

# LEGISLATIVE ASSEMBLY

Thursday 16 August 2012

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

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

## TOBACCO LEGISLATION AMENDMENT BILL 2012

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

### BUSINESS OF THE HOUSE

#### Notices of Motions

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

### NSW JOBS COMMISSION BILL 2012

**Bill introduced on motion by Mr John Robertson, read a first time and printed.**

#### Second Reading

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [10.03 a.m.]: I move:

That this bill be now read a second time.

I introduce this bill to create a NSW Jobs Commission for one simple reason. The number one job of a Premier must be jobs. The Premier made a lot of promises at the last election, but two of these promises were absolutely fundamental. The first was his promise to make New South Wales number one again. The second, on the Sunday before the election in big flashing headlines, was Barry O'Farrell's promise to create 100,000 jobs in his first term. The people of New South Wales were led to believe that it was clear what they could expect from an O'Farrell Government. But in case there was any doubt the Premier put it to rest on 14 June 2011 when he said:

We are determined to not only end the slump but create an extra 100,000 jobs for people across the State.

By September the plan had become even more ambitious. On 4 September 2011 the *Sun-Herald* stated:

Barry O'Farrell will promise to create half a million jobs over the next decade, using his Government's landmark first budget to launch a plan to reignite the New South Wales economy.

We are now nearly 18 months into the O'Farrell Government. It is the Government's responsibility to guide and grow the economy and create a thriving environment for job creation in our State. But the trend lines are ominous. Last week the number of people unemployed in New South Wales increased for the fourth consecutive month. In July another 2,256 people joined that list. Let us step back. After 18 months as Premier how many jobs has he created? Has he created his promised 100,000, 50,000 or 25,000 jobs? Are there any takers for 10,000 jobs? The reality is so bleak, so far removed from the Coalition's extravagant promises, that it should shock to the bone every member of this place. Today there are 5,861 fewer jobs in New South Wales than when the Premier took office.

The Premier promised to create 100,000 jobs in his first term and he is yet to create a single one. He has taken the State backwards and today he should be hiding in embarrassment. Under the O'Farrell Government a \$1.3 billion budget surplus has been turned into a string of deficits as far as the eye can see: worst of all, a string of deficits with not a single new job to show for it. In the March quarter the New South Wales economy contracted by 0.3 per cent even as the economy grew nationwide by 1.8 per cent.

**The SPEAKER:** Order! The Leader of the Opposition will be heard in silence.

**Mr JOHN ROBERTSON:** New South Wales housing construction starts in the March quarter are the lowest since we started keeping records. Treasury is forecasting that unemployment will rise further, to 5.5 per cent this financial year. Make no mistake: This is a Premier whose lazy stewardship is tanking the New South Wales economy. After 16 years in opposition he is out of inspiration after just 16 months in office. He is failing at the number one job of a Premier: to create jobs for the people of our State. Today the Labor Opposition offers the Premier some help with its proposal for an independent Jobs Commission for New South Wales.

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

**Mr JOHN ROBERTSON:** The State economy is ailing—and an independent Jobs Commission is the game-changer that our State needs. Labor knows how to create jobs. We have credibility on this subject. The Labor Government created 100,000 jobs in our final year in office. And now today, from opposition, we are leading the debate again with a plan to drive jobs growth across the State. We want to match people's skills to new job opportunities in the marketplace and provide a helping hand to the regions and industries hit hard by mass layoffs. Under the bill I present today the NSW Jobs Commission would consist of the State's best and brightest economic minds. It would be led by a commission and no more than five other people appointed by the Premier: people with experience in areas such as business, agriculture, manufacturing, trade and investment, and research and development. Part of the current problem is that this State is led by a Premier who has no understanding of how the economy works. Outside of being a Liberal Party staffer, he has never had a real job. That is why the Premier is all at sea and in need of some help.

The NSW Jobs Commission would provide elite advice to government on how to create jobs. The Premier does not have a clue how to create jobs; this bill will provide him with the help he needs. The advice of the commission would be central to economic policy-making. The commission's role would be to systematically conduct inquiries into communities and industries that have been affected by job losses—the downsizing of a factory plant, the closure of a jail or the shutting down of a mine—and it would make recommendations to the Government as to how economic opportunities in struggling areas of New South Wales can be enhanced. The commission would identify skills shortages in industry sectors and regional communities and it would evaluate regional development funding initiatives. It would undertake regional impact studies, and it would be required to prepare an annual report for tabling in Parliament.

Let there be no doubt, the proposal for a NSW Jobs Commission is an idea whose time has come. Right now this country issues visas to locksmiths, panel beaters, surveyors and civil engineers from overseas when we could be growing these capacities in New South Wales and matching people's skills to the right location, right here. Why recruit a mining engineer from Germany when we could train one up in Muswellbrook? Why import a welder from Dubai when we could reskill one in Wyong? It is very easy to promise to create 100,000 jobs but you do not get there by magic; you get there by carefully considered policies. It requires a Premier with the will to get in there and have a go. The problem with the O'Farrell Government is that every signal it sends out is hostile to confidence and hostile to jobs. The Government has crashed public infrastructure spending by \$1.5 billion—an investment level that would have supported 15,000 jobs in New South Wales.

The Premier is slashing right across the public sector: 15,000 jobs; 300 firefighters and 300 police; 3,600 jobs going up in smoke in our hospital system; 2,400 set to be axed in schools and TAFE colleges; and 900 jobs gone in the community services sector—hospital cleaners, classroom aides, child protection workers and train station staff all told their positions are gone. In the lead-up to the budget leading economists were telling the Premier that slashing jobs would be bad for the State economy. Chris Richardson, chief economist at Deloitte Access Economics, warned against a sack-and-burn budget. AMP chief economist Shane Oliver said:

The danger is that it comes at a time when lots of private companies are cutting back as well. It adds to an air of negative sentiment.

The Government did not listen. The Premier has not just cut 15,000 jobs across front-line services, he has not just wound back the State's infrastructure spends and contributed to falling business confidence and retail turnover; he has done absolutely nothing while thousands of positions have been lost in construction, manufacturing, finance and other sectors. Let us look at the list: Norsk Hydro at Kurri Kurri, 150 jobs gone; Rio Tinto at Tomago, 150 jobs gone; Kell and Rigby, 470 jobs gone, including 400 contractors; HeyDay, Hastie Subsidiary, 600 jobs gone; Suncorp, 33 jobs gone; Reckitt Benckiser, 190 jobs gone; Bonds, 106 jobs gone; Caltex oil refinery, 630 jobs gone; and, most recently, Darrell Lea, 102 jobs gone. All those jobs have been lost on this Premier's watch.

The Premier should be sending a message to investors in the world that New South Wales is open for business. Instead, companies are being forced to shut up shop on his watch. There was a time when Premiers acted as energetic champions for their States. Premiers such as Bob Carr would walk over hot coals to stop jobs moving interstate or overseas. He would be scheduling crisis meetings and calling in chief executive officers. Yet this Premier has not lifted a finger. Last month, as hundreds of workers at Kurnell were being told their time was up, was Barry O'Farrell out there at the refinery with his sleeves rolled up? No, he was playing spin the bottle with Jackie O on a breakfast radio show—a performance that disgraced the office of Premier of New South Wales.

**The SPEAKER:** Order! The member for Keira and the member for Kiama will come to order. The Leader of the Opposition has the call. I remind Opposition members that they should remain silent whilst their leader is speaking.

**Mr JOHN ROBERTSON:** This Premier has time to suck up to a shock jock and his glamorous co-host but no time to meet with laid-off workers at the Kurnell refinery or talk to them about ways the Government could help get them back on their feet. As Premier, my values and approach will be different. I have looked into the faces of the unemployed. I have seen the hurt. I have felt the worry they feel about how they are going to put food on the table and support their family. Barry O'Farrell has let the people of New South Wales down. He has broken his promise to create 100,000 new jobs; instead, he is sending the State broke without creating a single new job. He is in desperate need of help and fresh ideas. Labor has already announced it would scrap the Government's \$188 million Regional Relocation Grant Scheme and divert the money to a regional jobs plan. Today I propose the next step in our plan: spread jobs growth across New South Wales. The Premier may be struggling and need the best advice to achieve that outcome so he should support our plan for a NSW Jobs Commission. The number one job of a Premier must be jobs.

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

#### **INTERPRETATION AMENDMENT (INTERNATIONAL HUMAN RIGHTS OBLIGATIONS) BILL 2012**

**Bill introduced on motion by Mr Paul Lynch, read a first time and printed.**

#### **Second Reading**

**Mr PAUL LYNCH** (Liverpool) [10.17 a.m.]: I move:

That this bill be now read a second time.

The object of the Interpretation Amendment (International Human Rights Obligations) Bill 2012 is to provide an amendment to the Interpretation Act to insert a provision that in the interpretation of part of an Act, statutory rule or other instrument consideration may, in some circumstances, be given to Australia's obligations under international human rights conventions and covenants to which Australia is already a party. The covenants and conventions as spelt out in the bill are: the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of Persons with Disabilities; the Convention on the Rights of the Child; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the International Convention on the Elimination of All Forms of Racial Discrimination. Some would call this a human rights interpretation model. It is that, but in many ways it is really a continuation of the common law tradition. The only difference here is that there is a democratic direction from the Parliament to inform that common law tradition.

The context of this bill lies in the decision of the High Court of Australia in *Coco v The Queen* (1994) 174 CLR 227. The decision in that case is settled law and quite clear. Some argue persuasively that the principle existed well before that case. That case means that legislation is interpreted by the courts on the presumption that Parliament does not intend to abrogate what the court terms "fundamental rights". Such a presumption can be rebutted by clear legislative intent—that is, the Parliament can do whatever it likes and breach whatever principles it likes if it is clear enough in legislation, although not, of course, in relation to constitutionally

entrenched obligations. However, if the legislation does not clearly abrogate fundamental rights then in cases where there is lack of clarity in legislation the courts will assume that it is not intended to infringe fundamental rights. That much is clear. What is very much less clear is what those fundamental rights actually are. We do not have a bill of rights in this jurisdiction so there is no parliamentary or democratic direction to the courts as to what those rights should be. In practice, that means that those fundamental rights currently being used by the courts will be identified by the courts on a completely ad hoc basis, depending upon the exigencies of litigation between contending parties.

That is inevitably the result of the common law tradition of our legal system. I am much less troubled by the common law tradition than I suspect many other members in this Chamber are, but there are some issues arising out of it. A useful listing of some of the rights that have been identified in various courts in various jurisdictions is provided by James Spigelman, the previous Chief Justice of the Supreme Court of New South Wales, in his work *Statutory Interpretation and Human Rights*. I note that there is a list on pages 27, 28 and 29, and I am happy to refer members who are interested in the topic to that publication. However, relying purely upon the traditions of the common law to identify those fundamental rights seems to be problematic. First, as Spigelman notes, many of the rights that have been identified in the common law tradition overlap with but are not identical to the list of rights specified in human rights conventions that have been adopted by Australia.

Second, it must increase the likelihood of uncertain results. If the rights concerned are not identified until a particular piece of litigation is concluded, without people knowing precisely what it is before that, there is an obvious issue about uncertainty. Third, as a matter of principle, it seems much more appropriate for rights to be nominated by the Parliament as fundamental rights. In a democratic society it should not be left to unelected bodies to specify what are fundamental rights in our society; that is a role that our Parliament should be fulfilling. Fourth—I think this flows from the third point—the fundamental rights thrown up by the vagaries and exigencies of litigation with detours to appellate jurisdictions will be more likely to be matters associated with property than people.

Almost everyone who looks seriously at our legal system acknowledges the very real issues about accessibility to justice. It is statistically much more likely that the rights of the wealthy will spark court cases than will the rights of those who are not wealthy. *Coco v The Queen* itself was on appeal from the Court of Appeal in Queensland and concerned listening devices gathering evidence used in criminal prosecution. The fundamental right, however, was not a right to privacy, a right not to be bugged, but the right of a person in possession or entitled to possession of premises to exclude others from those premises. That "fundamental common law right" was a property right. Granted the historical development of the common law, that is hardly a surprise. It will more likely find property rights than any other sort of right. That is no surprise. But I think it emphasises the need for democratic directions from Parliament as to what those fundamental rights should be rather than leaving it to the courts to discover them as they proceed with litigation.

The solution is contained in this bill, which identifies as fundamental rights those things to which Australia is explicitly and legally committed. Of course, international law can already influence Australian law. It can be specifically incorporated into our domestic law. As recently as yesterday the Attorney General second read the Succession Amendment (International Wills) Bill 2012, which is an explicit inclusion of international law in our domestic legal system. Section 34 of the Interpretation Act—the principal Act in this debate—already allows the use of international treaties or agreements in interpreting legislation that refers specifically to them. As both the National Human Rights Consultation Committee and Sir Gerald Brennan have acknowledged, courts can already take international human rights law into account when interpreting legislation, although that occurs in a quite ad hoc and unstructured way.

In an analogous sense, the identification of specific objects and principles is important in assisting with interpretations. That is why in more recent years all new legislation has included an objects clause, which traditionally had not been there previously. It is a way of trying to assist with interpretation. That is an analogous point to the argument I am making here. For example, the Electoral Commissioner has argued the need for a redrafted electoral law, including the provision of an objects clause. In a recent submission he said:

A well-drafted objects clause may be more balanced and certainly more explicit and hence procedurally democratic than common law intuition.

As I said, that is an analogous argument to the one I am putting here. I note a number of particular aspects of the legislation. The legislation provides for courts to have regard to those instruments when there is a lack of clarity in the legislation and when it is appropriate to do so. That is, it elects the discretionary course rather than the mandatory course. It is not mandatory for courts to have regard to such instruments in every case of uncertainty

in legislation but only when the court regards it as appropriate. In a sense, that becomes a codification of the common law, albeit in a much more structured and democratic way. The instruments to which reference is made are only Australian-adopted human rights obligations.

There is a debate among those who are interested in these topics as to whether this should extend beyond that category of instruments and include, for example, international law principles. I have elected not to do that in this bill because, frankly, that would increase rather than decrease the level of uncertainty. The bill, in my intent, is to reduce uncertainty, not to increase it. I have also restricted it to the clear specific documents that have already been accepted by this country rather than ones that may be accepted in the future. The bill does that by itemising the specific conventions. If other conventions are adopted in the future they can be added by other specific legislation. There is no automatic inclusion of other obligations. That is done on the basis that the Parliament should know precisely what provisions it is enshrining in legislation.

A contrast can be made between what the critics of the Charter of Rights model said that that mechanism did and what is being done here. The critics of the Charter of Rights said that far too much discretion was given to judges to decide what the law would or would not be. Whether or not that criticism is fair, this bill provides exactly the opposite course—that is, it provides parliamentary direction to judges as to how to exercise their discretion. That is exactly the opposite of the criticism made of the Charter of Rights. It is about setting rules for courts rather than letting courts just rely upon their intuition. The bill commenced with a discussion paper that I released last year. I thank those organisations and individuals that contributed to that process and made submissions on the paper. A number of groups and organisations have been very supportive of the concept enshrined in this bill. The President of the Law Society, Justin Dowd, relayed to me the views of the society's Human Rights Committee. He wrote:

The Committee congratulates you on your proposal to amend the Interpretation Act 1987 to require courts to construe legislation in a manner that is consistent with human rights obligations, and strongly encourages you to introduce a private member's bill in this regard. The Committee supports the enactment of a human rights Act in New South Wales, but notes that if passed, this amendment would represent a significant advancement in the protection and promotion of human rights in NSW.

The letter from the President of the Law Society also noted that State Parliament should observe international law. The country as a whole is bound by obligations we undertake. I quote:

Enacting legislation such as that which you suggest would see Australia moving towards complying with its international obligations.

Likewise, the Gilbert and Tobin Centre of Public Law wrote as follows:

We welcome the proposal to amend the Interpretation Act 1987 (NSW) to require courts to construe legislation in a manner that is consistent with human rights obligations, insofar as it is possible to do so consistently with Parliament's purpose in enacting the legislation.

Part of the submission also stated:

The proposed amendment is effectively a codification of the common law rule that unless Parliament makes unmistakably clear its intention to abrogate a fundamental right, freedom or immunity, the courts will not construe a statute as having that operation. Many of the fundamental rights recognised at common law overlap with rights which are specified in international human rights instruments, and indeed, such international instruments may influence the articulation of new rights recognised at common law. The amendment to the Interpretation Act will enable the NSW Parliament to clarify which rights constitute a legitimate point of reference for courts engaging in the task of statutory interpretation and to elucidate how such rights are to be taken into account.

The Australian Lawyers Alliance also provided support for this proposition. I quote:

It is acknowledged that courts are allowed and currently refer to international conventions of which Australia is signatory. However, the courts of NSW are restricted in their ability to apply these conventions when interpreting domestic legislation in circumstances where the Legislature has expressed no intention to acknowledge the fundamental rights referred to in the abovementioned instruments.

I acknowledge the valuable submissions made by, among others, the Redfern Legal Centre, the Hawkesbury Nepean Community Legal Centre and the Arts Law Centre of Australia. Apart from explicit support for this proposal, it is appropriate to note support for similar propositions. In 2010 the National Human Rights Consultation Committee, in recommendation 12, recommended a similar proposal. The recommendation states in part:

... as far as it is possible to do so consistently with the legislation's purpose, all Federal legislation is to be interpreted consistently with the interim list of rights ...

Earlier than that, consideration was given to these and related issues by the Standing Committee on Law and Justice of the other place in a 2001 report. That committee recommended that section 34 of the Interpretation Act be amended to confirm what it understood to be the common law position:

... that judges are able to consider international treaties and conventions, to which Australia is a party, when there is ambiguity in the NSW statute.

I understand that that recommendation was unanimously agreed to in a bipartisan committee. There is also support for this approach from the Public Interest Advocacy Centre. In its submission on the proposed amendments to the Commonwealth legislation, to which I have referred, it made this point:

This recommendation does not constitute a major departure from the established common law principle that the courts will interpret legislation on the rebuttable presumption that the legislation in question was not intended to infringe human rights.

It cited the case of *Coco v The Queen* and referred to a line of authority dating back to 1908. It also notes:

Amending the AI Act to include a human rights interpretation provision would allow Parliament to establish unambiguous parameters regarding the application of the interpretative principle.

Parliament, the Public Interest Advocacy Centre [PIAC] argued, had left to courts the decision whether to refer to rights with some longevity at common law, or to those recognised in international law and adopted by democratically elected governments. The Public Interest Advocacy Centre, I think acutely, noted:

Through inaction, Parliament seems tacitly to encourage the courts to develop their own principles of statutory interpretations.

This bill restores Parliament to its proper place in setting out a proper basis for the human rights interpretation of uncertain legislation instead of leaving it exclusively to an unelected judiciary. It does so by building on a common law tradition and codifying that tradition with the human rights interpretation. I commend the bill to the House.

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

## COMMUNITY RECOGNITION NOTICES

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

### QUILTER ANN VISMAN

Mr ANDREW GEE—That this House:

- (1) Congratulates quilter Ann Visman, of Orange, on being chosen as a finalist the 2012 Australian Patchwork and Quilting Challenge held in conjunction with the Australian Quilt Convention in Melbourne.
- (2) That Ann Visman has over 30 years experience as a quilter.
- (3) Notes that Ms Visman has shared her love of patchwork and quilting through teaching the art at TAFE.

### CENTRAL WESTERN GROUP COUNTRY WOMEN'S ASSOCIATION PUBLIC SPEAKING COMPETITION WINNER MICHAELA COLLINS

Mr ANDREW GEE—That this House:

- (1) Congratulates Michaela Collins, from James Sheahan Catholic High School, on her success in the Central Western Group Country Women's Association public speaking competition.
- (2) Notes that Michaela won the section for students in Years 11 and 12.
- (3) Notes the topic of Michaela's prepared four minute speech was "No Farm, No Food".

### GLOBAL EDUCATION PROJECT NSW INAUGURAL YOUTH INTERN ARANNI PAGE

Mr ANDREW GEE—That this House:

- (1) Congratulates Aranni Page, of Mudgee, a fourth year teaching student at Charles Sturt University on receiving an inaugural youth internship from the Global Education Project New South Wales and the Professional Teachers' Council New South Wales.
- (2) Notes that Ms Page's proposal focused on developing environmentally sustainable classrooms and schools.
- (3) Wishes Ms Page every success in her travels during the term of her internship.

**PRIMEX AGRICULTURAL EXPO**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Congratulates Director, Bruce Wright, for the successful Primex event held at Casino from 14 to 16 June 2012.
- (2) Recognises the contribution of his father, John Wright in turning his vision into a reality.
- (3) Congratulates the participants on making Primex the premier agricultural expo on the North Coast.
- (4) Recognises the contribution it makes to the local economy of Casino and surrounds.

**SURF LIFE SAVING FAR NORTH COAST AWARDS**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Congratulates the Evans Head-Casino Surf Life Saving Club for hosting the Surf Life Saving Far North Coast awards on 16 June 2012 at Evans Head.
- (2) Acknowledges in particular the efforts of the President Ben Redman, Secretary Wendy Roberts, Treasurer Avan Christie and Club Captain Jon Rigley.
- (3) Recognises the contribution that Surf Life Saving Far North Coast has made to saving lives on north coast beaches this year with 44,687 patrol hours and 477 rescues.
- (4) Congratulates Ballina Lighthouse and Lismore Surf Life Saving Club on being named Club of the Year as well as all other award recipients.

**ORDER OF AUSTRALIA MEDAL RECIPIENT ANTHONY WILLS**

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

- (1) Congratulates Warrant Officer Anthony Wills on being awarded a Medal of the Order of Australia as part of the Queen's Birthday Honours for his continued work with the Royal Australian Navy.
- (2) Acknowledges the continued efforts of Mr Wills, particularly his work on the Sea King helicopters.

**CONSPICUOUS SERVICE CROSS RECIPIENT LIEUTENANT COMMANDER CLIFFORD KYLE**

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

- (1) Congratulates Lieutenant Commander Clifford Kyle on being awarded the Conspicuous Service Cross as part of the Queen's Birthday Honours for his continued dedication to the Royal Australian Navy.
- (2) Acknowledges his involvement in achieving an increase in flying hours for Seahawk helicopters.

**ORDER OF AUSTRALIA MEDAL RECIPIENT WARRANT OFFICER DEBBIE BUTTERWORTH**

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

- (1) Congratulates Warrant Officer Debbie Butterworth on being awarded a Medal of the Order of Australia as part of the Queen's Birthday Honours for her continued work with the Royal Australian Navy.
- (2) Acknowledges Ms Butterworth's involvement in logistics management.

**CONSPICUOUS SERVICE CROSS RECIPIENT LIEUTENANT COMMANDER BARRY FORD**

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

- (1) Congratulates Lieutenant Commander Barry Ford on being awarded the Conspicuous Service Cross as part of the 2012 Queen's Birthday Honours for his continued dedication to the Royal Australian Navy.
- (2) Acknowledges Mr Ford's work in anti-ship missile defence.

**ORDER OF AUSTRALIA MEDAL RECIPIENT PROFESSOR PHIL CLINGAN**

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

- (1) Congratulates Professor Phil Clingan on being awarded a Medal of the Order of Australia as part of the 2012 Queen's Birthday Honours for his continued work in improving cancer treatment across the South Coast and Illawarra.
- (2) Acknowledges Professor Clingan's efforts in the treatment of bowel cancer and his dedication to improving the lives of cancer patients.

**ORDER OF AUSTRALIA MEDAL RECIPIENT AUNTY RUTH SIMS**

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

- (1) Congratulates Aunty Ruth Sims on being awarded a Member of the Order of Australia in the general division as part of the Queen's Birthday Honours for her continued work with local Aboriginal youth.
- (2) Acknowledges Aunty Ruth's dedication over three decades as an Aboriginal education officer supporting children and their families.

**ORDER OF AUSTRALIA MEDAL RECIPIENT RUTH RICHARDS**

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

- (1) Congratulates Ruth Richards on being awarded a Medal of the Order of Australia as part of the Queen's Birthday Honours for her service to the local Milton-Ulladulla community.
- (2) Acknowledges Mrs Richards' efforts in the local community over five decades including her involvement in the Milton CWA, Milton Tennis Club, Ulladulla Public School, Ulladulla High School, Ulladulla Swimming Club, Ulladulla Civic Centre, and Ulladulla and Districts Community Forum.

**ORDER OF AUSTRALIA MEDAL RECIPIENT PETER HUDSON**

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

- (1) Congratulates Mr Peter Hudson on being awarded a Medal of the Order of Australia as part of the Queen's Birthday Honours for his service to the South Coast environment.
- (2) Acknowledges Mr Hudson's efforts over two decades to protect the local environment including his work with the Bendalong and District Environment.

**SHOALHAVEN PROBUS CLUB TWENTY-FIFTH ANNIVERSARY**

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

- (1) Congratulates the Shoalhaven Ladies Probus Club on celebrating 25 years of service to the South Coast community.
- (2) Acknowledges the continued efforts of the Shoalhaven Ladies Probus Club in the local community, including the work of President Mrs Judy Riley, Secretary Mrs Anne Sippo and Treasurer Mrs Ruth Matthews.

**ORDER OF AUSTRALIA MEDAL RECIPIENT FRANCES MILNE**

**Mr JAMIE PARKER**—That this House:

- (1) Congratulates Ms Frances Milne, of Balmain, on receiving the award of a Member of the Order of Australia in the General Division, in the Queen's Birthday Honours 2012.
- (2) Notes that Ms Frances Milne convenes Balmain for Refugees and is the co-founder of the Bridge for Asylum Seekers Foundation.
- (3) Acknowledges the outstanding service of Ms Frances Milne to multicultural communities, as a contributor to human rights and social justice for refugees and asylum seekers, and to the Uniting Church of Australia.

**ORDER OF AUSTRALIA MEDAL RECIPIENT NEIL MACINDOE**

**Mr JAMIE PARKER**—That this House:

- (1) Congratulates Mr Neil Macindoe, of Glebe, on being awarded a Medal of the Order of Australia in the Queen's Birthday Honours 2012.
- (2) Notes that Mr Neil Macindoe is an honorary life member and currently the Planning Convenor of The Glebe Society, and was a councillor on Leichhardt Municipal Council from 1990-1999.
- (3) Acknowledges the outstanding service of Mr Neil Macindoe to the community, through the preservation of local heritage in the Glebe region, and to local government.

**ORDER OF AUSTRALIA MEDAL RECIPIENT BARBARA MURPHY**

**Mr JAMIE PARKER**—That this House:

- (1) Congratulates Ms Barbara Murphy, of Glebe, on being awarded a Medal of the Order of Australia in the Queen's Birthday Honours 2012.



- (2) Notes that Ms Barbara Murphy was a valued public school teacher, a long-time member and past Deputy President of the NSW Teachers Federation, as well as a State Representative on the Australian Teachers Federation and an Australian Representative on the International Labour Organisation.
- (3) Acknowledges the outstanding service of Ms Barbara Murphy to industrial relations, and to the education sector, through a range of representative roles.

#### **MY MACARTHUR SCHOOLS CHALLENGE WINNER APPIN PUBLIC SCHOOL**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates Appin Public School on winning the 2011 My Macarthur Schools Challenge.
- (2) Recognises the outstanding ability of all Appin Public School children involved in the challenge.
- (3) Wishes Appin Public School all the best for the 2012 My Macarthur Schools Challenge.

#### **AUSKICK REGIONAL GALA DAY**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates the Wollondilly Redbacks Junior Australian Football Club for organising the Regional Auskick Gala Day.
- (2) Acknowledges the efforts of Club President Dave Barrett in organising the event.
- (3) Thanks all volunteers involved in the Regional Auskick Gala Day.

#### **PARTNER HOUSING AUSTRALASIA**

**Mr JAI ROWELL**—That this House:

- (1) Congratulates Partner Housing fundraising committee member Cathy Warn on organising a benefit dinner for those who have applied for a new Tahmoor home.
- (2) Acknowledges Partner Housing Australia and all local community members who are involved in donating, raising money and building the new house in Tahmoor.
- (3) Notes that, once the house is built, Cathy Warn will be moving in after moving 20 times in 20 years.

#### **PUBLIC SERVICE MEDAL RECIPIENT LANI WATSON**

**Mr JAI ROWELL**—That this House:

- (1) Acknowledges Lani Watson, of Tahmoor, who has been described as a visionary leader for her work with local Aboriginal people.
- (2) Notes that Lani helped set up an Aboriginal traineeship program and was recognised in the Queen's Birthday Honours list with a Public Service Medal for the development of employment opportunities for Aboriginal and Torres Strait Islanders in South West Sydney.

#### **SEPHARDI SYNAGOGUE FIFTIETH ANNIVERSARY**

**Ms GABRIELLE UPTON**—That this House:

- (1) Notes that the Sephardi Synagogue and its community has celebrated its 50th anniversary.
- (2) Congratulates Rabbi Michael Chiqui, President Mr Benjamin Meyer, the congregation and the NSW Association of Sephardim on the occasion of the anniversary.
- (3) Commends the congregation of the Sephardi Synagogue for its broad range of pastoral activities and important communal work.

#### **DAILY EXAMINER PACIFIC HIGHWAY CAMPAIGN**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Congratulates The Daily Examiner for its "Fix the Pacific Highway - no excuses" campaign to complete the duplication of the Pacific Highway by 2016.
- (2) Acknowledges the passion and commitment of newly appointed Editor of The Daily Examiner, Jenna Cairney, who has been the driving force behind the campaign.
- (3) Recognises the importance of the duplication of the Pacific Highway on the North Coast as a road safety measure in saving lives.
- (4) Recognises that The Daily Examiner has been a long-time advocate for public safety on the Pacific Highway and should be congratulated for its bipartisan stance.

**TRIBUTE TO COUNCILLOR GARY POIDEVIN**

**Mr GREG APLIN**—That this House:

- (1) Congratulates Corowa Shire Councillor, Gary Poidevin, on being awarded the honorary title of "emeritus mayor" by the NSW Shires Association.
- (2) Recognises Councillor Poidevin's 32 years on Corowa Shire Council, including 13 years as mayor.
- (3) Wishes Councillor Poidevin all the best when he retires from local government in September 2012.

**AUSTRALIAN POLICE MEDAL RECIPIENT SUPERINTENDENT BETH STIRTON**

**Mr GREG APLIN**—That this House congratulates Superintendent Beth Stirton, of the Albury local area command, on being awarded an Australian Police Medal in the Queen's Birthday Honours 2012.

**SOLDIERS POINT MARINA**

**Mr CRAIG BAUMANN**—That this House:

- (1) Congratulates the Soldiers Point Marina for gaining International Environmental Accreditation Level 4 ISO 14001 Clean Marinas.
- (2) Notes that the clean marinas program was established by the Marina Industries Association of Australia with the objective of protecting coastal and in-land waterways.

**39TH AUSTRALIAN INFANTRY BATTALION ASSOCIATION LIFE MEMBER JOE DAWSON**

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

- (1) Congratulates Joe Dawson, of Forster, on being awarded life membership of the 39th Battalion Association for his services to the Association since the Battalion was first formed in 1942.
- (2) Notes that Joe was 19 years old when he joined the 39th Battalion and was sent to New Guinea to fight the Japanese forces and that only 34 of the original 600 soldiers survived.
- (3) Notes that Joe has also been an office bearer to various Legacy groups for over 48 years.

**TRIBUTE TO STANLEY RICHARDS**

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

- (1) Notes that Stanley Richards, of Mitchells Island, died on 15 May 2012 at the age of 99 years and 9 months and was laid to rest in the Mitchells Island cemetery.
- (2) Notes that Mr Richards was one of 9 children and lived his whole life on Mitchells Island and was a keen sportsman who played A grade tennis and rugby league.
- (3) Notes that Stanley was a foundation member of Manning Point Bowling Club and was vice-president from 1966 to 1972, and was awarded life membership.
- (4) Notes that Stanley married Violet in Taree in 1943 and they had two children, Winsome and Roslyn, who live in Old Bar.

**IVAN AND NORMA HOLDEN SIXTIETH WEDDING ANNIVERSARY**

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

- (1) Congratulates Ivan and Norma Holden, of Taree, on the celebration of their 60th wedding anniversary on 13 June 1952.
- (2) Notes that Ivan and Norma have lived in the Manning area for most of their lives, before settling in Taree.
- (3) Notes that Ivan and Norma have 10 children, 32 grandchildren and 30 great grandchildren and celebrated their anniversary at Taree West Bowling Club.

**TAREE VIEW CLUB FORTY-FIFTH ANNIVERSARY**

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

- (1) Congratulates the Taree VIEW Club on celebrating its 45th anniversary of helping women in the Manning Valley.
- (2) Notes that the VIEW Club was established in 1960 by The Smith Family's then general secretary, George Forbes as a service to women by promoting the Voice, Interests and Education of Women.
- (3) Notes that Taree VIEW Club currently help four children through their schooling from kindergarten to Year 12, by assisting with school supplies and other educational resources.

**AUSTRALIAN AIR LEAGUE TAREE SQUADRON**

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

- (1) Congratulates the Taree Aero Club on the formation of a new squadron of the Australian Air League in Taree.
- (2) Acknowledges that Carol Copeland, of Hannah Vale, has been a driving force behind the formation of the Taree Squadron.
- (3) Notes that the Taree Squadron is part of a national youth organisation for boys and girls aged eight to 18 years that aims to promote an interest in aviation.
- (4) Notes that the Australian Air League also promotes good citizenship, teamwork and resourcefulness through the physical and mental abilities of its members.

**SINFONIA QUAVER FUND**

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

- (1) Acknowledges and congratulates the symphony Sinfonia and organisations, couples and individuals for their contributions to the Quaver Fund providing scholarships to mid North Coast music students.
- (2) Notes that Sinfonia is a not-for-profit organisation led by conductor, James Hannah, and his musicians range from people in their teens to seniors.
- (3) Notes that the donors include Bushland Health Group, Hallidays Point Lions Club, Richard and Anne-Marie Barnett, Raw Sugar Cafe, Geoff and Betty Stockman, Janelle Rostron, Walter Bolin and Meryl Bolin, Ray Stack, Tim Stack, Leigh and John Vaughan.

**HARRY BENNETT PARK, TAREE**

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

- (1) Notes that the old Taree swimming pool site on the banks of the Manning River has been re-named Harry Bennett Park.
- (2) Notes the name was chosen by Taree ratepayers in honour of Harry Bennett who managed swimming pools in Taree and taught many people in the Manning district how to swim.
- (3) Notes that the official opening was performed by Harry's wife, Faye together with Taree Mayor, Paul Hogan and ended with a song performed by Nikki Bennett, Harry's daughter.

**BULAHDELAH RURAL FIRE SERVICE MEDAL PRESENTATION CEREMONY**

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

- (1) Congratulates the members of the Bulahdelah Rural Fire Service who were recently presented with medals honouring their individual service.
- (2) Notes that the following officers were medal recipients: Trevor Hoare, National Medal for 17 years service; Steve Hoare, National Medal for 17 years service; Martin Ford, Long Service medal for 11 years service; Geoffrey Lowe, Long Service medal for 11 years service; Michael Jahnsen, Long Service medal for 13 years service; Richard Denniss, Long Service medal for 14 years service; Graeme Wilson, Long Service medal for 15 years service; Winnie Wilson, Long Service medal for 15 years service; Stuart Gentle, Long Service medal for 16 years service.
- (3) Notes the outstanding contribution each of these recipients has made to property owners in the Bulahdelah district.

**TAREE FIRE AND RESCUE SERVICE COMMANDER SHANE AUSTIN APPOINTMENT**

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

- (1) Congratulates Shane Austin on his appointment as the new commander of Taree Fire and Rescue Service.
- (2) Notes that Shane, from Sydney's northern beaches, wanted a change in lifestyle and to live in a rural setting.
- (3) Notes that Shane's work focus will be on fire prevention strategies, including a free smoke alarm battery replacement service for elderly residents.

**BRUCE KURTZ ORDINATION**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates Mudgee farmer Bruce Kurtz on his ordination to the priesthood at St John's Anglican Church Mudgee on 2 June 2012.
- (2) Wishes Bruce every success in combining his farming activities with activities as a priest in the Anglican Church.

**RETIREMENT OF PRINCIPAL MAREE ANGUS**

**Mr ANDREW GEE**—That this House:

- (1) Notes Ms Maree Angus, Orange High School Principal of the past 13 years, has announced she will retire at the end of 2012.
- (2) Thanks Ms Angus for the valuable contribution she has made to the education of thousands of children who have been students at Orange High School.
- (3) Wishes Ms Angus every happiness when she steps down as Orange High School principal.

**MUMBIL DISTRICT PROGRESS ASSOCIATION LIFE MEMBERS JOHN AND GITTA CAETENYI**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates John and Gitta Caetenyi, of Mumbil, on being presented with life membership of the Mumbil Progress Association.
- (2) Notes that the honour recognises their many years of service to the community of Mumbil and their encouragement to children in the village to also serve the community.
- (3) Thanks John and Gitta for their service and leadership.

**BEN BARRETT NATIONAL SHEARING TITLES SELECTION**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates "gun" shearer Ben Barrett, of Wellington, on his selection in the New South Wales team to compete at the National Shearing Titles to be held in Victoria during October 2012.
- (2) Notes that at the national titles Mr Barrett will be competing for a place in the Australian team to compete in Ireland.
- (3) Wishes Mr Barrett success at the national titles.

**TENPIN BOWLER JASON BELMONTE**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates tenpin bowler Jason Belmonte, of Orange, on his world ranking in the Professional Bowlers Association player of the year award 2012.
- (2) Notes that he was runner-up to American Sean Rash in one of the closest results in the history of the award.
- (3) Wishes him every success in his endeavours in the sport in the coming year, as it will also be positive exposure for the sport in the city of Orange.

**MUDGEES ROTARY CLUB SEVENTY-FIFTH ANNIVERSARY**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates the members of Mudgee Rotary Club on its 75th anniversary.
- (2) Thank past and present members for their many valuable contributions to the Mudgee community.
- (3) Wishes the Mudgee Rotary Club continued success in its endeavours for the town of Mudgee.

**NEWCASTLE LAKE MACQUARIE CAREER AND TRAINING EXPO**

**Ms SONIA HORNER**—That this House:

- (1) Notes the Newcastle Lake Macquarie Career and Training Expo was presented by Career Links on 19 May 2012.
- (2) Notes the expo allows people to discover career opportunities by talking with more than 100 local and interstate exhibitors.
- (3) Commends Career Links on this initiative delivered in conjunction with the University of Newcastle and TAFE Hunter Institute.

