

# LEGISLATIVE ASSEMBLY

Tuesday 1 May 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.

## SESSIONAL ORDERS

**The SPEAKER:** I wish to make a statement regarding the implementation of the new sessional orders that were adopted on 4 April 2012. As members would no doubt be aware, amongst the changes adopted was a change in terminology regarding the passage of legislation with the reintroduction of the traditional first, second and third reading stages. As those changes came into effect only today, the current *Business Paper* does not utilise the terminology as at the time of its production the terminology used in the *Business Paper* was correct. However, subsequent *Business Papers* will be produced using the current terminology and the online bills database will use the current terminology.

## BUSINESS OF THE HOUSE

### Notices of Motions

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

## PRIVATE MEMBERS' STATEMENTS

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### CASTLE HILL RSL YOUTH WIND ORCHESTRA AND NORTH WEST WIND ENSEMBLE

**Mr DOMINIC PERROTTET** (Castle Hill) [12.05 p.m.]: The Castle Hill RSL Youth Wind Orchestra and the North West Wind Ensemble, with a combined force of 112 players, have recently returned from the 2012 Band Championships in Melbourne with yet more silverware to add to their already large collection. Held over the Easter long weekend in an Australian city, the championships provide an opportunity for more than 2,000 band members from around the country to come together to compete, to trade knowledge and to share their love of music.

The brass band and concert band divisions of the competition are split into junior and open age categories with each band performing four works: a compulsory major work; a choice of music lasting between 18 and 23 minutes; a hymn; and a stage march. The young musicians of the Castle Hill RSL Youth Wind Orchestra, who are aged between 11 and 18, performed works that would be considered achievable by only a senior band and were awarded 197 out of a possible 200 for their performance of *Celebration* by Philip Sparke. I am sure members will agree that that is a great accomplishment. Musical Director James Brice praised the young musicians for their focus and level of commitment, which is seldom seen in such young musicians.

When I was a young school student my mother gave me every opportunity to play a musical instrument. I had lessons on the guitar, the piano, the trumpet and I even tried the saxophone, and at that time learning the recorder was compulsory in primary school. I mastered none of those instruments and I still have them at home. The focus of the band members and their commitment to perfecting their playing of a single instrument is probably the reason for their success in the championships.

The establishment of the City of Sydney Youth Band by Michael Butcher, OAM, in 1992 was the catalyst for the formation of the Castle Hill RSL Band. After moving to the Hills district in 2000, the band attracted the support of our local RSL and it became the Castle Hill RSL Youth Band and then in 2009 the Castle Hill Youth Wind Orchestra. With so many band members progressing through the Youth Wind Orchestra it was recognised that a band for all the musicians was required and the North West Wind Ensemble was formed

in 2003. In 2005 James Brice was appointed as musical director of both bands and he has since led Castle Hill's finest musicians to an amazing 19 State and national title wins with the North West Wind Ensemble demonstrating its experience and expertise at the most recent national championships.

While competing against three other first-grade bands over the Easter weekend, the North West Wind Ensemble made championship history as it claimed its fourth open A-grade title with a score of 493 out of a possible 500. Mr Graham Lloyd, the esteemed adjudicator, singled out the ensemble's performance as exceptional and absolutely stunning. In addition to the group performances, 73 of the musicians presented solo and small ensemble performances and 11 titles in total were brought home to Castle Hill. Special mention should be made of Nattanan Low for being named Champion of Champions for his performance on the clarinet.

The success of these two bands would not be possible without the support of the Castle Hill RSL. It can often be forgotten how much RSLs contribute to community groups and sporting teams, which without their financial assistance would not be able to operate. The Castle Hill RSL sponsors teams in soccer, athletics, junior league, rugby union, netball and many other sports. I attended its cricket presentation ceremony just last Sunday. Its support for gymnastics in the Hills is amazing and we have more than 1,100 registered participants practising their skills at the state-of-the-art Castle Hill RSL Gymnastics Centre. I congratulate Major General Warren Glenny (Rtd), President of the Directors of the Castle Hill RSL, and the directors for their ongoing support of the Youth Wind Orchestra, the North West Wind Ensemble and so many other worthwhile community endeavours.

I extend my congratulations to all the musicians who performed at this year's national championships. The discipline and commitment that is required to become proficient in any instrument is truly amazing. I know that in years to come both the Castle Hill RSL Youth Wind Orchestra and the North West Wind Ensemble will give many more performances worthy of accolades. I congratulate in particular Musical Director James Brice. I know that Mr Brice, who is a resident of the Hills area, has been committed to the bands and has sacrificed much of his time for others in pursuit of musical perfection.

#### **STUDENTS PUBLIC TRANSPORT CONCESSIONS**

**Ms SONIA HORNER** (Wallsend) [12.09 p.m.]: In today's society we understand the importance of university education. We also understand the importance of equality and promoting it for our younger generation. Why then do we have legislation that subjectively differentiates between our university students in deciding who is and who is not deserving of transport concessions? Such discrimination prevents many in need from enjoying that privilege. New South Wales is one of only two States in Australia where international students, part-time students and students who undertake part-time work are refused transport concessions. Already our international students pay astronomically higher fees than domestic students.

Why make them pay more? We cannot expect international students to feel comfortable and at home in our country if we do not afford them the privileges given to domestic students. International students suffer economically with the strain of living costs on top of high tuition fees. They, too, should be assisted whilst completing their studies. The higher fees paid by the body of international students assists in maintaining standards of teaching and research that we see in our universities. Without those fees our universities would be much worse off.

Students from the Callaghan campus at the University of Newcastle within my electorate, live, work, shop and do business in the surrounding suburbs of Jesmond, Lambton and Waratah. This benefits the community by boosting the economy enormously. According to the Deloitte Access Economics analysis, international students each contribute almost \$29,000 to the economy during their time of study. In 2008 alone New South Wales received \$173 million from international students in the form of goods and services tax [GST]. Given the quest of New South Wales universities since 2008 to attract more international students, that figure has risen exponentially. Let us applaud and appreciate how much the Hunter is benefiting from this largess.

What about our students who work part-time and those who are unable to study full-time? Most do so because they are struggling with their finances and they would otherwise be unable to make ends meet. It is vital for young people when they graduate to have experience of the working world. Students who work part-time should not be treated differently from those who do not. Such treatment is unfair. By allowing all students travel concessions we will be promoting the use of public transport which in turn will put money back into the public sector. It will reduce the number of students needing to use private vehicles which will reduce congestion, make available more parking spaces at universities and effect a reduction in carbon emissions.

I appreciate how frustrating it is for those who are attending the University of Newcastle to try to find a parking space before lectures. That frustration is compounded because they may not be able to utilise public transport; it is out of the question. For those reasons I cannot see any logic in continuing with the current transport concession system. With the current system an Australian student from a wealthy family may be eligible for transport concessions while a student from a poorer background who must work in order to afford his or her education is not eligible for transport concessions. This is proof that the system is inherently flawed and in need of reform.

One student stated, "I cannot get student discounts. I can get student discounts in other countries but not in the State I study in." By refusing to give international students the same rights we give domestic students we are discouraging them from studying at New South Wales institutions. There has been a recent decline in the number of international students choosing to study within our State which is partly due to the fact that students do not feel they are provided with an equitable and safe environment in which to study. By implementing measures such as rewarding international students with the right to transport concessions I believe this trend will be reversed in the future.

### **TWEED ELECTORATE ANZAC DAY SERVICES**

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [12.13 p.m.]: I bring to the attention of the House the memorial services that were held in commemoration of Anzac Day on 25 April—a day on which most members would have attended memorial services and paid tribute to all those Australians who served in the war. It was particularly pleasing for me to attend five services in the great electorate of Tweed. My day commenced at 4.28 a.m. when I attended the Tumbulgum Dawn Service. Approximately 250 people attended the Dawn Service at Tumbulgum—a little village located on the banks of the Tweed River. As the mist and fog settled on that pitch black morning the people came both young and old. It was pleasing that Tumbulgum public school played an active part in that service. Brian Breckenridge organised the event and I pay tribute to him as it brought home what those young Australians went through.

I also attended the Dawn Service at the Tweed Heads Coolangatta Chris Cunningham Park memorial, which is proudly supported by the Twin Towns Services Club. The Twin Towns Services Club, which has as its president Joe Russell, is probably one of the largest Returned and Services League [RSL] clubs in New South Wales. That service was held just south of the famous elephant rock on the Gold Coast where the armed services conducted an F/A-18F Super Hornet fly past as part of a tribute to all Australians who have served. I estimate that 2,500 to 3,000 people attended that event. It was touching to see schoolchildren, army reservists and the TS Vampire Australian Navy Cadet unit present at that service.

I attended the wreath laying service at Pottsville with Peter Field, John Hawkins and Robert Brumfill. Once again that memorial service was well attended by about 800 people who marched proudly through their little town. I then travelled over the mountain range to the small village of Burringbar which had its own style of service. Members of the local community, both young and old, were present at that service. I estimate that the number of people who attended services this year increased by 10 to 15 per cent. I am sure that everyone in this Chamber attended events in their own electorates. Allan Vincent gave the Burringbar service a special twist with a universal or Bren gun carrier—a lightly armoured vehicle that is half a truck and half a tank—being included in the march. After six years of attending the Burringbar Anzac Day service this was the first year in which the Bren gun carrier did not break down in the main street. The personal address system also worked for the first time in six years which is a tribute to the people of Burringbar.

The final service I attended was held at the Kingscliff cenotaph. Based on police estimates, 2,000 to 3,000 people attended that very touching service which was conducted by Brian Vickery, a Vietnam veteran with a long association with the Army. At many of these events children recited the ode in which they obviously believe. One could not help but be touched by the sacrifices made by the men and women who served. Significantly, the Tweed electorate recently lost two soldiers—a soldier from Murwillumbah and Sapper Robinson of Kingscliff, who was killed in Afghanistan in 2011—which brings home the reality of war. I stood with the Prime Minister and the Leader of the Opposition, Tony Abbott, at Sapper Robinson's funeral and saw his squad comprising big, fit, honourable and upstanding soldiers carrying his coffin. When I left that funeral I saw those same soldiers sitting beneath a tree at the back of the church crying with Sapper Robinson's family. We have all heard legends about Anzac soldiers but it is sad indeed to see families affected by war in this day and age. I pay tribute to all those involved in the Tweed electorate Anzac Day services.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.18 p.m.]: I thank the member for Tweed for bringing to the attention of this House the importance of recent

Anzac Day commemorations. I am sure that all members attended services right across the State. It is uplifting to see so many young people attending Anzac Day services. We all want to ensure that those who paid the ultimate sacrifice—there are over 100,000 from all wars and roughly 250,000 were injured—are remembered for what they did for freedom and justice. It is uplifting to see that young people continue to attend the Anzac Day services. The spirit and tradition of Anzac Day will be preserved and we will remember the legacy that has been left to us by those who served our country. In conclusion, we need to support those who come back from war and develop mental health problems. I know the Federal Government is giving that issue attention but it is an important area on which we need to concentrate in the future.

### COOGEE ELECTORATE ANZAC DAY SERVICES

**Mr BRUCE NOTLEY-SMITH** (Coogee) [12.19 p.m.]: It is probable that over the past week every member of this House and of the other place has attended at least one service to commemorate Anzac Day. Some members of Parliament had the privilege of attending the Dawn Service at Anzac Cove near Gallipoli. I attended nine different services in my electorate of Coogee. As those of us who have attended dawn services over the years can attest, each year fewer veterans make up the ever-dwindling columns of those on parade. The preceding year always takes from us familiar faces—those who have joined the ranks of countless service men and women whose loss we mourn at dawn on 25 April.

This year, when I attended the dawn service at the Coogee-Randwick RSL, I again saw among the many friends and veterans at that club two familiar and friendly faces that I have seen year after year since 1999. But these two people are not veterans: Marjorie Johnson and Edna Monk are widows of veterans and together they form the backbone of the Ladies Auxiliary of the Coogee-Randwick RSL Club. As is tradition, the sub-branch of the club invites attendees at its pre-Anzac Day services to a light lunch or, after the Dawn Service on Anzac Day, to a hearty hot breakfast. Two women are there, deeply entrenched behind the stainless steel bain-marie.

They are armed with ladles and tongs that shimmer in the faint light of a dawning sun, ready to confront head-on—without a tremble of trepidation—the scores of cold and hungry souls eager to get to the front of the queue and to take possession of a serve of baked beans, snags, bacon and eggs. There, skilfully wielding implements as if it is a military drill, one will find Edna and Marjorie. I am sure it is a scene that is repeated in sub-branches right across this great nation and that of our neighbour, New Zealand. This scene has been repeated every year for nearly 40 years with Marjorie and Edna, both of whom are well into their eighties, in attendance at the Coogee-Randwick RSL Club.

This year the crowd numbered in the hundreds and patrons were still queuing for breakfast over an hour after those who were first to arrive. The ever-increasing success—if that is the appropriate word for it—of the Anzac Day Dawn Service at High Cross Reserve in Randwick is due to the efforts of many good people whose tremendous efforts I shall recognise in a later contribution to this House. But today I recognise in this Parliament Marjorie Johnson and Edna Monk—two special members of my community who have selflessly served the Coogee constituency with dedication and without fuss for so many years. Anzac Day conjures many different emotions in us all. It is a solemn occasion, focused as it is on loss and pain, but it generates great pride and patriotism of the best kind. On Anzac Day this year I felt a sense of gratitude to those who fell in war in order to protect our freedom, but I felt gratitude also for those whose efforts make this special day just that little more special.

### NATIONAL YOUTH WEEK

**Mr GUY ZANGARI** (Fairfield) [12.24 p.m.]: National Youth Week 2012 was celebrated from 13 April to 22 April. Fairfield celebrated National Youth Week with the annual Bring It On! Festival held at Fairfield Showground on Sunday 15 April 2012. The festival, which is in its twelfth year, keeps getting bigger. This year 6,000 people attended the event, making it the biggest youth festival in New South Wales. The Bring it On! Festival, which is run by youth for youth, is the culmination of many hundreds of hours of planning and preparation by the members of the Fairfield Youth Advisory Committee. The final result was a successful festival that encouraged and promoted up and coming local talent. The festival involved many hardworking volunteers. The Bring It On! Festival would not be possible without the backing of Fairfield City Council and Fairfield police. I give special thanks to the numerous major sponsors, community stakeholders and supporters of the Bring It On! Festival. Special acknowledgment goes to Ms Debbie Cameron, Team Leader, Community Development, Fairfield City Council, for providing vital council assistance.

What sets the Bring It On! Festival apart from any other festival across New South Wales is the fact that local youth take ownership of its production. The most popular sections of the event are the staged areas showcasing musical talent, dance styles and DJ talent. The stages included a competition stage, hip hop stage, resonance stage and underground stage. Musical styles catered for at the event included hip hop, rap, rhythm and blues, dance, funk, reggae, grunge and heavy metal. Musical and dance talent are displayed and athletic ability is showcased. The weightlifting community hosted the power lifting competition for boys and girls. Golfers had the chance to put their putting skills to the test on the mini golf course. Skateboarders displayed their aerial skills on the ramps at the skate competition arena and bike riders joined in the fun with acrobatic tricks.

The list of sporting activities on the day included basketball, cricket, Australian Football League and skipping. Traditional Indigenous games also were staged at the event. Movie buffs had the chance to view local filmmakers in the short cut film pavilion. Thrillseekers were given the opportunity to ride the more traditional amusement rides, such as the Hurricane, and to participate in bungee jumping. Apart from the fun of it all there were information stalls promoting healthy living, a healthy diet and sexual health. The information available was positive and relevant to the youth of today. The main message of the day was, "Fun without drugs or alcohol" and the event was drug and alcohol free. Local schools were heavily involved and got the audience going at the competition stage.

Congratulations go to Fairvale, Cecil Hills and Cabramatta high schools for their outstanding performances. Some of the other crowd pleasers included Kookies-n-Kream, Izzy n The Profit, MD Productions, Invincible Worldwide and Syko Sapien. The traditional icing on the cake for the Bring It On! Festival was the massive dance party at 8.00 p.m. which concluded the day. There was a great atmosphere of celebration amongst young revellers and once the music was turned off it left them all asking for more. The Bring It On! Festival is such a major drawcard on the Fairfield calendar that there is a push by organisers and council to have it as the opening event at next year's National Youth Festival. I congratulate the youth of Fairfield on another outstanding event. The Bring It On! Festival is a great way to celebrate the positive characteristics possessed by the youth of Fairfield.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.28 p.m.]: I thank the member for Fairfield for informing the House of the Bring It On! Festival held in his electorate from 13 April to 22 April. I was particularly interested to hear how local youth take ownership of the festival and of the great variety of activities that occur. The festival is a wonderful reflection on what young people can organise when they put their minds to it. I also thank council and the police for their support for the occasion. I was interested to hear about the Bring It On! Festival.

### **GUNNEDAH RURAL MUSEUM**

**Mr KEVIN ANDERSON** (Tamworth) [12.29 p.m.]: Gunnedah Rural Museum is a special tourist attraction in Gunnedah, a prosperous and growing community in my electorate. The museum houses one of Australia's largest collections—nearly 1,600 exhibits—of early agricultural and transport memorabilia and showcases the history of the region from early tractors, steam engines and stationary engines. The museum also houses the history of the Returned Services League of Australia and has a display of early mining history. It has a working foundry and timber workshop and an impressive gun collection. Visitors to the museum can see a magnificent display of horse-drawn and motorised vehicles, racing motorbikes and early communication equipment. It is definitely well worth a visit and is popular with schools. Students who visit the museum gain a greater understanding and appreciation of our history. Gunnedah Rural Museum is manned by volunteers who donate many hours of their time because they love the museum.

I encourage all members to stop by next time they are in Gunnedah, to visit Gunnedah Rural Museum and to say g'day. But that is not all. The museum plays another important role. It is home to a special group—the men's shed. This is not just any men's shed: Gunnedah men's shed is a special place. At 10.00 a.m. on Wednesdays mates gather to socialise and catch up with what is going on in the district and to talk about the projects on which they are working. Now in its seventh year, the group started with just eight who gathered for a cuppa. Their number has grown; now, on average, the group comprises 35 men from all walks of life, and has even had overseas visitors. It is about getting together and enjoying each other's company. They enjoy the morning tea with cakes and biscuits, including damper made fresh. Russel Keilor makes it on site; it is a big favourite in the middle of winter.

The reason the group works so well is that there is only one rule: You have to be a member of the museum. Jimmy Tudgee keeps the men up to date with what is going on in and around the district, including on

Anzac Day, at seniors meetings and so on. I have had the pleasure of visiting the museum a couple of times. There is something for everyone, and you see something different every time. The museum is constantly looking at upgrading the facility and housing more exhibits. The Gunnedah Rural Museum and Men's Shed Group play a very important role in the Gunnedah community; they are at the heart of what our communities are. I congratulate President Ian Guest, Secretary-Treasurer Graham Hutchinson and all the volunteers. I encourage them to keep up the good work, and I look forward to visiting them again soon.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.30 p.m.]: I congratulate the member for Tamworth on once again highlighting something that is happening in his electorate and for encouraging people to visit the Gunnedah Rural Museum, which displays a history of the area. It sounds very interesting. I undertake next time I am in Gunnedah to go and have a look at the rural museum. The men's shed also sounds very interesting. It is now in its seventh year, with 35 men and no rules except you have to be a member of the museum. Obviously the two organisations have good things happening between them. The museum is manned by volunteers, and we are all aware of the important role that volunteers play. Many such museums just could not function without volunteers. I thank the member for Tamworth for raising the issue in the House and for drawing members' attention to it.

### ADVENTURELAND PRESCHOOL

**Mr RICHARD TORBAY** (Northern Tablelands) [12.31 p.m.]: From 1 July the Department of Education and Communities will take over from the Department of Community Services as the governing body for the State's preschool sector. Spare a thought for the Adventureland Preschool in Armidale, which has been caught in the middle of this changeover. The preschool has been in its current location since it opened 30 years ago and is now known as Adventureland Preschool Inc. Under community management, the preschool was granted a long-term lease. Now, however, with the lease due to expire next year, the landlord no longer wishes to enter into a long-term arrangement as the building and land may be put on the market. During 2010 the management committee worked with the Department of Community Services and Armidale Dumaresq Council to secure funding and land to build a new preschool. Council pledged a 99-year lease on a suitable block of land and its staff were generous with their time and resources to assist the venture.

The Department of Community Services made a verbal agreement to provide capital funding for the project through the Preschool Growth Program. Just after the application for funding was submitted for final approval, the Department of Community Services advised the management committee that unfortunately the "areas of need" criteria had been adjusted and that funding for the preschool was no longer available. This was a huge disappointment to the staff, the committee and the families, particularly as a seeding grant had already been allocated to begin the planning process. Early this year the management committee sought direction from the Department of Community Services on whether capital funding would be available when the Department of Education and Communities takes over the early childhood sector in July. The Department of Community Services could not offer any advice on funding but advised the committee to prepare a portfolio summarising the preschool's history.

With its lease expiring in 2013, the preschool is left in an impossible situation, making it very difficult for its volunteer, parental-based committee to make decisions about future directions. Under the Department of Community Services' control of the sector, funding for the Preschool Growth Program required offering more places. Adventureland committed to increasing its capacity from its current 25 children a day to 40 in order to qualify. This ruled out its current building as there is not enough land for extensions to provide for the extra numbers. Adventureland is vital to meet the needs of the Armidale community, particularly as access to 15 hours of preschool in the year prior to starting school becomes mandatory for all children next year.

This preschool, which I have visited on a number of occasions, has successfully established its own multicultural niche, with children from China, India, Saudi Arabia, Korea, Papua New Guinea and Nepal enrolled as well as students from local Aboriginal families. I attended the Harmony Day lunch there quite recently and was really impressed by the way the preschool and its supporters helped children from different nations engage with each other. The preschool, through its warm and welcoming atmosphere, has become a social base for many overseas parents who are studying at the University of New England. I note that the member for Baulkham Hills is wearing the University of New England tie in the House today.

**Mr Andrew Cornwell:** It cost him a fortune.

**Mr RICHARD TORBAY:** I can declare that he did pay for it. Many of these families assist with gardening days, working bees and minor maintenance tasks, and initiate and celebrate many cultural events at

the preschool. What is required for the preschool to go ahead with its plans to relocate and build new premises is some assurance that the capital funding previously promised by the Department of Community Services will be forthcoming from the Department of Education and Communities when it takes over in July. Time is of the essence, and unless planning can begin immediately there is no guarantee that this important facility can continue to operate into the future. It faces losing its present premises without having anywhere suitable to relocate. I am sure that is not the intention of the Government or the transfer of arrangements. Obviously, the preschool wants to meet government regulations.

Uncertainty generated by this change of departmental arrangements is not acceptable. I seek an assurance that preschools such as Adventureland will not be left in limbo and that interim arrangements will be made to enable them to plan for the future with confidence and certainty. At the moment management committees have no idea how the new regime will operate under a different funding provider or whether the same guidelines demanded by the Department of Community Services will continue or change. Adventureland currently occupies outdated premises. A new building would provide more adequate insulation and heating, address sustainability considerations and provide sufficient space for staff and children's activities to meet modern standards. I urge the Government to act quickly to clarify the situation.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.36 p.m.]: I thank the member for Northern Tablelands for raising this matter of the Adventureland Preschool in his electorate, particularly the expiry of its lease in 2013 and the funding issues that have arisen as a result of the transfer of responsibilities from the Department of Community Services to the Department of Education and Communities. I undertake to raise the matter with the Minister for Education. I am sure it is not the Government's intention that any preschool in this State will be disadvantaged as a result of the change in responsibilities, because we all understand the importance of early childhood education.

#### **VASEY HOUSING ASSOCIATION FIFTIETH ANNIVERSARY**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Fair Trading) [12.37 p.m.]: With our nation having celebrated Anzac Day last week, it is appropriate that today I bring to the attention of the House the fact that the Vasey Housing Association of New South Wales recently celebrated its fiftieth anniversary. Within the city of Sydney the Vasey Housing Association is not a household name. It is a small public benevolent institution with 247 residents, 47 members and a permanent staff of six. Notwithstanding its low profile, the association has provided valuable services to the community for these past five decades, fulfilling the vision of its founder. A little over a month ago, on 23 March, Vasey celebrated its fiftieth anniversary on a beautiful Sydney autumn day with a function held at Government House, hosted by its patron, Her Excellency Professor Marie Bashir, Governor of New South Wales. In attendance were residents, members of the association, Vasey's directors and staff, as well as invited guests. Following this, on 24 March a formal dinner was held here at Parliament House. I was honoured to be asked by Vasey Housing to be parliamentary host of that event.

Vasey Housing has a strong and very proud history and is named after its founder, the late Mrs Jessie Vasey. Jessie was the war widow of one of Australia's most distinguished soldiers, Major General George Vasey, Commander of the 6th and 7th Division of the Second Australian Imperial Force, who was killed when his aircraft crashed at the mouth of the Barron River near Cairns on a flight to New Guinea on 5 March 1945. General Vasey was one of Australia's finest and best-loved soldiers. His concern for his men and their dependants was so great that on what would be their last evening together he asked his wife to do all that she could to help the wives and widows who had been left behind by war. After the death of her husband, she started to fight for the thousands of war widows who were living in near poverty on a pension that had remained unaltered, save for a rise of three shillings, from 1916 to 1945. In the years following the war it was difficult for war widows to obtain War Service homes because of the large number of servicemen returning to civilian life.

Mrs Vasey felt the solution would be to start building homes for war widows. On 23 March 1962 Vasey Housing was incorporated in New South Wales as the Vasey Housing Auxiliary—NSW (War Widows Guild), but its name changed to Vasey Housing Association, New South Wales in 1975. When the scheme commenced accommodation was made available only to war widows. Vasey has now opened its doors to the general community, but it will always give preference to war widows, widows of ex-servicemen and ex-service men and women. Over the years the association has constructed retirement villages in Lane Cove, Hunters Hill, Concord, Epping, Maroubra and Waitara, comprising a total of 272 self-contained one-bedroom apartments.

Today, after 50 years in the retirement village industry, Vasey Housing still maintains its not-for-profit status and continues to offer great service and value, as well as comfort and security to its residents.

I congratulate all those involved with Vasey, through whose efforts an incredible legacy has been formed. This includes the board of directors: Chairman Brigadier Bruce Trimble, OAM; Mr John Lang, OAM; Mr Grant Greene-Smith; Mr Graham Byrne; Mrs Shirley Owles; Colonel Keith Schollum; and Colonel Andrew Condon, CSC; and the six permanent staff who coordinate the day-to-day management of the villages: General Manager David Elkins, Mr Andy Cheung, Mrs Chris Williamson, Mrs Jade Ricafuente, Mr Patrick Wan and Miss Emma Noakes. I am sure members will join me in wishing Vasey Housing a very happy fiftieth anniversary and the very best for the next 50 years of this wonderful organisation.

#### **AUSTRALIAN IMPERIAL FORCE NATIONAL SWIMMING CHAMPIONSHIPS**

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [12.41 p.m.]: Today I proudly inform the House about the recent Australian Imperial Force [AIF] National Swimming Championships held at the Dubbo Aquatic and Leisure Centre. If ever I am looking for inspiration I need only remind myself of the impressive recent performance of one elderly competitor at that event. I watched in awe and amazement as 90-year-old Doug McPherson from Cronulla propelled himself through the water to win the 25 metres freestyle championship in the men's 85 and over division. Second place went to Dubbo's very own Pat Mumford, who is a mere whippersnapper at 87 years old. I was enthralled by the physical athleticism of the men and women who competed at the championships, and captivated by their clear passion for sport and their wonderful sense of camaraderie.

The Dubbo Ducks Swimming Club, a wonderful community sporting organisation, hosted the carnival at which more than 400 servicemen and non-servicemen competed in 25, 50 and 100 metres events in both scratch and handicap races, as well as relay age-group events in freestyle, butterfly, backstroke and breaststroke. It is the third time that Dubbo has hosted the carnival, with competitors travelling from the Queensland Sunshine Coast and the Gold Coast as well as Sydney clubs, including Toongabbie. I made a point of introducing myself to the Toongabbie club participants because I thought they may have swum against the tide at Dubbo, and they were wonderful people. Other clubs represented included Ballina, Albury, Inverell, Nelson Bay, Cobar, Grafton, Gosford, Bellingen, Lismore, Moree and Nyngan.

They came from far and wide and, as expected, Dubbo reaped an economic benefit from having hundreds of these visitors spending the weekend in our beautiful city. Fifty-two competitors from Dubbo also took part in the carnival, with some notable performances by Mark Scullard, Judy Walsh and John Werritt. The event is unique. It is not only about swimming; it is also about the friendship that goes with it. Mr Mike Twohill, President of the Dubbo Ducks Swimming Club, who has been involved in swimming for 40 years, said that it gives people something to believe in. He claims that swimming is excellent exercise for the elderly and a great way to promote a healthy lifestyle—I could not agree with him more.

A St Patrick's Day themed dinner was held that evening at the Dubbo RSL, where trophies were awarded to the winners of the day's events. I was privileged to join in excess of 500 people at that event. True to their spirit, at 9.30 the next morning some 150 competitors turned up for a recovery swim at the Dubbo RSL pool. I place on record my congratulations to Mike Twohill and the Dubbo Ducks Swimming Club on organising yet another successful event. Their passion and enthusiasm for sport and the community is truly inspirational and does Dubbo proud.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.44 p.m.]: I thank the member for Dubbo for bringing this matter to the attention of the House. It was inspiring to hear about 90-year-old Doug McPherson from Cronulla winning the 25 metres freestyle championship in the men's 85 and over division, closely followed by local Dubbo boy, 87-year-old Pat Mumford. It is amazing that people of that age are keeping fit and swimming so well. But it is not only about swimming; it is about people from all over Australia coming together, still bonded by their former membership of the Australian Imperial Force.

#### **NEWCASTLE DISTRICT CRICKET ASSOCIATION AWARDS**

**Mr ANDREW CORNWELL** (Charlestown) [12.45 p.m.]: On Friday 27 April 2012 I attended the Newcastle District Cricket Association Awards 2011-12. The Newcastle District Cricket Association is one of the longest-running cricket associations in New South Wales; it is an absolute powerhouse in cricket. Outside the Sydney grade competition there is no other competition of the same standard as that of the Newcastle District Cricket Association. I place on record some of the fantastic performances that were acknowledged that

evening. The Denis Broad, OAM, Cup was won by Newcastle City and Eastern Districts. In the under 21 competition, the Robert Holland Trophy was won by Jesse Major of Newcastle City, and the Albert Aitkin Shield was won Newcastle City and Eastern Districts.

