition members that many of them are on three calls to order.

**Mr DONALD PAGE:** Following the March 2011 State elections there were 29 councillors from 24 councils in New South Wales who were also elected to the New South Wales Parliament, although it is recognised that these numbers fluctuate over time. They hailed from all parties and include Independents. In fact, the majority of them are members of the Liberal-Nationals Government. However, this is not simply about numbers. I reiterate that the practice is, and has been for a number of years, prohibited in all mainland States, that is, Queensland, South Australia, Victoria and Western Australia. In that regard the bill will bring New South Wales into line with contemporary democratic practice.

In the course of developing this proposal the Government undertook consultation with the public and local government stakeholders. This involved the release of a discussion paper and the consideration of more than 450 submissions. Those submissions have not revealed a clear consensus of views. Opinions have been almost equally divided as to whether a person should or should not be able to concurrently serve as a member of the New South Wales Parliament and as a local government mayor or councillor. The proposal in this bill gives recognition to the fact that the respective roles of member of the New South Wales Parliament and local government civic office deserve the full attention and efforts of those elected to those roles.

Members of the Parliament of New South Wales have a duty to give their full attention and efforts to representing their constituents in the Parliament. Their time and attention should not be distracted by the responsibilities that are attendant upon mayors and councillors of local councils. Conversely, mayors and councillors of local councils have a duty to devote their full attention and efforts to representing their local communities at the council. Their time and attention should not be distracted by the responsibilities that are attendant upon members of the New South Wales Parliament. Both roles are extremely important in our democratic society and carry substantial responsibilities.

The electors who vote at State elections and at local government elections rightly expect that the people whom they vote into public office will give their full efforts in performing the role expected of them in their respective offices. One person cannot adequately and impartially perform multiple roles such as these simultaneously. As I have noted earlier, all other mainland States have recognised this and have enacted legislation accordingly. This proposal will serve to enhance the integrity of local government in New South Wales as a distinct and essential tier of government. It will also promote the impartiality of decision making by elected councils. It will also deliver optimal governance in New South Wales at both the State and local government level. I commend the bill to the House.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Sydney will not have to contribute to the debate; she has already made most of her comments.

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

**BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT (CHANGE OF NAME)  
BILL 2012**

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

**POLICE INTEGRITY COMMISSION AMENDMENT BILL 2012**

**Agreement in Principle**

**Debate resumed from 7 March 2012.**

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [4.12 p.m.]: I lead for the Opposition on the Police Integrity Commission Amendment Bill 2012 and say at the outset that the Opposition supports the bill. The Government is undertaking reform of the Police Integrity Commission [PIC] and the Office of the Inspector of the Police Integrity Commission. The reforms in the bill arise from a review concluded late last year into the policy objectives and terms of the Police Integrity Commission Act focusing on the arrangements of the Police Integrity Commission and the Office of the Inspector of the Police Integrity Commission. The review took submissions from the Police Integrity Commission, the Inspector of the Police Integrity Commission, the NSW Police Force, the NSW Crime Commission, the Independent Commission Against Corruption, the Inspector of the Independent Commission Against Corruption and the New South Wales Ombudsman.

The review into the Police Integrity Commission concluded that a role remains for a body, separate from Government and reporting to the Parliament, to oversee the integrity of the Police Force and the New South Wales Crime Commission. The Government has recently appointed two former Supreme Court judges to the positions of Commissioner and Inspector of the Police Integrity Commission—the Hon. Bruce James, QC, and the Hon. David Levine, QC. The Government has decided to preserve the Police Integrity Commission as a stand-alone body supported by reforms which are implemented in this bill.

The bill amends the Act to give equal prominence to sworn officers, non-sworn officers and Crime Commission officers in regard to the functions of the Police Integrity Commission; extend the duty of certain senior officers to notify the Police Integrity Commission of misconduct by sworn police officers; specify the criteria that the commission is to consider when determining whether to conduct a hearing wholly or partly in public, consistent with the Independent Commission Against Corruption; require the Police Integrity Commission before including an adverse comment about a person in a report to give the person an opportunity to make submissions, which is known as a "persons to be heard" provision; and provide that the Inspector of the Police Integrity Commission may at any time make a report concerning complaints, procedures or operations of the Police Integrity Commission, and provide a report to the commission, to the person who made a complaint or to any other affected person.

The police corruption revealed by the Wood Royal Commission into the New South Wales Police Service led to the establishment of the Police Integrity Commission in 1996. Recently the powers of the Inspector of the Police Integrity Commission to publish reports have been a matter of controversy and last year became the subject of a number of public comments by the former Inspector of the Police Integrity Commission and the commission. The *Daily Telegraph* reported in October last year that the Police Integrity Commission engaged in a "reprehensible course of conduct in its disgraced investigation into one of the State's most respected detectives, Paul Jacob". The former Police Integrity Commission Inspector Peter Moss accused the Police Integrity Commission of systemic abuse of its powers and of misconduct. Moss accused the Police Integrity Commission of unfairness, of deliberately withholding, distorting or skewing evidence, and of presenting misleading and unjustified findings.

The Police Association has major concerns about the Police Integrity Commission's lack of procedural fairness and breach of officers' privacy. The Premier stated in his introductory speech that this bill addresses the association's concerns. He may think so, but he should have spoken to the Police Association first. The Police Association still has a number of concerns, which could have been addressed in this amendment to the Act. I ask that the Premier in his speech in reply provide answers to why these matters were ignored.

One of the major issues is the fact that on the Police Integrity Commission website today, for the public to read, is the report that names Detective Inspector Paul Jacob as being involved in misconduct. This is despite Police Commissioner Andrew Scipione defying the Police Integrity Commission's recommendation to discipline

the inspector, and the Inspector of the Police Integrity Commission himself finding that Jacob had not engaged in misconduct. We now have a situation where officers can have adverse findings made against them overturned by the Inspector of the Police Integrity Commission and there is no requirement for the original reports to be removed, amended or corrected.

The Police Association has asked that a correction be published regarding the Jacob matter and all other matters where the Police Integrity Commission's adverse findings have been proven wrong. There must be a procedure in place to clear the names of our officers who have been unfairly tarnished. The Police Association recommended that the position of Inspector of the Police Integrity Commission be made a full-time role and that the office of the inspector be appropriately resourced and funded. Given the problems that emerged with the operation of the Police Integrity Commission and the difficulty that the previous inspector had undertaking his role with limited resources, the Police Association argues that it is imperative that the inspector's role be upgraded and resources found for the inspector to do the job properly.

In addition, the Police Association has asked for a code of conduct and values for the Police Integrity Commission that mirrors the code of the NSW Police Force and enshrines the principles of natural justice established and referred to in the Act. This is a reasonable request and I am asking that the Premier make a commitment that it will be given serious consideration. What we saw late last year being played out very publicly in the media involving the former Inspector of the Police Integrity Commission and the commission was another result of a Government that has taken its eye off the ball when it comes to law and order in this State. This is not the only example.

The great legacy of the previous Labor Government was its law and order record. Seventeen out of seventeen major crime categories were either stable or falling in Labor's final year. In our last two years break and enter from a dwelling was down 6 per cent; break and enter from a non-dwelling was down 15.3 per cent; motor theft was down 5 per cent; stealing from a motor vehicle was down 9.7 per cent; malicious damage to property was down 9.7 per cent—and the list goes on. I am sure the member for Maroubra, a former Minister, could enlighten this House even more about that great record.

These significant falls in crime rates were the result of outstanding police work and Labor premiers who made a genuine commitment to keep our communities safe: no excuses—just hard work. Now we have a Premier who has abandoned law and order, and after a year in office his record speaks for itself. Police death and disability entitlements have been slashed. Drive-by shootings are up 21 per cent—69 drive-by shootings on this Premier's watch. We have police stations in south-western Sydney understaffed by 90 officers and we have 12 out of 15 local area commands in south-western Sydney left understaffed—exactly where the gang war is happening right now.

**Mr Donald Page:** Point of order: The scope of this bill is quite specific. It is to do with the Police Integrity Commission. This is not a general debate on law and order. I ask that the Leader of the Opposition be brought back to the leave of the bill.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I am sure the Leader of the Opposition is about to return to the leave of the bill.

**Mr JOHN ROBERTSON:** The greater Sydney metropolitan region is down 242 officers on the Government's own figures. We have an Attorney General who is more interested in supporting criminals than supporting our police. He is intent on cutting Corrective Services staff and making it easier for criminals to get back on the streets. It took eight months for him to be dragged, kicking and screaming, to make a minor amendment to bring the gang powers back into play. He has passed farcical consorting laws that make crime families automatically exempt.

The people of New South Wales suffer from the Government abandoning the law and order space. Just last week a sleeping family was lucky to escape injury after bullets were fired into their Bexley home in the sixty-ninth drive-by shooting since this Premier came to power. Just like local area commands in western and south-western Sydney, St George Local Area Command is under strength and has been for months under this Premier. We need more police on the ground fighting this war.

**Mr Donald Page:** Point of order: This bill is specific in its scope. I ask that the Leader of the Opposition return to the leave of the bill.

**Mr JOHN ROBERTSON:** To the point of order: This bill deals with police matters and I am addressing matters associated with police. It is well within the purview of this bill to be talking about police matters and the officers who are impacted by the deficiencies in the bill. The bill is a reflection of the Government's approach to dealing with police in this State: it is deficient and police officers are being neglected. As I have said, the Opposition supports the bill but it has deficiencies and I am stating the basis upon which those deficiencies continue under this Government at all levels when it comes to police.

**Mr Paul Lynch:** To the point of order: The Leader of the Opposition is leading for the Opposition in debate on this bill. The Deputy-Speaker and I have both been in this place long enough to know that the standing orders and the rules of this House allow the member leading for the Opposition in debate to raise a much wider range of topics than would normally be the case. In this regard there are a host of Speaker's rulings, including some by former Speaker Rozzoli. In that context the point of order has no merit.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The bill refers to amendments to the Police Integrity Commission Act 1996. The Leader of the Opposition will return to the leave of the bill.

**Mr JOHN ROBERTSON:** It should not take the death of an innocent bystander to force the O'Farrell Government into action. If these shootings were occurring in the Premier's electorate there would be police swarming the streets night after night. It is time the Government accepted responsibility for dropping the ball on law and order in this State. A real leader is someone who can admit that they are wrong and take action to make things right. This Premier does the opposite. He makes excuses and does everything he can to blame someone else for problems. The people of New South Wales deserve better. The NSW Police Force deserves better. The Opposition supports the bill because it is a step in the right direction, but it needs to do more.

**Dr GEOFF LEE (Parramatta) [4.22 p.m.]:** I support the Police Integrity Commission Amendment Bill 2012. I note that the Opposition also supports the bill. It is great to see the Opposition demonstrating some common sense at last. The object of the bill is to amend the Police Integrity Commission Act 1996:

- (a) to give equal prominence to the functions of the Police Integrity Commission (the PIC) of preventing corrupt conduct of administrative officers of the NSW Police Force and misconduct of NSW Crime Commission officers as is given to the function of preventing police misconduct,
- (b) to give guidance to the PIC in relation to the factors that are to be taken into account when it determines whether to conduct a hearing into a matter in private or in public,
- (c) to ensure that certain senior officers are under a duty to report all of the types of conduct referred to in paragraph (a) to the PIC,
- (d) to clarify the way in which the Inspector of the PIC is to carry out certain functions, and
- (e) to ensure that a person about whom an adverse comment is to be made in a report prepared by the PIC is given the grounds on which the comment is made and an opportunity to make submissions before the comment is included in the report.

The bill addresses some of the concerns raised in past reviews. Police have a very difficult job. Some would argue that police have more power and responsibility than the average citizen and they should be held to account. But police are under constant scrutiny and are held to the highest level of account. Police are accountable not only to the Police Integrity Commission but also to the Ombudsman, the Professional Standards Commission and the Independent Commission Against Corruption. All these agencies place police under the spotlight. Because of their great work those police I have come in contact with have nothing to fear.

Last Monday the Minister for Police and Emergency Services was at Parramatta talking to the people at Parramatta Railway Station. He also held briefings with the Parramatta Local Area Commander. Over the past 12 months I have much pleasure in working with wonderful police in the Parramatta Local Area Command such as Superintendent Bob Barnett, Rosehill Local Area Commander, Superintendent Peter Marcon and Superintendent Robert Redfern—

**Mr Nathan Rees:** Hear! Hear!

**Dr GEOFF LEE:** I acknowledge the interjection of the member for Toongabbie. Superintendent Robert Redfern is doing a fantastic job in our local area command. All those officers deserve recognition for their efforts. They constantly undertake engagement at all levels with the community, business owners and the government. As a result, in the past three years crime rates have remained stable and they have fallen for

offences such as break and enter shops and businesses or stealing from motor vehicles. This has not been the result of extra police on the beat or of the Liberal-National Government empowering police to do a better job. The police officers have been very proactive in understanding the types of crimes, looking at the statistics and targeting criminals and hotspots within the area. The residents, the businesses and the visitors in my electorate are now safer. I commend the police in the Parramatta Local Area Command for their efforts.

Many major events are held at Parramatta, the capital of greater western Sydney. The local police work hand in glove with Parramatta City Council to manage events such as the fireworks on New Year's Eve and our Australia Day celebrations. Almost 50 per cent of the people who call Parramatta home were born outside Australia, so understanding the different cultures and nuances is very important. The local police understand this and always ensure that our events are held in a family friendly environment while ensuring that law and order is observed. The police are at work whilst the community is enjoying itself.

Police are also engaged in crime prevention partnerships with interagencies such as the Department of Community Services, the Department of Attorney General and Justice, the Department of Premier and Cabinet and NSW Housing. Under this partnership there will be a coordinated approach, whereas the former Government did things in isolation. For example, at the Wentworthville housing estate there will be training programs and local community building activities, which will reduce the level of crime and increase the safety of the residents. When the O'Farrell Government came to office three local premises were in the top 50 for the highest at-risk licensed venues. In the past 12 months all those licensed venues have been removed from the list. The police have worked with the licensees, stakeholders and management to make our licensed venues safer and to make Parramatta safer for visitors who want to socialise and perhaps have a drink or two. That means that more visitors, residents and businesses will be attracted to the city.

