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LEGISLATIVE ASSEMBLY

Thursday 21 March 2013

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

The Speaker read the Prayer and acknowledgement of country.

CRIMES (SENTENCING PROCEDURE) AMENDMENT (PROVISIONAL SENTENCING FOR CHILDREN) BILL 2013

CRIMINAL PROCEDURE AMENDMENT (COURT COSTS LEVY) BILL 2013

ROYAL COMMISSIONS AMENDMENT BILL 2013

Messages received from the Legislative Council returning the bills without amendment.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

GAME AND FERAL ANIMAL CONTROL AMENDMENT (PINK-EARED DUCKS) BILL 2013

Bill introduced on motion by Mr Alex Greenwich, read a first time and printed.

Second Reading

Mr ALEX GREENWICH (Sydney) [10.01 a.m.]: I move:

That this bill be now read a second time.

In the last sitting week of 2012 Parliament passed the Shooters and Fishers Party Game and Feral Animal Control Further Amendment Bill 2012 to allow hunting of native birds, including ducks, on private land by persons with a native game bird management licence. I opposed the bill because duck hunting is cruel, with many ducks being shot but escaping wounded and left to suffer a slow and painful death. That is the reason that duck hunting was banned in 1995. The Government supported the bill, claiming that duck hunting would only be authorised for the purpose of sustainable agricultural management. The legislation creates a new form of licence called a native game bird management licence, which can only be granted to someone with a game hunting licence, for sustainable agricultural management purposes. When speaking on the bill both Ministers said that the new form of licence would only be authorised for the purpose of sustainable agricultural management. The Government has repeatedly stated that its support for the bill is to help farmers manage duck populations where ducks cause damage to crops. Based on this justification, there is no logic to include the pink-eared duck on the list of native birds for which a native game bird management licence can be issued.

The pink-eared duck is carnivorous and feeds on aquatic invertebrates. Its diet consists of 99.6 per cent animal-based food. It has a unique ability to filter mud and water in order to consume small organisms and its bill has the most specialised filter system of any wildfowl species. The pink-eared duck is not a grain-eating species and therefore does not cause damage to rice or other crops. Its main prey species are chironomid larvae and ostracods, which are known rice pests that many farmers use pesticides to control. I can provide scientific references to support these facts on the request of any member. There can be no sustainable agricultural argument in favour of shooting a pink-eared duck and the Game and Feral Animal Control Amendment (Pink-eared Duck) Bill removes the pink-eared duck from the list of approved native game birds. If the Government is committed to its undertaking to issue licences only for the shooting of ducks that harm agricultural crops it will have the pink-eared duck removed from the list of native game birds included in part 1A of the Act. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire and set down as an order of the day for a future day.

RETAIL LEASES AMENDMENT (MEDIATION) BILL 2012**Second Reading****Debate resumed from 23 August 2012.**

Mr JONATHAN O'DEA (Davidson) [10.06 a.m.]: The Government does not support the Retail Leases Amendment (Mediation) Bill 2012, which was developed by the Opposition in response to a decision of the New South Wales Court of Appeal in *Kim-Po Sor v Fordham Laboratories Pty Ltd*. Section 68 (1) of the Retail Leases Act 1994 states:

A retail tenancy dispute ... may not be the subject of proceedings before any court unless and until the Registrar has certified in writing that mediation under this Part has failed to resolve the dispute or matter or the court is otherwise satisfied that mediation under this Part is unlikely to resolve the dispute or matter.

In the recent case of *Kim-Po Sor v Fordham Laboratories Pty Ltd*, which was decided in the New South Wales Court of Appeal on 14 October 2011, their Honours Justice Young and Justice Campbell indicated that mediation was not necessary in circumstances where the court was satisfied that mediation was unlikely to resolve the dispute or matter. This ruling is consistent with the way in which we would expect the law to operate and with what the law states. We believe the Opposition's proposed amendment is based on a misinterpretation of the ruling and an overemphasis on a legislative heading rather than a proper reading of the actual legislative provision. Labor's claim that the decision overturns a mandatory mediation process is simply wrong. The Opposition bill seeks to amend section 68 (1) of the Retail Leases Act 1994 to make it clear that proceedings may not be commenced in any court in relation to a retail tenancy dispute or in relation to other disputes or matters arising under that Act "unless the Registrar has certified in writing that mediation ... has failed to resolve the dispute or matter".

The Opposition's proposed amendment could have unintended consequences in certain circumstances if it were to totally remove the discretion of the courts to determine whether a matter can be heard by a court or tribunal, or proceedings commenced, without the parties first attempting mediation. As strong supporters of small business we foresee some potential unintended consequences of this amendment to business—I am sure they were not intended or else they would not have been put forward. To give a couple of examples of unintended consequences, it would force together in a mandatory sense parties not suited to mediation including those where there has been a history of violent behaviour. It also would add layers of bureaucracy to a process where it is clearly not appropriate for the involved parties to attend mediation.

The SPEAKER: Order! The member for Keira will have an opportunity to contribute to the debate.

Mr JONATHAN O'DEA: In addition to the potentially significant burdensome consequences, this amendment appears not to have been developed with real public consultation and is not supported by evidence. Additionally, it does not address any deficiency of the Act or a substantial need of the sector. The Government believes it is not an appropriate response to the court's ruling nor is it good public policy. In contrast, the Government has a strong commitment to the small business sector and jobs growth in the sector. We value small business and are slashing red tape to make New South Wales a more attractive place to do business. We understand that small businesses are the backbone of Australia's economy, representing 96 per cent of all business in the country. There are an estimated two million small businesses across the nation providing nearly half of all employment. In New South Wales alone there are some 680,000 small businesses providing employment for around 50 per cent of the New South Wales workforce. In addition to contributing to the economy directly, the small business sector is a crucial platform that underpins the efficient operation of many medium-sized and large businesses.

The O'Farrell Government, supported ably by Treasurer Mike Baird and the Minister for Small Business, Katrina Hodgkinson, has supported the small business sector by establishing the Office of the Small Business Commissioner during 2011-12. The office provides strategic support to build a strong economy within New South Wales that generates opportunities for fulfilling jobs, choices and financial security, with a focus on supporting small and medium-sized businesses. The office contributes to increasing the competitiveness of doing business in New South Wales through improving business confidence and working with agencies to address red tape and reduce the administrative burden on businesses. The commissioner supports businesses by various means—as was evidenced in a debate in this House only last week—such as providing low-cost dispute resolution services for disputes involving other businesses, government bodies or local councils. It advocates within government on behalf of small businesses in relation to unfair or inequitable practices which impact on

those businesses, and it manages Small Biz Connect, which is a contemporary program providing quality small business advice, resulting in accountability and measurable outcomes for small businesses across New South Wales, especially in regional areas.

The Government, with the Small Business Commissioner, is working to ensure that an appropriate legislative framework is in place to support small business. With this focus, the Government has already commenced a review of the Retail Leases Act 1994 that will involve significant public consultation during 2013. The Government's considered review will determine whether the policy objectives of the Retail Leases Act 1994 remain valid and whether the terms of the Act remain appropriate for securing those objectives. The review will seek public comment on the way in which the Act operates and how the requirement to mediate before pursuing proceedings in a court works in practice. This approach is far more sensible than the Opposition's bill, which will create additional burdens for business and reduce flexibility as to how disputes can be resolved. There has always existed the right or the discretion of the court to make exemptions, and this is neither unusual nor exceptional. Surely the shadow Attorney General would realise that. He wants to take away that discretion. He wants to make it mandatory.

The SPEAKER: Order! The member for Liverpool will have an opportunity to reply to these remarks.