In fourth grade, the batting average was won by Tom Anderson of Newcastle City, bowling average by Neil Bailey of Hamilton-Wickham, and wicketkeeping by Haydon Potter of Cardiff-Boolaroo. The W. J. Smith Memorial Shield, awarded to the winners of the fourth grade minor premierships, was won by Merewether. The Tom Brown Shield, awarded to the winners of the fourth grade major premierships, was won by Hamilton-Wickham. In third grade, the batting average was won by Sam Logan of Charlestown, bowling average by Mitchell Gray of Newcastle City, and wicketkeeping by Craig Evans of Wests. The H. L. Wheeler Shield, awarded to the winners of the third grade minor premierships, was won by Newcastle City and Eastern Districts. The Rogers The Jewellers' Shield, awarded to the winners of the third grade major premierships, was won by Toronto Workers.

In second grade, the batting average was won by Daniel Hughes of Wests, the bowling average by Steve Threadgold of Charlestown, and wicketkeeping by Andrew Casey of the university club. The Wilson Shield, awarded to the winners of the second grade minor premierships, was won by Merewether. The E. Tiplady Shield, awarded to the winners of the second grade major premierships, was won by Stockton-Raymond Terrace. Merewether was the winner of the T20 competition and was awarded the Tom Locker Cup for the limited overs competition. In first grade, the batting average was won by Simon Moore of Merewether. Simon is also the captain of the Merewether club and I can attest, as someone who once played for that club, that his straight drive is a deadset bowler killer. The H. Heath Trophy and first grade bowling aggregate were won by Sam Webber of Hamilton-Wickham. The NDCA Trophy, awarded for the most number of dismissals by a wicketkeeper in first grade, was won by Dane Macourt of Charlestown.

The Commonwealth Bank Shield, awarded to the winners of the first grade minor premierships, was awarded to Hamilton-Wickham. The Dr E. P. Barbour Shield, awarded to the winners of the first grade major premierships, was won by Merewether. The player of the match in the first grade final was bowler Tim O'Neill of Merewether, who took 6/80. The W. E. Bramble Shield, awarded to the winners of the club championships, was won by Merewether, which was also named the *Newcastle Herald* team of the year. The award for curator of the year went to Tom Anderson from Charlestown. The deck of the oval on which Charlestown plays is easily the best wicket in the region and is a credit to Tom Anderson. The Kingsgrove Sports Centre Trophy was won by Cameron Roxby of Wallsend, and the Warren Tennant Memorial Scholarship and Gordon Fraser Trophy was won by Matthew Wicks of Wallsend. I had the pleasure of attending the first grade final. Even though Wallsend was the losing team in the final, Cameron and Matthew are players with enormous potential. They are both very young but the Wallsend club will be well served by them in the future.

The Warren Tennant Contribution to the Game award went to George and Brenda Piggford. George has been a reporter of Newcastle cricket for some 50 years and his wife, Brenda, has collated the scores religiously every Saturday night, despite some very challenging names and trying to work out who is on the other end of the phone. George and Brenda have been absolute servants to the game. The *Newcastle Herald* Player of the Year award went to Sam Webber of Hamwicks and the Representative Cricketer of the Year award went to Andrew Maher of Hamwicks. It was a fantastic evening that highlighted the strength of Newcastle grade cricket. As I said, outside the Sydney grade competition the Newcastle grade competition is the strongest competition in the State. It is represented by some absolutely fantastic players, and some brilliant cricketers have played in it in the past. The Newcastle district competition continues to go from strength to strength.

#### **MACARTHUR ROTARY POLICE OFFICER OF THE YEAR AWARDS**

**Mr CHRIS PATTERSON** (Camden) [12.50 p.m.]: Today I inform the House of the Macarthur Rotary Police Officer of the Year awards that were held at Western Suburbs Leagues Club, Leumeah—a great local club—on 28 March this year. The awards evening acknowledges outstanding acts of courtesy, kindness, understanding, compassion, courage and devotion to duty and the community by officers of the NSW Police Force in the Macarthur area. Numerous members of our community have contacted me to say what a great evening it was and how it was enjoyed by all in attendance. Most importantly, it was an opportunity for the Macarthur community to recognise and thank those who protect and serve our community so well.

This event does not just occur; it involves a tremendous amount of hard work by extremely civic-minded members of our community from the following wonderful Macarthur Rotary clubs: Camden, led by its president, John Saunderson; Campbelltown, led by its president, Doug West; Ingleburn, led by its

president, Stephen Marshall; Macarthur Sunrise, led by its president, Paul Mulally; Narellan, led by its president, Barrie Grimes; and Wollondilly North, led by its president, Warwick Richardson. The awards are organised by the Macarthur District Police Officer of the Year Awards Committee, which comprises members of those wonderful groups, including the chair, Chris Evans; the secretary, Sue Madden; and the treasurer, Wendy Underwood. Other extremely hardworking subcommittee members are Ray Slack, Paul Mannix, Rowan Moore, Jim Davies, Mark Iddon, Chief Superintendent Peter Gillam, Superintendent Greg Rolph, Superintendent Sean Gersbach, Barry Woolfe, Sue Madden and Rick Wade. This tremendous committee has secured great local sponsorship.

I thank Western Suburbs Leagues Club; the Macarthur *Advertiser*, which is a great local read; Campbelltown City Council; Camden Council; Wollondilly Shire Council; Guana Graffix; Guardian Funerals; C91.3 FM, which is the best radio station not only in my electorate but across Sydney; Funnell's Electrical, run by Camden Councillor David Funnell; Clintons Motors; and the Police Credit Union. Without their tremendous support this wonderful event could not take place, and, as usual, any surplus funds will be donated to Legacy. I will now name the outstanding nominees and winners who represent our local area commands so well. Probationary Constable of the Year award nominees were: Vicki Stevens and Sean Stockwell from Camden Local Area Command, Dean Stanley from Campbelltown Local Area Command, and from Macquarie Fields Jessica Agland and Kim Brittain, who was this year's Probationary Constable of the Year.

Camden General Duty Officer of the Year award nominees were: Daniel Glenn, Michael Xerueb, Paul Jones, Kevin Sorrensen, Catherine Canham, Glenn Quinn, and winner of the category Mark Hutchinson. Campbelltown General Duty Officer of the Year award nominees were: Marcus Collins, Linda Smith, Matthew Berotov, Susan Elliott, Paul Watson, Chris Smithers, Matthew Glasgow, Eleanor Jenkins, Michelle Day, Tracey Evry, Sondra Nicol, Scott Lynch, Rebecca Scofield, Amanda Driscoll, Benjamin la Catena, Scott MacRitchie, Michael Green, Tarra Warwick, and winner of the category Steve Smith. Macquarie Fields General Duty Officer of the Year award nominees were: Matthew Goode, Jacinta Polkinghorne, Kelly Robinson, Peter Lonergan, Max MacDonald, Sara Abela, Peita Lollback, Mitchell Burrows, Matthew Ostendorp, Jason Horn, Kelly Robinson, Justin Lamplough, Joanne Taylor, Daniel Faulks, Steven Bird, and winner of the category Mathew Walker.

The Traffic and Highway Patrol Officer of the Year award nominees were: Sam Nelson, John Crawford and Mark Nielsen from Macquarie Fields, Paul Cowan and Andrew Meznicar from Camden, and winner Matthew Bennett of Macquarie Fields Local Area Command. Camden Crime Management nominees were: Mark Scambury, Chris Millman, Bronwyn Parkin, and winner Kerrie Wright. I know firsthand how dedicated those people are and what wonderful work they do for my local community. Campbelltown Crime Management nominees were: Paul Sarina, Michelle Wills, and winner Carol Ray. Macquarie Fields Crime Management nominees were: Mark Brett, Chris Knighton, Mitchell Hoskins, Tara Daly, Leanne Heller, Amanda Warren, Matthew Bots, Myrna Williams, and winner Rod Gunther.

Camden Detective of the Year nominees were: Cameron Gill, Steve Quinn, and winner Cathy Culbert. Campbelltown Detective of the Year nominees were: Dean McGarry, Maria Feher, Anthony Holmes, Shane Green, Fiona Duncan, and winner Graham Hibbs. Macquarie Fields Detective of the Year nominees were: Mark Lake, Brent Piggot, Matthew Navin, and winner Graeme Rogers. Leading Constable Matthew Walker from Macquarie Fields Local Area Command was named the Macarthur Police Officer of the Year for 2012. I congratulate him on this achievement, which I know is well deserved. I congratulate all the wonderful officers I have mentioned and thank them on behalf of my local community.

#### **TRIBUTE TO COUNCILLOR GEOFFREY COLLESS**

#### **TRIBUTE TO COUNCILLOR WAYNE O'MALLY**

#### **TRIBUTE TO MR COL SCHWAGER**

**Mr KEVIN HUMPHRIES** (Barwon—Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales) [12.55 p.m.]: It is with great regret that I inform the House of the tragic passing this week of two well-known Barwon residents—Councillor Geoffrey Colless and Councillor Wayne O'Mally. Councillor Colless, or Dick as he was fondly known by his family and friends, was a respected and popular Walgett resident. He was tragically killed last week in a quad bike accident. Wayne, equally popular and respected in his hometown of Bourke, died when his plane went down while he was mustering cattle over the weekend. Both these men were pillars of their communities and they served Walgett and Bourke

tirelessly. Dick Colless, 55 years old, was a successful local business owner who ran a stock transportation service that he spent a lifetime building. He also served on Walgett Shire Council for four years, including three years as deputy mayor.

Dick was an avid supporter and sponsor of the local Walgett Show and the Walgett Jockey Club and he contributed to a number of local organisations, including the Castlereagh Local Area Command Community Safety Precinct Committee. Dick was also president of the famous Walgett Sportsmans Club—a meeting place where all are welcome. Furthermore, Dick's generous sponsorship of a number of junior organisations such as the local netball team, Little Athletics and Coolibah Kids helped to foster in the youngest generation of the Walgett community the rich benefits of community participation. He was a proud community member who thought nothing of giving back to his town and community. He will be greatly missed by the whole community, and my thoughts and prayers go to his wife, Raelene, their children and their families, Ashley and Chad and Abby and Peter. I will be attending Dick's funeral in Walgett tomorrow and I have no doubt that almost the entire district will be there to pay tribute to one of its finest sons.

Wayne O'Mally is another member of the Barwon community who was taken too soon. Wayne was a former councillor on Bourke Shire Council, serving 13 years on the council, with nine as mayor. Wayne was the mayor when I was first elected to Parliament in 2007 and was instrumental in mentoring me on local issues and the history of the Bourke shire. The O'Mallys run a fourth-generation sheep and cattle grazing enterprise on the junction of the Culgoa and Darling rivers and the years of drought that plagued the region were a constant headache for Wayne, as a grazier and a councillor. Wayne's years as mayor coincided with a particularly challenging time for the community, with Bourke's drought and economic decline well documented. However, Wayne led his community with passion, positivity and unwavering stamina, and ensured that, once the drought broke, Bourke was back on its feet.

Wayne was also a dedicated community man. He was chairman of the rural lands protection board for years and a great contributor to the social fabric of western New South Wales. I extend my sympathies to his wife, Patty, their four children and grandchildren. I also extend my condolences to the family of Wee Waa's Col Schwager, who passed away recently. Just last month I met with Col when he was named Wee Waa Senior Citizen of the Year. Regional New South Wales was built and has thrived on the spirit of service to others that was embodied so remarkably and so fully in Dick Colless and Wayne O'Mally. These fine men will be greatly missed. They were inspirational members of the community and their passing marks a very sad week for the Barwon electorate.

### **PARRAMATTA ELECTORATE ANZAC DAY SERVICES**

**Dr GEOFF LEE** (Parramatta) [12.59 p.m.]: It is a privilege to speak about the Anzac Day ceremonies held in the Parramatta electorate on 25 April in which I was involved. The day started at 4.15 a.m. when 250 returned service men and women and their families marched from Parramatta RSL to the cenotaph located in Prince Alfred Park, Parramatta. About 1,500 people attended in the park to listen to the commemoration speeches. The service was led by the Parramatta Citadel Band, which is an excellent Salvation Army band. The number of young people in the audience of about 1,500 was outstanding. When I was growing up in the 1980s many of the returned service people commemorating Anzac Day were older, and it is great to see so many young people involved now.

Some of those in attendance who were not so young were the officers and crew of HMAS *Parramatta*. We know the HMAS *Parramatta* not only as a namesake of the city of Parramatta but for its services in the Middle East and its return to Australia recently. I had the privilege, as part of the official party, of welcoming back 37 returned officers and crew from the HMAS *Parramatta* under the command of Guy Blackburn. They did outstanding service in the Middle East as part of Operation Slipper to detect drugs and arms and to reduce the risks of piracy overseas; indeed, they played an integral part.

One highlight of the Anzac Day services was the prayer led by a young school girl, 10-year-old Dominika. Judging by her abilities, the future of the next generation is sound. She won the primary schools contest for Anzac Day 2012 Celebrate the Tradition, which was run by Parramatta RSL and Castle Hill RSL. Other guest speakers included Lieutenant-Colonel Andrew Kennedy, who is an Army reservist. He spoke about the importance of Anzac Day, emphasising that we should never forget Anzac Day which, I agree, is one of the most important days on our national calendar. Anzac Day is a reminder of tradition and an opportunity to remember the many people who strive to preserve our freedoms, values and traditions. If it were not for our returned service people we would not enjoy the freedoms that we do today.

I thank especially Bryan West, the secretary of the Parramatta RSL sub-branch, who organised the services, and Rick Anderson for his hard work as part of the committee. Indeed, I thank the whole committee. I thank also Ron Grace, who is the sub-branch president, for his stewardship of the service, and the many volunteers involved in the preparation and delivery of the service. Interestingly, sub-branch members also attended 24 nursing homes, aged care facilities and schools to talk about Anzac Day and to deliver tailored messages for those who were unable to get to the 4 o'clock service. I was privileged also to attend a service at R. E. Tebbutt Lodge, Dundas, which is a nursing home run by the not-for-profit Wesley Mission for UnitingCare. I especially thank the Ryde Rotary Club's Adrian Hallett, who was the organiser, and the club's president, Deacon Ken Allen. They organised the music, the equipment and a gazebo in case it rained. Fortunately we did not have rain. They also organised the cadets.

The Timor Barracks cadets marched from the barracks to R. E. Tebbutt Lodge for the service. Many young men and women participated in the ceremony, and we should be proud of their commitment to being part of the cadets. One highlight of the ceremony was the Last Post sounded by bugler Matt Laz. Although he is only a young man he did an extremely good job. Everybody who was there said he did a wonderful job. Some 65 residents of the nursing home attended the ceremony, including Frank Freeman, who is a returned serviceman. Many family and friends also were present. I thank Emma Spencer, the manager, and the staff, as well as Shirlee Hayes, the organiser, who invited me. I am sure all members will join me in commending all those who were involved in the Anzac Day commemorations.

### LAND TAX

**Mr JOHN SIDOTI** (Drummoyne) [1.04 p.m.]: First, I thank Mr Buckingham of Drummoyne and numerous other constituents for expressing their concerns on this important issue. I am pleased to make an important contribution on a problem that is resonating not only in my electorate but also across many electorates in Sydney, that is, the need for land tax reform—something I spoke about more than a year ago in my inaugural speech. A report titled "Options for practical land tax reform", written by Access Economics and commissioned by the Property Council of Australia, provides many practical and I believe viable options for real and effective change. People are happy to pay their fair share of tax. However, like everything in life, it is about balance and fairness.

There are statewide net economic benefits from implementing these options. The report provides practical and reasonable options for reducing land tax in New South Wales and efficiency options between land tax on residential property and land tax levied on commercial property. Revenues from land tax in New South Wales have more than trebled over the past decade due to rising land values and fluctuating land tax rates. In light of this fact alone it is not only reasonable but also affordable to reduce the land tax rate in the future. Imposing such taxes on business is inherently inefficient. Twice as many businesses in New South Wales pay land tax as pay payroll tax, and commercial properties account for more than 60 per cent of land tax revenue.

Data obtained some years ago by New South Wales Treasury showed that 56,958 businesses were liable for land tax on commercial properties in the 2004 land tax year, compared with 28,609 businesses that paid payroll tax. Modest land tax reductions will make New South Wales more competitive with other States. I remember when the New South Wales vendor tax was dropped. It was dropped because New South Wales was acting to protect itself from investment losses to other States due to the ill-advised action of introducing the vendor tax in the first place. When it comes to land tax New South Wales is not competitive with other States and we are losing revenue as a result.

If land tax were reduced in New South Wales there would be a significant flow of new investment and related business in New South Wales as a result. This should generate an additional clawback of revenue, helping further to close the revenue loss affecting the budget bottom line. In the decade between 1994-95 and 2005-06 land tax revenue increased by just over 242 per cent, from \$507 million to \$1.737 billion; then in about 2000 there was a near doubling in the value of total taxable land. I commend the Government's review. It is well timed, as legislative impacts on land values and land tax assessments are both currently under review. This Government recognises that improvements need to be made to make land tax assessments simpler and more certain for New South Wales taxpayers.

The review of land tax assessment processes includes consideration of the assessment processes of other Australian jurisdictions and should be completed by the end of the year. I note that a comprehensive review of the Valuation of Land Act 1916 is also underway. The review will address issues raised by the Joint Standing Committee on the Office of the Valuer-General. The review of the land tax assessment processes is

just one part of the New South Wales Government's tax reform agenda. While land tax is an important source of revenue to fund vital services, we are investigating ways to address the inadequacies of the State's tax system more broadly. Once again I thank Mr Buckingham of Drummoyne and the numerous residents, both in and out of the electorate, who have brought this important issue to my attention.

### NORTH WEST RAIL LINK

**Mr BART BASSETT** (Londonderry) [1.08 p.m.]: Government investment and leadership in nation-building infrastructure such as roads, rail and ports are vital because communities need good local roads and public transport for accessibility, mobility and a high quality of life. They also are vital in building a stronger economy. Ensuring the provision of infrastructure requires a long-term plan that is properly considered and funded. The Liberal-Nationals Government went to the 2011 State election with a clear commitment to commence work on the north west and south west rail links in its first term. Those two promises were part of a broader commitment to the people of New South Wales to rebuild infrastructure and improve services.

This Government abolished the Roads and Traffic Authority and brought all transport modes under one agency, Transport for New South Wales, established Infrastructure New South Wales and created the position of Infrastructure Coordinator-General. Members of this Government went to the people with commitments that could be delivered. Unlike Labor, we did not make promises we could not honour. Labor promised to build 12 new rail lines and delivered only half of one—the Chatswood to Epping section of the Chatswood to Parramatta rail link, and that was way over budget.

Labor scrapped the Epping to Parramatta link until suddenly a desperate Prime Minister Julia Gillard, on the hustings for votes during the 2010 Federal election, announced that she could miraculously find \$2.1 billion to fund most of the \$2.6 billion required to build the link. Former Premier Kristina Kennelly was with the Prime Minister as a support act and announced that the New South Wales Government would contribute \$580 million towards the cost of the project. This was news to her Minister for Transport, the one and only John Robertson, who at the same time was writing a letter to none other than the Deputy Lord Mayor of Parramatta to advise that the Epping—

**Mr Paul Lynch:** Point of order: We are now almost two minutes into this private members' statement and it is yet to demonstrate any characteristics of a private members' statement. If the member for Londonderry wants to go on a political rant he should do so by way of a notice of motion.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Liverpool will resume his seat. These rail lines affect the electorate of the member for Londonderry and he is entirely in order.

**Mr BART BASSETT:** The member for Liverpool will be interested to hear about the Western Sydney Regional Organisation of Councils [WSROC], which I will refer to in a moment. John Robertson wrote to the Deputy Mayor of Parramatta to advise that the Epping to Parramatta link was not part of the State Government's 10-year transport plan. That is an example of their incompetence; but wait—like the old Demtel advertisements where a set of steak knives was thrown in with every purchase—there is more. The then Labor Minister for Transport John Robertson advised Parramatta council that he would be interested to know about any meetings between the council and Federal Labor Transport Minister Anthony Albanese dealing with the Federal Government's position on the project.

They were both Labor Ministers, but neither picked up the telephone to talk to the other. It was a classic case of the right hand—New South Wales Minister for Transport John Robertson—not knowing what the left hand—Federal Minister for Transport Anthony Albanese—was doing. Labor could not even coordinate an election stunt in relation to Labor's political future. It was not about Sydney's long-term transport needs. There was no detailed planning, proper costing or consultation. The public saw the stunt for what it was and on 21 August 2010 at the Federal election there was a 9 per cent swing against the Labor Party in the electorates around the proposed link.

The Leader of the Coalition, Barry O'Farrell, made it abundantly clear in August 2010 that if he became Premier in March 2011 the Liberal-Nationals Government would ask the Federal Labor Government to divert the \$2.1 billion allocated to the Epping to Parramatta link to fund the North West Rail Link. Despite the overwhelming mandate Barry O'Farrell received to implement this promise, it has not occurred. But some members of the Labor Party have the guts to stand up for western Sydney. Only last Thursday at a board meeting the Western Sydney Regional Organisation of Councils resolved to support my motion calling on the

Federal Government to divert the \$2.1 billion allocated to the Parramatta link to the North West Rail Link. The Western Sydney Regional Organisation of Councils, comprising 11 member councils across western Sydney, has been advocating for the region on behalf of local government since 1973.

Labor, Liberal and Independent members of those councils all backed my motion because they know that it is good for western Sydney. They know that providing additional money to the North West Rail Link may provide additional benefits for the rail link and for all of western Sydney. I am not saying that the Epping to Parramatta link is not important; it is, but it requires cost-benefit analyses, planning, consultation and other studies before billions of dollars are put into it. This Government is committed to the north west and south west rail links. The mayors of Hawkesbury, Hornsby and the Hills district and the Western Sydney Regional Organisation of Councils have called on the Federal Government to reallocate the \$2.1 billion to the North West Rail Link. It is now time that the Federal Labor Government and Prime Minister Julia Gillard respected that decision and reallocated the funds accordingly so that we can get on with building a great public transport service for western Sydney.

### TRIBUTE TO CHARLES GEORGE BISHOP, DCM, MM AND BAR

**Mr GREG APLIN** (Albury) [1.13 p.m.]: On 31 March 2012 I attended a ceremony in Thurgoona to honour an Australian soldier who in 1918, within the space of little over two months on the Western Front, earned the Distinguished Conduct Medal and the Military Medal and Bar. The ceremony was held at the site of a small park and walk dedicated in 1982 to the memory of the most highly decorated World War I soldier born in the Albury region. Yet in his early life Charles George Bishop seemed anything but destined to be a battlefield hero. Born on 12 September 1895 at Urana near Albury, Charles was the son of labourer Charles George Bishop and Violet Jane, nee Stripling. He was only 11 years old when his mother died, which brought to an end his formal schooling. Charles worked as a labourer, joined a Riverina military unit and was perhaps living a restless life—common enough for the times.

Indeed, when Charles enlisted in the Army he put his address as the Newmarket Hotel in Albury. The publican—no relation—was named as his next of kin. On 3 August 1915 he joined up and headed for Egypt to reinforce the 18th Battalion, Fifth Brigade, Second Division Australian Imperial Force, departing Sydney on board HMAT A32 *Themistocles* on 5 October 1915. By May he was in battle at Armentières in France and after sustaining severe wounds at Pozzières Heights in August 1916 was sent to London for recuperation. Bishop was back in the war by December. He was promoted to lance corporal in May 1917, to corporal in September and made sergeant by October. E. J. O'Donnell, writing an entry for the *Australian Dictionary of Biography*, takes up Bishop's dramatic story:

In April 1918 he was awarded the Military Medal for leading an attack on an enemy patrol of thirty men at Pont Rouge, Belgium. During a patrol action on 8 March, German scouts had been seen entering a trench; Sergeant Bishop and three men, with covering fire from their mates, assaulted the enemy from a flank and routed them. In September he received the Distinguished Conduct Medal for "conspicuous gallantry and devotion to duty" on 15 April 1918, while in charge of a mopping up party at Cemetery Copse in the Villers-Bretonneux sector. He had to contend with an unexpectedly large number of Germans, but accomplished his task by bringing in neighbouring troops to assist in a prolonged action.

His last encounter with the enemy was at Morlancourt on 19 May 1918. Although wounded in the face during the preliminary bombardment, he took charge of a party and reached the objective, rescued a wounded officer and took his place, until he too was wounded and evacuated. For this action, he was awarded a Bar to his Military Medal.

He was wounded on three occasions, as well as gassed. Discharged after the war, Bishop returned to labouring and worked on construction of the Hume Weir. In 1922 he married May Elizabeth Knobel at Thurgoona. There were two children of the marriage, Joyce Noriel and Leslie James. In 1924 he took the post of health and nuisance inspector with the Hume Shire Council. According to his granddaughter, Ms Janine Agzarian, a ceremony was held at a meeting of Albury Municipal Council on 2 October 1919 to present Charles George Bishop with a watch. The inscription read:

Presented to GC Bishop DCM, MM and Bar, by the citizens of Albury, in recognition of his actions in the Great War, October 1919.

The meeting "heartily congratulated Sergeant Bishop on his prowess and valour, and trusted that he would live long as an example for the citizens to follow. There was loud applause." Mr Bishop responded, "Mr Mayor, I thank you. This has taken me quite by surprise tonight. I was born here ... and am here today and gone tomorrow." Apparently there was much laughter.

And gone he was—all too quickly—at the age of just 37. "The strange thing about my grandfather," said Ms Agzarian in a speech delivered at the recent rededication of Bishop's Walk, "is that he fought, fought

bitterly with remarkable courage, equivalent men of the German Army. Yet within a few years of his return he married my Nan whose family migrated to Thurgoona from Germany. That may have taken remarkable courage in those days."

"The one story [my Nan] told me," Ms Agzarian continued, "and I heard it often over the years, was about a German that my grandfather confronted and was about to kill. Nan told me that as Charles was about to shoot this man, the German opened his wallet, showed him a photo and said, 'Please sir, my wife and my child'. My grandfather hesitated, lowered his rifle and told him to run." Ms Agzarian, having researched her grandfather's life, found herself asking whether Charles George Bishop had set out to be a hero. Her conclusion was he had not. "He was a single young bloke, barely 20 years of age, seeking adventure. Was it to serve God, King and Country? [I am] unsure but it is what others were doing so why not? It was a devil-may-care adventure." I encourage everyone to visit Bishop's Walk off Ironbark Way in Thurgoona and to read the small bronze plaque placed by the Sailors, Soldiers and Airmen's Club and the RSL, or to visit this daring soldier's grave at Albury Pioneer Cemetery. Lest we forget.

### **EPHING TO PARRAMATTA RAIL LINK**

**Mr GREG SMITH** (Epping—Attorney General, and Minister for Justice) [1.18 p.m.]: I well remember when Michael Costa, then transport Minister in the State Labor Government, ditched the Epping to Parramatta rail link well prior to the 2007 election—I think it was about 2002. The people of Epping, Carlingford, Parramatta and surrounding suburbs, who were to benefit eventually from the link, were very disappointed. I well remember the announcement prior to the 2010 Federal election when Prime Minister Gillard announced the Epping to Parramatta rail link, accompanied by Premier Kristina Keneally and in the presence of Maxine McKew, who at the time was battling to hold the seat of Bennelong.

I well remember two nights later attending a meeting in the Epping library building of candidates for the Bennelong election. The place was packed, with about 130 pensioners and seniors present. Maxine McKew announced that the Federal Government, in conjunction with the State Government, would build the Epping to Parramatta rail link. I well remember the audience burst into laughter because they did not believe her. They had no reason to believe her because Labor had let down the people of New South Wales so many times on railway links and transport links. Labor had spent more than twice the original estimated cost of the Epping to Parramatta rail link just on the Epping to Chatswood section and that project had taken twice as long as estimated. Indeed, the Epping to Chatswood rail link is the only rail link that Labor finished. I well remember that, and the people of New South Wales remembered it when they threw out the Keneally Government.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Liverpool will come to order.

**Private members' statements concluded.**

*[The Acting-Speaker (Mr Gareth Ward) left the chair at 1.21 p.m. The House resumed at 2.15 p.m.]*

### **JUSTICE REINVESTMENT CAMPAIGN FOR ABORIGINAL YOUNG PEOPLE LAUNCH**

**The SPEAKER:** I inform members that tomorrow, Tuesday 2 May, at 5.30 p.m. at Government House Her Excellency the Governor, Professor Marie Bashir, will be hosting the campaign launch of the Justice Reinvestment for Aboriginal Young People Campaign. The campaign is coordinated by the non-government organisation Wave, formerly South Coast Services, which provides a range of services in the Sydney metropolitan area that support Aboriginal children and young people. This campaign seeks to promote prevention and early intervention programs that aim to address the factors that contribute to criminal behaviour to help address the over-representation of Aboriginal young people in the New South Wales justice system. I am aware that the Premier and the member for Maroubra are involved in encouraging bipartisan support for the campaign and I encourage all members to join them in attending the campaign launch. Further details are available from my office.

### **SESSIONAL ORDERS**

**The SPEAKER:** I remind members that under the recent changes to the sessional orders the Chair now has the option to order members to leave the Chamber for up to three hours. My expectation is that when a member is directed to leave the Chamber under the newly conferred power, the Chair will stipulate the length of time the member must remain outside the Chamber before returning. A member so directed to leave the Chamber will not be required to leave the parliamentary precincts. If, however, any member refuses to leave the Chamber when so directed, that member will leave himself or herself open to being called to order and removed in accordance with standing order 249.

I might add that this is not to be regarded as a "sin-bin" sessional order. My reason for introducing this sessional order is that I am extremely reluctant to remove members from the Chamber who have been called to

order on three occasions in the knowledge that a ramification of that action is removal not only from this Chamber but also from the member's office and this building. For country and regional members such a ramification seems particularly unfair. Would the member for Hawkesbury like to be the first member removed from the Chamber under this new sessional order? Clearly there is bipartisan support for that proposal. Under this sessional order members may be removed from the Chamber for half an hour, one hour, two hours—indeed, any length of time up to a period of three hours—at the discretion of the occupant of the chair.

#### ADMINISTRATION OF THE GOVERNMENT OF THE STATE

**The SPEAKER:** I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR  
Governor

Office of the Governor  
Sydney, 3 April 2012

Professor Marie Bashir, Governor of New South Wales has the honour to inform the Legislative Assembly that she re-assumed the administration of the government of the State at 10.10 p.m. on Tuesday, 3 April 2012.

#### ASSENT TO BILLS

Assent to the following bills was reported:

Road Transport Legislation Amendment (Offender Nomination) Bill 2012  
Centennial Park and Moore Park Trust Amendment Bill 2012  
Public Sector Employment and Management Amendment Bill 2012  
State Revenue Legislation Amendment Bill 2012  
Local Government Amendment (Elections) Bill 2012  
Local Government Amendment (Members of Parliament) Bill 2012

#### ADMINISTRATION OF THE GOVERNMENT OF THE STATE

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

T. F. BATHURST  
Lieutenant-Governor

Office of the Governor  
Sydney, 11 April 2012

The Honourable Thomas Frederick Bathurst, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, Professor Marie Bashir, having assumed the administration of the government of the Commonwealth, he assumed the administration of the government of the State at 10.00 a.m. on Wednesday 11 April 2012.