**TRIBUTE TO TIM AUSTIN**

**Ms SONIA HORNER**—That this House:

- (1) Notes the death of Tim Austin.
- (2) Commends and thanks Tim Austin for his extraordinary commitment and determination to see a school for autistic children become a reality with the completion of the Hunter Aspect School at Thornton.

**SIMON ORCHARD OLYMPIC GAMES SELECTION**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates hockey player Simon Orchard, of Maitland, on his selection for the 2012 London Olympics.
- (2) Wishes Simon all the best at the Olympics.

**BADEN-POWELL SCOUT AWARD RECIPIENT ELIZA GEALE**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates Eliza Geale for receiving the Baden-Powell Scout Award for her work with Scouts Australia and Rovers Australia.
- (2) Notes that the Baden-Powell Award aims to encourage members to seek ways to widen their interests and extend their knowledge and experience.
- (3) Commends Wallsend Rover Crew and Wallsend Scout Group for their celebration of Ms Geale's award.

**STAR STRUCK 2012**

**Ms SONIA HORNER**—That this House congratulates Callaghan College Jesmond Campus, Cardiff North Public and Glendale Technology High students on their involvement in Star Struck 2012.

**NEWCASTLE UNIVERSITY STUDENTS ASSOCIATION**

**Ms SONIA HORNER**—That this House:

- (1) Recognises that Newcastle University Students' Association has been running an online poll to improve lighting in Jesmond.
- (2) Commends the 350 Newcastle University students on their proactive efforts to improve street lighting around Jesmond for student safety.
- (3) Applauds the ongoing commitment to the online poll, by Students' Association president, Heather Richards.

**TRAMPOLINIST MATTHEW WEAL**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates Castle Hill High Student Matthew Weal on winning the National Championships Senior Elite (Open) Men's Trampolining event.
- (2) Wishes Matthew all the best in his ambition to represent Australia at the 2016 Olympic Games to be held in Rio de Janeiro.

**HILLS CHINESE WOMEN'S ASSOCIATION TWENTIETH ANNIVERSARY**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates the Hills Chinese Women's Association on reaching its 20th anniversary.
- (2) Recognises the contribution of the Association in assisting Chinese women to feel a part of the community in the Hills area.

**ORDER OF AUSTRALIA MEDAL RECIPIENT DR ROBERT CARE**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates Robert Care, West Pennant Hills, on being awarded a Member of the Order of Australia.
- (2) Recognises Dr Care's service to engineering, through a range of executive roles to the business sector and international humanitarian programs.

**CASTLE HILL BUDOKAN JUDO CLUB**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates the Castle Hill Budokan Judo Club for its recent success at the National Championships held in Wollongong.
- (2) Recognises the hard work of Mr Rob Katz, of Budokan, in cultivating strong characteristics such as teamwork and discipline in many of our young future leaders in Castle Hill.

**CASTLE HILL WOMAN OF THE YEAR BEVERLY COLE**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates Beverly Cole on being named as Castle Hill Woman of the Year.
- (2) Recognises Beverly's dedication to helping those in our community through her work in the Neighbourhood Aid Organisation.

**CYSTIC FIBROSIS NEW SOUTH WALES VOLUNTEER PAM UNSWORTH**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Pam Unsworth as a volunteer for Cystic Fibrosis NSW over 15 years.
- (2) Notes the hard work and dedication that Pam Unsworth has towards her youngest granddaughter and others suffering from Cystic Fibrosis.

**WESTFIELDS SPORTS HIGH SCHOOL**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Westfields Sports High School in supporting students to achieve their full sporting potential.
- (2) Notes the hard work and dedication of students, Troy Dargan, Jye Challenor, Denzal Tonise and Mark Griffiths, Tepai Smith, Jordan Latham, Kelepi Tanginoa, Frazer Masinamua and Luke Vella.
- (3) Congratulates these students on being selected to represent New South Wales in the Combined High Schools Rugby League Team at the Australian Championships.

**STOCKLANDS, WETHERILL PARK, DONATION**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Stocklands, Wetherill Park, to Fairfield Hospital through the donation of a new oxygen analyser.
- (2) Notes the hard work and efforts that Stocklands, Wetherill Park, made in order to raise the funds.
- (3) Congratulates Fairfield Hospital on its new equipment.

**PATRICIAN BROTHERS' COLLEGE, FAIRFIELD**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Fairfield Patrician Brothers' College students from Year 7-12 who knitted for the "Wrap With Love Cause".
- (2) Notes their ongoing volunteer support in providing wraps and blankets for those recovering from crisis around the world.
- (3) Congratulates and encourages Fairfield Patrician Brothers' College which is in its second year of supporting the "Wrap with Love Cause".

**FAIRFIELD ELECTORATE CLEAN UP AUSTRALIA DAY EVENTS**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Darrell Fabar, Judy Fabar, Jonathan Fabar, Jacinta Fabar, Tessa Barrett, Joseph Salemi, Doris Davenport, Mariam Chendeb, Marwa Chendeb, Kassem Chendeb and Murray Love who participated in the Fairfield Park Clean Up Day.
- (2) Notes the ongoing work by Fairfield Creeks and Wetlands Group who have initiated a variety of projects across Fairfield City, including current projects to improve the riparian zone of Orphan School Creek, Rail to Reserve and Prospect Creek.
- (3) Congratulates them for their achievements during Clean Up Australia Day.

**FAIRFIELD HIGH SCHOOL WORK SKILLS PROGRAM**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Fairfield High School in supporting students by offering an alternative way to further their studies.

- (2) Notes the hard work and dedication of Principal Bob Mulas, who designed a non-Australian Tertiary Admission Rank Higher School Certificate for students who are interested in pursuing a career in industry and not through university studies.
- (3) Congratulates and encourages students at Fairfield High School to take this opportunity and use the Work Skills program to their advantage.

#### **FAIRFIELD INTENSIVE ENGLISH CENTRE HARMONY DAY CELEBRATIONS**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Fairfield Intensive English Centre in supporting Harmony Day and its important teachings.
- (2) Notes the hard work and efforts of all students who participated in the poster competition "Moving Forward Together".
- (3) Congratulates Rusul Abdulrazzaq and Dong Diec for their achievements in winning the "Its up to you and me" themed Harmony Day Poster Awards.

#### **FAIRVALE HIGH SCHOOL**

**Mr GUY ZANGARI**—That this House:

- (1) Acknowledges the contribution made by Fairvale High School in supporting members of the student representative council.
- (2) Congratulates staff and students at Fairvale High School for their achievements and success in winning the Information Communication Technology Design Challenge Blogging Competition.

#### **PENRITH MUSIC FOR LIFE BALL**

**Mr BART BASSETT**—That this House:

- (1) Congratulates the organisers of the Music for Life Ball, held at the Panthers Exhibition Pavilion.
- (2) Notes the funds raised will be used to assist the Cure for Life Foundation, founded by neurosurgeon Dr Charles Teo, to fund vital research works into neurosurgery and brain cancer.

#### **CUMBERLAND ZONE RURAL FIRE SERVICE AWARDS**

**Mr BART BASSETT**—That this House:

- (1) Congratulates the Rural Fire Service Cumberland Zone on its awards ceremony to acknowledge the men and women who volunteer their time to protect lives and property.
- (2) Commends Adam Caruana, from the Londonderry Brigade, on receiving the 15 year Long Service Medal and Ronald Green, from the Castlereagh Brigade, for the 18 year Long Service Medal.

#### **GALLERIES IN THE GARDENS ART SHOW**

**Mr CRAIG BAUMANN**—That this House:

- (1) Commends the organisers of the Galleries in the Gardens annual art show, at Tea Gardens, for another successful event.
- (2) Notes the event showcases the work of Myall Coast artists.
- (3) Congratulates Hawks Nest artist Pat Pritchard for winning Best in Show for her watercolour Storm Water Over Winda Woppa.

#### **MEDOWIE COMMUNITY PROSTATE CANCER FUNDRAISING ACTIVITIES**

**Mr CRAIG BAUMANN**—That this House:

- (1) Acknowledges the generosity of the Medowie community in support of fundraising activities for the Prostate Cancer Foundation of Australia.
- (2) Congratulates Bull N Bush Hotel employees David Tunbridge and Lara Reeves for their continued hard work in raising funds for this charity.

#### **HUNTER TAFE AWARDS**

**Mr GARRY EDWARDS**—That this House:

- (1) Congratulates the recipients of Hunter TAFE Awards in 2012 for their outstanding efforts in their respective industries.
- (2) Notes that the Hunter TAFE Awards, held in the Swansea electorate, was an impressive and well-attended event.
- (3) Acknowledges Hunter TAFE staff for coordinating the successful event.

**REDHEAD SURF LIFE SAVING CLUB AWARDS**

**Mr GARRY EDWARDS**—That this House congratulates the following recipients of awards at the Redhead Surf Life Saving Club Annual presentation night held on 19 May 2012:

- (a) Laura Higgins, John Battersby Memorial Trophy;
- (b) Daniel Collins, Cadet Award Under 15 Award;
- (c) Isak Costello, Under 17 Award;
- (d) Jessica Collins and Isaac Morgan, Under 19 Award;
- (e) Laura Higgins and Stewart McLoughlin, Open Competitor Award;
- (f) Matthew and Michelle Kent, Master Competitor Award;
- (g) Liam McCallum, Boat Person Award;
- (h) Iain Robertson, Gabriela Baita, Gavin Ekert, Ross Clarke and Col Ekert, Powercraft Recognition Award;
- (i) Nathan Cant, Redhead Bowling Club Award;
- (j) Mark Stowe and Jessica Collins, Craft Person Award;
- (k) Matt Turner, Peter Mackerras Memorial Trophy;
- (l) Jeff Rodway, Jeff Matthews Diligence and Service Award; and
- (m) Owen Evans, Robert McCormack, Shane Abrahamson, Shauna Abrahamson, Julia Barton, Chris Bird, Gail Evans, Lachlan Harmon, Matthew Hunter, Shane James, Dean Jones, Zachary Jones, Connor McCormack and Lucy McFayden, Peter Herd Patrol of the Year Award.

**RURAL FIRE SERVICE VOLUNTEER APPRECIATION DAY**

**Mr GARRY EDWARDS**—That this House:

- (1) Congratulates all the award recipients at the Rural Fire Service Volunteer Appreciation Day held, on Sunday 17 June 2012, at the Doyalson-Wyee RSL.
- (2) Acknowledges that volunteers attending the event had a combined 1,000 years of experience protecting the local community.
- (3) Notes the Gwandalan Rural Fire Service Brigade received the Brigade of the Year Award.
- (4) Congratulates The Lakes Team Superintendant, Stephen Raymond and organisers of the award ceremony for running a successful and well-attended event.

**PHILIPPINES INDEPENDENCE DAY**

**Mr GARRY EDWARDS**—That this House:

- (1) Acknowledges the 114th anniversary of the Philippines Independence Day.
- (2) Congratulates the officers and members of the Filipino Community of the Hunter Region for organising the celebrations of the Philippines Independence Day held, at Wests Leagues Club, on 16 June 2012.

**HUNTER SURF LIFE SAVING AWARDS**

**Mr GARRY EDWARDS**—That this House congratulate all the following recipients of awards at the Hunter Surf Life Saving Awards of Excellence ceremony held on 15 June 2012:

- (a) Brett Main of Caves Beach SLSC, Lifesaver of the Year;
- (b) Anthea Stephens of Swansea Belmont SLSC, Training Officer of the Year;
- (c) Darren Williams of Catherine Hill Bay SLSC, Assessor of the Year;
- (d) Daniel Collins of Redhead SLSC, Young Male Athlete of the Year;
- (e) Laura McGlone of Catherine Hill Bay SLSC, Young Female Athlete of the Year;
- (f) Isaac Morgan of Redhead SLSC, Senior Male Athlete of the Year;
- (g) Jessica Collins of Redhead SLSC, Senior Female Athlete of the Year;



- (h) Caves Beach SLSC Under 19 Male Boat Crew - Bradley Richardson, Cameron Sanders, Mitchell Fisher, Danaan Buckley, Gordon Richardson, Senior Team of the Year;
- (i) Marilyn Clarence Swansea Belmont SLSC, Female Athlete of the Year;
- (j) Iain Pattie Swansea of Belmont SLSC, Stephen Marley of Catherine Hill Bay SLSC and Michael Mottley of Caves Beach SLSC, joint winners of Official of the Year;
- (k) Alan Wallace of Caves Beach SLSC and Wes Bax of Catherine Hill Bay SLSC, joint winners of Coach of the Year;
- (l) Swansea Belmont SLSC - Renee Gregory, Georgia Muir, Tayla Gregory, Youth Team of the Year;
- (m) Samantha Hallett of Caves Beach SLSC, Hunter Branch Junior Lifesaver of the Year, Surf Lifesaving NSW Junior Lifesaver of the Year and Rookie of the Year; and
- (n) Mark Stowe of Redhead SLSC, Hero of the Surf.

#### **ROCKDALE COMMUNITY NURSERY**

**Mr JOHN FLOWERS**—That this House:

- (1) Congratulates the Royal Horticultural Society of NSW on its 150th anniversary.
- (2) Commends Rockdale Community Nursery for hosting a ceremony to celebrate the occasion on Wednesday 30 May 2012.
- (3) Acknowledges that the Rockdale Community Nursery employs 15 people with disabilities.

#### **ORDER OF AUSTRALIA MEDAL RECIPIENT MAIR MARGRETTA JONES**

**Mr JOHN FLOWERS**—That this House:

- (1) Congratulates Mrs Mair Margretta Jones, of Sans Souci, on receiving the Medal of the Order of Australia.
- (2) Commends the dedication of Mrs Jones to her local community.
- (3) Notes that Mrs Jones is the founding member of the Society for the Preservation of Artefacts of Surgery and Medicine.

#### **ROCKDALE AUSTRALIA'S BIGGEST MORNING TEA EVENT**

**Mr JOHN FLOWERS**—That this House:

- (1) Acknowledges those in the Rockdale local community who contributed to Australia's Biggest Morning Tea in 2012.
- (2) Recognises Vanessa Reeves, of White Lady Funerals Rockdale, for hosting a morning tea on 24 May 2012 and exceeding its fundraising target.
- (3) Acknowledges the important work performed by the Cancer Council Australia in educating the community about cancer.

#### **ROCKDALE SALVATION ARMY RED SHIELD APPEAL**

**Mr JOHN FLOWERS**—That this House:

- (1) Commends all the volunteers in the Rockdale electorate who participated in the Salvation Army Red Shield Appeal on 19 and 20 May 2012.
- (2) Acknowledges that the Red Shield Appeal doorknock began in 1965.
- (3) Recognises that each year, the Salvation Army provides much-needed assistance to over one million Australians.

#### **CITY OF KOGARAH ART PRIZE**

**Mr JOHN FLOWERS**—That this House:

- (1) Recognises the City of Kogarah Art Prize is a new national prize for painting.
- (2) Notes the Place of Reeds Art Prize is open to artists living in the Kogarah Local Government Area.
- (3) Acknowledges the inspiring works of art that local artists contribute to the community.

#### **WILLIAM AND HAZEL TANKO SEVENTIETH WEDDING ANNIVERSARY**

**Mr JOHN FLOWERS**—That this House congratulates Mr William and Mrs Hazel Tanko, of Sans Souci, on their 70th wedding anniversary on 20 June 2012.

**RED NOSE DAY TWENTY-FIFTH ANNIVERSARY**

**Mr JOHN FLOWERS**—That this House:

- (1) Acknowledges the 25th anniversary of Red Nose Day on 29 June 2012.
- (2) Recognises that SIDS and Kids provides valuable services and programs for families.
- (3) Congratulates all those who have been involved with Red Nose Day for the past 25 years and wishes them all the best for the future.

**MACLEAN COMBINED CHURCHES LADIES FELLOWSHIP FIFTIETH ANNIVERSARY**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Congratulates the Combined Churches Ladies Fellowship of Maclean on celebrating 50 years of unity on 3 June 2012.
- (2) Acknowledges the commitment and dedication of members of the group, their fundraising efforts and contribution in supporting the following worthy church and community causes over its 50 years of activity: Rathgar Children's Home; Lower Clarence Retirement Village; The Bible Society in Australia; Maclean Hospital Chapel; World Day of Prayer; Aussie Boats for East Timor; Lower Clarence Christian Education for High School Scripture Teacher; Leprosy Mission; Disabled Society; Beswick House Grafton; Right to Life Association; Unicare; Ethiopian Appeal; Grafton Women's Refuge; Telecross; Youth Housing Service; Westpac Helicopter Healthy Breakfast Scheme at Maclean High School; The Salvos; St Vincent de Paul and Drought Relief.
- (3) Pays special tribute to Glenys Irons who is the only remaining foundation member and continues to be a driving force in the fellowship.
- (4) Acknowledges the involvement and co-operation of the many dedicated women from different denominations in Maclean, as well as the support from the local clergy, the Minister's Fraternal, the congregations and the wider community.

**MARINE RESCUE WOOLI**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Congratulates Marine Rescue Wooli on the recent commissioning of the latest addition to the Marine Rescue NSW Fleet, the offshore rescue vessel Wooli 30.
- (2) Congratulates local boat building company Yamba Welding and Engineering, on its magnificent job and workmanship in building the Wooli 30.
- (3) Acknowledges that the Wooli 30 will also be known as JJ Ensbey 11 in recognition of Joe and Jean Ensbey, foundation members of the original Wooli volunteer rescue organisation.
- (4) Acknowledges the efforts of Marine Rescue Wooli Commander, Richard Taff, and other volunteers in providing a professional marine rescue service for locals and visitors.
- (5) Thanks the government and the local community for investing in this valuable marine rescue vessel for the region.

**CLARENCE COAST THEATRICAL SOCIETY SEUSSICAL THE MUSICAL PRODUCTION**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Congratulates the Clarence Coast Theatrical Society on its staging of "Seussical the Musical" at Maclean and Yamba.
- (2) Pays special tribute to debut Director, Troy Castle, of Palmers Island, for his vision and creative talent in bringing this production to life.
- (3) Acknowledges the 120 cast, crew and musicians for their commitment and dedication over many weeks to deliver a wonderful story woven from the Dr Seuss books.

**MACLEAN NEIGHBOURHOOD WATCH**

**Mr CHRISTOPHER GULAPTIS**—That this House:

- (1) Acknowledges the efforts of the Maclean Neighbourhood Watch group for the active role they play in encouraging community participation in preventing and reducing crime and improving personal safety in local communities.
- (2) Thanks its executive for the role it plays in keeping the group active: Brian Haselum, President; Vince Schultz, Treasurer; Warren Rackham, Secretary; and other active members of the group, Barry Skinner, Susie Green, Rebecca Fitzpatrick, Lenore Parker, Ray Mahoney-Smith, Albert Kelly, John Connell and Beryl Wickham.

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

**Community recognition notices agreed to.**

**ANNUAL HOLIDAYS ACT 1944**

**Mr RICHARD AMERY** (Mount Druitt) [10.31 a.m.]: I note the indifference to this type of legislation by members opposite. I move:

That this House:

- (1) notes the New South Wales Labor Party has a strong and proud history of improving working conditions for people living in this State;
- (2) notes that since 1944, the Annual Holidays Act has provided New South Wales workers with access to paid annual leave; and
- (3) notes the Annual Holidays Act has been vital in improving quality of life and supporting families in New South Wales.

Notice of this motion was given on 24 August 2011, when it was relevant to move a motion such as this. Even today this motion, which has been on the notice paper for nearly 12 months, is relevant and should be debated. This three-part motion remains relevant because while this Coalition Government is in office it will always be appropriate to discuss in Parliament issues relating to improved working conditions or, more appropriately, the protection of working conditions. We will continue the strategy we have pursued since the last election of fighting in this House, or through demonstrations outside this place such as that held earlier this year by the fire brigade, to protect many of the hard-won awards, conditions and pieces of legislation that are part of this State's history.

The first part of the motion notes that the New South Wales Labor Party has a history of improving working conditions for residents of this State. Any reading of history reveals that this is a truism. The second part of the motion refers to the Annual Holidays Act of 1944, which was introduced by the then Government on 5 December 1944 under Premier William McKell, known as Bill McKell. I recognise that the then Premier had carriage of the legislation in this very Chamber. Industrial reform in this State, and indeed in this country, was built on the back of the Labor Party and the labour movement, including the trade union movement. From the early days when Labor was not even in government it made its support of other parties in this State conditional on their introducing workplace improvements.

The list of legislation that has passed through Parliament since the Labor Party first made its presence felt here in 1891 includes things such as the Labour Bureau Act of 1892, the Early Closing Act of 1899, the Industrial Relations Act of 1901 and the Industrial Disputes Act of 1908. Since that time legislative progress by the labour movement in New South Wales, both parliamentary and also through its industrial wing, has included the fight to stop workplace conditions from going backwards—always under Coalition governments. I remind members of the WorkChoices campaign of only a few years ago. We recognise the many employees who have demonstrated outside this place since this Coalition Government was elected. Its only original legislation has involved winding back many of the reforms that I have touched upon.

Speaking further to history, when a Labor Government came to office in 1911 under Premier McGowen the pace of industrial improvements increased. In 1912 the Department of Labour and Industry was created, marking the first time that employment relations were regulated by a separate government department in New South Wales. The Industrial Arbitration Act of 1912 replaced the Industrial Disputes Act of 1908. The Industrial Disputes Act of 1912 saw the introduction of wages boards, which regulated pay and conditions for workers. In 1916, still under a Labor Government, the Eight Hour Act created a standard 48-hour working week. In 1919 the basic female wage was established. At that time the basic female wage was 54 per cent of the basic male wage. In 1926 there would have been much debate in this Chamber when the first Lang Government introduced legislation creating the 44-hour week in the face of great opposition from the Coalition, or Country Party, various other conservative parties and the business community.

I turn now to the main part of this motion dealing with the Annual Holidays Act 1944. We recognise that during this term of government—the next State election is due in 2015—we will commemorate 70 years since the Act was passed. It is 70 years since a Labor Government made it the law to give employees a yearly break. Before that annual holidays were in many individual awards, both at a State and a Federal level, but it was a Labor Government that recognised in 1944 that all employees should get two weeks annual leave. I am pleased to recognise that I do not think any of us in this place has ever been entitled to only two weeks annual leave. In 1958 under another Labor Premier, Joe Cahill, the two weeks annual leave was extended to three weeks by an Act of Parliament.

Other members will have an opportunity to speak in this debate but it would be hard to imagine a time when we did not have annual holidays. I am sure that families could not imagine it. I am sure the tourism industry could not imagine it. The operators of holiday parks in beachside towns would not now believe there was a time when employees did not get a holiday. I can only imagine the impact if the broad church of the labour movement had not been involved in this issue since 1891, when the Labor Party first made an appearance in this Chamber.

**Mr CHRIS PATTERSON** (Camden) [10.38 a.m.]: Having listened to the member for Mount Druitt one would think this is a motion about the history of the Australian Labor Party in New South Wales. That said, I believe the motion is a little out of date, not because it was placed on the notice paper in August last year but because on 1 January 2010 the Annual Holidays Act 1944 was transferred to the Commonwealth and now is relevant only for local government and public sector employees who have no award, whose industrial instrument does not have equal or better leave benefits, or whose instrument refers to or adopts provisions of the Annual Holidays Act.

The member for Mount Druitt is accurate in saying that this was a great Act in 1944. It was a historic moment that the Labor Party should be very proud of. I say that in all sincerity. It was exactly what the Labor Party stood for. The Labor Party used to stand for the worker, and it did so in 1944. How times have changed; how time has flown. I suggest that instead of the Labor Party looking back to 1944 to commend itself for a piece of legislation it should be looking forward to see how it can help in the future. In hindsight, would the Labor Party have done anything differently between 1944 and now? I suggest it would have. The point I am making is that the Act we are discussing does not apply to the majority of people in New South Wales now and most of its provisions are regulated federally.

**Mr Guy Zangari**: Sixteen years.

**Mr CHRIS PATTERSON**: I was not going to mention 16 years but I thank the member for his contribution. This motion is a perfect example of how outdated and out of touch the Labor Party is today. The Labor Party is reminiscing about the good old days and the one time it did something right for the people of New South Wales. It was right for the people of New South Wales.

**Mr Mike Baird**: When was that?

**Mr CHRIS PATTERSON**: On 5 December 1944. The member for Mount Druitt talked about Labor historically standing up for the workers and being the party of the people. The Coalition Government is for the people because we understand that we need a strong economy if we are to look after workers and employees. A strong economy creates employment growth and helps the worker. This motion supposedly is about standing up for the family but it is not about that. That is done by providing a strong economy and not being beholden to union mates. So what has the Coalition Government done to create a strong economy? We have established Destination NSW. There are record numbers of nurses in our hospitals.

**ACTING-SPEAKER (Mr Lee Evans)**: Order! The member for Camden will be heard in silence.

**Mr CHRIS PATTERSON**: There is \$120 million in the budget for the Investment Attraction Scheme and the Regional Industries Investment Fund. There is a record \$18 billion for health in the budget. That is how we look after working families. Some \$1 billion more has been spent on infrastructure than over the past four years. That is how we look after working families. Under the Building the State package we have fast-tracked approvals for State significant projects. We have cleared the backlog of stalled approvals left by those opposite. We are building vital infrastructure to unlock new housing and redirecting financial incentives to new housing. Large-scale housing proposals that demonstrate private sector readiness and local government endorsement will be fast-tracked. This can potentially contribute \$55 billion to our economy and, more importantly, support 100,000 jobs. That is how you help working families. Almost \$500 million will be used to target critical infrastructure to fast-track upgrading of roads, power, water and sewerage. We must grow the State's economy, and that is what those opposite need to understand. Yes, in 1944 this Act was very relevant. I take my hat off to the Labor Party for a fantastic job.

**Ms Noreen Hay**: What is the point?

**Mr CHRIS PATTERSON**: The point is that on 1 January 2010 the majority of the 1944 Act was handed over to the Commonwealth under the Fair Work Australia Act and the State Act now looks after only a

very small part of the New South Wales workforce that does not meet many other criteria. The point needs to be made clearly that this motion has been moved under the guise of standing up for the workers of New South Wales and all we have heard about is the proud history of the Labor Party. This Government takes looking after workers and families very seriously. We have had to make some hard decisions because of the state of the economy left to us by Labor, and we have done that to ensure we have a strong workforce and a strong economy.

**Ms Noreen Hay:** That's enough.

**Mr CHRIS PATTERSON:** I am happy to agree with the member for Wollongong.

**Ms TANIA MIHAILUK** (Bankstown) [10.45 a.m.]: I take the opportunity to congratulate the member for Mount Druitt on bringing on this motion. As he said, he gave notice of the motion on 24 August 2011. Since then this Government has attempted to ram through the Retail Trading Amendment Bill 2012. I am pleased to see there is still some democracy left in this place given the Government has not been able to get the bill through the upper House as quickly as it thought it might be able to. It is interesting that the Christian Democrats and the Shooters and Fishers Party still have concerns about the legislation, and rightly so. I urge the representatives of those two parties in the upper House to join the Labor Party and vote against the bill in that House. I will make some comments about the bill because retail workers have family and personal commitments just as members of this place do.

The difference, of course, is that retail workers have little control over their working lives and they deserve a guarantee that they will have at least some public holidays to spend with their loved ones. This Government does not understand the situation despite its repeated assurances that workers will be able to choose whether to work on public holidays. The Government is chronically ignorant about contemporary industrial relations. The reality is that casual workers, who will be most affected by the legislation, have little control over determining when they will work. Some retailers refuse shifts to workers who do not agree to work on certain days. Despite the fact that restrictions will be put in place that supposedly protect workers and guarantee that working on public holidays will be voluntary for workers in large businesses, it will not be voluntary for small businesses with fewer than five employees. This poses problems in the community because people will be denied the opportunity to observe their religious practices and to spend time with their families on the 4½ days remaining on which trading is prohibited.

It is sad to see that we are being controlled by certain elements of this Government. It appears to be the "socialist" element of the Liberal Party, Greg Pearce and his cohorts, who are pushing this agenda. It is sad to see that The Nationals and the Conservative Forum members of the Liberal Party are failing families and the traditional values of the community by trying to ram through the retail trading legislation and not standing up for the millions of people who ultimately will be impacted if the legislation is passed in its present form. My other concerns relate to the difficulties that small businesses have in major centres. We know they are required in those centres to work under particular lease arrangements, which mean they will not be able to say no to centre management in choosing whether to open on the particular public holidays. This Government needs to have a good think about the retail trading bill and its potential impact on society and on retail workers. It is clearly not good for retail workers such as those who want to pursue their religious observance and it is clearly not good for families in New South Wales.

**Mr JOHN FLOWERS** (Rockdale) [10.49 a.m.]: Since the referral of relevant powers to the Commonwealth on 1 January 2010 the majority of private sector employees in New South Wales have their annual leave entitlements conferred by the provisions of the National Employment Standards under the Fair Work Act 2009. Prior to the establishment of the national workplace relations system the Annual Holidays Act 1944 was the principal statutory source of annual leave for New South Wales employees. The Annual Holidays Act now applies only to employees who work in the public and local government sectors. Furthermore, the Act applies directly to employees in these sectors only if the employee is award free and their industrial instrument refers to or adopts provisions of the Annual Holidays Act, and when the employee's industrial instrument provides for less favourable leave benefits.

For such employees the Annual Holidays Act entitles the full-time or part-time employee to four weeks annual holiday for each completed year of employment. A casual employee is effectively entitled to a payment in lieu of the leave entitlement, determined on the basis of one-twelfth of the employee's ordinary pay for each hour worked. The Act provides for holiday pay, inclusive of weekend penalties and shift loadings that the employee would have earned if they had not been on an annual holiday. Under the Act an employer may, by

agreement, direct the employee to take annual leave in one or two consecutive periods or up to four separate periods. An employer must give an employee their annual leave within a period of six months from the anniversary entitlement date unless the Industrial Registrar has agreed to a postponement of the taking of the leave.

As stated, since 1 January 2010 the coverage of the Annual Holidays Act has been quite limited. It does, however, confer important entitlements on those employees who still rely on its rights and obligations, and provides an important minimum standard for workers still within the New South Wales industrial relations system. In recognition of the Act's status as the source of minimum standards, the Industrial Relations (Public Sector Conditions of Employment) Regulation 2011 expressly provides that annual leave, in accordance with the Act, is a guaranteed minimum condition of employment for public sector workers. In the few seconds I have remaining I will comment on the first paragraph of the motion, which states:

The New South Wales Labor Party has a strong and proud history of improving workers' conditions.

Labour market rigidity is a great handicap to raising living standards. Having a flexible labour market is the way to grow the economy.

**Ms ANNA WATSON** (Shellharbour) [10.53 a.m.]: I proudly support the motion of the member for Mount Druitt on the Labor Party's long and proud history of looking after the interests of workers in the State of New South Wales for more than 100 years. Labor has held close the interests of the working class in this State, and it always will. The Annual Holidays Act first appeared in 1944. As with other labour movement achievements, it was a struggle to deliver this reform. Members opposite do not realise that the Annual Holidays Act, carers leave and the other achievements won by Labor for the working class in this State over the past 100 years involve a long story of struggle. Men and women have even lost their lives to win these conditions, which members opposite take for granted. History shows that the Australian Labor Party and the unions have fought hard to win conditions such as paid annual leave. Annual leave was not just granted by bosses out of the goodness of their hearts; it was a struggle—as with all other employment conditions. But all full-time and part-time employees are now entitled to paid annual leave.

In my view four weeks is still not enough in these times of high pressure. However, it is an opportunity for workers to stop and smell the roses. As a very proud and very loud unionist, I take this opportunity to point out a few other employment conditions that I am sure Tony Abbott and his right-wing zealots are keen to dissolve. We are proud not only of the Annual Holidays Act but of carers leave, long service leave, occupational health and safety provisions, the eight-hour working day, superannuation, sick leave, paid maternity leave, defence leave, jury leave, bereavement leave, adoption leave, public holidays, leave accrual provisions, parental leave, community services leave, compassionate leave, leave without pay—I could go on. We have provided so many conditions of employment to the working men and women of this State that I am sure those members opposite would like to wipe out with a stroke of their pen.

These conditions were won for the workers of New South Wales by the labour movement. We fought for these conditions yet those opposite still put out their hands, enjoying all the benefits at no cost to them. The free-loading Freddies opposite whinge about the conditions but accept them anyway. What a bunch of hypocrites they are. I challenge those opposite to put their money where their mouth is. If they are so opposed to workers' conditions and rights in this State, why not give the money to charity? I thank Labor for attaining these achievements, and more, for the working men and women of this State. There is not one person on the other side of the House who has not benefitted from the struggles of others without lifting a finger, attending a rally or voicing their opinions. I congratulate the member for Mount Druitt on moving this motion to remind us all what the labour movement has achieved. I do not think it is a bad scorecard so far.

**Mr GUY ZANGARI** (Fairfield) [10.57 a.m.]: I support the motion of the member for Mount Druitt on the Annual Holidays Act 1944 and congratulate this fine member for bringing his motion before the House. The New South Wales Labor Party has a strong and proud history of improving working conditions for citizens in the great State of New South Wales. In June this year there were two rallies about workplace rights and conditions, which parliamentary members—some are sitting behind me—were proud to support. There were four rallies prior to the winter recess that called for the protection of workers, their rights and their families. On this side of the Chamber we stand up for the workers. We try to offer protection from the vicious attacks by the O'Farrell Government to water down the rights and conditions of the proud workers of New South Wales. I was proud to attend the rallies and to support the hardworking New South Wales public sector employees, especially my local police, firefighters, teachers and nurses.

Since 1944 the Annual Holidays Act has provided New South Wales workers with access to paid annual leave and other entitlements, which is vital to alleviate financial pressures for working families. New South Wales Labor will continue to fight to maintain the rights of workers in the workplace. It is part of the Labor Party's DNA to stand up for the rights of workers. The Annual Holidays Act has been significant in ensuring a good quality of life for workers and their families in New South Wales. The O'Farrell Government's recent actions have had a detrimental effect on blue-collar workers who are trying to make a living for their families. Those families deserve to be protected by legislation that safeguards the rights and entitlements of New South Wales workers. As we all know, annual holidays allow workers to take time out to relax and rejuvenate. I ask members opposite to cast their minds back to when they had real jobs—of course, some of them have never had a real job.

**Ms Noreen Hay:** Did any of them?

**Mr GUY ZANGARI:** I am not sure. I invite them to think about occasions when they relaxed and rejuvenated with their families, which is so important. We all know that family time is gold. The benefits of that time to family wellbeing go without saying. Paid annual leave is a proud Labor achievement. The O'Farrell Government's attack on public holidays is puzzling. This Government's disregard for working families has been patently obvious this year. Workers across the age spectrum have been asked to work on public holidays such as Boxing Day, Good Friday, Easter Sunday and Easter Monday, and let us not forget Anzac Day. That is evidence of this Government's disregard for family values. I support this motion moved by the member for Mount Druitt, which notes that the Labor Party has had a strong and proud tradition of improving working conditions for the people of this State, that since 1944 the Annual Holidays Act has provided New South Wales workers with access to paid annual leave and that the Act has been vital in supporting and improving the quality of life of New South Wales families.

**Mr RICHARD AMERY** (Mount Druitt) [11.01 a.m.], in reply: I thank the members for Camden, Bankstown, Rockdale, Shellharbour and Fairfield for their contributions to this debate. The members for Camden and Rockdale emphasised the fact that private sector employees' leave entitlements are now enshrined in Federal law. I do not understand their point. The motion recognises that since 1944 annual holidays have been subject to the law of the land. We often discuss ministerial council arrangements to transfer legislative responsibility for various issues to the Federal jurisdiction. That does not eliminate the history of this issue or the fact that the labour movement and Labor governments in this State introduced the principle. The same can be said about the age pension, widows pensions and the like.

After three minutes discussing the motion the member for Camden progressed to his budget speech and made some comments about the virtuous things the Coalition does for the workforce. He should talk to the police officers, nurses and firefighters, to name a few, who have been demonstrating outside this Parliament since the Coalition came to office. That is hardly a ringing endorsement of their treatment at the hands of this Government. The member for Bankstown pointed out that in my contribution I said that motions such as this will always be relevant while this Government is in office. As we speak the labour movement is fighting to protect retail workers. I am pleased to note that the Government's legislation covering those workers is stalled in the upper House. The member for Rockdale made the point generally made by the member for Camden; that is, that much of this is regulated by Canberra.

However, as I said, members opposite cannot wipe out the history of this issue. The member for Fairfield referred to workers' rights and pointed out that annual leave allows them to relax and rejuvenate. We get the best productivity from our workforce if we protect their working conditions and ensure that they have breaks from time to time. The member for Shellharbour referred to the various other working conditions that are protected by the laws of this State. Those legislative protections have generally been introduced by Labor governments. She also made the point that many people have lost their life during the struggle for workers' rights, and that should not be forgotten.

The member for Camden alleged that the Opposition is simply reminiscing about the good old days. If I had the time I could provide a timeline detailing the history of industrial relations reform in this State. In fact, the Government's industrial relations website contains that information. I am pleased to point out that virtually every reform has been the result of campaigns conducted by the labour movement and has been introduced by a Labor government. In response to the member for Camden, I repeat an old saying from the 1800s: "He who forgets the past is bound to relive it." I hope the workforce of this State never forgets the past.

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

**Motion agreed to.**

**UNANDERRA RAILWAY STATION**

**Ms NOREEN HAY** (Wollongong) [11.06 a.m.]: I move:

That this House:

- (1) calls on the Government to ensure the installation of the Easy Access lifts at Unanderra railway station;
- (2) notes that the former Government allocated \$11 million in the budget for the Easy Access upgrade; and
- (3) reminds the Government of its pre-election commitment that the community had nothing to fear with the election of a Liberal Coalition Government.

I have spoken often in this place about this Government's failure to honour its commitment to install an easy access lift at Unanderra railway station. Prior to the election, the local Liberal candidate and various shadow Ministers came in their droves to the Illawarra and promised that if they were elected those lifts would be installed. The Liberal candidate and the now member for Kiama did not appear.

**Mr Gareth Ward:** I was in my electorate. You should have been in yours.

**Ms NOREEN HAY:** The now member for everywhere and everything forgets that he did not have a clue what was going on at that time. He does not have a clue about much and he certainly does not have a clue about what was said at various public rallies in the lead-up to the election. I am happy that you, Mr Acting-Speaker (Mr Lee Evans), are in the chair, although the member for Kiama appears to think he is. His interjections have no impact on me because I am determined to continue the fight for those in the Unanderra area who are disadvantaged. This is not about me; it is about people with disabilities, people with prams and shopping trolleys, and the elderly who cannot access trains. Prior to the election the Coalition promised that easy access lifts would be installed, but it has now done a backflip.