Mr JONATHAN O'DEA: It is my advice that the good work of the Office of the Small Business Commissioner in using mediation to resolve disputes is unaffected by the court decision upon which the Opposition's amendment is based. The number of mediations undertaken by the office has in fact increased rather than decreased since this decision was handed down in 2011. Mediation is highly successful in resolving disputes without the need for litigation. In principle the Government supports the concept of mediation. More than 80 per cent of matters referred to the Office of the Small Business Commissioner are resolved through mediation and the assistance of the dispute resolution unit. Mediation can minimise the costs of business and commercial disputes by achieving an outcome in the first stage of the process before the parties come together in a formal face-to-face mediation. About one-third of all cases referred to the Office of the Small Business Commissioner are resolved during this stage.

I refer now to one case study that demonstrates that mediation does work. This case study involves the Office of Small Business Commissioner intervening through mediation, resulting in a small business owner saving significant legal expenses and minimising time away from the business. A small business owner had entered into a lease agreement for a shop with a large property company as her landlord. Her business was not going well and her company went into liquidation. She had personally guaranteed the lease. She discussed it with the landlord, who assured her that someone else was ready to take over the lease and that she could move on with her life. However, the small business owner did not get this advice in writing and was served with a bankruptcy notice. Although a new tenant had taken over the lease the landlord was charging them a much lower rent and was claiming the difference between the two rates from the small business owner. The small business owner was unable to engage a solicitor willing to take the case and everyone she spoke to refused to take on this large and powerful landlord.

Not knowing what to do, she was referred to the Small Business Commissioner. The commissioner's dispute resolution team provided advice about her situation. She was able to contact a solicitor specialising in retail leases, who applied for a formal mediation between the small business and the landlord. Through mediation the parties were able to reach a settlement on the day without having to incur extra litigation costs. This is an example of how the Government is taking practical steps to save business time and money. As a formally accredited mediator, albeit from many years ago, I can personally testify to the value of mediation. Mediation works in most situations. It does not necessarily apply and work in absolutely every situation bar none. That is what the Opposition effectively is arguing for in its bill. It wants to make mediation absolutely mandatory.

Mr Paul Lynch: That's a lie. You haven't read my speech.

Mr JONATHAN O'DEA: I have read your speech. I have also read the material on the Opposition leader's website, which quotes the shadow Attorney General and the shadow Small Business Minister, Mr Searle:

The NSW Court of Appeal's decision to overturn the mandatory mediation process swings the pendulum even further towards big shopping centre owners.

I have also read the shadow Attorney General's speech, which also quotes selectively from the case in point—

Mr Paul Lynch: Quotes accurately, thank you very much.

Mr JONATHAN O'DEA: It does quote accurately but "selectively" is what I said.

Mr Paul Lynch: Accurately.

Mr JONATHAN O'DEA: Selectively.

The SPEAKER: I remind the member for Liverpool that this is not the opportunity for discussion or debate.

Mr JONATHAN O'DEA: What is quoted, among other things, is a heading that suggests that mediation is mandatory. The reality is that on any reading of the provision—and any lawyer would read section 68 very clearly—it is not mandatory. The court has discretion and that court discretion is what the Opposition is attempting to take away with its legislation. In essence, that is what we object to. We do not object to the concept or the principle that mediation to achieve an acceptable result should be encouraged. It should be. As I have said, I am also advised that the Office of the Small Business Commissioner knows of no recent cases that have progressed directly to litigation before attempting mediation. I throw out the challenge to the Opposition: Give us concrete factual examples. Otherwise you are making things up.

The SPEAKER: The member for Liverpool will cease interjecting. He will have an opportunity in his right of reply.

Mr JONATHAN O'DEA: If a party did commence proceedings where mediation would not be unlikely to resolve the dispute, a court can refer the matter to mediation before hearing the matter. Courts have the power to stay proceedings and to refer matters to mediation. They also have the power and the discretion to make an adverse costs order against the plaintiff. This provides a clear incentive for parties to attempt mediation before commencing litigation where mediation is appropriate. In fact, if a landlord commenced expensive litigation without attempting mediation where it was likely to be successful then I would hope, from a public policy perspective, that the court would exercise its discretion to stay proceedings pending mediation and award costs against the landlord. However, such a potential situation does not justify the blanket approach to mediation proposed by the Opposition. From a policy perspective, mediation should be encouraged but should not be absolutely insisted upon in all cases before proceedings commence.

Madam Speaker, in summary, the Government will continue to provide a competitive environment for small business in New South Wales, one that cuts through red tape, one that provides business certainty and encourages this sector to prosper while also respecting the role of the courts, which have a proper discretion. The amendment does not address a real need of the small business sector. Accepting the Opposition's proposed changes may have significant negative consequences and would potentially add burdens to small businesses and other businesses. We therefore oppose this bill.

Mr BART BASSETT (Londonderry) [10.16 a.m.]: I oppose the Retail Leases Amendment (Mediation) Bill 2012. I oppose this amendment because it is not in the overall interests of small business. By contrast to those opposite, the O'Farrell Government is a supporter of the small business sector and it has taken action by appointing the inaugural NSW Small Business Commissioner, Ms Yasmin King. We understand that small business represents 96 per cent of all business in Australia. I know members opposite are not interested in hearing about small business, but they need to because it provides half of Australia's total employment. Australia has approximately two million small businesses and some 650,000 of them are in New South Wales.

The amendment introduced by the shadow Attorney General is based on the Opposition's misinterpretation of a decision by the New South Wales Court of Appeal. This piece of legislation is not supported by evidence. It has not been the subject of any meaningful consultation and does not take into consideration whether it achieves the best possible outcome for the sector. The proposed amendment seeks to remove the ability of a court to determine whether or not a case can progress to a court or tribunal without first attempting mediation and/or providing a certificate to state that mediation is unlikely to resolve the dispute.

We perceive some negative unintended consequences of this amendment. In some situations there may be other contributing factors to a dispute, such as history of violent behaviour between the parties. In that instance mediation is certainly not suitable. By removing the court's discretion this amendment would create new layers of bureaucracy—something members opposite are very pleased to see—forcing parties to attend

mediation when it is not appropriate. Some examples include cases where the Administrative Decisions Tribunal appoints valuers to conduct retail lease rent determinations. There are urgent business issues in all cases when applicants are nearing a jurisdictional time limit and they can protect their position by filing directly with the tribunal or the courts.

We need to ensure that the courts have the options to consider cases where mediation is unlikely to resolve a dispute. Frequently parties file their claims in the court before participation in mediation. No cases are known to the Office of the Small Business Commissioner since this ruling that have not utilised the mediation service before having the matter determined by a court or tribunal. If a party did commence proceedings where mediation would be likely to resolve the dispute the court is likely to refer the matter to mediation and may make an adverse costs order against the plaintiff. This provides a clear incentive for parties to attempt mediation prior to commencing litigation where mediation is appropriate. Currently the dispute resolution team within the Office of the Small Business Commissioner is achieving excellent outcomes for small business by providing a low-cost dispute resolution service. This service saves small businesses significant legal costs and time.

The Retail Tenancy Unit, which was set up under the Retail Leases Act 1994, was created in 1995. The unit has provided information and dispute resolution services to the retail leasing industry since that time. This service has assisted parties in retail disputes from our metropolitan regional shopping centres, arcades, local shopping strips and corner stores. In mid-2011 the Retail Tenancy Unit was incorporated into the Office of Small Business Commissioner. Based on the success of the disputes resolution services provided to the retail leasing industry, these services have been extended to all small businesses that have been impacted by unfair practices. In 2011-2012 the unit received 6,410 calls for information and advice.

The unit provided 1,307 instances of informal mediation by disputes resolution unit staff at no cost to the parties involved, and this represented a 21 per cent increase from 2011. It also facilitated the formal negotiations of 253 disputes with the assistance of a commercial mediator. This represents a 16.5 per cent increase from 2010-2011. The Small Business Commissioner now offers information, strategic advice and dispute resolution services to the small businesses of New South Wales by using the existing skills and processes of the Dispute Resolution Unit. The Small Business Commissioner has reviewed the structure of the disputes resolution unit and updated the name to reflect the expanded services. I emphasise that these are expanded services being provided by the Government.