#### ADMINISTRATION OF THE GOVERNMENT OF THE STATE

**The SPEAKER:** I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR  
Governor

Office of the Governor  
Sydney, 29 April 2012

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Assembly that she re-assumed the administration of the government of the State at 3.55 p.m. on Sunday, 29 April 2012.

#### QUESTION TIME

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[*Question time commenced at 2.23 p.m.*]

#### STRATEGIC LAND USE PLAN

**Mr JOHN ROBERTSON:** I direct my question to the Deputy Premier and Leader of The Nationals. Why has the Deputy Premier not denounced the Minister for Planning for his comments that the New South Wales Farmers' Association is irrelevant to the debate on strategic land use policy?

**The SPEAKER:** Order! The Leader of the House will come to order. I am sure the Deputy Premier is capable of answering this question.

**Mr ANDREW STONER:** This question from the Leader of the Opposition is a bit rich. For 16 years the Labor Party treated all farmers, including their association, as completely irrelevant. The former Government was in charge of a regime relating to coal seam gas and mining akin to that which operated in the Wild West. The cowboys—Eddie Obeid and Ian Macdonald—were out there were up to their necks in it. That lot opposite issued 44 coal seam gas exploration licences. In contrast, this Government has issued zero—not one—and has extended zero coal seam gas exploration licences. This Government has banned evaporation ponds. It has banned the use of BTEX chemicals and extended a moratorium on fracking.

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

**Mr ANDREW STONER:** We have also put together the strategic regional land use policy, which will ensure that any mining or gas extraction activity that would harm our prime agricultural land or critical industry clusters in regional New South Wales will not proceed.

**Mr Michael Daley:** Point of order: My point of order relates to Standing Order 129. It is a simple question. The Minister has to either back the farmers or back his colleagues.

**The SPEAKER:** Order! The member for Maroubra will resume his seat. That was not a point of order.

**Mr ANDREW STONER:** The member for Maroubra would not know a farm if he fell over it. The regional strategic land use policy outlines this Government's track record as opposed to that of the former Government over 16 years. Actions speak louder than words, and when it comes to treating farmers with respect, this Government's actions speak loudly.

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

**Mr ANDREW STONER:** We have moved to bring law and order to the Wild West over which the former Government presided. We have moved to bring balance to economic activity in this State to preserve our agricultural and farm future whilst taking advantage of new economic opportunities in this State. Ours is a responsible government and it is delivering for regional New South Wales.

## GUN CRIME

**Mr BRYAN DOYLE:** What is the Government doing to support our police to fight gun crime across Sydney?

**Mr BARRY O'FARRELL:** This is not of interest to members opposite: but more of that later. The brazen targeted shootings that have occurred across Sydney have shocked not only residents of Sydney but also residents across the State, as has the concern that we on this side of the Chamber have that it takes only one stray bullet to maim or kill an innocent victim. We are concerned also about the attitude of those who are responsible for such actions and who seem to think that they are untouchable. Well, we have got news for them: they are not.

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

**Mr BARRY O'FARRELL:** The determined effort by the NSW Police Force—with the support of the Government side of the House—will succeed. Unlike members opposite, whose method of operation is to talk up crime and talk down police, this Government supports the police and will continue to give them the powers and resources they need to tackle gun crimes. Those opposite cannot have it both ways. They use every colourful, emotional expression they can think of to try to make political capital out of an appalling series of crimes, and then on a daily basis bag the police, whose job it is to try to clean up that crime.

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

**Mr BARRY O'FARRELL:** This Government has a proud record of backing police to make sure the community gets the protection it deserves. We are driving bikies out of Kings Cross. We are hitting them where it hurts by giving the Commissioner of Police the authority to approve or reject people who want to own or who

currently operate a tattoo parlour. Last weekend a major police blitz spearheaded by Operation Spartan saw 555 arrests made, 908 charges laid, and 14 firearms seized. That is in addition to 353 other arrests, 626 other charges and 40 other firearms seized by Operation Spartan since January.

Twenty people have been charged with discharge of firearm offences. In addition, officers attached to Operation Spartan have conducted more than 1,300 vehicle searches. More recently, Strike Force Kinnarra was formed by the State Crime Command's Gangs Squad to investigate shootings that are believed to be the result of a war between the Hell's Angels and Nomads outlaw motorcycle gangs. That is one of the reasons that earlier this year the Government modernised consorting laws to make it clear that consorting can occur in person or by other means, including email and other electronic forms. This Government has toughened the penalties for those offences.

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

**Mr BARRY O'FARRELL:** Once again the Leader of the Opposition does not support toughening the laws to tackle this problem.

**Mr Michael Daley:** Point of order: I refer to Standing Order 129, relevance. Why has it taken eight months to introduce the bikie legislation?

**The SPEAKER:** Order! That is not a point of order. The member for Maroubra will resume his seat. I call the member for Maroubra to order.

**Mr Michael Daley:** Don't criticise the Leader of the Opposition.

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

**Mr Michael Daley:** There was no declaration.

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

**Mr BARRY O'FARRELL:** I am delighted by that intervention from the member for Maroubra because we well know Labor's record when it comes to outlawing bikie gangs. Legislation was introduced into this Parliament, but only after the Premier at the time, Nathan Rees—the member for Toongabbie and the present shadow Minister for Police—told the *7.30 Report*, "We are determined to get these laws right. It is essential not to rush important legislation. We will be cautious in the drafting and we need to get the necessary legal advice in order that it will withstand a legal challenge." When the legislation was introduced the current Attorney General warned members opposite that it was being rushed, that it would not withstand a legal challenge and that it would not work, and ultimately the High Court agreed with him. Earlier this year the Government had to amend the legislation that members opposite got wrong.

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

**Mr BARRY O'FARRELL:** As the Police Force said two weeks ago, it is preparing an application under that legislation to declare an outlaw motorcycle gang illegal. The impact of that is that any member of that outlaw gang who contacts another member of that deemed illegal organisation will be committing an offence. This Government will continue to back the Police Force and to provide it with the resources and powers it needs, and it will do that despite the constant criticism of members opposite. That criticism remarkably saw on Sunday an assistant commissioner respond directly to the member for Toongabbie, who described the weekend's efforts as window-dressing. I have never seen or heard that before. [*Time expired.*]

### COAL SEAM GAS EXPLORATION

**Ms LINDA BURNEY:** I direct my question to the Minister for Planning and Infrastructure. Will the Minister retract his unprecedented attack on the State's farmers and apologise for labelling their concerns as irrelevant?

**Mr Adrian Piccoli:** Do you know what a farmer is?

**Ms Linda Burney:** I come from a very small town and you know that.

**The SPEAKER:** Order! The member for Canterbury will resume her seat. She has asked the question and I have called the Minister for Planning and Infrastructure to answer it.

**Mr BRAD HAZZARD:** The first thing that strikes me is what a shallow lot members of the Labor Party are.

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

**Mr BRAD HAZZARD:** This question is an indication of how little members of the Opposition know about the substance of this topic. Let us consider the credibility of the Leader of the Opposition and his motley crew. Not once during its 16 years in government did the Labor Party respond to farmers' concerns about these issues. Not only that, 16 petroleum exploration licences were either granted or renewed during that time. How many have been granted by the Coalition Government? Absolutely none.

**Ms Linda Burney:** Point of order—

**Mr BRAD HAZZARD:** She does not want to listen. I offered her a briefing, but she did not want one.

**The SPEAKER:** Order! The Minister for Planning and Infrastructure will resume his seat.

**Ms Linda Burney:** I did take that briefing and the Minister knows it.

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

**Ms Linda Burney:** My point of order is relevance. Will the Minister put his brain into action before his mouth?

**The SPEAKER:** Order! That is inappropriate. The member has asked the question and the Minister is answering it.

**Mr BRAD HAZZARD:** I will not be unkind and reflect on whether the member for Canterbury has a brain. I will not say anything about that. The Labor Party approved 44 coal seam gas exploration or production licences during its 16 years in government. Did it make any effort to put in place a process to ensure that our strategic agricultural lands were protected? No, it did nothing in that regard. It is not as though the Government has been anything other than totally open about this issue. We embarked on this exercise in response to the concerns created by the Labor Government.

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

**Mr BRAD HAZZARD:** Those concerns arose because, sadly, the Labor Government sprinkled exploration licences like confetti. They were often the result of deals done behind closed doors, which is reminiscent of the part 3A process. This Government has worked extremely hard for the best part of eight months to reverse that situation. The New South Wales Farmers' Association has been involved in the process along with the Construction, Forestry, Mining and Energy Union, which is not known as a strong supporter of the Coalition Government, various environmental groups, and representatives of the petroleum and mining industries. It has been a hard task and a challenge for everyone involved. Having all those people in one room—which was never achieved by the former Government—was never expected to produce a consensus. That is not what it was about; it was about striking a balance between protecting our strategic agricultural land and at the same time examining how we might realise the potential of assets that could sit well below the ground.

The money generated by that process could be used to provide hospitals, roads and schools. Over the past few weeks I have personally attended public meetings in Gunnedah, Singleton and Casino at which all of the issues were canvassed. The frustration is that the New South Wales Farmers' Association has supported the Gateway Review System, which is the critical issue. That new, independent, evidence-based scientific process will sit between the granting of exploration licences and the development application stage. The problem is that the New South Wales Farmers' Association thinks that that can be done up front at the exploration stage. All the advice we have is that that is not practical because the data must be collected so that a decision can be made.

**Ms Linda Burney:** Point of order: The Minister can sit down. The answer is clearly, no, he will not apologise.

**The SPEAKER:** Order! The Minister has been entirely relevant throughout his answer. There is no point of order.

**Mr BRAD HAZZARD:** If you want to hear about it, ask for an extension.

**The SPEAKER:** Order! The Minister will address his comments through the Chair.

**Mr BRAD HAZZARD:** Members opposite are gutless wimps. We are doing the job; they are doing the complaining.

**The SPEAKER:** Order! I remind members to address their comments through the Chair.

### MURRAY-DARLING BASIN PLAN

**Mr JOHN WILLIAMS:** I direct my question to the Deputy Premier. How is the Government protecting regional communities and future food production in its responses to the draft Murray-Darling Basin Plan?

*[Interruption]*

**Mr ANDREW STONER:** The Leader of the Opposition should not tempt me. I would not want to be unparliamentary.

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

**Mr ANDREW STONER:** For the first time in 16 years regional communities in this State have a government that is on their side. Evidence of that is this Government's commitment to protecting prime agricultural land and getting the balance right between protecting farmland and our food bowl while still allowing regional communities to benefit from new economic opportunities. Evidence of that is our record expenditure on regional roads and health capital works. It is also demonstrated by our position that the proposed Murray-Darling Basin Plan is unacceptable in its current form.

As the House is aware, the Commonwealth's draft Murray-Darling Basin Plan, which was released last year, advocates a major intervention in water allocation in the basin. A huge quantity of water—some 2,750 billion litres—has been removed from productive use over a short time frame. The Government reviewed the draft plan and found that the Murray-Darling Basin Authority had not clarified the environmental outcomes sought to be achieved, nor had it validated the proposed strategic diversion limits or the mechanisms for their recovery through the large downstream share component.

The Government remains committed to effective water reform in the basin. However, it is clear that the draft plan will have a major impact on our communities and that the Murray-Darling Basin Authority has provided scant detail about the benefits that this massive intervention may achieve. The actions of the Murray-Darling Basin Authority and the Commonwealth indicate that they want to push ahead with this proposed plan, regardless of the consequences for the community. But this Government—with regional communities at its heart—will not stand by and allow that to occur. That is why we have proposed a realistic way forward that benefits both the environment and the communities that depend on that precious resource—the water in the Murray-Darling Basin.

The Government proposes that the plan should pursue environmental outcomes through infrastructure, environmental works and smarter management of the water in the Murray-Darling Basin instead of the blunt and simplistic approach of the non-strategic water buybacks that have been pursued by the Federal Labor Government to date. The Government's response reflects the commentary and insight that has been provided during our extensive consultations with Murray-Darling Basin communities, from Finley to Dubbo, Narrabri to Corowa and other towns in the Murray-Darling Basin. We have listened to those communities and the message was clear: The proposed plan is simply unacceptable.

The Government is committed to water reform. In recent times we returned 860 billion litres or gigitalitres of surface water to the environment. But this has not been taken into account by the Federal Labor Government. The Commonwealth, under a 2008 intergovernmental agreement, agreed to provide New South Wales with \$708 million to fund State-led water-saving projects that deliver environmental water whilst also

providing economic stimulus to regional communities and upgrades of valuable infrastructure. But guess what? Four years later, we have seen only \$26.6 million of that \$708 million. Indeed, the Commonwealth process has not changed significantly from the much-maligned 2010 Guide to the Murray-Darling Basin Plan. That document was variously burnt and driven over by tractors in farming communities.

I recall the reaction of the electorate of the member for Murrumbidgee to that draft guide. I can tell the House that both he and the other Liberal-Nationals members representing the Murray-Darling Basin have championed their cause. There is a better way forward to deliver environmental water without devastating regional economies and entire communities. This is made clear in our response to the draft plan. It is time for the Gillard Labor Government to listen to Murray-Darling Basin communities and to a government that will continue to represent their interests strongly.

#### FATHER FINIAN EGAN POLICE INVESTIGATION

**Mr PAUL LYNCH:** My question is directed to the Attorney General.

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

**Mr PAUL LYNCH:** My question is directed to the Attorney General. Did he or did he not tell a priest in a meeting last year that an alleged victim of child sexual assault was, "just trying to get a million dollars out of the church"?

**Mr GREG SMITH:** I have made a statement previously to this House on Father Egan. I understand he was charged today. The question that the member for Liverpool has asked relates to a possible complainant in those matters and it would therefore be inappropriate for me to make any further comment.

#### INTEREST RATES

**Mr GARRY EDWARDS:** My question is addressed to the Treasurer. What will be the impact of today's decision by the Reserve Bank on households and businesses across New South Wales?

**Mr MIKE BAIRD:** I thank the member for Swansea for his question. He is a testament to the fact that one cannot keep a good man down; it is great to have him back. I am pleased to inform the House that a few moments ago the Reserve Bank announced that it had cut the official cash rate by 50 basis points, which will reduce it to 3.75 per cent. This is welcome news to mortgage holders and small businesses across New South Wales. It is critical that the banks pass on this rate cut to their customers. If it is, an average mortgage across this State will be reduced by \$150 a month. That is good news for households and for businesses across the State because it will help to get this State moving.

Businesses and consumers have been looking for some positive news and today they have it. Despite some signs of confidence returning to the economy, consumers and businesses continue to do it tough. That is evidenced by the cut to the official cash rate announced today. The air of uncertainty posed by the economic turbulence in Europe and in the United States has affected confidence. Members will know that, in talking to local businesses and to householders, confidence remains low. It is good news from the Reserve Bank today, but for the past year this Government has been focused on the task of rebuilding the fundamentals of the New South Wales economy. We have been creating job opportunities across the State and restoring confidence.

Recent data shows that the New South Wales economy continues to weather the storm. In March the jobless rate in New South Wales fell to 4.8 per cent—below the national average of 5.2 per cent and second only behind Western Australia. Since the O'Farrell Government came to power, 40,000 jobs have been created. The latest report card on the economy from the Australian Bureau of Statistics shows that economic growth in New South Wales is growing faster than in any other non-mining State. At the same time, with New South Wales above the national average, confidence has improved in the State's economy. Despite the economic challenges we face, what do we have under the O'Farrell Government? We have more jobs, more growth and more confidence.

**Mr Michael Daley:** You've lost more jobs than you've created.

**Mr MIKE BAIRD:** It is great to have the member for Maroubra back from his trip to the United Kingdom. I am not sure what he did there, but many who have had the chance to visit the United Kingdom and

who are cricket fans like to go to the mecca of cricket—Lords. Those who are rugby fans—and I know there are rugby fans in the House—like to go to the mecca of rugby, which is Twickenham. There are even royalists in this House, and when they visit the United Kingdom, they like to go to Buckingham Palace.

**Ms Carmel Tebbutt:** Point of order: My point of order is under Standing Order 129, relevance. This is an important question about the Reserve Bank's decision.

**The SPEAKER:** Order! I uphold the point of order and I ask the Treasurer to return to the leave of the question.

**Mr MIKE BAIRD:** When the member for Maroubra went to the United Kingdom, where did he go? He went to the mecca of middle management—he went to Slough. He spent two weeks in Slough and he loved it.

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

**Mr MIKE BAIRD:** The announcement today by the Reserve Bank is positive news for New South Wales and the nation's economy as a whole. The Government still has a lot of work to do and we must remain vigilant. We will continue to make the right decisions for the people of New South Wales, despite the economic challenges. Global conditions have hit revenues. On the weekend we heard the Federal Treasurer talk about a further write-down of revenues in the Federal budget that will be presented next week. This afternoon my counterpart Kim Wells, the Victorian Treasurer, will hand down his State's budget and he will announce a large write-down in GST revenues to Victoria.

That scenario will be repeated in New South Wales. In coming days the people of this State will see the full impact of the loss of GST revenue and its impact on the New South Wales budget. The O'Farrell Government always acts in the interests of the State and it will continue to ensure that provision is made to continue that good work in its upcoming budget—more jobs, more growth and more confidence. As we face economic challenges this Government will make the necessary decisions to keep the State on track, which will ensure confidence in business and the economy and will result in more investment in this great State.

**The SPEAKER:** Order! I remind the member for Maroubra that he is already on three calls to order.

**Mr MIKE BAIRD:** Today we welcome the news of a reduction in interest rates for the householders and businesses across this State. It will help to keep the State's economy moving and the Government asks the banks to pass on the rate cut.

### STRATEGIC AGRICULTURAL LAND PROTECTION

**Ms CARMEL TEBBUTT:** I direct my question to the Deputy Premier, and Leader of The Nationals. As Leader of The Nationals, does the Deputy Premier stand by his party's position that strategic agricultural lands should be quarantined permanently from mining?

**Mr ANDREW STONER:** I thank the member for her question, which relates to the fact that a Nationals policy committee has made a submission to the Government on the draft Strategic Regional Land Use Plan presently being exhibited for public consultation. That committee is not Robinson Crusoe; submissions have been received from many groups and the consultation period is yet to close. It is true that some members of The Nationals would like that; indeed some of them are members of the NSW Farmers Association—people who farm and grow food for our nation—and the Country Women's Association, some of whom took part in the rally outside Parliament House earlier today. At the conclusion of the consultation period the Government will consider the many submissions received, including The Nationals' submission, as to any refinements to that policy. When I addressed the rally earlier today I made it perfectly clear—and I also made it clear earlier today in question time—that if there were a proposed mining or gas extraction proposal that would damage our prime agriculture land or—

**Dr Andrew McDonald:** Point of order: My point order is under Standing Order 129, relevance. The Minister was asked whether he would stand by his position.

**The SPEAKER:** Order! I am aware of the question. At the moment the Deputy Premier is being relevant. There is no point of order.

**Mr ANDREW STONER:** Before I was so rudely interrupted, I was about to say that the Government has made it clear—and this is also the position of members of The Nationals who are part of the Government—that if there is a mining or gas extraction proposal that will damage our prime agricultural land or critical industry clusters in regional New South Wales it will not be approved. That is a massive improvement to the situation that existed some 14 months ago under the former Labor Government when there were no protections for our prime agricultural land or critical industry clusters such as thoroughbred breeding operations in the Hunter or our State's viticulture industry, despite that lack of protection by those opposite who were handing out exploration leases like confetti. For those opposite to ask these sorts of questions today is a little like that game of soccer some years ago featuring Escobar: it is an own goal.

### **PUBLIC TRANSPORT INFRASTRUCTURE**

**Mr ANDREW CORNWELL:** I address my question to the Minister for Transport. What is the New South Wales Government doing to improve vital infrastructure across the public transport network?

**Ms GLADYS BEREJIKLIAN:** I thank the member for his excellent question and advocacy on behalf of his constituents. After 16 years of Labor neglect and pork-barrelling, transport customers finally have a State Government that is putting them first.

**The SPEAKER:** Order! Opposition members will come to order. There is too much audible conversation in the Chamber and too much shouting across the table. I remind the member for Maroubra that he is in a very precarious position.

**Ms GLADYS BEREJIKLIAN:** I know those opposite are embarrassed about their transport record but I will keep going. Whether it is a train station, a bus interchange or a ferry wharf the O'Farrell Government is committed to upgrading and improving facilities to drive public transport use. Last month the O'Farrell Government announced a \$100 million investment to upgrade the infrastructure our commuters rely on daily. This blitz signals the start of a new initiative called the Transport Access Program, which will deliver accessible, modern, secure and integrated transport services for the entire State—great news for our customers who did it tough for 16 years under those opposite.

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

**Ms GLADYS BEREJIKLIAN:** The first rollout of this blitz saw more than \$100 million allocated to more than 35 locations across the State. For example, thanks to the hardworking member for Kiama and the Speaker, the Illawarra has a brand-new station at Flinders near Shellharbour. Those opposite promised it for 10 years and did nothing, but the O'Farrell Government will deliver on it at a cost of \$39 million. The New South Wales Liberal-Nationals Government will deliver for the Illawarra. I am pleased to announce that Albion Park, Dapto, Gerringong and Wollongong railway stations will be upgraded. The member for Charlestown has advocated very strongly for Cardiff railway, which will now be upgraded at a cost of approximately \$14 million and will include the installation of new lifts—

**Ms Sonia Hornery:** Point of order: The Minister for Transport is misleading the House.

**The SPEAKER:** Order! That is no point of order.

**Ms GLADYS BEREJIKLIAN:** But it reminds me that the former Government promised Cardiff for many years yet did nothing about it—now those opposite are embarrassed about it. Other railway stations to receive improvement include Greta, Adamstown, Scone, Singleton, Aberdeen and Hamilton. Western Sydney will get an upgraded transport interchange at Fairfield worth approximately \$15 million.

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

**Mr Nick Lalich:** What about Cabramatta?

**Ms GLADYS BEREJIKLIAN:** Those opposite never delivered. This Government delivers upgrades where they are needed. A number of railway stations are also being upgraded on the Central Coast. Balmain will receive a brand new ferry wharf, including a new pontoon for which I am sure the member for Balmain is grateful. Other railway stations across Sydney to receive improvements include Arncliffe, Beecroft, Campsie, Epping, Normanhurst, Pennant Hills, Picton, Canterbury and Rockdale. Regional New South Wales will also

receive upgrades. I trust the Labor members for the electorates of Cessnock, Auburn, Bankstown, Lakemba, Fairfield, Wollongong and Shellharbour appreciate that the O'Farrell Government puts politics aside and provides improvements where they are needed. The O'Farrell Government has thrown out the pork-barrelling of the past 16 years; it is delivering services and upgrades where they are needed. I have plenty more good news but time does not permit so I will keep that good news for another day.

### STRATEGIC REGIONAL LAND USE PLAN

**Mr JOHN ROBERTSON:** My question is addressed to the Minister for Western New South Wales. Does the Minister stand by his comments that the Government's strategic land use policy is "underdone" and does not balance mining and agricultural interests?

**Mr KEVIN HUMPHRIES:** When I wake up in the morning on the day I return to Parliament I think, "Would I like to get a question in Parliament about the strategic land use policy?" The answer is yes, so I thank the Leader of the Opposition for asking this question. Who walked away from the people of regional New South Wales for the past 16 years? Who locked up more land in regional New South Wales and basically put farmers in regional communities on the back foot?

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

**Mr KEVIN HUMPHRIES:** Who intervened to dodge the bullet by making preference deals with their Greens friends in order to continue to lock up land in regional New South Wales? Who did deals with their Labor mates at the Federal level, took a scattergun approach to water across New South Wales, showed no respect for regional communities and tried to shut down our regional communities? The Leader of the Opposition has asked a question about regional land use policy. Labor gave away a number of exploratory licences—

[*Interruption*]

**Mr KEVIN HUMPHRIES:** I will get to the answer to the question. The policy is still in draft form. I invite members opposite to make a submission; I will be interested to read how Labor would make up for the losses that we have had to pick up. Regional New South Wales had to put up with the rubbish dished out by Labor and from which it consistently walked away. Some of the comments today were interesting, as were the people who attended the rally. I congratulate those who attended the rally today for legitimate reasons—the hardworking, honest people who represented farmers. We encourage more debate on the issue. We encourage people from the Country Women's Association to have their say. Government members have been listening to those people for more than a decade. As the planning Minister articulated, we have not renewed one licence or issued one new licence. Throughout the draft policy period Government members have been in their communities consistently, in both regional and urban areas, inviting people to participate.

**Ms Linda Burney:** Point of order: I ask you to direct the Minister to answer the question.

**The SPEAKER:** Order! As the member for Canterbury knows, I cannot direct a Minister to answer a question. There is no point of order. The Minister has the call.

**Mr KEVIN HUMPHRIES:** If ever a group of people epitomised what underdone is about, it is members opposite. We will get to the question.

**Mr John Robertson:** What have you got?

**Mr KEVIN HUMPHRIES:** Middle management—underdone. For the first time in the history of this State and the country a government has undertaken a sustained planning process on regional land use.

**Mr John Robertson:** Sustained?

**Mr KEVIN HUMPHRIES:** Labor sustained nothing. For the first time in this State's history—

[*Interruption*]

Government members are proud of what we have achieved to date. Obviously the draft guidelines will be defined.

**The SPEAKER:** Order! Opposition members will cease their interjections or they will find themselves out of this Chamber. I remind several members that they are on three calls to order.

**Mr KEVIN HUMPHRIES:** No government in this State's history has undertaken a planning or mapping exercise such as the one we have commenced, and that will continue. No government in this State has ever developed an aquifer interference policy, let alone tried to overlay that on a strategic land use policy. No government in this State has ever considered issues relating to impacts on agriculture. Until recently, no government in this State had ever tried to define critical clusters in industry. Emerging industries—

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

**Mr KEVIN HUMPHRIES:** —are interacting with established industries not only to manage but also to assess those impacts. This Government is a responsible government. We will get it right. We will have the most robust strategic land use policy that this State, and indeed the country, has ever seen. We welcome further debate on the policy.

### NATIONAL DISABILITY INSURANCE SCHEME

**Ms MELANIE GIBBONS:** My question is directed to the Minister for Ageing, and Minister for Disability Services. What action is the Government taking to ensure that New South Wales is ready for the National Disability Insurance Scheme?

**Mr ANDREW CONSTANCE:** I thank the member for Menai for her question. I note that prior to entering Parliament she worked in disability services, including employment with Northcott Disability Services and Technical Aid for the Disabled. Without doubt yesterday was a truly momentous day for people with disabilities, their carers and their families. We are finally seeing the nation take the critical step towards funding a National Disability Insurance Scheme. It was particularly pleasing to see the bipartisanship of our national leaders. Indeed, it is fair to say that that is testament to the bipartisanship in this Parliament on disability services. Yesterday the Premier and I were joined by the Leader of the Opposition, the shadow Minister and other members of this House in support of the thousands of people with disabilities, their carers and their families who came together yesterday to rally for a National Disability Insurance Scheme.

A National Disability Insurance Scheme is vital. It is fair to say that the State systems are based on rationing as opposed to entitlement when it comes to the provision of support to people with disabilities. It is time that the nation woke up to that fact and did something about it. Yesterday I was especially pleased that the Prime Minister indicated that next week's Federal budget will include an allocation of money towards the implementation of launch sites for the National Disability Insurance Scheme. We have made it clear, on behalf of the people of New South Wales, that we would like those sites to be located in the Hunter and in western Sydney, and we hope that the Commonwealth will accede to our request. Last night on the 7.30 report the Productivity Commissioner, John Walsh, who is responsible for the report that is driving this reform, spoke about his reservations relating to the time frame for the launch sites and the costings.

The State Government has made it clear that it wants to work constructively with the Commonwealth. The Treasurer and I are engaged in that process through the Council of Australian Governments. However, it is critical in next week's budget that the Prime Minister keep faith with the expectations she has raised and deliver on the recommendations made by the Productivity Commission. What that means in terms of funding is \$550 million to bed down the scheme's administrative arrangements, a further \$900 million for the launch sites and an additional \$4 billion to \$6 billion in the Commonwealth's forward estimates. This is the magnitude of the money we are talking about. It must be remembered that the Productivity Commission, under recommendation 14.2, made clear that the Commonwealth should be the single funder of the national scheme. While the States are clear in their intent to work alongside the Commonwealth, we must iron out these vital funding arrangements.

It must be remembered that under the intergovernmental agreement between New South Wales and the Commonwealth, the Commonwealth currently provides only 19 per cent of the money that goes into disability services. We must rectify this inequity through the National Disability Insurance Scheme. That is why we want

to work closely with the Commonwealth. Referring to the technical work relating to the scheme, we have some serious issues to resolve in governance, eligibility and the assessment, planning and individualised funding processes. Ultimately we must deal with issues relating to capacity within the sector.

That relates to the workforce and to the ability of the non-government sector in particular to deliver the services and support that people need. We have an enormous amount of work to do in the next 12 months but the New South Wales Government is willing to work as constructively and as closely as it can with the Commonwealth to ensure that these launch sites are delivered. We have started this process with the individualised funding reforms that have been spoken about in this House. In fact, last week about 500 people attended a New South Wales Government forum at Homebush on the release of a discussion paper that will inform the technical work on individualised funding. Yesterday was a critical day—a day on which we need to build. I look forward to the Commonwealth budget next week which will ensure that the National Disability Insurance Scheme becomes a reality for people with disabilities across Australia.

**Question time concluded at 3.10 p.m.**

## **MINISTER FOR PLANNING AND INFRASTRUCTURE COMMENTS**

### **Personal Explanation**

**Mr BRAD HAZZARD:** During question time the member for Canterbury asked me a question which I answered, certainly with a degree of energy and enthusiasm but certainly not with any disrespect to the member for Canterbury. I raise this issue now bearing in mind that I have had regard—and I think there is mutual regard even though we are on opposite sides—for the member for Canterbury for many years. During question time the Hon. Penny Sharpe, MLC, shadow Minister for Transport, re-tweeted a public message by Jenelle Rimmer, an electorate officer in Keira. Those words were:

Brad Hazzard refers to Member for Canterbury as a "gutless witch" in QT. Classy.

The Hon. Penny Sharpe then added the following words:

another day in NSW under Barry O'Farrell.

I assure the House—I do not think any other member of the lower House would suggest that I said that and I had a brief discussion with the member for Canterbury who acknowledged also that I did not say that—that I would not and did not refer to the member for Canterbury in that way. I would certainly adopt a much more respectable attitude to her and to other members. I would like it clarified and on the record that Penny Sharpe is completely wrong and so is the electorate officer of the member for Keira.

**The SPEAKER:** I have no recollection of the use of those words. If I had heard those words used, I would have taken appropriate action. I warn all members that those who use Twitter and tweet messages of that nature, which are clearly untrue, will not enjoy the same privileges as those enjoyed by other members in this Chamber. This is a serious matter.

## **OFFICE OF TRANSPORT SAFETY INVESTIGATIONS**

### **Reports**

**The Clerk** announced the receipt, pursuant to section 74 of the Rail Safety 2008, of the report entitled "Rail Safety Investigation Report, Train Collision with Road Motor Vehicle, Woy Woy, 2 September 2011", received 10 April 2012.