**Mr Gareth Ward:** Did not.

**Ms NOREEN HAY:** The member for Kiama keeps saying, "Did not, did not, did not"—naughty boy. He is doing that because the \$11 million that should have been spent on easy access lifts has been diverted to his electorate. He is afraid that that will come to light and that the community might think something dodgy is going on. Something dodgy is going on.

**Mr Gareth Ward:** Table of knowledge?

**Ms NOREEN HAY:** The member for Kiama would not know about a table of knowledge. This issue has been well covered, even as late as today, by Nick Rhineburger on ABC Illawarra, in the past couple of days on i98 FM and WIN Television, in a full story on the front page of *Illawarra Mercury*, and by a petition with 10,000 signatures. I remind members that this motion is not about Opposition members, but that it is about the Government reneging on a promise to the people of Unanderra and the people of my electorate. Today's editorial in the *Illawarra Mercury* states:

What is it that the state government doesn't get about the need to install lifts at Unanderra railway station?

Plenty, it would seem, as it continues to ignore the pleas of mothers with prams, disabled people, the frail and the elderly, who for 20 years have been campaigning for better and safer access to the station.

There is no point in my reading comments by this Government that are untrue. I remind people that for 16 years, that is, four four-year terms of government, the people of New South Wales would not elect a Coalition government. The Coalition lost four successive elections because the people of New South Wales remembered the Greiner Government and they did not want a repeat of its stunts. After five minutes with a Liberal-Nationals Government the people again do not want it. The Coalition will be facing a long time in the wilderness. It should not brag about our 16 years because it was a failure of the Coalition for 16 years to be elected to government. The Liberal candidate who stood against me in the last election said on a number of occasions that a Liberal-Nationals Government would install easy access lifts at Unanderra railway station.

[*Interruption*]



Members might recall that Nick Greiner supported Gordon Bradbury, who seems to be associated with the Liberal Government. Some members of this Chamber saw fit to dump all kinds of rubbish on all kinds of people in the Illawarra. Today the Deputy Premier, Mr Andrew Stoner, promised that the Government would not privatise the port. This Government systematically says one thing and does another. The Premier said:

The people of the Illawarra have nothing to fear from the election of a Coalition Government.

Let us have a look at what the Government has done: public servants gone, port privatised, and lifts not installed at Unanderra railway station—and apparently the electorate of Kiama is benefitting very nicely. I remind the Government of its pre-election commitment that the community had nothing to fear from the election of a Liberal-Nationals Government, which has proven to be false. We know that the former Labor Government allocated \$11.4 million for an easy access upgrade at Unanderra railway station. It is true that the people of Unanderra have been waiting too long and now the Government is rubbing salt in their wounds by reneging on its commitments.

**Mr Gareth Ward:** Why didn't you do it?

**Ms NOREEN HAY:** You've reneged; we have not.

**Mr GARETH WARD** (Kiama) [11.13 a.m.]: I preface my remarks by saying that I will have to put my personal affections for the member for Wollongong to one side as I enter this debate to set the record straight in relation to Unanderra railway station. The member for Wollongong quoted newspaper articles. It is interesting to note that throughout her contribution it was almost as if the 16 years of the former Government did not occur. It was as if the Labor Government went to the State Library, took out the history books and ripped out the pages that show its disreputable administration during its time in office. If Dr Mac—the member for Macquarie Fields—were here he would be diagnosing Opposition members with an acute case of political amnesia, because they seem to have forgotten their record. I will talk about their record. Matthew Jones from the *Illawarra Mercury* stated:

Wollongong MP Noreen Hay said funding for accessibility upgrades was "definitely" included in the 2009 budget.

Did we come into office in 2009? Was it 2010? No, it was March 2011. In 2009 money was allocated for the easy access upgrade by the very admission of my good friend the member for Wollongong. The article continued:

"Gareth Ward should be fighting for funding from the Liberal transport minister for our area—not making excuses for why local projects aren't being funded," she said.

She accused the Coalition of "sitting on their hands" when it came to station upgrades.

"We're missing out in the Illawarra because Barry O'Farrell doesn't want to fund projects in our region," Ms Hay said.

I find her statement very amusing. In 2009 the Labor Government allocated funding, according to the member for Wollongong, but where did the money go? She had two years in government, but for some reason the work did not get done. If I were the member for Wollongong there would not be a hinge left in a Minister's office if I knew that money was allocated and the work had not been done. Why was the member for Wollongong not in the Minister's office asking why the work was not done? It would not have been the first time she got a lift in a Minister's office. Why was she not in the Minister's office arguing for the work to be done? Where was the member for Wollongong when the money was allocated? She said that I did not fight for funding for the area. Unanderra is not in my electorate, but I will refer to the money that has been allocated to the Illawarra area. An amount of \$39 million has been allocated for a new station at Flinders, Shell Cove. The member for Wollongong said in this debate—

**Ms Noreen Hay:** You took that money from Unanderra.

**Mr GARETH WARD:** And she just repeated that I took the money from Unanderra. According to the member for Wollongong the cost of a new lift is equal to the cost of a brand new railway station. Is she saying that somehow a new lift will fund Flinders railway station? I know the member for Wollongong is not good at economics but that is an extraordinary statement to make. I refer to action taken by this Government. We have established 230 car parking spaces at Oak Flats railway station so that the people of Oak Flats no longer have to put up with intolerable parking problems. Albion Park railway station and Gerringong railway station have been upgraded, and money has been allocated for Dapto and Wollongong railway stations.

The member for Wollongong claims that this Government has not done anything for the Illawarra and for rail transport. When was the last time the member for Wollongong actually caught a train? I am sure it was when steam was blowing out the top of it, just as it has been blowing out of the member for Wollongong today. When was the last time she actually used public transport? I use public transport to come to this place all the time and I know very well what we have done. The claim that Coalition promised funds prior to the election is not true; it did not make that claim at all. The Government said it would have an easy access program. The member for Wollongong knows all about easy access: easy access to the table of knowledge and easy access to big developers but in this case—

**Ms Noreen Hay:** Point of order: I suggest that the member for Kiama focus on debating this motion. The comment of the member for Kiama was unparliamentary. He knows it is untrue, yet he keeps repeating it in this Chamber. I ask you to draw the member for Kiama back to the motion.

**ACTING-SPEAKER (Mr Lee Evans):** Order! I draw the member for Kiama back to the leave of the motion.

**Mr GARETH WARD:** In that case I will come back to the motion. The Labor Government promised an electronic ticketing system for trains—not delivered. It promised the North West Rail Link, re-announced the North West Rail Link but did not deliver it. The Liberal-Nationals Government is now doing something about transport. It is taking action to unwind the politics of those who sit opposite. Labor lacked coordination in relation to infrastructure. This Government now has a Transport Access Program instead of six separate programs run by different agencies. Our program allocates funds for access to station upgrades where they are needed. Transport for NSW has taken over planning and organisation of improvements. This means that the community can now have confidence that works will be delivered when they are promised, unlike Labor's announcement in 2009 but never delivered by the member for Wollongong.

The Transport Access Program aims to provide stations that are accessible, more modern buildings and facilities for modes of transport, better interchanges, safety improvements, including closed-circuit television, signage and maintenance improvement. This is a Government committed to ensuring infrastructure improvements are delivered in a coordinated and integrated way, not like the mess we saw when those opposite were in government. Under Labor we saw pork-barrelling and electorates being targeted rather than responsible planning for transport in New South Wales. Despite all of the harping and carping by the member for Wollongong, we have not yet heard why those opposite failed to deliver the funding that was allocated in 2009. Not a single representation was made to the Minister on that issue. The member for Wollongong is now blaming the member for Kiama—someone who is actually delivering a new Flinders railway station, as well as upgrades at Albion Park, Oak Flats and Gerringong.

The member was wallowing in her own failure whilst she was sitting on the Government benches. The O'Farrell Government is committed to delivering for its constituents. It is not just making empty promises that will never be delivered, as those opposite did when in government. I will inform the House about what the Government is doing to improve facilities. On 23 April the Minister for Transport announced funding of more than \$100 million to build key facilities and to undertake much-needed work at stations and interchanges, and that work will continue under the O'Farrell Government, which is delivering real reform for public transport in this State.

**Ms CHERIE BURTON (Kogarah) [11.20 a.m.]:** I support the motion moved by the member for Wollongong, a motion that calls for the fulfilling of an election commitment by those opposite to the people of Wollongong to install a lift at Unanderra railway station. Sadly for the people of New South Wales, this has not been the only broken promise, not by a long shot. In fact, it is only the tip of the iceberg. When those opposite took office 18 months ago they looked like rabbits in spotlights. In their first 12 months in office they did nothing but refer everything off to a committee. The O'Farrell Government did nothing: it froze. But for the past six months those opposite have been showing their true colours. We have now seen the real O'Farrell Government: broken promise after broken promise—the boulevard of broken dreams.

The O'Farrell Government has made savage cuts to front-line services, attacked workers' wages and conditions, closed prisons and cut police numbers. No stone has been left unturned. It has even gone after the \$5,000 grants to the scout halls—what an absolute joke. But let us talk about local broken promises: Rockdale police station, Allawah bridge, Hurstville Public School, and now Oatley and Narwee railway station easy access lifts. "Lift access denied" was a recent headline in our local *St George & Sutherland Shire Leader*. It is not good enough to walk around with petitions and say, "I will fight for you. I am going to try to get lifts." Why

is that not good enough? It is not good enough because those opposite are in government and they can deliver those lifts. In the 16 years that Labor was in government I delivered for my community. If those opposite need any help on how to do that I am happy to help.

**Mr Gareth Ward:** Point of order: My point of order is under Standing Order 76. It is not about you Cherie; it is about the motion.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the member for Kogarah that this Chamber is fitted with microphones and that there is no need for her to shout.

**Ms CHERIE BURTON:** I can speak as loudly as I like. In the 16 years that Labor was in government I delivered more than \$2 billion to the electorate of Kogarah, including new lifts at railway stations, new police stations, commuter car parks, et cetera. As I said, if those opposite need any assistance I am happy to help out. I do not want to be political; I want to support the member for Oatley in delivering his commitment to the people of Oatley and Narwee. Those opposite have spoken about Labor's record, but at the time the Coalition Government left office there was only one easy access station in the whole of New South Wales. We now have 200 easy access lifts across New South Wales—locally: Woollooware, Caringbah, Miranda, Gymea, Kirrawee, Sutherland, Mortdale, Penshurst, Hurstville, Allawah, Carlton, Kogarah, Rockdale and Kingsgrove. It is a load of rubbish to say that nothing was delivered in the past 16 years. It is a lie, and those opposite know it. The people of this State are onto them.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind Government members that all members are entitled to be heard in silence. I again ask the member for Kogarah to tone down the level of her voice.

**Ms CHERIE BURTON:** I am attempting to speak over the interjections. Let us look at what the locals have to say about this. One said, Mark Coure promised us a lift and it should be delivered in the first budget." It was not delivered. Another local said, "Promises were made and they should be kept." That is especially so when members opposite have made the promise and then they suggest they are fighting for it. Long-time residents have said they have heard a lot of promises over the years and they expect to be disappointed by those opposite once again. I draw the attention of the House to this telling picture of a lift. The advertisement is very telling: you can change careers at 40. [*Time expired.*]

**Mr LEE EVANS (Heathcote) [11.24 p.m.]:** The theatrics of the member for Kogarah were something to behold—

**Ms Cherie Burton:** I will be sending it to the people of Oatley and Narwee. I am sure they will love it.

**Mr LEE EVANS:** I could talk about Heathcote all day, but today we are talking about Unanderra railway station and the lack of lifts. I will return to debate on the motion.

**Ms Noreen Hay:** What do you know about Unanderra, Lee?

**Mr LEE EVANS:** I have been there. I am one with the people of Unanderra. I will comment on some of the points that have been raised in this debate by those opposite. Some spoke of four elections in 16 years and how proud they are of that. In the 2009 budget money was allocated for a lift at Unanderra railway station. I am concerned as to why that lift was not built. What happened to that money?

**Ms Noreen Hay:** I am happy to answer your question. It went to Flinders.

**Mr LEE EVANS:** That is not what happened in 2009. I remind those opposite that they won four elections in a row, each for a term of four years. We are talking about a community that has been looking for an easy access lift. The former Labor Government allocated money for that project in 2009 but it was not delivered—another thing that it did not deliver. The member for Wollongong spoke about a pre-election commitment by a Liberal candidate.

**Ms Noreen Hay:** And your shadow Minister.

**Mr LEE EVANS:** I am horrified to have to inform the member for Wollongong that she is the elected member for Wollongong. Unanderra is in her electorate.

**Ms Noreen Hay:** Yes, it is.

**Mr LEE EVANS:** I have a soft spot for the member for Wollongong, but when it comes to the hypocrisy of saying that something was promised by Coalition members in the lead-up to the election—

**Ms Noreen Hay:** Lee, you obviously do not have a clue. Barry O'Farrell and the shadow Minister promised things.

**Mr LEE EVANS:** That is fine, but the newly elected member for Wollongong has to fight for the people of Unanderra. The member for Wollongong has to fight for her community just as I fight for my community. In fact, I have been very successful in achieving all of my pre-election commitments. Was this a pre-election commitment made by the member for Wollongong?

**Ms Noreen Hay:** Did you do it for the Sea Cliff Bridge? You take all the credit for it though.

**Mr LEE EVANS:** It is an absolutely magnificent structure that was built by the former Labor Government. In fact, the former member for Heathcote played a part in its initial design. Let us take my electorate: in 2009 the Labor Government allocated money for the Waterfall parking station and it was built. Why was there a tick against Waterfall yet not a tick against Unanderra?

**Ms Noreen Hay:** That is because you lot took our money and gave it to Flinders.

**Mr LEE EVANS:** It is very unlike the member for Wollongong to be uncharitable. The Labor Government had 16 years—I wish another Government member would say right now "16 long years"—to deliver the upgrade to Unanderra railway station.

**Mr Mark Coure:** How many years?

**Mr LEE EVANS:** For the benefit of the member for Oatley, the former Labor Government had 16 years. Why has that lift not been built? The member for Wollongong has been fighting for it for how long? The answer is four elections, each for a term of four years. For 16 long years she has fought for it. Money was allocated for it but it was not spent. This is not a story about the Government; it is a story about the member for Wollongong.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind members that this Chamber is more than a kindergarten: This is the Parliament of New South Wales. Members will observe Standing Order 52—

**Mr Nick Lalich:** You wouldn't think so.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! The member for Cabramatta will come to order. Standing Order 52 states that members will be heard in silence. It is gross misconduct to make comments whilst the Chair is addressing the House.

**Mr GUY ZANGARI (Fairfield) [11.28 a.m.]:** I call on the Government to ensure the installation of easy access lifts at Unanderra railway station. It is obvious that the O'Farrell Government does not care about the difficulties that the elderly, pregnant mothers and the disabled endure. There is no doubt about that as the Government has failed to make easy access upgrades a priority. I support the motion, and I commend the member for Wollongong for raising this issue which is significant to the Unanderra community. The issue of providing easy access lifts extends to my electorate of Fairfield. The Villawood community has been waiting for a commitment from the O'Farrell Government to install easy access lifts and ramps at their local railway station.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! The member for Oatley will come to order.

**Mr GUY ZANGARI:** There is an extremely high concentration of elderly residents in the Villawood area. In fact, 16.5 per cent of the Villawood population is made up of people aged 65 years and older. These figures stress the urgent need for an easy access upgrade for the aged population in Villawood. Yennora station, in the Fairfield electorate, also requires an urgent easy access upgrade. Again, many members of the community are faced with restrictions due to the lack of easy access facilities such as lifts and ramps. This issue resonates through many suburban areas across New South Wales.

Due to the rising cost of petrol many motorists can no longer afford to travel by car to and from work on a daily basis. Instead, they are left to use public transport. Consequently, this has contributed to the increasing demand for public transport. The O'Farrell Government should be meeting this high demand and catering for the needs of New South Wales commuters. Instead, it is giving the people of New South Wales no option at all. The O'Farrell Government needs to commit to upgrading suburban railway stations such as Yennora and Villawood, as well as Unanderra in the Illawarra, by installing easy access facilities. I also include Chester Hill railway station, which is in my electorate of Fairfield. For most residents, both young and old, public transport is their only means of travel. Thus, accessibility is a main concern to the residents of New South Wales.

I place on record that the former Labor Government allocated \$11 million in the budget for easy access upgrades and recognised them as a vital instrument in assisting commuters daily. I remind the Government of its pre-election commitment that the community had nothing to fear with the election of a Liberal-Nationals Coalition Government. The motion moved by the member for Wollongong calls on the Government to ensure the installation of easy access lifts at Unanderra railway station, notes that the former Government allocated \$11 million in the budget for the easy access upgrade and reminds the Government of its pre-election commitment that the community had nothing to fear with the election of a Liberal-Nationals Coalition Government. I support the motion. I continue to support the member for Wollongong in her advocacy for the great people of Wollongong. I commend her for her fine work in taking the fight to the Government, which does not care about the vulnerable in our community.

**Ms TANIA MIHAILUK** (Bankstown) [11.32 a.m.]: I praise the member for Wollongong for moving this motion. The member for Wollongong is clearly a hardworking parliamentarian who delivers for the Illawarra. We will see whether the member for Kiama, who is the only Coalition member in the Illawarra, can deliver for the Illawarra in the future. I am impressed that the member for Kiama has walked back into the Chamber. He left swiftly after he made his contribution. I am surprised that he has time to be in the Chamber today because of the number of people he wines and dines in the strangers dining room—

**Mr Gareth Ward:** Point of order: The member for Bankstown is making a personal reflection on me. I was talking to the Kiama scouts in the gallery upstairs. The member for Bankstown should apologise for being so rude to my guests. She is not usually like that.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Kiama will resume his seat. The member for Bankstown has the call.

**Ms TANIA MIHAILUK:** In defence of the member for Kiama, I know that he sees many constituents in Parliament House and invites many of his constituent groups here. I made that comment in jest. He is busy. Indeed, he is so busy that I heard he has booked a table in the strangers dining room not only for the remainder of this parliamentary term but for a couple of terms: he is that confident.

**Mr Daryl Maguire:** Point of order: I ask that you bring the member for Bankstown back to the leave of the motion.

**ACTING-SPEAKER (Mr Lee Evans):** Order! I uphold the point of order. The member for Bankstown will return to the leave of the motion.

**Ms TANIA MIHAILUK:** The easy access program is of concern for many of us in south-western Sydney and the Illawarra. I am concerned that the people of the Illawarra and south-western Sydney will become the poor cousins of this Government while the attention of the Minister for Transport is solely on the North West Rail Link. I have yet to receive a response as to whether Yagoona train station will receive an easy access upgrade, despite having written to the Minister about the urgency of installing a lift at Yagoona train station. Yagoona has the potential to support commuters from across the Bankstown local government area. Indeed, many people travel to Yagoona by bus. It is important that Yagoona be considered for an easy access program. I am always interested to see what the member for East Hills is doing. I recall seeing in March 2011 a big photograph of the member for East Hills standing beside the Minister for Transport saying that Panania station would receive an easy access upgrade.

**Mr Daryl Maguire:** Point of order: The motion is clearly about Unanderra railway station. I ask you to draw the member for Bankstown back to the leave of the motion. She should get on with talking about the motion, not every issue in her electorate.

**ACTING-SPEAKER (Mr Lee Evans):** Order! I uphold the point of order. The member for Bankstown will return to the leave of the motion in the time permitted.

**Ms TANIA MIHAILUK:** Sadly, Panania station is still waiting for an easy access upgrade. Although the member for East Hills, together with the Minister for Transport, used a media opportunity 18 months ago to say that Panania station would have an easy access upgrade, a lift has still not been installed at Panania.

**Ms NOREEN HAY (Wollongong)** [11.36 a.m.], in reply: I acknowledge the contributions to the debate by the member for Kiama, the member for Kogarah, the member for Heathcote, the member for Fairfield and the member for Bankstown. Given that the member for Kiama quoted a letter that I wrote to my community, that is a pretty poor reflection on him. His entire contribution was about what he was delivering in his electorate. He did not deal with the fact that the Government had reneged on its commitment to deliver easy access lifts at Unanderra station.

I thank the member for Kogarah, who talked about the Government's broken promises and Labor's record in delivering infrastructure such as easy access facilities. It was clear from the contribution of the member for Heathcote that he does not have a clue, so I will help him by giving him some answers. The member for Fairfield talked about his experience. I share his pain in terms of how this Government deals with easy access. Although the member for Bankstown had a couple of points of order taken against her to use what few minutes she had, we were grateful for the member being allowed to contribute, but I think some members were a little too sensitive.

I now return to the contribution of the member for Heathcote, the Acting-Speaker. He asked why the upgrade was not delivered if the money was set aside in 2009. I will now explain a little about how government works, because clearly the Acting-Speaker has not worked that out yet. In 2007 Unanderra became part of the electorate of Wollongong. Prior to 2007 Unanderra was not in that electorate. By 2009 I had lobbied, and indeed on occasion had to fight inside my own Government, to achieve the \$11.4 million budgeted and allocated towards the easy access upgrade at Unanderra. Stage one of the upgrade was completed—the upgrade of the platform, weather facilities, toilets and so on—and stage two was about to be commenced when RailCorp said that it had found some kind of mechanical or electrical problems underground.

RailCorp then put up a notice to the people of the community stating that it had come across problems, that the patience of the community was required and appreciated, and that once the issues were rectified the second part of the easy access upgrade would proceed. In the interim an election occurred. A number of contributors here today—certainly from the Government side—have never attended the Unanderra area or been part of any of the public debates, so how they could respond to my comments on those debates is beyond me. The fact remains that commitments were given at public meetings that those lifts would be installed and, quite frankly, members of the Government who attempt to justify the fact that Flinders is getting a new station and Unanderra is not getting its lifts should hang their heads in shame. It is a disgrace. This issue should be put back on the table.

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

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Postponement of Business**

**Business of the House Notice of Motion No. 337 postponed by Ms Noreen Hay.**

## **RICHMOND GOLF CLUB**

**Mr BART BASSETT (Londonderry)** [11.43 a.m.]: I move:

That this House:

- (1) acknowledges the important role registered clubs have in supporting local communities; and
- (2) notes the appointment of the Member for Londonderry as the Patron of the Richmond Golf Club and thanks President Mr Alan Simpson, General Manager Michael Creighton and the board of directors.

It gives me pleasure to talk about registered clubs in our communities and specifically the Richmond Golf Club in the electorate of Londonderry. The Richmond Golf Club is believed to be the oldest golf club still on its original site in Australia. It has a long and colourful history spanning 110 years, surviving two world wars and playing host to countless rounds of golf. The game was first played in the Hawkesbury in October 1897 on a small nine-hole golf course located on the Hawkesbury Agricultural College paddocks at the Richmond common. On 15 March 1899 the golf club was officially formed with 17 gentlemen and 10 lady members. World War I had a large impact on membership as the men left to fight overseas. The club went into recess and remained dormant for 12 years, and war barracks for soldiers were built where the present day clubhouse is today.

By the 1930s interest in golf began to grow and people from all backgrounds were encouraged to take up the sport. Although a new nine-hole golf course was opened in June 1940, the war made money tight for the club and the residents of Richmond. American servicemen took over the clubhouse to house soldiers and in 1942 it was destroyed by fire. At the end of the war in 1946 it was agreed that the course be taken over by the local council and leased by the club to use. In the early 1950s constant flooding caused the course once again to close. By 1959, after thousands of hours of voluntary labour by members, the full 18-hole golf course and clubhouse as they are known today were officially opened.

In late 2011 the Richmond Club responded to a call for assistance from the golf club to ensure that a vital community asset remained in the Hawkesbury. After a period of voluntary administration both clubs entered into a deed of company arrangement and a management agreement in May 2012 to assist with golf club operations after members of both clubs agreed to the amalgamation proceeding. The process is expected to be finalised by the end of the year, ensuring that the heritage of the course remains in the hands of the Hawkesbury community. This just shows what great examples clubs are in our community. Here was a golf club that served the community well through two world wars, through many generations and decades, and when it found itself in trouble another successful community club, the Richmond Club, stepped up to the plate to assist.

I acknowledge the great work that the Richmond Club does in our community. Those opposite tried to gut clubs in New South Wales. The clubs were singing the praises of the Coalition when we won in March 2011 because we understood that clubs are partners with the community; that the Government cannot provide everything and councils cannot provide everything; and that clubs provide an amazing amount of finance and support in our communities, in sporting areas and all sorts of other things. Whether it is the women's cottage in my local area or the local facility that provides meals to the homeless, they are supported and backed by the Richmond Club. We were not about gutting; we were about giving back to the clubs their ability to put money into the community.

Not only is the Richmond Club now working in partnership with the Richmond Golf Club, it also runs Wanderest, which is a facility where people who are travelling around—our grey nomads—can stop for a maximum of a couple of days and access the facilities they need for their motor homes or caravans, and Active8, which is a gym that is at full membership. There are two other very important things that the Richmond Club has been involved in for quite a period in our community. One is Hawkesbury Living. As we know, nursing home and aged care facilities are hard to come by. People trying to place members of their families sometimes have difficulty finding quality facilities. They want to know that their loved ones will be in a setting that is caring. The Richmond Club, backing the nursing home and aged care facility in Richmond, Hawkesbury Living, has done a fantastic job. It has been given licences and Federal funding and it has expanded with the support of the State Government and local council. The Richmond Club has done an absolutely fantastic job extending that facility, and is continuing to do so.

More recently, the Hawkesbury Cancer Trust was formed. I need to acknowledge the Richmond Club and other members of our community, from the Hawkesbury race club to individual donations. There were two individual donations, both of \$1 million, made to the Hawkesbury Cancer Trust—one from the Peel family, a well-known family in our area, and another from an anonymous source—as well as donations of hundreds of thousands of dollars by our community, including money provided by me through the Community Building Partnership. I have allocated \$100,000 to the oncology unit that is being set up and supported by the area health district as well as the Richmond Club.

The old Hawkesbury Hospital site owned by Hawkesbury City Council is in the seat of Riverstone at Windsor, just up the road from Richmond. It is fantastic that a long-term lease has been entered into through the Richmond Club and Hawkesbury Cancer Trust to have the oncology unit operate out of the old hospital site, which is directly opposite the current Hawkesbury District Hospital. We have a fantastic partnership in the

community with the council, the Richmond Golf Club, members of the community, me as the local member putting money into the council, and the State Government through the district health board working with the Hawkesbury Cancer Trust to ensure that that oncology unit is not just for our local area but becomes a great facility for western Sydney. It is very hard for families with members who have to travel to get oncology treatment when they are feeling quite unwell. It is wonderful to have another facility in western Sydney. I congratulate the clubs on the work they do in our community.

**Mr NICK LALICH** (Cabramatta) [11.50 a.m.]: I join with my colleague the member for Londonderry in acknowledging the great support that registered clubs provide to communities throughout New South Wales. I also congratulate the member for Londonderry on his appointment as the patron of the Richmond Golf Club and acknowledge the board of directors, President Alan Simpson and General Manager Michael Creighton. Registered clubs provide a great deal to local communities. They are hubs of activity for people to socialise, have a meal, and catch up with old friends and meet new ones. In many communities you will often find the registered clubs to be the beating heart of the area. My electorate of Cabramatta is extremely diverse in terms of culture, race and backgrounds. Nowhere is it more important for there to be places that promote harmony and multiculturalism and enable new friendships to be forged than in Cabramatta. Our registered clubs, which I will name and acknowledge later, have been doing this and keeping our community together for a very long time.

The first registered club in Cabramatta that I acknowledge is the well known Cabra-Vale Diggers club, or Cabra-Vale RSL club. Cabra-Vale Diggers club started thanks to World War I, as strange as that may seem, when ex-servicemen met at various local and temporary venues to discuss the aspects of fundraising, building a club, providing social interaction and setting out a format for providing physical and mental welfare support for fellow veterans. The concept for the club was formed in the Cabramatta Town Hall on 16 April 1925, when 20 ex-servicemen were present. Mr E. Nunn was elected as president, Mr L. Griffey as secretary, and Mr N. Hanbury as treasurer. Also present at the meeting were delegates of the RSL and representatives of the Australian Legion of Ex-Service Clubs. That was the foundation meeting of what we call today Cabra-Vale Ex-Active Servicemen's Club Limited. These days Cabra-Vale Diggers is a hub of entertainment and activity every night of the week, never forgetting its roots that it is an ex-servicemen's club but embracing the new cultures that abound in our local area. The club is still the chosen venue for major events such as the Victory in the Pacific commemoration, which I attended on Monday this week, as well as services for Anzac Day and Remembrance Day.

Also in my electorate is the well-known Mount Pritchard Sport and Recreational Club, better known as Mounties. One of the biggest clubs in Australia, Mounties was awarded as Club of the Year in 2006, 2007 and 2009 by Clubs NSW. With 15 bars, four restaurants, three outdoor terraces, a world-class health club, M1 Mounties, free door-to-door courtesy buses, live entertainment from Thursday through to Sunday, including live shows every Saturday night, Latin and Asian bands plus the usual club offerings such as TAB, Keno, raffles and bingo, there really is something for everyone at Mounties. That is a bit of a plug for anyone who wants to go to Mounties. For the kids there is free entertainment every school holidays and a cool family entertainment arcade—mad@mounties—and a children's supervised play centre, Mounties Minis. On the sporting and community front, Mounties is a huge supporter of the local area. Mounties has 39 sub-clubs, including for cricket, footy and netball, euchre, swimming and bowls. Over \$5 million each year is donated to provide sports facilities and to sponsor sporting and community groups, including local schools, Telstra Child Flight, which transports critically ill children, ethnic groups and aged care.

Another registered club in our area that I pay tribute to is the Cabramatta Bowling Club, led by one of our community's finest in Mr Barry Watkins. Although a medium-sized club, Cabramatta Bowling Club makes a huge contribution to the community by sponsoring local cricket teams as well as groups playing other sports such as netball, rugby league, soccer and Australian Rules. Recently I assisted the local Cabramatta-Fairfield Police and Citizens Youth Club with fundraising in their Time 4 Kids program. Cabramatta Bowling Club pledged the highest donation of any club that day, selflessly handing over a cheque for \$5,000 to the PCYC so that troubled teenagers and kids can be properly case-worked and looked after. If that is not a pure example of a registered club doing the right thing and supporting its community then I do not know what is.

Plenty of registered clubs in my electorate do fantastic work for the community in providing support, financial assistance and grants, but in the interests of time I shall name and acknowledge them without going into detail of their many charitable and community-building activities: St Johns Park Bowling Club, Canley Heights RSL, Bonnyrigg Sports Club, Triglav Panthers Club, Mekong Panthers Club, Cabramatta Golf Club, Club Italia, and Cabramatta Leagues Club. All the registered clubs I have mentioned have done a fantastic job in



supporting the local community. Apart from the 2.5 per cent they must pay in tax out of their profits, these clubs give out millions of dollars—hundreds of thousands of dollars by some of the smaller clubs—each year to different community groups and charities.

They also make in-kind donations by letting groups use their hall and facilities free of charge. The clubs do a wonderful job not only in my area and in the Hawkesbury but throughout New South Wales. We owe a lot to our registered clubs and the people who run them. I acknowledge all the respective presidents, chairpersons, boards of directors, general managers, staff and volunteers who keep these registered clubs ticking over and thank them for their hard work in ensuring community spirit is alive and well in my electorate of Cabramatta, as well as in the Hawkesbury.

**Mr CHRIS PATTERSON** (Camden) [11.57 a.m.]: I support the motion and recognise the wonderful effort that registered clubs make in our communities. I acknowledge and agree with the member for Cabramatta, who has some great clubs in his electorate. I am not sure about his shameless plug for Mounties and whether I should take it up with the Election Funding Authority; I will leave that to his discretion. They are great clubs and we stand together in acknowledging that. Registered clubs in New South Wales play an important role. Clubs were formed to support our local communities. The O'Farrell Government is committed to supporting clubs because we understand the value of the support that registered clubs provide to our community.

That is why this Government introduced the Gaming Machine Tax Amendment Bill, which introduced the club grants scheme to allow our clubs to continue their support of communities. That is what it is all about—enabling those who help our communities to continue to do so. My electorate, not unlike the electorates of Cabramatta, Londonderry—every other electorate—is serviced by some fantastic clubs that give so much to our community. We have the Camden RSL, Camden Valley Golf Resort, Camden Golf Club, Camden Sports Club, Campbelltown Catholic Club, Campbelltown RSL, Campbelltown Bowling Club, Wests Leagues Club and Ingleburn RSL. These clubs support so many groups and individuals in our local areas.

I wish I had 40 minutes, not four, to tell members the virtues of these clubs, whom they support and what they put into our area. At a grassroots level, my local clubs offer sponsorship and financial assistance to so many sporting clubs, schools, local charities, community groups and individuals that are in need of their assistance. They also offer a meeting place, community activities, seniors activities, entertainment, great affordable dining and, most importantly, employment to so many people in the area. By the very nature of the industry the mix of employment opportunities is numerous, from jobs for part-time university students to full-time careers in fields such as marketing, events management and accounting, to name just a few.

There are so many clubs in my area doing a great job but due to time limits I will mention just a couple. A month ago I was at West Leagues at Leumeah with a great friend, Campbelltown councillor and board member Paul Lake. Also present were at least 20 or 30 local sporting clubs that support young men and women. I also attended the Campbelltown Catholic Club and the South West Academy of Sport. The Campbelltown Catholic Club supports local schools—Mater Dei, Magdalene, St Paul's, St Clare's, St Patrick's and St Greg's—and injects millions of dollars into the area. I acknowledge the achievement of the member for Londonderry in becoming a patron of Richmond Golf Club. As a former mayor and patron of several small sporting clubs I appreciate that it is a privilege and a testament to what the member for Londonderry does for his area and for local clubs. I am sure that when he replies to the debate he will express his pride, as he did when he moved the motion. I thank all the wonderful clubs not only in my electorate but in Cabramatta, Londonderry and other electorates for their efforts. Well done.

**Mr BART BASSETT** (Londonderry) [12.01 p.m.], in reply: I thank the member for Cabramatta and the member for Camden for their contributions to the debate and for highlighting the great work of clubs in our community. As the member for Camden said, the Gaming Machine Tax Amendment Bill 2011 was a way to show our support for clubs that support our community. That support is proven. The clubs are pleased that the change has allowed them to run their businesses and invest more in the community, as the chair of the Community Development and Support Expenditure Scheme, which manages the distribution of club moneys, said. I also acknowledge the North Richmond Panthers in my electorate. In the time I was involved with the Community Development and Support Expenditure Scheme the club attended all meetings and distributed money every year. I acknowledge the club's efforts in the community during my many years of involvement with the scheme, and its continuing contributions today.

St Mary's Rugby League Club at the other end of my electorate is a great club that has expanded to provide excellent restaurant and entertainment facilities. The board could have decided to build facilities that

would make more money for the club, but it is family oriented and decided to support the construction of Go Bananas. This massive facility located behind the club houses climbing equipment for children. The kids have a great time on weekends and the noise is absolutely fantastic. I congratulate the club on not basing its decisions on money but providing additional facilities for members and the community at large. The member for Cabramatta mentioned Mounties and the money it gives to the community. I am a member of Telstra Child Flight, which is a beneficiary of that organisation. It gives me the opportunity to express my pride in that service I founded with two others. However, I highlight that charities that receive donated funds have a duty to be fiscally responsible. Again, I call on the Telstra Child Flight board to resign and put in place a professional management organisation so that great charity no longer struggles because of bad management decisions.

But this motion is about the great work of the Richmond Golf Club over a long period and the services it has provided to the community. It is proof that clubs can step up to the plate and work together when necessary, just as the Richmond Golf Club was helped out of a financial predicament. It is important that the club, which has a great history in the electorate of Londonderry and the Richmond area, can continue into the future because community clubs stepped in. I look forward to the Richmond club's continuing involvement with the Hawkesbury Living aged care facility and the oncology unit, which, as I mentioned earlier, is extremely close to fruition. The whole community has worked to ensure that the oncology unit opens on the old Hawkesbury Hospital site. It will provide a wonderful medical service in western Sydney. I say to the clubs: Well done.

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

**Motion agreed to.**

#### **LONGWORTH AVENUE, WALLSEND, UPGRADE**

**Ms SONIA HORNER** (Wallsend) [12.05 p.m.]: I move:

That this House:

- (1) notes that Newcastle City Council has plans to upgrade Longworth Avenue, Wallsend, between Newcastle Road roundabout and Cameron/Cowper Street, but is hampered by two Hunter Water Corporation trunk mains constructed in 1884 and 1902; and
- (2) requests Hunter Water Corporation to immediately begin the design process for the replacement of the trunk mains to allow the council to undertake the necessary major road rehabilitation works.

Much talk has been devoted to the planning and construction of road infrastructure for our booming Hunter population, from upgrading major motorways, such as the Pacific Highway, to completing all five stages of the Newcastle Inner City Bypass. Improved road infrastructure that caters for constituents' growing needs must be on the agenda. However, minimal attention has been paid to suburban roads. Although frequently regarded as solely a local government issue, these roads are often at the mercy of our government departments. A prime example is the proposed upgrade to Longworth Avenue in Wallsend.

Newcastle City Council is seeking to upgrade the stretch of road between the Newcastle Road roundabout, Cameron Street and Cowper Street. Unfortunately, the council's plans have been hampered by two Hunter Water mains below the road that need replacing. The mains in question—the valve house and Newcastle Road pumping station—were constructed well over a century ago, in 1884 and 1902 respectively. Given their outdated nature and a series of other reasons that I will discuss in detail, I urge the House to request that Hunter Water immediately begin the design process for the replacement of this infrastructure.

The work is urgent as the Longworth Avenue carriageway is vital in servicing the Hunter region and its booming population. The proposed carriageway development along Longworth Avenue is part of the Newcastle City Council plan that covers transport facilities in Blue Gum Hills, including the road realignment and construction that is the topic of this debate, the installation of traffic signals at Maryland Drive, and an on-road cycleway and bus shelters along Minmi Road. Interestingly, one of the officers at Newcastle City Council said that the works in Longworth Avenue are viewed as a high priority. The officer said that the council has been discussing the matter with Hunter Water since 2008. Correspondence was sent to the utility company on 27 August 2008 and again on 10 October 2011 regarding the replacement of the mains. It is disappointing that an immensely advantageous project, given high-priority status by the council, has not come to fruition. I urge Hunter Water to address its attention to this matter urgently.