The New South Wales Liberal-Nationals Government, under the leadership of Barry O'Farrell and Andrew Stoner, is slashing red tape to save businesses time and money. The Government wants to implement changes to improve the operating environment for small businesses. Again, members opposite are not interested in saving small businesses money. This Government is on track to save businesses and taxpayers \$750 million by 2015 by removing unnecessary regulations. A strong economy means that businesses will be successful and will create jobs; they will not be tied up in government red tape. By slashing red tape the Government is making it more attractive to do business in New South Wales. That is good for jobs and good for the economy.

In 2011, 152 regulations were removed compared to just 14 new regulations being added. The reforms are expected to save businesses and taxpayers \$233 million in 2012 alone. The New South Wales Government is committed to reducing red tape for business and the community by 20 per cent by June 2015. The O'Farrell Government is also working with the Small Business Commissioner to establish the Red Tape Trouble Shooter Task Force to address key government administrative and regulatory burdens as they are raised by small businesses. Under this initiative, the Office of the Small Business Commissioner, the NSW Business Chamber and industry-specific agencies are working with small businesses at a grassroots level to identify unnecessary regulatory burdens. The task force will then seek to remove or to streamline—

[Interruption]

Once again the Opposition is not interested in streamlining. The task force will streamline these practices to minimise the impact on the small business sector. That is a novel idea for members opposite. In addition to this initiative, the Office of the Small Business Commissioner already has commenced a review of the Retail Leases Act 1994. That process will involve significant public consultation now and into next year. The review will seek public comments on the way in which the Act operates and how the requirement to mediate before pursuing proceedings in the court works in practice.

Unlike the amending legislation before the House, which has been subjected to no public consultation, the Liberal-Nationals Government is proceeding with the most appropriate and measured process to examine the

Act. We will not be rushed when considering policy objectives affecting small business; we will not amend legislation based on the Opposition's misinterpretation of a court judgement; and we will not support an amendment that burdens small businesses. However, we will conduct a considered review of the Retail Leases Act and we will ensure that the terms of the Act remain valid and appropriate for securing those objectives. For those reasons, I urge the House not to support this bill.

Mr GUY ZANGARI (Fairfield) [10.26 a.m.]: The purpose of the Retail Leases Amendment (Mediation) Bill 2012 is to amend the Retail Leases Act 1994 to require mediation in connection with retail tenancy disputes. The legislation was originally enacted during the sitting of the Fiftieth Parliament with parliamentarians on both sides agreeing that procedures must be put in place to create a level playing field for small retail businesses and large shopping centres. Section 68 of the Retail Leases Act provides that prior to a retail tenancy dispute being litigated before a court the Registrar of Retail Tenancy Disputes must certify that mediation has failed to resolve it. That provision in the 1994 bill was the subject of much discussion in the Fiftieth Parliament. On 14 October 2011, a decision was handed down in the Court of Appeal by Justice Young and Justice Campbell that has since changed this position. Large shopping centres now have access to courts and tribunals without a requirement to attempt mediation or to provide certification of failed mediation. That would be a scary and uncomfortable situation for a small retail business.

Large shopping centres now have the ability to take small retail businesses straight to court, completely bypassing the low-cost mediation process that gives small retail businesses an opportunity to negotiate and defend themselves. The Act worked for almost two decades without controversy, but recent changes now skew the balance most favourably towards large shopping centres. The original intention of this legislation must be restored. The recurring message I have been receiving from the numerous small retail businesses throughout my electorate has been heard loudly and clearly. A constant increase in operational fees due to the increasing demands made by lessors has meant that consumers suffer alongside the small retailers because they share in the subsequent imposed increases.

The most common scenario related to me by local small retail business owners is ever-increasing tenancy fees imposed by the lessor and the subsequent increase in product and service prices as they attempt to cover lost profit. Small retailers can no longer afford to hire additional staff, which results in lost jobs, and quality of service inadvertently declines. Ultimately, should the business fail to recover the lost profits, it may face closure. Small retail businesses live in fear because the Act ensures that they are susceptible to every whim of the larger shopping centres. Whenever small retail businesses are faced with a tenancy dispute their choices now involve either conceding to the demands of large shopping centres or spending exorbitant amounts of money to contest the matter through the courts. We cannot sit by idly and allow such a heavy bias to exist between small retail businesses and large shopping centres. The effects of this imbalance will resonate throughout our communities and we will all feel the effects. I support the original intention of the Act and firmly believe that it should be reinstated. I commend the bill to the house.

Mr ANDREW GEE (Orange) [10.36 a.m.]: The Retail Leases Amendment (Mediation) Bill 2013 is yet another ill-conceived and clearly poorly thought out bill from an Opposition member. I would go so far as to say that it is an embarrassment and a sad indictment on the Opposition that so little thought has gone into this bill. The Opposition wants to amend the Retail Leases Act to provide that "proceedings may not be commenced in any court in relation to a retail tenancy dispute, or in relation to certain other disputes or matters arising under that Act, unless the Registrar of Retail Tenancy Disputes has certified in writing that mediation has failed to resolve the dispute or matter". The Opposition is saying that legal proceedings in respect of a retail lease cannot be commenced unless a mediation process has been attempted. The documents cannot even be filed in court. It is a ridiculous proposition that is far too prescriptive in our modern commercial world. The genesis of this bill is the New South Wales Supreme Court case of Fordham Laboratories Pty Limited. Section 68 was discussed in that case and Justice Price handed down a ruling on how it should be interpreted and what it means. That determination is in paragraph 43 of the judgement and states:

The requirement to mediate is not a condition precedent to the commencement of proceedings, but the court may not proceed to hear and determine the dispute unless satisfied that mediation (under the NSW RLA) is unlikely to resolve the dispute

In other words, the court should have the discretion and may not proceed to hear a case unless it is satisfied that mediation is unlikely to resolve the dispute. Mediation is not being removed from the process—in many cases it can resolve disputes before the matter is heard. The Opposition, by way of this legislation, wants to ensure that a dispute cannot be filed in court until parties have gone through a mediation process. There may be good reason

to start legal proceedings before any mediation takes place—for example, in cases where urgent legal or court action is needed. Under the Opposition's bill, the parties cannot get near a court until they have gone through a mediation process, which, quite frankly, could drag out for weeks or in some cases months.

The bill is far too prescriptive and ignores the realities of the modern commercial world. The Court of Appeal decision is entirely consistent with a practical interpretation of legal disputes relating to retail leases. I point out that the Retail Leases Act is under review. The review, which will be conducted in 2013, will involve significant public consultation. It is the view of the Government that the review will determine whether the policy objectives of the Retail Leases Act remain valid and whether the terms of the Act remain appropriate for securing those objectives. As I said, the review will involve significant public comment, and we welcome that input.

An extensive mediation process is already in place through the Office of the Small Business Commissioner. All members would agree that mediation plays an important role in resolving commercial disputes and it is a cost-effective way to do so. However, the Opposition does not want legal proceedings until parties have gone through this process. That is a recipe for uncertainty and ignores the practicalities of modern commercial life. Justice Price got it right when he said that the requirement to mediate is not a condition precedent to the commencement of proceedings. Under this bill, a small shop owner who requires an urgent resolution through court proceedings cannot take a dispute to court until the parties have gone through a mediation process.