As we know, Parramatta is a big city that attracts the best. Unfortunately, it also attracts some of the worst and that is what the police are working on. We have new initiatives, including Eyewatch. I commend the Minister for Police and Emergency Services, Mike Gallacher, for his Eyewatch initiatives. Last week I was lucky enough to attend a seniors' forum at which senior people were briefed on the Eyewatch program and encouraged to participate. We also have Westfield Eyewatch, North Parramatta Eyewatch and the Harris Park Eyewatch, which I have talked about previously. Westfield Eyewatch is particularly interesting because nearly 300 retailers are involved. They all get together and share information, including a picture of an enormous cache of stolen goods in the back of a car with the alleged perpetrator. Westfield Eyewatch is certainly making a difference not only to the shopping centre but to the people of Parramatta.

I alert members to the fact that Parramatta police open day is being held on Sunday 7 October this year. It is a chance to engage with and see what the police do. On a personal note, I mention the wonderful efforts of the local area commanders, who are always available when I need their assistance. They can be called on 24 hours a day, seven days a week. They are prepared to discuss any issues and explain the reasons for their rationale. They have solved problems quickly and efficiently. The police have a difficult job; they rush in when others rush out. They attend to life-and-death situations requiring split-second decisions. I stand behind the Police Force and commend the police for their dedication. I recognise that it is not only individuals or local area commanders; it is a team effort. I support the police, especially the young officers who do the day-to-day work. They are at the coalface every day, they work with the public and they administer law and order—often with little acknowledgement of the work they do. I commend the bill to the House.

**Mr PAUL LYNCH** (Liverpool) [4.32 p.m.]: I do not think I have ever seen anyone else give a performance like that by the member for Parramatta. I do not think he mentioned the phrase "Police Integrity Commission" in his contribution, notwithstanding that is what the bill is about. He did very well. Unlike the previous speaker, I will make some comments on the Police Integrity Commission and the Police Integrity Commission Amendment Bill 2012. The Opposition supports the bill. The object of the bill is to implement a number of comparatively minor amendments to the principal Act, the Police Integrity Commission Act. This amending bill primarily results from a statutory review of the Act carried out pursuant to section 146 of the Act. The review commenced in March 2010 under the previous Labor Government. Written submissions to the review were invited from stakeholders in June 2010.

As in a number of other pieces of legislation, the current Government is effectively continuing the work of the previous Government in this bill. I have a particular interest in this field: I am currently a member of the parliamentary joint Committee on the Office of the Ombudsman and the Police Integrity Commission. I was chair of that committee from 1999 to 2007 and a member of the committee for four years prior to that. Indeed, one of the committee reports that featured earlier in this debate was authored when I was the committee chair in

2006. I have also had the advantage at various times of comparing and contrasting the Police Integrity Commission and other anti-corruption structures with bodies such as the Police Ombudsman in Northern Ireland and the current Indian Lokpal model. With this interest, I welcome the section 146 review and the bill before the House flowing from it.

In many ways the most significant thing about this bill is what is not in it, rather than what is. I mean specifically that the review recommends the continued existence of the Police Integrity Commission as a stand-alone anti-corruption agency. That recommendation is by inference reflected in this bill, which makes no change to the Police Integrity Commission structure continuing as a stand-alone agency. I have no doubt that that is the correct position. During the review a live and active issue was whether the Police Integrity Commission should be merged with the Independent Commission Against Corruption. That was a position prosecuted by some parties, as far as I can tell, with some degree of enthusiasm. I think the Police Integrity Commission should be maintained as a separate body.

The original reasons advanced for establishing the Police Integrity Commission as a separate, stand-alone body included these: first, a public perception that the Independent Commission Against Corruption had failed to tackle police corruption; secondly, a risk of anti-police corruption moneys being absorbed into other Independent Commission Against Corruption activities and the internal conflict over that within a merged organisation; thirdly, the need for divisional separation and confidentiality; and, fourthly, other agencies would have greater confidence in a small, specialist agency such as the Police Integrity Commission. On balance, I think those arguments still hold sway, and that seems to be the view of the review.

It is certainly true that there is a general view that the general ethical standard in the NSW Police Force has improved since the time of the Wood royal commission and the establishment of the Police Integrity Commission. While it is hard to estimate that—how one measures those sorts of things, almost by definition, is hard—I certainly do not have any evidence to the contrary. My instinct from serving on the committee for as long as I have tells me that it is probably true—that is, the general ethical standard is significantly better than it was at the time of the Wood royal commission. However, the history of police corruption over time is a salutary reminder of the need for ongoing and continuing anti-corruption structures. Historically, corruption scandals would erupt, there would be specific inquiries and actions that flowed from that, and then everyone's attention moved away and some time down the track another scandal erupted.

This historical cycle was intended to be broken by the establishment of a permanent, stand-alone agency such as the Police Integrity Commission. I should add that that cycle of scandal—attention being drawn and then turning away and more scandal—was by no means an Australian exclusive; it happened in other jurisdictions around the world. Merging the Police Integrity Commission, it seems to me, runs the risk of repeating that earlier cycle and removing the focus that is necessary to develop and maintain corruption-resistant structures. In 2006 the parliamentary joint committee reported on a 10-year review of the police oversight system in New South Wales. My view now is the same as it was then. In 2006 a vigorous case was mounted to argue for a reduction in oversight agencies. At that stage the focus was to merge the Police Integrity Commission and the Office of the Ombudsman.

I found that argument unpersuasive then, just as I find the current argument to merge the Police Integrity Commission and the Independent Commission Against Corruption unpersuasive. I remind everyone of the events surrounding Mark Standen. That is a useful pointer to the fact that corruption remains very much an ongoing issue, albeit he was in the New South Wales Crime Commission rather than the police. Certainly that point is made in the section 146 review. Another aspect I think the review got right is that resulting from complaints about the Police Integrity Commission. In my view, the review correctly concluded at page 12:

Importantly, for present purposes, it cannot be concluded that recent issues necessarily suggest a structural problem or call for a structural solution. Nor is it self-evident that the same issues would not have arisen even if the PIC had been a division of the ICAC.

That is undoubtedly correct. I have had the benefit of reading all of the inspector's reports and the Police Integrity Commission reports on which the inspector commented. Undoubtedly mistakes were made by the Police Integrity Commission—although the commission seems to have strong grounds for disputing some of the inspector's arguments, as I read some of the silks' advice that I have examined. However, individuals have moved on and the zealotry that was sometimes displayed in those disputes can now be replaced by a different approach. I think that is the real solution, not structural change. That is not to underplay some of the complaints that have been made and some of the findings that were made. There were quite serious matters. It is also not to underplay some of the complaints that may come in the future, and indeed current complaints that have not been

concluded. I noted with some interest comments by, and on behalf of, a former police officer concerning proceedings and complaints arising out of the *Underbelly* series. A bit of attention perhaps needs to be shown to that.

There are also provisions in this bill relating to reporting by the Police Integrity Commission Inspector. The Premier made reference in his agreement in principle speech to that issue. He pointed to the parliamentary joint committee in November 2006 that recommended changes to the Act dealing with reporting by the inspector. The Premier referred in his agreement in principle speech to it being a case of alarm bells ringing in 2006. That is not quite right. I chaired the committee making that recommendation. It was not about alarm bells; it was simply clarifying something the committee thought should be pursued merely for more abundant caution. If members or the Premier care to read the committee report and the discussion in that report of the committee debate, they will find that the Premier's comments, frankly, overstated the issue. I note it was the last recommendation made in the 150-page report.

Frankly, the intensity of the issue only developed some considerable time later, which rather means that the original comments of the member for Toongabbee, to which the Premier took exception, were in fact entirely reasonable—especially as it has now been 12 months since the last election, the review commenced in March 2010 and the Government has taken 12 months to introduce the bill. That strikes me as being a little longer than it needed to be. Having said that, I think the core of what the bill does, by leaving the Police Integrity Commission as a stand-alone agency, is absolutely right. As the Leader of the Opposition indicated, we do not oppose the bill. Indeed, we support it.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [4.39 p.m.]: I speak in support of the Police Integrity Commission Amendment Bill 2012. The Leader of the Opposition stated that he led for the Opposition in the debate and supported the bill. He then outlined some parts of the bill before his comments degenerated into his usual diatribe about the Government. The Leader of the Opposition, like most members of the Labor Party, suffers from that Labor Party disease, TDD—truth deficit disorder. He said that the Government had taken its eye off the ball, yet the Labor Party had its eye off the ball for all its 16 years in government—16 years of incompetence, mismanagement, scandals and the worst government in Australian history. Last weekend the people of Queensland thought that their State had the worst government, but the swing against the Labor Party in New South Wales was even greater than that which occurred in Queensland.

Many commentators said that the Labor Party during its 16 years of government in New South Wales was like a banana republic—a South American government—totally incompetent and scandalous. I remind Labor members of what this Government has done for policing in just 12 months. It has legislated for mandatory life sentences for people who kill police officers. During the election campaign we asked for a mandate to introduce graffiti laws, but the legislation has been held up in the upper House. These reforms will give magistrates more flexibility when sentencing young people. This is relevant to the bill because the Leader of the Opposition spoke about the Government's record on policing. The Government has tightened the laws with respect to consorting with criminals. The laws have been amended to increase penalties from six months to two years. The Government is not going soft on law and order; it is strengthening those laws.

Gang and drive-by shooting laws have been introduced. The Leader of the Opposition said that the number of drive-by shootings has increased. In fact, drive-by shootings increased and peaked when the member for Toongabbee was Premier. At that time New South Wales had the most drive-by shootings. Drive-by shootings did not start in the past 12 months; they started in 1998. That year a private member's bill was introduced in the upper House to deal with drive-by shootings, but those shootings have increased since 1998, when Labor was in government. The Government has increased police numbers and addressed the need for more police in regional New South Wales. During the 16 years of Labor Government people in regional New South Wales were treated like second-class citizens. However, at the last police graduation 350 out of 500 graduates were sent to regional New South Wales, boosting police numbers in those areas.

The Leader of the Opposition was incorrect in his statements about the Government's record on police and law and order. He was using the old trick straight out of the Labor Party handbook and saying whatever it takes. He also referred to the Police Association. Unlike Labor, this Government is not beholden to the union movement. We have a mandate to govern and to do what is right for New South Wales. We do not have to go running to the unions to get their tick of approval whenever legislation is to be changed. We make laws that are good for New South Wales and for its people. I think only one out of the 20 Labor members in this place is not a former union hack.

For some unknown reason Labor is of the view that being a union hack is a credential for being a good member of Parliament. But history has shown, particularly in the past 16 years, that that is not true and it is nothing to be proud of. I turn now to the Police Integrity Commission Amendment Bill 2012, which, contrary to the statement made by the member for Liverpool, has been introduced in a timely manner. Unlike members opposite, who drafted kneejerk-reaction, *Daily Telegraph*-inspired legislation that was struck down in the High Court, this Government introduces in a proper and timely manner, following an appropriate review, bills that will not be overturned by the High Court. The object of the bill is to amend the Police Integrity Commission Act 1996 as follows:

- (a) to give equal prominence to the functions of the Police Integrity Commission of preventing corrupt conduct of administrative officers of the NSW Police Force and misconduct of NSW Crime Commission officers as is given to the function of preventing police misconduct;
- (b) to give guidance to the PIC in relation to the factors that are to be taken into account when it determines whether to conduct a hearing into a matter in private or in public; and
- (c) to ensure that certain senior officers are under a duty to report all the types of conduct referred to in paragraph (a) to the PIC; and
- (d) to clarify the way in which the Inspector of the PIC is to carry out certain functions; and
- (e) to ensure that a person about whom an adverse comment is to be made in a report prepared by PIC or the Inspector of the Police Integrity Commission is given the grounds on which the comment is made and an opportunity to make submissions before the comment is included in the report.

Those amendments came about as a result of the review. In November 2011 the Department of Premier and Cabinet published a review into the policy objectives and terms of the Police Integrity Commission Act 1996. The recommendations outlined in the review incorporated those previously made by the joint parliamentary Committee on the Office of the Ombudsman and the Police Integrity Commission. This bill is evidence of the Government's commitment to law and order in New South Wales and to improving the integrity arrangements covering law enforcement bodies in this State. Although the NSW Police Force and the New South Wales Crime Commission provide exceptional services to the community, unfortunately sometimes people in those organisations behave corruptly or engage in misconduct.

Such corruption as revealed by the Wood Royal Commission into the New South Wales Police Service led to the establishment of the Police Integrity Commission in 1996. This Government, unlike the former Labor Government, recognises and acknowledges the valuable contributions made over many years by the Ombudsman, the Independent Commission Against Corruption and the Police Integrity Commission. The Government is determined to ensure that these bodies continue to provide effective and efficient services that support and improve key law enforcement and other government bodies in New South Wales. As part of the change, we recently appointed two distinguished former Supreme Court judges to the positions of Commissioner and Inspector of the Police Integrity Commission—the Hon. Bruce James, QC, and the Hon. David Levine, QC. These two men of the highest calibre will take charge. Through the amendments and the appointment of these two men we trust that the problems the inspector had in dealing with the commission in 2009, 2010 and 2011 will not recur. I commend the bill to the House.

**Ms TANIA MIHAILUK** (Bankstown) [4.49 p.m.]: I am delighted to speak once again in this Chamber in support of the great work of the brave men and women in our Police Force. I note at the outset that the Opposition does not oppose this legislation. As I have previously told the House, the police officers of the Bankstown Local Area Command face a number of unique pressures. I strongly support my local police officers and the work that the Police Force does every day in keeping our community safe. Unlike the member for Parramatta, who chose to rant about Eyewatch and shopping centre hours, and the member for Myall Lakes, whose rant often disturbs Government members more than it does members on our side—

[*Interruption*]

I see members opposite cringing when he speaks. I see the member for Orange cringing when the member for Myall Lakes embarks upon his usual rant. I must say it is enjoyable; we need a bit of comedy every day. I am pleased also to have the opportunity to discuss legislation that builds on the work undertaken by the former Labor Government. In 1996 the Carr Labor Government established the Police Integrity Commission as a result of the findings of the Wood Royal Commission into the New South Wales Police Service. As the Premier stated, the contents of this bill are the result of a review process undertaken over the past few years. It

may come as a surprise to members opposite to learn that, unlike the other 30 reviews this Government is undertaking, the review that led to this legislation was not initiated by the O'Farrell Government. This was a review contained in and required by the original Act. The Police Integrity Commission Act 1996 states:

146 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as practicable after the period of 5 years from the date of assent to this Act.
- (2A) A further such review is to be undertaken as soon as practicable after the period of 5 years from the date of assent to the Police Integrity Commission Amendment Act 2005.