According to a proposal submitted by Newcastle City Council, the benefits associated with this road expansion are evident. The expansion will improve the supply of housing and residential land as well as housing affordability in the area. Existing residential lots will have access to increased land to be built upon, as the area covered by the land reservation acquisition will be slightly decreased. Importantly, the proposal to widen Longworth Avenue will improve public infrastructure and facilitate an easier commute for road users. This is significant, given that the target of the council's development control plan, the Blue Gums Hills area, is projected to experience a momentous increase in population. The plan will benefit the community in terms of traffic management. The avenue in question is linked to Minmi Road, which meanders from Wallsend through to Maryland, Fletcher and finally Minmi.

According to statistics obtained from Hunter New England Health, on average Minmi residents travel 30 minutes to work compared with those from Fletcher or Maryland. Only 49 per cent of residents in Fletcher and 53 per cent of residents in Minmi were satisfied with the level of traffic on Minmi Road. Depending on the direction of their commute, the expansion of Longworth Avenue may give Minmi residents a more viable and faster route when travelling to and from work. Regrettably, Newcastle City Council is at the mercy of Hunter Water, which is refusing to conduct necessary maintenance that will allow the council to undertake road expansion works in the street. Hunter Water has advised that vibrating or heavy construction equipment should not be used over or within the vicinity of the water mains. While Hunter Water continues to twiddle its thumbs about repairing this vital infrastructure, the council is totally hijacked. It can carry out only minor patching work until the mains are replaced. That is unacceptable because the road surface condition is poor, which affects adjacent residents and road users.

Unfortunately, an officer from Newcastle City Council has advised me that it is highly unlikely that work will commence on this project this year, or even in 2013. Given that the council initially raised this issue with Hunter Water in 2008, minimal action four years later is intolerable. Hunter Water has indicated that it will take approximately two years to design, fund and implement the water main replacement. I request that it be commenced in a more timely manner. It is only when the water mains have been replaced that the council will be able to upgrade Longworth Avenue. One of Hunter Water's reasons for not designing, funding and implementing the essential trunk water mains replacement is that the two mains in question still function adequately and do not need to be replaced immediately. That is now irrelevant because a council officer has informed me that a water main failed in Longworth Avenue a little over a month ago. That malfunction resulted in traffic disruptions and road repairs that impacted on road users and local residents.

Regardless of their political orientation, our three levels of government are required to work together to ensure that constituents have the best possible access to services and facilities. It is clear that Hunter Water must commence planning for the restoration of these water mains to allow Newcastle City Council to undertake road rehabilitation works on Longworth Avenue. The proposed expansion is significant for the many people who commute along this heavily used road. I urge the O'Farrell Government to intervene and to request Hunter Water immediately to commence the design process for the replacement of the trunk mains and to ensure that there are no further delays in rectifying this issue.

**Mr GARRY EDWARDS** (Swansea) [12.12 p.m.]: I thank my colleague the member for Wallsend for raising this local issue. She stated that Newcastle City Council has been hijacked. However, it must be noted that the council has had its own well-documented internal problems. I suspect that the upgrade of Longworth Avenue is one of many issues that has failed to progress because the council has been dysfunctional for several years. Hunter Water is aware of Newcastle City Council's proposed upgrade of Longworth Avenue. It has reviewed the two trunk water mains in question and has determined that they function adequately and do not require immediate replacement. It has invited the council to approach it about relocating the trunk mains outside the road reserve area and it will consider any request to relocate a trunk main on its merits. Any request for relocation would be handled in accordance with a longstanding agreement, which includes funding requirements, with Roads and Maritime Services and local councils.

Under that agreement, it is the responsibility of either the council or Roads and Maritime Services to approach Hunter Water to relocate the infrastructure. I strongly urge those responsible at Newcastle City Council to do just that at their earliest convenience. I point out that the O'Farrell-Stoner Government instigated the Hunter Infrastructure Fund to deal with these issues. This Government provides low-interest loans for councils to assist them to overcome the infrastructure project backlog. The O'Farrell-Stoner Government is planning and working feverishly to overcome 16 years of infrastructure neglect under the Labor Government, and particularly that required at the local government level.

**Mr ANDREW CORNWELL** (Charlestown) [12.16 p.m.]: I also acknowledge my colleague the member for Wallsend for raising this important issue. Like my colleague the member for Swansea, I have been advised by Hunter Water that it has reviewed the two trunk mains in question and has determined that because they function adequately they do not require immediate replacement. It also advised me that Newcastle City Council can approach it about relocating the trunk mains outside the road reserve area and that it will consider any request to relocate mains on its merit. The member for Wallsend mentioned the travel times experienced by people commuting from Minmi, Fletcher and Maryland. They do experience bottlenecks and I am glad the council has acknowledged that something should be done to improve traffic flows.

The O'Farrell-Stoner Government is spending tens of millions of dollars on Newcastle Road, which Longworth Avenue abuts, to improve traffic flows for residents in the western suburbs of Newcastle and the northern suburbs of Lake Macquarie travelling to and from the central business district. That work is important because nothing has been done about that situation for a long time and there is a traffic bottleneck. It will also be the major point of entry for the Hunter Expressway, which will cause a large amount of traffic to be diverted from the Hunter Valley to the western suburbs of Newcastle rather than coming as it has through Hexham down to the Pacific Highway. These works are vital and it is important that Newcastle City Council work closely with Hunter Water to ensure the road widening proceeds.

As traffic increases on Newcastle Road when the Hunter Expressway is opened, the fact that Longworth Avenue is a narrow road with single lanes in each direction could result in another bottleneck. This is an important issue and it would appear that the left hand does not know what the right hand is doing. I encourage Hunter Water and Newcastle City Council to communicate to ensure that they understand the importance of doing something about this problem. They should work together to ensure that these works progress in a timely manner. I commend the member for Wallsend for raising this matter.

**Ms SONIA HORNER** (Wallsend) [12.18 p.m.], in reply: I thank the member for Swansea and the member for Charlestown for their contributions. As local members they are very familiar with the road and it is appropriate that they address this issue. I acknowledge the reference by the member for Swansea to reports of dysfunction within Newcastle City Council. However, I understand that the council officers involved in this issue are very competent and that they have been working on this project for some years. I am pleased to hear that Hunter Water is aware of the proposals but I am confused about its statement that the water mains are still functioning adequately. As I said, one of the water mains was built in the 1800s and has recently caused problems. The fact that it is well over 100 years old and that there have been problems recently is not consistent with Hunter Water's statement that it is functional.

One would think a water main built in the 1800s might be due for repair, and perhaps relocation, very soon. Apparently Hunter Water has also suggested relocating the infrastructure, and I wonder who will pay for that. I am sure that Newcastle City Council would be amenable to that notion but cannot afford to do it. It would welcome Hunter Water paying for that infrastructure as we know that councils are stretched for funds. I thank the member for Charlestown for raising that matter and I look forward to discovering who will fund the work. I also thank the member for Charlestown for his investigations and for his update to the House. I am glad that Hunter Water will consider any request. As I reported in my motion, Newcastle City Council has not received replies to correspondence that it forwarded to Hunter Water. I hope this motion will give Hunter Water a kick along and that it will correspond more diligently with Newcastle City Council in future.

I agree with the member for Charlestown that upgrades to the Hunter Expressway—I thank the Federal Government for the majority of funding for that project, assisted by the State Government—will lead to more traffic and it will be difficult for residents of Blue Gum Hills, Minmi, Fletcher and Maryland to negotiate bottlenecks at the major roundabouts from Wallsend to Newcastle. Local, State and Federal roads agencies must ensure that Hunter motorists can get to work safely and efficiently and that people can travel easily from Sydney and from Maitland in the west. I urge all members to support my motion. I am not trying to be negative; I simply want Hunter Water and Newcastle City Council to work together to widen this road.

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

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Postponement of Business**

**Business of the House Notice of Motion No. 360 postponed by Mr Daryl Maguire on behalf of Ms Gabrielle Upton.**

### MITOCHONDRIAL DISEASE

**Mr RICHARD AMERY** (Mount Druitt) [12.23 p.m.], by leave: I move the following motion as amended:

That this House:

- (1) notes that 16 to 22 September 2012 is Global Mitochondrial Awareness Week;
- (2) notes that researchers have linked mitochondrial dysfunction to many other major diseases such as Parkinson's, Alzheimer's and Huntington diseases; and
- (3) calls on both the private and public sector to promote more public awareness of this disease.

I thank the Government for allowing a minor but important amendment to my motion. I want to put Global Mitochondrial Disease Awareness Week on the record of State Parliament. I have made representations to the Minister for Health, and Minister for Medical Research, Mrs Jillian Skinner, to which I have received a positive response and for which I thank the Minister and her office. It is an understatement to say that mitochondrial disease is not before the public eye. In fact, my representations were made on behalf of my brother, Norm Amery, who is a constituent of the Minister. I must confess that I knew very little about this disease until my brother became a sufferer. Due to his continued treatment on the North Shore my brother was invited to be involved with the Australian Mitochondrial Disease Foundation to assist with public awareness and fundraising for what is often known as the "invisible disease".

Mitochondria are a part of the cells in our body that make energy and allow our various organs to function. They are everywhere, including the heart, brain, eyes, et cetera. The impact of any deterioration in those organs is only too obvious. In short, if one has this disease—and one just may do so—one's body cannot make enough energy to make those vital organs work. When we examine the facts of this disease we must ask: Why do we not know more about it? Obviously it is a very serious disease with fatal consequences. Paragraph (2) of my motion probably provides some part of the answer to that question: the symptoms are the same as those for many other ailments and diseases. Medical professionals treat those ailments and problems in isolation, based on previous experience with other diseases that I know more about. In fact, researchers have found links to other major and probably more well-known diseases, such as Parkinson's, Alzheimer's and Huntington's disease.

The information that I have obtained shows clearly that a much bigger effort is needed from both public and private sectors to raise community awareness of the early signs of the disease, which can be as simple as tiredness in children. Hopefully this will lead to increased funding for awareness campaigns and, more importantly, research. I draw the attention of members to the Australian Mitochondrial Disease Foundation. I recommend that they access its website for more information and perhaps include this foundation on the list of organisations to which they send a few dollars each year. I report to the House that Mitochondrial Disease Awareness Week will be from 16 to 22 September. The foundation's website provides contact details for joining or for just sending a donation. Importantly, the facts will shock many. The foundation's introduction is headed "Imagine", and uses strong and emotive words. It states:

*Imagine ...*

Imagine your 8yr old daughter, who dreams of becoming a nurse to help people, suddenly having a "stroke" followed by 13 more strokes before she turns 12. She is now demented, partially blind, deaf and weak, and the next "stroke" is just around the corner and could be fatal.

Imagine having four long-awaited children, then watching your 7yr old son die slowly from an unknown cause and no one has the answers. It's not until your 20yr old daughter develops the same symptoms, and you've had to struggle to convince the specialists that the illnesses are related, then action is taken.

Imagine that there is one child born in Australia every week who will tell a similar story yet the medical profession struggles to diagnose it and few doctors even think of it. The patient has to cope with no support from the community as it fails to recognise the symptoms, then organs begin to fail and life is shortened. Imagine if it was you or someone close to you ... imagine.

As a parent and a grandparent I would say that "terrifying" might be a more appropriate description of this disease about which we know very little. I ask members not only to take note of my motion but also to contact the Australian Mitochondrial Disease Foundation to see what they can do in a small way to help this organisation beat a disease that is invisible to most of us. I commend the motion to the House.

**Mrs LESLIE WILLIAMS** (Port Macquarie) [12.30 p.m.]: I congratulate the member for Mount Druitt on raising this important issue in the House today. As Global Mitochondrial Disease Awareness Week

approaches—16 to 22 September 2012—members should keep in mind that this debilitating disease is not as rare as one might imagine. I will explain what the mitochondria are because it is not a term that most people would be familiar with. The mitochondrion is a membrane-enclosed organelle that forms part of our complex cell structure. The mitochondria generates most of the energy of the cell and is often referred to as the power house of the cell as it provides the body with more than 90 per cent of the energy it needs to sustain life. Mitochondria take in sugars and proteins from the food we eat and produces energy called ATP that our bodies use to function properly.

Mitochondrial disease, or "mito" as it is often abbreviated, is a debilitating and potentially fatal disease that reduces the ability of the mitochondria to produce this energy. When the mitochondria are not working properly cells begin to die until eventually whole organ systems fail and the patient's life is compromised. As the member for Mount Druitt has said, mitochondrial disease can affect any family at any time. It does not distinguish between race and gender. Mitochondrial disease is the name given to a group of genetic disorders that impairs mitochondrial function and may, in its severest form, produce clinical disability. There are very few effective treatments and no cure for mitochondrial disease, and, unfortunately, doctors are unable to predict its progression or the outcome for patients. There are more than several hundred variations of the disease, each with its own set of symptoms and challenges depending on the location of the cells. For that reason, it is commonly misdiagnosed or undiagnosed entirely.

An affected individual may have strokes, seizures, gastrointestinal problems, blindness, deafness, heart and kidney problems, muscle failure, heat and cold intolerance, diabetes, lactic acidosis, immune system problems or liver disease. The exact prevalence of mitochondrial disease in New South Wales is not known, but based on various research studies it is estimated to be about one in 200 persons. Mitochondrial disease can affect both adults and children, and research shows that mitochondrial dysfunction is at the core of many very common illnesses such as Alzheimer's disease, dementia, Huntington's disease and Parkinson's disease. Scientists believe that by researching mitochondrial dysfunction they may be able to devise effective treatments and potential cures for mitochondrial disease and help the millions of people who suffer from illnesses such as Alzheimer's disease, dementia, Huntington's disease and Parkinson's disease.

While there are numerous clinical trials relating to this debilitating disease, at present there is no known cure and management of this disease is limited to dealing with the secondary symptoms. The New South Wales Government advocates and supports all medical research across New South Wales for this disease primarily through the Medical Research Support Program, which is administered by the Office of Health and Medical Research. The program provides infrastructure funding, and in 2011-12 the New South Wales Government increased this funding to \$32.3 million. Following the NSW Health and Medical Research Strategic Review the program has been enhanced further to \$37.3 million. This funding is particularly important for researchers because it contributes towards everyday expenses associated with conducting research that is not supported by the competitive research grant system.

The Medical Research Support Program provides funds through the Westmead and North Shore campuses for research into neurogenetic disorders, with a particular interest in mitochondrial function and movement disorders. The member for Mount Druitt will be pleased to know that I do know about the Australian Mitochondrial Disease Foundation. I also take this opportunity to acknowledge the work done by that foundation. The Australian Mitochondrial Disease Foundation was set up in 2009 as a charitable foundation following the diagnosis of Rose Lingard with mitochondrial disease. The foundation, which was set up by Rose's family and friends, recognises the need to coordinate resources directed towards the support of affected families and, of course, research to find a cure. The foundation is determined to find a cure for this disease and, at the very least, improve treatments for symptoms through supporting and funding research projects that seek to increase our understanding of the disease. I again thank the member for Mount Druitt for bringing this important issue to the attention of the House.

**Dr ANDREW McDONALD** (Macquarie Fields) [12.34 p.m.]: It is with much pleasure that I speak in support of the motion moved by the member for Mount Druitt. Mitochondrial disease is the great mimic and it is incredibly difficult to diagnose. Often doctors tend not to think of the tests required to make such a diagnosis because they are technically difficult to administer, especially outside the teaching hospital system; they are also quite invasive—for instance, samples taken from young children by lumbar puncture. I have met a few young people with mitochondrial disease; it is a devastating diagnosis. They have often endured many months or even years of symptoms that have been misdiagnosed. There is no simple test for the disease. It is devastating for any family to be told that one has a condition that is untreatable, is rare and will have an uncertain course.

The Australian Mitochondrial Disease Foundation does such a wonderful job. Prior to 2009 very little information and support was available for those with mitochondrial disease, which presents in an enormous variety of manifestations. Often in young children it presents as muscle weakness, but it can also present as recurrent meningitis or encephalitis-type symptoms and, as a general rule, misdiagnosis or delayed diagnosis is the consequence. The effects of this disease vary and as we are learning more about this disease we are finding that more people are affected by it. Approximately one in 250 people carry a mitochondrial genetic defect. As every cell has, on average, hundreds of thousands of mitochondria, the consequences of the dysfunction of the mitochondria can be devastating.

As previously said, the mitochondria are the batteries of the cell. We need mitochondria to metabolise oxygen and produce energy; we cannot utilise oxygen and have energy if all our mitochondria are not working. In practice this will often mean that the symptoms are variable and non-specific, which is why those with the disease are misdiagnosed with psychiatric or other medical conditions. It is only after a considerable time that the disease is recognised. The Australian Mitochondrial Disease Foundation has this wonderful event called "Stay in Bed Day" to raise funds for research into this disease. I strongly urge all members to support it.

We can get mitochondrial disease in any part of our bodies: brain, heart, liver, and even the eyes. The mutations can present in childhood or adulthood, and are often associated with diseases in which one would not think that mitochondrial dysfunction would occur such as Alzheimer's disease or Parkinson's disease. More research needs to be done into this disease because we still do not know much about it. Importantly, unless there is widespread community awareness of the disease it will continue to be diagnosed late. Unless every doctor considers the possibility of mitochondrial disease the appropriate tests will not be done and families will undergo unnecessary pain and suffering until the correct diagnosis is made. I commend this great motion to the House.

**Mr DARREN WEBBER** (Wyang) [12.38 p.m.]: Mitochondrial disease is often described as having a massive power outage within one's body. Many can claim to have experienced something similar, but obviously not to the level that someone suffering from this disease has experienced. Mitochondrial disease was first diagnosed in an adult in the 1960s but, unfortunately, it has been shrouded in the dark ever since and is yet to be sorted out. What we do know is that mitochondria take sugars and protein from food and convert them into energy that powers most of our body cell functions. Mitochondrial disease reduces the ability of the mitochondria to produce this energy. Mitochondria are found in every cell in the human body except red blood cells. Mitochondrial disease has a wide variety and severity of symptoms, depending on the location of the cells, and for this reason it is commonly misdiagnosed or not diagnosed entirely.

The affected individual may have strokes, seizures, gastro-intestinal problems, blindness, deafness, heart and kidney problems, muscle failure, heat and cold intolerance, diabetes, lactic acidosis, immune system problems and liver disease. It is encouraging to know that the Australian Mitochondrial Disease Foundation, in conjunction with the Centre for Population Health Research at Curtin University of Technology, is developing Australia's first national patient database for this disease. The establishment of this database will enable the foundation to gather new information on how the disease affects individual patients, and will assist in measuring the effects of future available treatments. Provision of this vital information to doctors can only help with the goal of one day finding a cure. At present there is no highly effective treatment and no known cure.

Global Mitochondrial Disease Awareness Week will be held from 16 to 23 September, culminating in World Stay in Bed Day on Sunday 23 September 2012. Across the globe the week will be marked with various educational, fundraising and advocacy efforts, all designed to raise awareness about mitochondrial disease. By 2011 the Australian Mitochondrial Disease Foundation was joined by 10 different organisations from countries including Canada, New Zealand and the United States of America, as well as European countries, making Mitochondrial Disease Awareness Week a truly global endeavour. World Stay in Bed Day was launched by the Australian Mitochondrial Disease Foundation in 2010.

Ways to support World Stay in Bed Day include being sponsored to sleep in, hosting a pyjama party or by simply making a donation while supporting people who do not have a choice about being bedridden. In New South Wales a mitochondrial information day is scheduled for 13 September 2012 at Kolling Institute of Medical Research at the Royal North Shore Hospital, for patients and their families. For more information about the disease and to find out how to get involved in World Stay in Bed Day, the Government encourages everyone to visit the global Mitochondrial Disease Awareness Week website at [www.gmdaw.org](http://www.gmdaw.org). I thank the member for Mount Druitt for raising this issue, and I commend the motion to the House.

**Mr DARYL MAGUIRE** (Wagga Wagga) [12.42 p.m.]: I admit that I was blissfully ignorant of mitochondrial disease until I received an email some time ago from a friend of more than 30 years informing me about this disease and asking me to do what I could together with the then shadow Minister for Health. That friend is Norm Amery, to whom the member for Mount Druitt referred as his brother. Norman and I go back a very long way, and I am pleased that the member for Mount Druitt has brought to the attention of the House a disease that is not well known and certainly is not understood but needs the support of all to raise funds to bring about awareness and to find cures and solutions to what is a debilitating and dreadful disease.

The member for Mount Druitt noted that Norm had been approached to help with the organisation's campaign. I can think of no-one better than Norm Amery to promote the cause, because he has a long history in marketing. Indeed, we go back more than 30 years in the furniture industry; Norman was a marketing guru who was well respected throughout the industry. I will not go over the background to this disease; other speakers have already done so. I simply tell the member for Mount Druitt that the Parliament is the place to raise such matters. We should encourage the organisation to hold an awareness day in Parliament House so that members, family and friends, and staff can become more aware of the disease and its effects on people of all ages and their families. Importantly, there are ways that parliaments can help. Governments can do many things but they cannot do everything. That is why it is necessary to get the enthusiasm, support and energy of members of Parliament behind such awareness campaigns. The Parliament is the right forum for raising these matters. Use it—it is the people's place.

I am more than happy to assist the member for Mount Druitt, Norm Amery and all the others in the organisation in their awareness campaign. I note with interest the Stay in Bed campaign. For organisations to be noticed, they need different ways to attract interest and get their message out there. The Stay in Bed campaign is different, but people take notice. Organisations need to undertake awareness campaigns to draw attention to their cause. In conclusion, Norm is an occasional visitor to Parliament House. When he is here I get the chance to say hello to him and his wife; I enjoy seeing them. I wish Norm well in his fight against this disease. Importantly, I wish him and the organisation well in spreading the message and garnering support from the wider community so that more funds can be raised, the challenge can be met and we can take pride in knowing that we worked together to try to bring about an outcome and a solution to this insidious disease.

**Mr RICHARD AMERY** (Mount Druitt) [12.46 p.m.], in reply: I thank the member for Port Macquarie; the shadow Minister for Health, the member for Macquarie Fields; the member for Wyong; and the member for Wagga Wagga, who has a personal connection with at least one sufferer of mitochondrial disease, whom I mentioned earlier. This debate has been interesting. The member for Wagga Wagga was honest and said that he was blissfully ignorant about this disease. That also applied to me, and it probably applies to the general population. I do not think that is an insult to anyone because there has been so little information about the disease. Previous speakers referred to Stay in Bed Day and what a strange name it was for a day to draw attention to a disease. However, it is relevant to the treatment of this disease.

The treatment for the pain surges and the impacts on a person with mitochondrial disease—or "mito", as it is sometimes referred to—is to rest or stay in bed, depending on what part of the body is severely affected. The word "treatment" is not correct; "manage" is perhaps more accurate. World Stay in Bed Day is about telling people that those with mitochondrial disease must do a lot of resting. I see how one sufferer of the disease, my brother, Norm, manages. He is 75 years of age. He manages to take holidays, attend family events and birthday celebrations, and have dinner with friends. But it takes a lot more preparation; it means resting the day before and taking various pain medications. Sufferers also spend a lot of time in bed recovering from what we would call a casual night out or a casual function. It is a matter of managing and planning.

As other speakers have said, very little is known about the disease. The fact that a motion like this can come before the Parliament and four or five members have to find out what the disease is, what its background is and what the symptoms are—even how to pronounce it—shows that it is an unusual disease, but it is linked to many other diseases that we know only too well. As, I think, all members have said, get the information. The member for Wyong gave the internet address. When the campaign week comes around, members should talk to their local press and local residents about it, perhaps get out a chequebook and give a modest donation to the organisation, and keep it on their list for the months and years ahead. I thank all members for their support of the motion; I think it is a very worthwhile one. It shows the challenges before our medical researchers—not only in mitochondrial research but in all areas, including the treatment of cancer, heart disease and so on. We owe our gratitude to those who put so much of their lives into trying to find a solution to the diseases which affect our society. I commend the motion to the House and thank all members for their support.



**The DEPUTY-SPEAKER (Mr Thomas George):** I extend appreciation to the member for Mount Druitt for raising this issue and asking the House to get behind the awareness week. Even though the motion was tabled 12 months ago, it is timely for this year.

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

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Postponement of Business**

**Business of the House Notice of Motion No. 374 postponed by Mr Richard Amery.**

## **JOINT SELECT COMMITTEE ON THE NEW SOUTH WALES WORKERS COMPENSATION SCHEME**

### **Report: New South Wales Workers Compensation Scheme**

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

**Pursuant to standing orders debate postponed and set down as an order of the day for a future day.**

## **LEGISLATION REVIEW COMMITTEE**

### **Report: Legislation Review Digest No. 20/55**

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

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.53 p.m.]: As Chair of the Legislation Review Committee, I take this opportunity to comment on the Legislation Review Digest report that was tabled on 19 June 2012. This was the twentieth digest prepared by the Legislation Review Committee of the Fifty-fifth Parliament. As the member for Mount Druitt often says in this House, it is the hardest working committee in the Parliament. It produces more reports than any other parliamentary committee. I highlight not only the number of reports it produces but also the quality of the reports. The role of the committee is to identify issues in legislation and regulations as outlined in sections 8A and 9 of the Legislation Review Act.

The twentieth digest examined the seven bills introduced in the sitting week commencing 12 June 2012. The bills are the Appropriation (Budget Variations) Bill 2012, the Child Protection (Working with Children) Bill 2012, the Community Housing Providers (Adoption of National Law) Bill 2012, the Game and Feral Animal Control Amendment Bill 2012, the National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012, the Security Industry Amendment Bill 2012, and cognate bills comprising the Appropriation Bill 2012, the Appropriation (Parliament) Bill 2012 and the State Revenue and Other Legislation Amendment (Budget Measures) Bill 2012.

I will now speak briefly to the bills. The cognate bills provide for the appropriation from the Consolidated Fund of various sums of money required during the 2012-13 financial year for the recurrent services and capital works of the Government and the Parliament. These bills give legislative effect to the 2012-13 budget. The State Revenue and Other Legislation Amendment (Budget Measures) Bill 2012 is also a cognate bill and makes various amendments to the First Home-New Home scheme, rental and levy fees for holders of mining authorisations and petroleum titles, and the Electricity Supply Act 1995, and repeals the Hawkesbury-Nepean River Act 2009. The committee has referred to Parliament various elements of this bill in relation to the rule of law, freedom from self-incrimination, the right to silence, and the powers of non-elected persons.

The Child Protection (Working with Children) Bill 2012 introduces a new Working with Children Check in New South Wales. The committee has referred to Parliament elements of the bill which, in certain circumstances, provide for the reversal of the onus of proof, the authorisation of the disclosure of information, which may include untested evidence or information subject to legal professional privilege, and the ousting of

the jurisdiction of the courts. In reviewing the Community Housing Providers (Adoption of National Law) Bill 2012 the committee has referred to Parliament its concerns relating to the removal of an individual's right to pursue relief in the courts. The committee has referred to Parliament its concerns regarding the powers granted to officials and the subordinate legislation-making powers of the Game and Feral Animal Control Amendment Bill 2012. In considering the Appropriation (Budget Variations) Bill 2012 and the Security Industry Amendment Bill 2012 the committee noted issues relevant to the committee in respect of the issues set out in section 8A (1) of the Legislation Review Act 1987, but made no adverse comments.

The committee made no comments in reviewing the National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012. For a detailed consideration of the identified issues in the bills, I invite members to review the digest. I remind the House that the digest aims to assist members in their consideration of bills and highlights the issues that the committee has considered when reviewing bills that have been tabled in the House. I thank the members of the committee, namely, the member for Swansea, the member for Rockdale, the member for Bankstown, the member for Parramatta and our colleagues in the other place, the Hon. Shaoquett Moselmane, the Hon. Dr Peter Phelps and Mr David Shoebridge, who have provided invaluable assistance in the scrutiny of bills introduced to this Parliament and ensured that the digest will continue to be of assistance to all members. I particularly pay tribute to the staff. I am sure the member for Mount Druitt would concede that there was a lot of legislation in the twentieth digest and to bring that back to Parliament after only a few days between the two sitting weeks is great testament to the work and professionalism of the staff. I commend the digest.

**Mr RICHARD AMERY** (Mount Druitt) [12.58 p.m.]: As I say on all of these occasions as the Opposition Whip, the Legislation Review Digest is an important document for members, particularly non-Government members, because it enables them to have a look at the comments made by the committee on legislation that comes before the Parliament. Many of the bills referred to in the contents page of the digest have been the subject of substantial debate in this Parliament. I note that the sixth bill, the National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012, received no adverse comment. I hope I am quoting the chair of the committee correctly when he said that the Appropriation (Budget Variations) Bill 2012 also received no adverse comment from the committee. The committee also reviewed the Child Protection (Working with Children) Bill 2012.

This digest has come before the Parliament after the winter recess. We look at the digest every Thursday during sitting weeks. I always study the digest; I find this document very helpful as a guide to how the committee assesses the legislation and balances it with various explanatory notes on the bills before the Parliament. I must repeat that despite the work of the committee being impressive, as it always is, and obviously diligent, the committee is not getting the workload it should from a brand new Government that has been in office for 16 months after 16 years in opposition. The Government has come to the Parliament with a very light legislative program and the digest confirms that. Legislation falls into two categories. One is administrative in nature—legislation adopting national agreements, amending legislation arising from court decisions or as a result of concerns raised by, for example, police or the legal profession, and so on. Those bills are administrative in nature and, generally speaking, whichever party is in government has no impact on those bills.

There also are bills to implement major government legislative reforms. They have not been much in evidence on this Government's agenda except when it wants to change the working conditions of employees in New South Wales or adopt some arrangement with other parties in the upper House. I have no doubt that this is the hardest working committee in the Parliament but the legislative program that is fed to the committee by the Government certainly deserves comment each week and scrutiny by the public. The number of speakers in this place on what are mainly machinery bills is something the committee should perhaps look at because, quite clearly, there is a lot of padding in the Government's legislative program. A large number of speakers are put up every day by the Government to fill the time of the House. I commend all the staff members responsible for putting this report together but I think this committee should be given more work by a Government that was in opposition for 16 years and has now been in government for 16 months.

**Ms TANIA MIHAILUK** (Bankstown) [1.02 p.m.]: I will make a brief contribution to the take-note debate on Legislation Review Digest No. 20 of the Fifty-fifth Parliament, dated 19 June. I also acknowledge my fellow committee members, who represent the electorates of Myall Lakes, Parramatta, Rockdale and Swansea, and our colleagues in the other place, Mr David Shoebridge, the Hon. Shaoquett Moselmane and the Hon. Dr Peter Phelps. As always, I acknowledge the hardworking staff who often have to prepare the digest in back-to-back sitting weeks. Although they have very little time to do so, they do a thorough job. As all members appreciate, the digest provides us with a great deal of information that we often are able to utilise when preparing our speeches in relation to the bills listed in the digest. The member for Myall Lakes and I take the

opportunity to encourage members to read the digest. I know the member for Orange loves the digest and goes to sleep each night with it. He is always in the House for the take-note debate on our committee reports. I am not sure whether that is due to his House duties or his passion for the Legislation Review Committee reports. The member for Orange should join our committee; we need him.

A considerable number of bills were dealt with prior to the winter break. The committee went through the various issues relating to the functions of those bills. I will not go into detail on each bill but a couple were reasonably controversial to members on this side of the House. The vast majority were not. The Child Protection (Working with Children) Bill 2012, which was passed in the last sitting week before the winter break, is discussed in the digest. That bill received bipartisan support and I was pleased to see that the restrictions surrounding people working with children were extended to volunteers. The Government, the Opposition and all crossbench members agreed that tougher restrictions on volunteers were needed to protect children. The bill also streamlined the process and enabled organisations to run thorough checks on their staff and volunteers. I commend the digest to all members and again thank the committee members and staff for their work and resolve in preparing a thorough digest each sitting week.

**Mr DARYL MAGUIRE** (Wagga Wagga) [1.06 p.m.]: I will make a few comments about the Legislation Review Committee. I want to acknowledge the work of the chair and committee. All members appreciate the committee's reports, which provide a sound understanding of the bills coming before the Parliament. I point out to the Opposition Whip that his comments with regard to the legislative program were inaccurate. In the Fifty-fourth Parliament 417 regulations and bills were dealt with and in the Fifty-fifth Parliament we have already dealt with 459. As he was inaccurate, I thought I should point that out. Of course, we are only part way through the Parliament. To suggest that this is not a hardworking Government is inaccurate. However, I understand that resources are very limited in opposition. Therefore, it is understandable that the Opposition Whip could make such a mistake.

I tried to avoid making mistakes as much as possible when I was Opposition Whip and now with the resources available to me I can state for the record that the member for Mount Druitt was incorrect. These digests are important. I have always acknowledged the work of the committee and particularly the secretariat who collate all the information. The digests are invaluable to members. Indeed, this latest document deals with seven bills as well as regulations. I look forward to reading it. I understand the member for Orange enjoys the digests as bedtime reading, and rightly so. New members need to understand the bills they are debating and do their homework. I thank members for allowing me to make this brief contribution.

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

**Report noted.**

#### **COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION**

**Report: Review of the 2009-2010 and 2010-2011 Annual Reports of the Independent Commission Against Corruption**

**Report: Review of the 2009-2010 and 2010-2011 Annual Reports of the Inspector of the Independent Commission Against Corruption**

**Motion by Mr Mark Speakman agreed to:**

That in accordance with Standing Order 306 (7) the reports of the Committee on the Independent Commission Against Corruption, being Orders of the Day (Committee Reports) Nos 3 and 4, be considered together.

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

**Mr MARK SPEAKMAN** (Cronulla) [1.10 p.m.]: Today I speak on two reports tabled on 21 June 2012 of the Committee on the Independent Commission Against Corruption. The committee's role includes examining each annual report and other reports of the Independent Commission Against Corruption and the Inspector of the Independent Commission Against Corruption. These reports are the result of the committee's first annual report reviews during the current Parliament. I deal firstly with the annual reports of the Independent Commission Against Corruption. During the previous Parliament the Independent Commission Against Corruption sought the committee's support for a request for additional funding. The committee heard that the Independent Commission Against Corruption has since obtained additional recurrent funding of \$2 million annually from 2011, as well as an earlier one-off supplementation of \$1.2 million.

The committee was pleased to note the approval of additional funding has enabled the Independent Commission Against Corruption to recruit additional staff and upgrade equipment. According to the Independent Commission Against Corruption Commissioner, the increased funding has assisted the Independent Commission Against Corruption in managing a sharp increase in its investigative work. The Independent Commission Against Corruption has almost cleared its backlog in preliminary investigations, halving the number of matters under preliminary investigation during 2011. As to future funding, the committee heard that the Independent Commission Against Corruption may require additional resources for planned upgrades to information communication technology and telephone interception infrastructure.

The committee has looked at the Independent Commission Against Corruption's development of policies and processes for referrals to agencies. Under sections 53 and 54 of the Independent Commission Against Corruption Act, the commission may refer a matter to an appropriate agency for investigation. The last few years have seen an increase in the number of referrals to agencies. The committee heard that the Independent Commission Against Corruption has made an ongoing effort to implement processes and tools to enable effective oversight of section 53 and section 54 referrals. For instance, during 2010 to 2011, the Independent Commission Against Corruption reviewed the conduct of referred investigations by agencies. As a result, new procedures were implemented. These focused on clarifying the types of matters appropriate for referral, improving communication between the commission and agencies that are conducting the referred investigations, and providing training for Independent Commission Against Corruption staff on effective oversight of investigations.

Another area of continuing improvement examined by the committee was the prosecution of matters arising out of Independent Commission Against Corruption investigations. The committee was pleased to observe the ongoing efforts of both agencies to improve cooperation and minimise delays. Cooperation between the Independent Commission Against Corruption and the Director of Public Prosecutions has resulted in consistent improvements to the timeliness of prosecutions. The agencies have ensured the timely preparation by the Independent Commission Against Corruption of briefs of evidence for the Director of Public Prosecutions and have enhanced their liaison regarding prosecutions. The committee heard that the Independent Commission Against Corruption and the Director of Public Prosecutions generally meet revised timetables, which are set out in the memorandum of understanding between the agencies.

Processes introduced by the Independent Commission Against Corruption have given one investigator responsibility for preparing briefs of evidence. In order to work on preparing the brief, investigation case officers are generally withdrawn from other duties in cases where an investigation may result in a referral of a brief of evidence to the Director of Public Prosecutions. The committee heard this strategy has meant that no substantial delays have occurred in the provision of briefs of evidence to the Director of Public Prosecutions. Extra funding in December 2011 has meant the Independent Commission Against Corruption was able to recruit an additional lawyer to assist with and oversee the preparation of briefs of evidence. This area has seen significant improvement in the past few years and the committee commends the efforts of both agencies.

The committee also looked at the work of the Independent Commission Against Corruption Prevention Division in targeting the high-risk areas of lobbying, planning and government procurement. This involved three major corruption prevention projects: the regulation of lobbying in New South Wales; anti-corruption safeguards in the New South Wales planning system; and addressing corruption risks in the New South Wales government procurement system. The committee noted further developments in relation to these projects, including the passing of legislation, addressing the Independent Commission Against Corruption's concerns about corruption in the New South Wales planning system, and the current review and proposed reforms of the New South Wales government procurement system.

I now turn to the annual reports of the Inspector of the Independent Commission Against Corruption. In examining those reports, the committee focused on amendments to the Independent Commission Against Corruption Act and changes to the way in which the inspector performs his complaint-handling role. Recent amendments to the Act have implemented the recommendations made by the previous committee. The inspector's discretion to report on any of these functions has been clarified, thus removing any ambiguity about his power to report to Parliament and other parties. A further amendment ensures that the inspector is able to access information to conduct audit reports of the Independent Commission Against Corruption's applications for and use of surveillance device warrants.

The inspector's ability to effectively perform his role is particularly important, given the breadth of powers exercised by the Independent Commission Against Corruption. The inspector requested this amendment

and the committee is pleased to see it has been implemented. The committee heard that the inspector has adopted a more centralised process for handling complaints, which has resulted in increased efficiency, productivity and greater flexibility. I thank both the commissioner and inspector of the Independent Commission Against Corruption and the staff of both agencies for their cooperation. I thank my fellow committee members for their contribution to the committee's work during this Parliament, and I thank the committee staff for their support.

**Mr RICHARD AMERY** (Mount Druitt) [1.15 p.m.]: I echo the words of the chair of the Committee on the Independent Commission Against Corruption and thank all those involved with the committee not only for the preparation of this report, which is now before the Parliament, but also for their continued work in providing advice to committee members, irrespective of whether they are Government or non-Government members. An issue worth mentioning is the top-shelf legal advice that was given to committee members at a recent meeting. No doubt that will be the subject of further discussion at a later date. I am thankful for that advice.