If the Opposition really wanted to stick up for the battler it would make sure that the legal dispute got to court as soon as possible so that it could be determined by the court. Under the Opposition's bill, the battling retailer will not be able to go to court without having gone through a lengthy mediation process. According to the proposed legislation, the battling shopkeeper will not be able to have a dispute determined in a timely fashion when urgent action and a court determination are required. The Opposition may be locking the battling retailer out of his or her legal rights and delaying the battling retailer from getting a determination by a court. A large landlord may decide to drag out the mediation process for as long as possible so that appropriate relief was not available to the small retailer.

Mr Ryan Park: You should be on the board.

ACTING-SPEAKER (Mr Gareth Ward): The member for Keira will come to order.

Mr ANDREW GEE: The Opposition's bill is totally misconceived and, quite frankly, poorly considered. It is an embarrassment and a sad indictment on the policy formulation of those opposite. I would have expected better from the member for Liverpool, who presents himself as the alternate Attorney General of this State.

Mr Paul Lynch: No, you wouldn't.

Mr ANDREW GEE: Sadly, it follows a long pattern of policy formulation by the Opposition—

Mr Paul Lynch: That is in the tradition of Ray Chappell. He was a National Party Minister.

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

Mr ANDREW GEE: —not only in this area but in many others as well. I will certainly oppose this bill, as will all members on this side of the House.

Mr NICK LALICH (Cabramatta) [10.43 a.m.]: I contribute to the Retail Leases Amendment (Mediation) Bill 2012. The object of the bill is to amend section 68 (1) of the Retail Leases Act 1994 to make it clear that proceedings may not be commenced in any court in relation to a retail tenancy dispute or in relation to certain other disputes or matters arising under the Act unless the Registrar of Retail Tenancy Disputes has certified in writing that mediation has failed to resolve the dispute or matter. Cases that involve a dispute relating to retail leases require fairness and a level playing field. Any advantage to either side destroys confidence in our legal system. A decision handed down in October 2011 by the Court of Appeal, through Justice Young and Justice Campbell, has changed the playing field.

Large shopping centres no longer have to attempt mediation or provide certification of failed mediation before taking a matter to a court or tribunal. This decision has ramifications for small business operators who in

this current climate are struggling to cover costs and to continue operating. Prior to the decision, section 68 of the Retail Leases Act provided that before a dispute of a retail tenancy nature went before a court mediation had to be attempted. If mediation failed the Registrar of Retail Tenancy Disputes would certify that attempts at mediation had taken place. This provided fairness in the system and gave small business operators a chance. The Liberal Party often calls itself the champion of small business. Liberal Party members should support this bill, although I know they will not, in order to reinforce support for small business in retail tenancy disputes.

The member for Davidson indicated that the court has discretion to stay proceedings until mediation has taken place. However, that involves small business having to pay the initial costs of taking a matter to court before the court gives them approval to go to mediation. Why should they have to do that? The situation should have been left as it was. The Government has indicated a review will be conducted of the Retail Leases Act. They know this is good legislation that the member for Liverpool has introduced, but they will not support it because it is an Opposition bill. We know how the system works. The review will take six to 12 months and, whatever the outcome, small businesses will go to the wall as a result of the costs of taking a dispute to court. Large shopping centre proprietors, such as Westfield, do not have money issues. Unlike small business owners, they can fight a case in court for lengthy periods.

I implore the Government to reconsider this issue before small businesses go to the wall because of the cost impact. When the review is completed the Government will introduce a bill similar to the one before the House and Government members will talk about the benefits of such a bill. Let us just hope that not too many small businesses go down the drain in the meantime. Mediation is a low-cost measure compared to the legal bills that can accrue during a court case. The opportunity to seek a positive outcome through mediation has been taken away and well-resourced, well-financed large shopping centre owners have been given an advantage.

The legislation, which provided small business with a cost-effective way to settle disputes through mediation, had worked effectively over many years. In some cases, the need to go to court was negated. The bill before the House is simple, good legislation. The Opposition is attempting to restore the status quo, which has worked well over many years. A level playing field engenders the fairest possible outcome for all parties. We do not want small retailers, mum and pop stores, being outgunned legally and financially by large corporate landlords. The requirement to undertake mediation must be reinstated. I commend the bill to the House.

Mr RYAN PARK (Keira) [10.47 a.m.]: Mr Acting-Speaker Ward and a future Minister, I speak on the Retail Leases Amendment (Mediation) Bill 2012. Let me start by saying that it gives me great pleasure that the bill has received bipartisan support. I thank the members who support the bill and I look forward to their vote in a division. It is interesting that the Hon. Paul Lynch's notes have mistakenly been passed to the Government backbench. The member for Davidson—at first I thought he was the Hon. Dr Peter Phelps—spent three-quarters of his speech supporting the bill. In relation to the bill, I was involved in a review in 2004 into the Retail Leases Act. It was a very detailed review involving a significant number of stakeholders.

I say from the outset that the member for Liverpool has got it right. In the submissions received during the review it was apparent time and again that small business operators do not—surprise, surprise—have the same capacity, ability, resources, and therefore fairness, to compete with a Westfield or another major player. It might be difficult for those opposite to understand but the point of mediation is to provide a less expensive way, in legal and other administrative costs, for a small business operator to resolve a dispute. Members opposite should accept that proposition not from me or the good member for Liverpool who is standing up for small businesses today but from a former Nationals Minister.

Mr Jonathan O'Dea: We agree.

Mr RYAN PARK: Ouch, we are getting into trouble again. Those opposite have forgotten past occurrences; they have committed a fatal mistake. I have told those opposite before that it is always dangerous to read the notes from a Minister's office in this Chamber; they should not do it. It is particularly dangerous for The Nationals members of Parliament to use the notes of Liberal Party members of Parliament—that is like agreeing on the redistribution; it is very silly. There are certain things one does not do in this place. For the benefit of the new Nationals in this place, the notes of a Labor member of Parliament will be more supportive of them than the notes of my very good friend the Treasurer, who is present in the Chamber. Do not take his notes. We saw what happened when the Coalition parties tried to get together in the redistribution; it did not work. The member for Orange referred to Minister Chappell. Was Minister Chappell a member of the Labor Party? No, he was not.

Does the member for Orange know who he was? He was the member for Northern Tablelands. Hang on, surely it was not the member for Northern Tablelands who originally introduced this legislation. Back in 1994 the then member for Northern Tablelands had the intent, supported by the then Opposition as I understand it, to make it easier, equitable, fairer, reasonable and cost-effective for small businesses to solve disputes. Why would we want to make it easier, cost-effective and affordable for small business to solve disputes? That sounds like a terrible idea! Who the hell would think of doing that? Dare I say—and I find it a little hard to say—that it was a National Party member of Parliament who thought of it. Well done to the National Party members of Parliament. That would not have been mentioned in the briefing notes because the last thing the Liberal Party would want to do is give The Nationals any credit. They are trying to get rid of a seat.

Mr Jonathan O'Dea: Point of order: My point of order is relevance. The member is straying from the leave of the bill. To the extent that the member's comments remotely relate to the bill, he is debating a previous bill that both sides of Parliament supported. It would be useful if the member could debate the current bill, otherwise he is merely filling in time.

ACTING-SPEAKER (Mr Gareth Ward): Order! I note the member for Davidson's comments in relation to Standing Order 76 with respect to relevance and I remind the member for Keira of that standing order. But drawing references to previous debates that are linked to the current debate is completely relevant, and I encourage the member to continue his contribution.

Mr RYAN PARK: In 1994 there was a spirit of bipartisanship. The old National Party, the party from the bush who supported men and women in free enterprise—

Mr Andrew Gee: Point of order—

Mr RYAN PARK: Sorry, I did not think they would challenge that.

Mr Andrew Gee: My point of order is under Standing Order 76. The Acting-Speaker has already ruled on this. Despite the member for Keira's earlier flattery of the Acting-Speaker, I would ask that the member be brought back to the leave of the bill.