**The Clerk** also announced the receipt, pursuant to section 46D of the Passenger Transport Act 1990, of the report entitled "Bus Safety Investigation Report, Coach Overturned, Jindabyne, 11 June 2011", received 17 April 2012.

## **LEGISLATION REVIEW COMMITTEE**

### **Report**

**Mr Stephen Bromhead**, as Chair, tabled the report entitled "Legislation Review Digest No. 15/55", dated 1 May 2012, together with minutes of the committee meeting regarding Legislation Review Digest No. 14/55, dated 2 April 2012.

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

## PETITIONS

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

### **Bulli Hospital Upgrade**

Petition requesting an upgrade of Bulli Hospital to improve and expand healthcare services to the local community, received from **Mr Ryan Park**.

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

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

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

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

### **Sir Henry Parkes Memorial Public School**

Petition requesting support for the replacement of all unflued gas heaters at Sir Henry Parkes Memorial Public School, Tenterfield, received from **Mr Richard Torbay**.

### **Pets on Public Transport**

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

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

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

### **Pet Shops**

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

### **Animals Performing in Circuses**

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

### **Container Deposit Levy**

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

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

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

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

### **Pittwater Fishing**

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

**The Clerk announced that the following Ministers had lodged responses to petitions signed by more than 500 persons:**

The Hon. Jillian Skinner—Central Coast Radiotherapy Services—lodged 7 March 2012 (Mr Chris Hartcher)

The Hon. Jillian Skinner—Murrumbidgee Electorate Diabetes Educator and Supporting Staff—lodged 6 March 2012 (Mr Adrian Piccoli)

The Hon. Adrian Piccoli—Bellevue Hill Public School Security Fence—lodged 14 March 2012  
(Ms Gabrielle Upton)

The Hon. Michael Gallacher—Kempsey Police Station Staffing—lodged 15 March 2012  
(Mr Andrew Stoner)

The Hon. Brad Hazzard—Wilga-Wilson Precinct for Seniors Living—lodged 13 March 2012  
(Mr Rob Stokes)

The Hon. Katrina Hodgkinson—Pittwater Fishing—lodged 6, 7 and 28 March and 4 April 2012  
(Mr Rob Stokes)

## CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

### Organised Crime

**Mr BRYAN DOYLE** (Campbelltown) [3.16 p.m.]: My motion, which urges this House to support police in their efforts to tackle organised crime in New South Wales, should be accorded priority because it goes to the heart of serious community concerns about organised crime and, in particular, gun crime. As the Premier said today, no-one is above the law. The motion shows that we are not just behind our police; we are also standing side by side them in their efforts to protect life and property. The motion highlights the effective methods implemented by the O'Farrell-Stoner Government to support our police. It focuses on the police mission—the police and the community working together to reduce crime, violence and fear.

It means that policing is not something that is done to and against the community; it is done for and with the community. And what a Police Force we have—it is celebrating 150 years of protecting life and property. Indeed, we have former members of the Police Force in this Parliament. The Minister for Police, the member for Dubbo, the member for Myall Lakes, the member Mount Druitt and I have all served in the Police Force in the past. The Police Force protects our community now. Operation Spartan, which commenced in January this year to target organised crime and gun crime, has made 353 arrests, laid 626 criminal charges and seized 40 firearms.

It is important to note that 20 persons have been specifically charged with the offence of discharge a firearm. Also, as part of Operation Spartan—high-visibility, proactive, targeted policing—more than 1,300 vehicle searches were undertaken. This policing is supported by a Government that has demonstrated its support for police through commencing to recruit 550 additional police officers to help keep our streets safe; modernising and strengthening consorting laws; toughening penalties for drive-by shooting crimes; re-enacting the outlaw motorcycle gang laws that will enable police to declare criminal outlaw gangs as criminal organisations and prohibit bikie gang members from associating with each other; banning bikies from wearing their criminal colours in Kings Cross; announcing regulation of the troubled tattoo parlour industry; and urging the Federal Government to increase border protection to stop illegal weapons from entering our country. This motion, which goes to the heart of community concerns, deserves the attention of the House.

### Coal Seam Gas Exploration

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [3.19 p.m.]: My motion states:

That this House:

Calls on the O'Farrell Government to

- (1) show respect for New South Wales farmers; and
- (2) honour its election commitment to regional communities on coal seam gas and protection of prime agricultural land.

This motion deserves priority because the Government has slammed the door on the farmers of New South Wales. Today we saw farmers, conservationists and other community groups such as the Country Women's Association march on the Parliament from all over New South Wales—from Forster to Gunnedah and the Clarence Valley. They all marched because they have grave concerns about this Government's strategic land use policy. For their trouble they have been vilified by Barry O'Farrell's henchmen. The Minister for Planning, Brad Hazzard, has said farmers are "encouraging insurrection" and are "almost irrelevant". Then the Voldemort of the Central Coast, the Minister for Resources and Energy, flooded the editorial pages—

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

**Mr JOHN ROBERTSON:** —to describe farmers as partners in a "disturbing marriage". Basically, Voldemort was telling the hard-working farmers of New South Wales—

**Mr Chris Hartcher:** Point of order: I know you discourage points of order, Madam Speaker, but the standing orders are clear that members be referred to by their proper appellation.

**The SPEAKER:** Order! I uphold the point of order. The Leader of the Opposition will refer to members by their correct titles.

**Mr JOHN ROBERTSON:** Lord Voldemort has basically told—

**The SPEAKER:** Order! I did not hear that.

**Mr Chris Hartcher:** Point of order: I heard it and he repeated it in defiance of your ruling. That cannot be tolerated. That was deliberate defiance of your ruling.

**The SPEAKER:** Order! I warn the Leader of the Opposition not to flout my ruling.

**Mr JOHN ROBERTSON:** The Minister for Resources and Energy, sensitive as he is—I did not realise how sensitive—was basically telling our hardworking farmers that they do not know what they are doing and do not understand what is going on. We saw today a performance from the Deputy Premier, who looked more like a failed contestant on *Australia's Got Talent*, being booed and jeered by people who would normally have been clapping and cheering him.

**The SPEAKER:** Order! The member for Wyong and the member for Monaro will come to order.

**Mr JOHN ROBERTSON:** They booed and jeered because they know how badly they have been let down by this Government. This Government created an expectation that prime agricultural land would be protected but what people have seen is the complete opposite—a Government that has done nothing in this plan to deal with the promises that they made and that farmers were led to believe. Farmers were told they could come and sit at the table and they would have a role. But when the farmers stand up and disagree they are criticised by Ministers of the O'Farrell Government.

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

**The House divided.**

**Ayes, 66**

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

**Noes, 24**

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

**Question resolved in the affirmative.**

**ORGANISED CRIME****Motion Accorded Priority**

**Mr BRYAN DOYLE** (Campbelltown) [3.30 p.m.]: I move:

That this House supports police in their efforts to tackle organised crime across New South Wales.

This motion reflects the agreement between the Government and the community that the violence we are seeing on our streets is not acceptable. I am pleased to advise the House that our police have acted. As I said earlier, the police mission is for the police and the community to work together to reduce crime, violence and fear. This State prides itself on safety and on the rule of law. Our police have responded to these community concerns with Operation Spartan, Strike Force Raptor, the Middle Eastern Organised Crime Squad and, most importantly, our front-line police.

To support our police we are giving them the powers and the support that they need to tackle organised crime. We have increased the penalty for drive-by shooting offences to 25 years in jail. No longer will criminals who shoot at homes with the threat of injuring occupants be able to claim that they did not mean to hurt anyone and use that as a defence. We have even reserved special jail cells for offenders convicted of drive-by shooting crime. A specific role of Task Force Raptor is to target outlaw motorcycle gangs, and to date 1,696 offenders have been arrested and more than 3,000 charges have been laid. But all that is built on the backbone of our front-line police, our general duty officers and detectives. In that regard my electorate of Campbelltown is well served by the Campbelltown and Macquarie Fields police who are committed to community-based policing and good customer service.

It is by trust, goodwill, cooperation and support that we as a community win with our police. Our police have high visibility foot patrols, bicycle police patrolling our streets and rapid mobile vehicle responses. We have provided the police with Eyewatch, taking community Neighbourhood Watch into the twenty-first century and furthering community engagement with our police. We should never forget that our police are only as good as the information they receive and the support that we as a community are prepared to give them. We must always remember that police mission of the police and the community working together.

The support we have given our police goes some way towards addressing some of the underlying issues that police need to address. We have not only tightened the penalties but also taken real action to give police the power to deter, disrupt and stop organised crime gangs. We have introduced laws that have taken the crime of consorting into the cyber age. We have taken steps to ban outlaw motorbike gangs from bringing their colours into 58 licensed premises in Kings Cross. No longer will bikies wear clothing, jewellery or accessories with a link to outlaw motorcycle gangs, including gang numbers, colours, club patches and insignia, in those licensed premises. We also have targeted the tattoo parlour industry—a shady industry that has been infiltrated by outlaw motorcycle gangs and has been the source of conflict between these criminal groups and which has resulted in legitimate businesses being stood over by crime gangs. No longer will that occur.

New legislation will require that they must be licensed to operate a tattoo parlour and they must be approved by the Commissioner of Police. There is a prohibition against gang members from operating a tattoo parlour. We have introduced a new regulatory scheme for owners and operators and tattooists to be overseen by NSW Fair Trading, and there is power to order the immediate closure of problematic tattoo parlours. For the

Opposition the question will be: Where does it stand? Will the Opposition support this motion? Will it support our police? Will it take its part in the police mission of the police and the community working together to reduce crime, violence and fear? This motion deserves the attention of this House.

**Mr NATHAN REES** (Toongabbie) [3.35 p.m.]: I state at the outset that the New South Wales Labor Opposition wholeheartedly supports the motion moved by the member for Campbelltown in the following terms:

That this House supports police in their efforts to tackle organised crime across New South Wales.

This is an exercise in gross hypocrisy by this Government. Since it came to office just over 12 months ago, one of this Government's first acts of industrial vandalism in relation to policing was to gut the Death and Disability Scheme for 16,000 police officers in New South Wales who risk life and limb each day. This Government gutted the police officers personal injury scheme. There was a reduction in the order of \$600,000 for things such as serious psychological damage and post-traumatic stress disorder for police officers and their families if those poor police officers incurred such injuries whilst they were employed. Eight weeks ago the Government claimed it was important to toughen the laws relating to the ownership and sale of ammunition.

Legislation has still not been introduced, despite the fact that the Government said it was urgent and that it would be central in the fight against organised crime and bikie gangs. Eight weeks later that issue has still not been resolved. Despite this Government's professed support for the NSW Police Force, it forced police before the Industrial Relations Commission before they received a fair wage deal and a fair wage outcome. This Government waited nine months before amending legislation in New South Wales that would enable police to outlaw motorcycle gangs engaged in criminal activity. When I was Premier the Commissioner of Police asked for that in the immediate aftermath of the Mascot murder, but it took this Government nine months to give police a statute that they so desperately needed.

The established strength of the NSW Police Force is down some 240 police officers across New South Wales. When the Coalition came into office it promised to provide an additional 550 police officers over the next four years. Using the Government's own figures provided by the Department of Planning, in order to keep up with population growth we would need at least 800 additional police over the next four years to maintain those ratios of population to police. The Opposition wholeheartedly supports this motion but the facts, as they relate to this Government's action on policing since it came into office 12 months ago, reveal the motivation behind this motion. I refer to the most calculated and pointed example of this Government stating that it supports police when it does not. I refer to section 93Y of the Crimes Act which purports to prevent the consorting of criminals with one another. Section 93Y states:

The following forms of consorting are to be disregarded for the purposes of section 93X if the defendant satisfies the court that the consorting was reasonable in the circumstances:

- (a) consorting with family members,

All members are aware of the criminal families to which I am referring. Under the Act it is also a defence if a person who is charged with consorting is carrying out a lawful business such as the operation of a tattoo parlour or a night club. This is the get-out clause for the Ibrahims and all the bikie gangs in New South Wales. The Attorney General slipped this provision through under the nose of the Premier and we now have to deal with this clear defence for those who are engaged in criminal activity and organised crime. Perhaps the most absurd element of that legislation is that they can be charged with consorting only if they have already been warned by the police. This legislation makes a mockery of the Government's tough talk and its claim that it is supporting the Police Force with a range of legislative—

**Mr Stephen Bromhead:** That has always been in legislation.

**Mr NATHAN REES:** The member for Myall Lakes was once a proud member of the family that is the New South Wales Police Force. Despite that he did his very best to stab police officers in the back with the Government's changes to the death and disability scheme. [*Time expired.*]

**Mr TONY ISSA** (Granville) [3.40 p.m.]: It is pleasing to note that the Opposition will not vote against this motion in support of the Police Force. The difference between Government members and Opposition members is that we play the ball and they play the man. We target the issues and try to fix the problems and they work around them. Members opposite said that it has taken the Government nine months to introduce legislation to address this issue. They were in government for 16 years and did nothing.

**Mr Nathan Rees:** Point of order: For the benefit of the House, the legislation was struck down in June last year and the Government introduced legislation in March this year. That is nine months.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Toongabbie will resume his seat.

**Mr TONY ISSA:** The Government has taken a zero tolerance approach to crime and it is fully committed to reducing it. That is why it has recruited 550 new police officers and given the Police Force the power it needs to deal with gang-related crime. I agree with my colleague the member for Campbelltown that we are not walking behind the police but beside them and that we are giving them everything they require to bring offenders to justice.

The Government is working hard to address this issue. It is calling on the Commonwealth Government to increase border protection to stop illegal weapons coming into this country. Dealing with crime is not solely the responsibility of the police and the Government or even the Opposition. We must work together with the community to put an end to this unacceptable behaviour on the part of a few people. It is our duty to respond to the call of the people that action must be taken. We cannot afford to ignore our responsibility because the health and vibrancy of our community depends on supporting the Government's determination to toughen the law and to provide the police with the resources they deserve.

**Mr RICHARD AMERY** (Mount Druitt) [3.43 p.m.]: I reiterate the member for Toongabbie and shadow Minister for Police's support for this motion, which acknowledges the Police Force's efforts to fight organised crime in this State. No member of any political persuasion could resist the wording of the motion. However, I do not support the motivation behind it or the way in which Government members have used this debate. We must recognise the very difficult role the New South Wales Police Force carries out these days. Like some other members of the House, I am a former member of the Police Force. Today's police officers face challenges and crimes that we did not face when we were in the force. I served for a short period at Campsie and Kingsgrove in the Bankstown area in the early 1970s and I cannot recall being called out to deal with drive-by shootings. That is not to say that they never happened, but if they did they were extremely rare events. Home invasions also did not occur to the extent that they do today. Today's police officers must confront not only more organised criminals but also better armed criminals who have access to the latest technology. As a result, they need all the support that we can provide.

I welcome this motion, belated as it is, which provides us with an opportunity to support our Police Force. I am sure the Government offers police officers that support in their operational activities. However, in its first 12 months in office we have seen extraordinary numbers of police officers protesting outside in Macquarie Street about this Government's attack on their pay rates and their death and disability scheme. Of course, police officers confronted by better organised and armed criminals are also more vulnerable to serious injury and the mental problems that result from the pressures they face. It is inappropriate that the Government has introduced such legislation when our police officers are dealing with extreme pressure. The sentiment behind the motion is admirable, but it is a hollow gesture by a Government that has reduced the number of police officers in the State and made other detrimental changes. I am sure police officers will see this motion for what it is.

**Mr BRYAN DOYLE** (Campbelltown) [3.46 p.m.], in reply: This motion asks the House to support police officers in their efforts to tackle organised crime in New South Wales. I thank the members for Toongabbie, Granville and Mount Druitt for their contributions and I appreciate the Opposition's support. The member for Toongabbie noted that moves are afoot to address access to ammunition and mentioned the passage of legislation declaring bikie gangs as illegal organisations. I have spoken on this issue previously in the House and will not reflect on the previous Labor Government's attempts to deal with some tricky situations and its inability to get the legislation right. This Government rectified the errors in the legislation after it was appealed in the High Court, which is a serious process. Reference was also made to the Government's commitment to increasing the Police Force by 550 officers. We also have improved the legislation dealing with consorting to give police officers the power they need to deal with organised criminal groups. The member for Toongabbie mentioned tattoo businesses. Members of organised bikie gangs are prohibited from being involved in tattoo businesses, so the loophole he referred to does not exist.

We are celebrating 150 years of service to our community by the Police Force. Policing is always best done for and with the community. The Police Force mission involves police officers and the community working together to reduce crime, violence and fear. We as a community must support our police officers,

ensure that they have the information and intelligence they need and cooperate with their investigations. Ultimately, police officers are looking after our community. It gives me great pleasure that all members support this motion and I commend it to the House.

**Question—That the motion of the member for Campbelltown be agreed to—put and resolved in the affirmative.**

**Motion agreed to.**

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The motion accorded priority having concluded, the House will now consider Government business.

## **JUDICIAL OFFICERS AMENDMENT BILL 2012**

### **Second Reading**

**Debate resumed from 4 April 2012.**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [3.50 p.m.]: I continue my speech on the Judicial Officers Amendment Bill 2012. When the Judicial Commission of New South Wales refers matters to the Conduct Division for investigation, the Conduct Division can decide that a complaint is wholly or partly substantiated and that the matter could justify parliamentary consideration of the removal of the judicial officer from office. The Conduct Division can then present a report to the Governor setting out the division's findings. During debate on this bill the member for Liverpool said that this legislation was wrong in principle and bad in practice, with undesirable outcomes. In fact, the opposite is true. Those words are typical of the scaremongering of the member for Liverpool and his manner of opposing everything that the Government brings forward in the House. This bill is good legislation. The bill is required because of the situation that arose where two magistrates were brought before Parliament within the last 12 months.

The member for Liverpool also said, "This structure is particularly alarming." This is the alarmist member for Liverpool at his very best but there is nothing alarming about the bill. He said, "This is attacking the integrity and independence of the judiciary." The bill does not do that. The Government is not interfering with court cases or with the way judicial officers perform their work on the Bench. This bill deals with an entirely different situation where a referral has been made to the Judicial Commission. The Attorney General needs to know the particulars of the referral and its progress so that if a hearing is conducted or other matters relating to the judicial officer are dealt with the Parliament is informed. The member for Liverpool went on to say that the bill is explosive. There is nothing explosive about this bill. It is common sense—something that is lacking in the member for Liverpool, the former conveyancer.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! Government members will listen to the member for Myall Lakes in silence.

**Mr STEPHEN BROMHEAD:** The member quoted someone as saying that the bill will "water down the independence of the Judicial Commission" and he went on to say that it is a witch-hunt. This is not a witch-hunt. The bill relates to circumstances where a magistrate or a judicial officer comes before the Parliament and enables the Parliament to obtain the information it needs in order to make an informed decision about their future. It will apply when a matter has been investigated and there has been a referral. It does not relate to a witch-hunt initiated by the Attorney General. The Attorney General will not go after a judicial officer for some mischievous reason that only the member for Liverpool knows about. The bill does not water down the independence of the judiciary. It does not relate to the way judicial officers run their court cases.

The bill relates to judicial officers who have gone before the Conduct Division of the Judicial Commission and are coming before the Parliament. The Judicial Officers Amendment Bill 2012 is good, commonsense legislation. It gives the Attorney General the information that he needs. The Judicial Commission will provide the information only if it is in the public interest to do so. The Parliament needs such information when it deliberates on important hearings as to whether or not a judicial officer should be dismissed from office. I commend the legislation to the House.

**Debate adjourned on motion by Mr Stuart Ayres and set down as an order of the day for a later hour.**

**ROAD TRANSPORT (GENERAL) AMENDMENT (VEHICLE SANCTIONS) BILL 2012****Second Reading**

**Mr GREG SMITH** (Epping—Attorney General, and Minister for Justice) [3.59 p.m.]: I move:

That this bill be now read a second time.

As this bill was introduced in the other place on 13 March 2012 and is in the same form, the second reading speech appears at pages 9356 to 9361 of the *Hansard* for that day. I commend the bill to the House.

**Mr BRUCE NOTLEY-SMITH** (Coogee) [3.59 p.m.]: I speak on the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. Perhaps a rather more informal title for this bill could be the "hitting hoons where it hurts" bill. The people of New South Wales are sick and tired of the idiots who treat our roads like racetracks. They are sickened by the crashes, the loss of life and the waste of police resources that are caused by police pursuits. The Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 is specifically targeted at those who engage in high-range speeding, that is, speeding by more than 45 kilometres per hour. It also is aimed at those who stupidly and dangerously cause police pursuits.

Despite already tough penalties, which include both immediate roadside licence suspension and fines of up to \$3,300, the number of police-detected and camera-detected high-range speeding offences has remained constant. In 2011 the New South Wales Police Force commenced 3,079 legal actions for offences of exceeding the speed limit by more than 45 kilometres per hour. In 2011 there were 1,781 police pursuits and 635 legal actions brought, of which 20 were for second or subsequent offences. The offence of being involved in a police pursuit is so serious that it will now be brought within the vehicle sanctions scheme and the offenders will be treated in the same manner as are car hoons.

For practical reasons, the scheme will apply only to offenders caught by police and not those caught by camera. One major change that the bill proposes is remarkably simple: If a driver is caught speeding at over 45 kilometres an hour or is involved in a police pursuit, the police will get out their screwdrivers immediately and remove the numberplates of the car. It will be illegal to drive that car on public roads for a fixed three-month period. It will be up to the offending driver to call a tow truck to tow the car to a place where it can be legally parked. The police will not pay for the towing. The police will not have to remain and wait for the tow truck to arrive. The police will not shoulder vehicle storage costs and they will not need to pursue operators to recover unpaid towing and storage fees.

Currently it is illegal to park a car without numberplates on a public road. Therefore, a new scheme is proposed in the bill. Once police have removed the numberplates, an A4-sized numberplate confiscation notice will be affixed to the inside of the windscreen of a car and on the windscreen, fuel tank or seat of a motorcycle. The notice must remain in place for the duration of the three-month confiscation period. It will state clearly that the vehicle is subject to a sanction and that the numberplates have been removed. It also will advise that the vehicle cannot be driven during the vehicle's sanction period and that the vehicle may be impounded and forfeited if operated during the sanction period.

This will allow a car with confiscated plates showing such a notice to be legally parked but not driven on the street. Any removal of a confiscation notice will mean that authorities can treat the vehicle as if it were unregistered or abandoned and it can be impounded or disposed of. The bill provides appropriate offences and penalties in support of this new numberplate confiscation sanction. As the vehicle will still be in the possession of the offender there is a risk of a proliferation of unregistered vehicles on our roads or vehicles with false numberplates. The New South Wales Liberal-Nationals Government is committed to the continuing rollout of automatic numberplate recognition throughout the highway patrol fleet, which will increase the ability of police to detect vehicles fitted with false numberplates. People continuing to do so will be caught and prosecuted under these new offences.

It will be an offence to drive a vehicle with numberplates not issued by the Roads and Maritime Services. It will be an offence to drive a car subject to a numberplate confiscation sanction. If one removes, tampers with, alters or modifies a numberplate confiscation notice it will be an offence. It also will be an offence to drive a car with an altered numberplate or anything that could be mistaken for a numberplate. If one causes, permits, allows or fails to take reasonable precautions to prevent a vehicle being used contrary to the sanction

scheme it will be an offence. If one makes a false statement to secure an early release of one's vehicle or numberplates it will be an offence. The possession of unauthorised numberplates without lawful excuse will be an offence.

Taking into account human nature and ingenuity, a new offence is created to stop people falsely displaying a numberplate confiscation notice so that they can park an unregistered or unplatd vehicle on the street legally. That has been well thought out by the Minister. As with all matters involving the driving of vehicles, safeguards must be put in place to make sure the driver of a car is held responsible whether or not he or she is the registered owner. This bill will address concerns about the impact of vehicle sanction on non-offending operators who have not themselves committed any offence. The bill will create the categories of "offending operator" and "non-offending operator". The "non-offending operator" is the registered owner of the vehicle used in the offence but who was not the driver at the time of the offence.

The "offending operator" is the registered operator of the vehicle who also committed the driving offence. Vehicles used by non-offending operators will no longer be subject to roadside vehicle sanctions. Instead these vehicles will be subject to registration suspension but only after repeated violations. After a first offence, a warning notice will be sent to the non-offending operator by the Roads and Maritime Services, which will maintain a register. This notice will warn the non-offending operator that a person driving the vehicle was detected committing a relevant offence and that action may be taken to suspend the registration of the vehicle if it is used to commit further offences.

A second offence will lead to a notice of registration suspension if, on the balance of probabilities, the Roads and Maritime Services is satisfied that a registered owner of a vehicle has failed to use or manage the vehicle so as to effectively prevent repeated violations of the traffic law. The bill goes a long way to addressing a major scourge on our roads. It will provide for the visible marking of vehicles that have been subject to the sanction regime. One can only hope that this will shame the vehicle owners and reduce the social acceptability of high-range speeding and engaging in police pursuits. I commend the bill to the House.

**Mr NATHAN REES** (Toongabbie) [4.04 p.m.]: I lead for the Opposition on the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 and indicate that we support the bill. The Opposition shares the concerns outlined by the member for Coogee on behalf of the Government about the scourge of street racing and high-speed shenanigans by these galoots in the best circumstances and cretins in the worst circumstances. One can only wonder what dribbles across the cortex of these idiots as they charge around the streets of New South Wales putting their lives and the lives of their passengers at risk.

More importantly, the lives of innocent bystanders going about their business are being put at risk by having one of these lunatics plough into them, which may result in serious injury or death. Who can forget the extraordinary tragedy at St Marys only a few short years ago when the car of an elderly couple was hit by one of these hoons and the elderly couple died. Governments in the Western world continue to struggle with how to curtail this culture and the commission of these offences. We need to be ever vigilant about this ongoing issue, without having the expectation that it will necessarily be eliminated.

I turn now to the specifics of the bill. The Opposition is concerned, as I am sure the Government is, about some of the unintended consequences of the bill—for example, the removal of numberplates from a vehicle not owned by the person who committed the offence. The former Labor Government also wrestled with these perennial problems for government. The wheel-clamping provisions in the bill are a commonsense approach to a difficult problem. Whilst the previous approach was well intentioned, it had many policing and traffic management implications.

The detention, impounding and forfeiture of vehicles and the confiscation of numberplates are also commonsense approaches. All members will have dealt with this issue in one form or another. At best it is a nuisance to people, at worst people can die. The bill makes specific provisions for high-range speed offences—that is, driving a vehicle at a speed more than 45 kilometres per hour over the designated speed limit. Proposed sections 218 and 218A make specific provision for additional sanctions to be imposed by a police officer. Under proposed section 218A (1) (a) and (b) police may:

- (a) seize and take charge of the motor vehicle and cause it to be moved to a place determined by the Commissioner,

That is a particularly powerful provision—

- (b) Immediately, or as soon as practicable afterwards, give or send the offending operator a notice (a *motor vehicle production notice*) requiring the offending operator to move or cause the vehicle to be moved to ... a place specified in the notice no later than on the date and time specified in the notice ...

These sensible provisions put the onus on the idiot rather than on police or the broader community to resolve in the event of a car being left behind by one of these galoots. The powers and duties relating to the seizure of motor vehicles and the removal of numberplates are very worthwhile. Under 218C (2) (a) a police officer may:

... cause any locking device or other feature of the motor vehicle concerned that is impeding the seizure and movement of the motor vehicle to be removed, dismantled or neutralised and may, if the driver or any other person will not surrender the keys to the vehicle, start the vehicle by other means, and

- (b) use or caused to be used such equipment and force as is necessary to remove number plates and remove or disable any device or thing impeding the removal of the number plates.

It is immediate, it is on the spot, it is actionable immediately, and it puts the onus on the offender. These are commonsense provisions for an issue that is difficult for governments to solve. I hope that the Government recognises that the Opposition is as well motivated as the Government in supporting this bill and continuing to combat the serious threat that is posed by a culture of speeding and the idiots who engage in it. I commend the bill to the House.

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [4.10 p.m.]: The Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 amends the Road Transport (General) Act 2005 to improve the way the existing vehicle sanctions scheme operates in practice and to enable vehicle sanctions to be imposed for the offences of high-range speeding and engaging in a police pursuit. By way of background, the 2005 Act created a vehicle sanctions regime for vehicles used to commit street racing and aggravated burnout offences, commonly known as car hoon offences. Sanctions can be imposed by the police at the roadside or by the courts upon conviction. My area, the great area of Tweed, is not immune to these acts on our roadways. In speaking about this bill, I pay tribute to the Minister for Police and Emergency Services, the Hon. Michael Gallacher, for introducing Eyewatch, which has been very successful.

Eyewatch enables people to report what they perceive as offences being committed in their local communities. As members know, I have been the regional chairperson of the great initiative Neighbourhood Watch for many years. One initiative we started a number of years ago, with the support of the Hon. Michael Gallacher, was Hoon Watch. When neighbours and residents hear skids on their roads or notice vehicles being driven at excessive speeds, usually late at night, they fill in a form, and that intelligence is conveyed to the local police for action. One specific case on Kirkwood Road comes to mind. A large number of residents filled in forms, which were duly conveyed to the hardworking men and women of our local police force. The police staked out the area at the approximate time that the offences were being committed and caught the offenders. While doing so, what they found in the back of an offender's vehicle also solved 12 break and enters in the local Tweed area. Hoon Watch is a great tool.

I pride myself on trying to understand the many facets of government. On a number of occasions I have travelled with police in a highway patrol car. I usually go out on a Friday or Saturday night to observe the way the police work. In one case on Kennedy Drive I was in the back of the patrol car when a burnout occurred right in front of us. We were in an unmarked highway patrol car at the time. The police caught the offender and charged him, and within five to 10 minutes the hardworking police men and women had the offender's vehicle on the back of a tow truck being taken away. As previous speakers said, burnouts put the community at risk of life and limb. The bill makes some major changes to the vehicle sanctions scheme. How does the new scheme differ from the current scheme? The bill includes police pursuits and high-range speeding as offences for which vehicle sanctions are imposed. It also creates numberplate confiscation as an alternative method to vehicle impounding.

The bill provides roadside vehicle sanctions for first offences for a fixed period of three months so that all offenders serve out the same length of sanction, regardless of how long the driving charge takes to get to court. Why are vehicle sanctions necessary? We already have tough penalties for speeding and police pursuits. Yes, there are significant penalties for these offences. Previous speakers referred to Skye's Law, where the penalty includes up to three years' imprisonment for the first offence and five years for the second offence. Also, high-range speeding offenders face immediate roadside licence suspension, six months' licence suspension on conviction and fines in excess of \$1,700. Yet the offending rate has remained relatively constant over the past few years for the offence of exceeding the speed limit by 45 kilometres an hour.