I also want to thank the chair of the Committee on the Independent Commission Against Corruption. Prior to the change of government I was the chair; the member for Cronulla has taken over that position. As a member of the committee, I find his chairmanship of the committee to be most professional. His ability to ensure that all committee members' views are heard and argued is commendable, and I thank him. I also note that the Government members and non-Government members have worked cooperatively on matters of legislation that may be the subject of dispute in the future.

I will now address aspects of the committee's review. Evidence was taken from the commissioner relating to the number of prosecutions that occur as a result of corruption findings. When persons are named in relation to a corrupt activity in a certain area, are prosecutions made as a result of the substantive complaint or do prosecutions arise out of the investigation? The most obvious example would be lying to the Independent Commission Against Corruption. Would that result in prosecution or would it be a substantive motion? The commission was confident it had a high percentage of prosecutions against the primary allegation and not just matters arising from the investigation. From an Opposition point of view, that is something that will be continued to be monitored. Another issue for which I was thankful for the support of all committee members was overseas travel by Independent Commission Against Corruption officers. That particular part of the annual report referred to the cost involved in officers travelling overseas.

In some areas, the expenditure was listed as nil. When asked why that was so, the commissioner and staff supporting the commissioner said that the hosting country had paid those expenses. At a subsequent meeting of the Committee on the Independent Commission Against Corruption I moved that if another organisation or entity pays for the overseas travel of any officer of the Independent Commission Against Corruption that that travel should be incorporated in the annual report. I was pleased that the chair and the Government members of the committee supported that common-sense approach, that is, the introduction of regulations and requirements in relation to Independent Commission Against Corruption officers. If I were to travel overseas and Volkswagen or the Remington typewriter company paid for my travel, I am sure I would have to declare who paid for that travel when submitting an ordinary return. That is perhaps a light-hearted example. It is within the public's interest to know who pays for my travel so that any decisions or comments I make in the Parliament can be judged for any bias.

That principle also should apply to investigating Independent Commission Against Corruption officers. If they go overseas and their travel is funded by an Independent Commission Against Corruption-type body in, for example, Hong Kong, the United States or Canada, that information should be included in the commission's annual report. The Inspector and his relatively small team do an excellent job in overseeing and dealing with complaints against the Independent Commission Against Corruption. I note that no adverse finding has been handed down with regard to an Independent Commission Against Corruption officer as a result of a complaint made by a member of the public or an organisation. That could be an indication of their integrity.

**Mr ANDREW GEE** (Orange) [1.19 p.m.]: I thank the chair of the committee, the member for Cronulla, for his efforts. As the member for Mount Druitt said, he has done an excellent job. He is a well-respected and senior member of the New South Wales Bar and we are lucky to have him in this Parliament and chairing this committee. I also thank members of the committee for their hard work, including you, Mr Deputy-Speaker, the member for Bankstown and the member for Mount Druitt. Both members of the Opposition actively participated in the business of the committee. It is important to note that all members of the committee work productively. As the member for Mount Druitt said, we all have the chance for input and it is a

very well-functioning committee because of the cooperative manner in which all members work. I also thank the commissioner and the inspector for their cooperation in this process and all those involved in the preparation of the report.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! As a member of the committee, I endorse the comments of the member for Mount Druitt and the member for Orange about the way in which the committee works, regardless of its members' political persuasion. I also endorse the words of appreciation for the efforts of the staff. They do a magnificent job for the committee.

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

**Reports noted.**

## **LEGISLATION REVIEW COMMITTEE**

### **Report: Legislation Review Digest No. 21/55**

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

**Mr STEPHEN BROMHEAD** (Myall Lakes) [1.23 p.m.]: As Chair of the Legislation Review Committee, I take this opportunity to comment on the recent Legislation Review Digest tabled on 14 August 2012. This is the twenty-first digest prepared by the Legislation Review Committee of the Fifty-fifth Parliament.

**Mr Richard Amery:** It is hardly an essay on the content of the digest.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Mount Druitt will have an opportunity to contribute to the debate.

**Mr STEPHEN BROMHEAD:** The member for Mount Druitt spoke about the lack of work done by the committee and the member for Wagga Wagga responded by detailing the legislation and regulations that it has reviewed. The committee has done as much in the first 12 months of the Fifty-fifth Parliament as it did in the first 12 months of the Fifty-fourth Parliament. The member for Mount Druitt also pointed out that on occasion the committee made no comment about the legislation that it reviewed. The committee comments when issues relating to section 8A or section 9 of the Legislation Review Act arise. Where legislation or regulations do not infringe on a person's rights, the committee makes no comment. It is irrelevant that members of any political persuasion do not like a piece of legislation or a regulation. The issue is whether it comes within the ambit of section 8A or section 9 of the Act. Only if it does will the committee comment. During the first 12 months of the Fifty-fourth Parliament the committee made comment in about 50 per cent of cases. Lo and behold, during the first 12 months of the Fifty-fifth Parliament the figure is almost the same. The workload and the number of comments made by the committee are about the same.

As I have previously informed this House, the role of the committee is to identify issues in proposed legislation and regulations as outlined in sections 8A and 9 of the Legislation Review Act. The twenty-first digest examined the two bills introduced in the sitting week commencing 18 June 2012. The bills considered were the Safety, Return to Work and Support Board Bill 2012 and the Workers Compensation Legislation Amendment Bill 2012. The Safety, Return to Work and Support Board Bill 2012 establishes one board to oversee the functions of the WorkCover Authority, the Motor Accidents Authority and the Lifetime Care and Support Authority.

The bill abolishes the Sporting Injuries Committee and transfers claims and grant responsibilities under the Sporting Injuries Insurance Act 1978 to WorkCover. The single board, to be known as the Safety, Return to Work and Support Board, will have the power to establish committees to assist it in exercising its functions and the Minister will be able to appoint ad hoc advisory committees to investigate and report on specific matters that may arise. The committee noted that the provisions of the bill commenced by proclamation and considered this not to be inappropriate in the circumstances. The committee noted that the Workers Compensation Legislation Amendment Bill 2012 was amended by the Legislative Council in the early hours of 22 June 2012 and that the amended bill was passed by both Houses of Parliament on the same day.

**Ms Tania Mihailuk:** Shame.

**Mr STEPHEN BROMHEAD:** The member for Bankstown is probably referring to the conduct of Opposition members with regard to that legislation. The committee also noted that the bill received assent on 27 June 2012. Notwithstanding that, the committee prepared a report on this bill that meets the requirements set out in section 8A of the Legislation Review Act. The report highlighted issues including retrospectivity, access to justice, limited assessment processes, commencement by proclamation and the inclusion of matters in the regulations that may have been more appropriately included in the legislation. The report also noted that the New South Wales workers compensation scheme currently has a deficit of approximately of \$4 billion.

For a detailed consideration of the identified issues in the bills, I invite members to review the digest. The committee prepares the digest to assist members in their consideration of bills. I thank the members of the committee—namely, the member for Swansea, the member for Rockdale, the member for Bankstown, the member for Parramatta and our colleagues in the other place, the Hon. Shaoquett Moselmane, Dr Peter Phelps and Mr David Shoebridge—who consider the bills and issues relevant to the committee as required by the Legislation Review Act. I take this opportunity to remind members that the committee considers the issues pertaining to regulations as outlined in section 9 of the Legislation Review Act. It includes reports in the digest in respect of any new or amending regulation that the committee considers raises section 9 issues for the information of members. I again thank the committee staff for their hard work and professionalism. I commend Legislation Review Digest No. 21/55 to the House.

**Ms TANIA MIHAILUK** (Bankstown) [1.28 p.m.]: The member for Wagga Wagga suggested that the member for Mount Druitt was incorrect in stating that legislation review digests deal with a limited range of legislation. It would appear from Legislation Review Digest No. 21/55 that the member for Mount Druitt is correct because it considers only two pieces of legislation. Surely after a six-week recess the Government is buzzing with enthusiasm to introduce legislation.

**Mr Ryan Park:** Apparently this is a reformist government.

**Ms TANIA MIHAILUK:** Yes. Surely a reformist government would be buzzing with ideas for legislation that we could review. It is unfortunate that the legislation dealt with in this digest was passed by the Parliament more than six weeks ago. It is strange that we are dealing with legislation that has been long gone after having been rammed through this place. This Government continues to ram through very negative and draconian legislation because once again it wants to make a mockery of democracy in this State. The Workers Compensation Legislation Amendment Bill 2012—the member for Orange would have plenty of constituents unhappy with that legislation—is just one more example of a growing list of betrayals by the Government. Already we have seen how the workers of New South Wales view the legislation, with the Government experiencing an extraordinary backlash. Therefore, it is not surprising that the digest should outline a series of concerns about the legislation. The digest raised concerns about retrospectivity. It noted also the limited assessment process allowed by the legislation in that it limits workers to one assessment. It stated:

Notwithstanding the medical, legal and administrative costs savings of limiting injured workers to one assessment, the Committee notes—

and the bill has now been passed—

that the effect is to create non-reviewable decisions.

Once again the committee clearly points out the unfair provisions in the legislation. Unfortunately, this was after the legislation had already come into effect. What is of most concern is that parts of the provisions in the legislation would be determined by regulation. The Government will have the power by way of regulation to dictate which types of cases may be commuted to lump sum payments. The committee called on the Government to include this definition within the bill. However, given that the legislation had already passed, this was futile.

The committee also considered the Safety, Return to Work and Support Board Bill 2012. The committee noted that this bill would commence by proclamation, which is an ongoing matter of concern for the committee. I reiterate the inappropriateness of the Government rushing through important legislation. Indeed, the committee agreed unanimously that there were clear concerns with both pieces of legislation, particularly the Workers Compensation Legislation Amendment Bill 2012. The committee commented on the importance of having a proper review process: the committee is named the Legislation Review Committee. It is regrettable that the committee is reviewing legislation that has long been passed by the Parliament. I call on Government committee members to join me in condemning the Government for the contempt with which it has treated the legislative process.

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

**Report noted.**

*[The Deputy-Speaker (Mr Thomas George) left the chair at 1.32 p.m. The House resumed at 2.15 p.m.]*

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**Private Members' Business Notices of Motions (for Bills) given.**

## **QUESTION TIME**

*[Question time commenced at 2.20 p.m.]*

### **KINGS CROSS LATE-NIGHT TRANSPORT**

**Mr JOHN ROBERTSON:** My question is directed to the Premier. In light of the consensus among police, patrons, residents and venues that one of the keys to tackling the problems in Kings Cross is more public transport, why, five weeks since the tragic death of Thomas Kelly, are there still no train services departing King Cross between 1.44 a.m. and 5.14 a.m.?

**Mr BARRY O'FARRELL:** From memory that 1.44 a.m. to 5.15 a.m. transport drought existed for 16 years under the previous Labor Government. It was there under former Labor Minister John Robertson. You have to love that side of Parliament.

*[Interruption]*

**The SPEAKER:** Order! The Premier does not need help from Government members.

**Mr BARRY O'FARRELL:** All right, I have established that no-one loves them. I am astounded by their gall and hypocrisy. Time and time again they say things in this place as if 16 years of Labor Government never happened in New South Wales. In addition to what I said yesterday, I say that the problems that have arisen at Kings Cross and across our society with alcohol misuse, and the violence and antisocial behaviour that that has plagued in communities across New South Wales, did not occur overnight.

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

**Mr BARRY O'FARRELL:** I am talking about generational change. Even in the lifetime of current members of this House a late night was 2.00 a.m. but now a late night for some is 5.00 a.m., 6.00 a.m. or 7.00 a.m. Some of us who get up early often see people struggling back to their homes after what they say has been a great night on the town. We will deal with this matter responsibly, as we demonstrated yesterday. We are working with the City of Sydney council on a plan of management for Friday and Saturday nights in Kings Cross.

**Mr John Robertson:** Point of order: My point of order is under Standing Order 129, relevance. My question was specifically about trains, not about plans with the City of Sydney.

**The SPEAKER:** Order! Members will remain silent so that I can hear the point of order.

**Mr John Robertson:** It was about trains.

**The SPEAKER:** Order! I call the Minister for Transport to order.

**Mr John Robertson:** I ask that the Premier be drawn back to the leave of the question.

**The SPEAKER:** Order! The Premier will return to the leave of the question, which was about transport.



**Mr BARRY O'FARRELL:** As I was about to say before I was so rudely interrupted, that plan of management has a number of facets. Indeed, yesterday the Leader of the Opposition asked me about one of them which related to policing. Yesterday I made some announcements about licensing and regulatory controls—and there will be more announcements in that space as well—and part of that relates to transport. As the Lord Mayor knows, it relates to the availability and control of taxis in and out of the area, it relates to servicing of the area by public transport, and it relates to removing impediments within various pieces of legislation to ensure that if the city council or some other group wants to operate additional transport arrangements privately it can do so. That is the sort of work that the agencies in New South Wales are doing. This Government is not interested in Labor's approach. We are not interested in the made-for-television moments that time and again were characteristic of the former Labor Government, when its members would front the media with another piece of legislation or commitment as a result of whatever daily crisis was going on.

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

**Mr BARRY O'FARRELL:** But when the fanfare and fuss had died down, and the tumultuous shouting had stopped, nothing had changed. As I said in this House yesterday, the death of Thomas Kelly deserves that things do change in Kings Cross. This Government started those changes yesterday. We have a long way to go, but we will change Kings Cross.

### TOBACCO LEGISLATION AMENDMENT BILL 2012

**Ms MELANIE GIBBONS:** I address my question to the Premier. What has been the response to the anti-smoking legislation that passed Parliament last night?

**Mr BARRY O'FARRELL:** I thank the member for Menai for her question. I also thank the Minister for Health for the New South Wales Tobacco Strategy released earlier this year, which will make a significant difference to the lives of people of this State. I am delighted to be able to detail to the House the positive responses from experts to this Government's moves to reduce the scourge of smoking. With the support of the crossbench members of the upper House, last night this Government amended the Smoke-free Environment Act to declare the following public outdoor places smoke free: within 10 metres of children's play equipment; swimming pool complexes, spectator areas of sportsgrounds or other recreational areas while organised sporting events are being held; railway platforms, light rail stations and ferry wharves; bus stops, light rail stops and taxi ranks; within four metres of a pedestrian access point to a public building; and, from 2015, commercial outdoor dining areas.

This is groundbreaking anti-smoking legislation delivered by the New South Wales Liberal-Nationals Government because we are determined to make smoking as uncomfortable and as difficult as it should be. Our legislation was passed, unamended, in the other place because it is a sensible reaction to a major public health issue. As the Minister for Health has informed this Chamber previously, the estimated cost to the State each year of the impact of smoking is around \$8.4 billion. Think of the number of roads, railways, schools and other important and productive infrastructure on which that money could be spent if it were diverted away from treating the symptoms of smoking. But the biggest cost in relation to smoking is, of course, the human cost, and that is why the Government has acted. Each year in New South Wales smoking-related illness accounts for around 5,200 deaths and 44,000 hospitalisations. Not surprisingly, the actions of the Minister for Health in pioneering this legislation have been welcomed. Dr Andrew Penman from the Cancer Council, who is well known to us all, said:

[The] Cancer Council is delighted that the NSW government has taken this crucial step to protect children, parents and the whole community from toxic second-hand smoke.

Dr Michael Steiner from the Australian Medical Association said:

This is a great preventable health measure and something the NSW Government should be proud of.

Tony Thirlwell from the NSW Heart Foundation said:

This is an historic moment in our State's history and one that will help to protect the thousands of people in NSW who don't smoke.

But there have been other comments from some surprising sources. For instance, this morning the member for Macquarie Fields grudgingly told ABC Radio that the law "for the most part" was a good law. That is pretty

high praise coming from him. Last November, when speaking in support of a petition calling for the statewide prohibition of smoking in outdoor areas—which this Government will deliver in 2015; something for which we have legislated in our first two years in office but about which nothing was done for 16 years under Labor—the member for Macquarie Fields said:

This is good public health policy, and it should be supported by all members of Parliament, regardless of their party allegiance.

**The SPEAKER:** Order! The member for Macquarie Fields will come to order. This is not an opportunity for the member for Macquarie Fields or the member for Canterbury to argue with the Premier.

**Mr BARRY O'FARRELL:** On the same day the member for Macquarie Fields—he was very active that day—said:

I recognise that this Government has done one courageous thing this term: it has supported plain tobacco packaging.

**Dr Andrew McDonald:** It was my motion.

**The SPEAKER:** Order! This is not an opportunity for the member for Macquarie Fields to sing his own praises or to interject.

**Mr BARRY O'FARRELL:** I continue the quote:

I urge the Government to take another courageous step and support a State-wide ban on alfresco smoking.

I did not realise that the member for Macquarie Fields spoke Italian. This Government has done that, and that is far more than those on the other side did over 16 years in government. [*Extension of time granted.*]

**The SPEAKER:** Order! Members on both sides will cease engaging in argument across the Chamber. The Premier has the call.

**Mr BARRY O'FARRELL:** I acknowledge the presence in the public gallery today of Professor David Currow, the Chief Executive Officer of the Cancer Institute of New South Wales. He understands the issue and is working with the Minister as she seeks to ensure that we eradicate the scourge of smoking and its impact on the community. I could not help but hear earlier members opposite claiming credit for the legislation that we passed last night. The comments of the member for Macquarie Fields, the member for Toongabbie and the shrill member for Marrickville were all out of sync with the honesty displayed by a former member of this House. When people leave this Chamber they tend to get a new freedom; they tend to say what is on their mind, although I concede that while the bloke I am about to quote was in politics, he did not hold back. On 22 February the *Daily Telegraph* reported Frank Sartor as saying this about the issue:

I had discussions about a tobacco strategy to ban smoking—

he had discussions but did not draft anything or introduce a bill. No research was—

—in the food areas but my lot were too stupid to support it.

**The SPEAKER:** Order! Government members will contain themselves. I call the member for Kiama to order.

### ALCOHOL EDUCATION PROGRAM

**Ms CARMEL TEBBUTT:** My question is addressed to the Minister for Education. How will the Minister implement the alcohol education program for high school students that was announced yesterday as part of the Kings Cross package, given that he has cut staff in the drug and alcohol unit who are responsible for the program?

**Mr ADRIAN PICCOLI:** The New South Wales Government announced a great initiative yesterday. It is a positive response to issues and problems that arise in our community. I am sure that people across New South Wales, particularly those who interact with Kings Cross—whether they be the owners of establishments, people who visit there from time to time or tourists—appreciate the Government's response. I congratulate the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts, the Premier and others

who were involved in developing the initiative. The initiative referred to by the member for Marrickville will be funded by the New South Wales Government. Beyond that, the reforms we have introduced for New South Wales public schools—the Local Schools, Local Decisions reforms—are about freeing up schools.

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

**Mr ADRIAN PICCOLI:** The Government has given schools control over 70 per cent of their expenditure, allowing them to make decisions about how their resources are spent. Their Catholic and independent sector colleagues down the road have had that kind of decision-making authority for many years. We are giving schools what they have been requesting for decades: the flexibility to run drug and alcohol programs or whatever it might be.

**The SPEAKER:** Order! The Minister does not need help from the member for Macquarie Fields.

**Mr ADRIAN PICCOLI:** In addition to what the New South Wales Government announced yesterday, which will be funded by the New South Wales Government, schools will have the flexibility to use their resources in the way they want to use them. We will not dictate to the 2,200 schools across New South Wales how to spend their resources. When there is an announcement by the Commonwealth, I look forward, however long it may take—

**Ms Carmel Tebbutt:** Point of order: My point of order is under Standing Order 129, relevance. The question was clearly about staff in the drug and alcohol prevention unit. The Minister is not addressing the question.

**The SPEAKER:** Order! At the moment the Minister is being relevant to the issue of staffing in our schools. I cannot direct the Minister to answer a question specifically.

**Mr ADRIAN PICCOLI:** The question was how we will fund the programs announced yesterday. I have answered that question. The programs will be funded by the New South Wales Government. That is the answer. Beyond that, the Government's commitment has been to give schools flexibility and to reform the structure of public education in a way that supports New South Wales schools. Unashamedly I have said from the outset that this is also about reforming the structures that support public schools. When we can reduce bureaucracy—

**Mr Paul Lynch:** Point of order: I take my point of order under Standing Order 59. Not only has the Minister failed to answer the question, he is constantly repeating the same lines. It is tedious repetition.

**The SPEAKER:** Order! I would not deem it as tedious repetition at this stage. The Minister has the call. There is no point of order.

**Mr ADRIAN PICCOLI:** We have said constantly that in education, health, transport and service delivery agencies in particular we will maximise front-line resources, and the front line in education is our schools.

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

**Mr ADRIAN PICCOLI:** We are reforming the back office of education so that the maximum amount of dollars go to the front line—the schools.

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

**Mr ADRIAN PICCOLI:** We also have given schools the flexibility to decide how they spend that money. That is one of the most positive reforms in education in New South Wales education; it is the best reform in 100 years. I am proud to be the Minister for Education and part of the Government that is delivering these reforms to public education in New South Wales.

**The SPEAKER:** Order! I have warned the member for Canterbury several times to come to order.

## NURSING HOME SAFETY

**Mr KEVIN CONOLLY:** My question is addressed to the Minister for Ageing, and Minister for Disability Services. What reform is the Government undertaking to improve the safety of elderly people in nursing homes?

**Mr ANDREW CONSTANCE:** I thank the member for Riverstone for this important question. On 18 November the member for Riverstone and I visited the site of the Anglican Church at Quaker's Hill, where residents had gathered following a tragic fire earlier that day that had changed lives forever. The nursing home residents, their loved ones, the staff who worked in the facility and the emergency service personnel who assisted the residents following the fire suffered irreversible trauma. Unfortunately, fire tragedies in the State's nursing homes occur frequently. In the past 30 years some 200 residents have been injured in such incidences. Prior to the tragedy at Quaker's Hill there had been 27 fatalities in nursing home fires throughout the State; since the Quaker's Hill fire 21 people have died in nursing home fires.

Typically, nursing home residents have mobility and communication challenges. The community, government and nursing home providers need to ensure that the safest environment is provided in case of an emergency. I was pleased to join with the Minister for Planning and Infrastructure today to announce the mandatory retrofitting of sprinklers in Commonwealth-accredited residential aged care facilities in New South Wales. This is in line with similar legislation in Victoria and Queensland, which have gone down this path. Following the tragic fire at Quaker's Hill, Fire and Rescue NSW undertook an audit of the State's residential aged care facilities to identify which nursing homes had sprinklers and which nursing homes did not. It found that 596 of the 888 facilities did not have sprinklers.

The Government will work closely with the industry during a transition period to ensure that every Commonwealth accredited residential aged care facility in the State has sprinklers installed by 2016. In addition, over the past six months Fire and Rescue NSW has undertaken some comparative fire testing on nursing home rooms. The differences in the results of that testing are stark. The fire testing done on a nursing home room without a sprinkler resulted in the room reaching about 1,150 degrees Celsius, due to the superheated smoke. With a sprinkler, that nursing home room reached 75 degrees Celsius. Fire Commissioner Greg Mullins made it clear to the planning Minister and me that, considering the impact of superheated smoke, sprinklers save lives.

That information was impressed upon the industry in February. Following a very good meeting taking place, the industry recognised that there was no choice: this had to come in. What we have said is that commencing in January, once the regulation is in place, there will be an 18-month window for nursing home providers to meet this requirement. We have said that, given the high capital costs associated with retrofitting sprinklers, should more time be required, those nursing home providers will be required to produce a business plan within six months and following that they will be given a period of three years. We also recognise that in exceptional circumstances an additional 12 months may be required.

We know this is going to be a tough call. It is not easy because the price tag associated with this measure is around \$172 million. We must also recognise that some providers are already retrofitting sprinklers as a result of the tragedy that occurred at Quakers Hill. We have determined a transition period. We believe that by working with the industry we can ensure that we minimise the disruption to residents as these sprinklers are fitted, and we recognise the impact in terms of capital costs associated with this for the sector. We are keen to ensure that we do not see places closing, which occurred in Victoria and Queensland. That is why we sought to work closely with industry. I also recognise the Minister for Planning and Infrastructure and his department for their efforts in working closely with the aged care industry to get this reform right.

### LIFELINE

**Mrs BARBARA PERRY:** My question is to the Minister for Family and Community Services. In light of the Premier's declaration in 2010 that the community organisation Lifeline deserves security in its funding, when will organisations such as Lifeline be told whether their funding will be cut by the Government?

**Ms PRU GOWARD:** I thank the member for her question and I remind the member that we have just given Lifeline an additional \$2 million, which I do not recall ever coming from the Labor side. I have to say that we are now faced with Labor's legacy. We are now faced with a legacy of appalling mismanagement of the budget and a \$1.9 billion budget gap, which we were left after 16 years of their allowing their union masters to run the department. They do not like hearing this. They do not like being reminded of what they let the unions do to our department. They do not like being reminded that they put the interests of the unions before—

**The SPEAKER:** Order! Opposition members will come to order. The member for Bankstown will cease shouting across the table. It is highly inappropriate.

**Ms PRU GOWARD:** They do not like being reminded that they put the interests of union bosses before the interests of vulnerable children in the community.

**The SPEAKER:** Order! The Minister does not need the assistance of Government members.

**Ms PRU GOWARD:** We have a need for another review because we have to get maximum dollars delivered to protect and support young children and people in dire circumstances, our most vulnerable citizens. I remind the House that the Commission of Audit, which prepared the Schott report, also said that we needed to improve our grants administration, we had to understand the effectiveness of the programs, we needed to consolidate programs and we needed to improve contract management. That is why we undertook this review. Labor never did: Labor did not care.

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

**Ms PRU GOWARD:** At the end of Labor's term fewer children were receiving services than had been at the beginning. That is to the eternal shame and disgrace of Labor members. In line with the directions of Keep Them Safe, we need to prioritise all our grants programs to ensure that early intervention and prevention are maximised. The previous Government began reforms but it did not do the hard bit. The previous Government left some of those programs to one side and streamed the rest into two programs. A review of the so-called preserved services was conducted in 2011.

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

**Ms PRU GOWARD:** That was to determine where they best fit into the Family and Community Services [FACS] continuum of providing care and support to vulnerable children and young people. Members opposite might be interested in the purpose of the review: to identify how services align with our core business, which is to ensure that children and young people remain safe. The options presented in the review are being analysed by my department and recommendations are being prepared for consideration. No decisions—I repeat, no decisions—have been made at this stage. Of course, we do not resile from our commitment to improve the lives of children at risk of significant harm.

**Ms Linda Burney:** Point of order, under Standing Order 129: The question was directly about whether or not the Minister would guarantee funds to Lifeline.

**The SPEAKER:** Order! I do not think that was the nature of the question at all. The member will resume her seat. I do not think she listened to the question at all. The Minister has been relevant to the question and has been answering the question.

**Ms PRU GOWARD:** I remind those opposite that \$2 million extra has been provided to Lifeline.

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

**Ms PRU GOWARD:** That is a very good start. But if Opposition members were truly interested in protecting the lives of children and in promoting the use of government funds so that they had maximum effect they would ask their union masters to withdraw the 19 work bans that they have imposed. They would ask their union masters to get rid of the restrictive work practices that stop our caseworkers seeing vulnerable children and young people. Their failure to do so suggests very clearly that they know who their real boss is. [*Time expired.*]

## PLANNING REFORMS

**Mr LEE EVANS:** My question is addressed to the Minister for Planning and Infrastructure. What has been the community and industry response to the Government's green paper on reform in the New South Wales planning system?

**The SPEAKER:** Order! Members should not start interjecting before the Minister is on his feet. He has not spoken a word.

**Mr BRAD HAZZARD:** I thank the member for Heathcote, who is doing a wonderful job at Heathcote, where there are some serious planning issues. I hope that the new approach from the Government will ensure that community members are well heard on how they would like the Heathcote area to advance. It is

fantastic to be able to take part in what is another major reform from a Government that has the badge of reformism well and truly underway. Those opposite might think that is not the case, but they should look at some of the things that are occurring. The community understands: it is very happy with what we are doing. The previous Government had a culture of corruption operating in the planning area: a deals for dollars culture was operating.

**Mr Barry O'Farrell:** You reckon?

**Mr BRAD HAZZARD:** I reckon there might have been. Housing starts were the lowest for 50 years. The Independent Commission Against Corruption has permanent parking spaces for former senior Labor Ministers.

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

**Mr BRAD HAZZARD:** I do not think those on the other side should buy into this. The number of housing starts was the lowest in 50 years. Clearly our planning system needs to be overhauled. The Government embarked on something that members of the previous Government would not understand. We approached a former Labor Minister, Ron Dyer, and a former Liberal Minister, Tim Moore, and asked them to undertake consultation across the community. There were 100 separate consultation periods across the community and over 2,000 people attended. They produced an issues paper and ensured that the community's voice was heard. I have to say that both of them were in effect crusaders for integrity and for planning outcomes for the State. I am talking about Ron Dyer and Tim Moore, and I hope the member for Canterbury agrees with that. You may laugh, Linda Burney, but we think that is the case.

**The SPEAKER:** Order! This is not an opportunity for the Leader of the Opposition to ask a question. The Leader of the Opposition will come to order.

**Mr BRAD HAZZARD:** The reforms are bold and daring and they are what the community wants. Sarah Hill from the Planning Institute of Australia said:

The members of the PIA NSW support the bold nature of the reforms proposed in the Green Paper. We have for some time advocated the need for serious and progressive reforms to take NSW forward and it is pleasing to see that many of our recommendations are integral to the paper.

Councillor Keith Rhoades from the Local Government and Shires Associations said:

For years, the LGSA have been advocating for a change, and we intend to work collaboratively with the NSW Government in implementing a better system to guide land use planning and development in NSW.

Stephen Albin from the Urban Development Institute of Australia said:

The Green Paper and Government response deliver a bold vision. Delivering it will be a challenge, and hard work, but it is necessary. Our housing crisis will only grow worse if we stick to what has failed us in the past.

Patricia Forsythe from the Sydney Business Chamber said this was an "exciting and bold blueprint which will be a game-changer for New South Wales." She also said:

The proposed system strikes that correct balance between community consultation and involvement in shaping the strategic plans, and has depoliticised and largely de-risked process at the development application stage.

I refer also to comments from Jeff Smith at the Environmental Defenders Office. I stress that we are a Government of consultation. We have the environment movement, the agricultural movement and everybody involved in this consultation. Jeff Smith said:

The big idea is getting communities involved, that you do your planning up-front and then you say, 'These are the green light areas and these the bits that may or may not be developed.'

Chris Johnston from the Urban Taskforce, an organisation well known to the Labor Party, said:

The Green Paper outlining a new planning system for NSW has all the ingredients to lift the state's housing production and set the framework for growth for future generations. We congratulate the Government—

and kindly he said—

and Minister Hazzard in particular for the clarity and appropriateness of the 23 key proposals.

I say to the community that we are absolutely serious. We need a better planning system. We are continuing the consultation. There will be numerous opportunities for consultation about the green paper over the next few months. They will be occurring, if they have not already occurred, in Wollongong, Queanbeyan, Sydney, Newcastle, Armidale, Parramatta, Wagga Wagga, West Dubbo, Coffs Harbour, Ballina, Tamworth, Gosford and Tweed Heads. If people want consultation we will make the process come to their area as well. Let us know. I thank Ron Dyer and Tim Moore. They are genuinely crusaders for getting a better system. This Government is going to deliver what we promised to deliver—a masterful planning system for New South Wales.

### CITYRAIL FARES

**Ms TANIA MIHAILUK:** My question is directed to the Minister for Transport. Given that on the Minister's watch CityRail on-time running has plummeted to the worst result since 2008 and in light of her statement that it will not improve for another three years, will the Minister commit to freezing fares until 2015?

**Ms GLADYS BEREJIKLIAN:** I assure this House and the community that we will not be fudging the figures, which is exactly what Labor members did. When they got figures they did not like about on-time running what did they do? They changed the definition. Even a week before the last election they were bragging that on-time running was at 99 per cent, but did anybody believe them?

**Government members:** No.

**Ms GLADYS BEREJIKLIAN:** When the then Minister for Transport—

**The SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Ms GLADYS BEREJIKLIAN:** Interestingly, when I announced a comprehensive reform of RailCorp to fix all the problems we inherited, what was the response from the Leader of the Opposition? In fact, I have his response right here. When I announced comprehensive reform to stop the rot and fix the problems he left me this is what he had to say:

RailCorp is an organisation that delivers services to the people of the city and delivers them effectively.

On this side we are embarking on extensive reform of RailCorp, which we know is necessary, but the Leader of the Opposition thinks that he will get the support of the union bosses by refusing our reform program. Let us look very closely at the kind of legacy Labor members left us. When they were looking after RailCorp they made sure that the number of back office bureaucrats was four times the number at the Roads and Traffic Authority. Guess how many RailCorp back office employees there were compared with those working in the Department of Education? There was 20 times the number in the back office of RailCorp. While Labor members bloated the back office bureaucracy what did they do on the front line? They slashed services.

Labor members slashed 416 daily rail services and on a daily basis they fudged the figures to hide the bloating of the bureaucracy instead of focusing resources on the front line, which is exactly what we are doing. They cut services; we are putting them back. I want to address another point about fares made by the member who asked this stupid question. Whilst Labor was in government the consumer price index increased over that period by about 38 per cent. But guess how much fares rose by over the same period? It was nearly 60 per cent, nearly double the consumer price index rise. They have the hide to get up in this place and try to brush aside what they did. They bloated the back office bureaucracy and our long-suffering customers paid the price. They got fewer services and less reliable services—

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

**Ms GLADYS BEREJIKLIAN:**—and they had to pay more for the Labor Government's incompetence. I will come back to Labor's record. I am very pleased with the reforms we are embarking on with RailCorp, because we appreciate that the customers must always come first. That is why since we came to government we have put back 61 weekly rail services. We have given the people of the Hunter and the Central

Coast up to 33,000 extra seats. While I am on the topic of customer service and customer experience, are members aware that the mobile phone carriers tried for years to deal with the Labor Government to get mobile phone coverage and could not do it?

**Ms Tania Mihailuk:** Point of order: My question—

**The SPEAKER:** Order! If the member for Bankstown is taking a point of order I need to hear it. The member should not shout into the microphone. Government members will remain silent so that I can hear the point of order.

**Ms Tania Mihailuk:** It is under Standing Order 129, relevance. My question was very clear. Will the Minister commit to freezing fares until 2015?

**The SPEAKER:** Order! There is no point of order. The Minister is being relevant to the question asked. The member for Bankstown will resume her seat.

**Ms GLADYS BEREJIKLIAN:** Will members opposite commit to owning up to the mess they left us in public transport? When it comes to customer service, whether it is phone coverage or services— [*Time expired.*]

### LOCAL GOVERNMENT INFRASTRUCTURE

**Mr CHRISTOPHER GULAPTIS:** My question is addressed to the Minister for Local Government. What is the Government doing to address the local government infrastructure backlog?

**Mr DONALD PAGE:** I thank the member for Clarence for his question and acknowledge his interest in local government and his experience as a former mayor and councillor. He knows how important it is for local infrastructure to be maintained and upgraded.

**The SPEAKER:** Order! If there are any further interjections members will find themselves outside the Chamber.

**Mr DONALD PAGE:** We are a reforming Government, whether it is the Minister for Planning, from whom we just heard about the green paper, or the Minister for Education with the biggest reform in 100 years, the Minister for Transport or any Minister on the front bench. We are a Government of reform and that is the case in local government as well. Part of our reform of local government involved the establishment of the Local Infrastructure Renewal Scheme, which has been very well received. That scheme is beginning to address the huge backlog left to us by the previous Government. It provides for an interest subsidy for loans to fund much-needed local infrastructure. In the first round an investment of \$36 million by the State Government in interest subsidies has yielded an investment across the local government sector of \$430 million. That new infrastructure will be delivered in the next 12 to 18 months.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber from members on both sides. The Minister has the call and will be heard in silence. Members will be removed from the Chamber without any further warning.

**Mr DONALD PAGE:** There is a wide variety of approved infrastructure projects. Road upgrades account for 31 per cent of approvals; water and sewerage, 22 per cent; buildings, 10 per cent; bridges, 10 per cent; and aquatic centres, 9 per cent. Other infrastructure upgrades include airports, with stormwater and waste making up the remainder of the projects. The strong response by councils to our subsidy scheme proves how dire the backlog in infrastructure projects had become under the failed policies of Labor. Under this first round of funding, from Waverley to Wagga Wagga and from Brewarrina to Bega, the New South Wales Government has unlocked almost half a billion dollars in funding for vital community projects. This is another commitment honoured by the Liberals and The Nationals in government. We promised to do this and we are delivering. The first round of subsidies is now complete and \$60 million in funding remains to be distributed in interest subsidies over the next two rounds.

A sample of projects approved in the first round includes a \$5 million facelift of Hurstville's Jubilee Park, which the member for Oatley will be pleased about; a \$1 million road and footpath safety revamp for Burwood-Strathfield; a \$20 million upgrade for community infrastructure in Parramatta; \$3 million for roads in



Shellharbour; a \$1.8 million facelift for Earlwood's town centre, in the electorate of the member for Canterbury; \$1.47 million for the Kiama Leisure Centre upgrade, and many more. Indeed, 82 projects were approved in the first round across 63 council areas. These are real projects creating new jobs while improving vital local infrastructure. Praise for the scheme has come from a variety of sources, including the Local Government and Shires Associations and councils themselves, but the most fulsome praise has come from the Federal Minister for Regional Australia, Regional Development and Local Government, Simon Crean. In a recent letter to me he wrote:

I would take this opportunity to commend the work already undertaken by the New South Wales Government to address this important issue—

he was talking about infrastructure backlog—

including the Local Infrastructure Renewal Scheme, the audit of New South Wales local government infrastructure backlog—

another initiative of our Government—

and the Local Government Review Panel. New South Wales's achievements in this area provide a strong foundation for future reform, and I look forward to continuing to work with you on this important issue.

It is refreshing to have an honest opinion of the New South Wales Government's performance from someone on the other side of politics. I welcome Minister Crean's complimentary remarks and assure him of my continued interest in working cooperatively with the Federal Government on matters relating to infrastructure. When Labor was in government the people of New South Wales watched it sit idly by while infrastructure was left to languish and costs to blow out. That will not happen on our watch. The Local Infrastructure Renewal Scheme will not only bring local government infrastructure into the twenty-first century but also enable local government to prosper. [*Time expired.*]

### TAFE HYDRAULIC SERVICES COURSES

**Mr GREG PIPER:** My question is directed to the Minister for Education. Will the Minister advise the House how many full-time hydraulics teachers are in the New South Wales TAFE system and, given the importance of this skills area to mining in New South Wales, what plans exist to replace retirees and retain adequate full-time staff?