ACTING-SPEAKER (Mr Gareth Ward): Order! Flattery will get the member for Keira nowhere. I remind the member for Keira of Standing Order 76. I uphold the point of order.

Mr RYAN PARK: I was referring to the point at which the National Party introduced this bill. In fact, that bill was introduced by the Country Party—that is how I like to remember them. I like to think of the grandeur of the good, old-fashioned Country Party. Let us call it the Country Party—

Mr Andrew Gee: Point of order: The Acting-Speaker has already ruled on this. I ask that the member for Keira be brought back to the leave of the bill.

ACTING-SPEAKER (Mr Gareth Ward): Order! I have ruled on relevance as far as the redistribution was concerned, but the member for Keira is talking about a previous debate on a related topic, which is completely in order. The member for Orange will resume his seat.

Mr RYAN PARK: This bill was introduced by the Country Party. Minister Chappell considered it fair that small businesses get a fair go. We on this side of the House—and the member for Liverpool will correct me if I am wrong—supported that. The intent was that small businesses get a fair go and are allowed to go through a cost-effective dispute resolution, that is, mediation, before going to court.

Mr Jonathan O'Dea: You're not saying allowed, but must in all circumstances.

Mr RYAN PARK: The member for Davidson yelled out "must". Will the member for Davidson explain to the coffee owner—

Mr David Elliott: Coffee shop owner.

Mr RYAN PARK: Will the member for Davidson explain to the coffee shop owner or the laundrette operator or any other small business that he opposes a bill that makes it cheaper, more affordable, more cost-effective, quicker and fairer for small businesses to resolve disputes?

Mr Jonathan O'Dea: Wrong again.

Mr RYAN PARK: Not wrong again. If that is wrong again, please go back in time and look to your elder statesman when the Country Party—

Mr Mark Coure: How many on your side have a small business background? I can only count two.

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

Mr RYAN PARK: —when freshwater and saltwater Nationals actually represented small businesses.

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

Mr Andrew Gee: The old union representatives—

Mr Mark Coure: Union hacks.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Oatley and the member for Orange will come to order.

Mr RYAN PARK: —and people of enterprise in this place would never have allowed this to take place.

Mr Andrew Gee: What would you know about the old union network?

ACTING-SPEAKER (Mr Gareth Ward): Order! I call the member for Orange to order. I call the member Oatley to order for the second time.

Mr RYAN PARK: What I ask today is that the men and women of the Country Party—

Mr Andrew Gee: The old union network.

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

Mr RYAN PARK: I say to the men and women of the National Party, the men and women of the Kirribilli Party—the men and women of the Kirribilli lunch—can you please come forward, move over to this side of the House and stand up for small business.

Mr Andrew Gee: What would any of you know about small business people?

Mr Mark Coure: You have got no idea about small business.

Mr RYAN PARK: Come over and back the member for Liverpool. Come over and back the Opposition because we are about small business.

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

Mr RYAN PARK: And once upon a time your great party was as well.

Mr RICHARD AMERY (Mount Druitt) [10.57 a.m.]: I make a brief contribution to the debate on the Retail Leases Amendment (Mediation) Bill 2012. This private member's bill was introduced by the member for Liverpool. The bill has a simple object—namely, before a large shopping centre owner or landlord can take a small business person to court—

Mr Jonathan O'Dea: Or vice versa.

Mr RICHARD AMERY: —they must go through a mediation process. The Government has criticised this bill. The member for Orange was taken aback because it may do some lawyers out of a job or affect the lucrative role they play in these disputes. This mediation principle is not new. The Government's opposition to the bill does not relate to the clauses of the bill or the intent of the bill. Its opposition is based on the fact that

this is a private member's bill introduced by a member of the Opposition. That is basically it: it is from the Opposition; and there must be forced mediation before we go to the very expensive, difficult and protracted legal processes that often are associated with these sorts of disputes. I repeat: this mediation principle is not new.

When we were in opposition back in the early 1990s I introduced a private member's bill into a hung Parliament. It was called the Farm Debt Mediation Bill, which had in it the same principles of the bill we are debating. I recap the principle of the Farm Debt Mediation Bill: before a bank can foreclose on a farm—which banks were doing; they would foreclose, shut the gates and so on—and take a farmer to court over not paying a loan, they were required to go through a mediation process. The principle of the Farm Debt Mediation Bill is exactly the same as that in the Retail Leases Amendment (Mediation) Bill 2012. The Farm Debt Mediation Bill was opposed by the Coalition government of the day, even though The Nationals had farmer members in those days.

Mr David Elliott: That was when the Labor Party had worker members.

Mr RICHARD AMERY: In the same week that they have found there could have been life on Mars, I have some evidence down here; it comes from Baulkham Hills. I return to what I was saying. The Farm Debt Mediation Bill was opposed by the government of the day, which did not have a majority; we got the bill through because the Independents supported it. Tony Windsor brought in some amendments, along with the crossbenchers in the upper House, and the bill became law. When Labor came to office that legislation had been reviewed a number of times. Although a few changes had been made to the legislation, the principle remained that there should be mediation before a bank or any other financier can take a farmer to court; that is now the law of the land on farm debt mediation. Why should that law not apply to the small business person?

As has been highlighted by one speaker after another from this side of the House, enormous costs are involved in litigating and using lawyers, and considerable time is spent waiting for a resolution of an issue. Time is one of the greatest problems for small business because a large shopping centre owner can string a court case out for so long that the business goes broke and the individual goes broke. If this bill were proposing a forced mediation process, it would be opposed by a number of people, certainly by conservative business communities and conservative politicians; but I should point out that whilst the banks opposed farm debt mediation vigorously in the 1990s, within a couple of years of its operation they had accepted it as helpful to them in bringing those longstanding disputes between farmers and banks and the like to a head; it was forcing people, even farmers, to come to some reality about their financial circumstances, and to get proper financial advice and so on. From a position of actually opposing the Farm Debt Mediation Bill, the banks, and large banks in particular, set up rural units within their banks.

I believe there would not be any bank dealing with rural finance that would now want that legislation thrown out and replaced by the old litigation process now in place with retail lease. I do not want to say any more other than that this bill is not radical. It is a process that has already been tried and tested not only overseas but here in New South Wales with our farm debt mediation process. Obviously, we will not get the vote up to pass the bill in this House, but we hope that the bill will alert the Government to the fact that this is an issue that needs resolving; and that it can be resolved by legislation in some similar form. The Government can have its own words and its own clauses; but it should propose some form of process that before large shopping centre owners take a small business person to court, drag proceedings out and send them broke, they have to by law go through a proper mediation process. What could be wrong with that? I support the bill.

Mr PAUL LYNCH (Liverpool) [11.03 a.m.], in reply: I acknowledge the contributions to this debate by the members for Davidson, Londonderry, Fairfield, Orange, Cabramatta, Keira and Mount Druitt. I particularly thank those members who supported the bill, the members for Fairfield, Cabramatta, Keira and Mount Druitt. This is of course a bill moved by the Opposition; therefore, almost as a matter of lore, the Government will vote against it. That is a decision that it will take, not on the basis of the merits of the bill but on the basis of the raw politics of it. That perhaps explains why the arguments that the Government members have put up have been frankly so lacking in substance.

I note with some interest that some Government members referred to the fact that the legislation is being reviewed. I look forward to the release of the review, when there will no doubt be a provision in it that will deal with the substance of this bill. The bill aims at reinstating the commonly understood position concerning the mediation of disputes over retail leases before a recent Court of Appeal decision overturned that understanding. As the member for Mount Druitt just said, the purpose of this bill is hardly radical; it simply

reinstates what everyone had thought was the position for a couple of decades. The purpose of this bill is consistent with the position adopted by all major parties in the original second reading debate on the principal legislation. Minister Chappell was the relevant Minister at the time. He was a National Party Minister. His proposal is what I am now trying to reinstate.

