

# LEGISLATIVE ASSEMBLY

Monday 2 April 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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### CRANEBROOK NEIGHBOURHOOD ADVISORY BOARD

**Mr STUART AYRES** (Penrith) [12.04 p.m.]: I draw to the attention of the House the work of the Cranebrook Neighbourhood Advisory Board. With its mixture of family units and combination of public, private and community housing, the suburb of Cranebrook is as vibrant as it is challenging. The behind-the-scenes work of this board has resulted in a more harmonious and peaceful community. The Cranebrook Neighbourhood Advisory Board acts as a conduit bringing together local government and not-for-profit community support organisations such as the Nepean Community and Neighbourhood Services, Foothills Vineyard Church, Fusion Youth Services, Penrith City Council, Barnardo's Cranebrook, Braddock Public School, Penrith local area command, Cranebrook High School, Housing NSW, and Wentworth Community Housing and Community Health Services.

The board taps into the various areas of expertise of these organisations, exchanging notes on changes and emerging problems within the community. They then work together on projects of mutual interest to weed out waste and inefficiencies whilst seeking to cover any emerging gaps in service delivery. One such initiative of the board is the establishment of the Cranebrook "What's On" pamphlets that are distributed to local families advertising the availability of various ways to engage with others in a safe and cooperative manner. The most recent flyer targets all sectors of the community and offers activities to seniors, playgroups for parents of small children, Indigenous outreach programs, after-school activities, homework help centres and programs for high school students.

At first it may not sound like a huge initiative, but it helps to keep down the promotional costs of each program and allows organisers to return the focus to their core services—helping out those who live in Cranebrook. It should be noted also that each time a marginalised child or adult engages with one of these programs through a visit or phone call a link is formed with broader community services as well as the general community. These links are essential to identify potential issues that could merge into more serious problems. I am sure that as members of Parliament we all have seen how social isolation and lack of peer relationships outside immediate households affect some of our constituents and their families. One of the key benefits of the collaborative effort between Cranebrook's social services stakeholders is that it targets reducing the number of at-risk constituents.

Over the past year the efforts of the Cranebrook Neighbourhood Advisory Board resulted in a number of changes across the suburb. The board advocated successfully for necessary, but often overlooked, items such as improvements to Kooly Park, better lighting over pathways and cleaning up of broken bottles from playgrounds. The board also seeks to expand its dialogue with other stakeholders within the suburb. I look forward to its ongoing success. One of the risks of a parliamentarian's job is failing to recognise the contributions of particular individuals. It would be remiss of me not to recognise a number of the representatives on the Cranebrook Neighbourhood Advisory Board. They include Deb Summerhayes, Lorraine Gentleman,

Julie Passau, Deborah Thomas, Monica Barac, Derek Jobson, Michelle Mays, Leone Read, Laura Williams, Toni Trent, Wesley Peters, Olivia Kidon and Tracy Leahy. I thank them for their ongoing commitment to this board and to the social health and wellbeing of the Cranebrook community.

One of my experiences in dealing directly with this board often centres around Christmas functions at the Cranebrook Community Centre. One recurring theme and part of this organisation's branding is the importance of choosing respect. The board's branding is that "respect means to treat with care and consideration". In a diverse community such as Cranebrook this philosophy, branding and engagement across multiple community organisations is particularly important. The work of the advisory board and all of the organisations that engage with it should be recognised in the New South Wales Parliament. This type of ground-up community work makes many of the more challenging areas across the State work that little bit better.

We should continue to encourage local government to engage with these organisations. It is great that Penrith City Council is involved with the Cranebrook Neighbourhood Advisory Board, which also has representatives from the NSW Police Force and the local area command. Those engagements across State and local government bodies with the people at the coalface of some of the more challenging areas of the State, such as Cranebrook in the Penrith electorate, should get the full support of this House. I recommend to other members that they seek out such organisations in their electorates to see what is happening on the ground.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.09 p.m.]: On behalf of the Government I congratulate and acknowledge the wonderful relationship the member for Penrith obviously has with the Cranebrook Neighbourhood Advisory Board. I commend the board for the initiatives he has outlined in developing closer and more harmonious relationships with the local community. It is a very good example of what can be done. I congratulate the member on raising it.

### **WORLD AUTISM AWARENESS DAY**

**Ms TANIA MIHAILUK** (Bankstown) [12.10 p.m.]: Today is World Autism Awareness Day. As I mentioned in my inaugural speech, at the age of two my brother was diagnosed with severe autism. At that time, the early 1970s, little was known about the disorder. The term "autism" is often used as a general term to describe three closely related disorders. The more accurate umbrella term is autism spectrum disorder, which comprises autism disorder, Asperger's syndrome and atypical autism. Autism typically lasts the duration of a person's lifetime, with most people being diagnosed by the age of three years. People with autism experience impairment in social interaction and communication and restricted and repetitive behaviours, and of course there are degrees of autism. Although there is no cure, early intervention and appropriate programs can make a positive difference.

Despite recent improvements in awareness, a number of misconceptions continue about the nature of autism. Not all but many people with autism are able to live rich and varied lives and participate actively in their local community. Last week I had the pleasure of visiting the Recreation Sports and Aquatic Club in Bankstown, of which I am proud to be patron. The President of the club is Mr John Gorri and the Manager is Mrs Jenny Bombardieri. The Recreation Sports and Aquatic Club provides social, sport and leisure opportunities for people who are mentally and physically disabled, including those with autism. I had the pleasure of meeting Joshua Crook, a member of the Recreation Sports and Aquatic Club, who is 24 years old. He was diagnosed with autism at the age of three.

Despite this, Joshua works part time as a library assistant at a university and for Autism Spectrum Australia, where he assists with data entry. Joshua attended De La Salle College at both Revesby and Bankstown campuses where he completed his Higher School Certificate. In his spare time he enjoys photography and computers. Recently Joshua was successful in obtaining his driver's license. It was rewarding to meet with Joshua and hear firsthand about his experiences. With the support that Joshua has received from groups like the Bankstown Recreation Sports and Aquatic Club and his family, he has been able to live a full and happy life. He told me that it is frustrating when people who are dealing with him do not know enough about autism.

Blue is the official colour of World Autism Month and World Autism Awareness Day. The Light It Up Blue initiative has been running for three years to promote awareness of autism. In 2012 Light It Up Blue will once again be lighting up iconic landmarks in support of World Autism Awareness Month. I note that Madam

Speaker has asked that Parliament House be lit blue, and I congratulate her on that initiative. Landmarks such as the Sydney Opera House and, I am proud to inform the House, a number of other landmarks across the State will be showing support for this great cause.

Today I have chosen to wear blue as a sign of my support to increasing awareness for the disorder. It is estimated by Autism Spectrum Australia that one out of every 110 children has an autism spectrum disorder, and despite recent improvements a lot of misconceptions remain about the nature of autism. It is important that as parliamentarians and community leaders we assist in fostering a better understanding of the disorder. I take this time to thank the families, friends and service providers who support people with autism. Many people within our community quietly play their part and assist those with autism to lead happier and better lives. I commend these people and their great work to the House.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.14 p.m.]: I join with the member for Bankstown who has identified the plight of those who suffer from autism. I thank her for drawing our attention to World Autism Awareness Day. I was interested to hear about Joshua and his achievements, particularly obtaining a driver's licence, which is no mean feat. The member for Bankstown said that one out of 110 children has autism. I thank her for drawing the attention of the House to their condition.

### MANILLA HISTORICAL SOCIETY

**Mr KEVIN ANDERSON** (Tamworth) [12.15 p.m.]: Manilla is a great town situated in my electorate. On Saturday 31 March 2012 I attended a fantastic series of events that showcased the great work of the Manilla Historical Society. We enjoyed taking a trip down memory lane for the unveiling of the plaque of the first Manilla school, the opening of the new fireproof archive room at the Manilla Heritage Museum and then celebrating 40 years of hard work by volunteers of the Manilla Historical Society. Manilla is on Fossickers Way, a short, 30-minute, picturesque drive from Tamworth, with a thriving population of approximately 2,100. It was established in the 1850s at the junction of the Namoi River and Manilla River. It is famous for its fishing and paragliding, led by our own world champion Godfrey Wenness.

Manilla is also well known for Split Rock Dam and Lake Keepit. Saturday was a great day. It began with the unveiling of the plaque of the first Manilla school by Mayor Col Murray. Footings from the old school are still on the hill. The plaque details the school and its history, including the controversial move to the centre of town, and its current location due to the concerns of the river flooding and kids not being able to access school. The school on the hill became a teacher's residence for some time and commanded the best view in town. We are trying to identify the house in Manilla that was built from the old bricks, because it too has a place in history. We then went to the opening of the new fireproof archive room in the museum by past president and historian Mrs Marian Bignall. Mrs Bignall, who is 98 years old, gave a wonderful speech.

The current president is her son, Mr Ian Bignall, so the tradition continues. The work that has gone into the room is incredible. The museum is ably staffed by secretary and archivist Shirley Coote, treasurer Michael Gategood, and Ross Knight as well as a committee of approximately 20, all of whom put in many hours of valuable time. The fireproof and archival room and storage area cost approximately \$7,000, with \$2,000 donated from the Manilla Rotary Club and Lions Club of Manilla and the rest donated from the historical society. The remaining funds were raised by the hard work of the committee, mainly from selling second-hand books from book stalls, holding morning teas and running raffles.

The archival room, which is part of the museum, houses historic and valuable records of the hospital and council, *Manilla Express* letters and other valuable documents. It is fantastic to experience that history. The museum is also a great educational facility. The schoolchildren who visited it last week were amazed by how things used to be done. So much about the history of Manilla is housed in the museum, and it is important to keep it safe. The museum is the heart and soul of Manilla and it is right in the middle of town at 197 Manilla Street. We then celebrated the historical society's 40 years. Jim Maxwell gave a wonderful account of the 40-year operation of the historical society. It does valuable and very important work in the community, for which I thank its members.

Part of that history includes some well-known names, such as: Fiona Coote, who became Australia's second, and also the youngest, heart transplant recipient; John Quayle, former Australian Rugby League boss; and Dally Messenger, a rugby league and rugby union great who came to Manilla in 1917 and held the licence of the Royal Hotel in Manilla, which is now owned by very popular hosts Vicki and Tom Cocking. Manilla is a

proud and wonderful community with plenty of spirit. I congratulate all volunteers on their great job and I say thank you. For those who have not yet had the pleasure of visiting Manilla, I encourage them to do so and to do it soon—they will be made most welcome.

### **NORWEST BUSINESS PARK**

**Mr DAVID ELLIOTT** (Baulkham Hills) [12.19 p.m.]: Members are no doubt aware that one of the great changes to Sydney over the past few decades has been the rapid expansion of Sydney's north-west. The Hills, for example, is now a major economic hub and substantial contributor to our national gross domestic product. Norwest Business Park in my electorate exemplifies this: it is one of the largest business parks in the country and home to some of Australia's largest companies. I worked in the business park in a prior capacity, and I can attest to it being a great place to work and do business. The dramatic growth of the north-west has only just begun. The economic significance of north-west Sydney will only increase as more people and businesses move into the area as a result of developments in the north-west growth corridor.

Growth invariably requires infrastructure development to support economic expansion. One of the keys to the north-west's continued development is the provision of tertiary education. I am sure that all members embrace the idea that a quality education sets one up for a prosperous professional life. The provision of advanced business study programs in particular has added economic benefits for the community. It is widely accepted in the business world that well-trained business professionals make excellent managers capable of effective decision-making. Over the past few months I have been actively involved in the development of a new graduate business school in the Norwest Business Park. Such a development is in the interests of the community, business and potential students. Put simply, this will be a major leap forward for the north-west. A graduate business school in Norwest Business Park presents a wonderful opportunity for Sydney's north-west to gain a valuable and essential piece of infrastructure.

In an Australian first, such a business school will be placed right in the middle of a thriving business park. This will enable students to gain a practical dimension to their education. Further, such an educational opportunity no doubt will be appealing to the many young professionals who are doing business in the park. So far we have received a lot of interest from potential students. This has been very encouraging and leads me to believe that this business school will be warmly welcomed. Having engaged with many universities regarding this project, I am pleased to announce that the University of Notre Dame Australia has been selected to become involved.

I very much look forward to Notre Dame's contribution to the development of the Norwest graduate school of business. Members may be aware that the University of Notre Dame Australia is the by-product of the famous United States school situated in the great State of Indiana. My community, and particularly those businesses seeking to establish themselves in the thriving north-west, will now have an opportunity to study under the guidance of one of the world's great universities. I also thank the mayor for The Hills Shire Council, councillor Greg Burnett, the deputy mayor, councillor Dr Michelle Byrne, and Dr Jim Taggart, OAM, for their ongoing and invaluable involvement.

The advisory council will now expand to include representatives of our new partner and further announcements about that will be made in due course. I also thank the unsuccessful universities who bid for this important initiative. Our community is always looking to improve itself. As the first generation in my family to graduate from university I know that community improvement can be achieved through education and I am very excited about providing opportunities to our children. I suggest that members of the House monitor this wonderful project as a model that will no doubt be repeated. I also commend the use of education as one of society's great levellers. It is with great pleasure that I announce the commencement of the Norwest Graduate School, Notre Dame.

### **HEFFRON ELECTORATE PUBLIC HOUSING**

**Ms KRISTINA KENEALLY** (Heffron) [12.24 p.m.]: Heffron is ranked first out of 93 State electorates as having the highest percentage of public housing. In particular, Heffron contains several high-rise estates in Redfern, Waterloo and Eastlakes, and low-rise estates in Waterloo, Daceyville, Erskineville and Mascot, as well as properties throughout other suburbs. As the member for Heffron, I understand that social housing can provide significant challenges. I also know that it is home to vulnerable people, many of whom would be without housing otherwise. For many people in high-rise housing their communities have developed

and flourished. In fact, years ago, so outraged were the elderly residents Matavi and Turunga in Waterloo about an untrue rumour that their high-rise buildings were to be demolished that I had to promise to chain myself to their buildings if the bulldozers ever came. These buildings are their homes.

A great project in Waterloo is being trialled: The Waterloo Green project installs concierge services and new security features in high-rise buildings. This project, introduced by the Keneally Government, is—according to my constituents—making a real difference to their personal security and to decreasing the levels of vandalism and graffiti in the building. The project, combined with a change to the law—also introduced by the Keneally Government—allows alcohol free zones to be introduced by council on Housing NSW land, and specifically on Waterloo Green. The trial is currently being evaluated. I hope that the Government sees sense in continuing and possibly expanding this program.

I was interested to hear the comments of Minister Goward in this House on 28 and 29 March, when she proudly proclaimed the transformative changes she was introducing to the management of public housing, and what a significant difference it would make to tenants to have their maintenance issues addressed in a timely manner. I draw the following to the Minister's attention. On 30 March 2012 I held a meeting with public housing residents in Redfern. I remind the House that this was a full year after the election of the O'Farrell Government and a full year after Minister Goward stepped into the Housing NSW portfolio.

Tenants raised issues of antisocial behaviour in the three towers of Poet's Corner: drug dealing, sleeping in stairwells, residents being intimidated by drug dealers, security being a major issue, fire doors broken, no lights in Lawson building common areas and cleaners not reporting that lights were out. I was informed that lifts in the Kendall building were breaking down and unauthorised tenants were staying in the buildings. The McKell building was full of graffiti and pigeon faeces, it needed a handyman, and there were syringes in the rubbish room. I also draw to the Minister's attention an email from Ross Smith, precinct representative of the People's Precinct Neighbourhood Advisory Board, Waterloo, to Housing NSW on 19 January 2012. Mr Smith stated that 33 John Street Waterloo, the Dobell building, had:

... non-functioning lock systems on perimeter doors leaving building with no security. Doors are not locked and can be opened by pushing on closed door.

This matter was originally raised with Housing NSW on 17 October 2011. Over the period various tenants have made multiple reports to the call centre. Mr Smith further stated:

... non-functioning lights in undercover parking area on Pitt Street extension frontage of building ...

It was originally reported to Housing NSW on 17 October 2011 and followed up on 18 October 2011. Tenants report that workmen attended three times, but lights were not restored to a functioning state. On 11 March 2011 in a follow-up email to Housing NSW Ross Smith wrote:

In the last few days the community room in the Dobell complex has been trashed, the broken window giving unfettered access to the room has not been repaired, and the room has not been cleaned up so that the restoration of community owned facilities in the room by the community can commence. There is now a group of juveniles running rampant throughout the complex. This is in no small part due to the ongoing failure of Housing NSW to restore the electronic door locks controlling access to the building to a functional state.

Further, he states:

Housing NSW actions in the cases above make a mockery of their oft repeated claim of wanting to engage with the tenants and actively undermine the efforts of other Housing NSW business units ...

What does it take for Housing NSW to resolve these longstanding matters? The tenants are fed up with being told, "You must ring the call centre," when they see every day that this course of action is not producing any results. The question in their mind is why should we bother when Housing NSW is not capable of producing an answer, despite all their glossy fact sheets and media releases. Is there any reason that these matters are still unresolved?

That is a very good question, and one that seems to remain unanswered. Mr Ross Smith again emailed me on 26 March 2012 and told me that he had no response from Housing NSW to date, which makes one wonder about the reality of Minister Goward's statements in this House on 28 and 29 March. It has been my great honour to represent the people of Redfern and Waterloo, to fight for better standards of living for them, to introduce programs like the Waterloo Green project and, under the Keneally Government, to decide not to increase public housing single pensioners rent as their pensions were increased. I look forward to a time— [*Time expired.*]

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.29 p.m.]: The first observation I make in relation to the comment of the member for Heffron about social housing is that for 16 years the Labor Government had an opportunity to solve the problems the member raised.

**Mr Stephen Bromhead:** It was 16 years, wasn't it?

**Mr DONALD PAGE:** Yes, it was 16 years. The Labor Government had time to address these issues, but it did not do it. It is a little hypocritical to come back into the Chamber within 12 months and raise the subject. I remind the House that just last week the Minister for Family and Community Services, and Minister for Women—

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! The member for Heffron has had her five minutes to make her points. I call the member for Heffron to order.

**Mr DONALD PAGE:** —in a landmark decision to increase transparency has made it possible for people who are on the waiting list for social housing to find out how many houses are available in their area, how many people are on the waiting list, and how long they are likely to have to remain on the waiting list. This is an exercise in transparency that has not occurred previously, including under the Keneally Government. I commend the Minister for Family and Community Services, and Minister for Women for implementing the initiative because it will inform the community of how long people have to wait for public housing.

### **PACIFIC HIGHWAY UPGRADE**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.30 p.m.]: I draw the attention of the House to the Pacific Highway, which transverses the electorate of Myall Lakes from the Karuah Bridge in the south to the Coopernook Bridge in the north and which for years was the site of many accidents. I congratulate the O'Farrell-Stoner Government on its commitment to upgrading the Pacific Highway and its allocation of an extra \$468 million for the upgrade in the budget. Before the previous highway upgrade about 28 fatalities occurred on that stretch of the highway each year and for every fatality there were a number of serious injuries. As a result of the upgrade the number of serious accidents has reduced considerably. I also congratulate the Government on the projected opening of the Bulahdelah bypass before Christmas, weather permitting. That will be a bonus for the many holidaymakers who head north at that time of the year and also the local residents on the mid North Coast and far North Coast who need to do business in Newcastle and Sydney.

We must now address the upgrade of the highway north of Myall Lakes to the Queensland border. As I said, the O'Farrell-Stoner Government has committed an extra \$468 million to the upgrade budget. Prior to the Coalition coming to government in New South Wales the Federal Government contributed 80 per cent to the Pacific Highway budget and the State Government contributed 20 per cent. On the basis of that commitment to the Pacific Highway and other highways in New South Wales, the Coalition made a commitment during the election campaign that in government it would continue that arrangement and that the Pacific Highway upgrade would be completed by 2016. Of course, we all know that the Federal Labor Government has reneged on the 80:20 funding arrangement—which had been adjusted to 86:14 in the final three years of the State Labor Government.

I call on the Federal Government to honour that commitment and to stop playing politics. This is above politics; too many lives are at stake, too many have been lost and too many will be lost. If the Federal Government were to honour the 80:20 funding arrangement the State Government would be able to finish the Pacific Highway upgrade by 2016 and thereby save hundreds of lives. We all know that the Federal Government is the great collector of taxes, including income tax, the GST and the fuel excise, and it is about to start collecting the carbon tax and the mining resources rent tax. Having collected those myriad taxes, the Federal Government then distributes them to the States. The Federal Government should recommit to the 80:20 funding arrangement so that we can get the highway finished.

It is interesting that in this ongoing debate about the Pacific Highway the Federal member for Lyne, who is part of the Labor-Greens-Independent Federal alliance, has been strangely silent. Of all people he should be able to tap the Prime Minister on the shoulder and say, "What are you doing about my electorate and the mid North Coast and the far North Coast?" He has done absolutely nothing. In fact, like a Labor Party puppet he has fallen into line and is mouthing the things being said by Federal Minister Anthony Albanese; that is, that the arrangement should be 50:50 despite the fact that we all know it has been 80:20.

The Federal member for Lyne not only shamefully supported Labor a couple of years ago, and took 20 minutes to tell us why, but also has been silent on this issue, which is costing lives. I pay tribute to and congratulate the State Emergency Service, which has done so much to assist on the Pacific Highway, and the Taree Volunteer Rescue Association. That great association was initially known as the Taree Voluntary Police

Rescue Squad and was established in the 1970s by Bill Henning and other local residents because they recognised that they needed to do something about the number of accidents occurring on the highway. I also thank the Rural Fire Service for the part it plays in responding to accidents on the highway.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.34 p.m.]: I thank the member for Myall Lakes once again for championing the very important cause of upgrading the Pacific Highway to a dual carriageway from Hexham to the Queensland border. It is good to hear that the Bulahdelah bypass will be open by Christmas. As the Minister for the North Coast, I reiterate his comments about the importance of the Federal Labor Government giving the State Liberal-Nationals Government the same deal that it gave the State Labor Government. Despite agreeing to an 86:14 arrangement with the former State Government, the Federal Government now wants a 50:50 arrangement with this Government. That effectively means a \$2.3-billion budget shortfall and calls into question the feasibility of finishing the upgrade by 2016. I call on the Federal Government to reconsider its decision about the funding to enable this very important project, which will save hundreds of lives, to be completed by 2016.

### NEIGHBOURHOOD AND COMMUNITY CENTRES

**Ms CLOVER MOORE** (Sydney) [12.35 p.m.]: Today I acknowledge and commend the work of neighbourhood and community centres. There are about 300 centres across New South Wales and about 1,000 across Australia. They are independent organisations focused on a local area with a social justice framework that directs resources to people who do not have a voice or who have limited resources. They provide a wide range of health and welfare services such as emergency relief, family support, information and referral, and classes and courses. These centres have a philosophy of community development and empowerment and a strong focus on building stronger communities, strengthening civil society and including marginalised groups and people.

The centres provide a base for residents and local groups to learn about issues and to advocate for reform on issues that affect them. Neighbourhood and community centres are governed by local residents volunteering on committees and rely on large numbers of volunteers to provide services and run development projects to meet local needs. We depend on the contributions of these committed people who give their time and expertise to build stronger communities. Social researchers, and even the World Bank, find increasing evidence that social cohesion is critical for societies to prosper economically and sustainably. These centres are vital to building strong communities. Inner-city centres do various things to meet local needs and I will provide some examples to demonstrate this diversity.

The centre at Surry Hills provides childcare and English classes for garment industry workers and runs a monthly market to help fund its services; Walla Mulla in Woolloomooloo works with families and the local Aboriginal residents; Echo in Bondi Junction runs neighbour aid programs and groups and classes, including for Russian speakers; South Sydney Community Aid in Alexandria works with cultural groups, playgroups and computer access and provides tax assistance; and the Harris Centre in Ultimo provides a Chinese welfare service, playgroups and material aid.

The Settlement in Chippendale works with the local Aboriginal community, particularly focusing on young people and after-school programs; the Kings Cross centre focuses on isolated older people and those with a disability, provides information and referral, runs a community bus and conducts group excursions; the Factory at Waterloo works with public housing tenants, runs after-school and vacation care for kids and has run community theatre, arts and mural projects; the Newtown centre provides meeting space, immigration advice, shopping services, a boarding house support program and organises the annual Newtown Festival; and South East at Eastlakes provides childcare, fresh fruit and vegetable deliveries and respite care and has produced a cookbook.

Holdsworth Street Community Centre in Woollahra has been operating since the 1960s providing ageing, dementia, disability and carer support programs, family services and childcare and programs to reduce isolation and helps residents to make their community more supportive. I took my daughter to Holdsworth Community Centre playgroup when she was young and I know the value of these programs for families with kids. I am very conscious of the needs of older people in my electorate, many of whom live alone and have few family supports. Holdsworth works with young and old and those in between. It also provides home and community care programs to help people stay in their homes and communities rather than having to move into institutions when disability or frailty makes daily living tasks hard or impossible. Community transport and carer support groups also help.

I met with the Holdsworth board and heard about its vision for a strong inclusive community that encourages interaction across cultures and ages. The board and centre director have clear objectives and specific plans for developing the organisation and meeting emerging community needs. They were very aware of the increasing number of children in the area and are planning for that change. Their creative approach to food services will encourage isolated participants to come to a cafe where they can meet others and make new friends, as well as offering home-delivered meals. I was impressed with the Holdsworth centre's community space and offices following major building renovations to upgrade the facilities and improve access.

The Holdsworth board was very concerned about the low wages in the community support workforce, which is largely female. I have supported the call for women to be paid properly for this important work, which members of Parliament as well as local communities rely upon to help people in need. The Industrial Relations Court recently approved wage increases and it is vital that government funding bodies increase grants to cover those increased costs. Neighbourhood and community centres save the Government money that would have to be spent on institutional care and addressing crime and antisocial behaviour. I call on the New South Wales Government to provide adequate funding for community service organisations, which make such valuable contributions to the life of our community.

### **YMCA NEW SOUTH WALES YOUTH PARLIAMENT**

**Mr ANDREW ROHAN** (Smithfield) [12.39 p.m.]: I bring to the attention of members the role of the YMCA in developing young leaders through the YMCA New South Wales Youth Parliament. The YMCA is a vibrant, self-funding, not-for-profit charity that delivers contemporary programs that proactively change people's lives and strengthen the communities that the YMCA serves. Working with over 35 communities across New South Wales at more than 100 locations, the YMCA generates in excess of four million visits per year. It is dedicated to engaging and developing young people through a variety of programs. The impacts are extensive; there are more than 100 annual YMCA New South Wales Youth Parliament participants, 4,000 annual gymnastics enrolments, 10,000 weekly visits to out-of-school-hours care and 14,000 learn-to-swim enrolments.

The YMCA New South Wales Youth Parliament is a program that gives young people a voice in the running of New South Wales. It is a place where the opinions and concerns of young people in New South Wales are heard. In issue-based committees of 10 young people are empowered to create a bill. They then research the problem, propose alternative solutions and negotiate amongst themselves the best possible solution. This bill is then debated on the floor of the New South Wales Legislative Assembly as part of a week-long residential camp. Youth Parliament is a realistic simulation of the New South Wales Parliament; youth parliamentarians follow the same processes and procedures as do their adult counterparts, and also participate in question time, matters of public importance and private members' business.

The YMCA New South Wales Youth Parliament culminates in the presentation of youth Acts, bills and other recommendations to the New South Wales Government, Opposition and other relevant bodies. A three-month period after a sitting week is devoted to lobbying relevant members to become "bill champions" and push for youth legislation to be considered by the Government. The program has been operating in New South Wales since 2002—with more than 700 young people having graduated from the program. Youth Parliament alumni can now be found across many industries and careers. The YMCA New South Wales Youth Parliament is completely youth-led. The program is delivered by a volunteer task force of 16 past participants between the ages of 18 and 24 years. Twelve of these are appointed as committee advisers and mentor youth members of Parliament in their committees throughout the program.

The YMCA New South Wales Youth Parliament has expanded in recent years to include the YMCA New South Wales Youth Parliament Press Gallery—a program that runs alongside Youth Parliament for five interns aged 18 to 24 years currently studying politics or journalism, to cover the Youth Parliament as a political reporter. The interns produce an internal newspaper, a year book and manage the program's social media strategy. YMCA New South Wales Youth Think Tank Policy Working Days—a bimonthly event hosted by a YMCA centre—brings together like-minded young people, not necessarily youth parliamentarians, aged 15 to 24 years, to discuss a particular policy currently undergoing government consultation. Three delegates are then elected to produce a submission on behalf of the think tank. In 2012, 110 young people will be representing 92 electorates in New South Wales. More than 220 young people applied to be a youth member of Parliament; 74 of those young people were nominated by members of the New South Wales Parliament.

Finally, I congratulate Bridgette Logan on being elected as the youth member for Smithfield in 2012. Bridgette is 16 years of age and is in year 10 at Ashcroft High School. She is sitting on the committee



investigating infrastructure, transport and planning. Bridgette is interested in education policy, especially in education funding being distributed in schools where it is most needed, that is, in low socioeconomic communities. Her interest in the Youth Parliament stems from wanting to help people, particularly families that are facing difficulties. I commend the YMCA New South Wales for its valuable contribution to New South Wales communities, especially the youth.

### **COLEDALE PUBLIC SCHOOL**

**Mr LEE EVANS** (Heathcote) [12.44 p.m.]: Today I acknowledge the 100-year anniversary of the opening of Coledale Public School in my electorate of Heathcote. For those in this place who have not had the pleasure of travelling along the iconic Lawrence Hargrave Drive, part of the Grand Pacific Drive, I mention that Coledale Public School enjoys the best panoramic view of any school in New South Wales. On one side the playground and classrooms overlook some of the State's most spectacular coastline; on the other side students look upon the magnificent Illawarra escarpment. The school was officially opened by the New South Wales State Parliament on 30 March 1912. The school appointed its first teacher, Mr Jethro Clark, in June that year. By the beginning of 1913 the school had already grown to accommodate 147 students, and in February that year headmaster Thomas reported that enrolments had jumped to 218 students. The headmaster had just four assistants at his disposal, and one class was 64 students strong. Each classroom was equipped with a fireplace and chimney; it is believed local coking coal was used to heat the rooms.

In those days the school provided education to the children of local coalminers and provided a welcome alternative to the longer trip to Austinmer or Clifton. Today the school is a cornerstone of the local community as many families have three generations of Coledale Public School students. As acknowledged by the Minister for Education, the Hon. Adrian Piccoli, the school has achieved outstanding success academically, culturally and on the sporting field over the years. The school is known for its focus, not only on academia, but also on giving students the opportunities to develop into responsible young leaders of the future. Students are encouraged to take an active interest in issues affecting the environment and sustainability, as evidenced by the school's vegetable gardens, wildlife ponds, recycling programs and water tanks.

The students are known for their caring and supportive attitude to one another and their commitment to learning. These values are supported and strengthened by a passionately committed parent body, which works in true partnership with school staff. The committee saw parents, staff and students spending months preparing the celebrations that took place over the weekend, including a street parade along Lawrence Hargrave Drive. The school also organised a whole school assembly, student performances and cake-cutting ceremony on Saturday. The events were attended by hundreds of past students including at least two, Mary Waddingham and Maurice Smith, who are now in their nineties. On Saturday night the celebrations continued when more than 180 people filled the RSL club for an old fashioned dinner-dance. On Sunday the school was opened as an historical exhibition, with each room presenting a different era of Coledale's history.