**Mr ADRIAN PICCOLI:** Before I commence my answer, I acknowledge Coonamble High School, whose tie I am wearing this afternoon. It is a great school doing a great job in country New South Wales, particularly in supporting students taking vocational education and training courses. In 2011 337 students were enrolled in hydraulic services courses in TAFE NSW. Hydraulics training is delivered as part of qualifications such as Engineering—Technical (Mechanical), Engineering Mechanical Trade, Engineering Fabrication Trade, and Automotive Mechanical Technology (Specialising in Heavy Vehicle Mobile Equipment). These courses are delivered by appropriately qualified teachers. While TAFE does not have a "hydraulics teacher" classification, all full-time, part-time and casual teachers who teach these courses have relevant qualifications and industry experience. The TAFE NSW Institute of Workforce Planning has undertaken to meet delivery requirements, and the mix of employment strategies supports succession planning to ensure that courses are available to meet demand.

In addition, this week I was pleased to release the "Report of the NSW Review of Tertiary Pathways"—which I referred to on Tuesday—chaired by Parliamentary Secretary Gabrielle Upton, the member for Vacluse. The report provides a clear road map to a better-connected, more efficient and effective tertiary sector. This means that students who undertake vocational education and training, be it hydraulics courses or any other course, can take advantage of educational opportunities to expand their knowledge base by continuing their education at university. In education we have difficulties with the transition points from early childhood to school, or from preschool and long day care to kindergarten; from year 6 to year 7; and from high school to training and university. The pathways review took a comprehensive look at the transition from high school to the vocational education and training sector and to university.

If students choose to do work experience or to study vocational education and training subjects at school relating to hydraulics or the mining industry we must ensure that they have a seamless path into a TAFE course or a course provided by a non-government provider and then on to a job in the relevant industry. But if students choose to complete a higher level of qualification—a bachelor degree or perhaps an engineering

degree—at one of our terrific universities they should receive accreditation for their previous qualifications. We want to ensure a seamless transition so that students in the Lake Macquarie electorate who are completing a hydraulics course at TAFE can look to the future knowing that their training will be accredited if they choose to study for a university degree.

We need skills in all sectors of our economy. We need people working in mines in the Hunter Valley and elsewhere but we also need university lecturers and people designing equipment and inventing new engineering technology to ensure that we stay at the cutting edge of mining and other industries in New South Wales. I thank the member for Lake Macquarie for his question and commend him for his interest in this area. I assure him that the New South Wales Government—and TAFE NSW, in particular—is working hard to make sure our students have the courses they need and are taught by qualified people in order to support the industries that are so important to the member's electorate.

### TOOMELAH ABORIGINAL COMMUNITY

**Mrs ROZA SAGE:** My question is addressed to the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs. What is the Government doing together with the Aboriginal community to address social issues in Toomelah?

**Mr VICTOR DOMINELLO:** That is a great question and I have an answer to it. I thank the member for Blue Mountains for her strong advocacy on behalf of Aboriginal people and for her interest in this issue. The entrenched and complex social issues confronting Toomelah are shocking and heartbreaking. Fellow Ministers and I have visited Toomelah and other remote communities. We have seen the depressing problems these communities face. However, we also know about the hope and ability that exists among Aboriginal people and that they are great assets for change. And change there must be. My ministerial colleagues and our agencies accept the need to do things differently to avoid past problems. We have been meeting regularly and working with Toomelah-Boggabilla Elders and community members on a considered, informed and substantive approach. I thank my ministerial colleagues the Hon. Jillian Skinner, the Hon. Michael Gallacher, the Hon. Pru Goward and the Hon. Kevin Humphries for their hard work and collegiality on this issue.

The Government today puts on the parliamentary record its commitment to a better and different approach to delivering services in Toomelah-Boggabilla. The top priority of that new approach is the mitigation of any significant child safety and environmental health problems. To this end, Family and Community Services has completed culturally sensitive assessments and safety checks on children and young people in Toomelah reported to be at risk of significant harm. Family and Community Services is now working with other providers to carry out casework and case management of children and their carers or families identified as being at greatest risk. To improve responsiveness to reports of child abuse and family violence, a police youth liaison officer is being employed for the Toomelah and Boggabilla communities, and will work with the school to build cooperation and trust.

The NSW Police Force, NSW Health, other agencies and community members will work to address alcohol-related crime and associated health issues, including a joint alcohol accord to introduce practical solutions to liquor-related problems. Another proposed action is the establishment of an early childhood education initiative at Toomelah Public School to improve the health, development, learning and wellbeing of children. This would build on the Government's Connected Communities approach at Toomelah Public School and Boggabilla Central School, and will see the schools act as community hubs for a range of health and community services. This approach also includes improvements to housing and environmental health outcomes in Toomelah.

NSW Health's Housing for Health team and the Aboriginal Housing Office have surveyed 74 of the 76 houses in the community. Work is now underway to fix and repair urgent basic plumbing and electrical problems, such as hot water systems and fixtures in kitchens and bathrooms. Street lighting is also being fixed and a community clean-up is being planned. Work has also started to board up derelict houses to ensure safety. Because employment and self-reliance are always the ultimate solutions, this initiative has engaged 16 community members. The Toomelah Local Aboriginal Land Council has also agreed to enter into a head lease agreement with the Aboriginal Housing Office so that further repairs and regular maintenance on 79 properties can begin. These upgrades will be in addition to emergency work currently underway. I am also pleased to advise that Gunida Gunyah Aboriginal Corporation, a registered housing provider, plans to take on management of Toomelah properties through a sublease arrangement as of today.

The New South Wales Government and the Commonwealth Government are working with the Toomelah and Boggabilla communities to establish a representative community leadership group and building on the healing work of the Toomelah and Boggabilla Strong Aboriginal Men's Group and the Women of Hope women's group. Together, and with great respect and acknowledgement of the harms done by history, we must move from the focus on failure. We must establish a future built on believing in Aboriginal people and genuinely partnering them in the pursuit of opportunity. The truth is that Aboriginal people can and regularly do successfully run their own lives and communities when the vestiges of paternalism and the promotion of dependency is removed from their able way.

Aboriginal people dream for their kids and want them to have every chance of success in the economic and social life of our broader society. As a Government working in real partnership with Aboriginal people through the Ministerial Taskforce on Aboriginal Affairs, we dwell on the positive and on the possible. We reject the past practice of welfarism, programs for programs' sake, bureaucracy in place of real community and token gestures. Whether it is in Toomelah through the actions to which this Government is committed or elsewhere in this great State, there is a whole generation of young Aboriginal futures at stake. We must be different because to be the same is to fail yet again, and that is not acceptable.

**Question time concluded at 3.14 p.m.**

### **DISTINGUISHED VISITORS**

**The SPEAKER:** I note the presence in the public gallery of Mr Malcolm Kerr, the former member for Cronulla.

### **PETITIONS**

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

#### **Eastern Suburbs Bus Service 311**

Petition requesting the retention of the 311 bus service link to Central and Circular Quay and the improvements to frequency and reliability, received from **Ms Clover Moore**.

#### **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**.

#### **Slaughterhouse Monitoring**

Petition requesting mandatory CCTV for all New South Wales slaughterhouses, received from **Ms Clover Moore**.

#### **Feral Animal Eradication Program**

Petition opposing amendments to the Game and Feral Animal Control Act 2002 to extend the feral animal eradication program into New South Wales national parks, nature reserves and State conservation areas, received from **Ms Clover Moore**.

#### **Pig-dog Hunting Ban**

Petition requesting the ban of pig-dog hunting in New South Wales, received from **Ms Clover Moore**.

#### **Pet Shops**

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

### **Cooks River Sewage Flows**

Petition requesting the limitation of sewage flows into Cooks River such that levels of E. coli and other human pathogens are reduced below safe levels for swimming and boating activities, received from **Ms Linda Burney**.

### **Social Housing Tenants Commonwealth Clean Energy Supplement**

Petition requesting that social housing tenants receive the full benefit of the Commonwealth Clean Energy Supplement provided to offset increased living expenses, received from **Ms Clover Moore**.

### **Inner City Social Housing**

Petition requesting the retention and proper maintenance of inner city public housing stock, 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**.

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

### **Balmain Foreshore Land Leases**

Petition requesting that no foreshore leases are signed until the completion of a proper plan for Johnson, Blackwattle, Rozelle and White bays that meets genuine public needs and addresses the infrastructure, health, education and recreational needs of residents, received from **Mr Jamie Parker**.

## **FISCAL RESPONSIBILITY BILL 2012**

### **Second Reading**

#### **Debate resumed from 15 August 2012.**

**Mr BART BASSETT** (Londonderry) [3.17 p.m.]: I support the Fiscal Responsibility Bill 2012. After 16 years of Labor Government waste, mismanagement and spin we now have a government in this State that is prepared to make the tough decisions and to put in place a framework for responsible decision-making and future growth. The objectives of this bill are to maintain this State's triple-A credit rating, to ensure that the annual growth in government expenditure is less than long-term average general government revenue growth—

**The SPEAKER:** Order! Members are being disrespectful. The member for Bankstown and the member for Toongabbie will take their conversations outside.

**Mr BART BASSETT:** The bill is also designed to eliminate the State's unfunded superannuation liability by 2030. We all remember the dying days of the Labor Government when it rushed to sell the State's electricity generators in a quick grab for cash to prop up the budget and to fund more wasteful expenditure in an attempt to buy Labor another term in office. That was yet another example of Labor's waste and mismanagement of the State's finances and, more importantly, taxpayers' money. This bill contains provisions dealing with comprehensive reporting and accountability measures and, most importantly, provides for a review of the Act after five years to ensure that the objectives are being met.

It is important that we have in place a legislative framework that ensures accountability and proper management of this State's finances so that the Government can invest money to deliver the services and infrastructure that the community elected it to deliver. The Labor Government did not plan properly for funding the State superannuation schemes for retiring public servants, and this bill mandates that the Government eliminate the resulting \$13 billion unfunded superannuation liability by 2030. That is vital if New South Wales is to maintain its triple-A credit rating. The downgrading of that rating would cost this State \$3.75 billion over

the next decade. That is \$3.75 billion that should be spent on building new roads and rail lines, improving services for long-suffering public transport commuters and on front-line services such as those employing doctors, nurses and teachers.

This bill is long overdue. The incoming Government was left with a massive budget black hole and it will take time to bring the books back into surplus. The Labor Government wasted billions of dollars on consultants and spin doctors while commuters in my electorate had to put up with trains that were not heated in winter and not air-conditioned in summer. The years came and went and all the calls for action, as usual, fell on deaf ears. Finally we have a government that is prepared to make the tough decisions that are in the State's long-term interests rather than in the short-term political interests of the New South Wales Labor Party.

There should be rigorous reporting mechanisms in place to ensure we never see a repeat of the past 16 years. The list of projects that have been banking up that should have been delivered years ago is massive. The Government is spending increasing amounts on infrastructure that was neglected by the previous Government—\$8 billion for the North West Rail Link and \$2.5 billion for the South West Rail Link. That is in stark contrast to Labor, which promised yet failed to deliver. Labor wasted \$500 million on the Rozelle metro without laying a single metre of track—not even a basic pick and shovel broke any dirt in a very expensive study. David Borger, Labor's former roads Minister, has been very prolific of late, lecturing anyone with a microphone and a camera about his vision for western Sydney.

Is this the same David Borger who as roads Minister sat on his hands for years and failed to deliver any real action for western Sydney? I think it is. Yet he has been rewarded, just like all failed Labor people tend to be rewarded. There is a litany of examples of Mr Borger's failures as roads Minister. One of them, the realignment of the M4 at the old toll booths, is a glaring example of why the bill before us needs to be passed and enacted. On coming to office in March last year it was discovered that David Borger, who had a reputation for being all talk and no action, had signed off on a proposal to realign the M4 at the old toll booths that would cost \$10 million.

After some inquiries, and a bit of real work by our Minister, it was discovered that the project could be completed for \$5 million—half of what David Borger was going to spend. That is just one example of Labor's waste and mismanagement that occurred time and again over the past 16 years. Now there is a massive backlog of projects that should have been built years ago. Another Labor Party hack in my electorate, Mr Michael Want, a Labor Party member and former trade union official, bleats on about how evil the Liberal Party is for causing all the local traffic problems. After 16 years of silence, groups led by Labor Party activists and aligned to The Greens and friendly Independents, are springing to life and demanding that the Government spend money on problems that have occurred all of a sudden.

Where were Michael Want and his ilk when we were calling for action from roads Minister David Borger to upgrade Richmond Road? They were nowhere to be found. This is the same Richmond Road about which the O'Farrell Government has made some responsible financial decisions. It has started work by calling for tenders to commence construction on the long overdue upgrade that will finally bring some relief to long-suffering mums and dads who have endured years of traffic congestion. I congratulate the Minister who recently announced that tender in the presence of my colleague the member for Riverstone and me. The same could be said of the Windsor Bridge replacement, which Labor talked about for years yet did nothing.

**Mr Michael Daley:** Point of order: I am reluctant to take a point of order because, as I have said many times, members should have a broad remit to canvass the issues that they choose. However, the member for Londonderry has spent 10 minutes discussing traffic issues. That has nothing to do with the bill, which has a narrow scope and relates to fiscal responsibility in this State.

**The SPEAKER:** Order! There is no point of order. The member for Londonderry is being relevant to the bill.

**Mr BART BASSETT:** I know that Opposition members are embarrassed, but I am speaking about fiscal responsibility—making decisions regarding infrastructure and other services. This Government is fiscally responsible, unlike the Labor Party, which made union bosses happy by filling the bureaucracy and wasting money in back rooms rather than spending it on the front line. The safety of the Windsor Bridge has been a concern for a long time. The current bridge is very old and must be replaced now before it becomes a real problem and costs 10 times as much to fix. Labor talked about replacing it, and even signed off on an option, but we are delivering. Labor signed off on the plans and wasted money on study after study but failed to take decisive action and deliver the project as promised.

I have spoken to staff in the roads department and I know that in the lead-up to the election Mr Borger told his staff not to touch the project because it was too controversial. He did not want to upset Labor's mates The Greens and every other group that was coming out of the woodwork. The member for Riverstone, the member for Hawkesbury, the Minister for Roads and Ports, and I will deliver a project for the community. We will not be compromised by opportunistic minority groups that are seeking to attack the Government. We will deliver. The list of failures is extensive—Werrington Arterial, North Richmond Traffic congestion, the North West Rail Link and the South West Rail Link and the Windsor Bridge are just some examples of Labor's failure to manage the finances and deliver major projects on time and within budget.

It is time we moved on and put project delivery before other decisions. It is time for government to get on with making decisions that benefit the public. In the past announcements were made about rail links that were never delivered. Before the last election the Federal Government made promises about the Parramatta to Epping rail link yet when we asked it to redirect that money to the North West Rail Link for even better provision of transport in western Sydney nothing happened. The New South Wales Liberal-Nationals Government is getting on with the job of delivering on its election commitments, including a record level of expenditure on major infrastructure projects. It is important to have a strong and comprehensive accountability mechanism in place to ensure that we deliver those services. The Fiscal Responsibility Bill 2012 provides that for the future, and I commend it to the House.

**Mr MIKE BAIRD** (Manly—Treasurer) [3.27 p.m.], in reply: I thank my colleagues across the House for their contributions to debate on the Fiscal Responsibility Bill 2012. I note particularly that my Coalition colleagues recognise the importance of a government not only living within its means but also spending its money wisely on projects that provide real community benefits based on analysis and not political outcomes. I thank members representing the electorates of Cronulla, Drummoyne, Port Macquarie, Parramatta, Tamworth, Vacluse, Rockdale, Monaro, Dubbo, Baulkham Hills, East Hills, Mulgoa, Davidson, Menai, Castle Hill, Clarence, Orange, Charlestown Wollondilly, Camden and Myall Lakes.

I also thank Opposition members for their contributions. A range of things surprised me in their speeches. Does the Opposition support this bill, the main tenet of which is maintaining the triple-A credit rating? The member for Maroubra said, "Of course we support it"—referring to the triple-A rating—and went on to speak about stunt bike riders. I do not understand how that is relevant to the Fiscal Responsibility Bill 2012. All power to him for introducing stunt bike riders to the debate; it may well be a world first. It is always interesting to hear the member for Keira talk about financial matters. He said the bill is about good fiscal responsibility and management. That is great—the Opposition does not discourage it. I think the member for Keira supports the legislation.

The member for Bankstown said, "This is an admirable principle and one with bipartisan support." The member for Cabramatta said, "The Opposition does not oppose the bill." The member for Mount Druitt said, "Obviously the Opposition supports the Fiscal Responsibility Bill 2012." The member for Cessnock said, "I hope that the Fiscal Responsibility Bill 2012 brings more common sense to this place". I love it. The member for Fairfield said that the Government was elected to "be fiscally responsible for the State". It seems the member is acknowledging that there was no responsibility before now and he hopes this new Government is being fiscally responsible. It is doing well.

The Opposition adopts an interesting position in relation to this bill. Opposition members talked about fiscal responsibility and the need to retain the triple-A rating but their actions were not exactly consistent with that objective. This bill reinforces the O'Farrell Government's strong commitment to restoring our State's finances. The member for Maroubra pointed out that Labor had its own Fiscal Responsibility Act. That Act contained 2,452 words while the current Act contains 1,179 words—so it must be better. That is how those opposite do the numbers—namely, Labor articulates on whether a bill is more worthy or not by the number of words it contains. I am not sure whether that is the case because the targets were not met. In fact, only three of the 14 targets in that Act were achieved and that is a more tangible test as to whether or not a government is sticking to its guidelines.

But those opposite basically said they would forget that and do whatever they wanted, which was to take this State to the precipice of losing its triple-A credit rating. I wish to correct the very strange notion that is, unfortunately, contaminating the entire Opposition. Labor members continually talk about handing across a \$1.3 billion surplus and my concern is that they believe that. I want Opposition members to understand that when money is received as a stimulus measure from the Commonwealth for public housing and education it goes into the public accounts as revenue but it is not revenue the State has earned; it is money going to grants. When that money is taken out and we look at the operating performance—

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Toongabbie will cease interjecting. The Treasurer has the call.

**Mr MIKE BAIRD:**—and one takes out the royal grand shuffle that was taking place in the former Treasurer's office—that is, we take money from here and put it there—it was in deficit. The member should stop misleading his Opposition colleagues and let them know that a significant structural deficit was handed across. The former Labor Government had been in debt for many years before that but the difference was that no-one was told. It needs to be understood that that is the true position that this Government inherited. The O'Farrell Government has rationalised the shopping list in this bill. It has put everything into a very succinct and strategic platform, with a focus on key targets in support of a triple-A credit rating.

In its broad context a triple-A credit rating delivers a range of measures that enable a government to live within its means. Those key targets include limiting expense growth to below long-term revenue growth—I raised this when in opposition and, strangely, the Government of the day spent a few weeks saying that it could or should not be done. The O'Farrell Government is very proud to live within its means. That enables us to be fiscally responsible and, consequently, enables us to deliver services for those who are most in need in the community; it also enables us to deliver infrastructure and build for the long term. Another key target is the need to eliminate unfunded superannuation liability by 2030—I acknowledge that that was previously a goal of the former Labor Government but the long-term view is critical.

Three principles of sound financial management include: to pursue responsible and sustainable spending, and taxation and infrastructure investment—Infrastructure NSW will bring down its report in September which, for the first time, will provide a guideline on infrastructure investments based on economic analysis and need across the State that are deliverable—to pursue effective financial and asset management; and to achieve intergenerational equity, an onus that should be on any government. We should not just be making decisions for today.

We need to manage for the long term in order to look after future generations, even if those decisions may not be politically positive for daily headlines. This is the first time in Australia that a government has put a commitment to a triple-A credit rating into legislation. Some Opposition members have called it a stunt. I happily convey to the member for Maroubra and other Opposition members that feedback from our bond holders across the globe, particularly Asia, has been very positive. Seeing the O'Farrell Government's commitment to a triple-A credit rating in legislation was a significant boost to the long-term prospects of this State.

**Mr Michael Daley:** Tell us about the Waratah bonds.

**Mr MIKE BAIRD:** I am happy to talk about those any day the member likes. The estimated cost of losing our triple-A credit rating is \$3.75 billion over 10 years. A triple-A credit rating provides confidence to both the broader community and businesses that New South Wales is managing responsibly and has the capacity to protect its capital. It also provides the utmost access to capital—in the current environment we do not want to put up any barriers to capital coming into the State. The shadow Treasurer spoke glowingly about the Labor Fiscal Responsibility Act, but the actual status of the targets was fail, fail and fail at almost every turn. This Government has decided that it wants a tough Fiscal Responsibility Act that will hold it to account and to be responsible for the money it has. Let us be clear: fiscal is of public revenue. The Government is being held responsible for the public revenue it has and it will be very diligent in doing that. We cannot have the expense blowouts seen in the past. Former Treasurer Roozendaal exceeded his expenses by nearly \$2 billion in 2008-09, including \$500,000 million in just two weeks. The Auditor-General at the time said:

Significant and consistent overruns of budgeted expenditure have occurred at a number of large agencies. Action needs to be taken.

The good news for the people of New South Wales is that the O'Farrell Government has taken this very seriously and is taking action to ensure that does not happen again. During its four terms in office the former Labor Government overspent its budgets by about \$20 billion. The Standard and Poor's ratio would have been around 30 per cent lower at June 2011—at around 68 per cent rather than 98 per cent—if Labor had not overspent during those terms. The debt to State gross State product [GSP] ratio would have been almost one-third. The statistics go on and on. The member for Cessnock said, "The Labor tradition ... is to repay debt." What an amazing comment. I did some research and found that between 2006 and 2011 general government debt under the former Labor Government increased sevenfold.

**Mr Bryan Doyle:** Only sevenfold?

**Mr MIKE BAIRD:** Only sevenfold, that is correct. The member for Cessnock is a good cricketer but perhaps he is not so good with his numbers. The member for Cessnock was also concerned that there will be no reporting on long-term fiscal pressures. The Government has introduced two reports on this—the second was issued only last year. They showed that the Government has made a marked reduction in the fiscal gap in its first budget, with the gap having blown out in the last five years of Labor. In addition, this year's budget papers have an assessment of the impact of the measures in the budget on the State's long-term fiscal gap, as foreshadowed under clause 8 (d). While Labor allowed expenses to run out of control, this Government is taking the action needed to ensure that we live within our means. For the first time since 1995 expenses came in below target in a New South Wales budget. Despite an unprecedented drop in GST revenue, the O'Farrell Government will improve the State's finances by \$10.2 billion over the next four years. Standard and Poor's said:

Is experiencing pressured revenues, particularly in relation to GST ... savings measures have been identified to offset these pressures.

The Commonwealth Bank said:

We judge that the new Government's commitment to maintain the AAA rating and arrest a long period of fiscal deterioration through strict cost control counts for a lot.

The member for Balmain was concerned that triple-A is not about social performance and said:

One of the problems with the triple-A credit rating as a measure is that it does not in fact measure the underlying economic health of the State, let alone the social and environmental performance of New South Wales.

I remind the member that the ability to provide services and support for the environment cannot be done without sustainable finances—that is the overarching driver. The measures that the member was referring to are linked to the State Plan. It is the State Plan linked with the budget that delivers the triple-A credit rating and the Fiscal Responsibility Act contains the principals that drive the outcomes that the Government is trying to achieve through the State Plan. In conclusion, Labor has said it supports this bill but does it really? Because in this House Labor has opposed things such as the police death and disability scheme, the Labor expense cap, the wages cap, the unattached list, the long-term lease of the desalination plant and the generators. Given all those things, one starts to understand that under Labor the State would not have its triple-A credit rating. There is no other way to put it.

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

**Mr MIKE BAIRD:** Whatever members opposite say, this is an important day because the Government is committed to maintaining the State's triple-A credit rating. That means we will support measures to ensure that our finance are sustainable and that we live within our means. The Opposition cannot have its cake and eat it too. It cannot have it both ways. It needs to commit to the principle of fiscal responsibility, which is what the O'Farrell Government is doing. That commitment requires certain actions to be taken. Members opposite cannot live in gaga land and say, "That's a good thing to do but we won't support anything to get there." That will not happen. We are proud to put forward the strongest and toughest fiscal responsibility legislation in the nation. The Government is proud to commit to being responsible with the money it has and ensure it is used sustainably. It will also ensure that we look after the long-term future of the State while ever we have the privilege of being in power in New South Wales. 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 Mike Baird agreed to:**

That this bill be now read a third time.

**Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**



**GRAFFITI LEGISLATION AMENDMENT BILL 2011****Consideration in Detail**

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.41 p.m.], on behalf of Mr Greg Smith: I move:

That:

- (1) the Legislative Assembly, having considered the Legislative Council's message of 13 September 2011, relating to the Graffiti Legislation Amendment Bill 2011, rejects the Legislative Council's request for a free conference with the Legislative Assembly with respect to the disagreement between the Legislative Council and the Legislative Assembly on the bill; and
- (2) a message be sent to the Legislative Council advising it of the resolution.

Members will be well versed in the history of the Graffiti Legislation Amendment Bill 2011, which sought to amend the Children (Community and Service Orders) Act 1987, the Crimes (Sentencing Procedure) Act 1999, the Graffiti Control Act 2008 and the Young Offenders Act 1997 in a suite of measures that the O'Farrell Coalition Government believes would address the serious problem of graffiti throughout New South Wales. Members are well aware—I need not go back over it—of the concerns of many local communities about the proliferation of graffiti. I remind members of a series of events relating to the Graffiti Legislation Amendment Bill 2011. On 5 August 2011 the bill was passed by the Legislative Assembly without amendment. On 25 August 2011 the Legislative Council passed the bill with amendments. The bill was sent back to the Legislative Assembly, and on 26 August 2011 the Legislative Assembly disagreed with the Legislative Council's amendments. On 13 September 2011 the Legislative Council sent the following message to the Legislative Assembly:

The Legislative Council, having considered the Legislative Assembly's message of 26 August 2011, relating to the Graffiti Legislation Amendment Bill 2011, requests a free conference with the Legislative Assembly with respect to the disagreement between the Legislative Council and the Legislative Assembly on the bill and the Legislative Council has appointed the following ten members as managers for the Legislative Council: Mr Borsak, Mr Donnelly, Ms Fazio, Mr Foley, Mr Primrose, Mr Searle, Mr Secord, Mr Shoebridge, Ms Voltz and Ms Westwood.

That request has been considered extensively by the Government, and we have sought counsel and advice on what is appropriate and what is not appropriate in the modern time as to a free conference. I draw to the attention of members comments contained in the *New South Wales Legislative Council Practice*, written by Lynn Lovelock and John Evans. Members who have been in this place for some time would be familiar with those two people, who are extremely well respected and versed in the practices of both of the Chambers that make up the New South Wales Parliament. Page 606 of the *New South Wales Legislative Council Practice* states:

Conferences are considered obsolete in the Westminster Parliament, although it remains possible for either House to request a conference. The last free conference between the House of Lords and the House of Commons was in 1836, its immediate predecessor in 1740, and the last ordinary conference was held in 1860. According to *Erskine May*:

Conferences between the Houses are now obsolete, since their main function, that of providing an occasion for communicating reasons for disagreement to amendments to bills, has been taken over by the modern practice of—

wait for it—

sending messages.

As a graduate of the tweet classes in the New South Wales Parliament and someone who is at least familiar with Facebook and other electronic communications—I am also familiar with telephones and the capacity to walk from one side of the Chamber to the other to have a yarn about an issue—I would have thought we could safely rely on the views of John Evans and Lynn Lovelock. To that extent, I indicate that the Government remains committed to ensuring that the legislation to protect New South Wales communities from wholesale graffiti across the State is absolutely necessary; it is an absolute requirement. Members can discuss these issues, as we did in this place previously.

However, the real value for this place is to tell members of the upper House clearly that perhaps they should read the excellent words of their former clerks to determine whether a free conference is a productive or sensible way to proceed. We are well aware that this is the twenty-first century; it is not the seventeenth, eighteenth or nineteenth century. Certainly, the Coalition Government is more concerned about ensuring that

discussions take place regularly in these forums. Negotiations always take place to ensure that legislation passes through the upper House. The upper House, the Legislative Council, has a certain balance to it that requires an extraordinary degree of energy in negotiating legislation through it. We are up for it. But let us do it without the archaic measure of a free conference. So we reject the message from the Legislative Council and we propose that the matter be dealt with in the Legislative Council.

**Mr MICHAEL DALEY** (Maroubra) [3.49 p.m.]: What a nice little smokescreen from the dear Leader of the House.

**Mr Brad Hazzard**: Dear leader? Isn't that North Korea—

**Mr MICHAEL DALEY**: Yes, sorry, but that is the way you run this place—it is a bit like that place. Mr Acting-Speaker, we always have to look behind the apparent when it comes to this Government. There is always more to what is happening, always an alternative motivation to what it would appear to be, and it has nothing to do with convention, it has nothing to do with the last time the House of Commons and the House of Lords met. It is always, with respect to this particular Premier, about politics and not procedure; it is always about politics and not policy. Nothing has changed with respect to this question. It would appear to be a very simple proposition, the message that has been sent by our colleagues in the other place. A bill was not agreed to, there was a deadlock between the Houses, why do we not get together to explore and negotiate what possible common ground there might be.

Whether it is in respect of a deadlock between the Houses, the implementation of policy or the passage of bills through this and the other place, with those opposite it is never about negotiation. It is never about sitting down and finding common ground. If they can sneak up from behind and whack us they will. They did it to the police, they did it to firefighters and they did it to Cronulla Fisheries. The Industrial Relations Commission copped it. Justice Boland was away on holidays and Greg Pearce put the hammer through him. And they did it with injured workers. Why should we expect that the situation would be any different when it comes to the legislation before us, which is the Graffiti Legislation Amendment Bill 2011, and the message in relation to that legislation from the other place? What is surprising about this—and the dear Leader of the House made mention of it—is the time line. The message we are discussing at this moment is dated 13 September 2011 and it is in respect of legislation that carried with it enormous consequences. On 26 August last year the Premier told us that this was a \$100 million a year problem, that \$50 million a year fell on RailCorp because of graffiti. I quote what he said that day from *Hansard*:

It causes enormous distress and cost in particular to small business operators. Of course, it also costs taxpayers as trains and schools are attacked by graffiti vandals across our community.

It was a massive problem that needed to be solved instantly by this chest-beating, hairy-chested fledgling Premier who wanted to show everybody in New South Wales how tough he was. Why wait for 350-odd days then? Why leave it sitting on the statute book for almost a year? If it was so important, why would the Premier countenance \$100 million having been wasted on graffiti in the past year and do nothing about it—not a chat, not a negotiation, no messages to the upper House, no request to the Opposition or any of the shadow Ministers to come and talk about it? No effort at all was put into a possible finding of common ground on this issue. For a year, the Premier has done nothing whatsoever about this \$100 million a year problem. The Treasurer has just been on his feet talking about fiscal responsibility, yet \$100 million has been wasted in the past year. Since 11 September 2011, having received a message requesting a discussion or conference with the upper House, the Premier has done absolutely nothing.

**Mr Nathan Rees**: Arrogance.

**Mr MICHAEL DALEY**: Indeed, as the member for Toongabbie says, it is political arrogance. On 26 August 2011 the Premier moved that the amendments from the upper House be disagreed with for the following reason: The amendments seek to trivialise what the community regards as a very serious issue. What could trivialise this very serious issue more than having been in receipt of a message about this legislation for a year and doing absolutely nothing about it? Has he not been silent? One has to look behind the arrangements in the upper House—the balance to which the Leader of the House referred. It is the balance and shifting alliances in the upper House that plague everything. The relevance in relation to the message from the upper House and the passage of this bill through both Houses is the relationships, as tenuous as they might be, in the other place. When the Premier recoiled against the message from the other place last year, I said this about him in this place on 26 August:

This is illustrative of this Government, hissing and spitting because members in the other place have had the gall, temerity and arrogance to disagree with a proposition the Coalition has put. This is less about policy than about politics.

The Premier was behaving like a jilted lover. I said:

His cohorts in the upper House have kicked him out of the bed that he himself has made.

And did he recoil against his former bedfellows? On 26 August 2011 the Premier said that members of the community "have been slapped in the face by the Labor Party, The Greens and the Shooters and Fishers Party, who do not understand the problem". He continued:

The Labor Party, The Greens and the Shooters have never understood small business and they do not understand the distress and the cost graffiti causes to people across the State.

They might not, but when a Premier sits on his hands for a year we have cause to ask why. The Premier then called a press conference and said he would apply the blowtorch to the upper House to get it to pass this legislation. He has applied something to the Shooters and Fishers Party, but it was not a blowtorch. What he has applied is a bit of legislative encouragement, a little bit of chk-chk boom in national parks and the Shooters and Fishers Party and Barry O'Farrell have their mojo back. Last week the Premier was pashing Jackie O. This week it is the two Bobs in the Shooters and Fishers Party that Barry has his eyes on. They are in bed making a baby again, and the baby is going to come out—

**Mr Brad Hazzard:** Point of order: Even by the standards of the Labor Party—and the standards of Kyle Sandilands—that is a bit over the top. We need to contain the debate a little more. The member for Maroubra is getting a little excited. He should settle down and come back to the leave of the debate.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! I remind the member for Maroubra that we are dealing with a message from the Legislative Council, not 2Day FM.

**Mr MICHAEL DALEY:** The message is out there, loud and clear. The Shooters and Fishers Party and the Government are back in cahoots and this message is going back to the Legislative Council today because the Shooters and Fishers Party has been bought off by shooting in national parks. It is game on and business as usual now. This graffiti legislation will pass the upper House because of a deal that has been done by the Shooters and Fishers Party and the Premier. That is why we are dealing with it now.

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

**The House divided.**

**Ayes, 62**

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

**Noes, 21**

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

**Question resolved in the affirmative.**

**Motion agreed to.**

**Message sent to the Legislative Council advising it of the resolution.**

**NATIONAL PARKS AND WILDLIFE AMENDMENT (ADJUSTMENT OF AREAS) BILL 2012**

**Second Reading**

**Debate resumed from 9 May 2012.**

**Ms CARMEL TEBBUTT** (Marrickville) [4.08 p.m.]: I lead for the Labor Party in the debate on the National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2012. The Labor Party supports the creation of the Berowra Valley National Park. The current Berowra Valley Regional Park covers over 3,800 hectares and stretches from Normanhurst and Thornleigh in the east to Cherrybrook and Dural in the west and runs all the way to Hornsby, Mount Ku-ring-gai and on to Berowra Waters. As one travels north on the F3 to Newcastle one sees that the park protects the bush to one's left, running into the deep gorges of the Berowra Creek and its tributaries. Berowra Valley has been blessed with strong and often vociferous champions.

In 1964 locals protected the first 640 hectares of the area as the Elouera Bushland Natural Park. Over the years an army of locals and local groups have protected, campaigned for and documented the values of this remnant bushland. The friends of Berowra Valley Regional Park have published a 249-page guide to the park which describes its values in amazing detail. Berowra Valley is home to 18 vegetation communities, 10 of which are rare or threatened. It is home to 230 different animals and 12 threatened species, including the spotted-tail quoll and the powerful owl. It is a remarkably important and healthy ecosystem, particularly considering its location, nestled within the suburbs of Sydney.

Berowra Valley Regional Park was created by Labor, gazetted in March 1998, and opened by the then Minister for Planning, Environment and Women's Affairs, Pam Allan, on 23 November 1998. This bill seeks to upgrade the protection regime for most of the existing park. Eight hectares will be left out of the new national park to allow for existing bike track and dog walking areas. The exact details of these exclusions have not been clarified. Labor's creation of the Berowra Valley Regional Park was an extension and consolidation of the Elouera Bushland Natural Park, a 640-hectare park created in 1964 which was increased to create the Berowra Valley Bushland Park in 1987. In 1996 Premier Carr recognised that Berowra Valley needed to be added to the State's protected estate. Locals protested proposed housing developments in Berowra and called for the park to be expanded. Minister Allan negotiated the expansion of the park to include Crown lands, Water Board lands and Landcom assets. That is how this park was created.

Berowra Valley was the first of the new category of protected areas under the National Parks and Wildlife Act known as a regional park. Regional parks were created with urban bushland in mind. It was recognised that recreational activities occurred in local bushland because of established dog walking and mountain bike riding interests in Berowra Valley and a regional park was created. In recognition of community aspirations and in recognition of the outstanding natural values of the Berowra Valley, Labor supports the upgrade of this protection and the creation of the Berowra Valley National Park. If this Government wanted to improve the environment protections for Berowra Valley it would have taken this opportunity to include the remaining area of critically endangered Blue Gum High Forest in Old Man Valley in the park. The small area of the Blue Gum Forest in the park is based on the Wianamatta shale soil whereas none of the Blue Gum High Forest on volcanic soil is properly protected.

Furthermore, the vacant Crown land that runs between the Berowra Valley Park and Muogamarra Nature Reserve should have been included in the national park, particularly to protect wildlife corridors, and the Marramarra National Park should be extended southward to create a closer link with Berowra Valley. As to the revocation of 62 hectares of land currently reserved under the National Parks and Wildlife Act also included in the bill, we prefer greater certainty from the Minister. We hope this is addressed when the Minister responds, rather than having the current vague promise that compensation lands will be found to add to the parks estate to offset these revocations. There is no detailed or firm proposal. Having said that, Labor supports the bill and congratulates the locals on the creation of the Berowra Valley Regional Park. Its upgrading in this bill is a lasting legacy and the result of a fight well fought.

**Mr KEVIN CONOLLY** (Riverstone) [4.13 p.m.]: I support the National Parks and Wildlife (Adjustment of Areas) Bill 2012. I welcome the advice from the Opposition spokesperson, the member for Marrickville, that the Opposition will not oppose this bill, which is a sensible and measured bill addressing a number of issues which have emerged, and which ensures the protection of Berowra Valley. The first part of this bill converts 3,876 hectares in the Berowra Valley Regional Park to national park status. This is the second national park declaration by the O'Farrell Government during its first term in office. The declaration demonstrates the Government's commitment to conservation. As we have heard, 230 recorded species and 12 threatened species in the Berowra Valley will receive protection under this bill.

We also want to take into account the recreational needs of the public, so that portions of the soon-to-be Berowra Valley National Park will be retained for community uses such as dog walking and picnicking. These portions will remain classified as regional parks and will provide an eight-hectare leashed dog walking area with trails. The bill also excises 38 hectares of land adjoining portions of the Pacific and Princes highways to allow for vital highway upgrades to proceed. This sensible measure is aimed at ensuring that the New South Wales Government can get on with the job of building the Pacific Highway and providing a safer alignment for the Princes Highway south of Narooma. This is in contrast to the Federal Labor Government, which recently reneged on the funding commitment of the 80:20 sharing arrangement of the Pacific Highway.