For example, in the 2011 calendar year police brought legal action against a staggering 3,079 drivers, an average of 257 per month. It is because of these drivers that the Government is acting. In the hands of these drivers a motor vehicle effectively becomes a dangerous weapon. Unlike the previous Government, we think

these drivers represent as much of a threat to the community as do car hoons treating our roads like racetracks. We are acting to bring them under the same vehicle sanctions regime. Common sense tells us that if we reduce their access to a vehicle we reduce their ability to reoffend. Also, the consequences are more immediate in that the loss of the vehicle usually occurs at the roadside—unlike a fine or prison sentence, which sometimes seems a remote possibility in the heat of the moment.

Vehicle sanctions are also more public than driver sanctions. It is much harder to hide the fact that a vehicle has been impounded for three months or to explain away missing number plates or a prominent sticker on a car windscreen. That is most important, because the community has been asking for this for some time. My community has been asking me as the local representative and it has made representations to the local media on many occasions. Basically, this bill is giving police more powers. I have been present when the police have confiscated a car. I saw the look of horror and shame on the offender's face. I saw people stop in the street and look. There was a great deal of satisfaction in knowing that our hardworking police were able to do their job and do it in a relatively short time frame.

As I said, it took no longer than 10 to 15 minutes to remove the vehicle. The police allowed the offender, who was a builder by trade, five minutes to get his tools out of the back of the truck. One of his last comments was, "What do I do for transport?" He should have thought about that. The offence occurred because he did a burnout in front of his girlfriend's place after an argument. It was very silly indeed, and it could have had grave consequences for the people in our local area. Members have spoken briefly about wheel clamping. During a 12-month trial of wheel clamping, which ran from September 2008 to September 2009, only 12 vehicles were clamped. This compared with 219 vehicles that were impounded by the police at the roadside during the same period.

Wheel clamping is clearly not the sanction of choice for the police. While wheel clamping sounds good in theory, police told us that it did not work in practice. One problem with wheel clamping—the great member for Lismore will understand this—is a reliance on third-party contractors. There is a lack of clamping agents across all local area commands, particularly in non-metropolitan areas. I doubt whether there would be a wheel clumper in Lismore and I am fairly sure the Tweed does not have a wheel clumper. Heaven knows where we would find them. Numberplate confiscation overcomes this problem while providing an alternative sanction to impounding a vehicle. Numberplate confiscation prevents a vehicle from being legally driven on a road or road-related area. In that respect, it will have the same effect for the driver or a registered operator as impounding a vehicle, although it does not physically remove the vehicle from the offender's possession. That is a good move. It gives flexibility.

As I said, I have been out with the police and every case is slightly different from the previous one. Some cases require the police to exercise discretionary powers: they are the professionals in the field. This bill is good legislation. The risk with numberplate confiscation is that the vehicle may be driven away. The bill provides permanent forfeiture of the vehicle for people who flout the law, and many are impervious to the law. During my recent attendance at the Tweed Heads courthouse I was amazed to see the number of drivers who, having had their licences confiscated for six months or so, left the courthouse, immediately got into their cars and attempted to drive down the road. The stupidity of some road users is deplorable: they put the community at grave risk. We must do everything in our power to support the police in their endeavours to prevent this type of behaviour. I commend the bill to the House.

**Mrs BARBARA PERRY** (Auburn) [4.20 p.m.]: The Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 seeks to improve the current Act by introducing new sanctions for dangerous driving offences. The object of this bill is to amend the 2005 Act by repealing the provisions relating to the wheel clamping of vehicles, to expand the operation of the Act by enabling the imposition of sanctions in relation to certain high-range speed and police pursuit offences and to enable the confiscation of numberplates from motor vehicles as an additional sanction. The bill also contains amendments to the 2005 Act and other legislation of a related, consequential or savings and transitional nature. The bill focuses on sanctions for speeding 45 kilometres over the speed limit in non-variable speed zones with the exception of school zones and covers other offences such as involvement in high-speed chases.

To put this in context, Minister Gallacher in the other place stated that in 2011, 225,401 legal actions for speeding were commenced in New South Wales. That is quite staggering. Included in the statistic were 3,079 legal actions for exceeding the speed limit by more than 45 kilometres per hour. The Act relies on wheel clamping as a sanction following a trial in the Liverpool and Wollongong local area commands in late 2008. It was envisaged that this would replace the more expensive and administratively intense action of impounding

vehicles and the need to move them to police or commercial facilities. While it was a good idea, in practice I accept that it had some issues. Once it was implemented across New South Wales regional areas had difficulties finding contractors to undertake the clamping.

This bill seeks to introduce an alternative to wheel clamping, that is, the removal and confiscation of numberplates as an alternative to impounding a vehicle. This is a far easier and quicker sanction for police to enforce and means that they will not have to arrange for towing, following up or accounting for unpaid towing and storage fees. Numberplates will be removed and a large sticker will be affixed to the windscreen. It will be the offenders' responsibility to arrange and pay for the vehicle to be towed home or to another location where the vehicle can be parked legally. I note, however, that cars may still be parked in inappropriate places. This will have to be sorted out administratively. The Minister has recognised that a consequence of this bill may be an increase in the number of false numberplates and penalties have increased commensurately.

My electorate encompasses part of the Bankstown Local Area Command and in a couple of areas the illegal removal of numberplates was of great concern to local police and the community. The Minister noted that 137 vehicles were confiscated as a result of car hooning offences. Car hooning is appalling: it creates unnecessary noise and safety concerns for residents. Young people involved in such activities often do not understand the importance of their own safety and the safety of others. The removal of numberplates is a practical and effective measure to deal with offences such as car hooning. This measure will have an impact on police resourcing. I hope that it will free up more police to concentrate on their core business. If the bill has that effect, then it is good news for the people of New South Wales.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [4.25 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. The object of the bill is to amend the Road Transport (General) Act 2005 to repeal the provisions relating to wheel clamping of vehicles, to expand the operation of the Act by enabling the imposition of sanctions under that provision in relation to certain high-range speed and police pursuit offences and to enhance the operation of the Act by enabling the confiscation of numberplates from motor vehicles as an additional sanction. In 2008 the Road Transport Legislation Amendment (Car Hoons) Bill 2008 was introduced to strengthen sanctions relating to the detention, impounding and forfeiture of motor vehicles.

The bill was in response to a number of street racing incidents on our State roads that resulted in a number of casualties including the deaths of innocent members of the public. The Hon. Michael Gallacher, the Minister for Police and Emergency Services, stated that wheel clamping did not save the police any time because police had to attend the address of the offender to ascertain whether the site would be suitable for accommodating a clamped vehicle. The trial showed that clamping was not an effective sanction. Since that time the figures for high-range speeding offences have remained steady. The Hon. Michael Gallacher stated that vehicle sanctions are supported by road safety stakeholders.

For example, at a 2009 road safety roundtable convened by the then Roads and Traffic Authority there was strong support for vehicle impounding and numberplate confiscation for high-range speeding, particularly for repeat offenders. This bill addresses an issue that was highlighted back in 2009 and one wonders why nothing happened at that time. Clearly this is an example of the inertia of the previous Government, its paralysis particularly during its last four years in government. Indeed, Rodney Cavalier described the former Government as the worst government in New South Wales history, and this is an example of it. Issues were highlighted at a roundtable but they were not addressed. This Government is addressing the issues.

When I was in the Police Force I was involved in a number of high-speed chases. I was stationed at Taree and often the highway patrol would see vehicles travelling at high speed on the Pacific Highway, signal for the drivers of those vehicles to stop and when they did not a high-speed police chase would ensue. On one occasion I was involved in an operation on the Pacific Highway at Kew. It was raining and we sought to stop a vehicle heading south of Kew. The vehicle we were pursuing reached a speed of 180 kilometres an hour. It overtook on double lines and travelled on the wrong side of the road with a three-year-old child bouncing around in the back seat like an astronaut without gravity.

We had to call off the chase because it was so dangerous. Ultimately the vehicle was stopped by police at Raymond Terrace. The fact that the vehicle was not involved in an accident had nothing to do with good management, it was just good luck. The standard of driving was alarming. The driver drove on the wrong side of the road over double lines. He also overtook on the left-hand side, on the verge of the Pacific Highway, darting in and out of traffic in an endeavour to evade the police. That is an example of what happens. As a lawyer I have

represented people who have been the accused in high-speed police chases. When I read the police facts that were presented to court it was scary to see what some people would do to try to avoid apprehension. This legislation seeks to deter people from that sort of behaviour.

The main changes proposed in the bill are that police pursuits and high-range speeding will be included as offences for which vehicle sanctions should be imposed. The bill removes wheel clamping as a sanction because it did not work. Numberplate confiscation will be an alternative to vehicle impounding and roadside vehicle sanctions will be applied to first offences for a fixed period of three months so that all offenders receive the same length of sanction regardless of how long the driving charge takes to get to court. The bill removes the unutilised provision for court-imposed sanctions upon conviction for a first offence and applies roadside vehicle sanctions only to offences committed by a driver in his or her own vehicle. In that way parents, employers and friends will not be unfairly punished for the crimes of others.

The bill also limits the circumstances in which the Local Court can authorise the early release of impounded vehicles or confiscated numberplates so that hardship for others is the only ground for release. These sanctions are on top of already tough penalties for speeding and police pursuits. For example, under Skye's law the penalty can include up to three years imprisonment for a first offence and five years imprisonment for a second offence. In spite of this, in 2011 there were 1,781 police pursuits, and 635 legal actions were commenced under Skye's law, including 20 for second or subsequent offences. For high-range speeding offenders face an immediate roadside licence suspension and six months licence suspension on conviction and fines in excess of \$1,700, yet the rate of offending has remained relatively consistent over the past few years for the offence of exceeding the speed limit by more than 45 kilometres per hour.

In the 2011 calendar year police brought legal action against a staggering 3,079 drivers, an average of 257 per month. It is because of these statistics that this Government is taking action. In those drivers' hands a motor vehicle becomes, in effect, a dangerous weapon. Over the years I have explained to many young people that motor vehicles are killing machines. They are more than just a mode of transport. Young people in particular have to realise that a vehicle is a killing machine. In 2003 we started a traffic offenders program for the Manning-Great Lakes area and the anecdotal evidence has always been that males under the age of 25 commit more of these types of offences than other people. Males under 25 are disproportionately represented in the statistics.

In the first class of the Manning-Great Lakes traffic program there were 33 people who had been referred by the local courts at Taree, Forster and Gloucester, and 27 were males under the age of 25. Impounding their vehicle is the last thing that males under 25 want. It is like the graffiti law that we introduced and which has stood the test. One of the penalties that can be imposed by magistrates—it is a string to their bow; it is not compulsory—is the suspension of a driver's licence. That is far worse for a male under 25 than a monetary penalty or some other penalty. I am sure that impounding their vehicles is a strong deterrent for males under 25. There is a strong need for this legislation. We are addressing the issues that have been highlighted by stakeholders, by the number of offences and the continuing disrespect for the law by many people. I commend the bill to the House.

**Mr NICK LALICH** (Cabramatta) [4.35 p.m.]: I speak on the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. The objects of the bill are as follows: to repeal provisions of the existing Act relating to the wheel clamping of vehicles; to expand the operation of division 2 of part 5.5 by enabling the imposition of sanctions under that division in relation to certain high-range speed and pursuit offences; and to enhance operation of the Act by enabling the confiscation of numberplates. The Opposition does not oppose this bill. New South Wales Labor in government was committed to keeping our roads safe for all users and we remain so in opposition. We remain committed to the stamping out of all illegal racing on our public streets and we will continue to fight against all road offences that endanger the lives of ordinary citizens who are trying to get from point A to point B.

The streets are there to be shared and there is absolutely no place on our streets for any form of behaviour that can endanger the lives of others. Laws must be tough in this area as too many innocent lives have been lost already due to reckless, irresponsible and downright shameful behaviour on the roads we share. The existing legislation has a heavy focus on wheel clamping. I have had some discussions with police about wheel clamping and, as was said earlier, some of the local area commands do not have the equipment for wheel clamping and have to get private organisations and other people to do the job. Hanging around waiting for these wheel clampers to get to the scene takes a lot of police time. Another issue is that police cannot clamp car wheels willy-nilly wherever a car is pulled up, whether it be on highways or arterial roads.

If the vehicle is not removed within a reasonable time it can cause a bank-up of traffic and that makes the general public even angrier. Those were the main problems with wheel clamping. This amendment bill goes further and proposes the increased use of licence plate removal as a punitive method to discourage street racers from plying their trade and endangering the lives of the innocent. Unfortunately, in recent times there has been a glorification of street racing aimed at our youth with movies such as *The Fast and the Furious* and *Initial D*. However, they are movies and we are dealing with real life and real consequences. Street racing puts the lives of innocent drivers at risk as well as the lives of innocent pedestrians who may be in the vicinity of a street race. I am sure every member of this House feels a little bit emptier every time they hear or read about a fatality on our roads.

A few years ago in St Marys an elderly man and woman were coming home late one night, minding their own business, when two guys decided to race off at the lights on the Great Western Highway. The gentleman in question went across the road appropriately and did not see the two hoons racing towards him. One of them ploughed into him killing both him and his wife. All of us know or have heard of families that have lost sons and daughters or mums and dads through these tragic accidents on the roads, not necessarily through hooning. We all know the suffering and sadness the loss of a relative causes families for a long time afterwards. As representatives of our communities we have a responsibility to strengthen appropriate laws that will help protect our communities, our families and our loved ones. The removal of licence plates is seen as a better deterrent in the fight against street racing and similar offences on our roads.

Police will have the power to demand the removal of licence plates on the spot or they can issue an order that requires the plates to be surrendered to police within five working days. Offenders who engage in this activity repeatedly and insist on endangering the lives of the innocent on our roads may have their vehicles seized or be required to surrender their vehicles at a subsequent date. Roads are no place for irresponsible and foolish behaviour. Our roads are no place for car hoons, street racing or any behaviour that puts the lives of others at risk. Over the years New South Wales has seen too many tragedies and too many road-related deaths and injuries. The New South Wales Labor Opposition will stand with the community in protecting our roads from illegal, moronic and dangerous behaviour. The Opposition does not oppose this bill.

**Mr CHRIS PATTERSON** (Camden) [4.40 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012, which seeks to make key improvements to the current vehicle sanctions scheme, which to date has been designed primarily to target car hoon offences. Car hoon offences in my electorate are regarded as extremely serious. Number plate confiscation is an alternative vehicle sanction option for police. There has been extensive consultation with agencies such as Police and Emergency Services, the NSW Police Force, Transport, Roads and Attorney General, which have all contributed vast knowledge to and experience in dealing with dangerous drivers and driving. Those agencies are involved in what results from dangerous driving each and every day. If this bill goes some way towards improving safety on our roads for all by creating a deterrent we have achieved what we set out to do.

I am sure that this bill will act as a deterrent to those ratbags who believe that car hooning is acceptable. I am sure all members in this House have either experienced or witnessed dangerous driver behaviour or been approached by their constituents about this problem. Some drivers on our roads believe that speeding is the norm and those who speed consider themselves invincible and above the law. It is time that those imbeciles were made accountable for damage to property, injuries incurred to innocent motorists, pedestrians and police, and the potential loss of life as a result of drivers engaging in police pursuits or car hooning. They should realise the full extent of their actions on the community as a whole.

Let us not forget 19-month-old Skye Sassine, who was killed on the F5 at Ingleburn on New Year's Eve in 2009 when two alleged robbers engaged in a police pursuit. When the Crimes Amendment (Police Pursuits) Act 2010 was debated the then Leader of the Opposition—our current Premier—supported the former Labor Government's bill and what is now known as Skye's Law but he said that a lot more had to be done. He referred to the agreement made by the then shadow Minister for Police—our current Minister for Police and Emergency Services, the Hon. Michael Gallacher—to enforce car confiscations for those found guilty of engaging in a pursuit. The amendments being introduced today by this Government will go further than anything implemented by the former Government to provide a deterrent and to punish those who do not obey the law.

For reasons best to known to them, offenders never seem to understand that they put their lives and the lives of other people on the road in danger and sometimes the outcome is tragic. Camden and its surrounds have many rural roads. Unfortunately, some drivers on those roads think they have a right to use those roads as though they are on a racetrack. The unwanted noise in local streets drives the community mad. That, coupled

with the potential risk to public safety and property means it is paramount for members to support this bill. This Government is addressing the issue with tougher penalties. I hope that we will get the message through to offenders that speeding is not acceptable and that they will receive severe punishment if they are caught.

Young drivers usually take pride in their vehicles and they do not believe that their cars can and will be taken from them or their numberplates confiscated as a form of punishment for their recklessness and disregard for others. It is not until their vehicles are not available that they understand that public transport and relying on lifts from family and friends will be their only form of transport for months. When their cars or numberplates are taken from them quite often that is the only deterrent that these imbeciles understand and comprehend and they then realise the ramifications of their stupidity. It is difficult to understand why, as a Government, we have to continue to introduce further punishment for the crime of speeding when education, signage and commonsense are not adhered to or taken notice of. Some drivers choose to ignore the law and to make their own rules. In Camden people have had enough of speeding and bad drivers on their local streets. It is hoped that either vehicle impounding or numberplate confiscation will help to serve as a deterrent.

The sanction period will now be fixed at three months, which will bring into line current inconsistencies of impounding a vehicle until a driving offence is heard in court, which could result in a lesser time for the vehicle to be impounded. Courts will still be able to determine whether impounding a vehicle will create extreme hardship. The courts can then impose a further impounding of vehicles or confiscation of numberplates as opposed to forfeiting the vehicle to the Crown. This Government is serious about addressing the problem of speeding and dangerous driving on our roads, which is what the public expect and support. The costly results to our society for accidents due to dangerous driving is insurmountable, whether it is damage to cars or property, death, or ongoing treatment for survivors of vehicle accidents for many years after the event. This bill aims to continue to address the problem. In time these inconsiderate drivers might understand that their actions are no longer tolerated. I commend the bill to the House.

**Mr GREG APLIN** (Albury) [4.48 p.m.]: I do not think that any word is more Australian than the word "hoon". It brings to mind a range of behaviours, generally bad, involving idiots in cars doing donuts, wheelies, burnouts or racing on public streets. Curiously, the origin of the term "hoon" is unknown. According to the *Oxford Dictionary*, a hoon is a lout or hooligan, especially a young man who drives recklessly. The word "hoon" is both a noun and a verb, for example, "to hoon". However, I am fairly confident it is not onomatopoeic although it suggests a doppler effect when pronounced with vigour. The word first shows up in the 1930s, in both Australia and New Zealand. We know what it means but it cannot be pinned down fully and finally. The same could be said of legislative attempts to place controls on hoon behaviour. The laws vary in detail and the nature of sanctions across the nation.

New South Wales has seen amendments to the Road Transport (General) Act 2005 and to the bill before the House. Previous amendments were built around the sanction of wheel clamping. It now appears that the trials of this tactic have not been particularly successful. Worse, it is a time-consuming exercise for police officers. The existing Act imposes strong penalties, including both immediate roadside licence suspension and fines of up to \$3,300. Yet these driving offences continue. Are the penalties insufficient? Will our communities be any safer if we ramp up the penalties further? In a sense, we are trying to capture youth, or at least youthful behaviour, in a form of words. These words must be successful both at gaining widespread attention and understanding and in imposing penalties or deterrents that have meaning to the target audience.

The *Urban Dictionary* conveniently lays out a set of behaviours that are commonly understood as hoon acts. The dictionary defines "hoon" as somebody who engages in the following activities whilst in control of a motor vehicle: high speed driving, often greater than 40 kilometres per hour over the speed limit; the deliberate loss of traction of one or more wheels; the deliberate loss of control of a vehicle, better known as "drifting"; participating in illegal or drag racing; and the performance of other acts such as burnouts, donuts, fishtails. All members will have local stories about hoon behaviour in their towns and cities. We know it when we see it. When Bronson Waldner was caught red-handed by police doing burnouts near the Albury racecourse earlier this month he said, "What can I say. I'm a boy and a P-plater". An article published in the *Border Mail* states:

A police vehicle blocked his path from escaping from Hoffman Road where oil was splattered on the roadway where the burnouts were being performed.

"Waldner's antics led to his VS Commodore utility being confiscated for three months and an appearance in Albury Local Court ..." The 19-year-old pleaded guilty to an aggravated burnout, was fined \$800 and lost his licence for 12 months.

On being informed by police that he would be charged with 'aggravated burnout', Waldner reportedly said that was a bit harsh.

This story encapsulates the elements of the problem: youth, a car, thrills, ignorance of the law and its penalties and a sense of being dealt with unfairly by the authorities. In another incident a driver apprehended after doing a large burnout on the street told police he had only been intending to move his car so he could mow his lawn. The driver was not licensed and was driving an unregistered vehicle for the unlawful burnout. This is the hoon trifecta. The factors that lead to such behaviour will not disappear overnight. The best we can aim for is to separate hoons from their vehicles. This gives offenders an opportunity to reflect on their behaviour and its potential consequences for them and for others. Importantly, it offers improved safety to bystanders and others who use the roads.

Under this bill police will have power to enforce a new regime of sanctions. In the case of a first offence by an offending operator police may impound the vehicle or confiscate its numberplates. The sanction will last for three months. The impounded vehicle will be kept at a police holding yard, while confiscated numberplates will be taken by the police to the offices of Roads and Maritime Services for keeping. This is a genuine improvement on the current scheme, whereby the vehicle is impounded until the driving charge is determined by a court, which could take much more than three months in total. The end result was inconsistency in sanctions for similar offences. This bill pulls the inconsistencies back into line.

Should the court find the driver guilty, the vehicle may be forfeited to the Crown. As is currently the practice, demonstration of extreme hardship—for example, to the offender's family—may lead the court instead to apply an exception to the period of impounding or numberplate confiscation. Numberplate confiscation as a sanction involves several steps. It will be important that drivers understand how this will work. When a driver is stopped by the police on the basis of alleged hoon behaviour the vehicle will initially be parked in the most convenient legal street location at that time. Police will remove the vehicle's numberplates and attach to the vehicle a notice of numberplate confiscation.

If the court orders release of the plates they will be available for collection after five business days. Otherwise drivers can expect to lose the plates for three months, as I have noted. Without its plates the vehicle cannot be driven on a road or in a road-related area. The offender or owner remains responsible for the inert vehicle. There is no entitlement, on their part, to ask or demand that police move or tow the vehicle away. Drivers must therefore ensure that the vehicle is in a location where it may be parked legally, or otherwise have the vehicle towed home. If the offender or owner drives a vehicle subject to a numberplate confiscation, the vehicle may be permanently forfeited to the Crown.

The bill extends the list of offences that will lead to vehicle impounding or confiscation of plates. Speeding by more than 45 kilometres an hour and behaviour resulting in police pursuit are now relevant offences for the vehicle sanctions scheme. According to the Minister, 137 vehicles were confiscated for car hoon offences last year. I suspect that we will see higher figures for numberplate confiscations because of the ease of application of this sanction. In the end we are dealing with behaviour that has its genesis in youthful exuberance or ageing stupidity. This bill may help to save these people from the painful consequences of their actions, while keeping the rest of the community a little safer. I support the bill.

**Mr CHRISTOPHER GULAPTIS** (Clarence) [4.55 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 which makes a number of important changes to the existing vehicle sanctions management in our roads legislation. Vehicle sanctions are very important because they impose a direct and immediate impact on those who commit serious driving offences. That is what the public wants and this Government listens to the people. Too many people die on our roads as a result of accidents for us to have them die as a result of hoons showing off to their mates or responding to high levels of testosterone. If one does the crime then one must do the time. Fines, loss of demerit points, and even loss of one's licence are appropriate penalties and will make most normal drivers stop their offending behaviour. However, when it comes to the street racers, those who engage police in pursuits, drivers who exceed the speed limit by more than 45 kilometres an hour and thereby put our police and community at risk, a more appropriate penalty would be the loss of access to their vehicle. That will deter them.

To its credit the former Government introduced vehicle impounding for so-called hoon offences committed by those who were intent on street racing and performing aggravated burnouts. However, while the intention was good, the legislation was bad and ineffective. To deal with situations where people are caught hooning in someone else's car the current regime has an elaborate system of warning notices to the owner followed by possible impounding if someone is convicted of a second offence in his or her vehicle. It is too complicated to penalise the hoons. We need more effective measures that can be implemented more quickly. How could this ever work? If the owner is not the offender how is the court meant to decide whether to confiscate the car? The owner in that case is not even a party to the proceedings.

The Government is introducing a more sensible and pragmatic method for dealing with cases where offences are repeatedly committed in someone else's vehicle. Roads and Maritime Services already has an administrative scheme whereby owners who fail to exercise proper control over others using their vehicles can be asked to show cause why their vehicle should not be deregistered. This Government's reforms also remove from the legislation provisions relating to another failed part of the previous Government's measures—the trial of wheel clamping as a substitute for vehicle impounding.

Impounding vehicles can create an administrative nightmare for police. They have to arrange to have the vehicle towed to an impounding yard and that takes them away from their operational duties, which means fewer police on the beat. They must get both the towing and impounding fees back from the offender, who, depending on the state of the vehicle, may be in no hurry to settle this debt. While clamping the offender's car probably seemed like a good idea at the time, it had drawbacks. It meant that clamping agents had to be contracted and that police had to be available to oversee the clamping and to protect the clamping agents from possibly irate car hooners. During the trial, which was conducted in Liverpool and Wollongong local area commands, it also became apparent that finding a place to leave the clamped vehicle safely and without inconveniencing neighbours could also be a challenge.

At the end of the day it is not surprising that during the 12-month wheel clamping trial a total of 12 hoon cars were clamped. This compared with 219 vehicles impounded across the State over that same period. Even though impounding vehicles can cause police inconvenience and expense, it serves a purpose and in some cases will still be undertaken by police. This bill gives them another roadside option; that is, numberplate removal. This alternative sanction will reduce police officers' workload and enable them to get back to enforcing the law. Police officers remove the numberplates at the roadside and place a large confiscation notification sticker on the front windscreen, and that is it.

It will be the driver's responsibility and not the responsibility of the police to arrange for the vehicle to be towed and to pay for that towing. This is not a harsh requirement because, first, the offender has just committed a serious traffic offence and, second, the same responsibility falls on anyone whose car breaks down on a motorway and who has not committed an offence. Once the number plates are removed, police and the Roads and Maritime Services will then have five business days to process the plates and have them ready for collection in the event of a court order to return them. If there is no such order the plates will be retained by the Roads and Maritime Services for a period of three months.

The bill introduces a range of new offences to ensure that offenders whose plates have been confiscated are not tempted to drive around without numberplates or to put false or substituted plates on their motor vehicles. The community expects the penalties for these offences to be strong, and they are, including permanent confiscation of the vehicle. This should send a message to anyone who is tempted to drive without a numberplate or to use a false numberplate. Another change is that the sanctions of removing and impounding numberplates will be applied only to vehicles that are being driven or ridden by their owners at the time that the offence is committed. This simplifies procedures for both roadside police and the courts. It will not be necessary to ascertain whether the owner's vehicle has previously been used for a relevant offence or whether the owner has previously been warned about the misuse of his or her vehicle. Those matters will now be carried out within the Roads and Maritime Services administrative scheme.

The vehicle sanctions scheme is confined to so-called "hoon" offences. The bill will extend the scheme to two other very serious traffic offences: engaging police in a pursuit—known as Skye's Law—and high-range speeding. This is a logical extension of the scheme and these two offences are obvious inclusions for vehicle sanctions. Whilst there may be widespread support to extend the vehicle sanctions to include high-range drink-driving or other dangerous driving offences, we should proceed with prudence. The Ministers have sensibly started with offences that are seen on the nightly news—offences about which the public is outraged. The good news for the public is that the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 will capture many thousands of new offenders and will help to save lives on our streets.

The opportunity to extend the bill will remain open to the Parliament. After a year or so of the implementation of the sanctions, if numberplate removal proves to be a success and not unduly burdensome on Roads and Maritime Services and the NSW Police Force, it could then be extended to other offences. But we should get it right first. I am confident that the measures introduced in this bill will be a strong and effective response to dangerous driving practices. I will feel a little safer on the roads when the scheme comes into action. I commend the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 to the House.

**Mr ANDREW GEE** (Orange) [5.02 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. Street racing and burnout offences affect not only metropolitan areas but also regional New South Wales and that is why this bill is so important for residents across New South Wales. There are a number of salient features of the bill to which I wish to draw the attention of the House. Firstly, the bill enables police to remove and confiscate numberplates as an alternative to impounding a vehicle. This will be quicker for police and it will be cheaper as there are no storage or towing costs. The bill will release police to undertake other badly needed duties across their commands. It will be cost-effective and practical.

Nowhere is the need for police to be back out on the street greater than in Wellington. The member for Dubbo knows this because he lives just up the road from Wellington. A week or two ago the Attorney General was in Wellington opening the audiovisual link between Wellington courthouse and Wellington Correctional Centre. Prisoners will appear on videolink, which will reduce the need for police to babysit them at the courthouse. The police have been crying out for this facility for years. Rather than babysitting prisoners at the Wellington courthouse they will be released back on the street where they are needed. This initiative will be welcomed by police across New South Wales.

The Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 draws a distinction between an offending operator and a non-offending operator. An offending operator is the offending driver who is also the owner; the non-offending operator is the registered owner who is not the offender. The bill provides that for a first offence for an offending operator the vehicle may be impounded or the numberplates can be confiscated for a three-month period. Where the numberplates are confiscated the police will deliver them to Roads and Maritime Services which will hold them for the requisite period. The three-month sanction period will apply, whether the matter is dealt with by way of penalty notice or by way of court attendance.

As the Minister for Police has pointed out, for second offences the likely outcome will be impounding of the vehicle rather than the confiscation of the plates. Once the car has had its numberplates removed it cannot be driven on a road. It is the offender's responsibility to have the vehicle removed and taken off the side of the road. The offender's car will have a plate confiscation notification placed on the windscreen. It will be a large A4-size notice that is designed to ensure there can be no question about the vehicle subsequently being driven inadvertently. To provide some added teeth to this new regime proposed section 218F refers to a number of offences. Firstly, it provides:

- (1) A person must not, without lawful excuse, operate a motor vehicle on a road during a number plate confiscation period applying to the motor vehicle.

The bill also provides:

- (2) A person must not, without lawful excuse, remove, tamper with or modify a number plate confiscation notice attached to a motor vehicle during a number plate confiscation period applying to the motor vehicle.

The bill further provides:

- (3) A person must not, without lawful excuse, operate a motor vehicle on a road during a number plate confiscation period applying to the motor vehicle while any of the following is affixed to the vehicle:
  - (a) a number plate issued (whether or not in respect of the registration of that particular vehicle) under a law in force in New South Wales or any other State or Territory,
  - (b) an altered number plate issued under such a law,
  - (c) a number plate likely to be mistaken for, or resembling, such a number plate.

Proposed section 218F(4) provides:

- (4) A person must not operate a motor vehicle on a road with a number plate confiscation notice, or thing resembling such a notice, attached to the vehicle when the vehicle is not the subject of such a notice.