Activities included storytelling, jacks, marbles, sticks, weaving, horseshoe throwing and sewing workshops. Coledale's first female captain, Nancy Yew, was the first of three generations to attend the school. Her son, Jeff, was also school captain in 1980, and his sons, Thomas and Lachlan, and daughter, Katelyn, are all current students. Their names, along with their years of attendance, were engraved on commemorative pavers as part of the centenary celebrations. Coledale is blessed with a close-knit, supportive community, and for 100 years Coledale Public School has been at the heart of the community. My hope is that this is still the case in another 100 years; and I am proud that the Government is committed to maintaining education assets across the State.

In fact, in December last year it was announced that Coledale Public School would share in the first round of a \$40 million Public School Upgrade program. This program offers funding for vital upgrades and minor maintenance work specifically requested by the school principals and the community. This follows the Government's commitment to restore decision-making power to the local area, allowing schools to decide where and how funding should be allocated. Needless to say, our local schools are so much more than their bricks and mortar and would be nothing without the tireless dedication of our local staff and parents. I take this opportunity to congratulate the school on reaching such an impressive milestone and I thank all the parents, staff and students who helped make this such a special and fitting celebration. I commend Tanya Potter, the principal of this great school, for her ongoing work and passion for her job.

### **JINDABYNE CENTRAL SCHOOL STUDENT LEADERS**

### **MONARO ELECTORATE HARMONY DAY CELEBRATIONS**

**Mr JOHN BARILARO** (Monaro) [12.49 p.m.]: Many members in this House will claim that their electorates have some of the best schools in the State but I can attest to the fact that that is nonsense. Located in

picturesque Jindabyne, surrounded by beautiful Lake Jindabyne and with the Snowy Mountains as a backdrop, Jindabyne Central School is a clear example of a school community that leads the pack. On Wednesday 21 March I had the pleasure of attending a morning tea to celebrate and acknowledge the 2012 leaders of Jindabyne Central School. These outstanding boys and girls who had been given the honour and privilege of leading the school community this year were acknowledged in front of faculty, family and friends. As I moved among them I was impressed by their self-confidence and their positive attitude towards attaining their goals. I was further impressed by the pride that they showed in their school and their school community. The students spoke of their hopes and dreams, raised issues of concern to them and also suggested solutions. It was evident that the student leaders were not thinking of their own needs but were looking at ways of improving the school for future generations—the study areas, the senior lockers and the need to fix the leaking covered outdoor learning area. Each student deserved recognition as a leader.

As I looked around the room I saw the next generation of leaders—leaders in our community in business and in government. I saw the children of today, ready and able to shape the future of tomorrow, each one worthy of recognition, not just in their community but also in *Hansard* today. I will list the Jindabyne Central School leaders. Junior school captains Rebecca Matthes and Cooper De Pagter; vice captains Rebecca Batson and Tom Hansen; leaders Breanna Arnold, Rhianna Burke, Kayla Gay, Emily Heimann, Ethan Inches, Dylan Johnson, Max Old and Angus Warner; and junior sports captains, Kirra Burke, Cade Robinson, Gretl Waite, Aiden Machin, Hannah Robinson, Rachelle Silsby, Alice Schroeder and Jake Kennedy.

Senior school captains Eli Oconnor and Bryan Cronan; vice captain Anneka Dykstra; vice captain and sports vice captain Alex Milliken; Student Representative Council representatives Connor McIntosh, Rani Bergin, Jordan Manning, John Hukins, Harry Needham, Connor Rae, Gabrielle Waite, Oliver Shvetsoff, India Old and Lachlan Harrigan; Student Representative Council representative and sports captain Ella-Rose Manning; Student Representative Council representatives and sports vice captains Michaela Ripper and Emily Fullick; sports captains Jessica De Pagter, Jesse Cooper, Bree Benning, Kaile Baillie, Brooke Kennedy and Adam Pillidge; and sports vice captains Lachlan Mott, Ester Clements, Bella Levis and Jake McGaw.

Today I make special mention of two student leaders. I refer, first, to Max Old, a year 6 student leader and young man who is living with Duchenne muscular dystrophy but who is keen to remain independent. He raised with me a couple of issues relating to access around the school and suggested some great solutions. Max is a courageous school leader. Second, I refer to Rani Bergin, a year 12 representative on the Student Representative Council. I enjoyed talking to her about Jindabyne Central School and life beyond the school. I was told that Rani made a complete turnaround due to her commitment to her schoolwork. She worked hard to make a real go of her final year. I know that many people are proud of her and I wish her all the best in the future. My Jindabyne Central School experience did not end there.

Every year on 21 March, Harmony Day is celebrated around Australia. Harmony Day—a day when Australians celebrate their cultural diversity—is managed by the Department of Immigration and Citizenship, gives people an opportunity to celebrate what makes each Australian unique and enables them to share what they have in common. The Monaro region continues to benefit from its strong multicultural community. The great Snowy Mountains Scheme was a defining point in Australia's history and an important symbol of Australia's identity as an independent, multicultural and resourceful country, and we continue to celebrate it today. The celebrations were plentiful at Jindabyne Central School with fantastic food, dancing, singing, martial arts and, my favourite, sumo wrestling—all on display for our enjoyment. We heard from an Austrian foreign exchange student about the plight of Third World countries and we were enlightened by local students addressing a fair go for all.

Education is a key focus for Harmony Day. Our children learn important lessons of respect and understanding of cultural diversity in the schoolyard, in our classrooms, in childcare centres and in kindergartens. Initiatives such as Harmony Day educate the children of today and bring about a greater tolerance of the differences in our communities. Jindabyne Central School should be proud of its contribution towards a future for our nation which will have greater respect for and understanding of our cultural diversity. I acknowledge Mr Gary Atkins, principal of Jindabyne Central School, and Ms Sheena Perry, deputy principal, who have always shown strong leadership and passionate commitment to their school. I am proud to say that I count Jindabyne Central School as one of the leading schools in this State.

#### MINISTERIAL CONSULTATIVE COMMITTEES

**Mr KEVIN CONOLLY** (Riverstone) [12.54 p.m.]: Last year, on assuming the role of Minister for Citizenship and Communities, and Minister for Aboriginal Affairs, the Hon. Victor Dominello undertook to

establish ministerial consultative committees to advise him on the interests and concerns of major ethnic communities in New South Wales. That promise has come to fruition and the committees that have been formed represent a significant number of communities across New South Wales. Sydney is among the world's top 10 cities in cultural and linguistic diversity. As we heard from the member for Monaro who referred to the heritage left to us by the Snowy Mountains Scheme, multiculturalism is a key feature of modern society in New South Wales. The New South Wales Government has a vital role to play in supporting and promoting this State's cultural and linguistic diversity. Traditional migrant communities in New South Wales are continuing to grow and to develop. As time passes new migrant communities emerge so now is an opportune time to improve our understanding of multicultural New South Wales. I believe we have succeeded in building mutual respect so now is the time to move from mutual respect to mutual advantage as a result of the wonderful diversity that we have in our communities.

Last week the Minister and the Premier announced the development of the Multicultural Advantage Action Plan to be pursued in New South Wales. Much more detail about that plan will be revealed and discussed by the Minister as it is put into effect over the coming months. The overall purpose of these ministerial consultative committees is to engage with local multicultural community leaders; to enable them to contribute to New South Wales Government policy direction in citizenship and community relations; to suggest opportunities for leveraging cultural diversity for broader community benefit; to identify areas for improvement in the delivery of services to multicultural communities; and to help communicate New South Wales Government initiatives to ensure access and availability for all. These consultative committees will meet regularly and every six months report to the Minister on their progress.

I am fortunate to have been appointed to two ministerial consultative committees. The member for Castle Hill and I chair the Sri Lankan Ministerial Consultative Committee which had its initial meeting on Friday 23 March 2012. The members of that committee are Mr Avinder Paul, Mr Ruwan Gallege, Mrs Nelum Joachim, Mr Nimal Ratnayake, the Venerable Dhammagavesi Thero, Mr Mohamed Fazli, Mr Prasanna Athukorala, Mr Camil Gereis, Mr Roshan Wickremanayake, Mr Sivakumaran Mathiapparanam, Mr Prasan Ulluwishewa and Mr Luther Uthayakumaran. Those committee members are delighted to have been invited by the Minister to participate in this good work on behalf of the New South Wales Sri Lankan community. The committee represents various strands of that community because of its diverse background and heritage. We have tried hard to ensure that the committee reflects the diversity of the Sri Lankan community in New South Wales.

The member for Mulgoa, the member for Campbelltown and I have the privilege of co-chairing the Filipino Ministerial Consultative Committee which held its first meeting on Thursday 29 March. The members of that committee are Mr Jaymes Diaz, Mr David Isaac, Mrs Cen Amores, Mr Max Lopez, Mrs Veronica Alcantara, Mrs Josefina Bonto, Mrs Alicia Martin and Dr Alexis Leones. It is a great privilege to serve on both those committees and I look forward to the good work that no doubt will be produced by them. Committee membership has given me an opportunity to engage further with each of these communities. On 25 March I was privileged to attend the opening of the meditation hall at the Sri Lankan Buddhist Vihara at Schofields.

For the Sri Lankan Buddhist community this significant event represented the development of its temple precinct and the provision of additional services for the wider community. On 25 March in Burwood I also attended the Adhika celebration of 30 years of Filipino-Australian media in New South Wales which reflected on the time that community has been part of New South Wales and the strong foundations that it has built. Both communities, however, offer great opportunities for mutual advantage for themselves and the broader New South Wales community in years to come as we harness their talents and creativity. I look forward to working with them to make New South Wales an even better place for all who live here.

### **SPECIAL OLYMPICS ASIA PACIFIC REGIONAL GAMES**

**Mr TIM OWEN** (Newcastle) [12.59 p.m.]: On 14 March this year a significant announcement was made on the steps of Sydney's Opera House by the New South Wales Premier in the company of Her Excellency, Ms Quentin Bryce, AC, CVO, Governor-General of the Commonwealth of Australia. It was then that the Premier told the world that Australia would play host to the inaugural 2013 Asia Pacific Regional Games. Of most significance to me is that Newcastle will be at the centre of the nine-day event. This announcement is great news for local athletes with special needs, great news for the local business economy and a great boost to the promotion of our magnificent city. I am very proud of the New South Wales Government for backing Australia's bid to host the Special Olympics.

I believe that Newcastle being named as host city for the event reinforces the New South Wales Liberals-Nationals commitment to drive tourism across the Hunter and regional New South Wales. The Hunter is a great region with terrific sporting facilities such as the Forum, Hunter Stadium and No. 2 Sportsground and it is well equipped to host this major event. Recently I had the pleasure of meeting with Gill Stapleton, the chief executive officer of Special Olympics Australia, and Simon Koh, the Malaysian representative of Special Olympics Asia Pacific, who were suitably impressed with Newcastle and the facilities it has to offer Olympians when they arrive in Newcastle in 21 months time. Athletes from 25 countries will compete over nine days in eight different sports, and it is estimated that the economic impact to Newcastle and the Hunter region will be \$10 million. I echo the sentiments of the Minister for Sport and Recreation, who said:

The New South Wales Government embraces the ideals of the Special Olympics movement and the promotion of sport for people with an intellectual disability ...

The staging of the Games will provide a unique opportunity to advance those ideals throughout New South Wales, Australia and the entire Asia Pacific region.

It is estimated that 5,000 international visitors will attend the Games together with more than 1,700 athletes, 600 coaches and 4,000 volunteers and family members. A large contingent of international media is also expected to cover the event, showcasing our city the world over. Sport is a great social outlet and it plays a key role in breaking down the barriers that exist for people with a disability. The staging of the 2013 Special Olympics Asia Pacific Regional Games also recognises the Government's commitment to a socially inclusive New South Wales where people with a disability are afforded every opportunity to reach their full potential. Special Olympics is a worldwide movement that inspires people with an intellectual disability to reach their personal best through regular sport and competition.

It is my hope that the Newcastle community will get behind all the athletes to help them achieve their personal best when they arrive in our city next December. It is a real coup for the Hunter to have been able to secure this event and I am honoured that Newcastle will play host to the largest ever Games in the Asia-Pacific region for people with a disability. I thank the Minister for Sport and Recreation and the Minister for Disability Services for their enthusiastic and strong support for the bid that we put together to host the Games. I encourage all members of the House to visit Newcastle next December, and I look forward to making them very welcome.

### **VALLEY HEIGHTS RURAL FIRE SERVICE**

**Mrs ROZA SAGE** (Blue Mountains) [1.03 p.m.]: I bring to the attention of the House a significant milestone in the life of the Valley Heights Rural Fire Service in the Blue Mountains. It was my honour, along with the Rural Fire Service Commissioner Shane Fitzsimmons, AFSM, to open the new state-of-the art Rural Fire Service shed at Valley Heights on the Great Western Highway and to help present 57 medals honouring the service of the dedicated Rural Fire Service volunteers in the Blue Mountains. This new, modern, state-of-the art facility was a long time coming for the Valley Heights brigade. It took 12 long years of advocacy and representation to the Rural Fire Service hierarchy, State Government and the council to achieve.

The old shed, which was opened in 1963, was situated on the southern side of the highway in a side street on a block of RailCorp land where space was limited. I visited the old shed several times, and it was very cramped and no longer able to support brigade activities, especially training. The new facility—the second of new standard design stations—is now in a highly visible area on the highway and it includes a three-tanker bay, a large meeting room, a kitchen and an office. Indeed, it comfortably accommodated the more than 200 people in attendance at the opening. It was clear to see that the captain, Steve Price, and his brigade members were overjoyed to finally receive their new station.

The Valley Heights brigade, in common with all other Blue Mountains brigades, has close ties with the community, as evidenced by the strong support it received when raising funds for the new brigade facility. The brigade itself raised \$100,000 to put towards the new facility. Of the 65 members of the brigade, 40 are active with the brigade. Over the last few weekends since the completion of the new shed I have watched as members have engaged in working bees to landscape and beautify the surrounds. The fruit of their labour was evident at the opening. Many members of the brigade received long-service medals, including Peter Linnegar, Peter McDonald, Robert Schnebli, Steve Skinner, David Kelly, David Fitness, Francoise Matter, Hugh Patterson, Bert Clark, Stewart Temesvary, Craig Blackburn, the late David Belfanti, Steve Price, Bruce Morton, John Belfanti and Brian Rich.

Brigades from Bell to Glenbrook-Lapstone were represented at the opening ceremony. The Blue Mountains has 23 brigades with a total membership of 2,122 members and many supporters in the community.

It is a very tight-knit group with much friendly rivalry. The ceremony was one of several that will take place over the year. The cumulative years of service recognised at the medal ceremony totalled 1,425 for the 57 recipients—a staggering number of years of experience and dedication. Two national service medals were also presented. The national medal and clasps is presented in recognition of the years of diligent service of members who go above and beyond what is expected of active members within their brigades. Those medals were given to Superintendent David Hoadley, AFSM, the Blue Mountains acting area manager, who has been a tremendous asset to the Blue Mountains Rural Fire Service; and to John Burton, who became a member of the Blue Mountains Group Support Brigade as a communications operator in 1996. As part of the ceremony several vehicles were handed over.

First, a category 1 tanker was presented to Megalong Valley brigade—one of the oldest brigades in the mountains, if not the oldest, formed more than 100 years ago. The tanker was accepted by Captain David Bosworth. A category 7 tanker went to Mount Tomah brigade, which last year celebrated 50 years of service to the community, and the tanker was accepted by Captain Peter Ellison. A mobile field kitchen was given to the Group Support Brigade and was accepted by Captain Ian Mann. Ian, in fact, designed the fit-out of the van and, judging by all the comments he received, he has done an exceptional job. Three vehicles were handed over to group captains: East 1, Greg Corrigan; Central 1, Mick Metcalfe; and West 3, Fred Taylor. The day honoured the hard work and determination of a fiercely proud and dedicated group of men and women belonging to the Blue Mountains Rural Fire Service family. As the member for Blue Mountains I was immensely proud of all the valuable work these men and women do to keep the Blue Mountains community safe from and informed about fires and natural disasters in our area.

### **TRIBUTE TO HIS HOLINESS POPE SHENOUDA III**

**Mr JOHN FLOWERS** (Rockdale) [1.07 p.m.]: I join with my colleagues in this place to pay tribute to His Holiness Pope Abba Shenouda III. On the evening of 19 March I attended a service at St Mary and St Mina's Coptic Orthodox Cathedral, Bexley, in commemoration of the departure of His Holiness. With many parishioners of the Coptic Church living in the electorate of Rockdale and as a former Mayor of Rockdale City Council and as the current member for Rockdale I too join in celebrating the life of His Holiness and paying tribute to the remarkable life he led and to the contribution he made internationally. Also attending the ceremony were the Minister for Citizenship and Communities, my parliamentary colleagues the member for Oatley and the member for Granville, and from the other place the Hon. David Clarke, the Hon. Marie Ficarra, the Hon. Shaoquett Moselmane and the Hon. Amanda Fazio. The clergy and members of all committees, associations and boards of the diocese offered prayers.

Pope Shenouda III was born on 3 August 1923 in the city of Asuit in Upper Egypt. He was given the name of Nazir Gayed. He studied at Cairo University and graduated before becoming a teacher. During his young adulthood he was a Sunday school teacher and became involved with the Coptic Theological Seminary. In 1962 he was ordained His Grace Bishop Shenouda by the late Pope Cyril VI. In 1971, nine years later, His Grace Bishop Shenouda was consecrated as His Holiness Pope Shenouda III, 117th Pope of Alexandria and Patriarch of the See of St Mark. His passing on 17 March 2012 has been mourned by many throughout the world and in my electorate. Pope Shenouda III dedicated the majority of his life to the growth of the church. As the 117th Pope of Alexandria and Patriarch of the See of St Mark and head of The Holy Synod of the Coptic Orthodox Church he served for over 40 years. On 18 March 2012 the Very Reverend Father Tadros Simon, Vicar General of the diocese, affectionately said of Pope Shenouda III:

He will be remembered as the charismatic spiritual leader of this era, "Athanasius of the 21st Century".

Pope Shenouda III was instrumental in the expansion of the Coptic Orthodox Church worldwide, with 42 churches in Australia. To put this into perspective, when Pope Shenouda III was enthroned only two Coptic Orthodox churches existed in Australia. This expansion demonstrates the remarkable dedication he had to his faith and to the growth of the church. Pope Shenouda III visited Australia on seven occasions through his papacy: his last visit was in 2002. He visited Rockdale and met with many members of the Coptic community in the St George area. I offer my condolences to the New South Wales Coptic community, in particular to those in the electorate of Rockdale. The prayer program of the service of commemoration was a fitting tribute to the life of Pope Shenouda III, and it was an honour to attend the service. Pope Shenouda III was a preacher, teacher, author, poet, monk, theologian and leader. This dedicated man of the Christian faith will be greatly missed by many throughout the world and in my electorate.

## DISABILITY SERVICES

**Mr JONATHAN O'DEA** (Davidson) [1.12 p.m.]: Sportsmanship and charity are traits of this nation's character and social fabric and from all walks of life there are many examples of people and organisations who exemplify such qualities. Today I will highlight two such endeavours: first, Mr Tony Stevens, an 87-year-old roller-skater. Mr Stevens, whose disabled son died some years ago, recently roller-skated from Sydney to Canberra pushing a disabled man in a wheelchair to highlight the importance of a national disability insurance scheme. Such a scheme would provide parents of disabled children peace of mind that resources are available to ensure that proper and necessary care continues to be provided for their children when they are no longer around.

In the mid 1970s the Federal Government approved a scheme in principle but it is yet to be implemented. More recently a scheme proposed in the report on the Disability Care and Support inquiry by the Productivity Commission, which was released in August 2011, received bipartisan support. The Council of Australian Governments has established a select council to consider the recommendations; however, it is feared, particularly by parents of disabled children, that such a scheme may never be introduced. Mr Steven's drive and determination to highlight the need for such a scheme should be the envy of people half his age. Last month the 87-year-old roller-skater was farewelled on his trip by a small group, including the member for East Hills and me, from Parliament House, Sydney. He used his arrival at Parliament House, Canberra, to launch his book *The Last Gamble and the Years in Between* and to promote the need for a national disability insurance scheme.

The second endeavour involves a group of eight women, including Sue Hume of St Ives, who lives in my electorate. On Wednesday 28 March 2012 those eight women departed Sydney to climb to the base camp of Mount Everest, Nepal—an altitude of 5,364 metres. Two of the group, Annie Doyle, chief financial officer at Sunnyfield, and Amanda Jones, chief operating officer at Infrastructure NSW, will attempt to scale the world's highest peak, Mount Everest, in the hope of raising \$500,000 for Sunnyfield. For more than 60 years Sunnyfield has been supporting people with intellectual disabilities to lead more independent lives. Sunnyfield was originally established in 1952 by a group of parents to ensure that opportunities were created for their children with disabilities to lead more independent lives.

Sunnyfield was originally called the Sunnyfield School and is now known as Fisher Road School. Sunnyfield, as an association of families, soon expanded from Dee Why to its current site at Allambie Heights—in the electorate of Wakehurst, adjoining Davidson—to develop a larger care centre and, later, an activity therapy centre and accommodation facility. It has become one of the largest, most progressive and innovative disability service providers in New South Wales, servicing over 1,700 people with disabilities and their families. The expedition to the base camp of Mount Everest and the scaling of its peak will be physically draining, potentially dangerous and involve financial sacrifice. The endeavour will hopefully create a better awareness that parents and children with disabilities climb mountains every day.

The six women who will join Amanda Jones and Annie Doyle on the first part of the trip to Mount Everest are: Sharon Moss of Collaroy, Megan Epper of Manly, Patricia Morgan of Terrigal, Justine Douthwaite of Killarney Heights, Marie Mercer of Balgowlah, and Sue Hume of St Ives. I hope that their imaginative and daring philanthropy will aid Sunnyfield in enriching the lives of people with intellectual disabilities. The sporting-related endeavours of Mr Stevens and this adventurous group of women should help to create choice, opportunities and independence for people with disabilities to lead the lives they wish, as well as to feel and be valued by society. I wish them a safe and timely journey to Mount Everest and home again.

## F6 EXTENSION

**Mr MARK SPEAKMAN** (Cronulla) [1.17 p.m.]: As far back as 1951, as part of the County of Cumberland Planning Scheme, a road reservation for an F6 was set aside connecting central Sydney with the then planned southern freeway at Waterfall. The Department of Main Roads established a program of purchasing land in that corridor. However, the only section developed to freeway standard has been Captain Cook Bridge and its approaches. Labor's record on the F6 extension has not merely been one of inaction but often of outright opposition. Under Labor governments much of the corridor was sold off or otherwise abandoned. In 2002 Minister Carl Scully announced the abandonment of the F6 extension. The February 2010 Metropolitan Transport Plan did not even mention it, and emails tabled in the Legislative Council showed that less than 10 days before the plan's release Premier Keneally personally intervened to remove any mention of it. As recently as last month Prime Minister Gillard told the *St George and Sutherland Shire Leader* that her Government would not even fund a feasibility study for an F6 extension.

The O'Farrell Government has established Infrastructure NSW to assist in identifying and prioritising delivery of critical public infrastructure. It will develop a 20-year State infrastructure strategy, which it expects to deliver in September 2012. As the Minister for Roads and Ports told the Legislative Council in May 2011, we will commence construction on one of the key missing links in the Sydney orbital road network by 2015. Infrastructure NSW will determine whether the first missing link for construction will be the F3-M2 link, the M5 East duplication, the M4 East extension or the F6 extension.

My submission to Infrastructure NSW will be that it should select the F6 extension as the first missing link for construction. That submission will also say that if Infrastructure NSW does not make that selection it should give the F6 the highest possible priority on its list of remaining key projects. Unlike my Labor opponent at the last election, who could not even decide whether she supported an F6 extension, unlike the outgoing Labor member for Miranda, who said an F6 extension would be built over his dead body, and unlike a succession of Labor governments culminating with Premier Keneally actively working against an F6 extension, Liberal members of Parliament in southern Sydney, the Illawarra and the South Coast and at State and Federal levels are united in supporting an F6 extension.

A 2009 Federal Government report showed that freight around the corridor would double by 2030, while traffic would increase by 2.8 per cent a year. A 2008 NRMA study found that completing the F6 from St Peters to Loftus, tunnelled between Sylvania and Loftus, would cost about \$2.2 billion but would deliver immediate benefits of almost \$1.1 billion and bring economic benefits of up to \$3 billion by 2031. An F6 extension would reduce travel times for motorists, worth \$475 million according to the NRMA. It would reduce vehicle operating costs, including petrol consumption, worth \$559 million, also according to the NRMA. An F6 extension would reduce fumes spewing out around schools, playgrounds and homes. It would take the growing number of trucks accessing Port Kembla and Port Botany off our suburban streets, making our local roads safer and less congested. It would take through traffic off rat-runs such as Belgrave Esplanade, Sylvania Waters. It would also boost the economy through job growth and business development.

While I strongly support the F6 extension, it must be done properly. First, my strong preference is for it to be underground as far as possible. As Sydney becomes home to millions more people preserving open space will become even more important. Second, it must be properly filtered. Third, we must ensure that local roads are not closed to divert people onto it. Fourth, the F6 must not be under-engineered as the M5 East was. The F6 extension has been on the drawing board for at least 51 years. Southern Sydney's transport problems will not be solved overnight, but I intend to fight long and hard for an F6 extension, done properly, as part of the solution to those problems.

**Private members' statements concluded.**

*[Acting-Speaker (Ms Melanie Gibbons) left the chair at 1.22 p.m. The House resumed at 2.15 p.m.]*

**DISTINGUISHED VISITORS**

**The SPEAKER:** I welcome to the gallery today the Hon. Kevin Rozzoli, AM, a former member of the Legislative Assembly from 1973 to 2003 as a representative of the Hawkesbury electorate, and a former Speaker of the Legislative Assembly, who is accompanied by Dr Sue Storrier and Mr Des Storrier.

**DEATH OF LIONEL FROST BOWEN, AC, A FORMER DEPUTY PRIME MINISTER,  
MINISTER OF THE CROWN, AND MEMBER FOR RANDWICK**

**The SPEAKER:** It is with regret that I have to inform the House of the death, on 1 April 2012, of Lionel Frost Bowen, a former member of the Legislative Assembly, who served as the member for Randwick from 3 March 1962 to 18 September 1969. On behalf of the House, I extend to the family the deep sympathy of the Legislative Assembly in the loss sustained.

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

**ADMINISTRATION OF THE GOVERNMENT OF THE STATE**

**The SPEAKER:** I report the receipt of the following message from the Honourable Justice Margaret Joan Beazley, Administrator of the State:

MARGARET BEAZLEY  
Administrator

Office of the Governor  
Sydney, 2 April 2012

The Honourable Justice Margaret Joan Beazley, Acting Chief Justice 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, and the absence of the Lieutenant-Governor from the State, she assumed the administration of the government of the State at 10.25 a.m. on Monday, 2 April 2012.

**REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS**

**Mr BARRY O'FARRELL:** In the absence of the Minister for Education, who is in his electorate today with the Governor, I inform the House that the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs will answer questions on his behalf.

**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 2.20 p.m.]*

**THE STAR CASINO AND NORM LIPSON**

**Mr JOHN ROBERTSON:** In directing my question to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts, I refer to his media adviser, Norm Lipson, being summoned to give evidence to the Gail Furness inquiry into The Star casino scandal.

**The SPEAKER:** Order! I would like to hear the question. Government members will come to order.

**Mr JOHN ROBERTSON:** Will the Minister now stand down Norm Lipson immediately without pay until the inquiry reports?

**Mr GEORGE SOURIS:** Mr Norm Lipson, who is an employee, is a witness at court in his official capacity.

*[Interruption]*

**The SPEAKER:** Order! The Leader of the Opposition has asked the question and the Minister is answering.

**Mr GEORGE SOURIS:** When a staff member is subpoenaed or called as a witness in an official capacity the staff member shall be regarded as being on duty.

**The SPEAKER:** Order! The Leader of the Opposition has asked the question. He should give the Minister at least a chance to begin to answer it.

**Mr GEORGE SOURIS:** Salary and any expenses properly and reasonably incurred by the staff member in connection with the staff member's appearance at court as a witness in any official capacity shall be paid by the department.

**COST OF LIVING**

**Mr JONATHAN O'DEA:** My question is addressed to the Premier. How is the Government working to ease cost-of-living pressures on the people of New South Wales?

**The SPEAKER:** Order! Members will come to order.

**Mr BARRY O'FARRELL:** I thank the member for Davidson for his question. This Government is aware of cost-of-living increases and pressures upon families across New South Wales. For example, we know the pressures that utility bills are having on households in country and suburban New South Wales. It was one of the messages that reverberated around the State on 26 March last year. It still reverberates.

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



**Mr BARRY O'FARRELL:** It is still reverberating because the price increases forced upon families by the incompetence of the former Labor Government continue to wash through the system.

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

**Mr BARRY O'FARRELL:** We all recall going into the 2011 election knowing that in the previous five years electricity prices had increased by 60 per cent.

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

**Mr BARRY O'FARRELL:** Right on cue the Leader of the Opposition says 18 per cent. As the former member for Hawkesbury and former Speaker of this place—who is in the gallery today—will know, you cannot trust a thing that Labor says. What did it do during the election campaign?

*[Interruption]*

The former Speaker would never have said anything as rude while sitting in the Speaker's chair. Did Labor release the Independent Pricing and Regulatory Tribunal report on time? No. It pushed it back until after the election campaign. So, there were increases of 60 per cent over five years and 18 per cent last year—all on Labor's watch.

**Mr John Robertson:** Point of order: It was those on the other side who kept saying, "Reject the Independent Pricing and Regulatory Tribunal decision", and the Premier was one of them.

**The SPEAKER:** Order! There is no point of order. The Leader of the Opposition will resume his seat.

**Mr BARRY O'FARRELL:** Having been hit with those increases, consumers are now about to be king-hit by Labor's carbon tax on 1 July—a carbon tax that those opposite support. We are committed to doing everything we can to reduce the impact of price rises on consumers and put downward pressure on household bills. One way of doing that, in relation to utility bills, is to reduce the costs associated with running utilities, in this case, as the Treasurer announced today, electricity businesses. The Government's wages policy recognises the need for everyone in the public sector to tighten their belts. We want to apply the same policy to state-owned corporations and other government trading enterprises. The Treasurer has written to all portfolio Ministers requiring them to apply the New South Wales wages policy, including the 2.5 per cent wages cap to all state-owned corporations chief executive officers and senior executives. We expect executives to lead by example, because some of the pay increases and bonuses approved by those opposite through their 16 years in office went well beyond community expectations.

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

**Mr BARRY O'FARRELL:** But in order for our policy to be applied to the bulk of employees in state-owned corporations, a policy that applies from the Governor down to a teacher in the classroom, it needs to be implemented by Fair Work Australia. The 51,000 people across New South Wales who work for government business enterprises, including state-owned corporations, are employed under Federal industrial laws and are not covered by the existing New South Wales Government wages policy.