The proposal in this bill is also consistent with the advice provided under both the current and the previous governments to those in the sector. Under the current Government, the advice was provided by the Retail Tenancy Unit of the Small Business Commission. The provisions of this bill are also consistent with the heading of section 68 in the principal Act. In its judgement the Court of Appeal recognised that policy consequences might flow from its judgements. They clearly do; and this bill aims, quite appropriately, to amend the legislation to deal with those policy consequences. That is our job: to respond to re-interpretations of the law. In practical terms this bill restores the balance in the commercial relationship between small businesses and large shopping centre landlords. It was a bipartisan position in 1994. Regrettably, it does not appear to be a bipartisan position today; that shows both the arrogance and the degeneration of the current Government.

There were a number of themes in the arguments put by Government members today. One of those themes is that mediation is a really good thing but we should not make it compulsory. In fact, the bill provides that parties either go to mediation or have it certified that mediation is not practicable. That is in fact what the bill provides, but the Government position was that mediation is a really good thing but it should not be made compulsory. It is a bit like St Augustine: Lord make me pure, but not just yet. That is a disingenuous position. Mediation is either a good thing or it is not. To say it is a good thing and then not do anything about it exposes one to the risk of being labelled a hypocrite. Some of the Government contributions seem to suggest that if this bill were supported and were adopted, the sky would fall in; that it would be the most terrible, awful, catastrophic thing one could possibly imagine. There are two problems with that argument. First, what I am proposing is what Ray Chappell and the National Party introduced two decades ago, so it can hardly be thought that it will cause the sky to fall in.

Mr Daryl Maguire: You have been harvesting ideas; it is not your idea.

Mr PAUL LYNCH: The Government Whip interjects and says I have been harvesting ideas. I am quite happy to concede that if someone else has a good idea I will support it. I am in this place from time to time known to be partisan; but as is also known that when someone from the other side puts up a decent idea I am happy to support it. I particularly enjoy supporting ideas proposed by my once political opponents and now opposed by my current political opponents. As I say, members can hardly accuse me of proposing something that will cause the sky to fall in when it was originally proposed by the National Party and was what everyone had thought was the position for a couple of decades.

This bill is hardly radical or extreme. We are simply trying to bring the law into line with what everyone had thought was the law.. That is why I find it sad that Government members have adopted the position they have, because they really do not understand what has been going on in the sector for the last couple of decades. I turn briefly to some comments made by Government members. The member for Davidson led for the Government, although I must say that he did not seem to understand that he was doing. He talked about valuing small business and about this bill not being good policy. The problem with his position is that it is inconsistent.

If he values small business the least he can do is stick up for it; the least he can do is try to stick up for what the National Party and the Government proposed a couple of decades ago; the least he can do is try to stick up for the current system. He talked about a wonderful case study demonstrating the values of mediation. Well, that is wonderful—except that, if this bill is not passed, we cannot guarantee that situation will happen ever again, because it was dependent upon the landlord agreeing to participate in mediation. If the landlord does not want to do so, unless this bill is passed there is no way that case study can be replicated. The member for Londonderry has clearly put his political allegiance to this Government ahead of his allegiance to small business. It was rather sad to listen to him. He clearly does not understand what is going on out there, and how this system currently works.

The final comment I make is in relation to the member for Orange, who I can only assume acted for landlords when he was in practice. He said that mediation was a good thing, but he does not want to support it. This bill is about supporting small business. It will be supported by members who are concerned for small business and who believe that large commercial landlords already have the cards stacked in their favour.

Members who are prepared to sell out small business people and who support the large, powerful, wealthy shopping centre landlords back in the big end of town, will vote against the bill. I commend the bill to the House.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 21

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

Noes, 50

Mr Anderson	Mr Elliott	Mr Patterson
Mr Annesley	Mr Evans	Mr Perrottet
Mr Aplin	Mr Flowers	Mr Provest
Mr Baird	Mr Fraser	Mr Roberts
Mr Bassett	Mr Gee	Mr Rohan
Mr Baumann	Mr George	Mr Rowell
Ms Berejikian	Ms Gibbons	Mrs Sage
Mr Bromhead	Ms Goward	Mr Souris
Mr Brookes	Mr Grant	Mr Speakman
Mr Conolly	Mr Gulaptis	Mr Spence
Mr Constance	Mr Hartcher	Mr Stokes
Mr Cornwell	Mr Hazzard	Mr Toole
Mr Coure	Mr Issa	Mr Webber
Mrs Davies	Mr Kean	Mr R. C. Williams
Mr Dominello	Mr O'Dea	<i>Tellers,</i>
Mr Doyle	Mr Owen	Mr Maguire
Mr Edwards	Mr Page	Mr J. D. Williams

Pairs

Ms Burton	Mrs Williams
Mr Robertson	Ms Hodgkinson

Question resolved in the negative.

Motion negatived.

Bill not read a second time.

ROAD TRANSPORT BILL 2013

Message received from the Legislative Council returning the bill with amendments.

Consideration of Legislative Council's amendments set down as an order of the day for a later hour.

ROAD TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) BILL 2013

ROAD TRANSPORT (STATUTORY RULES) BILL 2013

Messages received from the Legislative Council returning the bills without amendment.

ADAMSTOWN RAILWAY CROSSING

Ms SONIA HORNERY (Wallsend) [11.21 a.m.]: I move:

That this House:

(1) Notes:

- (a) the Government says it does not have any plans to close the Adamstown railway level crossing gates;
- (b) the Department of Transport draft master plan lists the removal of the level crossing as an "immediate short-term" project; and
- (c) freight and passenger trains cause regular traffic bottle necks at the crossing.

(2) Urges the Minister for Transport to commit funding to remove the level crossing and find a solution to the gridlock at the railway crossing.

There is no disputing that St James Road is a major suburban artery for Newcastle. Based on a traffic survey undertaken in the SKM report in 2009, up to 1,000 vehicles per hour traverse the level crossing at Adamstown. The crossing creates a major traffic bottleneck. The gates are lowered for up to seven hours a day causing severe traffic delays, congestion and headaches for Newcastle commuters. Clyde Street, which offers an alternative route for motorists, is ill-equipped to deal with this level of traffic and empties onto an intersection that is already extremely busy. This level crossing is a major problem for Novocastrian motorists and one that must be addressed as soon as possible.

It is important to note that the potential solutions are many and have been explored. In 2009, the then Newcastle City Councillor Aaron Buman suggested that an overpass or tunnel could be installed. The overpass may no longer be an option, however, as Newcastle City Councillor Nuatali Nelmes points out the land has since been rezoned. Other potential solutions have been floated. A member of the public wrote to the *Newcastle Herald* suggesting that Clyde Street be improved to handle increased traffic flows. The key is building a short stretch of track between Fassifern and Hexham that would create a bypass—

ACTING-SPEAKER (Mr Gareth Ward): Order! There is too much audible conversation in the Chamber. Government members who wish to have a conversation should do so outside the Chamber.

Ms SONIA HORNERY: —thus relieving much of the pressure on the rail into Newcastle. None of these options has been seriously pursued despite the bypass having been on the planners' books for years and the location having been earmarked for an overpass for some six decades before rezoning. Worse still, attempts to improve Sydney's rail gridlock under a plan with a \$1-billion price tag meant the potential for the diversion of 15 extra trains through Newcastle, keeping the gates at Adamstown closed for up to two hours more. Infrastructure NSW Chief Executive Paul Broad called the Hexham to Fassifern link one of the "big things" needed to encourage the Hunter's development. Given that, why has the Government allocated more than \$100 million to rip up Newcastle's inner-city rail line, which will benefit precisely no-one, and yet refused to invest in this crucially important piece of infrastructure?

Mr Tim Owen: Tired old Labor adage.