I commend the former Labor Government for having the foresight to establish a mechanism for reviewing this important legislation. I note that the Government has followed this example and included a similar mechanism for review in schedule 1, item [16], of the bill. This requires a further review within five years of assent to this legislation. The bill was one of the pieces of legislation considered by Legislation Review Digest No. 4, published last sitting week. The Legislation Review Committee, of which I am a member, made the following conclusion under section 8A of the Legislation Review Act 1987:

The Committee is always concerned to comment when proposed legislation provides for a quasi-judicial process in private. However, the Committee notes the purpose of legislation and the factors that the Commission may consider when determining whether a hearing should be wholly or partly in public pay particular attention to the benefit to the public.

The digest further stated that given these factors:

... the Committee makes no comment in relation to this subsection.

I understand that the Police Association has raised concerns that are yet to be addressed and there is real potential for improving the bill. I support the Leader of the Opposition in his call for the Government to require the Police Integrity Commission to publish corrections when its findings are refuted by the inspector. The Inspector of the Police Integrity Commission exists as a check and balance on the powers and actions of the commission. It is grossly unfair for an officer's reputation to be tarnished further when he or she has been exonerated by the inspector. I welcome schedule 1, items [10], [11] and [13], which provide greater powers to the Inspector of the Police Integrity Commission relating to maladministration, delay in conduct hearings and unnecessary invasion of privacy.

However, I also strongly support the Police Association's and the Leader of the Opposition's call for greater resources to be provided to the inspector and for the position to be made full time. It is important that bodies that have power and authority, such as the Police Integrity Commission and the Independent Commission Against Corruption, have adequate processes for reviewing their procedures. The conduct of our anticorruption watchdogs should be beyond reproach, and independent checks and balances on these bodies play an essential role in ensuring public confidence in these institutions.

**Mr ANDREW GEE** (Orange) [4.54 p.m.]: I support the Police Integrity Commission Amendment Bill 2012. I commend the member for Myall Lakes on his passion for good government in New South Wales and for drawing the attention of the House to the menace and danger that the party apparatchiks on the benches opposite pose to good government in this State. We can only hope that the member for Keira heeded the wise words of the member for Myall Lakes. The bill arises from a review concluded last year into the Police Integrity Commission Act. It was completed by the Premier in November 2011 and tabled in Parliament on 10 November 2011. The review made it clear that there was a role for a body to oversee the integrity of the NSW Police Force and the New South Wales Crime Commission. The Government has determined that the Police Integrity Commission will continue to be that oversight body and, with the reforms contained in the bill, it will move into the future on a sure footing and with its work well supported.

There are several notable features of the bill that I would like to highlight today. Schedule 1, item [1], amends section 3 of the Act to ensure that the objects of the Act give equal prominence to the functions of the Police Integrity Commission of preventing corrupt conduct of administrative officers of the NSW Police Force and misconduct of New South Wales Crime Commission officers as is given to the function of preventing police misconduct. At the moment the objects of the Act and the functions of the commission place a different emphasis on the three types of officers. This provision seeks to redress that imbalance.

Another feature of the bill is that it contains a procedural fairness provision for people subject to investigations and reports by the Police Integrity Commission. As has been noted by other members, this matter has been raised by the Police Association. The issue of procedural fairness has led to new section 137A being inserted, which will require the Police Integrity Commission before making an adverse comment or finding about a person in a report to give that person an opportunity to make submissions on the matter. That provision also applies to reports of the inspector. This is known as the "persons to be heard" provision and it adds an important element of procedural fairness to the workings of the Police Integrity Commission whilst also enabling it to get on with the important business of investigating and highlighting corruption and misconduct. In short, it strikes a balance and I think that provision will be well received by not only members of the Police Force but members of the public.

Public hearings play an important role in the work of the Police Integrity Commission. However, there is a need to balance the need for openness and transparency in hearings with the potential damage to a person's reputation that could occur in the course of such hearings. Item [6] of schedule 1 inserts a provision that sets out the factors that may be taken into account in determining whether it is in the public interest to conduct a hearing wholly or partly in public. Those matters that the commission is to consider include the benefit of exposing to the public, and making it aware of, officer misconduct; the seriousness of the allegation or complaint being investigated; any risk of undue prejudice to a person's reputation, including by not holding the hearing in public; and whether the public interest in exposing the matter is outweighed by the public interest in preserving the privacy of the persons concerned. That is an important provision aimed at balancing the rights of people's privacy and the potential damage that could be done to their reputations with the need to hold public hearings and expose misconduct and corruption.

Other provisions in the bill include that the Inspector of the Police Integrity Commission will have the same powers with respect to the disclosure of reports as those available to the Inspector of the Independent Commission Against Corruption. That follows longstanding concerns regarding the capacity of the Inspector of the Police Integrity Commission to publish complaint reports. Furthermore, the bill amends the functions of the inspector to include oversight of potential maladministration, similar to functions conferred on the Inspector of the Independent Commission Against Corruption. The legislation also introduces a requirement that principal officers notify the Police Integrity Commission of possible corrupt conduct of officers of the NSW Police Force, consistent with the duty that applies to the New South Wales Crimes Commission and administrative officers of the NSW Police Force. As I said earlier, this bill puts the Police Integrity Commission on a sure footing for the future. Like those members who have spoken before me, I commend the bill to the House.

**Mr LEE EVANS** (Heathcote) [5.00 p.m.]: I support the Police Integrity Commission Amendment Bill 2012. I am particularly pleased to support this bill given my position as Deputy Chair of the Committee on the Office of the Ombudsman and Police Integrity Commission. Like all bills introduced by this Government, this bill is the product of wide and thorough consultation with all relevant parties, which in this place included the Police Integrity Commission, the Inspector of the Police Integrity Commission, the NSW Police Force, the New South Wales Crime Commission, the Independent Commission Against Corruption, the Inspector of the Independent Commission Against Corruption and the NSW Ombudsman.

This consultation was part of a comprehensive review conducted last year to examine the policy objectives and terms of the Police Integrity Act. It also took on the recommendations made over several years by the Joint Committee on the Office of the Ombudsman and the Police Integrity Commission. Some of these recommendations were routinely ignored by the previous Labor Government, so it is good to see they will be finally acknowledged. This review represented a key opportunity and responsibility to assess the structure and operation of the Police Integrity Commission and the office of the inspector. Unlike so much of the consultation conducted under the previous Labor Government, the findings of the review were then considered carefully and genuinely at all stages of drafting these reforms.

In keeping with the Government's commitment to openness and transparency, the non-confidential submissions to the review and the review document were published on the Department of Premier and Cabinet's website in November last year. The resulting bill seeks to improve our integrity organisations covering law enforcement bodies in New South Wales. While the NSW Police Force and the New South Wales Crime Commission have served the people of New South Wales extremely well throughout their shared history, there have been at times people entering those organisations with the intent to engage in corruption and misconduct. The extent to which this corruption had infiltrated these institutions was revealed by the Wood royal commission between 1995 and 1997.

Although the findings of the commission were deeply distressing, on the world stage New South Wales was an early adopter of integrity organisations formed to take on corruption and misconduct in State agencies. These organisations have served their purpose well since their inception, and this Government is committed to ensuring that they continue to do so as effectively and efficiently as possible. The review demonstrated clearly the ongoing need for a body separate from government and reporting to the Parliament to oversee the integrity of the NSW Police Force and the New South Wales Crime Commission because corruption and misconduct will exist wherever discretionary powers are held and exercised. The review found that the Police Integrity Commission was the most appropriate body to fulfil that purpose and that it should be maintained as a stand-alone body supported by the reforms in this bill.

The bill not only seeks to reform the regulatory structure of the Police Integrity Commission, but also the individuals who lead and manage the integrity organisations. To ensure that those at the helm have the utmost capability and character, the Government recently appointed two distinguished former Supreme Court judges to the positions of Commissioner of the Police Integrity Commission and Inspector of the Police Integrity Commission. The Hon. Bruce James, QC, began his five-year term as Commissioner of the Police Integrity Commission on 1 January this year and the Hon. David Levine, QC, began his five-year term as Inspector of the Police Integrity Commission on 1 February this year.

Justice James was appointed as a Crown Prosecutor for New South Wales in 1987 and appointed Queens Counsel in 1989. In the same year, he was appointed Crown Advocate for New South Wales. Justice James was appointed a Justice of the Supreme Court of New South Wales on 8 May 1991. Recent trials over which he has presided include the trials of Mark Standen, Marcus Einfeld and Bradley Cooper. Mr Levine has served on the bench for nearly 20 years, including 13 years on the New South Wales Supreme Court. In 2006-07, he also served as President of the Defence Force Board of Inquiry into a Black Hawk incident aboard HMAS *Kanimbla* in which two personnel were killed and seven were injured. Mr Levine has been the Chair of the Serious Offenders Review Council since August 2006. Both the commissioner and the office of inspector are independent of government and responsible to this Parliament. I am sure that they enjoy the full confidence of everyone in this place to preside over an era of stable professional relations between the two agencies.

A key outcome of this bill is a more consistent approach to dealing with the different types of law enforcement officers. In the current arrangement the Act and the commission placed varied emphasis on sworn officers of the Police Force, non-sworn officers of the Police Force and Crime Commission officers. This inconsistent approach came about because the original arrangements under the 1996 Act dealt only with sworn police officers; other officers were added later through amendments. The new approach will accord equal priority to the three types of officers and the duty of certain senior officers will be extended, compelling them to notify the Police Integrity Commission of misconduct by sworn police officers. Currently this duty applies only to misconduct of non-sworn police officers and Crime Commission officers.

Another key change clarifies the criteria that the commission must consider when determining whether to conduct a hearing wholly or partially in public. Public hearings are important to maintain transparency and accountability of the commission, but this must be balanced with the potential undeserved damage that public hearings can wreak upon an individual's reputation. In this way the public interest and the benefit of public exposure must be weighed carefully against this potential damage. Past episodes have shown that even individuals who have been found not guilty of corruption or misconduct have suffered detrimental impacts through public hearings. Once an individual's conduct or character has been questioned the ramifications can be lasting regardless of the outcome.

This is a delicate balance, however, as the commission cannot be deterred from necessary investigation by overcautiousness in this regard. Also in the interest of protecting the innocent, the bill requires the Police Integrity Commission to inform an individual before including an adverse comment about that person in a report. That person is then allowed an opportunity to make submissions and defend his or her actions if appropriate. This is called a "persons to be heard" provision and will also be required from reports of the inspector. This measure greatly enhances the procedural fairness for those who are subject to investigations and reports.

The perceived lack of fairness has been a sensitive issue among police officers and the Police Association of New South Wales. I am very glad that this Government is responding to those concerns. It is of the utmost importance that the integrity bodies overseeing our law enforcement agencies enjoy the full confidence and support of our enforcement officers and the general public. Everyone in this place will recall the contentious matter that arose in September last year regarding the powers of the Inspector of the Police Integrity

Commission to publish reports. This led to a public disagreement between the former inspector and the commission. This disagreement was founded in the previous Government's failure to provide clarity that had been requested years ago by the joint committee.

The bill finally provides that clarity, making the inspector's powers consistent with those conferred on the Inspector of the Independent Commission Against Corruption. This means that the inspector can finally make a report on any matter related to his functions at any time and provide that report to the commission, to the person who made a complaint, or to any other affected person. The bill also enhances the inspector's power to report to the Parliament. As stated earlier, these reforms are the product of thorough consultation and careful, genuine consideration of all submissions. Many of these changes are overdue and I am glad that this Government is taking practical steps to improve the Police Integrity Commission and the Office of the Inspector of the Police Integrity Commission. The scope of these changes will ensure that the invaluable service of these agencies will continue with renewed clarity, and the confidence of all. The most important asset of any law enforcement agency is the trust of the public they have sworn to protect. This bill will work to maintain and strengthen that trust in the decades to come. I commend this bill to the House.

**Mr JOHN SIDOTI** (Drummoyne) [5.10 p.m.]: I support the Police Integrity Commission Amendment Bill 2012, which aims to streamline further the operations of the Police Integrity Commission and the Office of the Inspector of Police Integrity. The Police Integrity Commission was established in 1996 in response to the findings of the Wood Royal Commission into corruption in the New South Wales Police Service. It became a model recognised internationally for battling police corruption. The amendments under discussion today are the result of a review finalised last year on the operation of the commission. In November 2011 the O'Farrell Government released the findings of a review by the Minister into the Police Integrity Act. It is under this Act that the Police Integrity Commission operates. The review was called by the Premier, who took over responsibilities for the administration of the commission from April last year. It was previously the responsibility of the Minister for Police.

I will provide some background on why the Police Integrity Commission was created in 1996. Prior to that, its responsibilities came under the Independent Commission Against Corruption. The Wood Royal commission interim report recommended that the Police Integrity Commission operate as a stand-alone, independent agency rather than as a division of the Independent Commission Against Corruption. The reasons cited included public perception that the commission had failed to tackle police corruption and the risk that the police anti-corruption budget would be drawn into other commission activities. There was also concern about the potential for internal conflict over resources and the need for divisional separation for confidentiality and security. Of course, there would also be a greater level of confidence in a small, specialist agency on the part of other agencies such as the Australian Federal Police, the National Crime Authority and the New South Wales Crime Commission concerning information sharing.

The recommendation became policy and today the Police Integrity Commission Act gives the commission broad-ranging powers to detect, investigate and prevent serious misconduct and corruption involving members of the NSW Police Force. The last statutory review of the Police Integrity Commission Act was undertaken nearly 10 years ago. Since then, it has been amended a number of times. The most significant amendments were made in 2006 to expand the commission's oversight functions to include administrative officers of the NSW Police Force. The Independent Commission Against Corruption had previously had responsibility for those officers. The Act was amended in 2008 to ensure oversight functions include the New South Wales Crime Commission, which had also been the responsibility of Independent Commission Against Corruption.

In the period since the 2003 review, the Police Integrity Commission has received and assessed some 6,000 complaints alleging misconduct and undertaken 192 investigations. Last year's review was far-reaching and involved taking submissions from the Police Integrity Commission and the Inspector of the Police Integrity Commission, the NSW Police Force, the New South Wales Crime Commission, the Independent Commission Against Corruption and the Inspector of the Independent Commission Against Corruption, and the NSW Ombudsman. It had the support and cooperation of each and every agency in New South Wales that is responsible for law enforcement. I support the findings of the review, which determined that there remains a clear and distinct role for a separate body to oversee the conduct of the NSW Police Force.