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

**Mr BARRY O'FARRELL:** In 1995 the High Court upheld an important principle that it was not constitutionally permissible for the Commonwealth to impair or curtail the capacity of a State to function as a government. On that basis, it is our strong and logical view that if a State makes laws to regulate the terms and conditions of its own employees, those laws and policies should be respected and given effect by Fair Work Australia. This important principle will feature in the New South Wales Government's submission to the Commonwealth's review of the Fair Work Act. As the Treasurer knows, Treasury estimates that the Government could save more than \$400 million over four years if the wages bill of state-owned corporation's employees was capped at the same wages policy that applies to the rest of the public sector.

That is \$400 million that could be better invested in health, public transport, education or other critical services. That is the sort of principle that we will seek to implement. Our submission will also address issues around putting flexibility back at the heart of the Federal Fair Work Act, providing employees and employers

with the capacity to achieve more flexible, efficient and productive work practices and to have more realistic minimum standards without impeding flexibility in bargaining on individual agreements; putting an end to a bargaining system that entrenches conflict rather than achievement of meaningful workplace improvements; and ensuring that workplace relations systems support employment growth. This Government is cleaning up the mess left to it by those opposite.

### **THE STAR CASINO AND PETER GRIMSHAW**

**Mr JOHN ROBERTSON:** My question is directed to the Premier. The Premier's suspended communications director, Peter Grimshaw, has today admitted using his taxpayer-funded position in the Premier's office to put teasers into the Sunday papers attacking The Star casino. In light of these revelations will the Premier sack Mr Grimshaw?

**Mr BARRY O'FARRELL:** The answer is no. As I explained to the House three weeks ago, as we speak an Independent Liquor and Gaming Authority inquiry is underway into all these matters. In relation to other matters to do with Mr Grimshaw I remind the House that he was stood aside while the Director General of the Department of Premier and Cabinet undertook an inquiry. As I said last week, that inquiry will report back to me presumably in the next week or two. I have great confidence in the Independent Liquor and Gaming Authority inquiry to get to the bottom of all these matters, and to work out what is relevant and what is not relevant. That is more than what the Leader of the Opposition had when he sought to refer this matter to the Independent Commission Against Corruption. He showed no confidence in the job being done by Gail Furness or the Independent Liquor and Gaming Authority, and I am not surprised that the Independent Commission Against Corruption declined to pursue the investigation proposed by the Leader of the Opposition. I will wait for the results of that inquiry from the Director General of the Department of Premier and Cabinet—which is precisely what I said I would do three weeks ago.

**The SPEAKER:** Order! The Leader of the Opposition has asked the question. He should listen to the answer in silence.

**Mr BARRY O'FARRELL:** Speaking of leaks, I note that overnight Echo Entertainment has finally confessed to leaking text messages and emails from employees of The Star casino. And not just any employee, but an employee who was subject to sexual harassment. We know those opposite do not care about such matters, given their treatment of Gillian Sneddon and given that when I first came to this place they turned a blind eye to allegations from their own side and protected someone in this place who was abusing his partner. Most people outside on the street would be horrified that someone who has been the subject of sexual harassment would have further cause to go through distress by having their name put into the public domain, yet that is what Echo Entertainment has admitted overnight. Having denied it previously, it now says it has done just that. That goes to its veracity and to whether it was telling the truth. It goes also to its ethics, honesty and operation. When it was put to me on radio this morning, I said that what happened with the leaking of those texts and emails was contrary to Echo Entertainment's own code of conduct and that it has a number of questions to answer, as does its public affairs company, John Connolly and Partners.

**Mr John Robertson:** As does your communications director.

**Mr BARRY O'FARRELL:** My point to the Leader of the Opposition is that the issues about the communications director are happily before the Independent Liquor and Gaming Authority and the Director General of the Department of Premier and Cabinet—the latter put there by me. They are happy to receive those reports and take appropriate action. My concern is that no questions are being asked about the ethics and appropriateness of Echo Entertainment essentially trying to smear a victim of sexual harassment on its way to trying to settle a score with someone else.

**Mr John Robertson:** We know who is settling a score.

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

**Mr BARRY O'FARRELL:** I will leave the settling of the score with someone else to the Independent Liquor and Gaming Authority. It is disgraceful and beyond the pale that anyone would seek to use as a point in an argument someone already the subject of sexual harassment without any care of further damage being occasioned to that person.

**ILLAWARRA EMPLOYMENT**

**Mr GARETH WARD:** My question is addressed to the Deputy Premier. How is the Government creating jobs and securing investment in the Illawarra?

**Mr ANDREW STONER:** I thank the member for Kiama for his very good question.

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

**Mr ANDREW STONER:** A recent special feature on Australia in the *Economist* magazine—I know the member for Shellharbour reads that publication—reported:

The main features of the economy now are the dominance of the resources sector, the effect this has had on the exchange rate ... and the effect this in turn has had on other industries, especially those directly exposed to trade ...

**Mr John Robertson:** You know all about the exchange rate.

**Mr ANDREW STONER:** I thought you were interested in the Illawarra, mate, and in jobs down there. Why don't you try listening for a change?

**Mr John Robertson:** I am more interested than you are.

**Mr ANDREW STONER:** Boofhead. Right across New South Wales we are seeing and feeling the impact—

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting.

**Mr ANDREW STONER:** I know I am asking the Leader of the Opposition to understand, so I will get him a subscription to the *Economist*.

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

**Mr ANDREW STONER:** Right across New South Wales we are seeing and feeling the impact of a major structural adjustment brought about by the high Australian dollar, and this will soon be compounded by the impact of Federal Labor's carbon tax. The impact has been significant on many sectors, including education, tourism and agricultural exports. Fortunately, it is expected that eventually these sectors will recover when the Australia dollar returns to more manageable levels—but who knows when? On the other hand, we face the risk that the capacity of our manufacturing sector will be significantly and permanently reduced, or hollowed out, in this process.

**The SPEAKER:** Order! I call the member for Cessnock to order for the second time. He has been interjecting continually throughout question time.

**Mr ANDREW STONER:** On this side of the House we believe that the market is best left to its own devices in the long run. However, in the short run, government should act to ameliorate the impacts of long-term structural adjustment. That is why today I was pleased to join with the Federal Minister for Industry and Innovation, Greg Combet—

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

**Mr ANDREW STONER:** The Federal Labor colleagues of those opposite are welcoming this stuff—jobs in the Illawarra—

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

**Mr ANDREW STONER:** —and they are not. Shame on the members opposite.

**The SPEAKER:** Order! Members will come to order.

**Mr ANDREW STONER:** I joined with the Federal Minister and a number of State and Federal Illawarra members of Parliament to announce that more than 470 new jobs will be created under the first round

of the Illawarra Region Innovation and Investment Fund. As members on both sides of the House will be aware, this \$30 million fund was established by the Australian and New South Wales governments together with BlueScope Steel with the objective of diversifying and strengthening industries throughout the region, including in manufacturing, precision engineering, information services and tourism. Some \$46.5 million of investment will be generated by 13 projects, which will be supported by a total of \$16.2 million in grants.

For example, in the electorate of the hardworking member for Kiama, Propix Pty Ltd will receive more than \$2 million for the expansion of Jamberoo Recreation Park—a great place. Generations of kids have had all sorts of fun down there and we will see the creation of more than 50 new jobs at Jamberoo with an overall investment of almost \$16 million. An engineering firm in Fernhill will receive more than \$400,000 to upgrade the facility for the manufacture of precision machinery components. Somewhat ironically those components will be used primarily in the mining industry. In Unanderra more than \$6 million will go to Focus Illawarra, a centre for print manufacturing and training excellence, leading to a total expected investment of almost \$13 million and the creation of 190 new jobs. Round two of the Illawarra fund is now open and I urge all interested and eligible companies to apply. Information sessions have been scheduled for interested applicants in the Illawarra region for round two of the program.

**Ms Anna Watson:** What are you lot putting in?

**Mr ANDREW STONER:** Get your notebook out.

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

**Mr ANDREW STONER:** Details are available online at *ausindustry.gov.au*.

**Ms Anna Watson:** What is the State Government doing for the Illawarra?

**Mr ANDREW STONER:** I thought the member for Shellharbour would be encouraging industries to take this up.

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

**Mr ANDREW STONER:** I do not get it.

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

**Mr ANDREW STONER:** One would think that with good news the member would sit there and be quiet.

**The SPEAKER:** Order! I call the member for Shellharbour to order for the third time. The member for Shellharbour will cease interjecting.

**Mr ANDREW STONER:** It is great news for the Illawarra, apart from the member for Shellharbour's perspective.

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

**Mr ANDREW STONER:** This Government is interested in the Illawarra.

**Ms Anna Watson:** Point of order—

**The SPEAKER:** Order! I note that the Minister's time for speaking has expired.

**Mr Brad Hazzard:** Madam Speaker, I note that the Chamber clock is not working. We have had three members speak for five minutes and one for two minutes, and that totals 17 minutes, which must be taken from the 45 minutes allotted for question time. On my calculation that means that question time should continue until four minutes past three. I am sure that the members opposite who are very good at maths will confirm my calculation.

**The SPEAKER:** Order! I thank the member for his observation. Question time will conclude at 3.05 p.m.

### THE STAR CASINO AND PETER GRIMSHAW

**Mr MICHAEL DALEY:** My question is directed to the Premier. Has the Premier spoken to, communicated by way of text, email or in any other form with Peter Grimshaw since he was suspended on 5 March? If so, what was the nature of those conversations?

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

**Mr BARRY O'FARRELL:** I am happy to answer the question. Other than a conversation I had with him to see how he was going two days after he stood down, I have not spoken to him since.

### STATE FINANCES

**Mr MATT KEAN:** My question is addressed to the Treasurer. How will the Treasurer argue for a better deal for New South Wales at this week's meeting of State and Federal financial Ministers in Canberra?

**The SPEAKER:** Order! The House will come to order. The Treasurer does not need anybody's assistance.

**Mr MIKE BAIRD:** I thank the member for Hornsby for his question and for his continued interest in responsible budget management in this State. State Treasurers are meeting this week with the Federal Government and my good mate Swanie down in Canberra. The timing could not be more opportune. With five weeks until the Federal budget is delivered many questions need to be answered for this State and, indeed, the country. As I have said before in this House, we are willing to work with the Federal Government for a better outcome in New South Wales. As we head to Canberra we make no apology for standing up for New South Wales. We say that we will not be bullied. We say also that we will continue to fight for our fair share of funding for this great State. An important aspect of the timeliness of this meeting is the increasing uncertainty of the Federal Government's commitment to the National Disability Insurance Scheme.

As the Federal budget approaches we argue that it is appropriate for the Federal Government to fully outline its timeline and funding of the National Disability Insurance Scheme. We are determined to work with the Federal Government, but note that its support for the National Disability Insurance Scheme remains in-principle only. The time has come for more than just words from Federal Labor; we want to see action. The O'Farrell Government proudly recognises that people with a disability deserve a better deal. Under the present Minister we are getting the sort of leadership for which this State and the sector has been crying out. The Minister is leading a reform package. In addition, we have followed words with action. One of the O'Farrell Government's proudest achievements was the announcement in its budget of a funding increase to the tune of \$2.1 billion over five years together with 47,000 extra places for people with a disability.

The Government says that the time has come for a National Disability Insurance Scheme [NDIS]. Every member of the House, whatever their political persuasion, will have experienced and been moved by stories of hardship from their constituents. A member of the Treasury team came to me in tears about her son who has a disability; she is concerned about his future and is looking for a way to keep him safe and protected. On Friday last week I met with a carer from Marrickville who has a 41-year-old disabled son. She is petrified about who is going to look after him when she is no longer with us. The National Disability Insurance Scheme is critical, and the States and Territories have the bulk of the ministry for disability services. The O'Farrell Government is willing to work with the Federal Government and consult with the disability sector, as the Minister is currently doing.

It would be remiss not to point out that it comes at a cost, and that cost is determined by the Productivity Commission and noted in its report. The report says the net increase cost will be \$6.5 billion across the country by 2018-19 if the scheme starts in 2014. That is additional to existing funding and means an estimated net cost to New South Wales of \$2.5 billion. The funding issue highlights the importance of sound economic management. To put it in context: The Federal Government's current annual interest bill on its debt is projected to be \$6.8 billion next financial year. That is the cost of the entire National Disability Insurance Scheme. It is a reminder that there is a need for responsible economic management to meet the many challenges of government. The greatest need is often seen in the disability sector. It is also a reminder that the Federal Labor Government has amassed four consecutive budget deficits, totalling \$167 billion. It is continued deficit funding that poses challenges not just to New South Wales but to the entire nation.

So far \$10 million has been committed to technical work. Australians with a disability deserve to know whether the Federal Government is fully committed to this. It is critical that the funding issues be resolved, and the Federal Labor Government must be transparent. It is not good enough for the Federal Government to refuse to discuss how the scheme will be funded. New South Wales stands as a ready participant to play its role in this critical reform. When I meet the Federal Treasurer in Canberra tomorrow and on Wednesday I will insist that this issue is put on the agenda. I remind the House that the O'Farrell Government is determined to make sure this scheme works in the interests of the people of New South Wales and the country to support a sector of the community that desperately needs our support.

### **THE STAR CASINO AND PETER GRIMSHAW**

**Mr NATHAN REES:** My question is directed to the Premier. Peter Grimshaw told The Star casino inquiry today that prior to the date of any alleged sexual harassment he had formed the view that he did not like Sid Vaikunta and did not think he was the right person to run The Star. Did Mr Grimshaw discuss these views with the Premier prior to December 2011?

**Mr BARRY O'FARRELL:** No.

### **CEMETERIES AND CREMATORIA MANAGEMENT**

**Mr TONY ISSA:** My question is directed to the Minister for Primary Industries, and Minister for Small Business. How will the Government address the State's shortage of burial space through reform of the management of cemeteries and crematoria?

**Ms KATRINA HODGKINSON:** I thank the member for Granville for this question on an important issue facing the New South Wales community. It has been known for some time that burial space at many cemeteries across New South Wales is in rapid decline. What a difference a year makes. The Liberal-Nationals Government has been in power for only a year and today, alongside my colleague the Hon. Victor Dominello, I had the pleasure to announce an historic reform program for the management of cemeteries and crematoria on Crown, local government and private land. This reform program will ensure that the burial needs of our communities are met now and into the future. It is the most significant cemeteries and crematoria reform this State has seen in more than 150 years.

As the first phase of the reform process, the New South Wales Government will streamline the management of Rookwood Necropolis by establishing a two-trust management structure, down from the current seven trusts. Allocation of land at Rookwood Necropolis for Muslim and Jewish burials will alleviate the acute shortage of burial space facing these communities. The New South Wales Government understands that the lack of burial space has caused a great deal of distress to these communities. The Government has acted swiftly to resolve this problem, which has affronted communities across the State for decades. The former Labor Government allocated some 800 burial plots for Muslim burials at Rookwood but with some 350 Muslim burials a year at Rookwood the solution was only ever going to be short term at best.

The situation has been so dire that members of the State's growing Muslim community had to send the bodies of their loved ones back to their countries of birth to be buried. I am sure all honourable members understand just how heart wrenching that would be for those communities. The O'Farrell-Stoner Government has moved quickly to solve this problem, and today it announced the allocation of half of Rookwood's lot 10 to the Muslim community. This will provide them with around 6,000 double-depth plots. The other half of lot 10 at Rookwood will provide 3,000 single burial plots for the Jewish community.

I commend the trusts for their cooperation and willingness to join forces to address a common problem. This Government has also started developing a single piece of legislation to streamline the management and governance of New South Wales cemeteries and crematoria on Crown, local government and privately owned land. This will significantly reduce red tape and help us reach the goal I outlined: providing for and managing our burial space needs into the future. Currently there are more than 20 pieces of legislation, or part legislation, surrounding cemeteries and crematoria in New South Wales. It is unwieldy. A key part of the reform will be to establish a new cemeteries and crematoria board to replace the current narrowly focused Crown Cemetery Advisory Committee.

A cemeteries and crematoria chair will also be appointed as part of that process. The chair will have several responsibilities including: to ensure that no faith is disadvantaged in the reform agenda of New South

Wales cemeteries; to address the immediate shortage of burial space in New South Wales; to coordinate the commencement of the wider cemeteries reform process; and to establish good governance arrangements for cemetery trusts. These reforms represent a significant way forward in securing and solving the short- and long-term burial needs of the people of New South Wales. What this Government has achieved in 12 months those opposite could not achieve in their 16 abysmal years of "quick-fix" government.

I am very proud to deliver these reforms after just one year in office and I am confident that the extensive measures will lead to more streamlined, cost-effective and accountable management of cemeteries and crematoria in New South Wales. The streamlining of the seven trusts at Rookwood Necropolis will reduce the number of trusts to two. The Catholic Cemeteries Trust will remain as is but there will be an amalgamation of the general, independent, Jewish, Muslim and Anglican cemetery trusts into one combined trust. This will increase their asset base.

**The SPEAKER:** Order! The member for Mount Druitt will cease interjecting from the backbench and will come to order.

**Ms KATRINA HODGKINSON:** They will be levied as an amalgamated trust to be able to go forward and purchase their own burial plots thus taking pressure off the Government and allowing the trust to move forward with renewed vigour. [*Extension of time granted.*]

I wish that those opposite cared more. The Government does care, and I will continue to push the solution we are providing.

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

**Ms KATRINA HODGKINSON:** Majed Kheir of the Muslim Cemeteries Trust welcomed the New South Wales Government's reforms, stating:

The Muslim Cemetery Trust is delighted by the New South Wales Government's announcement to allocate additional burial plots at lot 10 to meet the short and long-term burial needs of the Muslim community as well as other communities at Rookwood cemetery. The New South Wales Government has shown great vision and leadership to resolve this perennial problem.

I thank the Muslim community for that vote of trust in the New South Wales Government. New South Wales Jewish Board of Deputies President Yair Miller also applauded the announcement, stating:

The New South Wales Jewish community welcomes this important step forward which provides an interim solution to the needs of Jewish and Muslim communities for much needed burial space in the context of important statewide reforms.

Yair Miller went on to say:

We appreciate the Government's ongoing commitment to work with us cooperatively towards a long-term solution through the New South Wales Cemeteries and Crematoria Chair.

Once again, I congratulate all the faith leaders who have come together to find a way forward to meet the increasing burial needs of their communities. We met again today at a morning tea; representatives of all the trusts and most of the faiths in New South Wales were at that meeting. It is very exciting to see the level of cooperation between the various faiths. I am very proud to be a part of the reforms—the most significant in crematoria and cemeteries for 150 years. The efforts and the cooperation of the various faiths have not gone unnoticed. I congratulate them very sincerely on their spirit of collaboration.

## THE STAR CASINO

**Ms LINDA BURNEY:** My question is directed to the Premier. In March and May 2011 the Premier's communications director gave evidence to the five-year review into The Star casino. When was the Premier made aware?

**Mr BARRY O'FARRELL:** I think in February this year.

## ANZAC CENTENARY

**Mrs ROZA SAGE:** My question is directed to the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs.

**The SPEAKER:** Order! I call the member for Canterbury to order for the third time. Members, particularly Government members at this stage, will come to order so that I can hear the question.

**Mrs ROZA SAGE:** What preparations is the Government making for the centenary of Anzac?

**Mr VICTOR DOMINELLO:** I thank the member for Blue Mountains for her question. The member, more than anyone, would know the importance of Anzac Day given her previous role in the Royal Australian Air Force as a dental officer and her tireless work as chair of the Parliamentary Friends of Anzac Committee. I congratulate the member and applaud her for the hard work that she and the committee have been doing. Yesterday I had the privilege of announcing that General Peter Cosgrove will lead our State's commemorations of the First World War Centenary 2014-2018. We were joined at the Anzac Memorial in Sydney by General Cosgrove and two Premier's Anzac Scholars, Dean Wright, captain of Plumpton High School, and Ai Lien Ngoc, vice-captain of Bonnyrigg High School.

General Peter Cosgrove, AC, MC, retired, will take a leading role as Chair of the New South Wales Centenary of Anzac Advisory Council. General Cosgrove is widely respected across the Defence Force and the general community for his services to, and on behalf of, Australia. He brings to the role the strong professional knowledge and leadership that will help ensure the Anzac centenary will be commemorated in New South Wales with the honour it deserves. I congratulate General Cosgrove on agreeing to take on this responsibility in an honorary capacity. General Cosgrove served in the Australian Army from 1965 to 2005. He served in Malaysia as a lieutenant in 1st Battalion RAR and commanded an infantry platoon in Vietnam, where he was awarded the Military Cross for his performance and leadership during an assault on enemy positions.

In 1999 Peter Cosgrove became a national figure as Commander of International Force for East Timor [INTERFET], overseeing East Timor's transition to independence. He shone as both a soldier and a diplomat. In 2002 he was promoted to General and appointed Chief of the Defence Force until he retired in 2005. He served as Chairman of the Australian War Memorial from 2007 to 2012 and was the 2001 Australian of the Year. The Anzac story is one that unifies and unites Australians, regardless of their age or background. It is a rich inheritance from the past that brings us together and makes us stronger for the future. The Anzac centenary, beginning in 2014, will remind all generations about the values that our Australian diggers bravely fought so hard to protect. General Cosgrove said he felt privileged to play a lead role in setting the direction for New South Wales's historic commemoration of the first Anzacs. He said:

The actions of these men and women must never be forgotten and I'm confident our future generations will honour that legacy.

The New South Wales Centenary of Anzac Advisory Council will oversee a broad program of State, regional and local initiatives to honour and pay our respects to the Australian service men and women who fought to protect our land and democratic freedoms. Preparations for the Anzac centenary have begun with the establishment of the Anzac Community Grants, which are aimed at helping young people and multicultural communities participate in the Anzac spirit and traditions. As we approach the centenary of the First World War, and in 2015 the centenary of Australian and New Zealand diggers landing at Gallipoli, we must meet our responsibilities to continue to build links between our heroic past and our new generations. The Anzac Community Grants program will ensure that young people and new members of our community can share in honouring our Anzac diggers through commemorative and educational initiatives. We will look to the leadership of our young people, particularly the Premier's Anzac Scholars.

General Cosgrove congratulated both Dean and Ai Lien for their commitment to preserving the Anzac legacy. General Cosgrove said he "looks forward to working closely with the New South Wales Government, ex-service organisations and the broader community on what is one of the most significant commemorations in Australian history." We are pleased to have someone of such calibre to lead our State's Anzac centenary commemorations. Announcing this yesterday with General Cosgrove caused me to reflect on the importance of leadership, whether in local schools, a local parish, in a family, in a political party or in a State. I know the reality because in my capacity as Minister for Communities I go to many communities and see the difference that strong leadership makes. It is as simple as this: If you have a strong leader, as we have in General Cosgrove, you will get great outcomes. We have a strong leader in Premier O'Farrell, and that will deliver great outcomes for the State. Compare that with the poor leadership of Labor members opposite. [*Time expired.*]

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

**Mr JOHN ROBERTSON:** My question without notice is directed to the Minister for Tourism, Major Events, and Hospitality. Peter Grimshaw gave evidence today to the Furness inquiry that he told the Minister of the detail of the alleged sexual harassment in early to mid January. Why did the Minister not report this immediately to the Independent Liquor and Gaming Authority?



**Mr GEORGE SOURIS:** This matter is currently the subject of public hearings of the inquiry conducted by Ms Gail Furness, SC, on behalf of the Independent Liquor and Gaming Authority.

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

**Mr GEORGE SOURIS:** As such, I believe it would be inappropriate for me to comment further; and as such, I believe the matter should be left entirely in the hands of the independent inquiry.

### COURT FACILITIES

**Mr ANDREW GEE:** My question is directed to the Attorney General. What is the Government doing to improve court facilities in New South Wales?

**Mr GREG SMITH:** I thank the member for Orange for this question and I commend his great interest in things legal and in looking after his own electorate and the courts in it. Last Friday an audiovisual link was established between Wellington court and Wellington jail.

**The SPEAKER:** Order! Members on both sides will come to order. Members will cease conversing in the Chamber. The Attorney General has the call.

**Mr GREG SMITH:** That is largely due to the efforts of the member for Orange, who has been pressing the case for this technology since we came to office. I hope to see it in operation when I visit Wellington later this month. It is part of the \$1.4 million program to deliver these facilities across the State. It is money well spent. It can be very expensive to transport prisoners under armed guard to have their day in court; and that means fewer police doing that job and not their other tasks. Another benefit is for the families of inmates. For example, someone can attend a jail, say in Wellington, and talk to someone being held in Goulburn.

I saw those audiovisual facilities when I visited Tamworth recently; persons in private rooms were using the video link to talk to their Sydney lawyer, and so on. But the main benefit is public safety. Prisoners still get their day in court but at a fraction of the cost and the risk. The courthouses receiving installations of, or upgrades to, remote witness and videoconferencing technology include Parramatta Local Court, Parramatta Children's Court and Sydney West Trial Courts, at a cost of \$721,000; Campbelltown Local Court and Campbelltown Children's Court, at a cost of \$350,000; Burwood Local Court; Wentworth Local Court—

**Ms Linda Burney:** How much was that?

**Mr GREG SMITH:** That was \$11,000—it is cheaper in the country. Deniliquin will receive \$30,000 for upgrades and Wellington will receive \$40,000. A further 35 courthouses will receive minor audiovisual technology upgrades—

**The SPEAKER:** Order! Opposition members will cease asking the Minister questions.

**Mr GREG SMITH:** —at a total cost of \$150,000. As more money becomes available—the former Government let the coffers go dry—we hope to expand the network even further. For example, videoconferencing is increasingly being used to hear prisoner bail applications. More than 61,000 videolink sessions were conducted in New South Wales justice facilities in 2010-11, saving taxpayers millions of dollars. By the end of June, videoconferencing will be operating at 309 courts, correction centres and other justice agency sites. It is an exciting time for the New South Wales justice system, with almost \$150 million being spent on major new court complexes in Newcastle, Coffs Harbour—at long last; the former Government neglected Coffs Harbour for years—and Armidale and upgrades to other courthouses. We hope to commence construction mid-year on the \$94 million Newcastle courthouse project. The seven-storey building will accommodate 10 courtrooms, two tribunal rooms and a host of facilities for the legal profession, victims of crime and justice agencies.

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

**Mr GREG SMITH:** A development application is being finalised for the construction of a \$40 million courthouse at Coffs Harbour, which will be built alongside a new police station—something else the former Government neglected to do for so many years. Those opposite not care about the people of the bush; they only

care about their own little bailiwick. The construction of a three-storey courthouse in Armidale is underway. The building, which will cost \$15 million to construct, will include a large trial court capable of accommodating up to 15 jurors, and a Local Court with a fully glazed secure dock for prisoners. In two weeks I will be opening the refurbished Taree courthouse with the member for Myall Lakes. In Sydney, the Liverpool courthouse—we spread our money everywhere—is undergoing a \$6.5 million expansion. Waverley courthouse is in the final stages of a \$1.6 million refurbishment project. [*Extension of time granted.*]

There will be a new \$2.5 million high-security courtroom at the Downing Centre, which at times hears very heavy cases with lots of criminals in the dock, sometimes threatening the prosecutors and others—

**The SPEAKER:** Order! Opposition members will cease interjecting.

**Mr GREG SMITH:** I am sure they all know this because they are often in court. There will also be upgrades to courthouses in Port Macquarie, Queanbeyan, Milton and Inverell. Many of the best-performing courts operate in New South Wales. The court system in New South Wales is by far the best in Australia and these new facilities will help to improve the efficiency of this State's justice system. The increased use of videolink facilities in places like Wellington will be a win-win for the people of New South Wales—it will save money and put more police on the streets so they can look for criminals in the electorates of Toongabbie and Liverpool, for instance, and in all the other places where undesirables hang around. We will clean up the streets—even Opposition members' streets.

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

**Mr JOHN ROBERTSON:** My question is directed to the Premier. Does the Premier think it is appropriate that his Minister for Tourism, Major Events, Hospitality and Racing was advised of the detail of alleged sexual harassment in early to mid January and failed to advise the Independent Liquor and Gaming Authority, the Premier or the Premier's office?

**Mr BARRY O'FARRELL:** I assume those issues will be reported on by the Independent Liquor and Gaming Authority. I am not going to take as fact the reporting by the Leader of the Opposition of what is going on down the road today.

**Question time concluded at 3.05 p.m.**

#### **TRIBUTE TO JAMES OSWALD "JIMMY" LITTLE, AO**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Premier, and Minister for Western Sydney) [3.05 p.m.]: I assume that the House will come back to this matter, but I inform members that the Aboriginal musician, singer, songwriter and actor, Jimmy Little, died today. Many members of this House will know that Jimmy Little burst onto the scene in 1956 and performed his last concert in Tamworth last year, which I attended with the member for Tamworth. I place on record this tribute to a great Australian, and I hope the House also has a chance to pay tribute to him. Jimmy Little sold 75,000 copies of his most famous hit, which earned triple gold status. He will no longer require a royal telephone to contact God.

#### **LEGISLATION REVIEW COMMITTEE**

##### **Report**

**Mr Stephen Bromhead**, as Chair, tabled the report entitled "Legislation Review Digest No. 14/55", dated 2 April 2012, together with minutes of the committee meeting regarding Legislation Review Digest No. 13/55, dated 27 March 2012.

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

#### **PETITIONS**

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

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

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

**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**.

**Pets on Public Transport**

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

**Pet Shops**

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

**Container Deposit Levy**

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

**Animals Performing in Circuses**

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

**Pet Bans in Accommodation By-laws and Tenancy Agreements**

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

**CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY****Illawarra Region Innovation and Investment Fund**

**Mr GARETH WARD** (Kiama) [3.07 p.m.]: My motion asks this House to support the joint efforts of the Federal and State governments to create new jobs and investment through the Illawarra Region Innovation and Investment Fund. When I spoke in this place in August last year the House was in shock as a result of the announcement that BlueScope Steel was closing a number of aspects of its operation, which meant that much of its export industry would be curtailed. Around 1,000 jobs were cut from its operations as a result of the writedown in the company's yearly profits. That was a great shock to the Illawarra, where steel manufacturing and production has been very much an iconic part of the local economy. Many families were looking for leadership for the future. We needed to look to innovation and investment and we looked to organisations such as the University of Wollongong and other organisations and businesses to come to the Illawarra to engender the jobs that we need.

The Government responded immediately. We saw the formation of a joint fund by Federal and State governments to encourage business to invest in the Illawarra across a broad range of disciplines, businesses and industries. We saw the investment of \$30 million—a fund combining \$20 million from the Federal Government, \$5 million from the State Government and \$5 million from BlueScope to support business opportunities across our region. Today the Deputy Premier, along with the Federal Minister and members of this House, has announced the benefits that will accrue and the businesses that will benefit from this innovation.

The motion that I moved in this place attracted bipartisan support. I thank those on my side of the House and the Leader of the Opposition for ensuring that the motion was accorded priority on that occasion. I thank all members for their support. This motion should receive bipartisan support because generating jobs in areas such as the Illawarra when they are at their lowest is vitally important. Steelmaking is certainly not what it used to be. In the 1970s if anyone wanted a job they could go to the steelworks and there was almost no doubt that they would get a job. In fact, friends of mine such as a former member for Kiama, Bob Harrison, got their first job at the steelworks. My mother and father first met at the steelworks when they were both working there. I told them I would put that on the record. There is no doubt that we are people of steel in the Illawarra. For so many families, it is a vital part of our district.