It is quite a detailed regime. Another highlight is new section 228 which provides for search warrants. Proposed section 228(1) provides:

- (1) A police officer may apply to an authorised officer for a search warrant if the police officer has reasonable grounds for believing that there is or, within 72 hours, will be on any premises a motor vehicle that has been operated as referred to in section 218 or in relation to which number plates have been, or are being, used in contravention of section 218F.

Proposed section 228(2) provides:

- (2) An authorised officer to whom such an application is made may, if satisfied that there are reasonable grounds for doing so, issue a search warrant authorising a police officer named in the warrant:
  - (a) to enter the premises ...

Those new powers of search and entry will be welcomed by police officers. Proposed section 219 deals with forfeiture of vehicles to the Crown and proposed section 219(1) provides:

- (1) A motor vehicle used in connection with a sanctionable offence that is a second or subsequent offence by the offending operator under the provision concerned within a 5 year period is, by the finding of guilt by the court, forfeited to the Crown.

Proposed section 219 (2) provides:

A motor vehicle used in connection with an offence under section 281F (a *number plate offence*) is, by the finding of guilt by the court, forfeited to the Crown unless already forfeited under section 281E or the court otherwise directs under section 219A.

No doubt the police will welcome those provisions. Non-offending operators will not be subject to roadside vehicle sanctions but will be subject to vehicle registration suspension. That regime will include a warning notice being sent and the registration of a vehicle may be suspended for up to three months for any further offence. The member for Drummoyne is very excited about this legislation, which will be welcomed not only by police but also by people across New South Wales. I commend the bill to the House.

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [5.10 p.m.]: I thank the members representing the electorates of Drummoyne and Tamworth for their indulgence in allowing me to make a brief contribution on the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. I do not propose to speak about the details of the bill because previous speakers, such as the member for Albury, have articulated them so well. I fully endorse the contribution made by the member for Albury in this debate. I also acknowledge and support the comments made by the member for Toongabbie.

For the constituents of my electorate this is a very real issue. On Friday 27 April last William Perrott died at the scene of a motor vehicle incident. His death is now the subject of a coronial investigation. His 19-year-old passenger remains in a Sydney hospital in an extremely serious condition and the 20-year-old driver of the second vehicle remains on life support. This accident has rocked the Dubbo community. Having served as a police officer for 22 years, I commend the Minister for Police and Emergency Services and the Attorney General for introducing this improved legislation to deal with, as described by the member for Toongabbie, a perplexing and difficult issue for police, as well as for those charged with enforcing road safety and preventing this type of behaviour that is undertaken by those who defy and ignore road safety messages and warnings.

The member for Albury spoke about the influence of movies, such as *Fast and Furious*, that glorify this type of driving. In computer games such as *Grand Theft Auto* the consequences of driving behaviour vibrates through one's hand controls. Indications are that the terrible accident at Dubbo last week resulted from this type of driving. As I said, its ramifications have vibrated across our community. The improved logistical and administrative advantages in this amended legislation will go a long way to assisting police in deterring this type of behaviour by drivers, many of whom are young and inexperienced, and, hopefully, prevent other families suffering. In my 22 years of policing I attended the scene of far too many fatal accidents. When I confiscated vehicles I would ask drivers why they had committed this type of offence and far too often they had no rational answer. This amendment bill will go a significant way to addressing this issue but more needs to be done. I commend the bill to the House.

**Mr JOHN SIDOTI** (Drummoyne) [5.14 p.m.]: I commend the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 to the House. I commend any legislation that aims to make our roads safer and protects people from the dangerous actions of a few, and I support any measure to introduce harsher penalties as a deterrent to dangerous driving. I also believe it is the responsibility of government to ensure that offenders are dealt with harshly. Despite attempts by previous governments, figures show that no matter what penalties are handed out—loss of licence or a hefty fine—many motorists ignore speed limits. Speeding can result in death.

Speeding remains the biggest killer on New South Wales roads. It is a factor in over 40 per cent of road fatalities—an average of 177 people die each year in speed-related crashes in New South Wales—and more than 4,200 are injured in speed-related accidents annually. Between 2005 and 2009 speeding was the cause of death

in 886 cases. But the cost of speeding is not just a human one; speed-related crashes cost the community around \$1.7 billion annually. Community costs include factors such as emergency services, hospital and healthcare services and loss of productivity in the workplace. It is time to get tough. Currently, tough penalties include immediate roadside licence suspension and fines of up to \$3,300, but speed-related fatalities and legal actions for exceeding the speed limit remain relatively constant.

The bill proposes to deal harshly with high-range speeding—that is, exceeding 45 kilometres above the speed limit—and police pursuit offences are to be included as relevant offences under the vehicle sanctions scheme. In a major expansion of the car confiscation scheme, owners could lose their car or numberplates for three months should they be involved in a police pursuit, exceed the speed limit by more than 45 kilometres or be caught car hooning. If a driver attempts to flee police in their car, they will immediately lose their licence for three months. If they are caught again for the same offence their licence will be revoked forever. It is tough legislation, and it needs to be.

Under the bill police will be able to remove and confiscate numberplates as an alternative option to impounding a vehicle. This will automatically render the vehicle incapable of being legally driven on a road. It has the same effect as vehicle impounding without removing the vehicle from the owner's possession. In 2011, 137 vehicles were impounded for hoon-related offences. Numberplate confiscation will offer police a cost-effective and practical alternative to vehicle impounding. It is immediate and it guarantees that these hoons are off the road and no longer a danger to the community. The proposed amendments introduce a distinction in the way a vehicle sanction is imposed and depends on whether the offender is the registered operator of the vehicle.

The bill proposes that offending operators will face roadside vehicle sanctions and vehicle impoundment. In recent weeks we have heard horror stories about speeding trucks. Companies that deliberately tamper with speed limiters do so at the expense of innocent motorists. We have heard the shocking reports of fatalities involving trucks. Lives have been lost. I commend the O'Farrell Government for putting rogue drivers and operators on notice for tampering with speed limiters. Such practices will not be tolerated. Trucks driving in excess of 100 kilometres per hour are a menace to other road users. Speed limiters have been put into vehicles for a reason, that is, to make our roads safer. They are not there as window-dressing, and the Government will not tolerate their abuse.

We will not allow loopholes in the law to place innocent motorists and their passengers at risk. This legislation is one way of overcoming those loopholes. In my electorate of Drummoyne there are many roads that attract hoons car racing late at night, disturbing neighbourhoods and creating a public menace. Great North Road in Five Dock is one such road, particularly late at night, as is Burwood Road in Concord. Both of these roads are busy during the day and they often attract hoons at night. The provisions in this legislation will enable the police to get these hoons off the road immediately by on-the-spot confiscation of numberplates.

The bill recognises that deterrents need to be put into law to convince motorists to slow down. According to the State Debt Recovery Office, there were 302 camera-detected high-range speeding offences in the 2010-11 financial year. Despite penalties including fines of up to \$3,300, the incidence of these infringements remains constant. Unfortunately, camera-detected offences cannot be subjected to numberplate confiscation because the offender has not been spoken to by police. Those camera-detected offences will be subjected to normal administrative processes, firstly, to identify the driver of the vehicle at the time of the offence and then to serve the appropriate penalty notice.

Provisions in the legislation will ensure that vehicle sanctions will apply to motorists where a lower speed limit applies. This is relevant particularly to P-plate drivers. If a lower speed limit has been exceeded by 45 kilometres by a P-plate driver who is limited to driving at a maximum of 90 kilometres an hour, that person will be subject to numberplate confiscation. The Government is not targeting young drivers; it is attempting to reduce the road toll and to put in place measures that are a greater deterrent to motorists who flout the law and choose to speed at high range. In debating this legislation, I point out the provisions in this bill relating to police pursuits because, as members would be aware, these often result in fatalities.

In 2010 the Liberal-Nationals Coalition advocated what has become known as "Skye's law". It is named so because of little Skye Sassine who was the innocent victim of a crash that occurred during a police pursuit of two armed robbers. Skye's law, or section 51B of the Crimes Act, introduced tougher penalties for endeavouring to avoid police by engaging in a high-risk pursuit. It stipulated that offenders would face three years' imprisonment for a first offence and up to five years for a second offence, regardless of whether a crash

occurred. The only way to deal with the growing number of fatalities and accidents on our roads is to pass laws such as this bill, which will act as a further deterrent to would-be offenders. I commend this bill to the House.

**Mr KEVIN ANDERSON** (Tamworth) [5.22 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012, which amends the Road Transport (General) Act 2005 to improve the way the existing vehicle sanctions scheme operates in practice and to enable vehicle sanctions to be imposed for the offences of high-range speeding and engaging in a police pursuit. I support this bill because it introduces common sense to the penalty system to drive down high-range speeding and foolhardy driving on our roads. We know all too well that when people get behind the wheel of a vehicle there are many distractions. The driver may be talking with passengers in the car, thinking about something or listening to the radio, and often starts to speed without noticing, putting the vehicle's occupants in a dangerous position.

On top of that, high-range speeding often leads to crashes and, sadly, fatalities. We need harsher penalties for speeding offences, illegal drag racing and street racing and generally making our roads unsafe. It is dangerous enough on the roads today when people are going about their everyday business without having some idiot getting behind the wheel of a vehicle and pretending he is playing a video game. Not only do these drivers put their own lives at risk; they also put those around them at risk. Often we hear about crashes where innocent people have been hurt or killed as a result of the dangerous, reckless driving of some idiot behind the wheel. They have simply ruined a family's life. Whenever I talk about road safety and getting behind the wheel, I always say that passengers in a vehicle are putting their lives in the driver's hands. Members should think about that. They should think about how they would protect their family, their partner, their children. The same applies to passengers in a vehicle; their lives are in the driver's hands.

We need to be conscious of the fact that we should drive safely. Drivers need to be aware of not only their driving but also their surroundings and what other drivers are doing. They need to be alert and sharp and, if possible, anticipate what is coming. We know that some people who get behind the wheel of a vehicle treat it like a video game. A number of roads in the Tamworth electorate are used frequently for illegal street dragging and racing. I will not name them but the police do a sensational job in clamping down on some of these areas. I thank the Oxley Local Area Command and the highway patrol in the Tamworth electorate for doing sensational work in preventing serious accidents and death by stopping some of these hooners from getting behind the wheel and drag racing. Everybody knows that in a country town it is fashionable to do a drag down the main street. For example, the main street in Tamworth is Peel Street. What do people do? They do a "peely". What is the main street in Wagga Wagga?

**Mr Daryl Maguire:** Baylis Street, where they do a lap.

**Mr KEVIN ANDERSON:** No doubt in the great town of Wagga Wagga they do a Baylis lap. Young people across our great State do a lap or drag down the main street. The Government is encouraging drivers to stop and think before they get in a car and put their foot down; common sense is being brought into play. When we were elected in March last year we said that common sense would be a key platform in introducing and changing laws to make it much easier for police to operate and clamp down on crime. The Road Transport (General) Amendment (Vehicle Sanctions) Bill introduces common sense.

The bill includes police pursuits and high-range speeding as offences for which vehicle sanctions will be imposed. It creates numberplate confiscation as an alternative to vehicle impounding, which will save money. Instead of having to impound a vehicle, the police will simply confiscate the numberplates. A car without numberplates cannot be used on our roads. The bill provides for roadside vehicle sanctions to be applied for the first offence for a fixed period of three months so that all offenders serve the same length of sanction, regardless of how long the driving charge takes to get to court. Also, the bill limits the circumstances in which the Local Court will authorise the early release of impounded vehicles or confiscated numberplates so that hardship for others is the only ground for release.

That means that a person driving another person's vehicle should be the one who cops the full brunt of the law; that person should be the one who is fined or the one who is jailed for driving recklessly, causing a crash and injuring someone. The owner of the vehicle should be able to drive the vehicle, and the person behind the wheel who committed the offence should cop the full brunt of the law. The Road Transport (General) Act 2005 created a vehicle sanctions regime for vehicles used to commit street racing and aggravated burnout offences, commonly known as car hoon offences.

Sanctions can be imposed by the police at the roadside or by the courts upon conviction. We need to clean up our streets and to remember that road safety is paramount. When these young drivers for the first time get in vehicles with their L-plates, then their green Ps and red Ps and then their full licence, they must learn that a vehicle is a weapon. It is not a video game where if they suddenly have a crash they just hit reset and start over again. It is life, it is dangerous and it can have a devastating impact when they get behind the wheel of a vehicle and drive dangerously.

I have already started to teach my 13-year-old son how to handle a car properly on private property and farms. In this way, young people learn to appreciate the power of motor vehicles and gain an understanding of the capabilities of vehicles. It teaches young people about responsible driving. The Tamworth electorate has a number of good driving programs. Joblink Plus has a driver training and mentoring program in which experienced drivers volunteer their time to show young drivers how to handle vehicles in a safe and responsible manner. Those organisations should be commended. This common sense approach is necessary to clamp down on hooners, who must learn that if they engage in this type of irresponsible behaviour the police will remove them from the road. I firmly believe our roads will then be much safer because the irresponsible drivers are dangerous. I commend the bill to the House.

**Mrs TANYA DAVIES** (Mulgoa) [5.31 p.m.]: I speak in support of the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. This bill has very personal and tragic relevance to my electorate of Mulgoa. As other members have alluded to, on 29 July 2007 Alan and Judith Howle were suddenly and brutally taken from our world. After only days earlier celebrating their fiftieth wedding anniversary and 15 days before the crash Mr Howle celebrating his seventy-first birthday the couple were wiped out in an instant in what appeared to be a street-racing event just minutes from their home in St Marys.

The tragedy was reported not only locally but in the *Daily Telegraph*, the *Sydney Morning Herald*, the *Catholic News* and the *Adelaide Advertiser*, on the ABC, ninemsn and drive.com and as far afield as Perth and it generated a surge in the community's demand for tougher penalties against convicted hoon drivers. In the early part of that month in 2007 at the St Marys Band Club Mr and Mrs Howle—parents of seven, grandparents of 15—dined together with their family to celebrate their fiftieth wedding anniversary. The Howles were pillars of our community. They had lived in St Marys for decades, their children had attended our local schools and Mr Howle was president of the St Mary's Band Club, which sadly overlooks the intersection where they were killed. They were dedicated community volunteers at their local Catholic Church and had raised money to build a youth centre, which operates five days a week. They were a devoted, loving couple, who were rarely apart from one another.

But on Sunday evening 29 July 2007 they were killed just minutes from their home when their car was struck by two other cars on the Great Western Highway at the corner of Charles Hackett Drive, St Marys. At the time police suspected that the vehicles were involved in an illegal street race. Mr Howle was thrown from the car and was found deceased on the road and Mrs Howle, the driver, was left dying in the wreckage. A fire truck crew that was waiting for the lights to turn green at this intersection where the smash occurred was able to spring immediately into action but, sadly, they were unable to save Mrs Howle's life. In July 2007 Father Bob Bossini from Our Lady of the Rosary Catholic Church, St Marys, said the Howles, who had been at mass six hours before they died, were inseparable. He said:

If there is any relief in it, both died together.

Soon after the deaths of Alan and Judith Howle, Magistrate Anthony Spence of Bankstown Local Court called for tougher penalties against street racing when sentencing two 17-year-olds for street racing. In sentencing these two 17-year-olds he said:

They [Alan and Judith Howle] were killed because two people took the opportunity to race on the Great Western Highway.

The drivers of the two Commodores that slammed into the Howles' vehicle on that fateful night were Robert James Borkowski aged 38 and Adam McDonald aged 29. The court heard that the force of the crash impact shut off power to the vehicle's speedometer, freezing it at 130 kilometres an hour in a 60 kilometre speed zone. In 2007 the children of Alan and Judith Howle began to lead a growing chorus calling for tougher laws against hooners convicted of street racing. For the sake of the Howle family and every other family that has been devastated by the selfish and dangerous actions of hoon drivers I support the bill. Just last Friday I met one of their daughters, Jennifer Pronesti, and spoke with her about the impact of this street-racing incident on the family. She very graciously sent me a copy of the victim impact statement that the seven children prepared for the court process. The seven children who are now without a mum and dad are Mark Howle, Phillip Howle,

Alana White, David Howle, Jennifer Pronesti, Deborah Tuma and Cathryn Przbyla. I would like to read onto the parliamentary record a small extract from their victim impact statement to demonstrate the impact and devastation caused by the crazy, incomprehensible behaviour that some people choose to demonstrate on our roads. It states:

The sickening slow motion feeling that encumbers you upon hearing that both your parents could be dead, to having to identify them in the morgue—their faces etched in your brain like a reminder of a bad dream you just can't wake up from. I remember sitting in the morgue, hoping someone had stolen their car—that this wasn't ever happening to our family, how would we all cope!

...

A major part of all of us died the night of 29<sup>th</sup> July 2007, that cold, cold night changed us all.

...

We are a very close family, none of us flew too far from the nest. We all chose to stay as close to them as possible, knowing we really couldn't establish our own life or families without them. We needed them. They were like the foundation of our houses, our hearts and our lives. We have been crushed to the core, our lives will never be the same.

...

In the back of our minds we all expect that one day we will have to bury our parents. If they get sick you get the opportunity to look after them and care for them, you also get to thank them for being amazing parents. When they are killed in a senseless act of pure stupidity you don't get to say goodbye. You don't get to tell them that you love them and always will. The need to be with our parents as they were dying was taken away from us.

...

There are people to blame for our pain but for them there will be closure, an ending date [for they will one day leave jail]. For us—we will spend our lives without them, we have a life sentence over our head.

One other very sad fact of this case is that just moments after the actual accident, the daughter of Mrs Jennifer Pronesti, the lady I spoke to in my electorate office last week, saw the accident at Charles Hackett Drive, St Marys. She rang her mother and said, "There's been a terrible accident. It actually looks like our grandparents' car is involved." The grand-daughter actually saw the devastation that has impacted upon this family. Another sad aspect to this incident—and we have heard from other members that incidents like this happen in many electorates around the State—is that there are no winners.

The two gentlemen who are now in jail have to live with the devastation they have caused—seven children now do not have a mum and dad; and grandchildren and great-grandchildren have lost their grandparents and great-grandparents. A third individual was to be sentenced in relation to this incident. Very regrettably he committed suicide on the day of his sentencing. He left behind two young children. Even more devastating is that not only Mr and Mrs Howle but many of their children, the perpetrators—the drivers in this incident—and the two fatherless children all live in my electorate. I was completely floored when I realised that and how devastating such an incident can be to a community.

The bill amends the Road Transport (General) Act 2005 to improve the way that the existing vehicle sanctions scheme operates in practice and to enable vehicle sanctions to be imposed for the offences of high-range speeding and engaging in a police pursuit. The vehicle sanction regime for vehicles used to commit street racing and aggravated burn-out offences, commonly known as car hoon offences, can be imposed by police at the roadside or by the courts upon conviction. The bill amends the Road Transport (General) Act 2005 to include police pursuits and high-range speeding as offences for which vehicle sanctions can be imposed. It removes wheel clamping as a sanction because it did not work. It creates numberplate confiscation as an alternative to vehicle impounding as the confiscation of numberplates is immediate and ownership transfers at the point of removing the plates from a vehicle.

The bill applies roadside vehicle sanctions for first offences for a fixed period of three months so that all offenders receive the same length of sanction regardless of how long the driving charges take to get to court. It removes the underutilised provision of court-imposed sanctions upon conviction for a first offence and applies roadside vehicle sanctions only to offences committed by a driver in their own vehicle so that parents, employers and friends are not unfairly penalised for the crimes of others. These changes may get the message through to car hoons that their erratic, dangerous, selfish driving behaviour is criminal behaviour, that the road network is there for other people—mums, dads, children, family, co-workers, grandparents—and that the roadways are not the car hoons' private playgrounds. I commend the bill to the House.

**Mr JOHN FLOWERS** (Rockdale) [5.41 p.m.]: The member for Mulgoa related a very sad story to the House. I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. I acknowledge the hardworking Minister for Police and Emergency Services who is committed to stopping car hoons and reckless drivers. This is tough legislation, but this Government is determined to greatly reduce speed-related deaths on our roads. The objects of this bill are to amend the 2005 Act to repeal the provision of division 2 of part 5.5 of that Act relating to the wheel clamping of vehicles; to expand the operation of division 2 of part 5.5 by enabling the imposition of sanctions under that division in relation to certain high-range speed and police pursuit offences; and to enhance the operation of division 2 of part 5.5 by enabling the confiscation of numberplates from motor vehicles as an additional sanction. The bill also contains amendments to the 2005 Act and other legislation of a related, consequential or savings and transitional nature.

As the local member for Rockdale I am pleased to be an advocate for new laws that stop dangerous drivers having access to their vehicles. Without their cars, hoons and other reckless and thoughtless drivers, people who constantly put the lives of others at risk for absolutely no reason whatsoever, will be restrained from seriously endangering the lives of others. Under the bill, dangerous drivers who commit serious driving offences will now be placed into the vehicle sanctions scheme. Speeding on our roads presents a very real safety risk, not only to the driver of the vehicle but also to other motorists and pedestrians. Speeding also causes alarm in the community and the sound of cars speeding up and down streets creates great anxiety for local residents.

The bill proposes that high-range speeding, which is when a driver exceeds the speed limit by more than 45 kilometres an hour, and police pursuit offences be included as relevant offences for the vehicle sanctions scheme. I would like to think that travelling at 45 kilometres an hour over the speed limit is not a lapse in one's concentration; it is wilfully and knowingly flouting the law. Even down steep inclines on motorways it is difficult with the cruise control on or off to reach 45 kilometres per hour over the speed limit. Roads and Maritime Services estimated in 2011 that speeding was a factor in 150 of the 376 recorded deaths. As members will realise, this makes up a considerable portion of deaths on New South Wales roads. We want people to stop speeding. We want people to feel safe on our roads. This bill will discourage people from speeding. The message to those who think it is okay to speed is straightforward: if you want to keep your car, obey the law.

Under the bill police are given the power to remove and confiscate numberplates. This is an alternative to a vehicle being impounded. The confiscation of numberplates immediately prevents the vehicle from being driven and it is quicker, easier and less costly for police. The police will not have to arrange and pay for the towing of a vehicle nor will officers of the NSW Police Force have to wait around for a tow truck to arrive to tow the vehicle away. As the Minister for Police and Emergency Services has said, "In 2011, 137 vehicles were confiscated for car hoon offences." Confiscating numberplates will provide a cost-effective and practical alternative to vehicle impounding. For a first-time offender, the sanctions available to police at the roadside will be vehicle impounding or confiscation of numberplates. The sanction period proposed in the bill is three months. In the event of impounding, the vehicle will be moved to and stored in a police holding yard. This is the current practice. In the event of numberplate confiscation, the police will deliver the numberplates to Roads and Maritime Services who will hold the plates for the three-month sanction.

A fixed three-month sanction from the offence date is an improvement over the current arrangement. Subsequent offenders found guilty by the court will have their vehicle forfeited to the Crown unless the offender can demonstrate to the court that the forfeiture will result in extreme hardship. Then the court may instead order that a further period of vehicle or numberplate confiscation is appropriate. Similarly, this bill also ensures that the offence of being in a police pursuit will be brought within the vehicle sanctions scheme. In 2011 there were 1,781 police pursuits. This number is far too high and represents a high risk to the community. The message must be heard loud and clear. If the police ask you to pull over, obey their direction.

The bill makes some clear amendments to the Act. It will include high-range speeding and police pursuits as offences for which sanctions will be imposed and it will provide for the confiscation of numberplates as an alternative to wheel clamping and remove wheel clamping as a sanction because it was not effective. This is a good piece of legislation and one that deserves the full support of members. Families in my electorate of Rockdale and across New South Wales deserve the safest roads possible. The bill will take us one step closer to achieving that goal and will tackle hoons and dangerous drivers head-on. I commend the bill to the House.

**Mr CHRIS HOLSTEIN** (Gosford) [5.48 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. This vehicle sanctions scheme is being introduced following extensive consultation between the Ministry of Police and Emergency Services, the NSW Police Force, Transport for NSW, Roads and Maritime Services and the Department of the Attorney General and Justice. To date it has

been focused primarily on hoon-type offences. It was good to hear the member for Dubbo speak about the movies and video games that glamorise speeding, burnouts, drifting and street racing. Unfortunately this is a contributing factor and it is all the more reason to bring back to reality those influenced by it.

Etched in my mind from 35 years ago is the loss of a very close and personal friend, a member of my football team who was a hoon. He sped and paid the ultimate price. At that time our coach, who was very community minded, worked with the local police chief. He frogmarched the entire football team to the morgue. If anything will impact upon one's life it is to see a friend laid out in the morgue. He was a victim of the stupid act of speeding. Every member of that football team is still alive and is very mindful of the stupid actions of their friend, which impacted on all of us at the time.

This bill will deliver key improvements in that it is designed to immediately separate dangerous drivers from their vehicles. In line with that concept the Government proposes to include other serious driving offences in the scheme. For example, the bill will introduce numberplate confiscation as an alternative vehicle sanction option for police. The bill also proposes that high-range speeding that is more than 45 kilometres per hour over the limit and police pursuit offences should be included in the vehicle sanctions scheme. Current research shows that the risk of being a casualty in a crash if travelling more than 30 kilometres per hour over the limit in a 60-kilometres-per-hour zone is actually 64 times that of travelling at the speed limit. To put it simply, if a driver travels at 90 kilometres per hour in a 60-kilometres-per-hour zone the driver is 64 times more likely to be a casualty in an accident.

The numbers are frightening when taken in conjunction with the fact that in 2011, 225,401 legal actions for speeding were initiated in New South Wales, that is, 617 per day or 26 every hour. The risk increases greatly when somebody travels more than 45 kilometres per hour over the limit. In 2011 the Roads and Maritime Services estimated that speed was a factor in about 40 per cent of all road deaths. Another frightening statistic is that in 2011 the NSW Police Force commenced more than 3,000 legal actions against drivers for exceeding the limit by more than 45 kilometres per hour, that is, nearly 60 times a week cars speed on the streets in our communities at more than 45 kilometres per hour over the limit.

The changes proposed in the bill do not affect camera-detected high-speed offences, which must follow their own administrative processes as there is a lag effect in following up drivers and immediate sanction is not possible. However, vehicle sanctions for high-range speeding will apply to school zones, and this will reinforce the child safety message. When roads are subject to variable speed limits the determining speed for high range will be the greater of the variable speed limits. The exception to this determining factor will be if the driver is subject to a lower speed limit, for example, a P2 driver with a limit of 90 kilometres per hour will be deemed to be in the high range in a 100-kilometres-per-hour zone if the driving speed is 136 kilometres per hour as the driver is more than 45 kilometres per hour over his or her individual limit.

Vehicle sanctions will also apply under Sky's Law or section 51B of the Crimes Act. This allows the police to initiate a vehicle sanction when there is a risky pursuit even if it does not end in a crash. This law advocated by the Coalition when in Opposition was introduced in 2010 by the former Government. Higher penalties for engaging in a pursuit of up to three years' imprisonment for a first offence and five years for the second and subsequent offences were introduced. These types of pursuits are being treated similarly to car hoon offences as they are dangerous and present a high risk to the community. The numberplate confiscation sanction actually prevents a vehicle from being legally driven on a road and is, in effect, a vehicle impoundment without physically removing the vehicle from the possession of the offender. Confiscation of the numberplates will be a quicker, easier and less costly sanction for the police to apply.

In 2011, 137 vehicles were confiscated for car hoon offences. By expanding the sanction scheme to include these additional offences, it will no doubt increase the number of vehicles and offenders subject to vehicle sanctions. The current provisions also allow police to apply a vehicle sanction irrespective of whether the offender was the registered operator of the vehicle. Under the proposed amendment the registered operator of the vehicle who is not the driver will be categorised as a non-offending operator. A registered operator who is also the driver who committed the offence is categorised as an offending operator. Offending operators will be subject to roadside vehicle sanctions that will include vehicle impoundment and forfeiture and/or numberplate confiscation. In that case the sanction period will be three months for a first offence, and will bring consistency of the penalty for this offence.

Currently the penalty varies as the sanction period depends on how long it takes the matter to get to court, and then allows the court to rule on whether the vehicle should be further impounded or returned. The

proposed amendment will increase efficiencies in view of the fixed three-month sanction period. This fixed period will apply to high-range speeding or pursuit offences or one of the existing street racing offences. For the second and subsequent offences the sanction period will be the same as for the first offence but, as is currently the practice, the court can determine that the vehicle of an offending operator can be forfeited to the Crown or a further period of vehicle impoundment can be ordered. Operationally it is expected that a second offence by an offending operator will result in the vehicle being impounded rather than confiscating the numberplates. This would be done as a prelude to possible future vehicle forfeiture following conviction.

These repeat offenders who endanger the lives of other road users, passengers in their cars, pedestrians and police who try to stop them deserve no leniency. They flout the law blatantly and repeatedly, and place members of all of our communities at risk. Numberplates will be removed from the vehicle at the scene and the vehicle will be parked at a convenient legal spot nearby. An A4-sized numberplate confiscation notice will be affixed to the inside of the windscreen. It is the offender's responsibility to then have the vehicle towed to his or her place of choice for storage. The confiscated numberplates will be held by Roads and Maritime Services for the duration of the sanction and the period of confiscation notice must remain displayed in the vehicle for that duration. I strongly support this amendment bill that I commend to the House.

**Mr DOMINIC PERROTTET** (Castle Hill) [5.57 p.m.]: I support the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. Our local communities have experienced too many instances of hooners ignoring the law and inflicting injury upon themselves or others around them. Driving a vehicle is a privilege that, if not taken seriously, can have dramatic consequences. There have been many attempts throughout the years to try to stop such actions, including the crushing of vehicles involved in serious offences, confiscating vehicles, wheel clamping—which I note has been found to be ineffective—and other measures. These amendments will separate dangerous drivers from their vehicles and proposes that other relevant serious driving offences be included in the scheme. I congratulate the Minister for Police and Emergency Services and the Minister for Roads and Ports on their commitment to extensive consultation with those who deal firsthand with these issues, the NSW Police Force, Transport for NSW, Roads and Maritime Services and the Department of Attorney General and Justice.

This bill amends the Road Transport (General) Act 2005 in a number of ways. The bill will include police pursuits and high-range speeding as offences for which vehicle sanctions will be imposed, remove wheel clamping as a sanction because it did not work, create numberplate confiscation as an alternative to vehicle impoundment, apply roadside vehicle sanctions for first offences for a fixed period of three months so that all offenders receive the same length of sanction regardless of how long the driving charge takes to get to court, remove the unutilised provisions of court-imposed sanctions upon conviction of a first offence, apply roadside vehicle sanctions only to offences committed by a driver in his or her own vehicle so parents, employees and friends are not unfairly punished for the crimes of others and will limit the circumstances in which the Local Court can authorise the early release of impounded vehicles or confiscated numberplates so that hardship for others is the only ground for release.

Operating a vehicle at high speed is known to increase the likelihood of a crash. Research shows that the risk of being a casualty in a car crash while travelling at 90 kilometres an hour in a 60-kilometre-an-hour speed zone is about 64 times that of travelling at the speed limit. This bill includes high-range speeding—that is, travelling at more than 45 kilometres an hour over the speed limit—and police pursuit offences as relevant offences under the vehicle sanctions scheme. Everyone knows that speeding is a very dangerous and serious problem in our community.