The factors that led Justice Wood to recommend the establishment of the Police Integrity Commission 15 years ago have not diminished. That is why I believe it is important that the Police Integrity Commission remain as it was when it was established in 1996: that is, as a stand-alone entity reporting to the Parliament but

with some reforms to be enshrined in amendments to the Act. Furthermore, the Government accepted the recommendation of the review that amalgamation of the Police Integrity Commission and the Independent Commission Against Corruption would not be straightforward. It would lead only to further instability at a time when we require clear leadership, direction and certainty.

One of the key provisions of the Police Integrity Commission Amendment Bill 2012 is that it provides a more consistent approach to the different types of law enforcement officers covered by the Act. This makes sense. The functions in the Police Integrity Commission Act fail to provide equivalent emphasis to officers of the NSW Police Force, Police Force administrative officers and New South Wales Crime Commission staff. It is therefore appropriate that the Act be amended to provide that the principle aims and functions of the Police Integrity Commission include the detection, investigation and prevention of corruption and other serious misconduct by all NSW Police Force and Crime Commission employees. The bill further extends the duty of certain senior officers to notify the Police Integrity Commission of misconduct by sworn police officers. Currently this duty applies only to the misconduct of non-sworn police officers and Crime Commission officers.

Another amendment to the Act provides for protection of the reputation of a person or persons subject to investigation by the Police Integrity Commission. As the review noted, adverse publicity generated by public inquiries can cause more damage to a person's reputation and peace of mind than any formal judgment, and even a recommendation to take legal action subjects the potential defendant to personal and financial detriment. Those risks are exacerbated by the common tendency to confuse commissions of inquiry with courts. I therefore fully support new section 137A, which requires the Police Integrity Commission to give the person an opportunity to make submissions. This is known as a "person to be heard" provision. It will help to address concerns about procedural fairness, but still allow the commission to investigate corruption and misconduct.

The Ombudsman Act 1974 includes a "person to be heard" section and is similar to that being proposed for the Police Integrity Commission Amendment Bill. With regard to the role of the Inspector of the Police Integrity Commission, the bill delivers long overdue reforms. It provides that the inspector's role is consistent with those of the Inspector of the Independent Commission Against Corruption. This means that the Inspector of the Police Integrity Commission has enhanced powers to report to any party, including Parliament, in relation to any of his statutory functions if it is in the public interest to do so.

The O'Farrell Government has given a firm commitment to getting the parameters of the State's integrity commissions right, particularly with regard to law enforcement authorities. To support this aim, the Government has recently appointed two distinguished former Supreme Court judges to the positions of Commissioner of the Police Integrity Commission and Inspector of the Police Integrity Commission. The Hon. Bruce James, QC, commenced his five-year term as commissioner on 1 January this year and the Hon. David Levine, QC, was appointed to the Office of Inspector, also for a five-year term. I congratulate them on their appointments and believe that this, combined with the proposed amendments, will offer a more effective and streamlined operation of the Police Integrity Commission. I commend this bill to the House.

**Mr TONY ISSA** (Granville) [5.18 p.m.]: It gives me great pleasure to speak on the Police Integrity Commission Amendment Bill 2012. It has taken decades for the absolute power of the New South Wales Crime Commission to be truly held to account. Finally, that power is to be tested, with the Minister for Police and Emergency Services, the Hon. Michael Gallacher, promising an independent inquiry into the commission targeting its accountability and structure. This is what this Government is about. Back in 2008, under the Iemma Government, the Police Integrity Commission had limited capacity to deal with the type of investigative role that the commission is responsible for. This bill introduces an amendment that will address that issue.

The Police Integrity Commission was established in 1996 upon the recommendation of the Royal Commission into the New South Wales Police Service. The Police Integrity Commission Act 1996 sets out the functions of the Police Integrity Commission. These functions can be summarised briefly as preventing, detecting and investigating misconduct. The Police Integrity Commission is also responsible for detecting, investigating and preventing misconduct by administrative officers of the NSW Police Force and officers of the New South Wales Crime Commission. The Police Integrity Commission conducts research into serious misconduct and methods by which it may be reduced. It provides recommendations to the NSW Police Force and the New South Wales Crime Commission as to how to manage activities of misconduct.

The Police Integrity Commission is not part of the NSW Police Force. It is an independent body. It employs experienced staff, including accountants, current and former police investigators, and operational and research analysts. The Police Integrity Commission reports to the Parliament on its activities in its annual report

to be furnished to the Parliament no later than 31 October each year. The purpose of the Police Integrity Commission Amendment Bill 2012 is to implement the reforms to the Police Integrity Commission arising from the Premier's statutory review of the Police Integrity Commission Act 1996, including providing broader powers for the Inspector of the Police Integrity Commission to publish reports. The statutory review of the Police Integrity Commission Act was completed by the Premier in November 2011 and tabled in the Parliament on 10 November 2011.

The Government has endorsed the outcomes of review, which include support for the continuation of the Police Integrity Commission in its current form and refinements to the powers of the Police Integrity Commission itself and the Inspector of the Police Integrity Commission. The review was tabled shortly before the retirement of the former Acting Commissioner of the Police Integrity Commission and former Inspector of the Police Integrity Commission. A new commissioner, the Hon. Bruce James, QC, commenced on 1 January 2012 and the new Inspector, the Hon. David Levine, QC, commenced on 1 February 2012. Both appointments are for five years. The bill amends the objects of the Police Integrity Commission Act and the functions of the Police Integrity Commission to accord equal priority to the Police Integrity Commission's oversight of New South Wales Crime Commission officers, NSW Police Force officers and NSW Police Force administrative officers.

The bill introduces limited procedural fairness measures to the Police Integrity Commission Act, principally a "persons to be heard" provision with regard to Police Integrity Commission investigation reports and inspector complaint reports. It provides, following longstanding concerns regarding the capacity of the Inspector of the Police Integrity Commission to publish complaint reports, that the Inspector of the Police Integrity Commission will have the same powers with respect to the disclosure of reports as those available to the Inspector of the Independent Commission Against Corruption. It amends the functions of the inspector to include oversight of potential maladministration, similar to functions conferred on the Inspector of the Independent Commission Against Corruption, and it introduces a requirement that principal officers notify the Police Integrity Commission of possible corrupt conduct of NSW Police Force officers, consistent with the duty that applies to the New South Wales Crime Commission and administrative officers of the NSW Police Force.

The bill does not include a provision to implement outcome No. 14 of the Police Integrity Commission Act review that legislation should be introduced to bring special constables in the security management unit within the oversight of the Police Integrity Commission. Drafting of an amendment in relation to this outcome has been deferred to allow the Ministry of Police and Emergency Services to complete a review of all legislative arrangements governing special constables and make recommendations to the Minister for Police. I commend the bill to the House.

**Mr MARK SPEAKMAN** (Cronulla) [5.25 p.m.]: I am pleased to support the Police Integrity Commission Amendment Bill 2012. It refreshes and reforms the Police Integrity Commission and the Office of Inspector of the Police Integrity Commission, two of the State's important integrity organisations. The Government is taking timely practical steps to improve integrity arrangements covering law enforcement bodies in this State. We went to the last election with a five-point plan, one of which was restoring accountability. This is a further step undertaken by the New South Wales Government to restore accountability in New South Wales.

Over many years the Ombudsman, the Independent Commission Against Corruption and the Police Integrity Commission have made valuable contributions, but this Government wants to ensure that these bodies continue to provide effective and efficient services supporting and improving key law enforcement and other government bodies in New South Wales. The review conducted late last year, which is required under section 146 of the Police Integrity Commission Act, provided an important opportunity to take stock of arrangements for the Police Integrity Commission and the Office of the Inspector. Submissions were received from the Police Integrity Commission and the inspector, the NSW Police Force, the New South Wales Crime Commission, the Independent Commission Against Corruption, the Inspector of the Independent Commission Against Corruption and the Ombudsman.

The review considered recommendations that had been made over several years by the Joint Committee on the Office of the Ombudsman and the Police Integrity Commission. The review concluded, and the Government accepts, that a role clearly remains for a separate body—a body separate from Government—reporting to Parliament to oversee the integrity of the NSW Police Force and the New South Wales Crime Commission, because corruption and misconduct risks inherently coexist with the discretionary exercise of significant coercive powers. The Government has decided to preserve the Police Integrity Commission as a stand-alone body supported by reforms which are implemented in this bill.

I will now summarise the key provisions of this bill. The first area deals with the emphasis on different types of officers that are covered by the scrutiny of the Police Integrity Commission. At the moment the objects of the Act and the functions of the commission differentiate in terms of emphasis between three types of officers—that is, sworn officers of the NSW Police Force, non-sworn officers of the NSW Police Force, and New South Wales Crime Commission officers. Why is that? It is historical; it is because the original arrangements under the 1996 Act concerned only sworn police officers. Arrangements for non-sworn officers and Crime Commission officers were later added in amending legislation. The bill will amend the Act to give these three types of officers equal prominence in regard to the functions of the Police Integrity Commission.

Secondly, in order to achieve consistency, the bill will amend the Act to extend the duty of certain senior officers to notify the Police Integrity Commission of misconduct by sworn police officers. Currently the duty applies only in relation to misconduct of non-sworn police officers and New South Wales Crime Commission officers. Third, the Police Integrity Commission currently holds public hearings that play an important role in the transparency and accountability of the commission. But it is necessary to have an appropriate balance between the public interest on the one hand, and the benefit of public exposure against the potential for undue prejudice to a person's reputation when deciding to hold a public inquiry on the other.

Schedule 1 item [6] to the bill inserts a new subsection (3A) in section 33, which will provide that, without limiting the factors that the commission may take into account in deciding whether or not it is in the public interest to conduct a hearing wholly or partly in public, the commission is mandated to consider four criteria. They are, first, the benefit of exposing to the public, and making it aware of, officer misconduct; secondly, the seriousness of the allegation or complaint being investigated; thirdly, any risk of undue prejudice to a person's reputation, including by not holding the hearing in public; and, fourthly, whether the public interest in exposing the matter is outweighed by the public interest in preserving the privacy of the persons concerned. Those additional criteria are consistent with the requirements for the Independent Commission Against Corruption when it decides whether to hold public hearings.

The fourth area of reform deals with procedural fairness for people who are subject to investigation and reports by the Police Integrity Commission. In the past concerns have been expressed by police and the New South Wales Police Association in particular about the commission's observance of procedural fairness. Item [14] of schedule 1 to the bill inserts new section 137A, which will require the Police Integrity Commission before including an adverse comment about a person in a report to give that person an opportunity to make submissions—also known as a "persons to be heard" provision. This new section will help to address concerns about procedural fairness whilst allowing the commission to continue to detect and investigate corruption and misconduct. This requirement will also apply to reports by the inspector.

The fifth area of reform deals with the powers of the Inspector of the Police Integrity Commission, a matter which in September last year led to public disagreement between the former Inspector of the Police Integrity Commission and the Police Integrity Commission. The alarm bells first began ringing in November 2006 when the parliamentary joint committee recommended that the Act be amended to clarify that the inspector could report to the Parliament at his discretion in relation to any of his statutory functions, and in 2009 there was a further recommendation by the parliamentary joint committee.

The bill delivers the clarity sought more than five years ago by the parliamentary joint committee. It makes the inspector's powers consistent with those that are conferred on the Inspector of the Independent Commission Against Corruption. Item [11] of schedule 1 to the bill inserts new section 89 (1A), which will provide that the Inspector of the Police Integrity Commission may at any time make a report concerning any matter relating to his functions in section 89—that is, concerning complaints, procedures or operation of the Police Integrity Commission—and provide a report to the commission, to the person who made a complaint or to any other affected person. The bill also provides an enhancement to the inspector's power to report to Parliament by amending section 101 of the principal Act.

Currently there is no provision to implement outcome No. 14 of the statutory review—that is, that legislation should be introduced to bring special constables in the Security Management Unit within the oversight of the Police Integrity Commission. The drafting of an amendment in relation to this has been deferred to allow the Ministry for Police and Emergency Services to complete a review of all legislative arrangements governing special constables. They are the five areas of reform, and it is pleasing that the Opposition supports them. The bill demonstrates the continuing commitment of the O'Farrell Government to transparency and accountability. In New South Wales not only is the substance of what the Government does important but also the integrity, transparency and accountability with which it does it. I commend the bill to the House.

**Mr DAVID ELLIOTT** (Baulkham Hills) [5.32 p.m.]: I make a modest contribution to the Police Integrity Commission Amendment Bill 2012. The Liberal-Nationals Coalition has always been committed to public transparency and accountability within all aspects of the public sector. This is yet another example of the Government delivering for the people of New South Wales and placing public interest at the forefront. Police provide an invaluable service to community. My wife's father was a member of the NSW Police Force. He retired at the rank of superintendent after 30-odd years of service. He made an invaluable contribution to the community, as did so many of his peers. The efforts and sacrifices of all members of the Police Force, past and present, should be commended. However, as with all positions of authority, occasionally a small minority will act inappropriately or in a corrupt manner. I am very familiar with this unfortunate fact of public life because in 1994 I was a member of the Police Media Unit during the Wood royal commission into police corruption.

The Police Integrity Commission has the important task of tackling police misconduct in order to maintain public confidence in our law enforcement agencies and so that another royal commission into police corruption will never be needed. The Police Integrity Commission Act, being such a crucial oversight mechanism, is subject to regular review. This required review considers submissions from stakeholders as well as the recommendations of the Parliamentary Joint Committee on the Office of the Ombudsman and the Police Integrity Commission. The reforms within this bill will increase openness and transparency while also improving the effectiveness of the commission in supporting law enforcement. These reforms are necessary and should have been implemented, in many instances, by the previous Government.

Of particular significance is the expansion of reporting powers granted to the Inspector of the Police Integrity Commission. The inspector will now be able to make a report to the commission at any time. Further, the inspector's ability to report to this Parliament directly has been greatly enhanced. Expanding the inspector's reporting power has been recommended for close to half a decade—it is long overdue. The bill also provides for greater procedural fairness in the commission's reports. Any individual the subject of an adverse comment will now be entitled to a right of reply prior to that comment's inclusion in the report. Considering the fundamental nature of procedural fairness to our justice system, this is an important and welcome reform.