**The SPEAKER:** Order! There is too much conversation in the Chamber. The member for Kiama has the call.

**Mr GARETH WARD:** For that reason, it is appropriate that we recognise that joint effort today. President Obama once said, "It is not the size of our problems, it is the smallness of our politics that constantly gets in the way." I hope today that we can unite behind the people of the Illawarra. This fund will benefit businesses and jobs, and generate a new way forward for economic investment in the Illawarra.

**The SPEAKER:** Order! Members have only three minutes to give reasons as to why their motion should be accorded priority. If members wish to have private conversations or to talk to the person next to them during that time they should do so outside the Chamber. Members are still conversing privately while I am speaking. Members should show respect to the person with the call. It is difficult enough to speak in this Chamber. It is generally backbenchers who are seeking to establish priority for their motions; they deserve our respect and encouragement.

### Glendale Police Station

**Ms SONIA HORNERY** (Wallsend) [3.11 p.m.]: It is undeniable that crime and justice are significant issues that affect every community, whether it is represented by Labor, Liberal or Independent members. Former Premier Iemma said that keeping our community safe is one of the most basic and critical services a government provides. I, along with my community, am baffled as to why the Minister for Police and Emergency Services, and the Minister for the Hunter has scrapped promised plans to build a police station in Glendale. Without the provision of a police station for the areas of Glendale, Cardiff, Argenton, Edgeworth and West Wallsend our community will continue to endure delayed response times from super commands that are many miles from homes and businesses in our region.

**The SPEAKER:** Order! Members will cease interjecting. The member for Oatley will come to order.

**Ms SONIA HORNERY:** The establishment of a new police station at Glendale was on the agenda of the previous Labor Government, with an allocation of \$12.82 million including an allocation of \$3.82 million by the Coalition Government in the 2011-2012 budget. In 2010 Kel Graham, a prominent member of the Police Association and a branch official, said that the proposed Glendale headquarters was "a project that is essential in providing a significant improvement in addressing the needs of changing communities in terms of policing." The question must be asked: What will happen to the allocated funds now that the Glendale police station has been scrapped by the Coalition Government? The answer is, of course, that the funds will be siphoned from a Labor electorate—from the communities of Cardiff, Edgeworth, West Wallsend, Glendale and other areas—to electorates held by Liberal Party members and Independents. On 24 November 2010 the Hon. Michael Gallacher criticised the then Labor Government by saying:

...a super police station at Lake Macquarie is long overdue.

Importantly, however, Minister Gallacher continued:

...the proposed police hub at Glendale is crucial given the expected population growth in the region.

**The SPEAKER:** Order! I call the member for Murray-Darling to order.

**Ms SONIA HORNERY:** Why change now? The population growth in the lower Hunter around Edgeworth is projected to escalate significantly over the coming decades. That is where the affordable and available land is. Consequently Glendale and its immediate surrounds require a police station to service its basic needs of safety and security. In February the *Newcastle Herald* conducted an online poll asking readers what they thought was the best location for the Lake Macquarie headquarters. An overwhelming 47 per cent agreed that each suburb should retain its own police station. On behalf of the good people of my community I fear that the lack of policing and police stations in the Wallsend electorate may have severe ramifications for those residing there. The Minister has a lot of explaining to do to the people of Cardiff, Edgeworth, West Wallsend and Glendale.

**The SPEAKER:** Order! I thank members for their attention during the contribution of the member for Wallsend.

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

**ILLAWARRA REGION INNOVATION AND INVESTMENT FUND****Motion Accorded Priority**

**Mr GARETH WARD** (Kiama) [3.16 p.m.]: I move:

That this House supports the joint efforts of the Federal and State governments to create new jobs and investment through the Illawarra Region Innovation and Investment Fund.

I am sure members of the House would recall the horrific news in August last year when the Chief Executive Officer of BlueScope Steel, Paul O'Malley, announced a full year loss of \$1.05 billion for the financial year ending 2010-11, including a \$922 million impairment related largely to the write-down of the value of Australian steelmaking businesses. He announced that the major steelmaking assets would be closed as a result of the restructure of the Australian operations that allow BlueScope to exit the export market altogether. BlueScope shut down its No. 6 blast furnace at Port Kembla, halving steelmaking capacity to about 2.6 million tonnes each year. It also closed the No. 4 coal making battery, the No. 3 basic oxygen steelmaking furnace and the No.1 slab caster. On 23 August last year I said this to the House:

Over coming days and weeks the New South Wales Government will work with the Federal Government, Wollongong Council, the University of Wollongong, education providers and people affected by BlueScope's decision to rebuild new job opportunities in the Illawarra. The Jobs Action Plan established by the New South Wales Government will also encourage eligible businesses to take on new staff by providing a payroll tax rebate. The Illawarra is home to over 400,000 people with an above average State population growth of 4.5 per cent between 2001 and 2007. Presently it is also home to the largest integrated steel plant in the Southern Hemisphere and a national centre for metal fabrication and engineering.

Our region has different political viewpoints, so I was proud that members of this House supported a call for a bipartisan approach. We supported the call for both Governments to work together, and I am delighted to report to the House that this objective has been effective to date. More than 470 new jobs will be created and \$4.65 million invested to generate projects supported under the first round of the Illawarra Region Innovation and Investment Fund, which was established by the Commonwealth Government, together with the New South Wales Government and BlueScope Steel, to strengthen the region by stimulating investment and diversifying the Illawarra's economic and employment base. The Federal Minister for Industry and Innovation, Greg Combet, and the New South Wales Deputy Premier, Andrew Stoner, today announced 13 successful grant recipients, worth a total of \$16.2 million. These co-investment grants will help to establish and expand local capabilities, transforming the local economy. Importantly, they will create sustainable employment and business opportunities in the region. The Minister said:

The Illawarra Fund is helping to diversify and strengthen industries throughout the region including in manufacturing, precision engineering, information services and tourism.

This region is tremendously important to the New South Wales economy. Applicants were willing to invest at least dollar for dollar in new projects, which demonstrated the Illawarra community's committed and enthusiastic approach to embracing this fund established by both governments. BlueScope Steel's General Manager of Steelmaking, John Nowlan, said:

As a co-contributor to the Fund, BlueScope Steel is pleased with the range and scope of projects that will be funded in the initial round. The variety of ideas presented for assessment illustrates a region capable of innovative thinking and entrepreneurial capability. The projects determined for round one funding are supported by at least equal funding and are earmarked to generate several hundred all-important jobs.

The Federal member for Cunningham, my good friend Sharon Bird, welcomes the prospects of many diverse job opportunities being provided by the first round of the funding. She said:

This is about supporting local jobs for local people and continuing to diversify the region's economy. Around 190 positions will be created through the establishment of a dedicated Centre of Print Manufacturing and Training at Unanderra, while several highly-skilled positions will support the manufacture of an innovative mining industry communication system in Bulli.

The Federal member for Throsby, Stephen Jones, welcomed the successful partnership between government and business demonstrated in the co-investment grants. He said:

While the future of manufacturing in this region is largely in the hands of the private sector, in tough times like at present there is an important role for government to work hand-in-hand with business to help secure the region's future through the creation of more highly-skilled and sustainable job opportunities.

I welcome funding from locally based processor Hydromet Operations Southern Limited, which will expand its operation recovering lead from e-waste and from batteries, bringing further jobs online and generating \$4.5 million from a grant of \$1.32 million, while Soilco Pty Limited, which was established by my good friend Tony Emery, will significantly upgrade its organic materials processing and recycling facility to create another 10 jobs from a grant of \$685,000, generating \$1.5 million in investment. Some of the other notable grant recipients are Datacom Connect Pty Ltd, which received \$1,686,281 to establish a regional contact centre for Datacom Connect for the provision of call centres. I could go on and on about the number of programs. I hope that members will engage in this debate in the bipartisan spirit intended.

**Ms ANNA WATSON** (Shellharbour) [3.21 p.m.]: I am pleased to respond to the motion accorded priority that has been moved by the member for Kiama. In my previous life I was a union official for 13 years and I worked mostly within the Illawarra in both the public and private sectors. I am well versed in issues facing working men and women in the Illawarra. When a business closes down in the Illawarra it has an effect not only on the particular employee but also on the families that rely heavily on the source of income from the male or female income-earner. Within the working class of the community that I represent, husbands and wives work as a team. They do not both work to be able to afford special holidays but, rather, their combined income is for the health and wellbeing of their families. I absolutely welcome this innovation and investment package for the Illawarra.

I understand the major part of the funding has been assured by the Federal Labor Government. I congratulate the Gillard Government on this fantastic incentive, and I congratulate the member for Kiama on bringing this matter to the House. While it is welcome that 500 jobs will be the result of the O'Farrell Government's efforts to support the workers of the Illawarra, it is still a little difficult for me to believe that Barry O'Farrell can take a great deal of credit for this scheme. While I am pleased that the funding has been provided by the Federal Government, I still have a problem with the salary increases being capped at 2.5 per cent for teachers and nurses. I know I keep returning to that topic, but the Illawarra is a region of high unemployment. Sometimes I find it incredibly nauseating for the O'Farrell Government to claim that it is doing something to help the working people of the Illawarra. I reiterate that the investment grants are another fantastic Labor initiative.

It is good that Labor will broaden the region's economic base to secure more jobs. I agree with the member for Kiama that this will be a result of the provision of additional funding. I know that investment and employment generation in the Illawarra is a topic that has been discussed over a long time. I know that a Labor government, with funding from the State Government, will ensure that new jobs that are created will assist not only the manufacturing sectors but also the information technology, mining and resources sectors and, particularly in my electorate of Shellharbour, the tourism and hospitality sector. I understand that most of the applications for the grants came from the Shellharbour and Kiama regions, which is something that the member for Kiama and I are very pleased about. I note that in deciding applications, emphasis was placed on the need for businesses to be viable and to have a focus on the future. That is a very important criterion for the grant of funding.

I know that at the Innovation Campus at the University of Wollongong, focus has been placed squarely on the future and on long-term goals. Businesses that will be the recipients of the funding are in the program for the long haul and will be creating new jobs and investment for the future. While this is great news for the Illawarra region, and while I am sure that the member for Wollongong and the member for Keira are as happy as I am about the funding, I reiterate how disappointing it is that the Government has capped the wages of nurses and teachers. While I am a member of this House I will continue to call on the O'Farrell Government to roll back its policy of public sector wage capping. The current policy is a wage cut in real terms, and there is no getting away from that. I understand that the member for Kiama is passionate about his electorate, as am I, so we welcome this important grant of funds, mostly from the Labor Government.

In October 2011 there was a loss of 800 jobs from BlueScope Steel and a further 56 jobs were lost in March this year. As I stated earlier, broadscale jobs loss does not affect only 900 people; it affects more like 10,000 people. For 10,000 people to be adversely affected in the Illawarra region by the loss of jobs is far too many. I know the region is considering diversification to tourism and hospitality as part of future plans. I welcome this additional funding and hope that part of it will be allocated to companies that can boost those new industries. Obviously we all take a strong interest in the Illawarra and in the funding. We must create opportunities to assist in building a sustainable business sector. *[Time expired.]*

**Mr LEE EVANS** (Heathcote) [3.26 p.m.]: I thank the member for Shellharbour for outlining her thoughts on the great announcements that were made today. It gives me great pleasure to support the member

for Kiama, who has highlighted the New South Wales Government's historic commitment to the Illawarra region. As stated, more than 470 new jobs will be created and \$46.5 million of investment will be generated by projects supported in the first round of the Illawarra Region Innovation and Investment Fund. It is worth pausing for a moment to consider the gravity of those figures and what they represent for the regional economy. This commitment means that 470 more workers and their families will have an income and stability that will enable them to invest for their future in the area. It means that tens of millions of extra dollars will be spent in the region and will flow through countless local businesses, boosting confidence and further investment. Perhaps most importantly, it will generate new sustainable employment and business opportunities far into the future.

All this will be generated by 13 successful grant recipients sharing in \$16.2million. The recipients come from a cross-section of businesses in the tourism, environment, engineering and boutique manufacturing sectors. This significant investment has been welcomed enthusiastically by all sides and levels of government, including the Federal member for Cunningham, Sharon Bird, and the Federal member for Throsby, Stephen Jones. I thank members of the Opposition for their great support. Among the successful recipients, Jamberoo Action Park will receive \$2.2 million to generate 54 additional jobs, and Wollongong's Sky Dive at the Beach will receive almost \$900,000 to create 20 additional jobs. Those two recipients are particularly exciting as they each attract visitors from outside the region to visit and spend their time and money in the Illawarra. However, the first round of funding not only will support Illawarra businesses by stimulating investment but also will help to diversify local industries by generating and providing a profound long-term benefit.

Great examples of this include the creation of 190 positions through the establishment of the Centre of Print Manufacturing and Training at Unanderra and the 20 jobs emerging from the expansion of Hydromet Operations to recover lead from e-waste and batteries. As reported in the *Illawarra Mercury* this morning, Hydromet's manager, Barry Wyborn, has indicated that he is looking for new workers and will give preference to those made redundant by BlueScope. Mr Wyborn went on to explain the flow-on effect this expansion will have, as he would now be looking for companies to provide work clothing, forklifts and electrical expertise. I am very excited that round two of the Illawarra fund is now open. I am certain that we will receive another impressive range of applicants. I congratulate all the successful applicants and the Government on its extraordinary commitment to the future prosperity of the Illawarra.

**Dr ANDREW McDONALD** (Macquarie Fields) [3.29 p.m.]: One of the great drives in New South Wales is down the hill at Mount Keira looking over Wollongong: you cannot help but feel you have entered the promised land. The Illawarra has one of the world's great cities and it is one of the world's great secrets. All members representing electorates in the Illawarra, regardless of their political affiliation, have one thing in common: They, like everyone in the Illawarra, look after their own. One of the many reasons that Wollongong is such a great place is that its people are famous for looking after their own. They take great pride in their sense of community and take great pride in looking after each other when things are tough.

There is no doubt that these jobs are most welcome—things are extremely tough. The strong dollar drives the balance of trade and that is causing major difficulties in the economy. China, with its urbanisation, needs two new cities the size of Chicago every year just to support and serve its nation. However, because of the strong dollar it is impossible to sell our steel at a competitive price. These 500 jobs must be seen in the context of there being 3,606,000 jobs in New South Wales. The \$16.2 million, most of which is Federal Government money, should be compared to the \$420 billion gross domestic product of New South Wales. While these numbers are important, they should be put into context.

Much bigger players are at work here than the injection of funds, even one as welcome as this. The Illawarra and Wollongong will have to diversify over the next 20 years. They have the building blocks for progress over the next 100 years, which will continue to make the community of Illawarra one of the great communities of the world. It has an extremely proactive university at Wollongong, which has very high teaching standards. Last year I visited the university and checked out the whole site. I pay special tribute to those in the mathematics faculty who, as well as being highly skilled academics, also have a strong view that the role of the university is to support industry in the area. Tourism is another area that has enormous potential.

Two weeks ago I went to dinner at a restaurant in Thirroul that would be the equivalent of anything I have experienced anywhere in the world. It was extremely good. Yet again, the Illawarra proved it is one of the world's great secrets. The Government managed to create only 3,000 jobs from March to December last year. That is on the basis of nearly 3,606,000 jobs in New South Wales. This compares with 304,000 that were created in the last term of the former Labor Government, which shows that things are tough statewide, and nowhere more so than in the Illawarra. I commend this important motion to all members and wish all the workers the best for their future.

**Mr GARETH WARD** (Kiama) [3.32 p.m.], in reply: I thank the member for Shellharbour, the member for Heathcote and the member for Macquarie Fields for their contributions. I am delighted that we can add an extra friend to our supporters of the Illawarra in the member for Macquarie Fields. I sense the formation of another parliamentary friends group. I thank the member for Shellharbour for her comments in relation to jobs in the Illawarra. I know she is a passionate advocate for her electorate, as are all members who represent electorates in the Illawarra. In particular I appreciated her comments about the multiplier effect. That is something that needs to be understood.

In the context of such an enormous organisation as BlueScope Steel, taking 800 jobs out of an economy like ours has an enormous impact. I thank her for her contribution. The member for Heathcote is also a passionate advocate for his electorate. He talked about the impact BlueScope has had on the Illawarra as well as the support for jobs, innovation and investment this fund will provide. As the member for Shellharbour mentioned, a number of the applications that were successful came from our electorates. I am pleased to announce that the Jamberoo Action Park will receive \$2,227,500, which is estimated to generate more than \$15.5 million in employment—

**Dr Andrew McDonald:** I bet you look good on the water slide.

**Mr GARETH WARD:** Not as good as some of the members on the other side, slipping and sliding all over the place, like the Opposition. Also, 54 people will be employed as a result of that funding. I commend Dax Eddy, the owner of that facility, who runs a wonderful attraction for our region. This great tourist attraction has been highly successful in generating jobs, and I am sure that over the years many members of this House have taken their families to the park and enjoyed its facilities. It is a great institution. Sound Therapy International Pty Ltd, located in Gerringong, will receive \$281,000, which will generate more than half a million dollars and employ six additional staff. This very successful venture will also benefit from the fund.

In our hour of need we have seen State and Federal governments work together. It is easy to make debates like this political, but we have worked together to achieve a great outcome for the Illawarra. The size of our problems is dwarfed frequently by the smallest of our politics. I am delighted to see members representing electorates in the Illawarra united in their resolve to achieve projects, be they the \$100 million upgrade and investment in Wollongong Hospital, the \$500 million for the Princess Highway, or the upgrade of infrastructure across our region generally. Regardless of the party in government we must advocate for these types of projects in our region so that we can protect, secure and build the future of the Illawarra and enable jobs, business and investment to grow our region together.

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

**Motion agreed to.**

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

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Bills**

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.37 p.m.]: I move:

That standing and sessional orders be suspended to permit the passage through all stages at this or any subsequent sitting of the Local Government Amendment (Elections) Bill, notice of which was given this day.

My normal inclination as Leader of the House is to adhere to the progress of government business as far as is practically possible so that all members can be aware of what business is coming before the House and to give them an opportunity to speak to bills or motions. In that context, my intention is to proceed to debate the Retail Trading Amendment Bill 2012 as soon as possible. However, there is some urgency about debating the Local Government Amendment (Elections) Bill 2012, and it would be preferable for that legislation to pass through the House more quickly than it would normally.

I have discussed this with the member for Maroubra and the member for Mt Druitt in his capacity as the Opposition Whip. In the normal course members are able to speak to any bill or motion that comes before



the House, but on this occasion the hope is that only the Minister and the shadow Minister, the member for Auburn, will speak to the bill so that it will move through this House expeditiously. The Clerk has given me sound advice that we could proceed with the bill under Standing Order No. 189, which I have not seen used for the past 21 years—members may wish to look that one up. However, to ensure that things run smoothly I merely commend the motion to the House. I trust the Opposition will support it.

**Mr RICHARD AMERY** (Mount Druitt) [3.39 p.m.]: The Leader of the House has spoken with the Opposition about this matter. The Opposition normally would oppose a motion to bring on matters out of order, but the Leader of the House has assured us of arrangements between the Minister and the shadow Minister to deal with this matter to its conclusion. Therefore, the Opposition will support facilitating the passage of the bill through the House. That support is based also on the understanding that this is not the more controversial bill known commonly as the local government get rid of Clover Moore bill. We certainly oppose any urgency to debate that bill as many members want to speak to it. We support the motion.

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.40 p.m.], in reply: I point out that this is not even the get rid of Mount Druitt bill. This simply is the bill as discussed. I have given that assurance to the House. This bill has nothing to do with the other bill, which, of course, is worthy of a separate debate. I am sure that bill will be debated quite properly by members on both sides.

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

**Motion agreed to.**

#### **LOCAL GOVERNMENT AMENDMENT (ELECTIONS) 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) [3.41 p.m.]: I move:

That this bill be now agreed to in principle.

The object of this bill is to amend the Local Government Act 1993 relating to certain of the procedures and processes for conducting local government elections. Schedule 1 to the bill contains various amendments to the election procedure to apply for the local council elections in September 2012. These amendments are also designed to give further effect to the Government's decision to give councils, instead of the Electoral Commission NSW, the choice to conduct their own elections. In late 2009 amendments made to the Parliamentary Electorates and Elections Act 1912 introduced a system of automatic enrolment for the purposes of New South Wales elections. It is now proposed to finalise the arrangements necessary to apply this continuous enrolment regime—called SmartRoll—to the preparation of the residential rolls for local council elections.

SmartRoll enables eligible voters to be automatically placed on the council residential roll for their ward or area. To ensure that the maintenance and preparation of the local council residential roll is consistent with the method used at the State election in March 2011 the concept of "close of rolls" is to be removed. There will no longer be an actual cut-off time for electors to get their names on the residential roll, which is currently 40 days before polling day. This will avoid the disenfranchisement of significant numbers of electors as has occurred in past election years. This change is central to achieving uniformity and modernisation of enrolment practices across State and local government. The Electoral Commission NSW will provide the residential rolls for each of the 150 councils holding elections this September. The amendment will also enable rolls to be provided in electronic form in the future.

A further proposal in this bill will allow eligible residents to enrol and cast a provisional vote in a pre-poll voting office or polling place to accommodate those who enrol or update their enrolment details on the day. It will apply to persons seeking to vote at council elections where they were not on the roll before it was printed, or those whose enrolment details have since changed. This proposal is ancillary to the introduction of the SmartRoll regime, and was also applied for the first time at the State election in March 2011. These two

proposals will make consistent and streamline enrolment and voting arrangements for council elections with those already established for State elections by the Parliamentary Electorates and Elections Act. They do not apply in the case of the non-residential or occupiers/ratepaying lessee rolls that are prepared for council elections by the general manager of each council, or the Electoral Commissioner in the case of the City of Sydney Council.

The term "provisional voting" is used in place of the current "declaration voting" to mirror the terminology used in the Parliamentary Electorates and Elections Act. It describes those votes where the ballot papers are enclosed in an envelope bearing a printed declaration signed by the voter whose eligibility to vote can be verified prior to admitting the ballot paper to the count. The legislation currently permits electors to sign a declaration and cast a vote in cases where the elector states that an error has occurred. This applies where the elector's name has been omitted from the roll by mistake or an election official has inadvertently marked the elector's name off as having been issued with a ballot paper. The bill proposes to group these existing types of votes with the new provisions enabling eligible electors to enrol or update their enrolment details and cast a provisional vote on the day.

As each of these provisional voting categories relates to details contained on the electoral roll maintained by the Electoral Commissioner, the form to be used will no longer be that prescribed by the Act but that approved by the Electoral Commissioner. The procedure for casting any one of these provisional votes will be contained in the regulation. The bill contains a proposal to modernise the provisions for determining the order of candidates and groups on the ballot paper by enabling the draw to be done manually or electronically to reflect current technological options. Such a provision is in force under the Parliamentary Electorates and Elections Act, although I note that the Electoral Commissioner used the manual draw process at the 2011 State election. For council elections, the method to be used will be determined by the election manager for each council. In the case of council-administered elections this will be the general manager.

The provisions of the bill when read together with the principal Act and regulations will provide a range of checks and balances similar to the State election arrangements to ensure that residential rolls and voting processes are both up to date and accurate. A further amendment relates to the election of mayors by councillors. This proposal has been suggested by the local government sector. It will vary the period during which mayors are to be elected by councillors following an ordinary or first election so that it commences from the date of the declaration of the poll or election instead of polling day. In the past there have been isolated instances where, because of a delay in declaring the election result, the mayoral election could not be set down and conducted within the required period following election day, not polling day. A minor change is therefore proposed so that the period for conducting the mayoral election will run from the declaration of the election.

The final proposal is to streamline the process after an election for checking the rolls of electors for double voting and failure to vote. The Electoral Commission NSW, as part of its responsibility to enforce the compulsory voting provisions, has all the rolls used to mark off the names of those who have been issued with ballot papers scanned to obtain a list of those who appear not to have voted. It is important therefore that the rolls the Electoral Commission provides to all councils are returned to it so that scanning can take place at the same time and in a consistent fashion. Although the regulation provides a mechanism for this to occur, amending the provision in the Act will make clearer the duty of the general manager in council-administered elections.

Schedule 2 to the bill contains various procedural and machinery amendments to the Local Government (General) Regulation 2005 consequential to the changes to be made by schedule 1 to the bill. One of those amendments is to clarify who in practice will be the person registering electoral material. For those councils administering their own elections the responsible person will be the returning officer. The electoral commissioner will retain responsibility for this task for all elections administered by him. In conclusion, the proposed amendments to the Local Government Act and regulation contained in this bill reflect the Government's ongoing commitment to improving the administration of enrolment and election procedures in New South Wales. I commend the bill to the House.

**Mrs BARBARA PERRY** (Auburn) [3.50 p.m.]: I lead for the Opposition on the Local Government Amendment (Elections) Bill 2012. This bill has been presented to the Opposition today, 2 April 2012. Based on the information provided to the Opposition by the Minister's office, the Opposition will not oppose this bill. However, the Opposition does reserve the right to continue examining it, and to make a further contribution to the debate on this bill in the Legislative Council. The Opposition has been advised that this bill is necessary to make changes for the administration of the 2012 local government elections. There are 152 councils in New

South Wales. The elections will affect 150 councils that will hold elections in September 2012. Two councils—Wollongong and Shellharbour—will not hold elections this year, as they held elections in 2011 following a period in administration. Their next elections will be in 2016, placing them back in line with councils for all other New South Wales local government areas.

The Government amended the way that local government elections work with the Local Government Amendment (Elections) Act 2011. This Act allowed local councils to organise their own elections instead of having their elections administered by the New South Wales Electoral Commission. The Labor Opposition opposed this Act because we believe that the New South Wales Electoral Commission already conducts elections in a professional manner and, put simply: If it ain't broke, don't fix it. The Local Government Amendment (Elections) Bill 2012 makes further amendments to the way local government elections are to be conducted. Five major changes and some smaller amendments are proposed by the bill.

The bill will apply the SmartRoll regime introduced at the last State election to the coming council elections. The SmartRoll was established by the New South Wales Electoral Commission in 2009. It is intended to address the eligible voters not being included on the Australian Electoral Commission's roll by delivering New South Wales a more up-to-date, accurate and comprehensive roll for upcoming elections than that supplied through current enrolment techniques. The Opposition is advised by the Government that the SmartRoll will be made available at no cost to those councils conducting their own elections. I ask the Minister to confirm that in his reply. Accordingly, if there is no additional cost to councils, and given the SmartRoll will mean more people can have their say about council elections, the Opposition is prepared to support this measure.

The Opposition is advised that the bill will amend pre-poll and election-day voting measures to allow eligible residents to enrol and cast a provisional vote in a pre-poll or polling place. This will accommodate late enrolments and apply to persons seeking to vote at council elections where they are not on the roll or they need to update their enrolments. Again, on the basis that this provision is intended to allow more people to participate in local government elections, the Opposition is prepared to support this measure. In relation to the ballot draw, the Opposition is advised that the bill will allow councils to choose between electronic and manual ballot draw methods. The Opposition is advised that this option was available for the 2011 State election but not utilised. Which option is adopted by each council will depend on who is administering the election. The Opposition is advised that this will be the first time that an electronic ballot draw will be used in New South Wales and, while the use of an electronic ballot draw may be unobjectionable, the Opposition would appreciate more information on how this will work.

With respect to declaration voting and the approved form, the Opposition is advised that the bill will enable the use of an approved form to be used for declaration voting rather than a prescribed form. In practice, we are advised that this would mean that councils administering their own elections could design and print their own declaration voting forms, provided they conform to regulatory requirements. Could the Minister clarify whether the forms also need to be approved by the New South Wales Electoral Commissioner? This would mean they would not have to purchase declaration voting forms from the New South Wales Electoral Commission. Again, this may be an unobjectionable measure; however, it would not be necessary if the O'Farrell Government had left the administration of council elections with the Electoral Commission.

Finally, the bill will change the requirements for the election of mayors by councillors. Currently councils where mayors are elected by councillors are required to elect new mayors within three weeks of the election day for the election of councillors. The bill will change this so that the election of a mayor will be required to take place within three weeks of the election result being declared. This change will provide flexibility where a close election result requires a recount or the declaration of councillors is otherwise delayed. I do not recall anywhere in the State where there has been the election of a mayor prior to the final ballot being known. Councils have worked within the rules as they are, but the need for flexibility is understood. The Opposition is prepared to support this measure.

This is the fifth bill to be introduced by the Government since it came to office that affects local government. The previous bills have been the Local Government Amendment Bill 2011, the Local Government Amendment (Elections) Bill 2011, the Local Government Amendment (Members of Parliament) Bill 2012, and the Local Government (Shellharbour and Wollongong Elections) Bill 2011. Many of the provisions in this bill relate to the changes made by the Local Government Amendment (Elections) Bill 2011. The Government should explain why the changes proposed by the bill currently could not have been anticipated at the time and why we must consider these actions with such haste now. The O'Farrell Government has made a hash of the 2012 local government elections. It has been too busy launching pointless reviews and breaking its election promises to manage elections properly.

The Opposition is advised that no consultation has been undertaken with the 15 councils that have chosen to administer their own elections. These councils are: The Council of the City of Botany Bay, Gunnedah Shire Council, Kempsey Shire Council, Sutherland Shire Council, Coffs Harbour City Council, Newcastle City Council, Lane Cove Municipal Council, Lake Macquarie City Council, Cessnock City Council, Fairfield City Council, Maitland City Council, Narrabri Shire Council, Penrith City Council, Port Stephens Council, and Shoalhaven City Council. These councils have made a financial and administrative commitment that the O'Farrell Government encouraged them to make and now the rules are being changed. While these changes may be unobjectionable, the haste with which the O'Farrell Government is insisting this bill must be passed shows that the Government has been unable to properly manage local government issues. The Opposition is concerned about that. The O'Farrell Government needs to explain the haste.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [3.58 p.m.], in reply: I thank the Opposition for its cooperation in enabling this bill to pass through this House and proceed to the Legislative Council as quickly as possible. The advice to me is that the Electoral Commissioner needs to have this bill assented to by the Governor by 5 May so that there is sufficient time to do what he needs to do prior to the local government elections in September. Given that Parliament does not resume after this sitting week until 1 May 2012, that would present a tight timetable for assent from the Governor by 5 May. I do appreciate the cooperation of the Opposition in putting this bill through the House in this urgent way.

The member for Auburn, representing in this place the shadow Minister for Local Government, raised a number of issues. The member wondered whether these measures would increase the costs of councils. I am advised there will be no additional costs for councils because councils must use the electoral rolls in any event. Next the member asked whether approved forms need to be approved by the Electoral Commissioner. The answer is yes, they do: they have to be approved as well by the Division of Local Government. The member for Auburn made some closing remarks about the number of reviews the Government has conducted since I became the Minister for Local Government. I make no apology whatsoever for the fact that the Government is consulting genuinely with the local government sector. Frankly, I am proud that this is the first Government in history to call together all the mayors and general managers of the 152 councils across the State, as it did at the Destination 2036 conference. That was very positively received. Many comments were made that this had never happened before and that over a period of years—not just in the time of the former Minister—relationships had become anything but close and friendly.