In 2011, Roads and Maritime Services estimated that speeding was a factor in 150 of 376 recorded road deaths in New South Wales. That is more than 41 per cent of all road deaths in this State. In the same year, the NSW Police Force commenced 3,079 legal actions for exceeding the speed limit by more than 45 kilometres an hour. According to figures obtained from the State Debt Recovery Office, 302 camera-detected high-range speeding offences were recorded in the 2010-11 financial year. I believe that this bill will succeed in its aim of reducing the number of drivers speeding and therefore the number of deaths on New South Wales roads. It gives police the power to remove and confiscate numberplates as an alternative to the often time-consuming, costly and difficult physical confiscation of a vehicle. In 2011, 137 vehicles were confiscated.

Numberplate confiscation will provide an effective and practical alternative for police because a vehicle without numberplates is not allowed to be driven on a road or a road-related area. How will that operate in practice? Police officers will issue offenders with an A4-sized numberplate confiscation notice that will be affixed to the inside of the windscreen and it must remain there for the confiscation period. The notice will state

clearly that the vehicle is the subject of a sanction and that its numberplates have been removed. It will also state that the vehicle cannot be driven during the sanction period and that it may be impounded and forfeited if it is. The notice will also include the date of the conclusion of the confiscation period, the name of the local area command officer who issued the notice, the address from which the numberplates can be collected, information about the right to apply to a Local Court for the early release of the numberplates, and the penalties that will apply for removing or tampering with the notice affixed to the windscreen.

Of course, some people will still take their chances. Accordingly, the legislation includes provisions dealing with driving contrary to a numberplate confiscation sanction. The penalties for tampering with the notice, operating a vehicle that is the subject of a sanction and being involved in numberplate crime are significant, and that is appropriate. Vehicle sanctions will be imposed only when a high-range speeding offence is detected by an officer and not by a speed camera because a camera cannot identify the offender at the time of the offence and a notice will be sent to the registered owner of the vehicle. An administrative process must be followed to identify the vehicle and its owner and a separate process will be followed to allow the registered operator to identify the offending driver.

I commend members of the Opposition for supporting this bill. We all agree that no community is completely safe from reckless individuals who choose to participate in so-called hoon offences such as burnouts and drag racing. The officers of the Castle Hill Local Area Command are sick and tired of dealing with speeding in the local area. In February this year a young male was detected driving at 179 kilometres an hour in an 80-kilometre-an-hour zone while under the influence of alcohol. That is the type of imbecile who is the focus of this legislation. Unfortunately, offences like that are committed all too often. As members have already said in this debate, road deaths are not simply statistics—every death has an impact on the family and friends of the deceased person.

Catherine Elizabeth Taylor died on Green Road at Kellyville in late August last year. Catherine left behind a three-year-old daughter, Zara Addison, and her husband, Cameron. Catherine was following her usual route to work when a hoon travelling through a roundabout crossed to the wrong side of the road and hit her car head-on. It is only when people are personally affected by such tragedies that they are galvanised into action. I commend Catherine's family for the campaign they have waged. Her husband, Cameron, has met with the Attorney General and the Minister for Roads and Ports to open dialogue about ways in which we can prevent such accidents. Catherine's family has also reached out to family and friends, put posts on Facebook and sent more than 3,000 emails. They want people to discuss this tragic accident with their families and friends.

Open discussion about the risks and results of poor driver education and bad behaviour might help to save a life. If it does, Catherine's death will not have been in vain. Her loved ones say that they cannot bring Catherine back, but they want us to work together to minimise similar tragedies and such pointless loss of life. This bill will minimise such accidents and it will ensure that the deaths of people such as Catherine have not been in vain. We must provide strong incentives so that hoons do not break the law. I believe that this legislation provides a more viable punishment that will be difficult for offenders to conceal from their families and other members of the community. We must convey the message that this type of behaviour is not acceptable and that its potential consequences are serious. I commend the bill to the House.

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [6.07 p.m.]: Having a licence is a privilege, not a right. That is often forgotten by many drivers, and not only young and novice drivers. On 13 November 41 years ago my twin brother, my younger brother, a very close friend and I were travelling along Hillsborough Road at about 11.00 p.m. after an evening of prawning at Lake Macquarie. A fairly new Holden Monaro coming from the opposite direction failed to take the bend, slid into our vehicle stopping us dead from an estimated speed of 60 kilometres an hour and drove us backwards about 100 feet. The vehicle rolled and the passenger in the Monaro either was not wearing a seatbelt or fell out of it and was ejected from the car, which rolled on top of him. He suffered horrific head injuries and died some time later in Newcastle Hospital.

My twin brother, who was driving my vehicle—we had swapped drivers about two miles before the site of the accident—had his spleen removed because it was ruptured, his liver was ruptured, his ribs were broken, as were his collarbone and shoulder blade on one side, and he suffered other severe lacerations. My younger brother had a broken femur. Our friend's face was so badly smashed that doctors still use the before and after photographs to reassure people who have suffered severe facial injuries that life can return to normal. I was probably the least injured. I was thrown through the windscreen and lost most of the skin on my face. I do not know how many stiches I had. I also had a broken collarbone, shoulder blade, ribs and ankle and a torn Achilles tendon.

As it turned out the driver of that vehicle was a fellow by the name of Andrew Hughes who was aged about 26 and who lived about 10 kilometres away. When we were younger and had pushbikes my mother used to say to us, "If Andrew Hughes is on the road, get off the road." He was a young man who loved fast cars and fast driving. He killed his friend and he killed himself. For six to 12 months my family was engaged in constant visits to doctors and solicitors. After that accident my younger brother was in hospital for six months, all because a young man decided that the road was his. He thought he had the right to drive at those sorts of speeds which turned the lives of members of my family upside down. Radio 2KO, the local radio station, got the Andrews mixed up and announced on the early morning news that I, rather than Andrew Hughes, had been killed in the car accident. My aunt, who had a heart condition, heard it on the radio and that affected her severely.

As a young man I was fortunate in that I was taught to drive on a driver training range. For about three years I lived in Moree where there was an open speed limit. I had a company car which gave me a licence to drive flat out, as a lot of people did in those days. At that time when there were fewer cars on the roads and fewer opportunities for accidents I could legitimately drive at a speed of 100 miles an hour. These days I would have more sense. As part and parcel of the laws that must be introduced in this State I believe that every driver, novice or otherwise, should be given a refresher course every five years and be retested. I also believe that drivers should undertake advanced driving courses where they are taught how to handle a vehicle and prove their proficiency in driving before they obtain a licence. No matter what happens in the area of licensing or people buying cars, in many cases testosterone will take over.

There are many tragedies on the Pacific Highway on the North Coast. Since 1997 there have been 555 deaths on that road. Young men believe they can drive vehicles at speed on that dangerous public road that has such a bad accident history. They see driving a car as a right and not as a privilege. Young men who are driving too fast make mistakes and not only kill or injure themselves but also often kill or injure someone else. This legislation goes some way towards sending a message to those drivers that their numberplates can be confiscated and their vehicles can be impounded for reasons that have been outlined by other members in debate on this legislation.

I commend the Government for introducing this legislation but urge it to continue to introduce laws in the future that send an even stronger safety message to the public—laws that give novice drivers an opportunity to learn how to drive vehicles safely and properly according to current road conditions. I am sure that every member in this House remembers the accident that occurred on 8 January at Urunga when a young man in his late twenties with a blood alcohol level six times over the legal limit drove at speed into a semitrailer and killed himself and severely injured the driver of the semitrailer. The semitrailer veered off the road and into a house, killing an eight-year-old boy who was sleeping in his bed.

That accident occurred because the person who drove that vehicle had no respect for the road rules of this State. This legislation and other legislation must send a strong message to all drivers that they have a responsibility to obey the laws not only to protect themselves but also to protect the lives of others and to minimise the road toll in New South Wales. We will never stop deaths on our roads but members of this Parliament have an obligation to bring down the road toll and to ensure that we can drive safely on the roads free from the hooners and idiots who believe they own the roads. I commend the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012 to the House.

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [6.15 p.m.], in reply: On behalf of the Hon. Michael Gallacher, the Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council, and the Hon. Greg Smith, Attorney General, and Minister for Justice I thank members for their contribution to debate on the Road Transport (General) Amendment (Vehicle Sanctions) Bill 2012. Members representing the electorates of Coogee, Toongabbie, Tweed, Auburn, Myall Lakes, Cabramatta, Camden, Albury, Clarence, Orange, Dubbo, Drummoyne, Tamworth, Mulgoa, Rockdale, Gosford, Castle Hill and Coffs Harbour were all in favour of this bill and told some horrific and touching stories about death and destruction on our roads. We support the attempt by those Ministers to resolve the ongoing carnage on our roads.

The issues addressed in the bill are serious. Society will not tolerate people using their vehicles in a dangerous manner that risks lives. Driving a vehicle is a privilege that must be taken seriously. The penalties in this bill are directed to and immediate for those who commit serious driving offences. The New South Wales Government will not tolerate dangerous drivers on our roads. Street racers who engage in police pursuits and drivers who exceed the speed limit by more than 45 kilometres an hour will face the immediate loss of their

vehicle or numberplates. The main changes proposed in the bill include police pursuits and high-range speeding as offences for which vehicle sanctions would be imposed. Wheel clamping has been removed as a sanction because it did not work.

The bill creates numberplate confiscation as an alternative to vehicle impounding. It applies roadside vehicle sanctions for the first offence for a fixed period of three months so that all offenders serve out the same length of time of sanction, regardless of how long the driving charge takes to get to court. The bill will remove the underutilised provisions for court-imposed sanctions upon conviction for a first offence. It will apply roadside vehicle sanctions only to offences committed by a driver in his or her own vehicle so parents, employers and friends are not unfairly punished for the crimes of others.

The bill will limit the circumstances in which the Local Court will authorise the early release of impounded vehicles or confiscated numberplates so that the hardship for others applies only to the grounds of release. Once again I thank all those members who contributed to debate on the bill. They indicated that they would support the legislation and I thank them for their contributions. I know that these legislative reforms will be well received by the NSW Police Force and, more importantly, they will be well received by the community which is looking for commonsense approaches to solving the problems on our roads. I commend the bill to the House.

**Question—That this bill be now read a second time—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Geoff Provest agreed to:**

That this bill be now read a third time.

**Motion agreed to.**

**Bill read a third time and returned to the Legislative Council without amendment.**

## **SYDNEY WATER CATCHMENT MANAGEMENT AMENDMENT (BOARD MEMBERS) BILL 2012**

### **Second Reading**

**Debate resumed from 4 April 2012.**

**Ms CARMEL TEBBUTT** (Marrickville) [6.20 p.m.]: I lead for the Opposition in debate on the Sydney Water Catchment Management Amendment (Board Members) Bill 2012 in this House and the shadow Minister for the Environment will lead for the Opposition in the other place. I indicate at the outset that the Opposition does not support the changes to the Sydney Catchment Authority Board proposed in the bill. Currently two members of the board appointed by the Minister must represent specific stakeholder groups—namely, the NSW Farmers Association and the Nature Conservation Council of New South Wales—and one member must be an elected local government councillor from a council within the catchment area. The proposed legislation removes those requirements.

The Opposition is concerned that this is yet another example of the O'Farrell Government seeking to silence dissent and to remove from boards and committees those most likely to advocate for the public good. This is not the first time the Government has taken this sort of action. Most notably we saw this happen to the Environment Protection Authority [EPA] Board. The main functions of the Sydney Catchment Authority are to protect the quality and quantity of water in the catchments; manage and protect the catchment areas and catchment infrastructure; supply bulk water to Sydney Water and other water supply authorities; protect and enhance water quality; undertake research and help educate the community about catchment protection.

The input of representatives of the environment, rural landholders and local government are important to the effective functioning of the catchment authority. These representatives bring a unique and particular

perspective to the board. It is salient to remember how the Sydney Catchment Authority Board came into being. In 1998, in response to the McClellan inquiry recommendations—an inquiry supported by both sides of Parliament—the Carr Government introduced the Sydney Water Catchment Management Bill. Members will recall the concerning issues surrounding Sydney's water supply at that time. In his second reading speech Minister Knowles said:

Historic attempts to establish a more co-ordinated catchment management system or, as is proposed in this bill a single catchment authority, have failed, usually because of the bipartisan and entrenched interests of many of the stakeholders.

Years later it is easy to forget how difficult and complex the management of the catchment system has been. One of the mechanisms to address the views and aspirations of the many and varied stakeholders was to give representation to key interest groups on the board—namely, the Nature Conservation Council of New South Wales, the peak body for environment groups, the NSW Farmers Association, and a councillor from one of the councils covered by the catchment authority. The Government is now proposing to undo that.

It is well-known that the O'Farrell Government has disdain for the environment. For example, since winning office the Government has abolished the Department of Environment and Climate Change, it has wound back marine park protection and handed that responsibility to the Department of Primary Industries, and the Solar Bonus Scheme has been slashed.

The O'Farrell Government has reinvented itself as a climate change sceptic. To those who have been closely monitoring the Government in this area the attempt to remove an environmental representative from the board comes as no surprise but its disdain for the NSW Farmers Association is a more recent action. Given the angst over the past few days as a result of the comments of the Minister for Planning that the NSW Farmers Association is "irrelevant to the debate on strategic land use policy", I would have thought now was not a good time to be silencing the voice of farmers from the Sydney Catchment Authority Board. However the removal of an elected councillor to speak on behalf of local government is of even greater concern.

The current local government representative is Councillor Larry Whipper, deputy mayor of Wingecarribee Shire Council. I refer to the McClellan inquiry because that was one of the most comprehensive reviews of catchment management ever undertaken. Mr McClellan spent quite some time looking at the important role of local government. He said that one of the essential elements of good catchment management is "effective partnerships between local government and the catchment management". I am concerned that removing the requirement for an elected councillor from a council within the catchment authority area will undermine the effective partnership that is essential for good catchment management. All these years later Mr McClellan's comments are still pertinent and important.

The Minister has not made a case for these changes—far from it. Under the current arrangements the Minister could appoint members with particular expertise or experience to positions and there are means by which she could achieve her goal of broadening the experience and qualifications of board members. But the Minister has not chosen to do that. The Minister has chosen to silence the voice of the environment movement, the NSW Farmers Association and an elected councillor from the board. The Opposition is concerned that those voices maintain a key role in the management of this important authority that is responsible for protecting the quality of our water supply. For those reasons the Opposition does not support the bill.

**Dr GEOFF LEE** (Parramatta) [6.27 p.m.]: I support the Sydney Water Catchment Management Amendment (Board Members) Bill 2012 which seeks to ensure that the composition of the Sydney Catchment Authority Board is as diverse as the community it serves. The importance of the efficient management of the Sydney Water Catchment Authority cannot be understated. The authority was established to manage and protect the 11 major dams and almost 16,000 square kilometres of land in the five catchments that supply drinking water to approximately 4.5 million people in Sydney, the Blue Mountains, the Illawarra, the Southern Highlands and the Shoalhaven. The raw water supply of the authority is collected from the river systems of the five major catchments: Warragamba, Upper Nepean, Woronora, Shoalhaven and the Blue Mountains. The authority supplies potable water to 3.5 million people in Sydney, 240,000 people in Macarthur, 200,000 people in Penrith and the lower Blue Mountains and 280,000 people in the Illawarra.

The statutory objectives of the authority include ensuring that catchment areas and infrastructure works are managed and protected so as to promote water quality and to protect public health and safety and the environment. The authority must also ensure that the raw water it supplies is of appropriate quality. The risks to water quality are significant because of the encroachment of urbanisation throughout the catchment areas, including pathogens or disease-causing organisms; sediment, which affects water; metals, which can affect the

taste of water; nutrients, which can cause algal blooms; algae, which can cause odour, increased treatment time and cost, and potential health impacts; and synthetic organic compounds such as pesticides. Sydney has some of the highest quality drinking water in the world. The impact of increased urbanisation can come from erosion, sedimentation of streams and storage, pollution of waterways through waste disposal and damage to delicate ecosystems and biodiversity, which maintain the quality of water.

The authority achieves its objectives by preventing access to inner catchment areas, ensuring that developments and activities in a catchment demonstrate a neutral or beneficial effect on water quality. That the authority achieves these objectives and is an effective organisation is undeniable as Sydney has some of the best drinking water in the world. However, organisational improvements are always possible. For example, a recent realignment of the authority's functions, structure, systems and processes has reduced costs, delivered substantial productivity outcomes and improved the ability of the organisation to operate in the newly competitive environment presented by the desalination plant. As a result, the authority's operating costs in 2010 were 9 per cent lower than those in 2009, and employee numbers have been reduced by 17 per cent over the past three years.

This bill continues the process of ongoing improvement by introducing changes to the key area of governance and the composition of the board in particular. The bill changes the status quo by broadening the description of the skill sets needed to ensure that the board functions at the highest level and by changing how members are selected. Currently, members of the board must have expertise in the areas of protection of the environment and/or public health. This crucial expertise will not be lost because the revised board selection criteria include qualifications and experience relevant to water quality and public health, and catchment management and protection. Clearly, however, the board of this commercial business needs other skills if it is to function effectively. Specifically, the board needs members who have qualifications and experience relevant to running a commercial entity.

This requirement reflects the longstanding requirement in section 8 of the Act that the board has the function of "overseeing the effective, efficient and economical management of the Authority". It will also assist the authority to address one of its principal objectives under section 14, namely, the requirement to "manage the Authority's catchment infrastructure works efficiently and economically and in accordance with sound commercial principles". The emphasis on business skills is clearly appropriate for an organisation that in 2010-11 had revenues of \$194 million, operating expenditure of \$142 million and capital expenditure of \$27.6 million. Whilst the current board membership demonstrably possesses this commercial expertise, it is critical that the authority's board always has these skills. So these legislative changes are appropriate.

Under this bill, board members will also be required to have qualifications and experience relevant to water supply planning and asset management. This new requirement recognises that the authority is an organisation responsible for managing and maintaining \$1.3 billion worth of assets that make up the raw water supply network for greater Sydney. As well, it recognises the importance of effective planning to ensure a secure and reliable water supply now and in the future. The bill also requires that the board has practical knowledge of, and experience in, agriculture and industry in the catchment area. This requirement reflects the fact that close to 40 per cent of the catchment lands are used for agriculture and industry. Also, the success of many of the authority's catchment management programs depends on ongoing improvements in the management of rural properties in order to reduce the risk to water quality from grazing and stock access to waterways.

A key aspect of the success of these programs has been the partnerships and networks that the authority has developed with its stakeholders in the catchment, so it is important that the board be able to draw on agricultural and industry expertise. The final skill that the board must possess is practical knowledge of and experience in local government and planning in the catchment area. Maintaining the sustainability of the catchment by ensuring that all developments and activities demonstrate a neutral or beneficial impact on water quality is critical to the authority's ability to achieve its objectives. So again it is important that the board membership has this expertise. The changes to the board selection criteria proposed in this bill are sensible and should ensure that the board always has the skills and experience needed to run a commercial government-owned business.

The changes will also enable the board members to be selected on merit, reflecting the Government's commitment to open and transparent processes. Good governance is essential for running an efficient and sound business. It will ensure that the New South Wales Government keeps downward pressure on prices and help the Government to maintain one of the world's best urban water supplies. In summary, this bill is about governance. It is about selecting the right people for the job, based on merit. It is about ensuring that board members have the

capability to best manage the assets as well as the risks associated with increased urbanisation within the catchment area. The board is also responsible for complying with strict regulations to ensure a quality, sustainable water supply, as well as meeting customer expectations.

All members would agree that Sydney Water customers expect that every time they turn on the tap they will get high-quality drinking water. Once again, greater Sydney has some of the best quality water in the world, and this is managed through the catchment area. As I said, some 40 per cent of the catchment area is impacted by urbanisation, agricultural practice and industry business. The bill provides for board members to be selected through a merit-based selection process. People who are familiar with proper governance of boards understand that a mix of the right skills, knowledge and expertise is important to get the right people to manage an asset based on not only legislation and technical aspects but also a sound commercial entity. One objective is certainly to put downward pressure on prices so that the good people of New South Wales can enjoy the best quality water at the lowest possible price. For those reasons I commend the bill to the House.

**Mr RYAN PARK** (Keira) [6.37 p.m.]: For the benefit of members opposite, who often are simply given a speech and told to read it, the Sydney Catchment Authority has nothing to do with the price of water. Time and again, when the Government gets a dissenting voice, a voice it does not want to hear, a voice that perhaps conflicts with something on which Cabinet has a strong view, it simply legislates to silence that voice. That is why the Opposition is opposing this bill. We saw it recently with the "get Clover Moore" bill. We are now seeing it with one of the most fundamental and important assets to our community—the member for Parramatta just outlined this—that is, the provision of clean drinking water for our communities.

I do not know of many things more important in this place than the provision of something we take for granted, that is, turning on the tap and getting clean drinking water to use in cooking, industrially and for drinking. Many countries do not have the luxury of clean drinking water. We do not see any huge fundamental problems with the Sydney Catchment Authority, other than the fact that the Government will not listen to concerns about coal seam gas in the catchment areas, particularly the areas I represent in the Illawarra. With this bill the Government intends to silence the community's voice on the important issue of the provision of safe, clean drinking water.

I do not understand why the Government has introduced a bill to remove an elected member of a local government authority who represents a wide cross-section of the community at the board level, the key strategic decision level. I do not know why that is not important. I accept that boards need to have a commercial mix and a raft of specialties and expertise. However, I do not accept that should be at the expense of a community voice and representation, particularly in the management of a precious asset. Members will remember back in the late 1990s problems with cryptosporidium in our water catchment areas and fundamental changes to the way water catchment authorities were managed as a result of that outbreak.

At a time when the Government is putting the Sydney Water Catchment Authority under extreme pressure to be involved in approvals and to allow exploration and extraction of coal seam gas in and around water catchment areas, this is not the time to reduce the volume or nature of community representatives. I understand that Ministers do not always like what board members or community representatives have to say. I understand very well, having been a former chief of staff to a Minister and having been a public servant, as Government members often like to highlight. Even though it is not always pleasant for Ministers to hear those views, they must because if they fail to do so they will operate in a vacuum, in an environment where people tell them only what they want to hear based on a certain viewpoint, often a commercial viewpoint.

Government members well know it is not always wise to listen to the good friends of Treasury. I respect the Treasurer, but the Treasury view is not always the view one wants to hear around the Cabinet table. Likewise with the Sydney Catchment Authority, we do not always want to hear the commercial view. No-one doubts that view is important but it should not be at the expense of the equally important voice of the elected member representing the community, of which the Sydney Catchment Authority is a part. I urge my good friends on the Government backbenches, who do not have an opportunity to sit around the Cabinet table, that when these matters are debated in caucus and in the party rooms to consider the matters not just as the Minister presents them but to use their common sense. They should delve into the matter and question why a person who is elected by the community should be removed.

Many members have been involved in local government. They understand the close relationship that exists with the community and therefore should question the reasoning behind the removal of such a community representative. There is no reason for that to happen at this stage. Nor is there any good reason why someone

from the environmental movement should be removed, given the fact that people like the member for Parramatta and others have clearly outlined the important role that this natural asset—a safe, clean drinking water supply—has for our communities. We cannot survive without it. I admit that at times people involved in various groups have dissenting views to those of the government of the day.

I understand that it is not always pleasant for Ministers to hear dissenting views but all backbench members must advocate and ensure that Cabinet Ministers receive a cross-section of views represented through those boards. Commercial expertise is important but so too is environmental expertise and, most importantly, community expertise. I encourage the Government to reconsider this bill and I encourage all backbench members, especially those with catchments in and around their electorates, to examine the bill and ask the Minister and Government: Why is it necessary to change the structure and at this time remove the elected community representative from this board? Why is it necessary to remove the environmental representative? These are important questions that need answers.

**Mr STUART AYRES** (Penrith) [6.45 p.m.]: It gives me pleasure to speak on the Sydney Water Catchment Management Amendment (Board Members) Bill 2012. I refer to comments made by the member for Keira and the member for Marrickville. Fundamentally, this bill is about selecting a board to maintain and manage Sydney's water based on merit. That is the fundamental thrust of the bill. It seeks to ensure transparency and accountability, a fundamental cornerstone of everything the O'Farrell Government stands for. It is critical to recognise that the selection process of such a board must be based on merit. Allocating particular seats on the board to particular areas of individuals has meant that we are effectively choosing a person to represent another organisation on the board rather than making the decision to appoint them based on merit.

The board must contain practical knowledge and experience in local government and planning in the catchment area. While the current Act requires that the board comprise a currently elected local councillor, the new requirement opens up the possibility to include other members of the community who have the necessary skills and experience. Clearly, councillors across the Sydney catchment area have particular experience in dealing with the catchment and associated issues. But are they the best people to be on the board? As a result of these changes local government expertise could come from a number of areas. The representatives could be a former general manager, a former councillor, even a current councillor or a council employee who has expertise and is best suited for the board. However, what is important is that the person is selected on merit from the broadest possible pool of candidates.

I understand that the Minister plans to write to all councils within the catchment as well as the Local Government and Shires Associations seeking their nominations. This means that local government still has the opportunity to have representation on the board provided they nominate candidates of appropriate merit. This will ensure that the Minister is able to select from the broadest possible pool of talent and we get the best possible person for the job. Getting the best people for the job is clearly in the best interests of residents, councils, the catchment and the greater Sydney area. After all, the board is responsible for maintaining and looking after our water supply. It is critical that the O'Farrell Government applies the same set of standards that it applies to itself to its boards. That means we want the best possible people on those boards.

**Mr NICK LALICH** (Cabramatta) [6.48 p.m.]: I contribute to the Sydney Water Catchment Management Amendment (Board Members) Bill 2012. Once again the Premier is up to his old tricks. Before the election all one heard from Barry O'Farrell's mouth was "committee this" and "community that". He claimed that he was giving authority back to the people. Yet once again, as we can see from this bill, he is actively taking power away from the people. This bill amends the Sydney Water Catchment Management Act 1998 No. 171 to remove community representatives from the board of the Sydney Catchment Authority. A pattern is emerging. This legislation is consistent with other moves by the Premier and his uncaring Government, highlighted by the decision to remove community representatives from the Environment Protection Authority. The Premier told everyone he was pro-community before being elected but in government it seems he likes to keep power concentrated in the hands of a few. This kind of behaviour undermines community confidence, kills transparency and removes those who are most likely to advocate for the public good.

As has been said, the local government representative is being removed from the board. Obviously the Premier has found there are some local government members or members of the New South Wales Farmers Association or the Nature Conservation Council that are not toeing the line that he wants to take. The easiest way to solve that problem is to amend the Act, remove those people from the board and have no local representation. To then say that the board members must have appropriate skills raises the question of whether only professors, doctors and people with university degrees will be on the board. Local government represents

the people; local councillors are the people closest to the community. They know what the community wants. A local councillor may not be an expert in water quality and all the rest of it but he has experts to advise him. The Premier is quite obviously removing certain people from the board that he does not like.

The Sydney Catchment Authority plays a very important role for all Sydneysiders, most notably as the body responsible for Warragamba Dam, which serves my area of Cabramatta and the western suburbs. In 2010 Warragamba Dam celebrated its fiftieth anniversary. Fifteen thousand members of the public and several hundred of the men and women who built the dam—a highly multicultural force, I might say, from our area in western Sydney—visited the dam that day to honour and commemorate those who lost their lives in the dam's construction. The presence of 15,000 people represents a massive public interest in Warragamba Dam and is a strong reason why the community must continue to have a voice on the board of the Sydney Catchment Authority. This is another uncaring move by an uncaring Government. To take away the community's voice on boards, in this case the Sydney Catchment Authority, is reprehensible. It shows that Premier O'Farrell and the Government have no commitment to the people, no commitment to transparency and absolutely no interest in what the community has to say. The Opposition opposes the bill.

**Mr KEVIN CONOLLY** (Riverstone) [6.51 p.m.]: I support the Sydney Water Catchment Management Amendment (Board Members) Bill 2012. The bill does not change the objectives of the Act and retains the Sydney Catchment Authority board's responsibility for the policies and long-term strategic plans of the authority. Essentially these boil down to catching, collecting, storing and providing water for Sydney. The board consists of the chief executive of the authority and between four and eight other members. The role of the Sydney Catchment Authority board is significant as the authority manages a total of 21 storage dams that collectively hold over 2.5 million megalitres of water. The purpose of the authority is to ensure healthy catchments and quality water for the Sydney region and its millions of inhabitants.

The purpose of the bill is to amend the Act to require the members who are appointed by the Minister to have a specific range of qualifications, experience, knowledge and expertise. The bill allows for the members of the board to individually or collectively possess the relevant requirements. The bill currently requires members of the board to have expertise only in protection of the environment and public health and other expertise that the Minister considers necessary. These requirements are now being broadened to ensure that the comprehensive skill sets needed to fulfil the board's obligations are present. As I said, the board has a major responsibility in relation to the whole of Sydney and its millions of people and it needs expertise to fulfil this responsibility. The amended requirements are inserted in section 7 (3) as follows:

- (a) qualifications and experience relevant to catchment management and protection,
- (b) qualifications and experience relevant to water quality and public health,
- (c) qualifications and experience relevant to running a commercial entity,
- (d) qualifications and experience relevant to water supply planning and asset management,
- (e) practical knowledge of, and experience in, agriculture and industry in the catchment area,
- (f) practical knowledge of, and experience in, local government and planning in the catchment area,
- (g) such other expertise as the Minister considers necessary to realise the objectives of the Sydney Catchment Authority.

The amendments remove the former requirement that the board include nominees from specific organisations—the New South Wales Farmers Association and the Nature Conservation Council—and a local councillor. This ensures that a broader section of stakeholders are represented and that the necessary skills required for the board to operate effectively are present. The amendments in no way preclude members from the New South Wales Farmers Association and the Nature Conservation Council or local councillors from applying for positions on the board. These amendments bring the board into line with governance arrangements for other statutory authorities and State-owned corporations. The amendments are sensible and ensure a merit-based selection for membership of the board.

I am surprised to hear that the Opposition does not support these changes. I am certainly surprised to hear members opposite draw such a long bow by talking about lack of community consultation or the Government stepping away from support of the community in taking these steps. The intent of the bill is precisely to ensure that the needs of the community are better met and that the people placed on the board have the skills to undertake the functions of the board on behalf of the community. In particular, I refer to the example raised by the member for Keira. He talked about the outbreak of cryptosporidium some years ago.

I wonder how an appointee of the New South Wales Farmers Association or the Nature Conservation Council to the board, or even a local councillor on the board, addressed that issue. On the other hand, perhaps a qualified health expert on the board might have been of more relevance. It is the qualifications, expertise and relevant experience of board members that would be helpful in those situations, not the organisation they represent.