The bill ensures that each type of officer covered by the commission is treated in a similar manner, ensuring greater consistency and standardising the commission's functions. The bill amends also the criteria to be considered by the commission in deciding if to hold a public inquiry in the interests of improving transparency. These amendments are part of an ongoing process of reform and review designed to guarantee that the Police Integrity Commission can perform its important functions in an effective way. It is only appropriate that the agency tasked with preventing and detecting police misconduct be subject to rigorous review. The bill is an excellent example of the return of accountability and openness to public administration in this State. I commend the bill to the House.

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [5.37 p.m.]: I make a contribution to the Police Integrity Commission Amendment Bill 2012 in my capacity as Parliamentary Secretary for Police and Emergency Services. The object of the bill is to implement the reforms to the Police Integrity Commission arising from the Premier's statutory review of the Police Integrity Commission Act 1996, including the provision of broader powers for the Inspector of the Police Integrity Commission to publish reports. Premier O'Farrell in his agreement in principle speech said:

The review cast a wide net. It took submissions from the Police Integrity Commission and the Inspector, the NSW Police Force, the New South Wales Crime Commission, the Independent Commission Against Corruption and the Inspector of the Independent Commission Against Corruption and the New South Wales Ombudsman. The review also carefully considered recommendations made over several years by the Parliamentary Joint Committee on the Office of the Ombudsman and the Police Integrity Commission. I thank the agencies and the parliamentary committee for informing the review with their detailed and constructive submissions.

He said further:

Reformed regulatory architecture for the Police Integrity Commission is only one part of the Government's commitment to getting the integrity settings right for our State's law enforcement authorities.

That is very relevant. A number of speakers from this side of the House have spoken of openness and transparency. In the short time I have been in this Parliament a number of issues have been raised that have cast aspersions on a number of government officials. On 26 March 2011—a little over a year ago—the people of New South Wales spoke. Last weekend we saw a similar result in the Queensland State election. I wish

Campbell Newman and the LNP members all the best in carrying out the duties entrusted to them by the people of Queensland. The Premier then referred to the "capability and the character of the people who lead and supervise the integrity bodies". The Premier continued:

With this in mind, the Government has recently appointed two distinguished former Supreme Court judges to the positions of Commissioner and Inspector of the Police Integrity Commission. The Hon. Bruce James, QC, commenced his five-year term as Commissioner on 1 January this year, while the Hon. David Levine, QC, took office as Inspector one month later, also for a five-year term.

I highlight the Premier's next comments:

The commission and the office of Inspector are independent of Government and responsible to this Parliament.

Being independent of government sends a clear message to the people of New South Wales but, more importantly, informs the police. Like many members of this House, I praise the hardworking police, both men and women, who put their lives at risk daily for the betterment of the community. Being independent of government means that they are independent of government intervention, bias and things of that nature. That is an important attribute and I fully support it. The bill also amends the objects of the Police Integrity Commission Act and the functions of the Police Integrity Commission according to equal priority to the Police Integrity Commission's oversight of NSW Crime Commission officers, the Police Force and administration officers.

The bill amends the functions of the Inspector to include the oversight of potential maladministration, similar to the functions conferred on the Independent Commission Against Corruption inspector. It will also be a requirement that the principle officers notify the Police Integrity Commission of possible corrupt conduct in the NSW Police Force office, consistent with the duty that applies to the NSW Crime Commission, administration officers and so on. This is an important step. As the Premier said in his agreement in principle speech, the bill sets up the framework—I note these words—of "getting the integrity setting right for our State's law enforcement agencies". As members know, I have done a number of night shifts with my local police in my electorate.

I am always amazed by their dedication, commitment, integrity, honesty and loyal duty to the people of New South Wales to protect our streets. One important factor is that the police recognise the importance of having a Police Integrity Commission and they respect its role. We have a lot of great police in this State and we need to protect their integrity. I think the commission says it all. Speaking of police integrity, all police officers wish to hold integrity up high. Without further ado, I praise the Premier for bringing forward what I believe is a valuable measure for, as he said, "setting up the framework for integrity, particularly within our NSW Police Force". I commend the bill to the House.

**Ms MELANIE GIBBONS** (Menai) [5.43 p.m.]: I support the Police Integrity Commission Amendment Bill 2012. It is with pleasure that I speak in support of yet another reform by the O'Farrell-Stoner Government to two of the State's important integrity organisations, the Police Integrity Commission and the Office of the Inspector of the Police Integrity Commission. The principal functions of the Police Integrity Commission are to detect, investigate and prevent police misconduct; and as far as practicable it is required by law to turn its attention to serious police misconduct by New South Wales police officers. The Police Integrity Commission's functions also include the detection, investigation and prevention of misconduct by administrative officers of the NSW Police Force and officers of the NSW Crime Commission.

Today I contribute to the debate on the reforms to the Police Integrity Commission Act 1996 to improve integrity arrangements covering law enforcement bodies in this State. In November 2011 the Premier's statutory review of the Police Integrity Commission and its policy objectives and terms of the Police Integrity Commission Act was completed. This review has provided the golden opportunity to reflect on, assess and review the current arrangements for the Police Integrity Commission and the Office of the Inspector. The review took submissions from the Police Integrity Commission and the Inspector, the NSW Police Force, the NSW Crime Commission, the Independent Commission Against Corruption and the Inspector of the Independent Commission Against Corruption, and the New South Wales Ombudsman.

The findings from this lengthy review maintained the need for an independent body, separate from Government and reporting to the Parliament. However, the review also found a few areas that need reform. As I and other members have said on many previous occasions, the Government is committed to transparency and openness; and, in keeping with this commitment, the findings of the review were made publicly available on the Department of Premier and Cabinet's website in November last year. The amendments outlined in this bill all

work towards improving the current Police Integrity Commission. This bill amends the principal Act to give equal prominence to the three types of officers: sworn officers of the Police Force, non-sworn officers of the Police Force and Crime Commission officers.

This is just one of the measures to ensure consistency across the board. Senior officers must also report to the Police Integrity Commission misconduct not just by non-sworn officers or Crime Commission Officers but also sworn officers of the Police Force. Another aspect of this bill is the way public hearings are run. Currently public hearings play a vital role in the accountability and transparency of the commission. In some cases there is the potential for undue prejudice against their character that could unnecessarily harm their reputation. To combat this, item [6] amends the criteria necessary to determine whether to conduct a hearing wholly or partly in public. This is also consistent with the requirements for the Independent Commission Against Corruption when it decides whether to hold public hearings.

This review also prompted the development of a "persons to be heard" provision to protect procedural fairness for people subject to investigations and reports by the Police Integrity Commission. Item [14] requires that the commission must allow a person to make submissions before an adverse comment can be made in a report. This was a concern raised by the New South Wales Police Association. This amendment will help to address concerns about procedural fairness while allowing the commission to continue its important work in investigating corruption and misconduct. The inspector's powers will now be consistent with those of the Inspector of the Independent Commission Against Corruption. This means that the inspector may at any time make a report concerning any matter relating to his functions, which could be complaints, procedures of operations of the commission, and then provide that report to the commission, to the person who made a complaint or to any other affected person. This amendment simply clarifies requests made by the parliamentary joint committee more than five years ago.

I want to make members aware of an omission from this bill. Outcome 14 of the Police Integrity Commission Act review is still under the development of the Ministry of Police and Emergency Services. Once a review regarding all legislative arrangements governing special constables has been completed, recommendations will be made to the Minister and brought to the House for consideration. This year we have welcomed two new members of the commission. They are former Supreme Court judges the Hon. Bruce James, QC, as Commissioner and the Hon. David Levine, QC, as Inspector, both for five-year terms. I welcome both appointments, and I believe in their capability and characters to perform this role to the best of their abilities.

I acknowledge the hard work done by my local area commands. I note that the member for Macquarie Fields is in the Chamber. I am sure he echoes my sentiments, particularly in relation to the Liverpool Local Area Command, but also the Sutherland Local Area Command. I am sure the member for Heathcote echoes my sentiments as well. Sutherland Local Area Command is doing some great work in conjunction with its police-citizens youth club to remove graffiti. In particular, offenders remove the graffiti they place on walls and in public places. I acknowledge the work the police are doing in conjunction with Sutherland council. We have regular meetings with the Liverpool Local Area Command—the member for Macquarie Fields has attended many of those meetings with me—to find out what is going on in the local area and to enable the police to tell us their needs.

I publicly thank the police for coming to the assistance of the Hammondville electorate office recently when it was broken into in the middle of the night. Nothing was taken that I could see but I acknowledge their fast response and thank them for coming out in the middle of the night. I acknowledge the work we have done on the drunk and disorderly legislation in this place and I hope that helps police in their duties. I give police as high praise as possible; indeed, I could never praise them highly enough. The Government is taking timely and practical steps to improve the integrity arrangements for our law enforcement agencies. I commend the bill to the House.

**Mr JOHN FLOWERS** (Rockdale) [5.50 p.m.]: I speak in support of the Police Integrity Commission Amendment Bill 2012. I acknowledge the Premier's ongoing dedication to modernise and reform the Police Integrity Commission and the Office of the Inspector of the Police Integrity Commission. The people of New South Wales want to see that corruption and misconduct are tackled head-on in all our law enforcement bodies. As members would know, reforms in this bill arise from a review under section 146 of the Police Integrity Commission Act, concluded in 2011, into the policy objectives and terms of the Police Integrity Commission Act. As the Premier mentioned in this place on 7 March, the review:

... took submissions from the Police Integrity Commission and the Inspector, the NSW Police Force, the New South Wales Commission, the Independent Commission Against Corruption and the Inspector of the Independent Commission Against Corruption and the New South Wales Ombudsman.

This review was extensive, also considering recommendations by the joint parliamentary Committee on the Office of the Ombudsman and the Police Integrity Commission. The object of the bill is to amend the Police Integrity Commission Act 1996:

- (a) to give equal prominence to the functions of the Police Integrity Commission of preventing corrupt conduct of administrative officers of the NSW Police Force and misconduct of NSW Crime Commission officers as is given to the function of preventing police misconduct;
- (b) to give guidance to the PIC in relation to the factors that are to be taken into account when it determines whether to conduct a hearing into a matter in private or in public; and
- (c) to ensure that certain senior officers are under a duty to report all the types of conduct referred to in paragraph (a) to the PIC; and
- (d) to clarify the way in which the Inspector of the PIC is to carry out certain functions; and
- (e) to ensure that a person about whom an adverse comment is to be made in a report prepared by PIC or the Inspector of the Police Integrity Commission is given the grounds on which the comment is made and an opportunity to make submissions before the comment is included in the report.

The Police Integrity Commission Amendment Bill 2012 will amend the principal Act to give equal prominence to the three types of law enforcement officers covered by this Act—sworn officers of the Police Force, non-sworn officers of the Police Force and Crime Commission officers. Furthermore, the bill also amends the Act to extend the duty of certain senior officers to notify the Police Integrity Commission of misconduct by sworn police officers. As it stands, currently the duty only applies in relation to misconduct by non-sworn police officers and Crime Commission officers. Item [2] of schedule 1 amends section 4 definitions of the Act. It states:

*officer misconduct* means police misconduct, corrupt conduct of an administrative officer or misconduct of a Crime Commission officer.

The bill inserts a new section 4 (1A) dealing with serious and other misconduct. This is to give general guidance between the two concepts of "serious" officer misconduct and "other" misconduct. Item [6] of schedule 1 to the bill amends section 33 dealing with public and private hearings. This specifies the criteria that the commission is to consider when determining whether to conduct a hearing wholly or partly in public. This includes:

- (a) the benefit of exposing to the public, and making it aware of, officer misconduct,
- (b) the seriousness of the allegation or complaint being investigated,
- (c) any risk of undue prejudice to a person's reputation (including by not holding the hearing in public),
- (d) whether the public interest in exposing the matter is outweighed by the public interest in preserving the privacy of the persons concerned.

Item [14] inserts section 137A dealing with persons to be heard. Before including in a report any comment about a person that the commission or the inspector considers is adverse the commission or inspector must, so far as practicable, inform that person of the substance of the grounds of the adverse comment and give the person an opportunity to make submissions. This section applies only to a report by the commission in relation to any matter that has been or is the subject of an investigation by the commission and a report by the inspector in relation to any complaint.

The bill gives the Inspector of the Police Integrity Commission powers consistent with that of the Inspector of the Independent Commission Against Corruption. Item [11] of schedule 1 provides that the inspector of the Police Integrity Commission may at any time make a report concerning any matter relating to his functions in section 89, that is, largely concerning complaints, procedures or operations of the Police Integrity Commission. Section 101 dealing with special reports is to be amended to enhance the inspector's power to report to the Parliament. Wide consultation was undertaken during the review and this bill is important for the Police Integrity Commission and for the Office of the Inspector. I commend the bill to the House.

**Mr CHRIS HOLSTEIN** (Gosford) [5.56 p.m.]: I speak in support of the Police Integrity Commission Amendment Bill 2012. The bill aims to reform the State's two important police integrity organisations. They are, of course, the Police Integrity Commission and the Office of the Inspector of the Police Integrity Commission. The bill is evidence that the Government is taking practical steps to improve integrity arrangements covering the State's law enforcement bodies. The reforms in this bill are as a result of the review concluded late last year as required

under section 146 of the Police Integrity Commission Act. The review took submissions from the Police Integrity Commission, the Inspector of the Police Integrity Commission, the NSW Police Force, the NSW Crime Commission, the Independent Commission Against Corruption, the Inspector of the Independent Commission Against Corruption and the NSW Ombudsman and considered recommendations made over a number of years by the joint parliamentary Committee on the Office of the Ombudsman and the Police Integrity Commission.

That review concluded that a role clearly exists for a body, separate from government and reporting to this Parliament, to oversee the integrity of the NSW Police Force and the NSW Crime Commission. At this point I acknowledge that the NSW Police Force and the NSW Crime Commission provide exceptional service to our communities and these organisations are staffed by individuals of the highest integrity. However, there are a few individuals who, on occasions, do behave corruptly and who have engaged in misconduct. This was revealed in the Wood royal commission and led to the establishment of the Police Integrity Commission back in 1996.