That had to change and, according to the local government sector, it changed when I became Minister. We now have a very close working relationship with the local government sector. I remind Opposition members that the Local Government and Shires Association and the Local Government Association requested that an independent panel look at issues of governance and structural arrangements. The Government agreed to that. We will be announcing the composition of that full panel shortly. So I make no apology for the fact that we are consulting people as we go. I am sure the former Minister would be aware that many councils are struggling financially. It is very important that we have a strong local government sector. This Government is all about strengthening local government so that it is able to meet the challenges of the future. Again, I thank the Opposition for its cooperation in enabling this legislation to have a speedy passage through this House and into the upper House. I commend the bill.

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

**Motion agreed to.**

**Bill agreed to in principle.**

#### **Passing of the Bill**

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

#### **RETAIL TRADING AMENDMENT BILL 2012**

##### **Agreement in Principle**

**Debate resumed from 28 March 2012.**

**Mr PAUL LYNCH** (Liverpool) [4.02 p.m.]: I oppose the Retail Trading Amendment Bill 2012. It represents an abject surrender by the O'Farrell Government to the commercial interests of large retailers. The

immediate casualties of this surrender will be retail workers—for the most part people without much industrial and political clout, and thus precisely the group whose industrial entitlements this Parliament should be scrupulous in protecting. The current regime was introduced by legislation in 2010 and it passed both Houses unanimously. No argument is presented by the Coalition Government to explain its backflip. There are currently 4½ shop closed days in New South Wales a year; that is, there are 360½ days—361 ½ days in a leap year—to allow people to shop. It is frankly offensive to listen to an argument from this Government that more opportunities to shop are needed. That is especially so bearing in mind the extensive exemptions that already exist in relation to small shops, exempt types of shops in the Sydney central precinct and other exemptions.

The argument that our society needs more opportunities to shop does not make sense; it flies in the face of common sense. Despite the wide range of unsupported assertions, there is no evidence that a majority of our community in fact wants these restrictions altered. That argument is in fact a small fig leaf to cover the fact that this Government has decided to look after the big end of town, to look after its big retailer mates. The victims of this legislative change will be retail workers and their families. The Government's response is that it is all right because workers will be working only if they have freely elected to do so. That is nonsense. To begin with, that law will be adhered to only by employers who want to adhere to it. I can tell the House how the present "freely work" provisions are currently observed by retailers in the experience of one of my constituents. One of my constituents is a retail worker in south-west Sydney, employed by one of the large retailers—not in my electorate, but close by outside it. This constituent knows that unscrupulous managers already disregard the provisions.

Despite the existence of this protection my constituent was told she had no option but to work both Christmas Day and Boxing Day. If she did not she would be laid off. This threat was also extended to other employees. In that particular instance, after the constituent came to me, the matter was resolved. But it should never have happened. The fact that it can happen demonstrates the frailty of the Government's argument in favour of this bill. Apart from breaching the freely work provisions in that way, there are far more subtle ways of forcing employees to work. If you do not do the work nothing is said but you get less advantageous, and fewer, shifts. That is the reality. By not acknowledging that that is how the shops work members opposite show how far from the workplace they are.

Another of the particularly obnoxious features of the bill is that it requires employees to work even when shops are closed; that is, the shops are closed but people are still working. This is to allow shelves to be stocked the day before items are sold. All that advertising about things being fresh daily is simply wrong. They are not fresh daily; they are stacked the day before. What it means in practical terms is that, because workers will now have to work Boxing Day, they will be forced to come in on Christmas Day to stock shelves. It is interesting that the party of the so-called Christian right is forcing people to work on Christmas Day. They are quite Christian up to the point that it gets in the road of the profit motive of the Government's rich mates. And, of course, we know that that is going to happen, because that is precisely what happened before the law was changed in 2010.

The law was changed in 2010 specifically to stop the abuse of staff being dragged in on Christmas Day to stock shelves. The Government is now undoing that change and reinstating that abuse. We know from experience that in the Sydney central business district, where shops could open on Boxing Day, workers were being forced to come in on Christmas Day, against their will, to stock the shelves. The 2010 legislation stopped that happening. The bill before the House will undo that. Despite the quite short time the Government has allowed for parliamentary consideration of this bill—with notice given last week, and the Government prepared to use its numbers to finish off the passing of the bill through the House today—I have already been contacted by quite a number of residents in the Liverpool area who are outraged by these changes. Alex Velickovic, for example, has contacted me and sent me an email. I have also had contacts from Dominga Uren, Monique Osgood and Patrick Wright. Alex Velickovic said, in part:

I believe there is no justification for the further deregulation of retail trading laws. Fair retail trading hours laws are fundamental to maintaining a healthy balance between our lives and our work.

We work to live and do not live to work.

All retailers can lawfully open for trade on almost 99% of days in the year. The only restricted trading days left in the calendar are reserved for 4½ days of special significance: Christmas Day, Boxing Day, Good Friday, Easter Sunday and Anzac Day (morning). These few remaining days are all held up by the NSW community as days of social, cultural and religious significance. It is only fair and just that these days remain restricted and that stores which are exempt to trade are staffed only by those who have freely elected to work.

Deregulating retail trade on any of these days will further harm our community and will treat these days like any day to work, spend and shop.

NSW retail trading laws are already very liberal when compared to international and other Australian States' standards. Over 10% of the NSW workforce are employed in retail and can no longer take the time to be with family and friends and to participate fully in the variety of social activities which make us human, and not just another cog in the machine of industry.

Altering the current legislative framework concerning retail trading days and hours in the manner proposed in this bill will unfairly and unreasonably shift the balance in favour of the employer and away from retail workers. Another retail worker from the Liverpool area who contacted my office is Matt Stanley. He is outraged at the callous trashing of the work/life balance of his co-workers. He is distributing a petition at his workplace, such is his anger at the Government's backflip on this. At the very least the Boxing Day holiday change will halve the Christmas break for retail workers. The current framework was adopted unanimously 18 months ago by both Houses of Parliament. Nothing dramatic has occurred to justify changing that regime; no argument has been advanced to justify the change.

Coalition members did not vote against that legislation when it was last before the Parliament. Frankly, they were too cowardly to vote in the way they really thought; instead, having not opposed the legislation, they found the safety of an election and then turned on some of the least powerful employees in the State, to help their rich and powerful mates. That is the behaviour of bullies. These retail changes cannot but adversely affect the lives and lifestyles of retail workers. This bill will overturn a balance between commercial activity and private lives. It will reduce the opportunities of retail workers to participate in family and community lives in the way that most in this Chamber take for granted. Open slather on Boxing Day will disrupt Christmas for retail workers.

Boxing Day obviously is part of the Christmas break; this bill cuts that break in two. There are also large slabs of the small business sector that will be horrified by this legislation. Once shops are allowed to open on Boxing Day, large shopping centres, as a result of contractual arrangements and obligations, will force small shops to open even if they do not want to. This bill not only privileges large retailers against retail workers but privileges large shopping centres against small shops. There are also changes in the bill to the August bank holiday provisions. This bill will mean that any bank can open for any August bank holiday it chooses, subject to "freely work" provisions. That shifts the current balance significantly to the banks at the expense of bank workers.

At present, banks can seek an exemption allowing them to open. Application can be made to the director general, specified under the legislation, and appeals go to the Administrative Decisions Tribunal. That system has flexibility to allow bank holiday trading in appropriate cases and it has required the banks to talk to their staff to work out whether they want to work on those days and whether it is going to be effective. I am told that when banks open on Mondays the only employees who work are the ones who genuinely want to work. That seems to be a more appropriate arrangement than what happens largely in the retail sector. The current system within banks is balanced and it works.

No real arguments have been put forward to justify the change. Indeed, the Treasurer's comments on this aspect of the bill in his agreement in principle speech were contemptuous in their brevity. The change is opposed by bank workers. One person in particular who spoke to me is Nik Singh from the Liverpool area. He is appalled at the changes. One is forced to the conclusion that the O'Farrell Government has simply decided to do favours for its mates—the banks. This bill is bad. It does bad, terrible and awful things to a whole range of ordinary workers with whom clearly the Government backbench has nothing in common. The changes that gave us the current regime were introduced in 2010 with no opposition from the then Opposition—they did not have the courage to oppose it then. They won an election, they have got a big whack of numbers and now they are picking on the people who cannot defend themselves.

**Mrs BARBARA PERRY** (Auburn) [4.11 p.m.]: The Retail Trading Amendment Bill 2012 amends the Retail Trading Act 2008. The Act specifies that shops should be kept closed on Good Friday, Easter Sunday, Anzac Day before 1.00 p.m., Christmas Day and Boxing Day. The bill amends the Act to modify and clarify the operation of existing exemptions that permit small shops to open on restricted trading days; to allow medium-sized shops to open on a restricted trading day if those shops are staffed only by persons who have freely elected to work on that day; and to provide that the principal Act does not prevent a shop being opened on a restricted trading day if the only business activities carried on at the shop during the restricted trading day are the reception, unpacking or preparation of goods for sale at the shop after the conclusion of a restricted trading day. The bill provides for exemptions to allow shops to open on Boxing Day if the staff have freely elected to do so and it also provides for the Director General of the Department of Finance and Services to grant exemptions to shops in tourist areas to allow them to open on restricted trading days.

Finally, the bill provides for banks to open on the August bank holiday, again if staffed by persons who freely elect to work on that day. Before I look further into the bill's stated objectives and amendments, I ask: What is the purpose of trading hour restrictions in the first place? When it comes down to it, what trading hour restrictions do is ultimately recognise that the citizens of New South Wales are much more than just consumers. Restrictions allow Australians, as workers and as members of families and communities, to enjoy the celebration of community holidays. At Christmas and Easter, families who are often separated by distance are able to get enough time away from work to reunite.

I now turn to the bill before the House. In his agreement in principle speech the Treasurer said that the bill seeks, amongst other things, to deal with the over-regulation of shops in this State, to revoke exemptions that distort the marketplace and to maximise the productivity of the sector. The problem, as this Government sees it, is not that we do not have enough time to stop; it appears to be that we do not have enough time to shop. In his agreement in principle speech the Treasurer said that the bill will allow more families to go shopping when they want to—as if there are not enough days in the year to go shopping—and that what families really need is more shopping time. I can just see the campaign brochure, "New South Wales Liberals: The families that shop together, stay together". I quote these stirring words from the agreement in principle speech:

The liberalisation of restrictions on Boxing Day will free whole shopping centres and malls in every suburb, every city and every region across New South Wales to provide shopping services to their communities and support the shops, restaurants, cinema multiplexes and other businesses already permitted to trade that day.

I note the expression of liberation—the liberation of shopping centres. And where is the evidence that that is really the issue? We are told that it comes from a review into shop trading legislation by NSW Industrial Relations ordered by the Department of Finance and Services. A closer look at the submissions, however, tells a very different story. Consultation was hardly wide-ranging, with 225 submissions from retail organisations, unions, business groups, churches and individuals—some of whom note in their submission that the review was not widely publicised and that they only found out about it indirectly. What is clear is the strong opposition to the extension of trading hours. Only 16 submissions supported further deregulation, and those were large retail businesses, shopping centre landlords and their lobbyists. The most thorough research we have in Australia into retail trading is the 2005 Moss report by Alan Moss for the South Australian Government. His report concluded:

- There is no clear evidence of public demand for further extension of shopping hours.
- There is no evidence that a further extension of shopping hours would benefit the State's economy.
- Further deregulation of shopping hours would increase the market share of the large retailers at the expense of the market share of the small retailers.
- Further deregulation of shopping hours would further erode the leisure time and quality of life of operators of small retail businesses.

I quote directly from the report, which states:

Governments should only pass laws which have this potential if it is clearly in the interests of the vast majority of the community. At the end of the day there are more important human activities than shopping.

In fact, Australians are not concerned about their ability to access shops but they are concerned that they do not have enough time to spend with their families. This is linked to the long hours that many Australian families already work, along with extended retail hours and trading on Sundays and public holidays. Submissions to the Industrial Relations review clearly showed that retail workers were concerned about the very few opportunities they had for family connection. The research of Professor Joleen Riley, who specialises in labour law at the University of Sydney, also points to that concern. She found that those who owned smaller businesses greatly valued guaranteed close-down time during those special times of the year when they are relieved of the pressure to stay open.

As an aside, I note that one of my staff members spoke to a friend of hers about this bill over the weekend. He happens to be a very senior executive in one of Australia's largest retail businesses and he told my staff member that he was totally opposed to any extension of retail hours. He said that Christmas was already busy enough for his business but that they would have to stay open because their competitors would do so, which would put more pressure not only on retail workers but on senior managers who also wanted to spend some time with their families. He added that they had difficulty finding employees to work around Christmas and Easter. The ability of families to get together is already limited for those who work on Sundays and who work extended hours.

This legislation means that the ability of these families to meet up will be even more disrupted. In the past 20 years there has been an increasing interest in not just the social but the economic costs of extending working hours, led by Dr Michael Schluter and the Relationships Foundation in the United Kingdom. In Australia we have our own study published in 2007 called "An Unexpected Tragedy: Evidence for the connection between working patterns and family breakdown in Australia". The study shows that there are significant social and economic impacts of working hours that disrupt family and community life that governments need to take into account. Ross Gittins summed it up perfectly in a recent *Sydney Morning Herald* article, in which he said:

How often do politicians who loudly proclaim their support for family then consider 101 policy proposals without a thought as to the implications for people's relationships?

I turn next to the Government's argument regarding productivity. The contention that this bill will increase productivity is flawed. There is no evidence that extended trading hours automatically lead to increased economic activity. One has only to read the Moss report to see that. The Moss report includes a report by the South Australian Centre for Economic Studies, which found that further liberalisation of shopping hours does not increase State income or employment levels. I note also that the idea that somehow productivity is tied to longer hours is a tired argument and goes against all the latest research into productivity. Productivity increasingly is being shown to be tied to a creative workforce and to innovation. In order to be innovative we need time to think and we need time to rest. That is the origin of the word "recreation"—it is about re-creation: the ability to renew and recreate. This bill, however, has a different view of balance. How is the balance achieved here? The agreement in principle speech states that this will happen because the shops operating for extended hours will only be staffed by employees who:

... freely elect to work on the day, without any coercion, harassment, threat or intimidation by or on behalf of the occupier of the shop.

How will the New South Wales Government ensure that this does not happen? Is the Government that naive? Does the Government not realise there are many employees who are worried about job security and that this means sometimes people feel they cannot say no? Does the Government not understand that there is an intrinsic power disparity between employers and employees? Is it not the Government's role to ensure that this power imbalance is not exploited? "New South Wales is open for business" was the election slogan of the O'Farrell Government. When I see bills like this I have to ask: What exactly does that mean? As good and vital as business is, it is the role of the Government to oversee and regulate business to ensure that the worst of our human tendencies are not allowed to go unfettered.

The ultimate result of that is to put the wellbeing of our citizens at the forefront so that they can flourish. This bill is about a solution to a problem we do not have. I agree with Professor Riley that the present regulation already well and truly gives sufficient weight to the interests of retailers. Let us deal with the real problems, such as increasing productivity through becoming more creative and having time to think and innovate, and the serious social and economic implications of the lack of time we have to connect with each other in meaningful ways. Does this bill represent good public policy? No, it does not. Is the need for these amendments backed by any compelling research? No, absolutely not. It is for these reasons that I oppose this bill in the strongest possible terms.

**Ms TANIA MIHAILUK** (Bankstown) [4.20 p.m.]: The Opposition opposes the Retail Trading Amendment Bill 2012. Not content with attacking public sector workers, the O'Farrell Government has decided to extend its attack to private sector workers. Not content with trashing the rights of the men and women who keep this State running, the Government has decided to attack retail workers. This is neoconservative politics at its worst. If Liberal members vote for this legislation they must answer to their constituents. Members representing the electorates of East Hills, Castle Hill, Campbelltown, Mulgoa, Granville, Drummoyne and Smithfield need to meet with retail workers in their electorates and tell them that they think they have too many days off and that they should no longer enjoy family time on Easter Sunday or on Christmas Day.

More than 10 per cent of the New South Wales workforce is employed in retail. Retail workers have some of the lowest paid and least secure jobs in this State. Many employees in the retail sector are students, many are older part-time workers, and others are mums and dads with families to support. All retail workers deserve the support of this House. Retail workers have the same family and personal commitments as do members of this place. The difference is that retail workers have little control over their working lives. These workers deserve the guarantee that they will at least be able to spend some of public holidays with their loved ones.



The assurances by the Minister for Finance and Services that workers will be able to choose whether to work on public holidays, as contained in schedule 1, items [2] and [4], demonstrates a chronic ignorance of contemporary industrial relations. I suppose that is to be expected. After all, this Minister led the charge in overturning more than a century of industrial relations practice in this State. This Minister also stripped away the powers of the Industrial Relations Commission, slashed our public sector workforce, and reduced the pay and conditions of our nurses, teachers and police officers. Minister Pearce, a powerbroker for the Liberal Party Left, may think he has his ear to the ground but he is grossly mistaken. I am surprised that pioneers of the Right, such as Minister Hartcher and Minister Roberts, have allowed Cabinet to approve this legislation. The reality is that casual workers, who will be the most affected by this legislation, have little control in determining when they work.

Some retailers have refused to give shifts to workers who do not agree to work on certain days. This will be the case for those workers who refuse to work on additional public holidays as a result of this bill. As the Leader of the Opposition said, if casual workers refuse shifts they will quickly find their name does not appear on future rosters and that the phone stops ringing. This legislation will mean that mums and dads will not be able to spend time with their families. It will mean that grandparents will have less time to spend with their grandchildren. It will mean that sons and daughters will not be able to spend time with their parents. I refer members of this House to the website *takethetime.org.au*, which contains comments from retail workers in New South Wales. I encourage members to look at the comments on the website to see what the community has to say about this legislation. On the website Kym Dow writes:

Dear Mr O'Farrell, Just wanting to know if you would allow your wife, son, daughter, or even grandchild to work on Easter Sunday, Boxing Day, or even Christmas Day and not be allowed to celebrate these traditional public holidays.

Another worker writes:

It makes me very upset to think that Barry O' Farrell wants to let the retailers trade on Boxing Day ... my family always come first ... Barry doesn't have to work.

Kelly Russell writes:

When asked why it is important to you to keep Boxing Day a closed trade day, well in one word FAMILY. It is my time to spend with my family.

Another worker writes:

We are NOT second class citizens of NSW so why do Greg Pearce & Barry O'Farrell think they have the right to treat us like we are?

James Lehn of Grafton says:

I work in the retail sector ... being a disabled person of poor vision I depend on public transport to get to and from my employment.

James goes on to talk about the problems that he and others will face if rostered to work on public holidays. He concludes by saying that he would have no choice but to walk to work. Schedule 1 [5], new section 8A, allows stores to have workers receive, unpack and prepare goods on a restricted trading day. While there is the requirement that the staff must have "freely elected to work on that day", larger stores are able to put pressure on their workers without officially "forcing" them to work. New section 8 extends the exemption for medium sized shops, meaning that those stores with no more than 20 employees working on a day and no more than 100 full-time equivalent employees within a seven-day period can open on public holidays without applying for a special exemption. The current legislation requires that all shops, except those otherwise exempt, must close for 4.5 days a year—Good Friday, Easter Sunday, until 1.00 p.m. on Anzac Day, and Christmas Day and Boxing Day.

I doubt that any member of this place would argue that these 4.5 days do not represent crucial religious and cultural celebrations and are often cause for special observance and major family get-togethers. As a result of this bill, all shop workers will be able to undertake preparatory tasks on these days provided the businesses do not trade. This reverses the provisions within the current Act that protect workers, for example, from being compelled to work on Christmas Day to prepare a shop for the Boxing Day trade. The existing legislation protects workers in the retail industry—many of whom are parents—from having to work on Christmas Day. The Treasurer has revealed that small shops with fewer than five employees will not have to comply with the freely-elect-to-work conditions. This means that employees of a shop with fewer than five employees can be compelled to work on any day because there is no requirement for their employer to have any regard for their personal circumstances.

Members on this side of the House care about employers and employees. We know that members on the other side of the House care only about employers, so they should pay careful attention to the fact that small business owners are just as likely to be negatively affected by this legislation. Small businesses located in major retail centres such as Westfield and Centro are required to open when the centre is open. This requirement is usually contained in their leases. The lifting of restrictions on public holiday opening hours will affect those employers who might otherwise choose not to trade on a public holiday. Ultimately, these businesses will have no choice but to open on public holidays. The National Retailers Association drew attention to this in responding to the announcement of the bill when it said, "We don't want to see landlords force retailers to open on Boxing Day."

However, small businesses outside major retail centres will also be affected. The nature of the free market means that many businesses that might have otherwise chosen not to open will be disadvantaged should their competition choose to open. As such, the Government's claims about protection for workers and supporting small business are shown to be empty rhetoric. I ask the Government to confirm whether it has canvassed the views of the RSL and Services Clubs Association. For a long time governments on both sides of politics have recognised the significance of Anzac Day and supported restricted operating hours on the morning of that day. I am sure that RSL club members, and in particular veterans, will be shocked to learn that the O'Farrell Government supports allowing businesses to open on the morning of Anzac Day. The dawn services and the Anzac Day parade are important events for people of all ages. It is shameful that the Government would support forcing retail workers to miss these important commemorations. I cannot imagine how a memorial service could take place on one side of the street while people shop on the other. It is an absolute shame for the Government to introduce this bill.

Several public holidays are religious in nature. It is important that workers who celebrate religious holidays are not prevented from practising their faith. The Legislation Review Committee noted in its report No. 14/55, which was published this afternoon, that this legislation "could potentially interfere with a person's observance of religious practice". I encourage the Government to reconsider its views in relation to this bill. I am sure members on both sides of the House would support that reconsideration. The New South Wales Opposition will oppose the bill. I call on Government members to join the Opposition and support retail workers in their electorates.

**Mr CHRIS PATTERSON** (Camden) [4.30 p.m.]: I support the Retail Trading Amendment Bill 2012. After the commencement of the review of retail trading legislation and the Retail Trading Act 2008 by the Department of Finance and Services in September 2011, in which submissions were received from a range of different stakeholders—individuals, religious groups, employee and employer organisations, large corporate retailers and even academics—it was evident from the submissions that complete deregulation of the Act prohibiting large retailers from opening on Good Friday, Easter Sunday, Anzac Day until 1.00 p.m., Christmas Day and Boxing Day was given a lot of thought by the stakeholders to whom I have referred. The Leader of the Opposition has labelled this a despicable bill.

**Ms Tania Mihailuk:** It is despicable.

**Mr Clayton Barr:** It takes away family time.

**Mr CHRIS PATTERSON:** I am glad I elicited that response. What is despicable is that his former Government did not do this in its 16 years in government. The Leader of the Opposition talks about wasted years in government. The Leader of the Opposition, as a Minister, was part of a Government that wasted the State's future potential. His many throwaway lines and his readings reveal a complete lack of substance. The Leader of the Opposition must realise he is an elected member of the New South Wales Parliament, not the mouthpiece of the unions. It was discovered only last week that the Leader of the Opposition, having criticised Liberal members of Parliament, this month is attending a lavish union-dominated Federal Labor fundraiser. The member for Shellharbour, who spoke earlier today, last week took a very good point of order and said that all union officials are not hacks.

I agree with her wholeheartedly, but I point out that it seems to me that the ones who are end up in this place, occupying seats on the Labor side. Last week, the Treasurer, during his introductory speech, acknowledged the retail employees who have expressed concern that family time will be reduced because of staffing requirements on the additional days of trading. The Treasurer acknowledged the commercial interests of shop owners in a market that recently suffered setbacks and is fast changing its characteristics due to the economic climate and online competition, to name just a few factors. The Treasurer also acknowledged the needs of consumers and the convenience to them of having access to retail outlets.

In taking all that into account and working towards striking a balance for employees, employers and consumers, the bill will amend the Act to exempt all shops that are not already exempt from this requirement of the Act from remaining closed on Boxing Day. This amending bill is based on information that customer demand mostly occurs on that one particular day. The amendment of the Act relates only to Boxing Day. Employees, employers and consumers can agree that this amendment is reasonable, and can rest assured that all stakeholders' submissions and communications have been heard by this Government. An important part of the bill is that the exemption from the requirement of the Act is subject to the shop owner staffing the shops with staff who have freely elected to work on that day. Employees must have elected to work on the day and must have chosen to do so, without coercion, threat or intimidation by or on behalf of the shop owner.

**Dr Andrew McDonald:** "Freely"?

**Mr CHRIS PATTERSON:** I repeat that employees must have elected to work on the day and must have chosen to, without coercion, threat or intimidation by or on behalf of the shop owner. By virtue of this amending bill, preparatory tasks will be able to be undertaken during restricted trading times so that trading can commence as soon as the shop is next permitted to open and trade. I make the point—a point that has not been made by the Labor Opposition, although I may well hear it from the member who follows me in this debate—that the majority of small business owners are good, family-oriented people who put the welfare of their employees first. This legislation makes it illegal for employers to coerce employees into working on Boxing Day if they do not want to do so. I am sure the majority of employers would not do that, regardless of the legal obligation. The majority of small business owners are very good and decent family-oriented people who take their employees' interests to heart. Any staff involved must have chosen to work, without coercion, threat or intimidation by or on behalf of the shop owner.

Let us not forget that the day remains a public holiday and that penalty rates will apply. As a result of this bill, New South Wales retailers will now have the opportunity to trade on a day that is considered one of the best days of the year for consumers to shop. This bill will also revoke regional exemptions that were carried over from previous legislation. New tourist precincts will be established on application to councils. Exemption may be sought from the Director General of the Department of Finance and Services to allow all shops in a specified location to service areas that experience an influx in temporary population due to tourists staying in that particular area for any or all public holidays. Again, any staff involved must have chosen to work, without coercion, threat or intimidation by or on behalf of the shop owner. As I have said, the majority of shop owners will not abuse this requirement, and legally cannot. The bill does not interfere with the current exemption from all restricted trading days for retail businesses with fewer than five employees.

Our economy will benefit far and wide, and retail employees will benefit from the opportunity and choice provided by this bill to allow them to earn public holiday pay rates. That is right—it is the choice to earn penalty rates. Who from the Labor Opposition says that university students working part time should not benefit from the extra money of penalty rates, or that school students working in the holidays should not benefit from penalty rates, or that any employee, who would like the extra money, should not benefit from penalty rates? Having worked in the hospitality industry for 20 years in the family business and having worked every Boxing Day during that time, I can say that Boxing Day was a highly sought-after shift among my colleagues because of the opportunity offered by penalty rates to earn the most amount of money for the hours worked.

**Dr Andrew McDonald:** That is not true, and you know it.

**Mr CHRIS PATTERSON:** It is true. I can tell the member for Macquarie Fields that for 20 years in succession we had people lining up to work on Boxing Day because it suited their family schedules, and they appreciated having the additional income to enjoy family time. The chief executive of the Australian Retailers Association said that many workers want the extra public holiday pay and reiterated that the bill does not force shops to open. It gives shops the capacity to do so only if customers want them to be open. Bank branches will be able to open on the August bank holiday, which is not a public holiday, without first having to apply to the Director General of the Department of Finance and Services. The bill has been responsibly written, with considerations of all stakeholders and the communities that this will affect having been taken into account. The Government wants to do whatever it can to ensure a growing economy, a strong economy, and particularly an economy that has a strong retail industry.

The needs of retailers, retail employees and consumers have been considered thoroughly. This amending bill is aimed at achieving a balance that meets the needs of retail employers, employees and consumers. As I have said, it will be the choice of the employee whether to work. Who on that side can stop

adults from making the choice to turn up to work and get exceptionally good rates of pay? Who on that side should be legislating against that? As I have said, the Leader of the Opposition has acted despicably in being part of a former Government that did not allow this to occur in the past. This is a well thought out amendment. All the needs of retailers, retail employees and consumers will be met by this amendment. I urge everybody in the House, particularly those on the other side, to support this bill.

**Mr GUY ZANGARI** (Fairfield) [4.40 p.m.]: I oppose the Retail Trading Amendment Bill 2012 because I believe that the mums and dads who work in retail across New South Wales are entitled to time-out with their families on the 4½ days that have been traditionally held as non-trading days across New South Wales. The other night on my way home, I heard on the radio a news bulletin which lauded the operational effect of the legislation we are debating tonight to allow retailers across New South Wales to trade on Boxing Day. The newscaster was meriting the possibility of Boxing Day sales held not just in David Jones, Myers and stores in Sydney's central business district, but right across New South Wales. However, what the newscaster failed to mention was what this legislation would mean to the thousands of mums, dads, sons and daughters who work in the New South Wales retail industry, which makes up 10 per cent of the workforce.

What will this mean to them particularly when the Christmas period and post-Christmas sales are two of the busiest trading days of the year? It is simple: This legislation will result in the loss of one of the few days of the year that retail workers are guaranteed a holiday. Mums and dads may no longer be able to organise the time that they can spend with their families. I know the rhetoric from the members on the Government side of the Chamber: mums and dads in the retail industry have a choice. As the member for Camden mentioned, they have a choice as to whether they will work on Boxing Day, a choice to earn money or spend time with the kids. However, what Government members do not understand is that a choice not to work on Boxing Day could also be a choice to have their shifts reduced, a choice to be overlooked for future overtime. The reality of the retail industry is that if and when an employer decides to trade on Boxing Day, staff will be required to work on Boxing Day.

Item [5] of schedule 1 to the bill exempts shops with fewer than five employees from opening on a restricted trading day. If a shop with fewer than five employees chooses to open on Boxing Day, who decides which of the five employees will have to work on Boxing Day? How about shops that have two or three employees? The choice of whether to work becomes even harder when the business owner has a quiet word to the employee a couple of days before Boxing Day. Those people opposite might say that workers have the protection of new section 3A to prevent an employer from forcing them to work on that particular day. New section 3A stipulates that an employee must freely elect to work on Boxing Day. That is fine and good on paper.

But in reality an employee's ability to freely elect against an employer's imperative is heavily skewed towards the employer. Furthermore, how can this requirement be enforced in court, when most of the time it will be the employee's word against the employer's? It is clear this Government has not been able to grasp the reality for many working mums and dads across New South Wales. This legislation is just another example of how out of touch the Government is with reality. It begs the question: Is nothing sacred to the O'Farrell Government? I have already mentioned that workers in New South Wales, particularly those in the retail industry, are entitled to only 4½ days off per year.

After the Government has removed the restrictions for trading on Boxing Day, what is next? It will argue that the people of New South Wales should be able to shop on Christmas Day, Good Friday and Easter Sunday, thereby taking away more guaranteed family time from the retail employees of New South Wales? How about trading on Anzac Day? Will the Government allow shopkeepers to open at 7.00 a.m. to catch the people making their way home from dawn services? It is frightening how far a government may regulate matters if it holds nothing sacred. On behalf of the mums and dads in the retail industry who rely on Boxing Day, along with Christmas Day, Good Friday, Easter Sunday and Anzac Day to spend some quality time with their families, I oppose this bill.