Indeed, why should only those organisations, from all that could have been chosen, be represented on such a board? As a councillor who represents a community downstream from the major water storage, Warragamba Dam, rather than one of the upstream councils, I know that a different set of needs emerge in the minds of my community. What happens when, as in recent times, Warragamba Dam spills? That water comes our way. Does the board have in its charter any responsibility or expertise to deal with that situation? That is not currently on the table; it is a discussion for another day that is happening as a result of the recent floods. The Government is looking at all the ramifications of the government response to those events to see if anything could be improved.

One possibility is that this issue could be revisited in relation to the Sydney Catchment Authority and its responsibilities. Were that to occur, it would probably be important for an organisation such as the State Emergency Service to be consulted as much as any of those mentioned so far. The relevant key criterion would be the expertise and ability of members of the board to carry out the functions that they are assigned. If those functions change in the future and the Minister feels that different expertise is required, the bill gives the Minister the capacity to look for that expertise when making appointments to the board. In essence, the bill is about ensuring selection on merit and on the basis of capacity to meet the needs of the organisation on behalf of the people of the Sydney region. Therefore, I believe it is a good bill and I commend it to the House.

**Mrs ROZA SAGE** (Blue Mountains) [6.57 p.m.]: I support the Sydney Water Catchment Management Amendment (Board Members) Bill 2012. The bill will change the selection criteria for the Sydney Catchment Authority's board to ensure that members of the board have an expanded range of relevant qualifications, experience, knowledge and expertise. We need experts to deal with complex water issues. It amazes me that the Opposition has not been able to grasp that fact. People who have the specialist knowledge are best able to cope with the complex issues relating to water. The authority was established in 1999 to manage 11 major dams and other important infrastructure that supply drinking water to 4.5 million people in Sydney, the Illawarra, the Blue Mountains and parts of the Southern Highlands and Shoalhaven areas.

Warragamba Dam is one of the world's largest reticulated water supplies. As well, the authority helps to protect the almost 16,000 square kilometres of land in the catchments that supply this water. The authority's core role and vision is to ensure health catchments and quality water for the greater Sydney region. This will not change. Much of my electorate of Blue Mountains is part of the Sydney Catchment Authority's area of operations so I have a special interest in the management and administration of the authority. As one of the five catchment areas, the Blue Mountains catchment runs from Lithgow east and includes Greaves Creek Dam, Lake Medlow Dam, Cascade Dam and Woodford Dam. The Coxs River also runs into Lake Burragorang. I am very pleased to note in particular that one of the new requirements proposed is that the board must include qualifications and experience relevant to catchment management and protection. It makes sense.

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

## **NATIONAL DISABILITY INSURANCE SCHEME**

### **Matter of Public Importance**

**Mr MARK COURE** (Oatley) [7.00 p.m.]: I have great pleasure in bringing to the attention of the House the need for a National Disability Insurance Scheme. It is time that governments across Australia supported the fundamental human rights of every Australian. The National Disability Insurance Scheme is a policy that is well and truly overdue. The New South Wales Government has always taken a bipartisan approach to this scheme. At present the disability support system is unfunded, unfair, fragmented and inefficient. The system has not had the necessary flexibility, either financially or in its policy settings, to enable people with a disability, their families and carers to make choices about their lives or to access the necessary support.

At present 80 per cent of the New South Wales disability budget comes from New South Wales Treasury and 20 per cent from the Federal Government. That is not sustainable in the long run and it is not fair for members of the community who need that support. The Minister for Ageing, and Minister for Disability

Services, who is at the table, and the Treasurer are committed to the National Disability Insurance Scheme and already have taken a number of steps to improve options for people with disabilities. New South Wales has led the way with an announcement of individualised funding and person-centred approaches to commence in July 2014.

New South Wales is moving to being National Disability Insurance Scheme ready. The scheme's approach is all about empowering individuals to make their own choices about their lives and not to be dictated to by bureaucrats or health care providers as to the services they can have. However, demands on services are expected to increase at a rate of approximately 9 per cent to 10 per cent as ageing parent carers, many of whom in my electorate I have met, are no longer able to provide the same level of care they have provided for their loved ones. Therefore, a National Disability Insurance Scheme is critical to ensuring the best quality of life for these individuals and appropriate access to the services that they need.

The level of community feeling was obvious yesterday when more than 8,000 people in Sydney took part in the "Make it Real" rally, seeking a firm commitment to fund the National Disability Insurance Scheme. Thousands more gathered in cities all over Australia. More than 111,000 people have actively joined the campaign through the grassroots campaign "Every Australian Counts". Many members of my own community to whom I have spoken in the past few days support this important cause. New South Wales cannot go it alone and the Federal Government needs to step up and commit to funding in the Federal budget to be handed down on 8 May. Funding must be committed in the next financial year in the forward estimates to give the community certainty.

The recent Productivity Commission report, which I have read, recommends that spending for the National Disability Insurance Scheme come out of the Federal Consolidated Revenue. The Federal Government has been cagey about funding the National Disability Insurance Scheme and the Prime Minister said recently that her Government would fund its share of the National Disability Insurance Scheme. The Prime Minister has failed to define the Federal Government's share and weasel words cannot be used to get out of its requirements. It is so important that we have support from all levels of government, State and Federal, and on both sides. It is now or never for the National Disability Insurance Scheme. We need bipartisan support and the Federal Government needs to put aside politics.

All governments have made a commitment through the Council of Australian Governments to a National Disability Insurance Scheme. It is time to make it reality. The Federal Government needs to stump up with the funding and not leave State and Territory Treasurers in the dark. The New South Wales Government has always been bipartisan towards the establishment of the National Disability Insurance Scheme. In opposition and in government the Coalition has stood by the principle that the provision of disability services is a fundamental human right. We know that the current disability support system is unfunded, unfair, fragmented and inefficient. People with a disability, their families and carers have little choice and no certainty to access the appropriate services. I support the National Disability Insurance Scheme. It is a pleasure to bring this debate to Parliament. I am sure it will be supported by both sides.

**Mrs BARBARA PERRY** (Auburn) [7.05 p.m.]: The National Disability Insurance Scheme is a reform that is equal in significance to the introduction of Medicare and compulsory superannuation. It is a reform that clearly goes to the heart of the Labor tradition. I am proud to be part of a party that has been integrally involved in this reform from the beginning when it was first raised at the 2020 Summit to yesterday's announcement by Prime Minister Gillard at the wonderful rally at Homebush that the Federal Labor Government would start to fund the National Disability Insurance Scheme from July next year. Launch sites will start a year sooner than the Productivity Commission suggested.

It is important to note that because of the bipartisan approach in this State towards, in particular, Stronger Together initiatives that we are in a strong position to work towards the National Disability Insurance Scheme. Stronger Together has shown the importance of good planning and consultation and was the result of a lot of hard work by many groups, together with John Della Bosca, Brendan O'Reilly and the member for Heffron. The previous Government also brought in the no fault vehicle insurance scheme—a scheme that desperately needs to be expanded around Australia. I am pleased that this Government has continued to build and make strong the Stronger Together package.

The National Disability Insurance Scheme—an idea whose time has come—is recognition that in the area of disability the overall system is in dire need of an overhaul. As the Productivity Commission pointed out, the system is underfunded, unfair, fragmented and inefficient. Problems with the system are well documented.

The 2009 Shut Out report, which related to the experience of people with disabilities and their families in Australia, told of the heartbreaking suffering of many of those with a disability, the strains on their families and what it is like to be left out educationally, socially and economically. It outlined the systemic issues that work against those with a disability being able to take their rightful place in society.

The National Insurance Disability Scheme is essentially a safety net for those with a disability and will effectively double the existing funding and the number of people receiving support. Most importantly, funding will go directly to the individuals with a disability, giving them greater control and choice over the support they receive and the providers they use. Another benefit of this scheme is that those with a disability will be able to access intervention in a timely manner. As John Della Bosca told Anne Manne:

Every day that passes without proper funding for early intervention is one more step away from the potential for independence in later life for a child with a disability.

The National Disability Insurance Scheme is not just about long-term gains for those with disabilities. It also constitutes long-term gains for governments. By giving people the support they need when they need it, the National Disability Insurance Scheme will open up opportunities for the many Australians with disability who want to work but are currently locked out of the workplace. A recent study by Queensland University and National Disability Services found that if only 2 per cent of people with disability received support that enabled them to work the economy would benefit by \$6 billion per year. The National Disability Insurance Scheme has not only united disability groups but it has also enjoyed bipartisan support at a State and Federal level. It is important that it continues to do so. There is good reason for this, as Anne Manne in her excellent essay in *The Monthly* notes:

The NDIS is a proposition of unusual political deftness; a rarity in Australian politics. Embedded in the scheme are two powerful ideas more often in conflict than in harmony. One concerns the individual maximising opportunities in the marketplace, developing initiative and enterprise in a framework of economic prudence. The other centres on social justice, our capacity to stand together and utilise our nation's wealth to develop a strong safety net in order to care for those in need.

In many ways, the different political parties are singing from the same page in relation to a National Disability Insurance Scheme. However, I note with some concern there has been some discord coming from Federal shadow Treasurer Joe Hockey. Mr Hockey's recent comments about funding show perhaps that he does not really understand the issues, and I call on the Minister for Ageing, and Minister for Disability Services to educate the shadow Treasurer. The fact is we cannot afford not to have a National Disability Insurance Scheme. John Walsh, from PricewaterhouseCoopers, who has done so much to push for a National Disability Insurance Scheme, has calculated that a National Disability Insurance Scheme and related system change could lead to an additional \$50 billion to gross domestic product in 2050.

There is also a potential long-term gain of \$1.5 billion in gross domestic product per annum as a result of increased employment participation by carers. I welcome the Prime Minister's commitment that the Federal Government will pay its fair share of the costs of the National Disability Insurance Scheme. At the same time, the New South Wales Government needs to stand firm on its commitment to disability services. I look forward to the New South Wales Government giving unqualified support to the Prime Minister's announcement yesterday in supporting the launch of the National Disability Insurance Scheme in 2013. I conclude by acknowledging all those who have worked so hard to make the National Disability Insurance Scheme a reality. As Paul Keating said:

It takes imagination and political will to get where we want to go and that depends on having not just a sense of injustice but also the ability to imagine a better life.

Like all members of this Parliament, I look forward to when the National Disability Insurance Scheme is as settled and established a part of the Australian landscape as Medicare is.

**Ms MELANIE GIBBONS (Menai)** [7.10 p.m.]: I am full of hope that people with disabilities will finally get a system to give them appropriate care and support for life that the rest of us take for granted. The National Disability Insurance Scheme will change lives, and it is with pleasure that I speak on this matter of public importance. As the House knows, I worked in the disability sector for a few years. In that time I had the opportunity to meet ordinary families who were living with a disability. I met mums and dads who were making sacrifices in their careers, budgets and social lives to help provide for their son or daughter who required more care than most children. I even knew some parents who had to give up full-time work to become full-time carers for their children because there was no other way they could afford that level of care. Even if they could afford the care, it often was not available at the level they needed or to the scope they required.

The National Disability Insurance Scheme is Australia's once-in-a-lifetime opportunity to get things right. We still have a long way to go but I applaud the Federal Government's commitment to provide funding for the National Disability Insurance Scheme start-up. I also hope the Federal Government will step up and, following the Productivity Commission's recommendations, fund the scheme for the benefit of all Australians living with a disability. It should not be left to New South Wales to fund the lion's share of the National Disability Insurance Scheme, with demand growing for disability services by 9 per cent to 10 per cent each year.

In New South Wales the Liberals and The Nationals are already getting on with the job of personalising service delivery. We know that we have to be ready to go when the National Disability Insurance Scheme is introduced. This is why we are starting to reform the disability sector and improve delivery to anyone with a disability, and their carers. Led by our Minister for Ageing, and Minister for Disability Services, the Hon. Andrew Constance, this Government is committed to empowering people with a disability. The Government will allow them to pick and choose the services they want, rather than being dictated to about what services they can have and from whom they can have them. That is just a basic human right. When I was working at TAD Disability Services we were always being told that it was difficult to secure funding for disability equipment, particularly for things that were not deemed necessary or therapeutic.

Families were often asked to seek community fundraising to pay for equipment such as modified bikes that were seen as a non-essential but incredibly beneficial recreational item. That is just not right. Speaking of modified bikes, I congratulate Mitchell Olsen on achieving the milestone of riding 500 kilometres on his little modified bike. It is so beautiful to see him riding up to Bangor shops. He is really proud of his achievement, and I congratulate him on it. Each piece of equipment has a cost. Each therapist, specialist and respite program has a cost. Having a disability is not cheap. It is time the Commonwealth stepped in to support these Australians and commit to funding this scheme. I am hopeful because I believe the National Disability Insurance Scheme will be the first step to giving some of our nation's most vulnerable people the support and care they deserve.

**Mr MARK COURE** (Oatley) [7.13 p.m.], in reply: I acknowledge the contributions of the member for Auburn and the member for Menai and her involvement in the disability sector over a long period. The New South Wales Government strongly supports the National Disability Insurance Scheme. As I mentioned, people with a disability deserve the best opportunity to stay in their homes, participate in economic and social life in their community and have certainty about their future. The O'Farrell Government's vision for a future disability services scheme puts people with a disability, their families and their carers at the centre of directing the support and services they need for full participation in the community. The Minister for Aging, and Minister for Disability Services is in the Chamber and I acknowledge the hard work he has done in a little over 12 months in his role. The proposed National Disability Insurance Scheme aims to provide a lifetime approach to care and support for people with a disability, giving people confidence that they will be appropriately supported as their needs change.

During the past 12 months as the member for Oatley I have met many people from all walks of life. Members of the St George Disability Centre, who meet regularly at Narwee and in other parts of the St George and Sutherland shire, see this as a massive step forward. I am passionate about this initiative and want to see it through. We need to put politics aside to ensure that it is delivered. As I said, this issue is above politics. It is about human rights and the right of every person with a disability to live the life they choose. It is about people with disabilities living their life their way and exercising what most of us take for granted: the right to choose what services or support they need and, most importantly, how they want to live. People with a disability and their families and carers have waited far too long. It is time for the Commonwealth to deliver.

Through my involvement with the Pole Depot, St George Disability Services and other organisations in my electorate I see firsthand what carers—many of whom are aging—are going through. From time to time I see many of the clients of these services. We all need to work together on this; it is now or never. It will change the way in which people with a disability, their families and their carers are supported in New South Wales and across Australia. It will replace the current State and Territory disability services because at the moment they are working in some States but not in others. I support the scheme and I commend it to the Parliament.

**Discussion concluded.**

#### **PRIVATE MEMBERS' STATEMENTS**

##### **SPRINGWOOD TOASTMASTERS CLUB THIRTIETH ANNIVERSARY**

**Mrs ROZA SAGE** (Blue Mountains) [7.16 p.m.]: On Saturday 28 April the Springwood Toastmasters Club, along with past members and partners, celebrated 30 years since it was granted its charter. The celebration

was held at the Springwood Country Club, one of the past meeting venues. On Monday 19 October 1981 a group of people gathered to witness a demonstration of a Toastmasters meeting. On that night the people who had gathered formed and passed a motion to establish a new club at Springwood, with the support of Nepean Valley Toastmaster Club. The club has gone from strength to strength since those early years, with many well-known local community leaders having passed through its ranks.

On that night, many charter members were present, including some who went on to plan other clubs. The call to order was given by the charter sergeant-at-arms, Gary Melton. The master of ceremonies was Gordon Pendlebury, who is the longest-serving member still in the Springwood club. As would be expected at an ordinary Toastmasters meeting, the evening was well organised, with current President Jo Glazebrook welcoming guests. With her knees knocking, the toast was given by one of the newest members of Springwood club, Lynn Magree, who confessed that she was very nervous standing before such an audience. The very reason she had joined Toastmasters was to overcome such fear. In the Toastmasters fashion, Lynn was encouraged and applauded for her courage and effort. Toastmasters is about fostering effective public speaking and promoting leadership skills in an encouraging, supportive and non-threatening environment.

Even such a well-organised meeting can have some glitches. When dinner was not quite ready to be served the guest speaker, Tom Ware, a master storyteller, stood up and gave an impromptu speech. After dinner the magnificent anniversary cake was cut by the current President, Jo Glazebrook, the Charter President, Roy Bowyer, and District 70 Governor, Kaylene Ledger. We were again regaled by Tom Ware with a spellbinding tale of the *Station Master's Bell*, a story about a train station bell, an army cook and the Kakoda Track. Further entertainment followed, with Greg North, a longstanding member of Springwood Toastmasters and a champion Australian bush poet, giving his rendition of a multicultural *Man From Snowy River*, along with several of his own poetic creations. Needless to say, he is a first-class entertainer and had everyone in the room in stitches. He is a terrific performer and an exemplary ambassador for Toastmasters.

To the delight of the audience, the two longest-serving members of Springwood Toastmasters, Frank Higgins and Gordon Pendlebury, presented the club with a perpetual trophy to recognise the presidents of the club—and it has plenty of room for the names of future presidents. Frank was also responsible for compiling and editing an exceptional anniversary booklet outlining the history of the club and including messages from past and present members and snippets about the club. That was no mean feat, given the large number of people he had to canvass. It was a wonderful, entertaining evening and I acknowledge the organising committee and executive for their hard work and organisational skills. They include Jo Glazebrook, Kathie Hill, Fiona Hellan, Bronwen Roy, Callum Roy, Margaret Sibbald, Frank Higgins, Brad Hunt, Dele Riley, Carmel Higgins, Gordon Pendlebury and Tony Killelea.

The commitment of local people demonstrates the club's strong connection with the local community. The fact that it has now outgrown its premises is strong testament to the high regard in which Springwood Toastmasters Club is held within the community. A search now will be undertaken to find much larger premises to accommodate all the new members. I congratulate the club and look forward to many more anniversary celebrations and to hearing its wonderful members demonstrate their public speaking skills.

### **ARCADIANS THEATRE GROUP**

**Mr RYAN PARK** (Keira) [7.22 p.m.]: I draw the attention of the House to the Arcadians Theatre Group, which has its premises near my office in Corrimal in the heart of my electorate. I thank Paul Greer for submitting an application for funding under the Community Building Partnership Program. I was fortunate as the local member to be allocated \$400,000 from that program to distribute to my community. I am concerned about rumours that it is about to be scrapped, but I am sure that Government backbench members will rally to ensure that that does not happen. A theatre group was formed in 1964 in Wollongong and as its membership and enthusiasm grew, its members decided that it needed a formal name. Founding member Dallas Blake suggested that the name include a reference to "Arcadia", which means a place of happiness—and the group has certainly created that. While making presentations to the 23 community groups that were awarded funds under the Community Building Partnership Program, I enjoyed a brilliant performance by the Arcadians Lamplighters Male Choir.

The Arcadians Theatre Group has created a very special place where its members have staged a wide range of musicals involving adults and children. It has been the launching pad for some famous Australian performers, including Anthony Warlow, one of Australia's most recognised performers, who was a member as a

young man. The group not only encourages performers to hone their skills but also invites members of the community to enjoy amateur theatre, often for the first time, and tickets are not expensive despite the fact that the performers provide fabulous entertainment. It gave me great pleasure to help the Arcadians Theatre Group secure \$30,000 in funding from the Community Building Partnership Program, which was established by the Labor Government and has been continued by the Coalition Government. I hope that the rumours about its axing are incorrect. I am sure they are because the program is achieving great things. The group will use the funds it has received to repair the roof of its premises to ensure that this vital community and cultural art space is not only maintained but also enhanced.

I particularly thank Paul Greer for his enthusiastic approach to the performing arts in my electorate. He is to be admired. We in the Illawarra are extremely parochial about sport and at times we neglect our cultural groups. I am a proud supporter of the Arcadians Theatre Group and commend the work that its members do in our local community. The membership includes men and women from a wide range of backgrounds who have a passion for, and an interest in, ensuring that performing arts are accessible to as many people as possible. I pay tribute to Paul, his team of volunteers and to the cast and crew who freely give their time to ensure that we in the Illawarra have access to not simply good but great performances. I am pleased to support the Arcadians Theatre Group and I look forward to attending as many of its great performances as I can.

### CLARKE ROAD SCHOOL

**Mr MATT KEAN** (Hornsby) [7.27 p.m.]: On 23 March I celebrated World Down Syndrome Day at Clarke Road School in Hornsby. While I was there I met staff and students and gained a comprehensive understanding of the issues and challenges facing students with intellectual disabilities. Too often we see these students as disabled, but the reality is that they are people living with a disability. That is an important point to make. Thanks to the strong leadership and vision of the Principal, Diane Robertson, the assistant principal, Debbie Howell, and the school's dedicated teachers, Clarke Road School has become an educational role model for special schools across the State. Each student is gifted and the staff harness the student's potential for the betterment of their wellbeing and development. Despite the students facing countless challenges in their lives, they treat each day as a blessing and warm the hearts of those they meet. I was lucky enough to meet these wonderful, loving children who are enjoying the same opportunities that we enjoyed when we attended school because of the fantastic efforts of those working in special schools.

Having a disability does not preclude an individual from gaining employment, participating in recreational activities or living independently, and it is great that our education system recognises that fact. The students do not view such challenges as threats; they view them as opportunities. The students at Clarke Road School do not seek to move mountains or to change the world; they simply want the same rights to which every other citizen in this country is entitled. For most students, buying a train ticket or walking to school is a common daily occurrence. However, for a student with an intellectual disability, the impact of gaining such life skills can be life-changing and empowering. However, unless special schools are provided with adequate funding and the independence to manage their school learning support officer budget, these opportunities will not be realised. School learning support officers assist students with special needs by providing them with social development, life skills development and independent living skills. The current system is too centralised and fails to consider schools' differing requirements and demands.

I believe the New South Wales Government has a duty to protect and promote the interests of our society's most vulnerable individuals. I applaud Minister Piccoli for his commitment to the Local Schools, Local Decisions policy. That policy recognises the benefits of decentralising the education system and giving decision-making authority to those who have a detailed knowledge of students and their needs. I take this opportunity to call on my Government to reform the current system to ensure that funding for school learning support officers is decentralised and individualised so that special schools can train their staff, many of whom are school learning support officers, according to their student's needs and demands. By doing so, special schools will be able to target the goals and aspirations of their students to ensure that their dreams become reality.

I was honoured to visit the Clarke Road Special School and privileged to witness the wonderful work of so many dedicated and talented teachers and support staff, who ensure that those attending the school are not regarded as disabled people but, rather, as people who are living with a disability. The staff provide the school's cohort with opportunities that, for example, members of this House and members of the wider community may otherwise take for granted. As a society and as a government, we should be judged by how we care for those

who most need care. Students with disabilities are certainly in the category of people who need most support and who should be empowered by having opportunities that also are afforded to able-bodied people and people who do not live with a disability. I am delighted to draw this matter to the attention of the House. I call for our Government to continue with its good work of supporting students who have a disability. I ask the Government to consider my call for funding for school learning support officers to be decentralised and individualised.

### **CABRAMATTA ELECTORATE ANZAC DAY SERVICES**

**Mr NICK LALICH** (Cabramatta) [7.30 p.m.]: I inform the House of a special and solemn occasion I had the honour of attending on 25 April, 2012, Anzac Day. Anzac Day is an important day for this nation and in our country's history. It is the day we recognise the men and women who gave their lives so that we could live in a free and just society. This year, at 5.30 a.m., my local community gathered at the Cabra-Vale Diggers cenotaph. Wreaths were laid by Federal, State and local representatives to honour the sacrifice of so many. This year's wreath-laying ceremony began 15 minutes earlier than in previous years, due to far more community groups attending this year than had attended in previous years, so the organising committee of the club in its wisdom began the wreath-laying ceremony 15 minutes earlier. Even at that early hour, it was great to see so many local community groups representing all nationalities of my multicultural electorate.

I especially mention that this year student representatives of local primary and high schools attended and laid wreaths on behalf of their classmates and their school. I believe that in the past few years the younger generation has started to appreciate in greater numbers the great sacrifice that was made for them by the serving men and women of our armed forces during all our military campaigns. Without the support of our younger generations, it was feared that the Anzac tradition may eventually die, but after seeing the Anzac spirit of the young students I am certain that this great tradition will continue far into the future. After the wreath-laying ceremony, the official party marched to the war memorial where a commemorative ceremony was conducted by Mr Stan Martin, who is President of the Cabra-Vale Diggers Club. I congratulate and thank Mr Stan Martin and the Cabra-Vale Diggers board of directors on their longstanding commitment to remembering our fallen—not only on Anzac Day but all of our Remembrance Days.

At the completion of the ceremony at Cabra-Vale Diggers, at 6.45 a.m., I attended at 7.00 a.m. Anzac Day Service at the Canley Heights RSL cenotaph. The procession was followed by the service and laying of wreaths. Once again the service was very well attended by approximately 600 people from the local community who commemorated the Anzac spirit. There was again a large contingent of school children present at the ceremony who represented their individual schools. I pay tribute to Mr Richard "Taffy" Pritchard and his team for their continued community spirit and preservation of the Anzac tradition. Both Cabra-Vale Diggers and the Canley Heights RSL are great community contributors in my electorate of Cabramatta. Apart from providing affordable entertainment for local residents, they show their commitment to the community by their generous sponsorships and funding of community organisations and sporting groups throughout the area.

Less than two weeks ago that commitment was again displayed at the Fairfield-Cabramatta Police and Citizens Youth Club's Time 4 Kids event. Both the Cabra-Vale Diggers club and the Canley Heights RSL donated generously in "bailing me out" of the makeshift prison cell at the Freedom Plaza. This year the event raised approximately \$17,000. I express my sincere appreciation to local businesses and clubs for their generosity and support for local youth. I am sure other members of the House participated in similar activities to support the police and community youth clubs in their electorates. Anzac Day is a day of cultural and historical significance for all Australians. The brave sacrifice of so many has allowed future generations to live their lives in security and comfort. The spirit of the Anzacs will never be forgotten, nor will their sacrifice be ignored. Lest we forget.

### **GLEN WILLOW SPORTING COMPLEX**

**Mr ANDREW GEE** (Orange) [7.34 p.m.]: I congratulate the people of Mudgee on the opening of the new Glen Willow sporting complex and on their outstanding hosting of the City versus Country rugby league clash on Sunday 22 April. The Glen Willow complex has been many years in the making. The official opening was delayed for a year as a result of devastating floods that hit Mudgee on 1 December 2010 and the floods added hundreds of thousands of dollars to the cost of the complex. I commend the foresight of the Mudgee shire councillors of the 1980s who acquired the land at Glen Willow and earmarked it for a future sporting complex. The late Arthur Brackenrig was one of the councillors at that time, but the only remaining serving councillor of the Mid-Western Regional Council from that period is Councillor James Thompson, who was present at the opening ceremony.

For many years the complex had just two soccer fields and a synthetic cricket pitch, and was poorly floodlit. It was not until 2005 that Glen Willow was further developed with the construction of two more soccer fields and upgrading of the facility provided new floodlights. This development followed a local media campaign for upgraded sporting facilities after torrential rain resulted in the Mid-Western Regional Council closing sporting facilities and our local rugby union team, the Wombats, having to forfeit a home game. In 2008 the Mid-Western Regional Council's general manager, Warwick Bennett, submitted his first report to the council to build the facility. The project became a reality when the Federal Government announced funding of \$4.84 million. Local sporting bodies for touch football and soccer chipped in \$15,000 each while the Mudgee Netball Association contributed \$30,000 towards the project in what was a strong show of support in recognising the need for the complex.

The New South Wales Government provided \$180,000 towards the \$13.1 million project while the Mid-Western Regional Council provided the balance of funding of \$7.48 million. The project was supported by elected councillors, including the mayor, Des Kennedy. It was expertly overseen by the Mid-Western Regional Council operations manager, Brad Cam, who had the project running towards a March 2011 opening when the floods raced through the complex and undid the preparation work on the playing surface, which resulted in a 12-month delay in completion of the project. Some 8,621 rugby league fans, including many greats of the game, flocked to Mudgee in what was arguably the largest sporting crowd that the town had ever seen. Locals were able to rub shoulders with the players from both City and Country teams in the days leading up to the game, and many youngsters were able to talk to the players and grab much-sought-after autographs.

Among the former great players in attendance were Peter Sterling, Ricky Stuart, Andrew Johns and "The Falcon" Mario Fenech, who appropriately wore his R. M. Williams boots to the country. Their presence certainly added to the occasion. Organisation of the opening ceremony and the main game was a credit to Alayna Shakleton from the Mid-Western Regional Council. The day proceeded like clockwork. Mudgee is one of those great communities where people get involved in making big occasions a success, and this one was no exception. From the minute visitors came into town, Volunteer Rescue Association members were on traffic control duty to ensure that traffic flow to and from the ground was as smooth as possible.

Volunteers such as Errol Grieve, Geoff Hawes and Colleen Holland gave up their Sunday, and the game, to ensure all ran smoothly. Members of the State Emergency Service also assisted very noticeably in their orange overalls. And proving that Mudgee expatriates always come back and help when there is a big event, Anthony Lang and his sister, Rebecca came home and gave their time to assist in the VIP marquee. No doubt they had been conscripted by their father, Roger, who is President of the Mudgee Dragons Rugby League Club, and their mother, Cathy, both of whom have been legends in local sport. Players and supporters of the Dragons were at the ground in various roles, and their barbecue hit the spot for lunch for many, including me.

Mudgee's favourite son, the Channel Nine sports anchorman, Ken Sutcliffe, who is referred to reverentially by those in the city as "the male model from Mudgee"—sorry, Ken: I won't mention it again—televised his Sunday sports show directly to a live television audience from the new complex, and then expertly performed the role of emcee for the proceedings. Ken is always ready to assist and promote his town whenever he is needed, and I acknowledge his efforts in making the City versus Country match such a success. His passion for Mudgee and its surrounding districts knows no bounds. Thank you, Ken. Despite Wellington's Blake Ferguson bagging two tries for Country, it was City that emerged victorious by just two points.

**Mr Troy Grant:** Boo!

**Mr ANDREW GEE:** Indeed. However, the week was Mudgee's time to shine, and it did so brilliantly. Take a bow Mudgee—your warm country hospitality and unbridled enthusiasm will long be remembered.

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [7.39 p.m.]: I thank the member for Orange for bringing the Glen Willow Regional Sporting Complex and the success of the recent City versus Country game to the attention of the House. As a regional member, I join with him in recognising the wonderful work that the volunteers to whom he has referred contribute to these events to make them a success. They are members of a terrific community adjoining Mudgee. I often travel through the area and see what a spectacular place it is. They are in great hands because the member for Orange represents and supports them.

I offer the Government's thanks to Jock Colley, one of my constituents from Country Rugby League who was instrumental in organising the event. I also join with the member for Orange in recognising the efforts

of the various sporting groups: the touch football, football, soccer and netball clubs. My son is a participant in sport at the Glen Willow Regional Sporting Complex, so I can speak from personal experience about what a fabulous regional facility it is. I congratulate the entire Mudgee community and thank the member for Orange for his ongoing support of that wonderful community.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.40 p.m. until  
Wednesday 2 May 2012 at 10.00 a.m.**

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