Ms SONIA HORNERY: I am not old, comrade. One Newcastle resident, Angela Gill, commented on the *Newcastle Herald* website that the Government "needs to stop pussy-footing around", and I wholeheartedly concur. Still another called on the Government, particularly the member for Newcastle, to "stop treating people like second-class citizens" and build the Hexham to Fassifern bypass link. Again, I wholeheartedly concur. Before those opposite come at me with their usual shouted taunt of "16 years", I point out there was a reason Labor was in government for 16 years and a reason the Coalition was in opposition for 16 years. I direct all members listening to an article published in the *Newcastle Herald* on 24 October last year that stated I had made it clear that Labor should have been more active in finding solutions to the traffic gridlock. We are not faultless here, but neither are members opposite. They have been in government now for two years and in that time they have done virtually nothing, and I say that advisedly, to address the waiting times faced by motorists at this level crossing.

As I outlined earlier, the addition of trains redirected from Sydney to relieve traffic congestion here has exacerbated the problem. The same *Newcastle Herald* article reported that there would be an estimated eight hours of lowered gates per day should trains carrying coal to the Eraring and Vales Point power stations use this

track. It is not simply a matter of delays; it is a matter of health. Coal trains can spend hours idling on tracks outside the city centre waiting for the lines to clear, sending coal dust into the air, not to mention the stress for commuters who are forced wait for long periods at the level crossing. True, a creative commuter might find ways around the train line, but this should not be a matter of diverting traffic away from major arterial thoroughfares and onto other sections of road that are sometimes already nose-to-bumper at peak hour. This is about solving a major problem in Newcastle's road infrastructure once and for all, and providing a reasonable solution to a problem that has been 60 years in the making.

I remind members opposite that in those 60 years there have been both Labor and Liberal governments. It is time to end the blame game. It is time for this Government to take responsibility and fix this problem. We are now facing a third Liberal budget. The Government must make sure that there is funding to fix this real and present problem for Hunter drivers now. I reiterate that St James Road is extremely busy, especially at peak hours, and it is exacerbated by close proximity to a large public school, New Lambton South Public School. *Newcastle Herald* reports in 2004 showed that 11,300 cars used the crossing each day. Of course, the usage is far higher in 2013. What has the Government done thus far to address the valid concerns of motorists and residents in Newcastle? It has put up signs warning of the delays. No money has been allocated to solve the problem beyond this and while the debate rages in the Hunter it seems this place has all but forgotten about it. The people of Newcastle deserve better than this. The people of my electorate deserve better than this. They deserve decisive action that will solve this issue once and for all.

Mr TIM OWEN (Newcastle) [11.28 a.m.]: It gives me great pleasure to speak on this motion and to respond again to the do-nothing politicians from the do-nothing party of corruption. They are unbelievable.

Ms Anna Watson: Point of order: We are not the party of corruption. I ask the member to withdraw that statement.

ACTING-SPEAKER (Mr Gareth Ward): Order! There is no point of order. The member for Shellharbour will resume her seat. Once I have given the member a direction to resume her seat she will do so. The member for Newcastle has the call.

Mr TIM OWEN: This intersection provides an important link between Kotara and New Lambton and Newcastle. The route is a regional road managed by Newcastle City Council and carries more than 11,000 vehicles a day. I do not think there is any argument about that. However, motorists in the area are often inconvenienced by delays at the gates. We all agree on that. The time the crossing is closed in peak hours varies from three minutes to more than seven minutes for each train. In peak times there can be up to 10 closures per hour, and there are longer closures when freight trains and multiple trains cross. At times the delay is in excess of 10 minutes. Labor could have fixed this issue, but it did not, and we will talk about 16 years. This is no surprise given that Labor members propped up their Sussex Street mates for 16 years rather than delivered much-needed infrastructure and services for the people of the Hunter region. Even Labor's own members agree. The member for Wallsend is quoted as saying:

This is an unacceptable disruption. It has been a disruption for too long. It is something the previous Government should have sorted out.

Folks, we are getting on with that. By the member's own admission, Labor failed to fix the rail crossing. Unlike Labor, we are delivering a strategy to identify and fix the current inefficiencies, capacity constraints and choke points affecting sections of the freight network in this State. Transport for NSW has prepared a submission to the Federal Government under the next phase of the Nation Building Program—if Gillard does not spend it all in western Sydney—to investigate traffic management solutions and relieve the congestion at Adamstown. The aim is to provide real-time information on train arrivals and expected road delays to motorists and to implement intersection upgrades or, on alternative routes in Newcastle, to make them more attractive. The outcome of the submission will be released as part of the Federal Budget in May 2013.

A longer-term solution will be to remove the majority of freight train movements from the crossing through the construction of the proposed Newcastle Railway Bypass that the member for Wallsend alluded to, known as the Fassifern to Hexham line. Planning work for this project has been identified in the NSW Long Term Transport Master Plan. Mr Assistant-Speaker, money does not grow on trees. We have been left with a disastrous budget. We have been working extremely hard for the past two years to get the budget under control and we will deliver these outcomes in a structured, pragmatic and practical way when the money is available. This would involve a bypass enabling most freight trains operating on the main north line to avoid the suburban areas of Newcastle and several level crossings, including Adamstown.

Planning for the Newcastle Rail Bypass is an extension of the Northern Sydney Freight Corridor Program, which is designed to resolve the constraints between Strathfield in Sydney and Broadmeadow in Newcastle. More than \$1 billion will be invested by the State and the Federal Government to improve capacity on the rail network through stage one of this program. Our Government has committed \$214 million towards the stage one program. Before stage one can be completed projects such as the crossing loops at Awaba and traffic management solutions at Adamstown to provide congestion relief for local residents need to be undertaken. We are aware of that. It is clear that the New South Wales Government takes the need for an efficient freight and road network very seriously. That is why late last year the Minister for Roads and Ports released the draft New South Wales freight and ports strategy. Freight matters to every person in the State.

Efficient freight and logistic networks reduce the cost of everyday goods and services, underpin the strength of our export industries and generate vital employment. Although past State governments treated freight as an afterthought, the cynical and short-sighted view has been put to the sword of this Government. We are putting freight in the forefront of the New South Wales economy. A draft strategy was developed over 12 months through extensive consultation with industry to understand its challenges, from choke points such as the Adamstown gates on the rail network to truckload weight restrictions on key freight routes. Once finalised, the freight and ports strategy will be a road map for future freight and logistics in New South Wales, detailing specific actions and projects needed to get the State moving again, which is a historic first for this State.

In addition, as part of this commitment to the Hunter, \$870 million is being invested in roads across the region through this budget. Approximately \$20 million is allocated for grants to local councils in the Hunter region for road improvements. Funds for existing road infrastructure upgrades have also been allocated. Local councils in the Hunter will also share in almost \$18 million to help maintain local road networks. Construction of the \$1.7-billion Hunter Expressway is also going full steam ahead, jointly funded as a project and being built in two sections. The 13-kilometre eastern road from the F3 Freeway to Kurri Kurri is being built by an alliance between Roads and Maritime Services, Thiess, Parsons Brinckerhoff and Hyder Consulting. The 27-kilometre section is being built by Abigroup contractors.

We are aware of the problems. We have been left with an absolute disaster in respect of infrastructure management in this State. From a road perspective and from a rail perspective we are getting on with the job of fixing the choke points. The reality is that we have to get the budget under control, live within our means and do this in a well-ordered, well-structured and practical way. That is what we are getting on with. We are aware of the issues. If the Labor Government had looked and done something about the Adamstown gates in the past two decades we may be a lot further ahead than we are now. We are aware of the problem, we will get to it, and we will fix the issue in due course. The strategic plan for New South Wales is designed to do that.