**Dr GEOFF LEE** (Parramatta) [4.45 p.m.]: I support the Retail Trading Amendment Bill 2012 and I draw the attention of the House to its impact on tourist trading precincts. The Retail Trading Act 2008 preserves exemptions that were in force immediately before the repeal of the former Shops and Industries Act 1962. In their time these exemptions permitted shops to open on Sundays and public holidays. In 1969, the 1962 Act authorised the Minister for Industrial Relations at the request of a local council to grant perpetual exemptions for shops located in a holiday resort area. Holiday resort exemptions could not be granted anywhere inside the greater Sydney metropolitan area nor in the cities of Newcastle or Wollongong. These locations were specified by general ministerial orders, and permitted shops located within the defined zone to open on Saturday afternoons, Sundays and public holidays over specified periods for periods of up to 15 weeks each year.

Commonly, the granted exemptions covered such periods as the month of December and the Easter holiday period. The council's application had to be accompanied by a report indicating that the area concerned was within a holiday resort area, along with the support of the shopkeepers. Over time and with the gradual relaxation of trading restrictions, these exemptions have been used less and less. For example, Saturday afternoon and Thursday night shopping commenced in 1984, followed quickly in 1988 by 24-hour-a-day trading for all days other than Sundays and some public holidays. At the time of the commencement of the 2008 Act, 46 holiday resort exemptions still applied to one or more of the 4½ named restricted trading days. The current restricted trading days are Good Friday, Easter Sunday, the morning of Anzac Day, Christmas Day and Boxing Day.

These exemptions were locked in with the commencement of the 2008 Act and the concept rekindled as a consequence of the recommendations of the 2007 review of shop trading hours by the Better Regulation Office. Indeed, section 10 of the 2008 Act provided for applications to be made in such a way that locality-based exemptions could be sought by local councils. However, this approach to community-initiated trading exemptions was closed off quickly in 2009 when the legislation was amended to allow only applications from individual shopkeepers. In the most recent review nearly all submissions that addressed current preserved exemptions in the Act supported their repeal. Many submissions noted that retaining these exemptions made the retail trading regime too complex and supported complete deregulation.

The union argued that current preserved exemptions should expire and any individual retailers wishing to open on restricted trading days should make application under section 10 and face the relevant test. Submissions emanating from businesses in the Wollongong area maintained that there was substantial loss of business to neighbouring localities that have preserved exemptions and that it was currently not possible to redress that imbalance under existing processes. It is apparent to the Government that retail shops must retain the capacity to provide services to visitors and tourists throughout peak holiday times, including on otherwise restricted trading days. It would be appropriate for these matters to be considered at a local or regional economy level with input from tourism-related agencies.

Additionally, the preserved exemption regime is outdated and promotes inequitable outcomes. Presently, retailers in one town may come under a preserved exemption to trade, while those in a neighbouring town do not. Currently, no new regional exemptions are permitted, so there is no process for ongoing assessment of the changing preference of holiday makers and other circumstances that have occurred over the decades. The new exemption regime put forward in this bill provides an opportunity to address the present anomalous situation. It would facilitate a new balance where all local councils can respond to the concerns of their communities and foster economic growth in the important tourism sector.

Local councils also will be able to build upon the efforts of businesses in their communities to attract tourists by obtaining an exemption to allow shop trading to service their needs during the high season for holidays over Christmas and Easter. Councils, in consultation with their communities, would have the ability to apply to the Director General of the Department of Finance and Services for the exemption of all shops within a defined location. Evidence of the support of tourism-related bodies will be part of the approval process that will enable shops to trade on restricted trading days within particular trading precincts. If an exemption is granted by the director general, it will apply to the relevant precinct for up to five years and a local council may apply in respect of one or all of the restricted trading days.

To assist local councils when drafting applications, regulations will be developed in consultation with other government agencies in order to provide guidance to the director general regarding matters that may be considered relevant when deciding whether to grant an exemption. To ensure the opportunity for continued certainty for those tourist precincts that already have the benefit of an exemption, it is appropriate that a suitable period of notice be given so that local councils have sufficient time to make applications for new or replacement exemptions. Existing exemptions will expire on 30 June 2013 with the operational effect of any new tourist trading precincts commencing no earlier than that date.

**Dr Andrew McDonald:** Point of order: The member is clearly reading a prepared speech. The convention of the House is that members do not read prepared speeches unless they are introducing a bill.

**Mr Andrew Gee:** To the point of order: The member has memorised the speech. He was just looking down at his notes as he was reciting.

**Dr GEOFF LEE:** The member for Orange is correct.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is no point of order. The member for Parramatta has the call.

**Dr GEOFF LEE:** Of course, the first effective restricted trading day after that date is Christmas Day 2013. Under the new amendments, councils must submit any applications at least three months prior to the first day for which the exemption is sought. Tourism is dear to the heart of everyone in Sydney and, indeed, New South Wales in its economic importance. In the great local newspaper the *Parramatta Advertiser*, under the headline "Parramatta trumps Manly again in tourism", an article on 6 July 2011 written by Di Bartok, a fantastic journalist, states:

PARRAMATTA is better known by potential tourists than Manly and The Rocks, a study by Tourism NSW shows.

Parramatta ranked number one alongside Bondi as the Sydney suburb potential visitors could name unprompted.

In the survey, among 1600 people from Melbourne, Queensland, the ACT and regional NSW, 29 per cent said Parramatta was the first Sydney suburb that came to mind.

This is further evidence that Parramatta is indeed the capital of greater western Sydney; indeed, it is the capital of tourism and the gateway to the west. Despite my support and great respect for the Treasurer, the member for Manly, I ask the House to acknowledge that Parramatta is more highly ranked than Manly as a tourist destination. I guess that comes from various other articles, such as that under the headline "Potential for a tourist mecca" in the *Parramatta Advertiser* on 24 August 2011, again by the renowned Di Bartok.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! Are these comments part of the member's written speech?

**Dr GEOFF LEE:** Certainly not. The article calls for three key Parramatta sites to be integrated into a tourist mecca. Civic, political, business and community leaders see the potential for a Port Arthur or Sydney Rocks-style integrated development as appropriate for the Parramatta area. In referring again to the Manly-Parramatta divide, whilst the Parramatta Eels rugby league team has not done particularly well over the past few weeks, it is notable that if we were to win one game, the perfect game to win was the game played on Saturday night when the Parramatta Eels beat their arch nemesis Manly. I congratulate the Eels and their chief executive officer, Bob Bentley, on that outstanding win. The whole Parramatta community was elated just because of that win. I make no apologies to the Treasurer for my support of the Parramatta Eels. In closing, it should be made clear that any shop relying on a tourist trading precinct approval to open on a restricted day must ensure that staffing is undertaken by persons who freely elect to work on that day.

**Mr NICK LALICH (Cabramatta) [4.55 p.m.]:** I oppose the Retail Trading Amendment Bill 2012 and speak in support of the workers. New South Wales already has a system in place detailing when retailers can open. On 360.5 days a year retailers can trade in New South Wales. Trade is restricted on Christmas Day, Boxing Day, Good Friday, Easter Sunday and for half a day on Anzac Day. That is how trading restrictions have applied and how they should remain. This system respects our Christian values—to stop and reflect, and to remember the men and women of the armed forces who gave their lives in sacrifice for the good of this country and for all of us here today. A document from the Youth Ministry Baptist Church states:

Both Christmas and Easter celebrate peace and love and a deep sense of service and commitment, indeed the Easter message is one of sacrificial love and the extension of grace to all persons.

grace to give them time off—

This message is fundamental to our sense of humanity and understanding of genuine community.

Similarly Anzac Day celebrates the sacrificial commitment of the Australian Armed Forces in times of desperate need. Many of the key cultural metaphors for Australians can be found in the stories celebrated on this day.

We show respect on these special days by keeping retail doors closed. In my electorate of Cabramatta businesses remain closed on special religious holidays, such as the Lunar New Year, out of respect for culture, traditions and holy days. Those people have come to a new country and could give those traditions away, but choose not to. They keep their holy days sacred, yet we in a Christian country are now giving away our Christian values. It is just not on. Cabramatta retail businesses are under no enforced orders to close for the Lunar New Year, yet everyone knows that these special days need to be kept special for owners and workers. This is an uncaring bill by an uncaring Coalition Government that has proven to be an enemy of workers.

The O'Farrell Government says that no-one will be forced to work on the Boxing Day public holiday. To quote yesterday's *Sunday Telegraph*, "it is time to stop talking BS Mr Premier". If an employer chooses to open his business on Boxing Day, it is inevitable that workers will have to staff that shop. They will also have to prepare the shop, which may mean coming in on Christmas Day to stock shelves. Public holidays are gazetted for a reason: they are significant days on our calendar that deserve respect. Retail workers do not support further deregulation of trading hours, nor do small shop owners or the Master Grocers Association. This is a short-sighted plan by an uncaring Government that ignores a Productivity Commission's draft report noting that extending trading hours has a negative 1.4 per cent effect on productivity in the long run.

Impartial studies have shown that deregulation of trading hours does not have an economic benefit. This is another shot by the Coalition Government against workers, robbing mums and dads of quality time with their family and loved ones on special occasions. This may be hard for those sitting opposite to fathom, but working class families look forward to their public holidays like manna from heaven. When shop assistants went to the polls last year the Leader of the Opposition, now the Premier, supported 4.5 restricted trading days and promised he would not cut anyone's public holidays: another broken promise by this Premier. Now this Premier wants to rip the quality time, rest and relaxation away from them. The Government should be ashamed of itself. Members opposite were voted in by their constituents in the belief that this Government would protect them, stand up for them and fight for them.

The constituents of those opposite will be disappointed to know that an uncaring Government and Premier are ripping away their valuable public holidays. Many public holidays have restrictive regulations for religious reasons. New South Wales is one of the greatest multicultural success stories in the world. Members of our community who do not follow the Christian faith respect its days of religious significance and close their doors. They organise activities for their local communities on these public holidays to ensure that all benefit from the day off. Cabramatta is a melting pot of cultural diversity and many shops voluntarily close their doors on religiously significant occasions. Our local shop owners and small businesses show respect to all cultures and they show respects to their employees—something that this uncaring O'Farrell Government has not learnt to do. The Opposition opposes this bill.

**Mr TIM OWEN** (Newcastle) [5.02 p.m.]: After hearing the drivel from those opposite it is time we put some facts on the table. The Retail Trading Amendment Bill 2012 will amend the Retail Trading Act 2008, which will provide a new balance to trading restrictions and allow families more flexibility in choosing when to shop. The changes to the Act will provide opportunities for more jobs and more income for employees, especially students, young people and casuals. The Government has listened to the needs of retailers and community members and is delivering retail trading laws that better reflect community expectations in our modern economy. The amendments to the Act will benefit shoppers and the community. The bill will also boost retailers' profits and the State's economy. As the Treasurer stated, the bill introduces amendments to liberalise the restrictions on retail trading, and to maximise the productivity of the sector by allowing retail shops, including supermarkets, and electrical and furniture stores, to open on Boxing Day. I ask members to note that Boxing Day will remain a public holiday: no-one can be forced to work and penalty rates will be unaffected.

I do not understand the argument from those opposite. As I mentioned briefly, the Government has listened to the needs of retailers and consumers. In September 2011 the New South Wales Government announced the commencement of a review into the shop trading provisions of the Retail Trading Act 2008. A discussion paper was released seeking comments on how the legislation can better reflect community standards and expectations. The terms of the review focused on the issues pertaining to the mandatory closure of shops on the current 4½ specified days and the confusing exemptions that are based on location but do not take into account other factors. The review obtained 26 submissions from various organisations and businesses, including more than 200 letters from different members of the community expressing their views. I will share some of the feedback received from key organisation. The GPT Group's submission stated:

The removal of the restrictions currently in place would have significant benefits to the CBD areas, and more importantly, the whole region. Having a vibrant and active CBD in such a key peak period for both tourism and retail would provide the whole community with a much needed boost.

I will mention some of the key points from the Coles group submission. With around 240 supermarkets and 250 liquor outlets in New South Wales, Coles is no doubt one of the retail giants. Coles has consistently encouraged successive New South Wales governments to simplify trading hour legislation and remove artificial restrictions and exemptions affecting when and where retailers can open in New South Wales. Reductions in non-trade days will allow consumer demand to determine trading hours and viability. Coles stated that

additional trading days would also boost employment opportunities and hours across New South Wales. After careful consideration of the views outlined within all of the submissions the Government received, it made a number of recommendations, which are reflected in this bill.

The changes will ease shop trading restrictions and cut red tape, providing opportunities for more jobs and the potential for greater earnings for shop employees. The bill will provide opportunities for thousands of shop employees across the State to maximise their earnings and give those employees a choice to work extra hours during the holidays. According to retailers and their peak employer bodies there is high demand to work during the holidays. The reason for such demand is that employees are attracted to the high penalty rates on offer, which are particularly attractive to students, young people and those who work on a casual basis, giving them an opportunity to earn extra cash. These were the outcomes of the survey. Additionally, the bill provides for retailers to undertake preparatory tasks at restricted trading times so they are ready to receive customers as soon as the shop is permitted to open.

I emphasise that the retailer must ensure the staff undertaking those tasks have elected to do so freely and those staff are entitled to penalty rates. Under the review it has been noted that the manner in which a small shop is defined is perceived by many participants within the retail sector as overly complex and difficult to apply for compliance purposes. The bill does not interfere with the unconditional exemption from all restricted trading days currently available to those micro retail businesses with fewer than five employees. There is, however, a simplified definition of a small shop that is more in keeping with the new approach adopted for defining medium sized shops. Matters relating to small shop exemptions can be found at section 8 of the Act.

I understand that there is some concern about small businesses feeling pressure to open their shops during holiday periods. I note that small shops are in fact exempt in this bill, as outlined in new section 8. Furthermore, the Act also covers the medium sized shop exemption, which is closely aligned with the model operating under the Victorian shop trading operation standard. It will permit any shop to trade on any day when no more than 20 employees are working on the day and no more than 100 full-time equivalent employees are working within a seven-day period prior to that day. As the report into the review states, the Victorian approach of exempting certain shops is comparatively easy to apply and would resolve current confusions and potential issues associated with compliance regarding existing small shop provisions in New South Wales.

These were the outcomes and recommendations of the survey undertaken. The bill also provides for the harmonisation of the category of generally exempt shops based on size of workforce with that under the Victorian legislation. Exemption is subject to staffing by persons who freely elect to work. New section 10A provides for the establishment of tourist trading precincts. Local councils, in consultation with the community, may seek exemption to allow shops to open in a defined locale on Good Friday, Easter Sunday, Anzac Day morning and Christmas Day if there are tourism-related needs. If granted, the exemption would apply to the relevant precinct for up to five years.

New section 14A provides for the opening of bank branches on the August bank holiday on the condition that staff members have freely elected to work. Laws to regulate shop trading hours have existed in New South Wales since the beginning of the twentieth century. The regulation of shop trading hours has been reformed constantly, particularly during the past 50 years. This Government is responding to an increasing consumer demand and the changing economy by striking an appropriate balance between the commercial interests of shop owners, the demands of the consumers and the work-life balance of employees. I commend the bill to the House.

**Dr ANDREW McDONALD** (Macquarie Fields) [5.09 p.m.]: It gives me great pleasure to oppose the Retail Trading Amendment Bill 2012 because it is poor government policy. Not one of the seven million people of New South Wales voted for this bill last year. If this were such good policy those opposite who clearly had planned this change would have taken it to the electorate. This bill would lose a conscience vote on the floor of this House. This is a BS bill, designed by the Premier for BS, designed to solve a problem that does not exist.

**Mr Stephen Bromhead:** Point of order: There is a certain standard required by the House, and I think referring to BS—

**Ms Linda Burney:** What standing order are you referring to?



**Mr Stephen Bromhead:** One that is in the book over there. The language is unparliamentary.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I am surprised that the member for Macquarie Fields would resort to such tactics. I ask the member to refrain from using words or phrases that are commonly understood to be unseemly language.

**Dr ANDREW McDONALD:** I was merely quoting from what the Premier said last week. A small number of people who do not work on public holidays will control the lives of the many retail workers in south-western Sydney. As Oscar Wilde said of these people, they know the price of everything and the value of nothing. Those who read the Treasurer's agreement in principle speech will not see the body language of the Treasurer and many of those from his side on the day he introduced the bill into the House. The Treasurer clearly does not believe what he was forced to read into *Hansard*. He has been rolled in Cabinet by the Conservative Forum. The Conservative Forum turned up one week and this bill turns up the next. Many members of the Conservative Forum—such as the member for Terrigal, Chris Hartcher, the member for Epping, Greg Smith, the member for Lane Cove, Anthony Roberts, and Minister Gallacher—have not chosen to speak on this bill. In fact to date only four of those opposite have chosen to speak on this bill.

Fifty-two Government members spoke on the 84-word Library Bill. Where are the members of the Conservative Forum, such as the member for Castle Hill, the member for The Entrance, the Hon. David Clarke, MLC, Scot MacDonald, MLC, the member for Albury and the member for Riverstone? The member for Mulgoa is in the House. I need to hear her views, as well as those of the member for Castle Hill. They need to tell us what they feel about this bill. I need to hear from the member for East Hills and the member for Charlestown, who was in the Chamber but left rather than speak on the bill. I need to hear from the member for Campbelltown and the Hon. Marie Ficarra, MLC. The member for Rockdale was in the House but has now departed because he does not want to be heard on this bill. However, the member for Gosford, a member of the Conservative Forum, is here. I want to hear what he has to say about the bill.

What have the member for Granville and the Hon. Charlie Lynn, MLC to say about the bill? The member for Newcastle did speak on the bill. I do not know whether he is a member of the Conservative Forum, because he left its meeting after only five minutes. He did not clarify his position during his speech. The member for Camden, who is a member of the Conservative Forum, at least was one of the few of that forum who had the guts to speak on the bill. I need to hear from the Hon. Dr Peter Phelps, MLC, the member for Smithfield and the member for Blue Mountains. The member for Drummoyne is here—first to laugh, last to speak. We want to hear what he, as a member of the Conservative Forum, believes about the bill. Finally, the member for Wyong has not told us what he thinks about the bill. I need to know why the member for Hawkesbury is not in that forum. He is probably too conservative even for its members. All of those members need to be heard in this debate.

Government members talk of choice. They are from the bosses. They have never had to work a public holiday against their will. These are people who tell people to work. I had to work Boxing Day for 20 years straight against my will. Members on the Government side tell people to work against their will but have not themselves been forced to do so. The member for Parramatta read a prepared speech in a perfunctory manner. His speech was all about going through the motions to get his number up. Though the member for Newcastle read a prepared speech, he probably wrote some of it. That member said that under the bill nobody could be forced to work and it is not about the money. Those who work on public holidays such as Boxing Day do not work primarily for money; they are told to work. They have no choice.

Those who claim to work for the money are very much in the minority. The member for Newcastle quoted such great small employers as the GPT Group and Coles. As I said before, if 52 Government members saw fit to speak on an 84-word libraries bill why do they not stand up and speak on this bill? I have named some of them. They should stand up and say to the people of New South Wales why they would speak in favour of this bill, which is being rammed through with unseemly haste. If the Treasurer, Mike Baird, were allowed to dictate trading hours he would oppose this bill: this is poor economics. It is bad for families and bad for the physical and mental health of families. Everyone in this House knows that.

Even today many of those present would clearly like to be elsewhere when a piece of legislation which none of them would ever have to work under is being rushed through against their better judgement. If those opposite feel this is good policy why was it not put forward as part of the Coalition's policies during the election? Nothing has changed in the past 12 months to justify the introduction of such a policy in such unseemly haste. This bill has been introduced, is being dealt with and will be enacted in unseemly haste. That is

because those opposite know the longer the community has to respond the greater the opposition will be to the bill. Every family in New South Wales will be affected by the absence of a loved one on one of these special days. [*Extension of time agreed to.*]

There has been no groundswell of opinion in the electorate of Macquarie Fields for the extension of retail trading hours at any time since the day I was elected in 2007. Not one member of Parliament in this place has had a constituent come to see him or her and ask for extended trading hours. This is a bill for the big end of town. Local constituents have not gone to their local members of Parliament and said, "I want extended trading hours." This bill is about the space between the rock and the hard place in which the Treasurer finds himself. On one side is the Conservative Forum and caucus; on the other are a very small number of people from the big end of town who, as I said before, know the price of everything and the value of nothing. Not one of the Government members who will vote for this bill will ever have to work an 8-, 10- or 12-hour shift on Boxing Day or Easter Sunday against their will. If this bill provided that Parliament had to start work at 8 o'clock on Boxing Day it would never see the light of day.

Anzac Day is the one day of the year when we as a community can meet and pay tribute to those who have fallen in war. Lest we forget has been turned into: Oops, we forgot about the family. The O'Farrell Government has clearly demonstrated that it says one thing and does another. It says it believes in the family but it is legislating out of existence one of the true family breaks. This is very bad policy for families. For some families it is bad for religious reasons but for many it is a chance to take time out from the workplace and have all the extended family spend time together. That is the one thing that every child values more than anything else. Families often have to travel some distance to family gatherings, and these days are so important because they allow travel time. Macquarie Fields has very few people who travel to the city for the much publicised sales, such as those that make the evening news on Boxing Day, because few in the area of Macquarie Fields have discretionary money to spend.

This bill will mean that shops in the Liverpool and Campbelltown central business districts will be forced to open on Boxing Day and Easter Sunday. They will not get an economic boost as a result; they will just increase their costs, and their profits will be further diluted by the extended hours of work. Even worse, very few staff would choose to work on those days. This bill will not increase consumer spending because consumers can only spend so much, and extending the amount of time in which it is possible to spend money does not increase how much consumers have to spend. Boxing Day and Easter Sunday are quiet times in south-west Sydney as many people go away. Small businesses are grateful to have their time off and families can have time together. Business will not be that busy and many of the staff will want to go away, as will many of the shoppers, but many of the small businesses will be forced to open against their will by the larger retail conglomerates that own the stores.

How do I know? I worked every Boxing Day for 17 years and I also worked at least half the Easter Sundays. I asked the people I worked with how much I had to pay them to turn up for work. There was no amount of money I could have paid any of my staff: all of them came to work because they had signed up to work in health care and it is an emergency profession—it was part of the deal. They knew they had to work and they did it because they were rostered on to do so. They did the job because it was their job to do and they were professionals, but none of them chose to work. Retail is not an emergency service and some time off is vital for everyone.

This casualisation of the workforce is very bad for families. I urge all members to do as I regularly do: when they go to a shop ask the person at the checkout what hours they work. They regularly work short shifts of five to six hours, at unsociable times and often with two weeks notice. Many of the workers are casual and there is no job security; they are literally called up at the whim of the manager with very little notice. Just as WorkChoices was not about choice, this bill is not about the balance of options that was mentioned by the Treasurer in his agreement in principle speech. There is no balance, there is no option; this is about the big end of town, the Conservative Forum—and there is no way that any worker who is asked to work will ever be able to say no.

The health effects of excessive shiftwork are well-known. We know that overworked employees are less efficient, less happy and less able to be helpful to customers. Excessive shiftwork affects physical and mental health and it causes detrimental effects to all family relationships and increases the rate of marriage breakdown. That is the science of excess shiftwork that not one member opposite has measured. Those opposite care little about these things; this is all about a sop to the big end of town. It is not as if the experts even agree with the Government. The Productivity Commission report observed that the extension of trading hours had a minus 1.4 per cent effect on productivity over the longer term and not one study has found any extension of trading hours will help combat the growth of online sales, which, with the strong dollar, is a major problem affecting retailers. This hastily introduced bill will not change that.

Currently retailers are allowed to trade 98.5 per cent of the time and the remaining 1.5 per cent is of much greater value to the community than the perceived profits for the big end of town. As I said, this bill is all about knowing the price of everything and the value of nothing. In the Australian Capital Territory, where trading hours are deregulated, growth fell by 0.6 per cent. But in Western Australia, which has the greatest regulation of trading hours, their economy is strong because of the mining sector and their retail economy is increasing. This is a bill that has been introduced by stealth. It is being rushed through the Parliament before the wider community has a chance to realise that it has been dudded by a Government they thought would look after their interests. This is bad policy, it is bad for the workers and it is bad for small business. The only people who will get any benefit are in the big end of town, which is driving this bill—a small number of people who will never have to work on a Boxing Day. This is a disgrace. This bill should never have seen the light of day and the Opposition will oppose it.

**Ms CARMEL TEBBUTT** (Marrickville) [5.24 p.m.]: I speak against the Retail Trading Amendment Bill 2012. The bill introduces amendments to remove the restrictions on retail trading, in particular by allowing retail shops to open on Boxing Day; to remove the restrictions on small and medium sized shops; and to allow shop occupiers to undertake preparatory work on restricted trading days. The bill provides for a significant freeing up of retail trade restrictions, yet New South Wales already has relatively liberal retail trading hours. The debate over extended retail trading hours has a long history. I can still remember as a school student working for one of the larger retailers when trading hours were 8.00 a.m. to 12.00 p.m. on a Saturday. Trading hours were then extended to Saturday afternoon and Sunday trading soon followed. That prompted significant community discussion about the impact on family and community life, Sunday traditionally being regarded as the day for church and family.

Since then substantial changes have been made to retail trading hours, to such an extent that we can do our grocery shopping at midnight if we so choose. The extensions of trading hours have been justified by similar arguments to the ones put forward by the Treasurer in introducing this bill. Those arguments include greater economic activity, increasing jobs and greater convenience for people. However, the effect of extended trading hours on boosting retail sales is overrated. For example, in Victoria, where Easter Sunday trading has been both permitted and restricted at various times over the past two decades, analysis of retail trade turnover by the Australian Bureau of Statistics shows no boost in turnover linked to Easter Sunday trading.

Of course, some freeing up of trading hours from the very restricted opening hours of the past has been warranted. We all appreciate the capacity to do our shopping on a Saturday afternoon and some shopping on a Sunday, but we are now in a situation where trading is restricted on only 4½ days a year and this Government is proposing to further reduce those protections for shop assistants. As I said, in the busy world we live in the convenience of being able to shop whenever we feel like it is appreciated but we have to remember that that convenience is only possible because someone is working to provide us with that service. There are some 365,000 retail workers in New South Wales, and those shop assistants have families. The extended hours that they are expected to work leave them with less and less time with their family and friends.

The impact of that has prompted the Take the Time campaign for a better work/life balance. This campaign seeks to redress the impact on families of a lack of shared time together. A petition shows some 9,000 signatories opposed to this bill. Those signatories understand that the proposals in the bill will further restrict the time retail employees have with family and friends. They understand that for the 10 per cent of New South Wales workers employed in the retail industry this bill will take away the last 4½ days on which they are currently guaranteed to have time with family and friends and time to participate in community activities, because the shops are closed. I have received letters from constituents who are very concerned about this legislation. Andrew Campbell said in his letter to me:

Retail workers already work nights and weekends and all but 4½ days per year. Being such a big industry this adversely affects all of our relationships and our capacity to build healthy and satisfying lives outside work.

We have heard many Government members say that employees are protected because they are required to freely elect to work on the day. But in reality we know that many shop assistants are in extremely powerless positions in the workplace: they feel pressured to work and they do not feel they can say no. According to the Shop, Distributive and Allied Employees Association up to 30 per cent of members report feeling pressured to work on a public holiday. If you are a casual, as so many are, and you get that call to work you know that if you say no you will not get asked to work again. I can still remember as a young worker in the industry finding it very difficult to resist the pressure to work additional shifts. I am particularly concerned that workers in the retail industry will still feel compelled to work even though the legislation indicates that they should only work if they freely elect to do so.

I am particularly concerned about the provision in the bill that allows shop occupiers to undertake preparatory tasks on restricted trading days. New section 8A allows for the reception, unpacking and preparation of goods for sale at the shop after the conclusion of a restricted trading day. In effect, this will mean people could not only have to work on Boxing Day but also on Christmas Day to get the shop ready. Surely as a community we have not become so addicted to shopping and so greedy that we require shop assistants to leave their families on Christmas Day to set up their shops for the Boxing Day sales.

These sorts of changes are insidious. People can make all the rational arguments in the world but at the end of the day when pressure is placed upon shop assistants to work they cannot say no. It spoils Christmas Day for them and for their families. These days so little in our lives is free from commercialisation. Surely we can resist the encroachment of commercialisation further on these 4½ days of the year that are so important for community celebration, for family and friends and for our individual and community wellbeing. I will conclude with a quote from the "Report of the 2006/07 Review of the Shop Trading Hours Act 1977" by Alan Moss in South Australia that sums up this debate:

While it is a primary duty of governments to grow their communities' economies it is not their only duty. Governments also have a duty to nurture and preserve their social and community fabric and institutions. It does not serve us well if, in the end, we become materially wealthy and spiritually impoverished ...

Governments should only pass laws which have this potential if it is clearly in the interests of the vast majority of the community. At the end of the day there are more important human activities than shopping.

I concur with that statement. I urge the House to reject this bill.

**Ms LINDA BURNEY** (Canterbury) [5.31 p.m.]: The debate on the Retail Trading Amendment Bill 2012 is fairly striking in the way it has clearly delineated the difference between the approaches of the Coalition and the Labor Party to people and the community. The Coalition is whittling away the rights and protections of people, as can be seen by its record in relation to the public service and police, the coming changes to workers compensation and, of course, the changes to the Industrial Relations Commission. On the other hand this debate has shown that the Labor Party is about caring for people and ensuring the integrity of families. The Labor Party is also about protecting the interests of families and community cohesion, and that is on display in this debate. If members opposite do not believe in something that a Minister's office rings them and asks them to speak on they can say no. That is perfectly within their rights and, I would argue, their responsibilities as members of Parliament.

I heard the attempted interjection by the member for East Hills during the contribution of the member for Macquarie Fields. I suggest to him that at least the member for Macquarie Fields is not moonlighting in this job. It is alarming to hear in this discussion that this legislation is about the economy. Those opposite have also said that this legislation has to do with only 1½ days of the year, but that is not true and everyone in this Chamber knows it. People will have to go to work on Christmas Day to prepare stores for Boxing Day. Little fairies do not come in and do it for them, unlike what the member for Drummoyne might think. Real people have to do that task. Truck drivers and a whole range of people will have to work on Christmas Day to make sure that things are prepared for Boxing Day.

On Anzac Day we already have half day trading. Today the hypocrisy of the argument being made by those opposite was displayed during the speech by the Minister for Citizenship and Communities. He spoke meaningfully, deeply and passionately about the importance of Anzac Day to this country as a time to honour people who have served this nation and made the ultimate sacrifice. Today in the House he spoke with feeling on that issue; yet a couple of hours later the same party is saying that it does not matter if we open stores all day on Anzac Day. As the member for Marrickville said, members opposite think that it is okay for people to shop all day on Anzac Day because it is such an unimportant day.

Every person in this Chamber will spend Anzac Day by going to dawn services, being a good member of this House, representing their communities and paying homage to people that have made the ultimate sacrifice. Coming from a small country town, for me Anzac Day was without doubt the most important day of the year. The kids practised their marching for hours in the schoolyard and it was a day of reverence. It is not a day during which shopping hours should be expanded. I do not believe anyone on the other side in their truest and quietest moments could disagree with those sentiments.

I was concerned about the Minister's agreement in principle speech on this bill. In it he said that people will not be compelled to work on that day. Members opposite know as well as I do that casual, young, or poor

employees will not have the power to say no to their bosses about working on that day. Let us be honest about this. Those workers will not have the flexibility to say no, no matter what is in the legislation. That is the reality of young people and people who work casually. Knocking back shifts can have possible ramifications in relation to further shifts. People will have that in their minds and they will have to sacrifice those days that they should be spending with their families.