The Government decided to preserve the Police Integrity Commission as a standalone body, supported by reforms contained in this bill. A very important part of getting the integrity settings right is the character and capability of the people who lead and supervise the integrity bodies. To this end the Government appointed two distinguished former Supreme Court judges to the positions of commissioner and inspector of the Police Integrity Commission. Firstly, the Hon. Bruce James, QC, commenced his five-year term as commissioner on 1 January this year, and the Hon. David Levine, QC, took up office as inspector in February this year. I congratulate both of them on their appointments and I look forward to good professional relationships between the agencies and wish them well during their five-year term in office.

The bill will provide a more consistent approach to the different types of law enforcement officers covered by the Act. The 1996 Act originally covered only sworn police officers and arrangements for non-sworn officers and Crime Commission officers were added in amending legislation. The bill amends the principal Act to give equal prominence to the three types of officers as outlined in the bill in regard to the functions of the Police Integrity Commission. In order to achieve consistency, the bill also amends the Act to extend the duty of certain senior officers to notify the Police Integrity Commission of misconduct by sworn police officers. This duty currently applies only to misconduct by non-sworn police officers and Crime Commission officers.

The Police Integrity Commission holds public hearings. However, there is a need to balance the public interest consideration against the potential for undue prejudice to a person's reputation when deciding to hold a public inquiry. The bill amends section 33 of the Act, which specifies the criteria that the commission is to consider in determining to conduct a hearing wholly or partly in public and these additional criteria are consistent with the criteria requirements of the Independent Commission Against Corruption. The issue of procedural fairness has been the subject of concern in relation to certain matters before the commission in the past and these concerns have been raised by the Police Association of New South Wales. The new section 137A will require the Police Integrity Commission, should it be including an adverse comment about a person in a report, to give that person an opportunity to make a submission. This is to be known as the "persons to be heard" provision. This provision will apply also to any reports of the inspector.

Last year a contentious issue arose where the powers of the Inspector of the Police Integrity Commission led to a public disagreement between the former Inspector of the Police Integrity Commission and the commission. For five years previously the joint parliamentary Committee on the Office of the Ombudsman and the Police Integrity Commission had made multiple recommendations to clarify the inspector's reporting powers, and what happened? As usual, under those opposite, nothing happened. This bill makes the inspector's powers consistent with those conferred on the Inspector of the Independent Commission Against Corruption. The bill delivers clarity that was sought more than five years ago and proves yet again that on this side of the House we are a will-do Government. We are not afraid to deal with difficult issues that need to be addressed in order to make this State number one again. I commend the bill to the House.

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

## **PUBLIC SECTOR EMPLOYMENT AND MANAGEMENT AMENDMENT BILL 2012**

### **Agreement in Principle**

**Debate resumed from 7 March 2012.**

**Mr JOHN SIDOTI** (Drummoyne) [6.03 p.m.]: I commend the Public Sector Employment and Management Amendment Bill 2012 to the House. Its provisions will drastically update the State's public sector

employment and improve performance indicators. It will bring the public sector into line with twenty-first century business practices. It is designed to ensure not only that the New South Wales public sector is the best in the country, but also that provisions relating to excess employees are clear and practical to implement. This is not a case of identifying unsatisfactory performance; it is more a case of recognising achievements, providing training and putting systems in place that will give valuable feedback to employees.

Last year, soon after being elected, this Government sought to fulfil a key election undertaking by initiating a review into the operations of the public sector. This Government wants a reinvigorated public service. It wants the New South Wales public service to be recognised as the best in the country and it wants it to become the employer of choice. Let us consider the size of the New South Wales public service. New South Wales is by far the largest State and the New South Wales public sector is the largest single employer in the country. It employed nearly 450,000 people as of June 2011. It employed 11.09 per cent of all employed people in New South Wales, with 60 per cent of those people working in the areas of health or education. The average pay of each of those nearly 450,000 employees was \$69,429, and almost one-quarter of employees worked part-time. More than 21 per cent of men in the New South Wales public sector earn in excess of \$91,653.

I return to the provisions of the bill. It is not unusual to conduct a review of operations. Major Australian companies such as BHP Billiton, Rio Tinto and the National Australia Bank conduct regular reviews of performance. They do not conduct them—as those on the other side would have us believe about these amendments—to kill off jobs. They do them because they are in competition and they have to keep up with their competitors to stay in business. They want the best out of their employees. They want their businesses to flourish, they want their shareholders to remain loyal and they want to ensure the company is operating in the modern workplace. Key performance indicators are central to this. Unless a company regularly monitors its workforce and its practices it will be left behind, and we do not want that to happen to the New South Wales public sector. We are talking about the biggest employer in the country.

The Premier has always defended the work performed by the New South Wales public service. He has said he wants it to be not only the best in Australia, but recognised as a world leader. The bill contains provisions to give the Public Service Commissioner the power to develop and issue guidelines to public sector agencies on the essential elements of performance management systems. This is what chief executive officers do in publicly listed companies. Under section 101A, public service agencies will be required to develop and implement performance management systems for their staff. If this is normal practice for a company, why is it not the practice for the largest employer in the country? It may not have shareholders but it has taxpayers. They are the stakeholders and the people who foot the bill each year for the salaries paid to public servants. They are also the people who rely on the public sector to deliver improved services for all residents of the State.

The bill also proposes amendments to sections 56 and 57. This Government has already introduced a new policy for the management of excess employees. From 1 August last year, Labor's "no forced redundancies" policy was abolished. Predictably, the decision was met with a negative reaction from public sector unions. These unions were already at war with the O'Farrell Government over legislated wage capping. I defend the abolition of the no forced redundancies policy because it makes perfect commercial sense. It gave the Government the power to make redundant up to 390 excess employees who were, at that time, having their wages paid by the New South Wales taxpayers.

As it transpired, 56 of these employees had not held a permanent job for more than a year. Would this be tolerated in the private sector? Would this be tolerated by a board of directors? Would this be tolerated by shareholders? No, no, no. So why should it be tolerated by taxpayers? The abolition was introduced by regulation and gave the Government the ability to shorten the time that an excess employee would be paid not to work before being made redundant from 12 months to three months. That is more than fair. Yes, people were paid not to work for 12 months in New South Wales—a State where there is not enough money to build new schools and hospitals, not enough money to build and maintain roads, and not enough money to provide better public transport.

It was an outrageous situation and one that was allowed to continue, unchecked by the previous Labor Government. Why? Because it was terrified of the union backlash and even more terrified that those same unions would pull their funds come election time. The regulation also ensured that those public servants who chose to reject the initial redundancy offer would have their severance payments cut. When this change was introduced last August it was estimated that it would save the New South Wales economy \$16 million a year—\$16 million that we want in our electorates for better health services, transport services, education and infrastructure.

But this Government is not on some sort of public sector witch-hunt. It wants to help public servants who lose their jobs. The terms for abolishing the no forced redundancies policy included introducing a one-off \$10,000 incentive payment for people to leave the public service. Sometimes people lose their jobs—and not just in the public sector. It happens every day around the country. People lose their jobs as a result of structural reform or a shift in priorities. But it is simply the equivalent of committing commercial suicide to keep employees on the books indefinitely on full salary and benefits when they are not working. The Public Sector Employment and Management Act 2002 sets out the ethical framework that governs the actions and decisions of the public sector. This is in part 1.2 of the Act. In fulfilling this objective, the Act refers to recognising:

... the role of the public sector in preserving the public interest, defending public value and adding professional quality and value to the commitments of the government of the day.

Now let us consider those objectives. The public service is there for the benefit of all the people of New South Wales. The word "professional" is in that quote as is the word "value". These amendments are trying to achieve and secure a public sector that is working to its maximum potential for the taxpayers of this State. Under section 56, public servants can be made redundant if they are deemed "excess", have declined voluntary redundancy and have been unable to find alternative employment within three months. The Government's policy applies this to those public sector agencies in the government service. It does not apply to those employees in essential, front-line services. As the Act clearly states and as I quoted earlier, taxpayers deserve value. That is exactly what we want to give them through these amendments.

The bill further proposes to exclude the application of unfair contracts provisions in division 2 of part 9 of the Industrial Relations Act to arrangements for getting rid of excess employees. It will be relevant to the government service and to all other public sector agencies. Excess employee arrangements include how and when a staff member becomes excess, issues concerning redeployment, the retention period, salary maintenance, redundancy payments and termination. This is made clear in new section 103A, part 2. As I mentioned earlier, these proposals should not be interpreted as a witch-hunt. They are necessary in order to avoid lengthy and ongoing court proceedings that tie up the time of the court and cost the taxpayers of this State a fortune. While they mean that the Industrial Relations Commission can no longer deal with these matters, individual excess employee disputes and unfair dismissal matters will still be able to be heard by the commission. The amendments support the Government's intention to provide a policy to manage excess employees while at the same time ensuring that the community receives improved public services. I commend the bill to the House.

**Mr PAUL LYNCH** (Liverpool) [6.13 p.m.]: I oppose the Public Sector Employment and Management Amendment Bill 2012. The objects of the bill are expressed to be to amend the Public Sector Employment and Management Act to do several things. One is to alter the provisions of the Act relating to excess officers and dispensing with them. The second is to exclude the unfair contracts jurisdiction of the Industrial Relations Commission in connection with excess employees. The third requires heads of public sector agencies to develop and implement performance management systems for their staff and to require the Public Service Commissioner to issue guidelines for that purpose. The bill is simply another instalment in the O'Farrell Government's war on public servants and workers generally. There is a long list of assaults upon the industrial conditions and entitlements of the State's workers by this Government.

The right to go to the Industrial Relations Commission has been denied to public sector employees; their wages have been capped at 2.5 per cent; occupational health and safety regulations and laws have been weakened; 5,000 public servants have been sacked; New South Wales industrial relations offices have been closed in Gosford, Wagga Wagga, Coffs Harbour and Orange; TAFE employees have been transferred to the Federal workplace system and out of the State jurisdiction; the Police Death and Disability Scheme has been trashed; and the Government has refused to provide fair compensation for asbestos victims and has caused a delay in payments to dust diseases victims because it would not appoint members to the Dust Diseases Board. Of course, one of the first actions of this Government was to make appalling submissions to Fair Work Australia denying fair and equal pay for social and community workers, having before the election made promises to support the Australian Services Union case.

The emblematic provision of this bill is new section 103A, which removes from the jurisdiction of the Industrial Relations Commission unfair contracts in dealing with excess employees. The Government's position is so patently unfair that it cannot afford to have an independent umpire overseeing it. It is a fairly eloquent concession by the Government that it is acting unfairly. The managing excess employees policy, effective as at 1 August 2011, was a reduction in terms and conditions. It was challenged in the Industrial Court and the

Government was defeated. So the Government's response, rather than concede that it had been caught out, was to rush this legislation into the House to ensure its unfair behaviour could not be overturned by the courts. The Government has declared war not just on workers but also on industrial tribunals

The Premier in introducing this bill trumpeted his view that the Government is determined to make the New South Wales public sector the best in the nation. But the rhetoric is undermined by the ongoing attacks on the public sector. We cannot have the best public sector without workers. If we undermine and reduce conditions we will not get the workers we want. Frankly, they will go elsewhere. The implication of this bill is that it is going to be easier to sack workers. There is no understanding by those opposite of the individual harm that will be visited on particular public servants or of the broader problem that flows from this attitude. Public servants, like those in the rest of the country, want to pay their rent or mortgage, pay their bills and raise their families. This Government's onslaught makes that so much harder. There is a failure by those opposite to understand the strengths of the public sector in this State.

Public servants are an extraordinary repository of skills and knowledge without whose contribution good things simply cannot be done by government. In fact, this Government was in opposition for so long it has forgotten what the public sector is really like. It has had so little contact with it for so long it has managed to demonise it. Indeed, reading Government members' speeches to date in this debate has been a fascinating exercise. Members representing the electorates of Port Stephens and Myall Lakes, for example, cannot seem to work out that the public sector is not a private business. The overriding ethos of the public sector should be the common good of the State's citizens, not the obsessive pursuit of private profit. Both of them claimed that excess workers did not work and just stayed at home. That, of course, is unmitigated rubbish and quite false; it confuses "permanent position" with actually doing work and displays complete ignorance of what the bill is about. They should perhaps engage their brains before they open their mouths. This bill is part of the Coalition's passion for WorkChoices. It should be opposed.

**Mr CHRIS HOLSTEIN** (Gosford) [6.16 p.m.]: I support the Public Sector Employment and Management Amendment Bill 2012. The object of this bill is to amend the Public Sector Employment and Management Act 2002. It will revise the provisions of the Act relating to excess officers of public service departments and the circumstances under which the services of those officers may be dispensed with. It will exclude the unfair contract jurisdiction of the Industrial Relations Commission in connection with any such excess officers and any excess employees of other public sector agencies. The new arrangements do not apply to State-owned corporations, to the health service, teaching service, NSW Police Force, Fire and Rescue NSW, RailCorp, Sydney Ferries, the Country Rail Infrastructure Authority and the Transport Construction Authority.

It will require the heads of public service agencies to develop and implement performance management systems for their staff, and require the Public Service Commissioner to issue guidelines for that purpose. In relation to this objective, as somebody who has operated in the private sector, I am astonished that such performance management systems do not exist already in the public service as they have been commonplace in the private sector for more than 25 years. Make no mistake, this change is long overdue. Public sector agencies will be required to implement a tailored performance management system and the Public Service Commissioner will be required to develop and issue the guidelines. The revised provisions will also require the department head to take all practical steps to find an ongoing position in the public sector for an excess officer, rather than any employment in the public sector.

They will enable the department head to dispense with the services of an excess officer if such a position is not found, rather than if useful work in the public sector cannot be found, and the provisions will deal also with excess officers arising in connection with the functions and activities of part of a department as well as the whole of a department. Schedule 1 [3] makes a comparable amendment about placement in an ongoing public sector position in connection with officers who are paid excessive salaries for the work performed in their current position. The bill ensures that the provisions relating to excess employees are clear and practical to implement. The proposed amendments to sections 56 and 57 will prevent excess employees being kept in limbo for up to 10 years at a huge and unacceptable cost to taxpayers.

That cannot be allowed to continue because it wastes taxpayers' dollars. They cannot be kept on the books indefinitely after all reasonable efforts have been made to redeploy them. Under the new Government policy, excess employees will be able to choose either a generous voluntary redundancy package or a three-month retention period in which to pursue redeployment. If an employee declines voluntary redundancy and cannot find a new job within three months, he or she will be made redundant. This effectively abolishes the Labor Party's disgraceful no forced redundancies policy that resulted in many excess employees hanging around the public service, in most cases doing nothing for years on end and wasting taxpayers' dollars. It is a rort.