As a result New South Wales has lost the \$2.3 million promised from the Federal Government. The O'Farrell Government also committed an additional \$468 million to this project last year to compensate for the withdrawal of \$300 million in funding by the Federal Government. Members know the critical importance of completing the Pacific Highway upgrade. Far too many lives have been lost for that project to be in any way unnecessarily delayed. The process proposed by this bill of small, measured excisions compensated for in other places by land of higher conservation value and larger in size is a sensible way to proceed to ensure both protection of the environment and the delivery of important infrastructure for the safety of the New South Wales community.

The bill also makes an adjustment to a number of areas by revoking parts of Broadwater National Park, Kooraban National Park, Yaegl Nature Reserve, Cooperabung Creek Nature Reserve and Bogandyera Nature Park. The bill in this last respect corrects an error by the previous Government—admitted by it—by excising what was a quarry belonging to the Tumbarumba Shire Council which was inadvertently included in Bogandyera Nature Reserve near Tumbarumba when the area was declared a national park in 2001. Previously Tumbarumba Shire Council had used the quarry for accessing repair material for local roads. That has not been possible since the declaration of the national park, but the situation will be corrected by this bill. An existing fire trail to be used as access to a plantation which was created before the declaration of the national park will also be excised.

That area was effectively isolated by the declaration of the national park. Now the timber in that plantation is reaching the harvesting stage it makes good sense to use the existing fire trail, which is already degraded space, for access through to that plantation to allow those resources to be reached and brought to market. This is not the first time a bill of this kind has been brought to this House; it has been done by this Government and previous governments to correct minor errors in relation to national parks and make sensible adjustments where the public interest is clearly protected. As always, when an area is excised from a national park compensation is required. Part 19 of the bill states:

The Minister must not transfer under Part 11 of this Act the whole or any part of the land to which clause 14, 15, 16, 17 or 18 (1) (b) applies unless the Minister is satisfied that appropriate compensation for the land has been provided.

That protection is in the bill and will be specified by the Minister in due course. It is a sensible, measured bill which addresses real needs. I commend it to the House.

**Mr CHRIS PATTERSON** (Camden) [4.19 p.m.]: The National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2012 will amend the National Parks and Wildlife Act 1974 to enable major highway upgrades, public forestry and quarrying activities and will establish the Berowra Valley National Park. I am aware of concerns among some members of our community in relation to this bill. I want these neighbours of ours to rest assured that the bill has been introduced with their concerns kept clearly at the front of our minds: we are aware and we are listening to the community. As I have said before, community consultation and transparency are fundamental to the O'Farrell-led Government. This bill has followed that path. Unlike the previous Government, this Government understands what needs to be done to ensure that long overdue infrastructure is delivered in this State.

Again, unlike the previous Government, this Government also understands that this can be done whilst recognising the important biodiversity and cultural values of the lands that will have boundary adjustments. Under this bill the Berowra Valley Regional Park will be classified as a national park. This new classification will offer a higher level of protection for the Berowra Valley Regional Park. The flora, fauna and historic Aboriginal and heritage values of the area are important to this State and to this Government. To achieve an appropriate level of preservation for this culturally and historically valuable land, and to keep in mind the needs of the people who use it for recreational purposes, a portion of the land will remain as a regional park. A total of eight hectares will have specific dog walking trails and areas for picnickers.

This is a direct result of the community's request. I go back to a fundamental of this Government: The community has told it what it would like, it has listened to the community and through the Minister it has delivered that outcome. Existing together as a community, communicating and making compromises to address our community's needs is what this Government is all about. Our community is what makes our Government. Opposition members forgot that for so long, but it is something that this Government will not forget. The people of New South Wales have a government that will introduce bills such as this to preserve our land and its rich biodiversity and heritage values. The Berowra Valley Regional Park is a great facility that will now become even greater with the protection that its change in category will bring.

What was once a fantastic community facility will now become even better. In its function as a responsible administrator of our State assets, with this bill the O'Farrell Government will correct an error that has existed in the southern boundary of the Bogandyera Nature Reserve since it was established in 2001 by the former Government. This correction will allow the continued use of an existing—and I emphasise the word "existing"—quarry that is situated on Crown land and that was accidentally included in the southern boundary of the Bogandyera Nature Reserve. Tumbarumba Shire Council will again be able to access and use materials from this quarry to repair roads within its local government area.

Approximately 17 hectares of land associated with a fire trail will be revoked in Bogandyera Nature Reserve. But in exchange 350 hectares at Imerson Swamp will be reserved under the National Parks and Wildlife Act, and 300 hectares of Tumut State Forest will be transferred for future reservation under the Act to compensate for this excision. The fire trail will be upgraded and used by Forests NSW to gain access to an adjoining pine plantation which was planted some 16 years ago. That is at least something positive that happened 16 years ago. It is a practical and cost-effective solution to make use of this existing fire trail to avoid costly works to the original road and bridges used to plant the harvest, and to avoid significant noise and inconvenience to nearby residents.

The amendments I will speak about will revoke roughly 38 hectares from reservation under the National Parks and Wildlife Act. Twenty hectares will be revoked to allow the Government to improve road safety, reduce congestion and enhance freight efficiency on the Pacific Highway at Broadwater National Park, Yaegl Nature Reserve and the Cooperabung Creek Nature Reserve. The remaining 18 hectares will be revoked to allow road safety improvements along the Princes Highway at Dignams Creek. As is usual, the practice of government excising land from a national park for a highway upgrade will see other lands of at least the equivalent conservation value protected so that there is no net loss in values across our national park system.

In conducting research for this bill I found that by completing a simple site search of *Hansard* on the parliamentary intranet both the Pacific and Princes highways have exactly 250 mentions through every avenue possible in order to bring the highways to the attention of both Houses. Therefore this House needs no reminding of the significance of upgrades to these two highways. With the number of lives lost on these highways it is crystal clear that action is needed to improve them. This Government is doing what it can with the mess the former Labor Government left it with. This Government is rebuilding our State's economy and infrastructure one step at a time because the finances are on a tight leash since the State budget was decimated by the frivolous former Labor Government.

As has been said, the National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2012 is about community consultation. It is about listening to the concerns of the community and at the same time ensuring that the Government makes the necessary decisions to ensure that we have the right balance and mix. We must protect our heritage, culture and national parks, yet at the same time we must ensure that much-needed infrastructure and road network upgrades are completed. Opposition members left our road networks floundering, and that led to unsafe roads and tragic accidents. Upgrading and looking after our road networks is a priority of this Government. I commend the Minister and her team for the bill before us which is extremely well thought out and conscientiously drafted. The Government is doing what needs to be done to ensure that it achieves the right balance between conservation and getting on with the job of providing critical infrastructure that is so needed in our State. I commend the bill to the House.

**Mr GREG APLIN** (Albury) [4.28 p.m.]: Good government is made up of many parts, one of which is to stimulate employment and economic activity. Another part is to know when to keep out of the way of others who are trying to go about their worthwhile jobs. The words "governance" and "red tape" are often used in the same sentence for good reason. This Government continues to cut through the red tape that for too long has been getting in the way of economic activity in New South Wales. This bill provides further evidence of our commitment to a thorough stripping of Labor's red tape. There are many sections of this bill that are worthy of comment and support, but I wish to draw the attention of members to the part that deals with area adjustments in Bogandyera Nature Reserve, which falls within the electorate of Albury.

This nature reserve was created in January 2001 and covers an area of 9,528 hectares. The park is between the towns of Tumbarumba to the north, Tooma to the south-east and Ournie to the west. It is vital for our State that areas are proclaimed as nature reserves and parks because it preserves landscape, protects native wildlife and vegetation, and in many cases provides space for recreation. This bill revokes the reservation of two parcels of land within the reserve. One piece of land comprises 7.7 hectares and the other comprises 16.83 hectares. The land will vest in the Minister for the purposes of part 11 of the National Parks and Wildlife Act 1974 so that the Minister can dispose of the land by sale, lease or otherwise. Normally this kind of action—by which I mean excising land from a nature reserve—is reason for public caution. What is the Government up to? I have the story and it is a tale in two parts.

Roadworks require raw materials, such as different gravels, on a massive scale. Across the State are quarries that supply these products so that we can have sealed, safer roads and keep them maintained. Wherever possible, local councils develop quarries near areas of road-building activity. This saves on the costs of construction and stretches dollars further. It also means that large gravel-carrying trucks are sharing the road for shorter periods with other vehicles. A gravel pit was dug on Crown land in Tumbarumba to service the southern end of the shire. When the Labor Government proclaimed the Bogandyera Nature Reserve it included within its borders the Tumbarumba Shire Council southern gravel pit. The practical effect was that the council was immediately prohibited from extracting gravel from the quarry. This was not the intended effect of the nature reserve declaration. Everyone knows it was a mistake and should never have happened in the first place.

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

## **BULLI HOSPITAL UPGRADE**

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

**Mr RYAN PARK** (Keira) [4.32 p.m.]: I thank the residents who have come from the Illawarra to be here today to observe this discussion. I extend special thanks to members of the Save BulliED group, the hospital auxiliaries, local branch and trade union members and residents. Many members would be proud after 12 months of hard work to be able to present a petition signed by more than 12,000 persons. Unfortunately, that is not the case for me. In fact, I wish we were not having this discussion because Bulli Hospital and the future of this important health facility should have been determined many decades ago, and I have never changed my view on that.

More than 120 years ago, in 1890 and in the same hall where more than 500 people gathered a few weeks ago to fight to improve the hospital, men and women from the local area came together and resolved to build a health facility in the northern suburbs. What visionaries. The site of the hospital was donated by Mrs Organ. For many decades since then the wages of local miners, starting at a meagre penny a week, the fundraising efforts of the local auxiliaries—in particular the Bulli and Corrimall auxiliaries—and donations from

service clubs and community groups have meant that the hospital has developed and grown into the facility it is today. This debate demonstrates my determination to improve those facilities. I have made that commitment honouring the memory of the men and women who fought more than 120 years ago to establish this important service.

Our community is not asking for something that we do not already have. The Bulli Hospital website clearly indicates that it has an emergency department. We are not being unrealistic and we are not asking for a replication of what is available in Wollongong. We simply want a 24-hour-a-day, 365-day-a-year service that allows patients either to walk in or to be brought in by ambulance, to be triaged and stabilised and, where possible, to be treated on site or to be transferred to a nearby facility. I have heard it said in the many discussions in which I have participated on this topic that patients at Bulli Hospital are self selecting. I make it clear that patients do not self select to go to Bulli Hospital if every other weekend they are told that there is no doctor on duty, if ambulance officers will not deliver patients there and if over the past several decades it has been the subject of very little investment. That is not self selecting; it is forced selecting, as any government would know only too well.

I have also heard too often that no-one who is seriously ill goes to Bulli Hospital. The data suggests otherwise. There were 7,000 attendances at the emergency department in 2011, and, of these, 123 patients had life-threatening conditions, 665 had potentially life-threatening conditions and more than 4,000 had potentially serious conditions. To achieve what the community expects, and what it has a right to expect, would not cost hundreds of millions of dollars. In fact, investment of the initial \$10 million committed by the previous Government would go a long way towards providing the upgrades that the hospital needs. The community could then have confidence in the hospital and the men and women who fought so hard to establish it 120 years ago could look down and be proud. Enough is enough. This Government has a huge mandate to improve services in this State. The Minister for Health was a frequent visitor to Bulli Hospital when she was in opposition. Unfortunately, she has not visited the hospital since the Coalition came to office nearly 18 months ago. I remind her that in October 2011 she spoke to the northern Illawarra community and said:

Bulli Hospital deserves the resources it needs to put patients first.

The Liberal candidate for Keira also stated:

I will be fighting very, very hard to bring first class facilities back to Bulli Hospital, including increasing emergency, getting theatres back online.

In March this year the member for Heathcote said:

Why not just build a new facility and get on with it, that's the way I've been talking to Jillian and that's what I'll be reiterating to her.

Two months later he said:

With current budget restrictions, we'd be putting it on the backburner.

That is not quite the fight the community expects. I will give the community the commitment it needs: While I am the member for Keira, regardless of who occupies the Treasury bench—whether it is a Labor government or a conservative government—I will fight to ensure that Bulli Hospital gets the upgrades it needs and the services the community demands and expects. [*Time expired.*]

[*Interruption*]

**ACTING-SPEAKER (Mr John Barilaro):** Order! I remind people in the public gallery that applause, cheers or any other outburst is prohibited. If it continues I will have no hesitation in clearing the gallery.

**Mr LEE EVANS (Heathcote)** [4.37 p.m.]: I thank the member for Keira for his interest in this matter and the community for taking the time and effort to gather the signatures on this petition. The Illawarra Shoalhaven Local Health District understands the need to ensure that Bulli Hospital meets the needs of current and future generations of northern Illawarra residents. For this reason, the district is engaging in an extensive clinical services planning process across the area that will determine priorities for the provision of clinical services for the next 10 years. This planning process also encompasses, of course, the northern Illawarra and Bulli Hospital. Planning has included analysis of district-wide service data to ensure that the final plan is based on current and projected community needs.



I have previously given, and will continue to give, my full support to the district in this process. Planning is essential not only in the Illawarra Shoalhaven Local Health District but also in every local health district and speciality health network across the State to ensure that the valuable public funds with which we are entrusted are spent wisely and where they are needed most. Following establishment of the Illawarra Shoalhaven Local Health District in 2011, a statement of strategic intent was prepared as a blueprint for the district's vision for the provision of health services into the future. The statement suggested that a number of changes and realignments to services should be made not only in the northern Illawarra but also across the district.

It included realignment of services at Bulli Hospital, including enhancement and consolidation of aged care and rehabilitation services to make Bulli Hospital a centre of excellence in aged care. It also suggested some changes to the manner in which emergency services are provided at Bulli Hospital. While the district's statement of strategic intent gave us a first look at where health services in the region might progress in the future, the current planning process for the Illawarra Shoalhaven's Health Care Services Plan 2012-22 is based on hard facts consisting of data analysis and projections. It is also based on several rounds of consultation, both with clinicians who will be providing services locally and with the community who will be receiving the services.

I reiterate that at no stage has there been any intention of closing Bulli Hospital. The current draft of the healthcare services plan supports its earlier vision of enhancing aged care and rehabilitation services at the hospital to turn it into a centre of excellence in aged care services. We know that across Australia the number of aged people is increasing, so having such a centre within the local area, where services are easily accessible for the Illawarra's elderly people, will be a great achievement for the local community. Networking and integration of services is the key to providing quality and sustainable care in the modern healthcare environment. Speciality hubs make sense. They allow services to work collaboratively and efficiently, thereby enhancing the continuity of care to patients.

The planning process is also giving the district the opportunity to consider properly how it will provide emergency primary care services to the community. The figures show that an average of two people seek emergency treatment at Bulli Hospital between the hours of 10.00 p.m. and 7.00 a.m. The large majority of those presentations are ailments that can be treated by general practitioners, and a small proportion of people who attend during the day are planned returns for follow-up treatment, such as wound care and X-ray review. There is no doubt that the local community treasures its local hospital. The district health service understands the close bonds that exist between the residents and their hospital. However, as populations and health services change, it is not always a realistic option for all hospitals to be all things for all people.

Wollongong Hospital is the major tertiary referral hospital for the region and is currently undergoing capital works enhancements in the order of \$100 million. Since the initial completion date of July 2012 was extended to accommodate further rounds of consultation, the local health district is in the midst of further consultations with the community and with local clinicians on the draft health services plan. I have spoken to the chair of the board for the local health district, Professor Denis King, on many occasions. I agree with his approach to planning for the region. Professor King agrees that regular and meaningful consultation with the community is a key element of delivering quality and relevant healthcare services for the area. This will ensure that the best possible outcome will be achieved for our community and that the local health district will provide quality, safe and relevant healthcare services in the present and into the future.

**Ms NOREEN HAY** (Wollongong) [4.42 p.m.]: I support the presentation of a petition relating to Bulli Hospital by the member for Keira. In relation to the contribution to the discussion made by the member for Heathcote, I think there must be some confusion. I know he would support the petition if he realised that it is Bulli Hospital's emergency department that is being discussed and that the community is determined to retain it. With great representation by the member for Keira, we hope that will become the reality. I participate in this discussion because the long-term future of Bulli Hospital has an impact on the major regional hospital in my electorate of Wollongong.

I am confident that Government members will respond to this petition by referring to the major upgrade of the Wollongong Hospital that is underway. They will argue that the improvement, which began under the previous Labor Government, should resolve all the problems. Of course the upgrade is welcome and important, but we must be realistic: The upgrade is years away from completion and should not be used as an excuse for doing away with the emergency department at Bulli Hospital. When people are not able to present at Bulli Hospital, ultimately they will present at Wollongong Hospital, which has sufficient problems of its own.

Members who know Wollongong Hospital are acutely aware of the challenges faced by nurses and doctors each day. Last year NSW Health data ranked Wollongong Hospital as the worst hospital for ambulance congestion, yet the Government will add more ambulance arrivals by closing the emergency department at Bulli Hospital. The data revealed that 936 patients waited between one and three hours to be taken off their stretcher while 157 endured waiting periods of between three and six hours. That occurred despite the Government's own performance targets stating that 90 per cent of arrivals should be taken off their stretch within 30 minutes of arrival at a hospital.

We know that the poor ratings are not due to a lack of enthusiasm on the part of healthcare workers, nurses and doctors. We also know that the Government made promises across the board but has failed to keep them. The Government either has deliberately broken promises or has backflipped in relation to them. If the Government continues to downgrade the emergency department at Bulli Hospital and does not invest, I need to understand from the Government what further impact that will have on the already stretched resources at Wollongong Hospital. The facts of life in relation to this issue have been well reported in the *Illawarra Mercury*. Reports indicate the long waiting time for people who arrive at the hospital by ambulance. Under the headline "Ambos stuck on hold", the report states:

Wollongong Hospital has ranked first in the State for ambulance congestion ... The number of ambulance patients who waited more than an hour at Wollongong Hospital was four times greater than John Hunter Hospital ...

The people of my electorate do not need more pressure. We need Bulli Hospital's emergency department.

**Mr GARETH WARD** (Kiama) [4.45 p.m.]: I commence by congratulating the community on signing the petition and thanking the people who travelled from the Illawarra to Parliament House to hear this discussion. The procedure for discussing a petition was introduced by the current Government to ensure that issues could be brought forward when members of Parliament and community groups felt they were of sufficient importance to bring them to attention of the Parliament. I am always delighted to see any member of this House and any group in the community presenting petitions for discussion, particularly those from the Illawarra. The reality is that health funding, irrespective of who is in government, always will be a challenge for whoever occupies the Treasury bench and whoever is Minister. There will be significant problems relating to health funding, declining Federal revenue and taxation revenue.

Yet I believe members on both sides of the House always want to do the greatest good for the greatest number of people when it comes to health. We want efficient health systems to be delivered by people who have the experience and expertise to ensure that the services are delivered effectively. I acknowledge that the Government has taken the view in relation to health modelling that that system is best determined by clinicians, not politicians. People do not want decisions being made for political reasons. They want to see taxpayer funds, limited as they are, doing the greatest good for the greatest number of people. For those reasons, I welcome this discussion and the opportunity to discuss the issues. I agree that consideration needs to be given to the provision of services at Bulli Hospital to reflect the needs of the communities that the hospital serves.

Bulli Hospital is indeed a treasured institution in the northern Illawarra community. It all started with a donation of land by a local family for the construction of the hospital college. The member for Keira referred to that earlier. It is almost 120 years since the hospital was established and officially opened in 1893. It consisted of a five-bed ward, a two-bed female ward and bathroom—the lighting for which was provided by kerosene lamps. Training of nurses commenced only in 1901 and seven years later new male wards and an operating theatre were opened. By 1916 the hospital had purchased a horse-drawn ambulance. As the community grew over the next few decades, the hospital facility continued to flourish to include an X-ray department, children's and maternity wards, a pathology unit, a nurses home and additional operating theatres.

As the population has changed, so have the needs of the community, and the services provided at Bulli Hospital have needed to change as well. Aged care and rehabilitation are now key components of service delivery at Bulli Hospital, with 52 acute geriatric inpatient beds and acute geriatric inpatient services, and a geriatric outpatient therapy unit on site. Within the outpatient department there is an outpatient physiotherapy gymnasium as well as clinical areas for medical, nursing and allied health assessments and interventions. The hospital also has a full range of allied health services, including a consultant neuropsychology service, a podiatry clinic and a diversional therapist, who commenced within the past year. I support the community's calls for more funds. I have no doubt that we will see decisions made appropriately to ensure that we do the greatest good for the greatest number of people.

**Dr ANDREW McDONALD** (Macquarie Fields) [4.48 p.m.], by leave: I thank the House for the privilege of being able to make a brief contribution to this discussion. Some years ago I carried out a review of

Bulli Hospital and I deliberately did not mention its emergency department for one reason: it was clear to me then that there needed to be no change to the service. The emergency department clearly provides a good service where high-quality care is practised. The clinicians made no move to change it. I am a clinician and I know that the clinicians do not want Bulli emergency department closed. For the first time ever, Wollongong has a functional medical school so the major driver for a lot of the difficulties in the emergency department at Liverpool, the shortage of clinical staff, will disappear.

In fact, most of the clinicians I have spoken to enjoy working at Bulli. The roster at Bulli could easily be added to the Wollongong emergency department shift to give the staff working in the Wollongong emergency department a chance to experience a different style of emergency care. That is important because 7,000 people per annum attend Wollongong emergency department, which is already in crisis, and it will clearly not be able to cope. The fact that 12,000 people in the Bulli area took up this petition says it all. No government and no member of Parliament can afford to ignore a petition such as this because it is basically unjust to close the Bulli emergency department against the combined wishes of the community, which is why I deliberately never ever mentioned it.

It is clear to me that somebody in the Illawarra Local Health District has Bulli in their sights. They attempted to close the surgery without any discussion when I was the Parliamentary Secretary for Health. It was only my intervention that at least got them to organise an alternative before it was shut down, much to their chagrin. To close any emergency department at any time is madness but to close one at 8.00 p.m. is frankly ludicrous, as that is the peak time. Anybody who has ever worked in an emergency department knows that the evening shift is responsible for about 40 to 50 per cent of any workload. To keep an emergency department open during the quiet times and close it when it is busy is not safe. What will happen if someone has a heart attack at 7.30 p.m. and it is closed at 8.00 p.m.? It is just not safe. There is no need to change. It has clinical staff and I urge the Local Health District to maintain the status quo. It is a very good entry point. The locals think it provides good quality care. Leave it well alone and everybody in this House, including the members opposite, will be happy.

**Discussion concluded.**

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

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##### **COMMUNITY BUILDING PARTNERSHIP PROGRAM**

**Ms NOREEN HAY** (Wollongong) [4.53 p.m.]: My community has been disappointed by cuts to the Community Building Partnership Program. The new round of Community Building Partnership funding has been reduced in my electorate to \$300,000.

**Mr Tim Owen:** Rubbish.

**Ms NOREEN HAY:** This is not rubbish, you moron. The Community Building Partnership Program was established in 2009 by the former Labor Government and has provided funding to hundreds of community groups, sporting clubs and councils across New South Wales to upgrade local facilities. You lot over there might not mind that funding to your communities is being reduced, but we on our side of the Chamber do mind.

**Mr Darren Webber:** Point of order: I ask that you ask the member for Wollongong to direct her comments through the Chair rather than at Government members.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I uphold the point of order.

**Ms NOREEN HAY:** Therefore, Mr Acting-Speaker, I say through you: That lot over there might not care that funding to their communities is being reduced, but they should care because this side of the House does care. Community Building Partnership Program funding to our communities is being reduced by \$100,000. The O'Farrell Government has cut funding to the Community Building Partnership Program, which is devastating for the Wollongong region. Funding for the Wollongong area has been cut from \$700,000 to \$400,000, with a further cut to \$300,000.

**Mr Tim Owen:** Pork-barrelling.

**Ms NOREEN HAY:** You should talk about pork barrelling. I will advise what organisations benefit from this program. In the last round they were Anglicare, CHAIN, Southern Youth and Family Services, Cringila Childrens House Inc., George Cross Falcons Club Inc. Illawarra Area Childcare Ltd., Illawarra Children's Services, Illawarra Live Steamers Co-op Ltd., Illawarra Velodrome upgrade, Kembla Heights Centre, Lighthouse Community Care Ltd., Port Kembla Baptist Church, Port Kembla Community Project, Port Kembla Neighbourhood Centre, the Shepherd Centre, South Coast Workers Childcare Centre, the Polish Association in Wollongong Inc., the Trustees of the Society of St Vincent de Paul, Unanderra Community Centre, Vikings Rugby Club, Police Citizens Youth Club Wollongong, Red Point Artists Association Inc., the University of Wollongong Science Centre and Planetarium, and a whole host of other community groups.

Once again this Government is penny pinching from volunteers who seek no credit for themselves. Government members sit there and snigger about the reduction in funding, but I am prepared to look up the community organisations in their communities that the former Government funded that will now be reduced. I will tell them that that lot over there are quite happy to snigger when hundreds of thousands of dollars are being cut from community groups. Have they no shame? They come in here and mislead this Parliament and this State. Their own Treasury said there was no black hole but they keep repeating it.

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Wollongong will be heard in silence.

**Ms NOREEN HAY:** There is a whole heap of oncers over there because the community are wise to you. There are wise to what you have done. You have misled them to yourselves in here.

**Mr Darren Webber:** Point of order: I ask that you direct the member for Wollongong to direct her comments through the Chair.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I uphold the point of order.

**Ms NOREEN HAY:** The first thing members of the Government did when they were elected was to support cuts, slash, burn, not appreciate the communities, mislead them and make excuses for why the Government is not keeping its promises. We call them lies where I come from. Every member of the Government should hang their head in shame.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [4.58 p.m.]: I congratulate the O'Farrell-Stoner Government on continuing to support the Community Building Partnership Program. The Government has recognised the importance of this program in our local communities and that is why it is continuing for another four years. The member for Wollongong forgot to tell us how mysteriously only a few years ago just before an election some electorates received up to \$700,000. I ask: Why did that occur? The Government is putting forward a responsible budget for the people of New South Wales. We have been left with a \$5.2 billion black hole. Projects in my electorate are benefitting, and last time 24 projects benefitted from the program.

### NEWCASTLE MINISTERIAL VISITS

**Mr TIM OWEN** (Newcastle) [4.59 p.m.]: Newcastle has been abuzz during the winter recess with visits from various cabinet Ministers and I want to talk briefly about their great work. Last week the Minister for Family and Community Services visited the Hunter Olive Branch Cafe. The Minister announced that Housing NSW would trial an outstanding private rental subsidy for young people for two years in the Hunter region as a new way to deliver affordable housing to young homeless people. I congratulate her very much on that. Last week it was also my pleasure to host the Minister for Fair Trading, along with my parliamentary colleagues. The members of Parliament were all in town to attend the Affiliated Residential Park Residents Association annual general meeting.

The Minister's attendance at that meeting reinforced the New South Wales Government's commitment to assisting the Affiliated Residential Park Residents Association in New South Wales through its review of the New South Wales Residential Parks Act. It was a good and worthwhile annual general meeting. The Minister for Roads and Ports visited the capital of the Hunter, not once but twice, during the winter recess. First he was in Newcastle to mark the completion of construction of stage 2AA of Newcastle Coal Infrastructure Group's third coal loader, a great achievement that makes way for the completion of Stage 2F of the Newcastle Coal Infrastructure Group's site. The Minister returned the following week to officially open the port of Newcastle's new \$3.5 million operations centre housing state-of-the-art maritime vessel tracking systems.

In June the Minister for Citizenship and Communities launched the Youth Opportunities program at Saint Francis Xavier College in Hamilton. The \$3.1 million program will support youth-led activities in communities all around the State. Organisations were encouraged to apply for funding for projects that use mentoring and other strategies to help young people feel more included in and give back to their communities. In August Minister Dominello returned to Newcastle to announce the local Timebanking pilot that will be run by the Hunter Volunteer Centre and Volunteering Central Coast. The New South Wales Government is providing \$300,000 to support the pilot program, which will start in September. In a bid to introduce small businesses to low-cost, energy-efficient lighting options, the Minister for the Environment visited Newcastle to raise awareness of the Energy Efficiency for Small Business Program. I congratulate her on that outstanding program.

Another big visit during the winter recess was from the Minister for Disability Services, who came to Newcastle to announce what we have been talking about for the past few days: the New South Wales Government's agreement with the Commonwealth Government to trial the National Disability Insurance Scheme in the Hunter. This is great news for 10,000 people in the Hunter with a disability, who will have their needs assessed and will start to receive individual care and support packages from the middle of next year for the first time ever. The Treasurer came to Newcastle on invitation from the Hunter Business Chamber and Property Council of Australia to provide a post-budget review for the locals and impressed them with his knowledge of the region and the generosity we have seen.

The Minister for Police and Emergency Services, and Minister for the Hunter, attended the Newcastle City Local Area Command Awards Ceremony. In addition, in his capacity as the Minister for the Hunter he met with constituents in my electoral office and attended the Hunter Business Awards, as he always does. He is a great supporter of the Hunter region. Finally, the Minister for Health visited John Hunter Children's Hospital to announce that the New South Wales Government has allocated an extra \$500,000 in funding so that children from across the region can receive life-changing cochlear implants at the hospital and not have to go to Sydney, reducing the travel and disruption for their families.

This enhancement is consistent with the Government's policy to ensure clinically appropriate services are delivered as close as possible to where children live, and where pre-implant and post-implant services are currently available for these kids. I thank all the Ministers and the Treasurer for their commitment to Newcastle and, indeed, the Hunter Valley. Their presence in the region is valued by all, and will ensure that Newcastle is no longer taken for granted as it was for so many years under the former Labor Government. It is exciting to see so many developments in the region. I look forward to welcoming them back to our city.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [5.03 p.m.]: The member for Newcastle spoke about a number of ministerial visits to his electorate. The Treasurer came to my electorate to visit the community of Lithgow. The Minister for Roads and Ports was in my electorate to announce \$250 million for the Great Western Highway. The member for Campbelltown had a visit from the Premier and from the Minister for Primary Industries, who announced the biosecurity centre. The Minister for Roads and Ports made an announcement on roads. The Minister for Sport and Recreation visited the South West Sydney Academy of Sport. The member for Oatley had the Minister for Citizenship and Communities doing street walks in his electorate. The Minister for Police and Emergency Services visited Hurstville police station. The Premier visited St George Hospital. What a hardworking Government we are.

### **BATHURST ELECTORATE DIALYSIS SERVICES**

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [5.04 p.m.]: I want to speak about the recent announcement of additional renal dialysis chairs at the Bathurst Base Hospital. In my electorate and in many electorates across the State health is an important issue and one that we as local members continue to raise in the House and with the Minister for Health. During the parliamentary break I was pleased to announce that the number of renal dialysis chairs at Bathurst Base Hospital increased from four to six. Lobbying has gone on for a number of years. It started in about 2007. There was a call then for a review of the services being delivered from the Bathurst Base Hospital. These concerns were raised with various Ministers, but we saw no action at all. Many patients and their families had to travel to Orange to receive this service—some several times a week. The service was not available in Bathurst, but it should have been available at the Bathurst Base Hospital. All the advice at the time was that we should have had two additional chairs—six, and not the four that were at the hospital at the time.

Years passed and nothing changed. Having been elected to this House, I was able to take the issue directly to the Minister for Health, who heard the cries of the community of Bathurst and surrounding areas and

made sure the issue was highlighted immediately. We have worked hard with the General Manager of the Bathurst Base Hospital. The local health district board has been supportive. This was an issue that had involved five years of difficulties, yet we were able to deliver in just 12 months. These additional dialysis chairs will allow more patients to be treated closer to home. The additional two dialysis chairs will ensure that an additional eight patients will be able to receive haemodialysis treatment every day. This is a huge service boost for those patients and their families who have had to travel in the past.

This does not help just people in the Bathurst electorate. People in the surrounding towns of Oberon, Lithgow, Blayney, Kandos and Rylstone are now beneficiaries of that service. When I went to the hospital during the winter break I had the opportunity to see someone using one of the new dialysis machines. She had travelled across from Rylstone and she was ecstatic that she no longer had to travel that longer distance to Orange. By the end of the year a renal physician will be appointed to the Bathurst Base Hospital. This will be a new specialist, and it is critically important that when a service like this is delivered to the hospital that we see a further increase of specialists coming to the area.

For those who may not be aware, renal dialysis is a process that becomes necessary when the normal functions of the kidneys become compromised by kidney failure. Renal dialysis involves filtering the blood of excess fluid, minerals and waste when the kidneys can no longer do so on their own. I am pleased to say that the people of Bathurst are ecstatic, as are those patients who are now able to use the additional dialysis machines that should have been delivered a long time ago. This Government has listened to the needs of the community and has ensured that that service is now in operation for all to enjoy.

#### **PENRITH HIGH SCHOOL POLITICAL SUMMIT 2012**

**Mr STUART AYRES** (Penrith) [5.09 p.m.]: Today I speak about the Penrith High School Political Summit 2012. During the winter recess I was invited to receive a report on that summit. I commence by acknowledging the work done by Jessica Washington and Lemuella Lajara who put the summit report together, and as I proceed I will also mention some of the students who oversaw particular areas of the summit. The four key aims of the summit were to provide an opportunity for students to gain increased political awareness; to foster an environment within the school in which students felt comfortable discussing their political views without dismissing or disregarding the views of other students; to allow for students to meet and socialise with leaders of other schools; and to provide an important leadership role for senior students who demonstrate keen awareness of political and social issues and celebrate this quality.

International relations were an area of discussion. The team leaders were Mena Basaly, Emily Cowcher and Gabrielle Davy. Students touched on everything from the United Nations to Asia-Pacific Economic Cooperation [APEC] summits, economics and trade issues, and multilateral and bilateral agreements. The next subject was that of gender equity. The team leaders were Mansirat Sandhu, Shanika Chandra and Chontelle Kelly. This group dealt with the role of education and the workforce. Another group discussed international human rights and aid. The team leaders were Sahana Balachandar, Holly Lin and Joe McCabe. A number of State issues were also discussed including transport. The team leaders were Beau Reid and Leal De Carli. It is always interesting to hear what young people have to say about things that members in this place deal with on a daily basis. A number of the reports are detailed and it would have been fascinating to have sat in on those discussions.

The Penrith High School students recognised the importance of connecting the north-west and south-west growth centres. They spoke of the importance of integrating transport and planning issues. Interestingly, they thought the M4 toll should have stayed in place to help fund further improvements to western Sydney roads. I am not sure whether I agree with that, but it shows how our students are discussing different types of in-depth things. They also discussed whether Sydney should have a second airport. Students also discussed decreasing our dependency on cars. As I said earlier, one of the fundamental things that came through in this discussion was the integration of transport and planning issues and how cities evolve. Students also discussed the environment. They want to encourage governments to invest more in research and development for renewable energies because they recognise that right now renewable energies are not economically viable to fill the gap in a lot of cases.

They also discussed using multimedia advertisements to promote environmental conservation and protection. I think it is an important message for the Government that younger people are able to absorb those areas and are already communicating about them—we need to use their language and modes of communication. Budgets and the economy were discussed. It was recognised that the mining boom plays an important role in the

economy, but they wanted to know what happens next. Education was another area of discussion. Issues such as whether mathematics should be studied up to year 12 and whether we should provide affirmative action programs to Indigenous students to make up for any disadvantage they may have felt in the past were also discussed. The political summit was extensive. I congratulate all the students who participated in it and I encourage other students to continue to work on it in the future.

### **CECIL HILLS PARKING REGULATIONS**

**Mr PAUL LYNCH** (Liverpool) [5.14 p.m.]: Today I draw the attention of the House to the concerns of Abdallah Shiyab, a constituent of mine. My Shiyab contacted me concerning the attitude of Liverpool City Council employees in their apparent enforcement of parking regulations in the suburb of Cecil Hills. Mr Shiyab lives in Cecil Hills, which is a comparatively new suburb within the electorate that I represent. Cecil Hills is located west of Cowpasture Road and north of the site of the old Hoxton Park aerodrome. When I first stood for elected office in the Liverpool area, what is now the suburb of Cecil Hills was undeveloped and consisted largely of dairy farms and open space—and it remained that way for some time. The development of Cecil Hills has resulted in roads that are often much narrower than streets in other suburbs within the electorate of Liverpool and nearby areas. This presents some practical problems and those problems are being exacerbated by the attitude of Liverpool City Council and its staff. Part of an email sent to me by Mr Shiyab reads:

Driving in Cecil Hills' winding narrow streets is always an accident in the making.

He then described the street in which he lives and said:

The street is winding and barely fits two cars going in opposite directions. Parking one car only on the street will create a traffic hazard let alone more than one and possibly anywhere on the other side of the street. Therefore for the last 11 years of living at Cecil Hills, as well as our neighbours, I thought and advised our guests to park on the foot-strip as the only socially responsible thing to do to avoid car accidents. However, Liverpool council regulations treat parking on the foot-strip in a built-up area as a traffic offence—which was handed to a guest of ours on Monday 30 April 2012.

I am not worried about the \$88 fine, but I am worried about the implications of parking on the street that has not been designed to fit parked cars. Even in Gabriella Ave which is a slightly wider road—ask the bus drivers of how bad it's to navigate through the street every day when there is only one car parked on the road, especially in the section between Helena Road and Henry Street, due [to] the narrowness and winding nature of the road. We understand that such rules are set down for people's safety, however, Cecil Hills roads were not designed to serve these objectives and we are now faced with the daunting task of reconciling public safety with council regulations.

I then conveyed the concerns of my constituent to Mr Portelli, the General Manager of the Liverpool City Council. I received a response from him dated 25 May 2012. Mr Portelli referred to the complaints he had received and pointed out that pedestrians and children would be forced to walk on the road to negotiate around the vehicles that had been parked. He also said:

The New South Wales road rules clearly forbid the parking of vehicles on footpaths and nature strips for pedestrian safety reasons. This is not a council law; council officers patrol and administer the State law. Henry Street, as any street in release areas, is of a standard width and dimension.

He said further:

The properties in this area contain two garages, as well as double driveways, which provide sufficient parking for four vehicles per household. If a property has more than four vehicles, the street is sufficient in size to cater for additional vehicles being parked on the road. The footpath and nature strip need to be kept clear for pedestrians, who would be required to walk on the road to get past vehicles parking on the path/strip area.