Members opposite should not dismiss the notion of family time. Each and every one of us looks forward to and plans Christmas and Boxing Day because it is a time when our families come together. Our friends join us or we go to their houses. Christmas is the one time of the year that is about that. What Labor members are really saying is that we want to preserve the importance of that gathering and of reconnecting with loved ones. In many cases Christmas is the time that families come together after they have lost a loved one during the year. That is important and it is what Christmas and Boxing Day are about. They are also about children and sharing, and that cannot be dismissed or laughed off by saying, "What difference is it going to make?" It will make an enormous difference to thousands of individuals who year in and year out will no longer have that day if they want to keep their jobs, particularly if they are casual workers.

It seems to me, as the member for Macquarie Fields said, that arguments about the economic imperative are a sop to the big end of town. Members opposite can dress it up any way they like but that is what it is. Many small store holders in big shopping centres do not want to open on these days, but they will have no choice because of the contractual arrangements they have in their stores. The Government should take those matters into account as well. In conclusion, I will summarise some of the points I have made. First, this legislation clearly delineates the difference between the Government and the Opposition.

This legislation does not take into account the human face of lifting restrictions on trading hours—the need for families to be together and for children to have the memory of family celebrations. My son is in his mid-twenties but found out that I am not going to be in Sydney for the whole of Easter Sunday. He was genuinely distressed because he said, "Mum, that's the day we always get together." A grown-up child having retained that memory underpins how important public holidays are. Secondly, I note the hypocrisy that is evident if we compare a speech made by the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs during question time with the position adopted by Government members in relation to this legislation. I leave members with that thought.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [5.40 p.m.]: I support the Retail Trading Amendment Bill 2012. My first career was in nursing and my second career was in the Police Force. A nursing occupation involves shiftwork and each year when Christmas time was approaching the sister in charge of the roster or the roster clerk would ask, "Do we have any volunteers to work on Christmas Day and Boxing Day? If so, what shifts?" It has to be said that most of the time the shifts were filled by volunteers. Among the nurses there were people with young children who were trying to get ahead in life so they wanted to work shifts on public holidays and make some extra money. My duties in the Police Force also involved shift work. The same thing happened: When Christmas time approached, the sergeant in charge of the rosters would send around a message calling for volunteers to work shifts on public holidays.

Most of the time people volunteered to do those shifts because young married people wanted extra money to pay the mortgage and other bills and to help with the family finances. It was not unusual for shiftworkers to work on public holidays. My wife owned large retail stores in Forster and Taree, and at certain times of the year she would ask for a volunteer to work on public holidays. People would put up their hand and say, "I want to work on a Saturday. I want to work on a Sunday. I want to work on a public holiday", because of the extra money that that work brought into the family home. It is against that background that I participate in this debate to express support for the legislation. The object of the bill is to make various amendments to the Retail Trading Act 2008.

In general, the Act provides that shops must be kept closed on Good Friday, Easter Sunday, Anzac Day before 1.00 p.m., Christmas Day and Boxing Day because they are restricted trading days. The Act also provides that, in general, banks must not be open for retail banking business on specified days when banks must be closed, including the first Monday in August. Currently the Retail Trading Act 2008 prohibits stores from trading on certain days throughout the year unless an exemption has been provided. On 13 September 2011 the Department of Finance and Services commenced a review of shop trading legislation and focused in particular on the specified 4½ days that are prescribed as non-trading days for all shops except those that are exempt. The review received a number of submissions.

When examining this legislation it is interesting to consider the history of the retail trading regime in New South Wales. Laws to regulate shop trading times have existed in New South Wales since the beginning of the twentieth century. Historically, they have served a number of purposes, including offering protection to retail employees from excessive hours of work and ensuring that consumers have reasonable access to the many services and products of businesses that operate in the retail sector. The regulation of shop trading hours has been reformed frequently, but particularly during the past 50 years. Some members may recall the introduction of Thursday night shopping in the 1970s and the commencement of Saturday afternoon trading in 1984.

By the end of the 1980s all restrictions on the opening of shops from Monday to Saturday had been lifted. The 1990s saw increasing use of exemptions to allow a few hours of opening and trading on Sundays. Exemptions from the requirement to keep shops closed have always existed. Certain types of shops have always been allowed to open to trade for different and longer hours, and that was fundamentally based on the importance of the goods they sold. This concept has existed since the Early Closing Act 1899, when late closing was allowed in certain circumstances where it was believed there would be public demand for services after normal business hours—for example, chemist shops, flower shops and restaurants.

By 1966 small, often family-owned, shops of any type were given free rein to trade without competition from larger and more heavily regulated retailers. The current regulation of retail shop trading times is achieved through the Retail Trading Act 2008, which, as originally enacted, was based on the recommendations of a Better Regulation Office review that was conducted in 2007 in response to a recommendation arising from an Independent Pricing and Regulatory Tribunal investigation into unnecessary regulatory burdens imposed on business and the community. The recommendations of that review largely were adopted by a revised scheme that was implemented in 2008 with the commencement of the Shop Trading Act, which later was renamed the Retail Trading Act 2008.

The 2008 scheme recognised that by that time common Sunday trading exemptions and ministerial orders for some public holidays had greatly reduced the number of days to which trading restrictions realistically applied. The 2008 Act finally removed the last vestiges of trading restrictions that applied to Sundays and appointed public holidays by introducing an approach that restricted trade on 4½ specified days each year. The 4½ days when trading has been restricted since 2008 are Good Friday, Easter Sunday, Christmas Day, Boxing Day and before 1.00 p.m. on Anzac Day. The restrictions applied to the days of actual significance irrespective of their public holiday status.

Although most of the recommendations of the 2007 report of the Better Regulation Office review were implemented, the recommendation that Boxing Day should be an unrestricted trading day was not; nor was the recommendation adopted to exclude from all restrictions shops with up to 20 employees, which was the case in Victoria. The bill before the House rectifies both oversights by permitting any shops to open and trade on Boxing Day should they choose to do so, provided they are staffed by persons who have freely elected to work on that day, and provided they are in a medium sized shop exemption category. In 1970 it became possible for the Minister to allow shops to open at restricted times during a period of up to 15 weeks in defined holiday resort localities. Those applications could be made only by a local or shire council, and typically applied to the month of December and throughout the Easter period.

The director general of the department was also able to grant exemptions from the prohibitions on Sunday trading to a particular shop. With the introduction of the Retail Trading Act, the exemptions were preserved, and a new streamlined process for all exemption applications was introduced. The Retail Trading Act provided after its date of commencement in 2008 a relatively wide-ranging administrative exemption scheme whereby shop occupiers, shopping centres and local councils could make an application to the director general of the department for exemptions from the requirement to close shops on remaining restricted trading days. The exemption could apply to an individual shop, a shopping centre or a defined locale. Members may recall that Boxing Day 2008 was the one occasion when New South Wales shops opened for the traditional Boxing Day sales.

However, the Act was quickly amended in 2009 to limit the capacity to apply for exemptions to individual shop occupiers only. That had the effect of locking out any further region-based exemptions, leaving some shops with a competitive advantage over others that were located in adjoining areas. It prevented local communities and businesses from building on efforts to attract and provide services to tourists at peak holiday times. The new tourist trading precinct exemption regime presented by this bill provides an opportunity to address the present anomalous situation. It will facilitate a new balance whereby all councils will be able to

respond to the concerns of their communities and foster economic growth in the important tourism sector. Last week the Leader of the Opposition led for the Opposition during debate and launched into the usual Labor scaremongering campaign. His contribution to debate was straight out of the Australian Labor Party handbook.

**Mr John Sidoti:** Whatever it takes.

**Mr STEPHEN BROMHEAD:** Say and do whatever it takes to scaremonger, oppose everything, and go out into the community and stir. That is all he was doing. The Leader of the Opposition just talked in clichés—Labor Party sermonising. Look at what he and Opposition members have had to say about the legislation. They are trying to scare everybody by telling lies. They have no credibility. No-one has to take my word for it; look at what Labor Party luminaries have had to say about Labor:

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

**Mr Robert Furolo:** Point of order: We are discussing the Retail Trading Amendment Bill 2012.

**Mr STEPHEN BROMHEAD:** That's not a point of order.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! What is the member's point of order?

**Mr Robert Furolo:** I am sorry; the Assistant-Speaker is in the chair, not you.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! The member for Lakemba will resume his seat. There is no point of order.

**Mr STEPHEN BROMHEAD:** Further, the member for Bankstown tried to mislead the House by selectively—

**Mr Robert Furolo:** Point of order: If the member wishes to criticise another member he must do so by way of substantive motion and not during debate.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! Labor members have made reflections on other members. I do not uphold the point of order.

**Mr STEPHEN BROMHEAD:** She left out the important part, which was— [*Time expired.*]

**Mr ROBERT FUROLO (Lakemba)** [5.50 p.m.]: I will make a brief contribution to the Retail Trading Amendment Bill 2012. I do not have a long, prepared, written speech but I want to make a few points because this goes to the values for which we and those on the Government side stand. I have listened to debate by members on both sides, and I am a little disappointed and perplexed. I have not heard any compelling reasons why this bill is so important. That is reinforced by the fact that the bill was not part of the Government's manifesto prior to the election, and the grounds for its introduction do not appear to be all that strong. Worse than that, I am concerned because it seems to me that the bill will definitely have an adverse effect on the quality of life of people across our communities.

Members know that the electorate of Lakemba is home to a great number of people, not many of whom are wealthy and successful business owners. They are hard working, many are in small business and a great number are employed in the services sector. They derive all, or almost all, their income from working whatever shifts they can get, often working for multiple employers and at various times of the day. These people rely on industry for their employment but outside their jobs they are mothers and fathers, children, brothers and sisters, and members of the broader community. As such, they look for opportunities to spend time together. Members of Parliament have a reasonable understanding of this idea of community. We often talk about the value of the people in our community, how important they are and how we support, encourage and recognise their contributions.

When we talk about the volunteers in our community, the good works of those people who support each other, we must recognise also that families are the core unit that holds our society together. When a bill puts added pressure on families who are trying to spend time together on days of significance, particularly those of religious significance, it detracts from the quality of our society. Throughout my life I have worked in a

variety of service industry jobs, which I am happy to share with the House. I have worked as an owner-driver. I would have been affected by this bill because I would be expected to deliver goods to the stores that would be opening on Boxing Day or Easter Sunday.

I have worked as a hotel porter, carrying people's bags to their rooms. Again, I would have had to work on these public holidays. I have worked as a waiter carrying drinks. I have worked as a barman, making drinks. No doubt these people will be required to come to work on public holidays. Previously these businesses were not open but they will be open now. I have worked as a cook and as a cleaner. Whatever businesses open on these days will also need to be cleaned. When my father was alive he was in a cleaning company. He would have had to work on these days as well and could not have taken advantage of those rare, limited opportunities that families have to spend time together. Those opportunities will now be eroded even further.

This bill will not strengthen communities and it will not strengthen families. According to all the advice we have received, it will not strengthen the economy. It will leave families split. It will put pressure on families for those few days a year when families knew they could spend time together; this bill will do all it can to tear them apart. I take the point made by the member for Canterbury about the importance of Anzac Day and the changes that this bill makes to that day. I admit that as a younger person I did not have a full appreciation of the importance of Anzac Day. However, as I have grown older and had the opportunity to attend many Anzac Day ceremonies, I have gained a full and deep appreciation of the importance of this day, not just for the families of those who have been touched by war but for all Australians.

It is important to recognise the sacrifice of those who risked their lives and who gave their lives for the rest of us. It seems to me that the Government's actions in introducing this bill are completely at odds with this theme. The bill will remove the restrictions on Anzac Day trading and allow it to occur throughout the day, with no regard for the marches that communities—mothers, fathers and children—want to attend and with no regard for the importance of this day to our national psyche. This bill will take away the fundamental right of families to spend time together on days that are important to them because the holy worship of money is so vital to those on the Government side.

**Mr GREG PIPER** (Lake Macquarie) [5.57 p.m.]: I will speak briefly to the Retail Trading Amendment Bill 2012. The member for Macquarie Fields commenced his contribution by saying that he took pleasure in speaking against the bill. I will go the opposite way and say that it gives me no pleasure to speak on this bill because I have grave concerns about it and I know the inevitable result of a vote on it. Therefore, I cannot take any pleasure in being able to speak on it. There has been some strong rhetoric from members on both sides of the House about the bill. I have not been convinced by discussions with others that the bill will change fundamentally the fabric of life for New South Welshmen. However, I am concerned that it is a further step towards eroding the fabric of life for many families in our community who like to be able to plan ahead, particularly on Boxing Day but also on other public holidays, for family purposes and, in the case of Anzac Day, to express the reverence associated with the commemoration of that important day.

One of my great concerns about the bill is the way it proposes that no person will be coerced into working on public holidays. Of course, I do not believe this House will ever see that tested. This provision is so subtle that people suffering some coercion to work on a public holiday will find it difficult to argue their case and test this piece of legislation. Such people generally will not be represented by any kind of organisation and probably do not necessarily have the ability to represent themselves to pursue any grievance under this legislation. Therefore, I am concerned about it. I doubt also whether this bill will be of any great value to the commercial outcomes of New South Wales, especially those sought by a very powerful but narrow sector of the business community that would pursue this retail trading amendment. This is just one more step in removing the rights and certainly opportunities that we hold in New South Wales to support important community values. For that reason I will vote against the bill.

**Mr RICHARD AMERY** (Mount Druitt) [6.01 p.m.]: Like all Labor members in this House, I will certainly oppose the Retail Trading Amendment Bill 2012. I shall refer to the bill's objectives shortly. All members on both sides of the House should be very concerned about this bill. Some Government members have made glib statements in this debate. For example, the member for Myall Lakes said simply that this bill deregulating or reviewing trading hours was addressing an oversight and was why these changes should be made. Regulated trading hours have an extremely long history in this State. The member for Lakemba referred to jobs he had held and other members referred to trading hours restricted by government regulation in years gone by. I worked as a shop assistant for Flemings and Franklins stores from 1965 to 1970—an era when trading hours were very much restricted. Hours of work were from 9.00 a.m. to 5.30 p.m. each day, not



including Thursday night trading, and of course 9 o'clock to 12 o'clock on a Saturday. As a shop assistant the rest of the weekend was yours as well as public holidays and three weeks leave each year. Those conditions were protected by regulations introduced through the years.

I do not argue for one moment that those regulations and restrictive trading hours have a place in this modern era; that would be churlish to say the least. However, I agree with the member for Lake Macquarie that there has been some form of incremental change and a breaking down of community standards and working rights and protections in legislation, some of which relate to trading hours. He said that this is one more step in the erosion of the rights that workers have enjoyed for quite some time. It is interesting to note that trading hours have changed gradually—perhaps in many cases they needed to—over many years. For example, in the liquor industry some trading hours changes have been good and some have been bad—if not harmful—for the community, especially regarding early opening hours.

We certainly would not want to return to the time when people in western Sydney had to drive 20 or 30 miles to places like Narellan to buy an alcoholic drink on a Sunday. That would be absurd and amount to an over-restriction of trade. So what is this bill about? As has been said already, it really is a bill for the big end of town. It is a bill for big business, not small business. It is a bill for people who want to operate virtually 24 hours a day, seven days a week for 365 days of the year. Employees will be required to work on those days irrespective of the bill's clauses. Some phrases used in press releases about this piece of legislation have also been stated in speeches in this place. I was surprised to find in this bill the following statement in schedule 1 to the bill regarding new section 3A:

**3A Meaning of “freely elected to work”**

For the purposes of this Act, a person:

- (a) has not freely elected to work at a shop or a bank on a day if the person has been coerced, harassed, threatened or intimidated to work on that day by or on behalf of the occupier of the shop or the bank, and
- (b) is not taken to have freely elected to work on a day merely because the person is rostered, or required by the terms of an industrial instrument, to work on that day.

I have read those same words in press releases and heard them spoken in speeches in this place. Meanwhile back on Earth, do Government members believe someone employed in a Bunnings store or Woolworths supermarket can actually say to his or her manager who wants to open the shop at a certain time, "Listen, the legislation that went through the State Parliament says I do not have to work"? Do Government members not think the employee would not then be placed in some vulnerable position for saying, "Well, I don't think I should be working; I've got family commitments and so on"? Do Government members believe employees could pull out a piece of legislation and say, "I don't have to work according to the law"? How fragile would that person's employment be? I just cannot believe this bill contains those words. Normally they would appear only in speeches prepared by a ministerial office or press releases issued by the Minister to argue the case.

It is absurd to think an employee in a vulnerable or junior position could say to the manager of a large retail outlet, "The law says I do not have to work." I do not think the manager would order an employee to work, but by expression or body language that employee would know that his or her response to the request to work on a public holiday certainly would be remembered. Government members are kidding themselves if they think this bill will provide some protection to an employee in such a vulnerable position. Why does the Labor Party oppose this bill? People like to say that it is all about unions and other accompanying rhetoric. We all recognise that shop assistants in big retail stores or in small businesses in large retail outlets are hard working, work very long hours and are paid comparatively low wages. I will not work on Boxing Day. It is one of the best days of the year to get together with the family. Christmas is always about rushing around catching up with friends and family. Boxing Day provides a wonderful opportunity to catch up with friends and family.

I do not work on Boxing Day as a member of Parliament, and I am sure few members in this place would work on Boxing Day. Yet Government members are quite happy to claim that retail employees really have a choice not to work. The Government is completely reprehensible. The Leader of the Opposition is right: preparation is required for retail outlets to open on Boxing Day. Many employees will be required to go in to work on the evening of Christmas Day to prepare a store for trading on Boxing Day. That issue has not been addressed. As I said earlier, this bill is about big business as opposed to small business. This has been touched on by some members in the debate. Many small businesses operating in a strip shopping centre have the luxury of opening when they want to. They can make a commercial decision as to whether they are competing with the store down the road or the large retail store in a complex nearby. They have the luxury to decide when they open and when they close. That is not the case—*[Extension of time agreed to.]*

I was making the point about the small business person who has a lease in a large retail shopping centre. My electorate office is in the Westfield shopping centre at Mount Druitt. There are also other shopping centres—Centro Retail Australia has been named—those large under-the-one-roof type shopping centres that have their origins in places like Roselands and Bankstown Square. Small businesses operating within a large super shopping centre do not have the luxury of saying, "I will open on a certain day or I will not." Shops within large shopping centres that have varying numbers of employees are required by their lease to open when the shopping centre is open.

As my electorate office is a government instrumentality, Westfield cannot require my office to open. Westfield understands that if it required me to open my electorate office on these days it would blow the budget of this place. If opening were a requirement for electoral offices I am sure that not too many members would maintain their office in such a shopping centre. Small businesses in large shopping centres do not have the luxury of small businesses that operate on the highway or in a strip shopping centre in the various suburbs and towns around New South Wales. This bill, in effect, robs those small business owners of their right to close their shop on the few days of the year that are protected by regulation. Government members should be asking themselves what their main target is when it comes to supporting this legislation.

This bill does not surprise me. There has never been a time in this House when in the space of one year we have debated so many bills that remove protections and exemptions, change the way people are employed and sacked, and change the way people's pay rates are increased. In my 28 years in this place I have never seen so many different pieces of legislation that have a common theme—giving large employers and businesses the upper hand. The only way that large employers and businesses can get the upper hand is for the Government to remove those protections through legislation. For many decades those provisions—amended and deregulated over time—have protected those people who are not able in the commercial world to protect themselves. This bill shows that this Government will continue to destroy the conditions of workers and small businesses in favour of big business in the community. I oppose the bill.

**Mr MICHAEL DALEY** (Maroubra) [6.13 p.m.]: The Retail Trading Amendment Bill 2012 which, at best for the Government, is an unfortunate bill, provides for an unnecessary mechanism. The concluding remarks of the member for Mount Druitt, who set the scene of a Government that in its first year has been a one-trick pony, were quite telling. Ministers often promulgate bills and a regime that are not theirs—much of them belong to the previous Government. This regime and the amendments inherent in this bill do not belong to the Labor Party. This regime and the mechanisms in the bill are wholly and solely the domain of the Liberal and National parties of this State. The timing of this bill is curious. The weekend before last various forms of the media and businesspeople roundly criticised the Government for doing nothing.

On the Monday morning after that unfortunate weekend the Premier announced that he was an action man and that he was going to get into the workers compensation scheme. That afternoon he made a speech to the NSW Business Chamber and concluded the day as he started—by attacking workers. He said, "Wages are capped at 2.5 per cent for 290,000 government workers in the State. If only I could get my hands on the other 54,000 and shake them down as well—ports, gas, electricity, and rail workers—I could save \$340 million over the estimates as well by cutting their wages in real terms." This bill was introduced on Wednesday last week and comes on top of the attacks on social and community sector workers, the police death and disability scheme, and workplace safety. This Government is willing to get into workers. It is a one-trick pony. The timing and motivation are clear.

**ACTING-SPEAKER (Ms Sonia Horner):** Order! The member for Murray-Darling will remain silent.

**Mr MICHAEL DALEY:** What I do not understand is why so many Coalition members support this bill. As we hear from time to time, the Coalition at both State and Federal levels are the preservers and appreciators of history and tradition, and those institutions that only the Coalition will protect and that Labor wants to dismantle. Some members opposite want to spruik—there are a myriad of them in this place—about preserving and protecting Christian values. Is allowing people to come in to work on Christmas Day Christian values? I think not. Is allowing people to come in—

**ACTING-SPEAKER (Ms Sonia Horner):** Order! The member for Kiama will remain silent.

**Mr MICHAEL DALEY:** —on Easter Sunday or on the morning of Anzac Day Christian values? In that regard this bill reeks of hypocrisy. Members have been hiding behind a definition of "freely elected to

work", a provision in the current bill. This bill centralises its definition. We all know that in the retail trading industry often there is no free election; often there is an imbalance between the bargaining power of the employee and employer. We know that this is an industry in which very young people, students, single mums, and people from non-English speaking backgrounds work. I do not think there will be too many members who have not had a job in the retail sector. It is an enormous employer.

That is the reason the former Labor Government was happy to amend the restrictions on retail trading over 16 years to arrive at what it thought was a good balance. That balance is now upset by the provisions of this bill. It is no good for Coalition members to hide behind the provisions of the bill that relate to "freely elected to work". Further protections are needed. The protections in the Act state that certain days are off limits: Easter Friday, Easter Sunday, on the morning of Anzac Day, Christmas Day and Boxing Day. They are gone. This bill amends various sectors of the industry. In small shops the exemption extends from four to five employees; it is an incremental weakening of the balance.

A new exemption for medium sized shops provides that those businesses are allowed to open if the number of persons employed does not exceed 20. That is an unnecessary weakening of the Act. But there is something for everyone in this bill; the sop is complete. Large businesses can take advantage of new section 8A, which provides a new exemption to enable a shop to open on a restricted trading day if the business activities are only those of reception, unpacking and preparation of goods for sale at the shop after the conclusion of a restricted trading day. I do not understand this artificial distinction between someone who has to talk to another human being and sell them goods, or unpack a box. The effect is the same; they are dragged away from their families and brought in to work on a day on which they should not be working.

One of the most unfortunate amendments in the bill is that which relates to Boxing Day. For me, Boxing Day is one of the great breathers of the year. For some strange reason, at about 3 o'clock on Christmas morning last year I recall having a look at Twitter and seeing that Senator Matthew Thistlethwaite had said, "I've just put up a cubbyhouse for my kids." I tweeted back, "I've just put up swings for my kids." Boxing Day is one of those great days of the year when one gets to take the phone off the hook, shut the door, not talk to relatives if one does not want to, and sit down with the kids—after all the rush inherent in Christmas Day and all the shopping; or, if the person is a mother or father with young kids, putting presents in stockings for Christmas Day.

**Mr Brad Hazzard:** We're all going to Richard's for Boxing Day. You can come too.

**Mr MICHAEL DALEY:** I will be there. He is a lovely gentleman, and I am sure he will be most hospitable—unlike the terms of this bill. After the passage of the bill, Boxing Day will be just like any other working day. That is a great shame. The bill fails to recognise that people working in the retail trading sector want a breather; they value their family time. There are only 4½ days of the 365 days of the year on which they are protected from the consumer. The Act has the balance right. This bill upsets that balance. It is cloaked in hypocrisy. It is completely unnecessary to remove the existing protections. When challenged, the O'Farrell Government just dishes it out to ordinary working people. This is just another of the many instalments already delivered or yet to come. I want nothing whatsoever to do with this bill. It is founded on a very bad value judgement.

**Mr CLAYTON BARR** (Cessnock) [6.22 p.m.]: I hear members remarking on the quality of my tie, and I would like them to know that it was given to me by a family member for my recent birthday. To that end, they are all on their own; I am standing with my family. Standing with family is exactly what the bill is about. The Retail Trading Amendment Bill 2012 brings to this Chamber yet another ill-conceived thought bubble of the O'Farrell Government. It disappoints those opposite to have the truth pointed out to them; but disappointment is what we get when we are exposed to these ill-conceived bills. At some point in the future the concept of smart government may well sink in; it has not yet. As an observer of politics over some years prior to my arrival in this place, I watched with some interest the performance of those now sitting in government.

What has become clearer in the past 12 months is that throwing stones from opposition, and actually leading, are two different things. Public scrutiny is a killer. At the hand of this Government the workers, small business owners, families and even people's religions and faiths are dying a painful and mistake-ridden death. The bill is yet another nail in the coffin. There can be no doubt that a large number of public norms and traditions are based on the Christian calendar as per the common belief system of the great majority of early European settlers. Each of those calendar dates is less representative of the traditional Aboriginal cultures and

the subsequent multicultures of New South Wales and Australia. Some would argue the relevance and/or significance of these traditional Christian dates in today's Australia; I do not wish to enter into that dialogue today.

What I seek to clarify is that these dates exist. There are reasons for them, and they bear a considerable and long basis of European settlement. To that end, certain periods of the calendar year offer considerable importance and recognition for Australians at all levels. This would include a variety of religions as well as atheists, agnostics and other persons with varying degrees of religious interests. These periods and these dates have become something that might be called an Australian way of life. There are times when people can confidently predict that they will not be occupied by work; a time when they and others and industries will take the time to pause, celebrate, reflect, connect and share. Take for example the Christmas-New Year period, or the Easter period; both periods offer four, five or six or more days that can be set aside for family and friends to gather, primarily because public holidays and business closures are normal. Indeed, the mystery of the Boxing Day shopping orgy is reliant on the availability of consumers—people who are not at work.

The retail industry comprises 10 per cent of our working population. That is an important 10 per cent that is available for the traditional Boxing Day shop. The very people who drive this bill—the fact that Boxing Day is seen as such a windfall for the retail sector, the justification for this bill, the phenomenon of Boxing Day—are the people who will be forced back to work under this bill. While some on the other side are still pondering and digesting that thought, I move to explain my use of the term "force". Last week the Treasurer went to considerable lengths to explain that workers would have to "freely elect to work on that day without any coercion, harassment, threat or intimidation." Clearly, that is a fairytale notion; it has no bearing on truth or reality. Any person who has worked as a casual employee will know well that the offer of shifts and the call to work have a not-so-subtle implication that one's job depends on one's response. So let us not pretend that this is an optional feast for the casual employee.

Indeed, the Treasurer went one step further in identifying that those working in retail outlets with fewer than five employees would not have the option to freely elect; they would be compelled. What justification or explanation did the Treasurer offer? He referred to a "longstanding arrangement". How long is long? And how long into the future will the "freely elect" condition apply before it becomes a "longstanding arrangement"? The translation of this Liberal-Nationals philosophy is simple: We will disguise it as optional while we bring it into effect, then nail it home a little later when no-one is looking. I have spoken in the past about my concern that those opposite acknowledge ownership and agreement with many of the bills being brought before this House. This is another bill where the Coalition Government seeks to hide behind a scaled-backed or cushioned version of the legislation. With jargon, technical reference and complicated dialogue it will pursue its agenda, hidden away from the very public that it affects.

But being frank and honest, simple and straightforward is not what the Liberal-Nationals Coalition does. It has repeatedly not been frank and honest with the budget, with bills to do with workers compensation, occupational health and safety laws, public sector working conditions and wages—and the list goes on. Hide and deceive is what the Coalition does. It stays well away from the truth because that does not attract votes; it is not, it says, in the public interest and not what the public wants. This bill will result in workers being forced to work on each of those public holidays. It will put pressure on retailers to be open, not closed. Where does it end? Where does the willingness to extend and open the retail sector to public autonomy end?

Another basic element of trading conditions during the Easter public holiday is the inability to purchase takeaway alcohol on Good Friday. The foundation of that law is Christian faith. But apart from faith there is no real justification for such legislation. So is such legislation next? Someone on the opposite side declared that from here on Good Friday would be business as usual for takeaway liquor outlets. It will be another step away from the core Christian principles on which this country, through European existence, was founded. There is so much entanglement between Christianity and the laws of this land, yet here we are today questioning some of those things. The 4½ public holidays offered to our workforce prior to the introduction of this legislation allows a time for employees to stop and to get away from the pressures and the demands of work, and to share that time with family and friends.

**ACTING-SPEAKER (Ms Sonia Horner):** Order! Government members will remain silent.

**Mr CLAYTON BARR:** We on this side of the House oppose the bill because opposing it is important to what we do. It has nothing to do with union hacks and union persuasion; it is to do with knowing what people want and knowing what we in Labor believe in. We believe in families and communities, and we believe in the prosperity of both. This bill does not. For that reason we oppose the bill.

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [6.31 p.m.], in reply: I speak in reply to the Retail Trading Amendment Bill 2012 on behalf of the Treasurer, representing the Minister for Finance and Services in this place. I thank the following members for their contributions to this debate: the member for Londonderry, the member for Blacktown, the member for Liverpool, the member for Auburn, the member for Bankstown, the member for Fairfield, the member for Cabramatta, the member for Macquarie Fields, and the member for Marrickville.

I also thank the member for Canterbury, the member for Lakemba, the member for Mount Druitt, the member for Lake Macquarie, the member for Wyong, the member for Camden, the member for Parramatta, the member for Myall Lakes, the member for Newcastle, the member for Maroubra and the member for Cessnock. It is interesting that as we have been speaking on this bill reports have appeared in the media today that have a slightly different perspective from what has just been indicated. I note an article in the *Port Macquarie News* today stated:

The Mid-North Coast NSW Business Chamber believes the NSW Government's announcement that it intends to change the Retail Trading Act to allow all retailers in the state to open on Boxing Day was a common sense decision.

"Now all our local retailers will be able to participate in one of the biggest trading days of the year," Mid-North Coast NSW Business chamber regional manager Kellon Beard said.

"This is a common sense decision in line with the community's 21st century expectations that retail shops should be open when they want to shop.

"It's a win for shoppers, retailers, employees, who if they wish to work on that day, will get a significant boost to their pay packet.

"It is also a leg up for bricks and mortar retailers who have to compete with 24/7 internet shopping."