It is the Government's intention that section 56 will once again provide that departmental heads satisfy themselves that there is no vacant permanent position for that person in any agency or department of the public sector and that it is an ongoing public sector position. Section 57 covers public servants on excessive salaries relative to the position they currently occupy and the proposed amendments ensure that the search for a job at the same salary level is limited to an ongoing public sector position and not only any type of work. This will ensure consistency with the provisions in section 56. Why during their 16 years in power did members opposite not introduce a performance management system into public sector agencies? Such systems have long been commonplace in the private sector. Was it because they did not care how those public sector agencies performed or because they did not want to upset their union mates?

This Government has made, and will continue to make, the tough but appropriate decisions for this State. That includes implementing a performance management system that is designed to encourage employees to reach their objectives and to perform to the highest standards in their job. This is about achieving goals and targets, and the beneficiaries will be the taxpayers of New South Wales. I acknowledge that such a provision will make it easier to manage out those who do not perform. Is that not what we would expect if we were investing our own money? This affects members opposite because they are also taxpayers and investors in this State. The public sector should not be populated with a protected species and there is nothing wrong with this Government focusing on a better-performing public sector.

This legislation also clarifies that the Public Sector Employment and Management Act 2002 is the principal legislation governing the employment of public servants. It will apply to government services and all other public sector agencies. Excess employee arrangements cover how and when a staff member becomes excess, issues concerning redeployment, the retention period, salary maintenance, redundancy payments and termination. The proposed amendments are necessary to avoid lengthy and ongoing court proceedings that are not brought under the principal Act relating to the employment of public servants—that is, the Public Sector Employment and Management Act. It is important to note that individual excess employee disputes and unfair dismissal matters will still be able to be heard and determined by the Industrial Relations Commission.

In summary, the key features of the legislation are an up-front choice of a generous voluntary redundancy package or a three-month retention period. Those who choose the retention period will be offered assistance in seeking redeployment. The bill also provides for forced redundancy for employees who are not deployed at the end of the retention period and a reduced severance payment for forced redundancy compared with the voluntary redundancy package. I reiterate: The new arrangements do not apply to State-owned corporations, the health sector, the education sector, the NSW Police Force, Fire and Rescue NSW, RailCorp, Sydney Ferries, the Country Rail Infrastructure Authority or the Transport Construction Authority. This is about excess employees. I commend the bill to the House.

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

**ACTING-SPEAKER (Mr John Barilaro):** Order! Government business having concluded, the House will now consider the matter of public importance.

### **PACIFIC HIGHWAY UPGRADE**

#### **Matter of Public Importance**

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [6.25 p.m.]: Once again, I draw the attention of the House to the Pacific Highway. To put it mildly, I have had a gutful of the Federal Labor Government and members opposite playing politics about a road that as of 8 January 2012 had claimed 555 lives since 1997. That represents the loss of more than 50 lives each year. The Deputy Premier told us during question time today how many State roads across this country have been funded either 100 per cent by the Federal Government or on an 80:20 basis. We heard that when this Government took office the funding split was 84 per cent Federal and 16 per cent State.

**Mr Robert Furolo:** No, that is not true.

**Mr ANDREW FRASER:** It is true.

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Lakemba will have an opportunity to contribute to the debate.

**Mr ANDREW FRASER:** It is disgusting to hear the member for Lamborghini speak about roads when it is his constituents and people from Sydney who are being killed and maimed on this black ribbon of death. Every time Albanese opens his mouth he blames not the Federal Government but the Federal member for Cowper, Luke Hartsuyker, or me for the condition of the Pacific Highway. In 2005 when I had an altercation with the then Minister for Roads, Joe Tripodi, the then Federal Government and the Federal Minister for Roads, Jim Lloyd, came to Coffs Harbour and committed \$272 million for the upgrade of a section of the highway that had been listed by then Premier Bob Carr as a wholly funded State road. After an accident in 2003, in which a woman and some of her children were seriously injured and one was killed, I called on the Premier to complete the upgrade of that section of road, which should have been completed that year. He responded by saying that the planning was fully funded by the State Labor Government.

The Labor Party should be ashamed of its handling of the upgrade of the Pacific Highway. In February-March 2009, when the Labor Government was in office, the funding for the upgrade of the highway was split 83 per cent Federal and 17 per cent State, and an additional \$48 million was committed for work on the Glenugie upgrade. In May 2009 the Federal budget committed \$618 million from the Building Australia Fund for the Kempsey bypass. At that stage the funding split was 86 per cent Federal and 14 per cent State. In November 2008 the Labor Government removed \$300 million from the Pacific Highway upgrade budget. The Coalition Government's first budget committed an extra \$468 million to the upgrade because Mr Albanese was yet again playing games. He did not think this Government would make that commitment. I commend the Treasurer and the Minister for Roads and Ports, the Hon. Duncan Gay—

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Lakemba will cease interjecting. He will have an opportunity to contribute to the debate.

**Mr ANDREW FRASER:** This Government committed an extra \$468 million to ensure that the upgrade went ahead.

Last week the Premier and the Minister for Roads were looking at the Urunga bypass in my electorate, where, tragically, on 8 January an 11-year-old boy who was sleeping in his bed was killed. They gave a commitment not just for Pacific Highway funding and for the Urunga bypass to start next year—brought forward by this Government—but also for point-to-point cameras for trucks five kilometres either side of Urunga. This Government has kept, and will continue to keep, its commitment. Mr Albanese and his mate, Rob Oakeshott, ought to put their money where their mouth is and enforce the 80:20 funding agreement that has existed in this State since 2008. For the member for Lakemba to claim anything else is nothing more than an absolute lie and just goes to show how long he has been in this place—he has not been here for the length of a cigarette at this stage.

**Mr ROBERT FUROLO (Lakemba) [6.30 p.m.]:** I am pleased to set the record straight and put into *Hansard* the facts about the Pacific Highway. There is no better manner to demonstrate the hypocrisy of those opposite than to use their own words. Let us look at what those opposite said before the election and compare that with the crocodile tears they shed now that they are in government. It is a woeful tale of saying anything to get elected and then running a mile from their promises once they are elected. Here is one quote:

Only the Liberals and Nationals are committed to completing the upgrade of the Pacific Highway by 2016.

Those opposite should put their money where their mouth is. That was the promise made by the Deputy Premier and Leader of The Nationals—someone who, in opposition, talked big about fixing this road but who is happy to walk away now that he can actually do something about it. What else did the Deputy Premier say? These are his words:

We have committed an additional \$5 billion on top of the infrastructure money already in the State budget to fast-track vital projects—and I can't think of any more important than the Pacific Highway.

If he cannot think of any more important project than the Pacific Highway, why can he not convince the Premier to honour the Government's promise and actually fund that road? I am not the only person who thinks the Deputy Premier has squibbed the challenge to finish this road. The President of the NRMA, a former Nationals member of Parliament and member for Port Macquarie thinks so too. This is what she had to say:

It was the Howard Government that set the 50:50 funding split for the Pacific Highway from 2006 and the NRMA has supported this.

While in Opposition, the current New South Wales Government frequently called on the New South Wales Labor Government to match Federal funding for the Pacific Highway dollar for dollar—and we supported this call too.

To NOW suggest that funding should suddenly be reverted to an 80:20 model would ensure further long delays in finally upgrading this dangerous highway.

It is obvious to all, including former Nationals members of Parliament, that this Government said one thing in opposition and has done a backflip in government. What did the member for Oxley have to say? This is what the record shows:

The Federal Government ... have been contributing the lion's share of the upgrade and it's high time the State Government poured ... the resources into this road which is taking in excess of 50 lives each year.

Where is he today? If that is his position, why is he not lobbying his Treasurer and his Premier to put the money into this road to get it done once and for all? I can only assume that the member for Oxley has absolutely no influence in The Nationals these days because, if he did, more money would be available to deliver the road that he has been bleating about for years. Let us remind those opposite, those who say this problem is now too big for them to fix, whose idea it was to split the funding for the Pacific Highway 50:50. It is their hero, their idol, their demi-god, former Liberal Prime Minister, John Winston Howard. What did Mr Howard have to say about this issue? Maybe it will be instructive for those opposite. These are Mr Howard's words:

My Government preference remains for the duplication to be completed by 2016—

I think we all agree with that—

in line with our 2004 commitment. But to achieve this we need a contribution from [the] New South Wales ... the Coalition Government is willing to provide our share of the additional funding needed to fully duplicate by 2016, if the NSW Government will match our funding commitment.

It is perfectly clear to everyone who understands this simple fact. The 50:50 funding commitment is not a Labor invention—it is the policy of those opposite. Now that they are in government they have refused to accept it and have walked away. The New South Wales Labor Government took the 67 kilometres of divided dual carriageway it inherited from the Liberal-Nationals and turned it into more than 400 kilometres of divided dual carriageway. All this road requires to be finished once and forever is for those opposite to deliver on their promises. Stump up, put up the money or stop whingeing about it.

**Mrs LESLIE WILLIAMS** (Port Macquarie) [6.35 p.m.]: Last Tuesday I had the pleasure of joining Premier Barry O'Farrell and the Minister for Roads, the Hon. Duncan Gay, on an inspection of the Pacific Highway between the Oxley Highway and Kundabung, just south of Kempsey. The Premier and Minister were announcing that geotechnical work was almost completed on the Oxley Highway to Kempsey Pacific Highway upgrade and that a design contract would be awarded this month. What great news, not only for the electorates of Port Macquarie and Oxley but also for the people of New South Wales who use the highway. I learned a few things on that brief tour. One thing that stuck in my mind was a television interview on the bus when the Premier told *Prime7 News* that his mother-in-law was killed tragically in a car accident on the highway.

The Premier said that he had travelled on the highway many times during the past 20 years, particularly between Sydney and Taree, as he and his wife visited her family. To be reminded every time he travels the highway just how dangerous it can be certainly hit home to me as we rode in the bus that day in heavy rain. This Government makes no apologies for wanting to get the Pacific Highway upgrade completed by 2016, not just for the Premier's family but for every family in New South Wales and every family in Australia. To get the job done takes money, and plenty of it. As part of the 2011-12 State Budget the New South Wales Government announced a \$1 billion investment towards this project. Even in the face of a \$5.2 billion budget black hole left by the former Labor Government, the New South Wales Liberals and The Nationals are committed to working with the Australian Government to complete the upgrade of the Pacific Highway to dual carriageway.

But to reach our goal, the Federal Government must continue to show its commitment to the funding arrangements that are currently in place, that is, an 80:20 split until the project is completed. To change the rules halfway through the game to a 50:50 split is totally unacceptable. Prior to the Liberal-Nationals doing a "Campbell" and decimating the Labor Government, the Gillard Government was happy to contribute its fair share of the funding in an 80:20 arrangement. If that were to change in the way that Federal transport Minister Anthony Albanese is suggesting, it would rip billions of dollars out of the already depleted State coffers. This is

not only \$2.3 billion that Prime Minister Gillard would be removing from the Pacific Highway, it is \$2.3 billion that her Government would be removing from the people of Port Macquarie and all the electorates northward, and from the people of New South Wales.

The Federal Labor Government must continue its 80:20 funding of the Pacific Highway, just as it was happy enough to do for parts of the Hume Highway, the F5 and F3 widening, and the Great Western Highway upgrade between Mount George and Lithgow. That great saviour of the Gillard Government, the member for Lyne, Rob Oakeshott, issued a media release on 28 February attacking North Coast Nationals members of Parliament, saying we need to put our communities' interests ahead of political interests on this issue. Hello, pot to kettle, that is exactly what we are doing. I would have thought that with so much apparent influence over the Federal Labor Government, Mr Oakeshott would actually be using his power for good, not supporting a plan to rip billions of dollars away from the people of New South Wales.

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [6.38 p.m.], in reply: The hypocrisy we hear from the member for Lakemba—

**Mr John Williams:** No, it is not Lakemba; he lives in Drummoyne.

**Mr ANDREW FRASER:** He does live in Drummoyne. It is no wonder he will not be elected at the next election. He stood in this House and talked about crocodile tears. I challenge him to speak to the families, or go to Penrith and speak to the family that lost their 11-year-old son. In 1996 Carl Scully told us that he would have the Pacific Highway duplicated by 2006.

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Lakemba will cease interjecting.

**Mr ANDREW FRASER:** The O'Farrell Government inherited a \$5.2 billion deficit from that mob yet those opposite expect the Government to go 50:50 on Pacific Highway funding when the best they ever put in was 20 per cent.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I remind the member for Lakemba that he is on two calls to order from question time. He will cease interjecting.

**Mr ANDREW FRASER:** As my mother would say, "He is a twerp". The member for Lakemba does not know anything about the history of the Pacific Highway or what was promised by disgraced former Minister Scully—

**Mr John Williams:** He can't drive fast cars.

**Mr ANDREW FRASER:** I acknowledge the interjection of the member for Murray-Darling. The member for Lakemba wants to lecture those on this side about funding for a road that is claiming the lives of people in his electorate. More often than not the people killed on the Pacific Highway are those going on holidays who do not understand the danger of the highway. They become a statistic—if they are not killed, they are maimed. For the member for Lakemba to play politics on this issue in the same way that his Federal counterpart does is nothing more than shameful. Those on this side, especially members who live on the North Coast, have known some of the people killed on this highway and their families. Too often I have stood in this House to lament the death of people such as Dixie Gibson, one of the most gorgeous young girls one could ever meet, who died because there was no divided dual carriageway. You cannot afford to make a poofteenth of an error on the Pacific Highway. For 16 years Labor was in government in this State and it put a maximum of 20 per cent of the funding into the Pacific Highway.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I call the member for Lakemba to order for the third time.

**Mr ANDREW FRASER:** Former Minister for Roads Carl Scully promised us that the Pacific Highway would be finished by 2006. Less than one-third of the Pacific Highway had been completed when he left this place. As I said earlier, we saw a Federal Coalition Government accept the responsibility and pour funds into it. I also give Kevin Rudd credit for the money that was put into the Pacific Highway when he was Prime Minister. I accept that there is a Federal contribution to the Pacific Highway, but the O'Farrell Government wants equity from the current Federal Government. The O'Farrell Government wants to be funded at the same level as the former State Labor Government was funded. We do not want the Federal Government sending Rob

Oakeshott off to the Press Club to make personal attacks on North Coast members or Mr Albanese attacking people. The O'Farrell Government wants Mr Albanese to sign the cheques and meet the agreements that have been in place for the Pacific Highway since 1996.