That response is notable for a number of things. First, there is a denial that there is a problem—namely, the streets are wide enough and there is sufficient space in the houses for residents not to have to park on footpaths. That is the "ostrich defence" and simply wrong. The roads are narrower there than in many other parts of the electorate I represent. There is a real issue here and I am aware of it because I regularly travel in the area and Mr Shiyab lives there. Second, it is a State law that council merely administers. The implication is that council officers merely enforce already existing laws and have no option but to do what they do. That is equally arrant nonsense; clearly they have a prosecutorial discretion to exercise. On the basis of Mr Portelli's letter, they simply seem to refuse to exercise that discretion. I do not blame the council officers for issuing a notice for that; there is clearly a council culture to maximise every last cent.

Decisions have been made to maximise the number of lots in such divisions, which helps developers and, I guess, urban consolidation; however, the consequences need to be considered. This is not to argue that the

statutory provision simply be ignored as a matter of course. It is, however, to argue that prosecutorial discretion should be exercised; at the moment none is. It maximises income for the general manager and the conservative majority of the council, but does little for many of my constituents. I should indicate that Mr Shiyab is certainly not the only constituent of mine who is concerned about this issue. I have also been approached by Mr Francis Chan, who is also a resident of Cecil Hills. He received an infringement notice for parking his car out the front of his home. He has made the point that the streets in his vicinity are narrow and often winding and barely fit two cars going in the opposite direction. In Mr Chan's view even parking one car on the road can be a traffic hazard. I again ask Mr Portelli and his staff to look into this problem and try to deal with it seriously rather than use the ostrich defence.

### COFFS HARBOUR JETTY FORESHORE DEVELOPMENT

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [5.19 p.m.]: Tonight I speak about the Coffs Harbour jetty foreshore and the need for a plan in Coffs Harbour to redevelop—and I use the word "redevelop" in the softest possible terms—the whole of the foreshore area. Some 30 years ago the local Apex, Lions and Rotary clubs, which patrol the area, took it upon themselves, in conjunction with the then council—although the service clubs paid for the work not the council—to upgrade the foreshore area. Swings, playgrounds, barbecue areas and walkways were constructed and that area is now the most utilised space on the jetty foreshore.

On 7 August 2012 the Deputy Premier, the Deputy Director General of Lands, Renata Brooks, and the Director, Strategy and Management of the Catchment and Lands Division, Mark Matchett, visited Coffs Harbour to view the area and consider various issues, including vegetation near the airport, which I have raised previously in this House. I showed them also the marina area, which I understand is under lease to the marina operators. The area consists of shops, the Coffs Harbour Fishermen's Co-operative and some public amenity. I draw the attention of the Minister and members to an article in last week's *Coffs Harbour Advocate* espousing the need for this magnificent gateway to Coffs Harbour to be upgraded.

While we enjoyed a wonderful cup of coffee at Latitude 30 restaurant we noticed that the area is looking tired; it is not what the public expects. However, the public does not want what Labor had proposed—that is, to overdevelop the area by constructing hotels and hundreds of units. The public is calling for a plan of management that involves an upgrade of the marina. Currently the marina operators have only a 10-year lease. They want to spend tens of millions of dollars, which is what is required, but no bank will lend them money and they are not prepared to put in their own cash on the basis of a 10-year lease. I discussed with the Deputy Premier, Renata Brooks and Mark Matchett the need to first negotiate a lease with the marina operators that will enable them to invest in this much-needed infrastructure. This is the only safe port between Newcastle and the border. The operators should have the opportunity to upgrade the marina, but they must obtain a return on their investment.

I propose also that we support the suggestion in the *Coffs Harbour Advocate* that development of the area from the jetty to the marina—the second most utilised area on the foreshore—maintain full public access but provide for more retail outlets, restaurants and takeaway shops. I go to the fishermen's cooperative to buy my fresh fish. I point out to the Minister for Ageing, and Minister for Disability Services that the fish is better in Coffs Harbour than it is on the South Coast; it is of great quality and far cheaper. The great Coffs Harbour Fishermen's Co-operative is run by wonderful people, its restaurant, Latitude 30, is fantastic but the building and the shops are pretty tired. I would like an opportunity to work with council for a change. Labor promoted overdevelopment, which is something the public does not want. Council must sit down with government and the community to develop a plan that enables people enjoy the amenities of the jetty area and have a choice of restaurant.

The area north of Jordan Esplanade, which was once a timber-processing area, needs improved parking facilities. I do not agree with any development east of Jordan Esplanade, but there may be opportunities into the future for some development on railway land to cater for parking and more shops. The process must be open and transparent. The public should be given the opportunity to comment on the master plan and be involved in the development of the foreshore. This area is the jewel in the crown of Coffs Harbour and should be treated as such. The development must be sensitive not only to the environment but also to the needs of locals and tourists. I thank the Deputy Premier and members of the department for visiting the area, inspecting the site and agreeing with what is going on.



## RIVERSTONE POLICE STATION

**Mr KEVIN CONOLLY** (Riverstone) [5.24 p.m.]: My electorate of Riverstone takes its name from the country town of Riverstone established in 1810 out to the north-west of Sydney and which for much of its life was centred around the meatworks that provided employment in the district. It is the old town of Riverstone that I will focus on today because this Government has really good news for the town of Riverstone. Recently the New South Wales Government announced that the development application for the Riverstone Police Station had been approved. This is a major win for local residents, who have been lobbying for the construction of a new police station at Riverstone. Numerous residents, as well as local community groups, have raised concerns with me about the need for a greater police presence in Riverstone, something the new station will achieve. I have also had representations from local police, who worked in cramped quarters in Quakers Hill Police Station that was built a couple of decades ago. Unfortunately it was built without the foresight to cater for greater staff numbers and expansion.

Therefore, that station is now inadequate for the needs of the local area command. The new station that is being planned and to be built will have the capacity to cater for the needs of the local area command well into the future. Prior to this announcement, I accepted a petition from the Riverstone Community Group that contained more than 1,500 signatures calling for the urgent construction of a police station at Riverstone. Since being elected as the member for Riverstone, I have lobbied the Minister for Police and Emergency Services, and the Minister for Planning and Infrastructure to ensure that this project would go ahead. I am delighted and excited that the development application for the police station has been approved. Securing this station was a key commitment of mine before I was elected to this place, and I am proud to be part of a Government that is delivering on its promises.

The new \$17 million Riverstone Police Station will be of great benefit to the local police, who, as I said, are currently working out of cramped quarters in Quakers Hill. I am pleased also to advise that funding for the police station project was provided by the New South Wales Government in the 2011-12 and 2012-13 budgets, which means that the funds to commence work on this important project have already been made available. I acknowledge, in particular, members of the Riverstone Community Group, who have been vocal advocates for the new station at Riverstone as well as for other developments in the area, and who have played an important part in ensuring that the station was approved. The community group expressed the view that over recent years Riverstone has been left behind. Certainly under the former Labor Government they were promised many times that things were going to be done, but nothing happened. The town of Riverstone stagnated and people were rightly concerned that promises were not being kept.

I am pleased that not only is the police station project going ahead, but also there is movement at the station on other issues affecting the town. Some months ago council was advised that the development application to redevelop Marketown Shopping Centre would not be held up by the proposal to replace the level crossing at Garfield Road, so council is free to go ahead with the development it has promised residents for many years. I look forward to Blacktown City Council acting on that commitment. I renew the Government's commitment to report back by the end of the third quarter of this year in relation to replacement projects at the level crossing at Riverstone. I look forward to advising the community in detail about what is proposed in the not too distant future. This is good news for Riverstone; it is a good day for the town and it is a good day for the electorate. I am pleased to be part of a Government that delivers on its promises.

## SMALL BUSINESS

**Mr JOHN FLOWERS** (Rockdale) [5.27 p.m.]: I am pleased to speak today about the backbone of the New South Wales economy—our State's 650,000 hardworking small businesses. In New South Wales the O'Farrell Government is getting on with the job of rebuilding the economy and supporting small business, which provides employment for approximately 50 per cent of the workforce. No-one appreciates the significance of our State's small businesses more than our highly competent Minister for Small Business; she understands the importance of giving small businesses across New South Wales a real voice. The Small Business Commissioner will represent the State's small business community. Small businesses make up more than 95 per cent of all business entities operating within New South Wales and in turn provide employment for 1.8 million people.

Some of New South Wales hardest-working small business owners and employees are found in Rockdale—men and women who dedicate their lives to their businesses and who work long hours contributing greatly to our local economy. It is not just the provision of goods and services to customers that make small businesses so important: their ongoing operation also assists big businesses. Those who are familiar with the

Rockdale electorate will understand just how important these businesses are to our local area. From Turrella in the north, to Sans Souci in the south, Rockdale is home to hundreds of small businesses, each contributing in its own unique way to our local community. Whether it is a cafe in Brighton-Le-Sands or a pharmacy in Arncliffe, small businesses and their employees are an essential ingredient of our daily lives that we often take for granted. I am pleased to have so many hardworking small business owners in Rockdale and appreciate the value they add to our community. In Rockdale and across the State, the Government is supportive of small business.

The Government has created the position of Small Business Commissioner. Yasmin King has visited hundreds of small business operators across the State on her listening tour. The commissioner understands the challenges that small businesses face on a daily basis and is giving them a voice. We are rolling out the new small business advisory service, Small Biz Connect, which provides face-to-face assistance to small business. In 2011, 152 regulations were removed. When I speak with local small businesses in Rockdale I am continually told that red tape needs to be slashed to improve the effectiveness and efficiency of their business. This Government is listening and delivering for small business. The New South Wales Government is ensuring that bills are paid within 30 days to small business suppliers.

I acknowledge some of the businesses in Rockdale that have recently been presented with the St George Leader Business Awards: the Millennium Business Centre in Brighton-Le-Sands, which was nominated twice and was the Business of the Year; Wraps and Grills on Kelsey, Arncliffe; Dianne's Fresh Flowers of Sans Souci; Porters Liquor, Bexley; the Centre Pharmacy, Ramsgate; By the Bay Meats, Ramsgate; Parea Greek Tavern, Kogarah; and Omeros on the Beach at Ramsgate Beach. This small sample shows the immense success of small businesses in Rockdale and the diversity of small businesses in our local community.

Sir Robert Menzies, Australia's longest-serving Prime Minister, highlighted in his 1942 "The Forgotten People" speech the kind of people he represented in Parliament; among them were the shopkeepers. These are the same people I see in Rockdale today; they often work from dawn to dusk to ensure that their business remains successful. The O'Farrell Government supports small business and will continue to govern in the best interests of small business. As the member for Rockdale I, too, will be a strong advocate for the small businesses throughout my local community. I wish them every success.

#### **EDWARD KENNA, VC, TRUCK STOP DEDICATION**

**Mr JAI ROWELL** (Wollondilly) [5.32 p.m.]: Today I speak about the recent dedication of a truck stop in Pheasants Nest to the late Victorian Cross recipient Edward Kenna, VC. It gives me great pleasure to speak on this because I am a firm believer in honouring the sacrifices made by our service men and women. The Remembrance Driveway project—from Sydney to Canberra—is a great initiative that commemorates those who served in the Second World War and subsequent wars or theatres of operation around the world. The driveway runs through my electorate of Wollondilly, passing through the town of Pheasants Nest, and it is a road that is travelled in great volume by my constituents. This dedication was attended by our Governor, Her Excellency Professor Marie Bashir, AC, CVO, and is the result of work conducted over a number of years.

This work has been a collaboration of the Remembrance Drive Committee, the New South Wales Government and Wollondilly Shire Council. I take this opportunity to mention the hard work and dedication of councillor and current deputy mayor of Wollondilly Shire Council, Benn Banasik. Benn approached me last year with his desire to see this dedication achieved, and he has worked tirelessly with the committee for this result. I supported the proposal from the outset and have provided assistance and advice when and where possible. A source of continued strength for our nation is our proud history, and I believe that the Remembrance Driveway allows us to keep this history alive.

The Edward Kenna truck stop is part of a broader historical dedication in and around the Wollondilly region, including the Australian Defence Force Memorial Plantation. This site is located between the Sir Roden Cutler Memorial Interchange and the Mount Annan Botanic Gardens, spanning 15.6 kilometres. Some 45,000 native trees and shrubs line the roads and median strips—a road that my constituents and I travel on a regular basis. The truck stops and reserves are utilised by truck drivers and families alike, and serve as a haven for rest rooms, amenities and facilities to promote the Stop, Revive, Survive campaign. It is fitting then that these areas be named after our war heroes who served our country in times of need to preserve the way of life we enjoy today.

A brief biography of Edward Kenna will illustrate that he was a deserving nominee for such an honour. I take this moment briefly to inform the House of his history. Ted was born on 6 July 1919 in Hamilton, regional

Victoria. He enlisted in the Australian Imperial Force in 1940 and served in the 23rd/21st Battalion and the 2nd/4th Battalion respectfully. After a number of engagements, Ted was sent to Wewak on 10 May 1945 to engage with the Japanese; it is here that he was awarded the Victorian Cross. After sustaining heavy fire from Japanese bunkers, Private Ted Kenna, a member of the section providing fire support, attempted to break the stalemate.

Armed with a Bren gun, Kenna stood in full view of the Japanese and engaged their machine gunners located only 45 metres away. Despite enemy bullets passing between his body and his arms, he continued to engage the machine gunners until his magazine was emptied. Calling for a rifle, he killed two more machine gunners with only two rounds. Kenna's actions provided the Australians with the advantage they needed to take the position, completing the capture of the Wirui Mission. Excerpts from Private Kenna's citation leave no doubt as to the bravery he showed during the capture of the mission. It states:

There is no doubt that the success of the company attack would have been seriously endangered and many casualties sustained but for Private Kenna's magnificent courage and complete disregard for his own safety. His action was an outstanding example of the highest degree of bravery.

Wollondilly is home to many modern, local heroes, whether they are our Rural Fire Service and State Emergency Service volunteers, community workers or individuals striving to make Wollondilly a better place. It is fitting that Wollondilly is now home to a memorial dedicated to one of our nation's heroes, Ted Kenna, VC. The legacy of our actions—whether it is national service in the face of adversity or assisting those less fortunate on a local level—is what inspires future generations. Future generations of men and women, sons and daughters take inspiration from our actions and act as a guide in how they conduct themselves. I am grateful that Wollondilly is home to the Edward Kenna, VC, truck stop, and I am thankful to those individuals who worked tirelessly to make this happen.

#### **ABERMAIN PUBLIC SCHOOL ROAD SAFETY**

**Mr CLAYTON BARR** (Cessnock) [5.36 p.m.]: Recently I had the pleasure of attending Abermain Public School to meet with students and staff about an issue of significance to them. I am talking about the intersection of Charles Street and Cessnock Road in my electorate of Cessnock. The intersection is best described as diabolical and dangerous; it has been a thorn in the side of the local community for some time. Significant renovation works have been done on the intersection. Indeed, four years ago the Labor Government spent about \$12 million on the intersection. Unfortunately, some of the original problems and reasons for that work still exist. One terrific aspect of this story is that last year I was contacted by a teacher at Abermain Public School requesting that I visit the school to talk to the students in years 5 and 6 about the role that government can play in fixing the problems with the intersection.

After meeting the students, I gave them the task of coming back to me with all their issues. I suggested they visit the intersection and take photographs, write about the problems, and so on. A couple of weeks later delivered to my office was a large poster, about one metre by one metre, with at least two dozen photographs and short explanations about the problems. I was asked to deliver the poster to the Minister for Roads and Ports and ask the Minister to meet with the students. I duly gave the poster to the Minister. Unfortunately, he has been unable to visit the students, although a representative from Roads and Maritime Services met with the students. These young people learned the important lesson that their voices are just as important as those of others, and they got their meeting.

I promised to get back to the students to follow up on the issue and to discuss with them how to proceed and other action they can take. About three weeks ago the shadow roads Minister visited my electorate and we took the opportunity to meet with the students and talk to them about their problems. The problems are many: a dip and a crest, a pedestrian crossing, a blind corner intersection, a bus stop, a narrow bridge and another corner that feeds into the intersection. There is a newsagent, a fire station, parking, gardens, telegraph poles, light posts and traffic islands within the space of about 20 or 30 metres. Their close proximity causes problems. The issue is pedestrian safety. The only pedestrian crossing that connects one side of Abermain to the other side is located at a notorious intersection. There have been dozens of rear bumper crashes, near misses and skidding brakes and pedestrian safety issues occur on an hourly basis.

On this particular stretch of road we need to consider pedestrians before drivers because many young children use this crossing. Many students do not qualify for a bus pass because they live too close to the school, and they have to cross a main State road at a point that is not safe. The students I met with were articulate and intelligent and clearly outlined the issues. They had ideas and suggestions for solutions, including roundabouts,

traffic lights, relocating the pedestrian crossing, changing the gradient of the road, improved warning signals on either side of the pedestrian crossing, changing the eligibility rules for student bus passes so that students could catch a bus to school rather than cross the road, relocating the bus stop away from the crossing, reducing parking spaces and removing garden beds. These young people had given this issue serious thought.

The strong theme in this story is the empowerment and intelligence of young people. As politicians we seek to reach out to the youth, engage and empower them. But how do we do that? We do it by meeting with them, bringing their issues to the Minister, taking the shadow Minister to meet them and having a follow-up session. I hope they have been empowered by their involvement in the political process where decisions are made about community infrastructure. Whether or not they achieve their goal in relation to the intersection—and I hope they do—these young people left the room with a sense that politicians can and do listen and that young people's voices are important. Cheers to the young people of Abermain Public School.

### SCHOOLS TREE DAY

**Ms GABRIELLE UPTON** (Vaucluse—Parliamentary Secretary) [5.41 p.m.]: On Friday 27 July I was delighted to visit Bondi Public School in my electorate of Vaucluse to celebrate Schools Tree Day. National Tree Day is held on Sunday 29 July. Together, Schools Tree Day and National Tree Day aim to be the biggest community planting and nature care event held in Australia, with adults and children planting native trees, shrubs and grasses in their local communities. Schools Tree Day and National Tree Day are coordinated by Planet Ark and sponsored by Toyota. In 2011 thousands of Australians planted over one million native trees, shrub and grasses at more than 2,900 Tree Day events.

Hosting Tree Day is a great opportunity to do something positive for the environment in our local communities and particularly in our local schools. The plantings beautify schools and attract birds and other wildlife, thereby raising children's awareness about the care and preservation of the environment. Each year about 2,500 schools across Australia take part in Schools Tree Day. At 2.00 p.m. on 27 July I joined with year 6 students at Bondi Public School to plant native trees and grasses in the playground. The acting principal, Olivia Parry, together with the school captains, Mimi and Andre, welcomed me to the school.

We soon set about the task of preparing an area to plant waratah trees and some clumping grasses, whilst parents and teachers encouraged us on. It was a freezing cold afternoon, but as we began the task of placing the trees and grasses in the soil we all began to warm up. As we chatted, we agreed it would be fun for the year 6 students to keep an eye on the growth of the trees after they leave Bondi Public School and go to high school next year. They would be able to do this easily because we planted the trees and clumping grasses close to the school front fence. Bondi Public School is one of the fastest-growing schools in my electorate and in Sydney. Under the leadership of principal Michael Jones, it has experienced exponential growth in its student enrolments. It offers Mandarin and Italian from kindergarten onwards and the full Stephanie Alexander Kitchen Garden program.

After the planting, the students took me on a tour of their garden, which was made possible through the full implementation of the Stephanie Alexander Kitchen Garden program since 2010. Bondi Public School has had the privilege of serving as the demonstration school for this program. Through this program the school has hosted workshops and developed shared resources for the wider community. Staff at the school continue to develop strong links between this program and the curriculum and have been showcasing their programs to other schools in the electorate and across the State. The lucky Bondi Public School students spend time together in the garden planting and maintaining produce and in the kitchen preparing and sharing the fruits of their labours.

What a sight that garden was. The garden beds were full of healthy fruits, vegetables and herbs growing in abundance. There were strawberries, potatoes, rhubarb and broad beans. We even searched for and found eggs in the hen roost. Eggs from the hens are used for cooking by the students in the purpose-built kitchen. An outdoor pizza oven is also near completion. What a wonderful addition to the staple vegemite sandwiches the pizzas will make in time—such a change from the days when I was at school.

I would like to congratulate Bondi Public School community on taking the initiative to enhance and protect their local school and community environment through participating with me in Schools Tree Day. Schools Tree Day and National Tree Day are special days for all Australians to improve the environment in which we live by planting and caring for native trees and shrubs. I look forward to my continued association with Bondi Public School, its principal, teachers, students and parents. I wish them and the year 6 students who shared the experience with me all the very best for the future. I commend my private member's statement to the House.

## INDIAN INDEPENDENCE DAY

**Dr GEOFF LEE** (Parramatta) [5.46 p.m.]: I am honoured to be able to celebrate Indian Independence Day. I join with the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs to wish the Australian Indian community continued prosperity. Indian Independence Day is celebrated on 15 August. It has been 65 years since India's independence from the British rule and its birth as a sovereign nation. Independence Day is celebrated in India with a national holiday, street parades, patriotic songs, flag raising ceremonies and speeches by the Prime Minister and President. It is the largest and fastest growing democracy in the world. Its trade with Australia is estimated to be over \$20 billion per year. The Premier visited India last year and will visit again this year, signifying its importance to the State of New South Wales.

In the 2011 census the Australian Indian community shows the fastest growth of any multicultural segment, with 67 per cent growth since 2006. There are 300,000 Australian Indians in Australia with 100,000 living in New South Wales. Close to 2 per cent of all New South Wales residents were born in India. I am a great supporter of international students, and Indian students make up 7.2 per cent of all international students. I am on record supporting Indian students becoming permanent residents and, if they choose to, becoming some of our best new Australians through citizenship. The New South Wales Government recognises the contribution of the Australian Indian community and has formed the Indian Ministerial Consultative Committee.

As co-chair with the member for Baulkham Hills, David Elliott, and the member for Hornsby, Matt Kean, the committee has put together a business case of achievable goals. Other committee members include: Amarinda Bajwa, Dr Yadu Singh, Dr Samiuddin Syed, Bawa Jagdev, Professor Nihal Agar, Rajni Patel, Arun Jagatramka, Nihal Gupta, Dr Hari Harinath, councillor Dilip Chopra, Dr Rohitas Batta, Kevin Pagaddinnimath, Dipen Rughani, Neena Sinha, Sanushka Seomangal and the past Consulate General Amit Dasgupta. The goals of the committee focus on trade and investment opportunities and how to better incorporate education in the primary and secondary school system about Indian heritage. The goals that the Ministerial Consultative Committee are looking at are: trade and investment opportunities; how we better incorporate education about people's Indian heritage in our primary and secondary systems; and community service—how we can form a hub for the Indian community to provide opportunities to engage with that community. Three other matters of importance are immigration, communications strategy with the Indian media and how we better engage with youth.

The Parramatta electorate has the highest number of Australians who were born in India—something like 12.2 per cent as at the last census. Harris Park, Rosehill and Wentworthville are the suburbs in which many members of the Indian community live. Harris Park is affectionately known as Little India, renowned for its restaurants, retailing and fashion. Mr Dominello recently visited Harris Park and recognised it as an eat street destination for New South Wales to experience south Asian cuisine. I have made many friends in the Parramatta area, none more supportive than Sanjay Patel of the Patel brothers. He is an iconic Australian migrant who was recently recognised as an entrepreneur for his food manufacturing, retailing, travel and finance businesses—very successful in the area. Harris Park is home to a very large Gujarati and Punjabi community. We will be celebrating south Asian migration throughout New South Wales with Parramasala in November. I am sure all members of the House will join in to celebrate Indian Independence Day today.

## HURSTVILLE COMMUNITY

**Mr MARK COURE** (Oatley) [5.51 p.m.]: As I am sure members would agree, the recent 2011 census data demonstrates just how much Australia has changed. This census data is particularly relevant to me as the electorate that I represent is perhaps one of the most diverse regions in the State. In particular, the suburb of Hurstville is illustrative of the vast changes that have occurred to the fabric of our society in recent decades. Hurstville is a bustling, vibrant city with the largest Chinese population, not just in Sydney but in Australia. I noticed earlier tonight that in the gallery was the deputy mayor of Hurstville, Councillor Con Hindi.

The changing face of Hurstville is reflective of a much broader change across Australian society. Hurstville is the largest city in the St George region and is also the main commercial hub. One only needs to come on a journey with me to the Hurstville central business district to see what Hurstville has to offer. Whether it is the Sunny Harbour Seafood restaurant or Mr Chou's Chinese restaurant, Hurstville's concentration of small business activity would suggest that the rest of Sydney has much to learn from Hurstville's success.

The commercial success of Hurstville highlights the extent to which we live in a society that is rapidly changing. Recently Mandarin and Cantonese became the most common languages spoken at home other than

English. As we move to the twenty-first century this changing makeup of society makes our relationship with China crucial for effective governance. The O'Farrell Government has rightly expanded these opportunities since its election in March last year. Just recently the Premier led a senior delegation to China, and I have been to China twice in the past 12 months.

Part of maintaining a strong relationship with China and the Asian region will revolve around fostering a sound trading relationship. The establishment of the Multicultural Business Advisory Panel will make the strengthening of trade and investment ties a key priority. The panel will assist the Government in working towards attracting productive foreign investment and encouraging business activity in overseas markets. Beyond just strengthening economic relations with China, it is important that we accept that a significant component of Australia's future economic prosperity will be reliant on the Asian region. On this note, recent figures show that in the past year alone trade with China has increased by almost 35 per cent year-on-year. Almost 30 per cent of Australia's net total export value currently flows from China.

Over many years I have had an extensive involvement in the local Chinese community across New South Wales. An organisation that I have maintained a close relationship with is the Chinese Australian Services Society, CASS, an organisation that provides outstanding services to migrants and members of the Chinese community around my area. In addition, I have maintained a close relationship with the Australia China Economics, Trade and Culture Association [ACETCA] which promotes and encourages cultural events and opportunities, and trade and investment between Australia and China. Finally, I am also heavily involved in the Chinese Australian Forum [CAF], which aims to raise the political awareness of the Chinese community across New South Wales. Many of these community groups do an outstanding job in my community and across Sydney, promoting and fostering stronger relationships between China and Australia.

In addition to simply trading more with China and the Asian region we need to address the language barriers. The low take-up rate of Asian languages in New South Wales secondary schools is unfortunate. I was shocked to find out that a recent report by CPA Australia found that there are as few as 300 students in Australia studying Mandarin in year 12. As I have expressed previously in this House, I am a firm believer that the teaching of Asian languages be mandatory. Whether it is Korean, Mandarin, Cantonese or Indonesian that is taught, proficiency in an Asian language is going to increasingly become valuable as Australia continues to emerge as a key player in the Asian region.

### INDO-CHINESE ELDERLY HOSTEL

**Mr GLENN BROOKES** (East Hills) [5.56 p.m.]: I thank the member for Oatley for talking about the Chinese. My private member's statement is about the Chinese as well. On Saturday 4 August I had the honour to attend the inauguration party and charity dinner for the Love the Elderly and Children Foundation hostel project representing the Premier, the Hon. Barry O'Farrell. Since 2003 the Indo-Chinese Elderly Hostel has been serving the city of Fairfield by providing accommodation and care to 30 members of the aged Indo-Chinese community. This year, all going well, that number will increase to 88, with improved kitchen, laundry and recreational facilities that will add to the level of care provided and the quality of life of the residents. Australia-wide, the rapidly ageing population has been identified as one of the most significant demographic challenges facing this country. That fact demands that the New South Wales and Federal governments do all they can to ensure that the needs of all Australians can be properly met as they age. A famous Jewish philosopher once said:

A test of society is how that society behaves towards the old. It is easy to love children. Even dictators make a point of being fond of children. But the love and care for the old, the terminal and the helpless are the true gold mines of a culture.

The New South Wales Government is committed to our State's older people being able to live in a society that has positive attitudes to ageing. The O'Farrell Government is also committed to researching, helping and supporting projects that increase services and provide support to our ageing population, including those from a cultural and racially diverse background. Older people from culturally diverse backgrounds are at risk of isolation, withdrawal, depression and poor outcomes. Access to culturally appropriate services and care goes a long way to fixing this. The Government and community organisations such as the Indo-Chinese Elderly Hostel are doing their best to close the gap and assist their older people feel more connected with family, friends and the community. In turn, these social interactions and community connections promote positive mental health and wellbeing.

I commend the Indo-Chinese Elderly Hostel for providing much-needed culturally specific aged care facilities and services to the elderly of Indo-Chinese background. Its efforts are a clear example of the

compassionate spirit our Australian Indo-Chinese community is well-known for. What it has done within the community is something that all citizens of New South Wales can learn from. I look forward to seeing the realisation of the current expansion plans of the Indo-Chinese Elderly Hostel. I wish everyone associated with both the hostel and the Love the Elderly and Children Foundation continued prosperity and success well into the future.

### TRIBUTE TO JOHN TRELOAR, AM

**Mr MARK SPEAKMAN** (Cronulla) [6.00 p.m.]: I speak on the sudden passing during the winter recess of my constituent John Treloar, AM. Early this week, on 14 August, the Minister for Sport and Recreation gave a ministerial statement in tribute to John Treloar, and the member for Canterbury gave a gracious response. Those statements, which appear in *Hansard*, set out John's biography in detail. I invite the listener or reader to look closely at the earlier *Hansard* for them. I do not propose to re-invent the wheel by reciting all those details again; instead I would like to add a few supplementary remarks. Of course, John is most famous for his achievements on the international track, especially his sixth place in the men's 100-metre final at the 1952 Helsinki Olympic Games, the first time that an Australian had competed in the final of that event, and just 0.1 of a second behind the winner.

Barely out of his teens, John had earlier competed at the 1948 London Olympic Games, reaching the 100-metre and 200-metre semi-finals and participating in the 4 x 100-metre relay. In 1950, at the Empire Games in Auckland, John was the Empire Champion for the 100 yards, 220 yards and the 4 x 100 yards relay. John also won six national titles across 100 and 220 yards, as well as three silver medals in events of the same distance. He was probably Australia's greatest ever male sprinter. But, having known John and his second wife, Jan, for the last six years of his life, I know that more important than medals, more important than race results, more important than fame, was John's character—warm, passionate, principled, ethical and courteous. John was a doer. He fiercely subscribed to the Olympic creed, namely:

The most important thing in the Olympic Games is not to win but to take part, just as the most important thing in life is not the triumph but the struggle. The essential thing is not to have conquered but to have fought well.

John remained an active contributor to his community in his later years. He organised, and attended, a reunion of the 1952 Helsinki team just two weeks before he died—an event he had organised each year for 59 years. And just before he died John was co-ordinating Olympic celebrations for residents at Woollooware Shores retirement village at Taren Point, where Jan and he lived. I was honoured to open the Woollooware Shores Olympic Games on 6 August. They were a week of friendly competition for the residents and a great celebration of the Olympic ideals, of camaraderie and of healthy lifestyles for seniors. They even had their own athletes oath and an Olympic torch. But, of course, John's absence was made all the more poignant by this and by the return of the Olympics to London just five days after John died. May God bless John's family and may John rest in peace.

### MOUNT DRUITT ELECTORATE CRIME

**Mr RICHARD AMERY** (Mount Druitt) [6.04 p.m.]: My electorate of Mount Druitt often is reported, but particularly in recent weeks, as some sort of crime hot spot. This is despite most statistics showing that, while quite a number of offences are committed and our police station is reported as the highest-charging station, crime figures are generally considered as stable or falling. Certainly, when it comes to the more serious crimes, the electorate does not rate that highly. However, when it comes to housebreaking, car theft, domestic violence, assaults—with assaults and robbery generally being committed by some young person against another: stealing mobile phones, property and the like—these sorts of offences, and many more, result in a call-out of our police on a regular basis.

Somewhat contrary to what I have just said, it was not a pleasure to see my electorate in the news for some very serious crimes committed in the last few weeks—a sexual assault in one suburb involving multiple offenders; guns stolen from a dealer's home safe; the bashing and robbing of a young juvenile, who was tied up and deprived of his liberty; the hold-up of a post office; and, of course, the fire-bombing of another house, with suggestions in the media that it related to one of the earlier crimes I just mentioned. As I say, it is no pleasure to see in the broader metropolitan media that such terrible incidents are taking place.

There are two points that I want to make. First, I commend the Mount Druitt police, under the area commander Superintendent Wayne Cox, for their quick action, resulting in persons being arrested very quickly after many of the offences I have mentioned. More investigations are continuing. Obviously, because these

matters are before the courts I will not go into detail about the circumstances of those crimes. The second point I raise is that many of the persons arrested are juveniles—although perhaps only just juveniles, if that is an appropriate term, that is, just under 18 years of age.

During the recess reports that I have just mentioned gained much media attention. At almost the same time as these reports were hitting the airwaves and the newspapers there was an item in the press, I think in the *Daily Telegraph*, that the Government is considering a report to expand the types of offences that could be dealt with under the Young Offenders Act. Of course, this was under the guise of assisting these young persons to rehabilitate themselves—not to put them into institutions or prisons where they could perhaps expand their criminal activity as I think was the rhetoric. The new offences mentioned in that report included things such as aggravated sexual assault and armed robbery. So we are now starting to talk about the top of the tree of serious crime. The policy, of course, is supported by The Greens. If that of itself does not alert all members of the House to take a close look at this policy—

**Mr Geoff Provost:** Good point.

**Mr RICHARD AMERY:** I acknowledge the interjection. If there is nothing else about this policy and the rhetoric of it that attracts your attention, the fact that it is enthusiastically supported by The Greens, who want to expand the number of crimes dealt with under the Young Offenders Act, is scary. If that does not scare you nothing will. Of course, this is the same party that believes criminal sanctions against all drug use should be removed. Meanwhile, back on earth, the Mount Druitt police station, as I have said, is one of the busiest stations, certainly one of the busiest-charging stations, even though not all the crimes involved are at the top of the serious list.

In my briefings with local police over many years one interesting piece of information stands out. When a serial offender, a serious housebreaker or car thief, is taken out of the community and put in an institution the number of crimes in the area where that person lived reduces. Conversely, when they are released, the rate goes up again. It is early days with action on the subject report, but in the few seconds left to me I urge all members on both sides of the House to watch developments on this reported proposal. I cannot believe that any government, of any political persuasion, would entertain a proposition that a person under 18 years charged with aggravated sexual assault or armed robbery could be given a caution or ordered to do community work. The proposition is absurd.

### INTERNATIONAL CHILDREN'S GAMES

**Mr GREG PIPER** (Lake Macquarie) [6.09 p.m.]: On 11 August last year I informed this House of the participation by the City of Lake Macquarie in the International Children's Games in Lanarkshire, Scotland. This year during July, 12 young sportspeople from Lake Macquarie travelled to Daegu, South Korea, to compete in the forty-sixth International Children's Games. In so doing they carried out dual roles as competitors and goodwill ambassadors. They lived up to the aim of using sport to promote peace and friendship among the world's youth, with greater levels of understanding and acceptance of other cultures.

The 12 young athletes who travelled to South Korea are: Christian Polkinghorne, Emma-Sue Greentree, Danielle Clarke and Dana Gill from the Lake Macquarie electorate; Grace Weir and Chloe Walters from the Swansea electorate; Luke Haworth, Zsolt Balogh and Isobel Warby from the Charlestown electorate; Trent Halton and Callen Meir from the Cessnock electorate; and Aidan Hampton from the Wallsend electorate. I am sure the members representing those electorates will join me in congratulating these young athletes on their efforts with particular note of the following medallists: Christian Polkinghorne, Callen Meir, Luke Haworth and Trent Halton, who won the bronze medal for the 4 x 100 metres relay; Christian Polkinghorne, who won the silver medal for the high jump and bronze for the 100 metres; and Callen Meir, who won bronze for the high jump. I am also sure members will join me in acknowledging the efforts of the young athletes, their parents and their friends in raising the funds needed to travel to Korea to participate.

Lake Macquarie has now competed in the International Children's Games four times: at San Francisco in 2008, Manama, Bahrain in 2010, Lanarkshire, Scotland in 2011, and this year in Daegu, South Korea. Lake Macquarie's future involvement in the International Children's Games will include the role of host city. In 2010 Lake Macquarie won hosting rights for the 2014 Games—a first for Australia and for the Southern Hemisphere—which are anticipated to attract up to 3,000 international visitors, including some 1,800 athletes. The cost of hosting the Games is estimated to be about \$2 million, but with the city providing sporting facilities and other in-kind contributions by partner organisations the outlay should be much less. We have great



resources for athletics, sailing and a range of other sports which will be part of the 2014 Games. Lake Macquarie City Council will provide venues at Speers Point and the Hunter Sports Centre at Glendale. Specialised facilities will be used at the Forum Sports and Aquatic Centre at the University of Newcastle, Belmont 16 Foot Sailing Club, Belmont Golf Club and the Lake Macquarie BMX Club.

The University of Newcastle has generously undertaken to accommodate participants in the four residential colleges at its Callaghan campus. The support of organisations and businesses such as the university, the Hunter Institute of Sport, NBN Television, the *Newcastle Herald*, Newcastle Knights and many others gives us confidence that the community will support us in running a great event. In addition, I am confident that the organisers will have the resourcefulness and ability to make the Games a success. There will also be opportunities and justification for the New South Wales Government to supplement existing commitments and ensure that Lake Macquarie and surrounding areas such as Newcastle, the Lower Hunter and indeed New South Wales achieve maximum benefit from this exposure to the rest of the world.

To that end I will seek to further brief the Minister for Sport and Recreation and the Minister for Tourism, Major Events, Hospitality and Racing on this event. I will no longer be Mayor of Lake Macquarie after September—I know it is a shame—but if requested, I will be only too happy to be part of a cooperative effort to bring the 2014 Games to fruition. I am pleased to be able to report to the House this year's success in the International Children's Games, to congratulate all the participants and to seek the Government's support for the 2014 International Children's Games in Lake Macquarie. From humble beginnings in 1968, in Slovenia behind the Iron Curtain, the International Children's Games have become the world's largest youth multisport competition.

It has been my experience that children participating are very much exposed to the ideals of the Games and that their minds are opened to possibilities before them in life. Most importantly, having met and befriended other children of different race, culture, language and religion, they are likely to become champions amongst their peers for tolerance and understanding of other peoples. Indeed, they have experienced the ideals of the International Children's Games of "friendship and understanding and to help to secure world peace and follow the Olympic ideals". We can share these ideals with many other children in our community by hosting the Games in Lake Macquarie in 2014, and I humbly request that the New South Wales Government join with Lake Macquarie City Council and the community in delivering this prestigious event.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 6.14 p.m. until  
Tuesday 21 August at 12 noon.**

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