These amendments represent an important step in ensuring a balanced approach to the liberalisation of shop trading restrictions. The bill provides shops with a greater ability to open on restricted days, should they choose to, but permission to open is qualified by the requirement for those shops to roster staff who freely elect to work on that day. I will now respond to a number of erroneous claims made during this debate. The Leader of the Opposition said that the Coalition was ripping away public holidays from mums and dads. This bill is not about public holidays. The declaration of a public holiday has not been the signal to lock the doors of shops since 2008 when the former Labor Government introduced the Shop Trading Act. Indeed, in the agreement in principle speech in the proposed legislation at that time the former Labor Parliamentary Secretary said:

This bill does not take away any public holidays. The bill also does not affect existing industrial entitlements in respect of public holidays. It does not affect entitlements to public holiday penalty rates. The bill is only concerned with shop trading restrictions.

Consistent with the approach adopted by the former Labor Government, this bill does not amend the legislation governing public holidays in this State nor does it impact on the rights and entitlements of shop employees under the Commonwealth's Fair Work laws. In deciding that shops should be able to open conditionally on Boxing Day, the New South Wales Government was conscious of the concerns expressed by more than 200 individuals who made submissions to our inquiry into retail trading laws last year. They each expressed similar views that they could be required to be at work and away from their families on Boxing Day. For that reason the New South Wales Government is maintaining Boxing Day as a restricted trading day but allowing shops to open on the strict condition that the staffing of the shop is to be undertaken by persons who freely elect to work on that day. There is nothing unusual about that requirement.

The New South Wales Government notes there is strong demand from the public for shops to be open for business on Boxing Day. Equally, retailers have indicated there is also strong demand from workers to supplement their earnings through the opportunity to work on that day. But if retailers need to rely on the exemption provided by this bill to open their shop legitimately on Boxing Day, they must not coerce anyone to work in the shop. When referring to the new category of medium sized shop exemption, the Leader of the Opposition noted that staff working in such a shop "can be compelled to work". That is patently untrue. New section 8 (4) makes it clear that medium sized shops can trade on a restricted trading day only if those shops are staffed by individuals who freely elected to work on the day. The Leader of the Opposition also noted that the bill does not require owners of small shops—those shops with fewer than five employees—to comply with the "freely elect to work" provisions.

**ACTING-SPEAKER (Ms Sonia Hornery):** Order! Government members who wish to have private conversations should do so outside the Chamber.

**Mr BRAD HAZZARD:** Let me make this clear: That has always been the case. "Freely elect to work" provisions do not apply to the small shop category of exempt shop under the Act. Indeed, exemptions for small shops have been part of retail trading laws in this State since 1965 and have never had conditions attached to their right to open for trade on restricted trading days. Permitting shops to open on Boxing Day will simply align this State with the rest of the eastern seaboard. Shops are already permitted to trade on that day in Victoria, Queensland and in the Australian Capital Territory. The Leader of the Opposition also asserts that when he was Minister for Industrial Relations, small businesses were concerned that landlords could force them to open on restricted trading.

I can inform members opposite that the former Government's amendment in 2009 introduced just that protection. Commencing on 1 October 2009, section 22A of the Act provided that lease arrangements were void to the extent that they required the occupier of a shop to keep the shop open at any time on a restricted trading day, even when the shop was exempt from the requirement to close. Again, we are maintaining Boxing Day's restricted trading day status so that any shopkeeper who does not want to open on that day cannot be forced to do so because of a term in his or her lease. The bill strikes the right balance by presenting reforms that serve the needs of communities, businesses, their customers and their employees. I commend the bill to the House.

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

**The House divided.**

**Ayes, 61**

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

**Noes, 19**

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

**Pairs**

Mr Edwards	Ms Burton
Mrs Sage	Mr Park

**Question resolved in the affirmative.**

**Motion agreed to.**

**Bill agreed to in principle.**

### **Passing of the Bill**

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

**The SPEAKER:** Order! It being before 7.00 p.m. the House will now proceed with the matter of public importance.

### **ROAD SAFETY**

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

**Mr CHRIS SPENCE** (The Entrance) [6.50 p.m.]: As a matter of public importance I remind the House of the importance of road safety during the Easter holiday period. With the commencement of school holidays coinciding with the Easter long weekend, naturally we expect increased traffic volumes on major roads as people seize the opportunity to take a break and enjoy a holiday, or visit friends and family. During the Easter long weekend traffic increases by up to 45 per cent, particularly on major highways such as the Pacific Highway, the Princes Highway, the Hume Highway and the Kings Highway. Last year there were five fatalities on New South Wales roads during the Easter holiday period, which was one more fatality than in 2010. With the Easter break approaching at the end of this week, it is a timely reminder to anyone who is planning on travelling to take care on our roads.

Motorists ultimately are responsible for their actions on the road. Our Government is enforcing road safety messages this Easter. Operation Tortoise will be launched on Wednesday 4 April, and will be in force over the long weekend. Double demerit points will be in force from midnight on Wednesday 4 April until midnight on Monday 9 April inclusive. Double demerit points enforce the message to drivers that speeding, driving without a seatbelt or riding a motorcycle without a helmet will not be tolerated. Over the 80 periods when the double demerit measures were applied up to the Australia Day 2012 holiday period there has been a 30 per cent reduction in the number of fatalities on New South Wales roads compared with the corresponding periods prior to the measure being introduced.

The number one killer on New South Wales roads is speeding. All motorists on the road this weekend need not risk having an accident, injury or even death for the sake of arriving a few minutes earlier. Motorists should be aware of driver fatigue and remember the old adage: Stop. Revive. Survive. Driving late in the afternoon, late at night and early in the morning increases the risk of having a microsleep and losing control of a vehicle. Across New South Wales there are more than 1,400 rest areas and driver-reviver stations: the Roads and Maritime Services website has a list of them. I encourage all motorists to plan their journey with the rest stops included. Today the Minister for Roads and Ports urged motorists to be mindful that even though some schools have a pupil-free day on Thursday 5 April other schools are open and the 40 kilometres an hour speed limit still applies. Thursday 5 April is still a gazetted school day. As such, the enforceable speed limits apply as they do throughout the school term.

The Easter break means that there will be more children around parks, beaches, shopping centres and playgrounds. I urge all motorists to take extra care around these areas during the holidays. Many people will take the opportunity to catch up with friends and family over the Easter weekend to share a meal and perhaps a drink. We are all well aware of the dangers of drink-driving. Again, the police will be conducting random breath tests across the State as part of Operation Tortoise. During the last year police conducted more than 247,000 breath tests, resulting in 464 charges being laid. Drinking alcohol and getting behind the wheel of a vehicle is a danger to the driver, other drivers on the road and pedestrians. We have all seen the 6 o'clock news stories of horrific accidents caused by a driver who had been driving under the influence of alcohol or a drug, or we have read reports in the newspaper. If people are planning to have a drink they should plan not to drive. They should hire a taxi or arrange a designated driver. The Easter break is a time to be enjoyed. I urge everyone in New South Wales to take road safety seriously.

**Mr ROBERT FUROLO** (Lakemba) [6.55 p.m.]: As representatives of our communities, regardless of our politics, we come to this place with an inherent desire to see the decline in fatalities and injuries on our roads. This issue is beyond politics and the cheap point-scoring that substitutes for debate in this and that other place. And because of this common purpose, because of this collective will, there is actually a good story to tell about road safety. The statistics are quite compelling. Fatalities and road accident related injuries have declined steadily over the past decade. This is not a New South Wales phenomenon but a national trend. However, it is pleasing that, of all the Australian States, New South Wales has been leading the way.

Between 2002 and 2010 fatalities on our State's roads were reduced by 25 per cent. This compares with a reduction of only 18 per cent across the rest of Australia. The former Government can rightly be credited with some of the results. In 2008 there were fewer fatalities on our roads than in any other year since 1944, when records began, despite there being 15 times more registered vehicles, 11 times more licensed drivers and double the State's population. Road safety has improved for young drivers too. Between 1998 and 2008 the number of injuries, crashes and fatalities involving drivers under 26 was reduced by half. That is another great result that was achieved by making road safety the number one priority. When we reflect on achievements of the former Government and when Coalition Government members like to suggest that nothing happened for 16 years they simply cannot ignore the facts about road safety in this State.

New South Wales has been leading the rest of Australia in the reduction of fatalities and injuries by a 25 per cent reduction over the past 10 years, which has outstripped the rest of Australia. When it comes to road policy, nobody wants to think that decisions are taken with a view to political advantage over improved safety. But, sadly, the actions of some leave room for conjecture about motives and priorities. We are all familiar with the review of speed cameras undertaken by the New South Wales Auditor-General. Contrary to popular opinion, the report did not recommend the immediate switching off of 38 speed cameras. What it did say was that, of all the speed cameras in operation, those 38 warranted further consideration to determine whether they should be removed. The report states:

While fixed speed cameras have a positive road safety impact overall, crash results vary for individual cameras. For some camera locations, the number of crashes did not reduce. This means that other road safety measures may be needed for these sites. RTA has identified 93 of 141 fixed speed camera locations as effective with a clear road safety benefit. It plans to review and relocate 38 of the remaining cameras.

The Auditor-General also said that the cameras should be removed only after further examination and the implementation of alternative safety measures at each of the sites. The report goes on to state:

... where there has been no significant impact consider an alternative camera site and other road safety treatments for that site.

The Minister for Roads and Ports already has conceded he ignored the advice of the Centre for Road Safety and the Auditor-General when he switched off the cameras. We also know that a tragic accident occurred at Urunga—the site of one of the cameras that was removed, contrary to advice, and before any alternative safety measures were implemented. But when it comes to road safety we all know there is more still to be done. In the Chamber a few weeks ago we debated a proposal by the Police Association of New South Wales and the NRMA to set aside revenue from speeding and traffic penalties and add it to the investment in road safety. That would mean an additional \$300 million a year for extra police highway patrols, or \$300 million extra a year to improve dangerous roads and blackspots, or \$300 million to improve training and education for motorists and pedestrians.

Last year 376 people lost their lives on New South Wales roads. To put this into context, that is more than one person every day of the week for the entire year who will no longer be home for dinner. We can talk about improving safety, we can show a genuine commitment to making road safety the basis for all decisions in roads policy, but surely safer roads are more important than headlines. The New South Wales Opposition will support any and every measure to improve road safety in this State but it will not sit back and watch the Government pat itself on the back when it has failed to make road safety the number one priority.

**Mr CHRIS HOLSTEIN** (Gosford) [7.00 p.m.]: The Easter period is recognised as a holy and spiritual period for many Christians in Australia. It is also a holiday period when many families take to the roads to visit relatives and friends who live far away and whom they do not see often. It is a busy time for the highway patrol. This is the first Easter since the establishment of the new stand-alone Traffic and Highway Patrol Command, in fulfilment of an election commitment. As the Minister for Police and Emergency Services said recently, this new command structure provides a range of benefits, including more highway patrol officers on the roads and less diversion of highway patrol officers to general duties.



Those of us who live on the Central Coast and the northern regions of the State are particularly pleased to have the joint operation National Route 1 campaign being conducted. It was launched on 1 March and will run until the end of June. The results so far have been most impressive but also disturbing. It has detected 356 drivers speeding and 24 drink driving. The operation has also conducted numerous heavy vehicle inspections and 91 infringements have been detected. The F3, which runs through the Central Coast and divides my electorate, is one of the busiest roads in the country, carrying more than 75,000 vehicles a day. During holiday periods the traffic on this route can increase by up to 50 per cent.

In a bid to reduce injuries and fatalities, double demerit points will be in force from midnight Wednesday 4 April until midnight Monday 9 April. I urge all motorists travelling during the Easter period to please slow down and take care of their families and others. Anyone who has sat on the speed limit—perhaps using cruise control—on the Pacific Highway or on any other major highway or motorway can attest to the fact that many cars will speed past them at seriously excessive speeds. Many drivers still think there is such a thing as safe speeding. There is not. Although time is limited I want to mention one thing. A member from the other side of the House said that this should not be made a political issue. But anything to do with roads is also about making roads conducive to safe driving as well.

I sometimes hear about the money the Federal Labor Government has wasted on all those projects. Good roads are signs of good government, not billion-dollar fantasies designed to impress Bob Brown. The police and the men and women of Roads and Maritime Services are doing a great job of enforcement. Roads and Maritime Services have run and will continue to run some clever and effective campaigns. All of these are essential. Easter is a great time for us all and, whatever our beliefs or traditions, an opportunity to catch up with family and friends. Our highway patrol officers will be out in force this Easter doing a great job as they always do. I take this opportunity to thank the men and women of the NSW Police Force highway patrol for giving up their family time to make sure the rest of us arrive and get home alive and well.

**Mr CHRIS SPENCE** (The Entrance) [7.03 p.m.], in reply: I thank the member for Gosford for his contribution to this debate. Sadly, I am disappointed that the member for Lakemba felt the need to politicise the debate. If the member for Lakemba was truly serious about road safety he would hand in his driver's licence and refuse to borrow any more Lamborghinis. He would also be lobbying his Federal colleagues to make sure we get the 80:20 funding that has always been in place so we can get the upgrades to the Pacific Highway that are so desperately needed.

I agree with the comment of the member for Gosford that addressing driver attitudes as to what is acceptable driving practice is absolutely necessary. This Government is working hard to do this by undertaking an extensive communications campaign in the lead-up to Easter with messages such as: Take care, obey the road rules, drive safely and have regular breaks if you are planning to travel long distances. Many campaigns will be run in the lead-up to Easter, including Don't Rush, a campaign inspired by Professor Owler after experiencing what he described as a weekend of carnage on the roads and deciding enough is enough. The Don't Rush campaign is a simple and important message to reduce the road toll.

Another campaign, Wake up to the Signs of Fatigue, encourages motorists to recognise tired eyes, drowsiness, yawning and loss of concentration as signs of fatigue and the need to stop for a rest or change drivers. This campaign is especially important, as addressing fatigue cannot be legislated; it relies solely on raising public awareness. The double demerit system started encouraging drivers to drive safely by enforcing greater penalties and the risk of the loss of licence. School zone safety reminds drivers to be aware that Thursday 5 April is still a gazetted school day and the 40 kilometre an hour speed zones will still be enforced, with double demerit points if a driver is caught speeding. We cannot compromise on the safety of children. While Easter will see increased traffic on the roads, just as there is every holiday season, this Government has strategies and campaigns in place to address road safety and ensure families arrive alive. I wish all families across New South Wales a safe and happy Easter.

**Discussion concluded.**

## **PRIVATE MEMBERS' STATEMENTS**

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### **TEACHERS**

**Mr CLAYTON BARR** (Cessnock) [7.05 p.m.]: Why are we losing our teachers from our schools? Recently I became aware of two local teachers who are looking for other careers, careers that have nothing to do

with teaching high school aged students. Both these teachers are under 30 years of age and have been teaching in schools for at least three years. One is looking at office work so there is no contact with children and parents. The other is looking at the mining industry, again so there is no contact with children and parents. Both teachers are female.

When asked why, both responded almost identically even though they are teaching at different schools and both were asked on different occasions. It was not the workload at school or the at-home planning of lessons and time that were taking their toll. Both stated it was the lack of respect shown to them by some students and parents. It was the swearing at them, the verbal abuse hurled at them, the complete disregard for instructions being given. It was the disruption to classes that affect other students, the lack of any form of responsibility being taken, the blame being placed on everyone and everything other than the students involved. It was the parents who had no control over their children at home and expected teachers to allow their children to do what they like at school but still teach the children, with no support given from home.

Some kids felt that their parents showed no interest in them or their schooling, so why should they care? The teachers experienced the heartbreak of seeing good kids change before their eyes because they started mixing with the wrong crowd, with the teachers unable to do anything to stop it from happening. The teachers were unable to turn around the bad kids so that they could make good and make something of their lives. Both teachers agreed there were good days when they walked out of the school feeling like they had made a difference in their students' lives, but the good days were getting rare and the bad days were becoming more prevalent.

Teachers can make a huge difference in a young person's life. There would be no-one here who could not think of a teacher who inspired them at some time of their schooling. Why have we allowed some of our children to uninspire our teachers—some to the point of leaving the profession never to return? For the past decade and a half we have spoken about the impending loss of teaching staff—the fact that 50 per cent of our teaching staff will retire in the next five years. Those next five years have been coming for 15 years, and they are here now. Teachers will be leaving en masse in the coming two to three years because they have reached retirement age, and we do not seem to be able to fill in behind them or retrain those who are retained to fill in behind them. The two teachers I have cited in this Chamber today are two such examples. The member standing before you is another.

Why have we allowed some parents and students to take away the inspirational occupation that teaching once was? Why do some parents selfishly place themselves before their children and let their children think they are an inconvenience? The answers to these questions are not simple or easy and not without their problems. But we need to ask ourselves these questions. We, as a bipartisan cohort, need to address our thinking about the future of education in this great State. Our public schools always have done, and will continue to do, fantastic things. They do so with the support of governments and school communities, and sometimes in spite of governments. But our public schools and our teachers need bipartisan government support more than ever.

It is for that reason I speak of the two teachers I met recently in my community: good teachers, good girls, good kids, good young people who are trained and who want to make a difference in young people's lives but who feel that it is just all too hard and there are easier ways to make a dollar. Such teachers are leaving the system at a time when we need them probably more than we ever have. The future of our children, our State and our nation is based on education. Without that foundation and grounding in education, we will not be the great and prosperous place we could be. To that end, I bring to the attention of the House the problems confronting two local teachers in my area. I hope that we can all work together to produce a better outcome for them and for others.

## **LORD HOWE ISLAND**

**Mrs LESLIE WILLIAMS** (Port Macquarie) [7.10 p.m.]: This evening I shall talk about an island paradise in the Port Macquarie electorate. Let me say at the outset how proud and privileged I am to be able to represent the wonderful people of Lord Howe Island. Lord Howe Island is a unique paradise on our doorstep. Just two hours away by plane, it is the perfect getaway. I encourage anyone in this place who is thinking about taking a relaxing holiday to consider exploring Lord Howe Island. However, while it is an amazing location with breathtaking scenery, Lord Howe Island is not without its share of issues. In recent weeks the newly elected Lord Howe Island Board members met for the first time. I congratulate the four islanders who were successful in their campaigns to represent their community: Gary Crombie, Lisa Makiiti, Barney Nichols and Judy Riddle. I wish them all the very best in their term of office. I know they will represent their communities'

interests with diligence and vigilance during their tenure. I thank also recently retired board members Stan Fenton and Des Thompson for their great work. Both men have been credible advocates for their local community over many years.

As I mentioned previously, many challenges face island residents, including those associated with housing, tourism, education, infrastructure and, like all electorates, funding. But Lord Howe Island has one characteristic that is unlike anywhere else in New South Wales: the entire island is New South Wales Crown land. One issue discussed at the most recent board meeting was category B dwellings, which under the current policy will be sourced from either vacant Crown land or land provided from an existing perpetual lease. These blocks of land will soon be allocated under category B to be sourced from three existing leaseholders—namely, Rodney Thompson, Therese Turner and Mavis Fitzgerald. I am advised that 30 applicants have applied for the land. Therese Turner informs me that the parcel of land in question has been in her family since 1881. In accordance with the Act, people with islander status—that is, they have lived on Lord Howe Island for 10 years and do not hold or have not previously held a perpetual lease—may make application for dwelling entitlement.

Many residents have raised concerns with me about this method of land allocation. Subsequently, I conveyed these concerns to the Minister for the Environment, and Minister for Heritage, who is responsible for administering the Lord Howe Island Act, and also the Premier. Whilst I acknowledge that this is a complex issue, I am comforted by the knowledge that the current land allocation policy is being reviewed. A draft policy due for release in May aims to manage the allocation of dwelling entitlements for the next five years and will involve extensive community consultation. In the meantime, many islanders consider that the current land allocation process should be deferred pending the development of the revised policy, with which I agree. I am concerned that the process to date, even before the ballot has been drawn, has divided this small island community and has caused much stress not only for the families involved, but also for many locals as demonstrated by their representations to me.

Other issues discussed at the recent board meeting were emergency management systems, a development application for a new slipway, the eradication of big headed ants and, of course, funding grants. When I was last on the island, in November, I had the great pleasure of presenting the Lord Howe Island Historical Society and Museum with a cheque for \$60,000, which was State Government funding for the creative development and public presentation of an interactive display on the geology and biogeography of Lord Howe Island. The funding is part of the \$1.6 million allocation to support the creation and presentation of works across New South Wales under the 2012 Arts Funding Program. The Lord Howe Island Board will also receive \$60,000 to prepare a coastal hazard study and coastal management study for the island that will assist in understanding the hazards that affect the coast, define areas at risk and identify management options. I look forward in May to attending the Small Islands Forum on Lord Howe Island. As someone who grew up on an island—in my case, Kangaroo Island—I have first-hand experience of the issues synonymous with island life.

Representatives from islands around Australia and in the Pacific and the Indian oceans will converge on Lord Howe Island to discuss a range of issues, including sustainable island communities, conservation, tourism, renewable energy, technology, culture and governance. Obviously, the challenges facing island communities around the world are unique. To have all these issues discussed on Lord Howe Island will present a significant opportunity to share experiences and successes that will benefit local residents and Lord Howe Island in general. Although Lord Howe Island is a unique island paradise, its local residents, whilst small in number, should have the same representation as members of mainland communities. I will continue to do my best to ensure this is the case and that such representation is effective.

#### **TRIBUTE TO JAN O'NEILL**

**Ms LINDA BURNEY** (Canterbury) [7.15 p.m.]: It is with sadness that I speak tonight of the passing of a very special person who lived in the Canterbury electorate but, more importantly, was one of the stalwarts of the Labor Party in the Canterbury area. I speak of Jan O'Neill. Many members who have been in this place for a while—including the member for Mount Druitt—knew Jan, who passed away suddenly at her home on 1 January. Of course, Jan's husband, Phil O'Neill, was a member of this place and represented the then electorate of Burwood. When one thought of Jan, one could not help but think of Phil—and vice versa. They were an inseparable couple. They worked tirelessly for the Labor Party and were the backbone of its Enfield branch. Phil misses Jan terribly. I saw him a few days ago in a Parliament House hallway and he was in tears just at the mention of her name. I place on record my appreciation to Jan and Phil for the great care they showed me, particularly when I was a new member of the party, and for the way they embraced me and taught me an awful lot about the Labor Party. I have particularly fond memories of the Enfield annual Christmas dinner, which I always attended.

Jan's funeral was held at St Joseph's Church, Enfield, where her life story was told. The respect for Jan and Phil was evident from the incredible number of people who attended, including many significant figures in the Labor Party, past and present. Jan's life was told through a series of extraordinarily beautiful photographs. They showed a woman who was energetic, committed and ahead of her time in many ways. She was a professional woman who had a family she loved and grandchildren she adored. Photos of a very young Jan in her netball and tennis outfits made everyone chuckle. There were many tributes about all aspects of her life. The funeral service reflected Jan and Phil's deep faith. They were regular parishioners at St Joseph's Church and active members of the church community.

There was not a single Labor Party event in the Canterbury electorate that Jan and Phil did not attend. Of course, Jan's health was a huge challenge to her in her later years, but that did not stop her displaying her warm smile, her loyalty and, importantly, her great sense of humour. She always had a story to tell and offered incredible insights into human nature—I know the member for Mount Druitt would agree with that. My deep and sincere condolences and love go to Phil, his children, Stephen and Kristine, their partners, Kay and Ron, and grandchildren, Samantha and Christopher.

It is going to be difficult in the coming year to hold regular events and not see Jan and Phil arrive. In the later part of Jan's life sometimes she arrived with a walking stick, but she never gave up. Jan was an absolute rock of her family and the community. I feel very strongly about placing on record the respect they engendered and the fond memories that people have of Jan. I want Phil to know, in his distress and deep loneliness, that there are people around for Jan. I met Phil in the hallway and he said, "I cannot go because there will be no-one to pray for Jan." I place on record in this Chamber that there are many hundreds of people that will continue to pray for Jan. Our condolences are extended to Phil and the family. Jan will be sorely missed and always remembered.

#### **WILTON INTERNATIONAL AIRPORT PROPOSAL**

**Mr JAI ROWELL** (Wollondilly) [7.20 p.m.]: Today I stand up for my electorate, for the people of Wollondilly. I stand up against the faceless men of the Australian Labor Party who are it again. They have wrecked our national economy, they have laid waste to this great State, and now they are out to get the good people of Wollondilly by trying to locate a second Sydney airport in the middle of the town of Wilton. I will not let this happen. I will stand up for the people of Wilton and I will take this fight all the way to Canberra. I will fight this proposal with every breath in this body to ensure that the airport does not go ahead. The people of New South Wales have had enough of this Federal Labor Government's endless cycle of spin, waste, and incompetence.

In 2009 the Federal Minister for transport, Anthony Albanese, commissioned a joint report into the aviation needs of Sydney. This report cost \$8 million and took three years to complete. It examined 34 proposed sites and recommended increasing flight numbers and reducing the curfew hours at Sydney Airport. The report also recommended Badgerys Creek as the best possible site for a second Sydney airport. Wilton, in my electorate of Wollondilly, was number two. Do members know what Anthony Albanese did when he received this report? He first ruled out changing flight numbers and curfew conditions at Sydney Airport because he did not want to anger his electorate. What did he do next? He ruled out Badgerys Creek because of the new housing developments that are about to be constructed there. In a move of sheer hypocrisy, the Minister then decided to push for an airport in Wilton.

The town of Wilton is booming. I think particularly of Bingara Gorge in Wilton, and there are many more homes to come. How the Minister can justify ruling out one site in favour of another that is also experiencing growth is beyond me. The people of Wilton did not purchase their land on the understanding that an international airport could spring up in their backyard. Residents are going to see their house prices plummet as quickly as a Boeing 747 coming in to land. On top of the financial hardship, residents are going to fall victim to noise pollution from roaring aircraft. They did not sign up for this. Wilton is a rural town with farms, acreages and rolling hills. The noise pollution will destroy their rural way of life.

However, the potential environmental pollution impacts are also concerning. Warragamba Dam is the primary source of water for Sydney, providing more than 80 per cent of the water supply for nearly four million people. Wollondilly is a key water catchment area for the Warragamba Dam. What is spilt on the ground in Wollondilly ends up in our city's water supply. The incompetence of this Federal Labor Government astounds me. When the Premier announced the opening of Wollondilly's Dharawal National Park last Sunday those opposite were at great pains to spin about coal seam gas exploration licences—which, I might add, they

approved around Wollondilly and Warragamba Dam whilst in government. Yet now the environmental threat of aircraft dumping jet fuel into our water supply is fast becoming a real and present danger, do they jump up and down about it? No, of course they do not because the big, bad faceless men of the Australian Labor Party have told them not to.

Those opposite are a disgrace to this State. They have sold out and the Leader of the Opposition, John Robertson, refuses to stand up to his Federal colleagues and rule out this proposal. My strong stance against a second Sydney airport in Wilton is not a case of not-in-my-backyard syndrome. I welcome new jobs and infrastructure in Wollondilly. In fact, I am delivering new jobs and infrastructure to my electorate, with hundreds of millions of dollars of funding secured for sewerage connections, \$139 million for upgrades to Campbelltown Hospital as well as upgrades to Narellan Road and many other significant projects. This fanciful idea of building a second Sydney airport in Wilton is ridiculous. The Premier has stated publicly that he does not support a second airport in the Sydney basin, and I agree. This debate about a second Sydney airport is endemic of Labor's Sydney-centric view of New South Wales. If I look across the Chamber I can see how many members of Country Labor have been elected to this place—zero.

The Federal Government would be much better off expanding Canberra Airport and creating a high-speed train line from Canberra to Sydney. The Federal Member for Macarthur, Russell Matheson, and the Federal Member for Hume, Alby Shultz, have expressed their opposition to Labor's Wilton airport plan. Russell Matheson has called on the Federal Government to honour its election promise and rule out a second airport in the area. I do not hold out hope that Labor, with its shocking record of spin and deceit, will honour this promise. The noise and environmental pollution that will come from an international airport will have a devastating effect on residents in Wilton and its surrounding rural townships. I call on the Federal Minister for Infrastructure and Transport to end this stupidity, listen to the community and rule out a second airport in the Sydney basin and in Wilton. I will fight for Wollondilly with every last breath. I will not stand idly by and see my community destroyed by Labor.

### **HMAS PARRAMATTA**

**Dr GEOFF LEE** (Parramatta) [7.25 p.m.]: On Saturday 31 March 2012 it was a great honour and privilege to join Her Excellency Professor Marie Bashir, AC, AVO; the Minister for Defence Science and Personnel, Warren Snowdon; the Hon. Bronwyn Bishop; Commander Australian Fleet, Rear Admiral Tim Barrett, AM, CSC, RAN; David Shakespeare; Alan Overton, AM; Councillor Paul Garrard, Naval Association of Australia, Parramatta sub-branch; and, most importantly, family and friends to welcome the return of HMAS *Parramatta* (IV) to Sydney. There was a feeling of excitement and anticipation as mothers, fathers, grandparents, wives, husbands, brothers and sisters, sons and daughters, friends and navy personnel lined the wharf.

Parramatta's Seahawk helicopter flew overhead to herald the approach of the ship as she made her way through the heads and towards Garden Island. It was a magnificent sight and a proud moment as the crew of HMAS *Parramatta*, in ceremonial dress uniform, stood to attention along the side of the ship as it docked while the navy band played the national anthem. Commander Guy Blackburn and his crew have returned from an outstandingly successfully six-month deployment in the Middle East as part of Operation Slipper and combined maritime forces. HMAS *Parramatta* participated in counterterrorism operations in the Gulf of Oman, the North Arabian Sea and strategically important Bab-el-Mandeb and the Straits of Hormuz. In addition, HMAS *Parramatta* conducted counter-piracy operations in the Gulf of Aden and in waters around the Horn of Africa and the Somali Basin.

The crew of HMAS *Parramatta* were spectacularly successful, seizing 240 kilograms of illegal narcotics in the Arabian Sea, with an estimated street value of \$5 million. A boarding party from HMAS *Parramatta* detected more than 240 kilograms of amphetamines and heroin hidden in bags of rice and flour. All drugs were seized and destroyed. HMAS *Parramatta* also provided life-saving assistance to the crew of an Iranian dhow set adrift on the high seas after being ransacked by pirates. HMAS *Parramatta* provided food, water and fuel to the ship. Commander Guy Blackburn said:

The dedication of the HMAS *Parramatta* ship's company was vital to the mission. We stemmed the flow of terrorist activities by denying them access to drug money which they use to purchase weapons and ammunition, effectively taking insurgents out of the fight.

I join Commander Blackburn, as I am sure do all members in both Chambers, in stating how proud we are of the ship's company that has played a vital and successful role in keeping the sea lanes free. I invite visitors to

Parramatta to a display of the four incarnations of HMAS *Parramatta* at Hambledon Cottage Museum. The centrepiece is a two-metre scale model of the current HMAS *Parramatta* (IV). I express my appreciation to the Federal Government for inviting me to witness the homecoming of HMAS *Parramatta*. I watched its departure six months ago and one of the most emotional moments I have experienced as a member of this place was witnessing the return of its 191 crew members from active service. During that six months three or four crew members were flown home to witness the birth of their children and then returned to the ship to continue their tour of duty. The Royal Australian Navy is taking exemplary care of its personnel, for which I commend it. I look forward to welcoming Commander Blackburn and his crew to Parramatta city. I will support any initiatives of HMAS *Parramatta* in the future.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.29 p.m. until  
Tuesday 3 April at 10.00 a.m.**

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