**Mr Robert Furolo:** Point of order: The agreement that is in place was introduced by John Howard and it is a 50:50 agreement.

**ACTING-SPEAKER (Mr John Barilaro):** Order! There is no point of order.

**Mr ANDREW FRASER:** The member for Lakemba is a clown. I will tell the people in his electorate, where the member does not live, about his attitude to the lives being lost on this black river of death.

**Discussion concluded.**

### PRIVATE MEMBERS' STATEMENTS

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#### SHELLHARBOUR SURF LIFE SAVING CLUB

**Ms ANNA WATSON** (Shellharbour) [6.44 p.m.]: Tonight I pay tribute to the committee members, parents and volunteers of the Shellharbour Surf Life Saving Club who ensure the safety of beachgoers across my electorate. I make special mention of committee members Wayne Cavanagh, President; Paul Scholleffel, Vice President; Tracey Freeman, Secretary; Michael Flood, Club Captain; Richard Plummer, R and R Captain; Mark Bartlett, Surf Boat Captain; Bruce Kejda, Treasurer; and Rob Fairweather, radio officer. The Shellharbour Surf Life Saving Club was formed in 1936, stopping activities only briefly during World War II. The club patrols the main beach at north and south Shellharbour and conducts surveillance up to Blacks Beach—quite a treacherous stretch of beach. The Shellharbour Surf Life Saving Club has come a long way since my children were nippers there. Its Seaspray Function Centre caters for a diverse array of social and commercial functions. It is a magnificent centre and a real tribute to the club's executive.

The club is situated in the fastest-growing region on the eastern seaboard and its membership is growing. It has many generous sponsors, including Bendigo Bank, Warilla Bowls and Recreation Club, Shelly's, Notts Smash Repairs, Shellharbour City Council, Kel Campbell Pty Ltd, Oak Flats Bowling Club and many more local businesses. Every Sunday morning this volunteer organisation trains our youth in surf lifesaving skills. Members commit a great deal of their time and effort to ensuring that our children learn surf safety and beach events. The twilight senior club championships were held on 17 March. The theme was "Anything Irish" to celebrate Saint Patrick's Day. I understand that a fantastic time was had by all who attended this amazing end-of-season bash. Shellharbour Surf Life Saving Club is a great venue where families can make new friends. It is fiercely proud of its contribution to the local community.

Each child is given a set of goals, and many of them reach these goals during their time as members of the club. For some it may be to complete the run-swim-run, while for others it may be to improve their fitness and beach events. The education process is invaluable to our youth. I have a deep respect for the committee, the volunteers and the parents who ensure that their children turn up week after week. I congratulate all parents who give up their time and encourage their children to participate in this very Australian way of life. The club is very community focused and its members are extremely friendly. New people in the area who turn up on a Sunday morning are welcomed with open arms. A barbecue is held after club on Sundays and newcomers are always welcome. It does not cost much to join and it is open to all families far and wide. From my experience, friends at Shellharbour Surf Life Saving Club are friends for life. I cannot say enough about the fabulous Shellharbour Surf Life Saving Club.

#### NSW 2021 REGIONAL ACTION PLAN FORUMS

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [6.48 p.m.]: Tonight I speak about the NSW 2021 Regional Action Plan forums recently held throughout the State, in particular the forum held at Dubbo. It is a cliché, but things will look very different in 10 years time. To put it into context, the preschoolers of today will be the high school leavers of the next decade. One of the reasons 2021 was chosen as the benchmark is in recognition of the need to provide long-term planning for the future infrastructure and service needs of this State. With our ageing population, services that cater specifically for the aged care sector will be in much greater demand than they are at present. This will mean fewer people will be engaged in work, supporting a larger pool of retirees and pensioners.

Last year the New South Wales Government released NSW 2021: A plan to make New South Wales number one again—namely, a 10-year strategic plan to rebuild New South Wales and make New South Wales number one again. It sets long-term goals and measurable targets. It guides budget decision-making so that we can make the right choices with taxpayers' money and provide value for money. About 70 people gathered at the Dubbo Regional Theatre and Convention Centre to make a contribution to the development of the Orana regional action plan. Education and employment were the key issues, along with the obvious ones of transport and rail infrastructure, that were discussed by participants at the forum, which was hosted by the Minister for Western New South Wales. The Minister was accompanied by the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs and the Minister for Family and Community Services, and Minister for Women, as well as my colleague the member for Orange and me.

Some participants spoke of the need for education received by our children to be relevant to the needs of the modern workplace. Child obesity was also a key issue that was discussed. With 24 per cent of children overweight, we need to get that number down. Our health, transport infrastructure and investment-related issues were also brought to the Minister's attention. Discussions also highlighted the need to ensure that the three tiers of government work together to deliver better outcomes for the community. This means an end to the practice of overlapping services and the gaps created by lack of communication by service providers. The people of New South Wales have demanded real change, and work is well underway to deliver these changes.

These forums are about encouraging the community to be engaged and to play a part, to start what the Government envisages will be a measure of lasting benefit to regional communities throughout the State. I commend the Premier and Cabinet, and I thank the Ministers for attending Dubbo for the first time to give our community an opportunity to make a contribution to government planning so that plans that have simply collected dust on bookshelves for the past 16 years have real relevance, application and meaning to our communities and are focused on being real action plans for our regions. I thank the Government for bringing such an opportunity to the people of Dubbo. On behalf of the Orana region I thank the House.

### **BULLI HOSPITAL**

**Mr RYAN PARK** (Keira) [6.52 p.m.]: Once again it gives me great pleasure to raise the issue of Bulli Hospital, which is an important piece of health infrastructure located about 100 metres outside my electorate of Keira. Although the hospital is located in the electorate of Heathcote, it services a vast majority of people in my electorate. About a week ago the member for Heathcote and I joined with at least 100 residents for a public community meeting about their concerns about Bulli Hospital. In this House I have not raised one issue more than I have raised Bulli Hospital. I have continued to lobby on this issue, both during the campaign before I was elected and since then, because we need bipartisan support to get this right. Recently I was pleased to read the comments of my good friend the member for Heathcote, who said:

The upgrading of Bulli Hospital to bring it up to what we're talking about is going to be tens of millions if not hundreds of millions of dollars. So why waste that money on an old building? Why not just build a new facility and get on with it and that's the way I've been talking to Jillian Skinner. She's already heard from me but I'll be reiterating that to Jillian.

It is time the Government listened to the community on this issue. We are not asking for a hospital that provides the same level of services as Wollongong Hospital. We understand that Wollongong Hospital is our regional hospital servicing more than just the Illawarra but well and truly beyond. We want Bulli Hospital to provide 24-hour coverage for our community when people need treatment for sub-emergency illnesses and conditions. It may be that, heaven forbid, a child has fallen over and sprained an ankle, slipped, et cetera. The Labor Government committed \$9.4 million.

*[Interruption]*

My good friend the member for Kiama, who is not part of the conservative forum that has been established, understands the need to improve health services in our region. It is important that people not only in Wollongong but also to the north and the south are able to access health care services such as those available at Bulli, but the hospital needs to be improved. Dr Dennis King said there were two options:

One is to rebuild the current site and the other is to rebuild across the road, for example on a greenfield site, continuing to run this hospital. Then close this one down when the new one's built. That's just part of the options of a building program.

Dr King is right; there are options. Option one is to spend \$9.4 million to \$10 million to upgrade the existing facility. Option two, as outlined by my good friend the member for Heathcote, is to lobby for a new hospital.

That is big dollars; that is significant dollars, but I would thoroughly support the member for Heathcote if he can achieve that. However, to be realistic, we need to look for an interim, short-term solution, which is to bring Bulli Hospital up to speed quickly. I do not want to see Treasury hijack this issue, and I do not want to see a Bulli Hospital upgrade ruled out in the lead-up to this year's budget. I am concerned that the Minister for Health, who has walked around this place and talked about hospitals throughout the State, has been absent from Bulli Hospital for a long time since she has been in government. That is what concerns me about this, and that is what I will continue to lobby for, hopefully in a bipartisan way with the member for Heathcote.

**Mr Gareth Ward:** Point of order: My point of order is that attacks on other members must be done by way of substantive motion. The member for Keira should be talking about issues—

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Keira's time has expired. I ask the member for Keira to resume his seat.

### TOASTMASTERS INTERNATIONAL

**Mr JONATHAN O'DEA** (Davidson) [6.57 p.m.]: Toastmasters International is a not-for-profit training organisation that focuses on communication and leadership development. It has more than 800 clubs and more than 17,000 members throughout Australia, New Zealand and Papua New Guinea. At this time of the year Toastmaster clubs hold their international speech and evaluation competitions. The winners of these club contests proceed to the area contests, where they match their talents against the winners from other clubs in the area. Last night I attended the Area 34 Toastmaster contests, with representatives from Killara, Ku-ring-gai, Chatswood Early Risers, Chatswood Communicators and Yes Toastmasters clubs. I was delighted to speak briefly and present awards to the area winners, on the invitation of the Area 34 Governor, Naomi Rosenthal.

Human speech is a gift we all too often take for granted. Taking that gift of human speech to the level of public speaking promotes it to an art. Public speaking, as an art, was first developed in ancient Greece by citizens who wished to succeed in court, social life or politics. Schools were developed at the time to teach public speaking. The Greek culture of public speaking under orators like Plato and Aristotle was adopted and modified by the Romans, including Cicero, as their Roman Empire became ascendant. Today public speaking can be developed through clubs such as Toastmasters International. I commend such activity, including last night's contest. Toastmaster members hone their skills through listening, observing and practising.

Public speaking is one of the most valuable activities to help develop effective communication and leadership skills which are so important to both individuals and our broader community. Anxiety about public speaking is an example of a social phobia and is the most commonly reported social fear. This common fear of public speaking is called glossophobia. Undertaking public speaking helps individuals conquer this fear and anxiety, giving competence and confidence to logically formulate and clearly present ideas and messages. Having seen a range of excellent speakers last night, I can certainly say that there was a distinct lack of glossophobia, as indeed there generally is in this place.

I wish to congratulate all those who competed last night, namely, Charles Cave, Duncan Lucas, Matthew Tonkiss, Carol Lear, Russell McNair, Anita Batistic, Bob Ten Kate, Julie Macken, Peter McCarthy and Valerie Close. The contest winners were Peter McCarthy and Matthew Tonkiss, although all the public speaking performances were extremely impressive, entertaining, informing and inspiring. In closing my own address to the Toastmasters group last night I relayed the public speaking advice of Franklin D. Roosevelt and it might be equally of interest to those in this place: "Be sincere; be brief; be seated".

### CONSTRUCTION INDUSTRY

**Mr JOHN SIDOTI** (Drummoyne) [7.02 p.m.]: It gives me great pleasure to use this private member's statement to express the hardship and frustration in the construction industry as it is almost to the day we pledged that we would have cranes in the sky to improve the building industry and the economy. Last week I met with Peter Meredith, Housing Director of the Master Builders Association. He was accompanied by two local builders, Mr Nat Talarico and Mr George Gavanas, of Platinum Projects Australia Pty Ltd, a small to medium sized construction company in the inner west that is doing it tough. We spoke about a number of matters, including owner-builders permits, margins under pressure, wet weather, payment terms by clients, compliance and insurance costs, housing stimulus and school stimulus, the carbon tax, prequalifications with government departments, banks and interest rates, home warranty insurance, BASIX and energy requirements for new homes, local government planning and fit-outs.

The meeting was extensive but it all made perfect sense. The main concern with fit-outs was the many unqualified and unlicensed organisations undertaking the work. The comment was made that New South Wales was the only State where someone did not need a licence to do fit-out work, and the lack of industry support. The company representatives said they were frustrated that with respect to local government planning unqualified or incompetent people were holding positions of authority and making uninformed decisions. They said that projects not objected to by residents were not approved by councillors and that bulk and scale reasoning was not a relevant consideration. Another concern was that development applications took far too long in the local government process. Also discussed were section 94 contributions, fees, bonds and the like.

When discussing housing affordability and the cost of installing solar products, insulation, special glazing, rainwater tanks and swimming covers it was agreed that it was just too expensive to build new homes. Home warranty insurance was another issue. At the big end of town we have large companies such as Kell and Rigby going broke. At the meeting about 30 medium-sized firms, such as Krslovic Homes, were mentioned as going broke. At the other end of the scale someone could build a \$7 million home on a hard-to-build site in the middle of Vaucluse, obtain a builder's licence for \$110 and then get his or her cousin to do the test online. One could build a high-rise building without any home owner warranty insurance because the Government did not underwrite the industry when HIH went broke—so there is definitely a need for reform.

We have the problem also that there are \$5 million jobs awaiting completion because of long periods of wet weather. It has also been difficult for builders and developers to obtain loans and this has had an effect on the market and the industry. Banks were asking for 50 per cent to 75 per cent of the presale price, which was crippling the building industry. Builders are concerned also about the carbon tax. They are tied into building contracts and they have been notified by brick companies and building suppliers already that on 1 July, when the carbon tax will be introduced, the cost of products will rise directly as a result of the carbon tax. And they will be unable to recoup those huge costs. Coupled with the existing margins of 0 per cent to 10 per cent, this means that they are losing projects to their competitors. When companies tender for a project, even if they have additional qualifications and have paid for the relevant workers compensation insurance, they compete with cowboys in the industry and lose out every time on government contracts. This industry needs serious examination and I hope the Government moves quickly to rectify the problems before the industry really suffers.

**Mr CRAIG BAUMANN** (Port Stephens—Parliamentary Secretary) [7.06 p.m.]: I congratulate the member for Drummoyne for bringing the problems as he sees them in the building industry to the attention of the House. As someone who spent the bulk of his working life in the building industry and who still has business interests I understand many of the problems. I had discussions with Peter Meredith from the Master Builders Association when we were in opposition trying to sort out some of the Labor Government bills. I am more than happy to meet to try to sort out some of the building industry problems. The planning problems that the member alluded to are in a different basket but I am sure Minister Hazzard would be more than happy to assist there. I congratulate the member on bringing this very important matter to the attention of the House.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.07 p.m. until  
Wednesday 28 March 2012 at 10.00 a.m.**

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