Ms ANNA WATSON (Shellharbour) [11.35 a.m.]: I support this motion and congratulate the member for Wallsend. People in New South Wales are sick and tired of listening to the blame game from members opposite saying, "It is a Federal issue. It is not our responsibility, but we are getting on with the job." Members opposite are getting on with the job—so let us have another inquiry or review, or we might do a plan! It is time for members opposite to start walking the walk instead of just talking the talk. This motion from the member for Wallsend is an important motion for the people in the Hunter region. The Transport for NSW draft master plan lists the removal of the level crossing at Adamstown as an immediate short-term project. If this is the case then why not get on with the job and have it removed?

We have heard this for the past two years, "We are getting on with the job." Well, get on with the job and just remove the crossing. The Transport Master Plan does not include plans to remove the gates, so I do not see the point in this Government's master plan and the inquiries. If the status quo is to remain why would there be an inquiry? Why would these master plans be created? The crossing at which the freight passenger trains cause regular traffic bottlenecks has been earmarked for an overpass for more than 60 years. We know and acknowledge that fact, but the Government is undertaking yet another feasibility study. It reminds me of promises made by this Government in my electorate of Shellharbour. Delays totalling more than 12 months have occurred in upgrades to the Albion Park Rail station, the Dapto station and the new Flinders station.

It is clearly a pattern of this Government, which talks the talk but will not walk the walk. It is time for this incompetent Government to stop contradicting itself: We are, we are not; maybe we are, maybe we are not; maybe we will have another feasibility study. This Minister must act swiftly before an accident occurs as a result of her gross inaction in relation to this matter. The Government should get on with the job that it says it is getting on with and start the most urgent and needed projects. It is madness for the Minister to simply ignore the master plan and to add insult. Simply diverting traffic from Adamstown railway level crossing and encouraging motorists to use other routes is a bandaids reaction from an incompetent and untrustworthy Government.

Mr ANDREW CORNWELL (Charlestown) [11.38 a.m.]: I am not entirely sure what the exact distance is from Adamstown to Shellharbour, but I reckon it is about 290 kilometres, so I am a little bemused about the level of expertise the member for Shellharbour brings to the issue of the Adamstown railway gates. I appreciate the passion but question the judgement. There are 131 train movements that go through the Adamstown level crossing at the intersection of Clyde Road and St James Road every day. It is a regional road that is managed by Newcastle council and it carries 11,000 vehicles a day. We ought to acknowledge that motorists in the area are inconvenienced by delays at the gates.

The time that the crossing is closed in peak hour varies from three minutes to seven minutes. At peak times there can be up to 10 closures every hour. The closures outside peak times can be more than 10 minutes when multiple freight trains are using the crossing. However, this issue is not new and the Labor Government could have fixed it. It is no surprise that members opposite spent 16 years propping up their mates in Sussex Street rather than delivering infrastructure in the Hunter Valley. As the member for Newcastle said and as the member for Wallsend is quoted as saying, it is an unacceptable disruption, it has been unresolved for too long and the Labor Government should have addressed it. I agree. The member for Wallsend has admitted that the Labor Government failed to fix the crossing.

Unlike the Labor Government, the Liberal-Nationals Government is delivering a strategy to identify and fix the current inefficiencies, capacity constraints and choke points affecting some sections of the State's freight network. Transport for NSW has prepared a submission for the Federal Government under the next phase of the Nation Building Program to investigate traffic management solutions to relieve congestion at Adamstown. The aim is to provide real-time information on train arrivals and expected road delays to motorists and to implement intersection upgrades on alternative routes into Newcastle to make them more attractive. I understand that the outcome of the submission will be released as part of the Federal budget in May 2013.

As both the member for Newcastle and the member for Wallsend said, the longer-term solution is the proposed Newcastle freight rail bypass from Fassifern to Hexham. Planning work has been identified in the NSW Long Term Transport Master Plan. The proposal involves moving a large amount of freight traffic from the Newcastle lines. As the member for Newcastle and the member for Wallsend also said, moving freight off those lines will result in opportunities to improve public transport and to reduce the amount of coal being carried through the city. That will also reduce residents' potential exposure to coal dust.

The Liberal-Nationals Government is getting on with the job. More than \$1 billion will be invested by the State and Federal governments to improve capacity on the rail network through stage one of the Northern Sydney Freight Corridor Program. The Government has made a commitment of \$214 million and it is clear that the New South Wales Liberal-Nationals take the need for an efficient freight and road network very seriously. That is why in late 2012 the Minister for Roads and Ports released the Draft NSW Freight and Port Strategy. This is an important issue and I am happy to discuss it. The Labor Government failed to deliver a solution for the Hunter for 16 years, but this Government is seeking to address the issue.

Mr CLAYTON BARR (Cessnock) [11.42 a.m.]: I always enjoy speaking on motions after the member for Newcastle and the member for Charlestown because I can inevitably start by saying that their contributions were illogical and inconsistent. They were illogical and inconsistent in multiple phases and stages, but I will stick to the core issue. They said that the Labor Government did nothing for 16 years. The Coalition was in opposition for 16 years and could have spent time planning what it would do when it got into government. I will explain by using an analogy. If I saved for 16 years to buy a caravan I would have a good plan for what I would do with it when I took possession of it. I would not save to buy it and then when I took possession ask myself what I should do with it—I would have a plan.

The member for Newcastle was illogical and inconsistent when he said that despite the fact that money does not grow on trees the Labor Government should have done something. He cannot have it both ways. If money were growing on trees the Labor Government would have done everything during its 16 years in office. If money does not grow on trees we cannot do everything. The member for Newcastle made great claims about the infrastructure being built in New South Wales. They are all initiatives signed off by the Labor Government, which according to members opposite did nothing.

Some of the hecklers—to whom you are paying no attention, Mr Assistant-Speaker—are determined to draw the attention of the House to the behaviour of the Obeids. The evidence being presented to the Independent Commission Against Corruption is disgusting. However, a former Liberal Premier of this State was also called before the commission and is no longer a premier as a result. Despite that, he is now the Chairman of

Infrastructure NSW. How do members opposite deal with their disgraced members? They promote them and give them massive pay rises. If members opposite want to talk about proceedings in the Independent Commission Against Corruption I am happy to talk about that case. However, I should talk about the motion.

There is a problem with the rail crossing at Adamstown. For the record, I live about 50 kilometres away from the crossing. The member for Charlestown went on at great length about how important it is to the operations of this State. However, this Government's solution if a railway crossing in the Hunter Valley, Newcastle or Lake Macquarie is a problem is to cut the line. I am surprised that members opposite are not advocating that the line be cut at Kotara to avoid the Adamstown crossing. That is how they tried to solve the problem at Wickham in Newcastle because of the issue at Stewart Avenue. That is nonsensical, but that is what the Government did. It is also using \$60 million in pre-funding from the Hunter Infrastructure and Investment Fund when it would have been much better spent on the Adamstown crossing. It will spend up to \$500 million on that solution when this problem should be fixed. It should get on with the job and stop moaning and bleating.

Ms SONIA HORNER (Wallsend) [10.46 a.m.], in reply: I thank the members for Newcastle, Shellharbour, Charlestown and Cessnock for their contributions to this debate. We all recognise that fixing the gridlock at Adamstown is important and that it should be done. I suggest to the member for Newcastle that he create a template for the beginning of every contribution he makes to my motions because he always starts by referring to the Labor Party as the "do-nothing party of corruption". I despise and am insulted by his accusation that I am corrupt. I am sure that commuters are also insulted by his denigration of this important issue with useless discussion about the Labor Party. This is not about the Labor Party; we are discussing the rail gates and finding a solution.

I am glad that members are not arguing about the dangers involved in vehicles traversing the crossing. I point out to members opposite that the Adamstown crossing is a State issue, not a Federal issue. The State Government should not pass the buck to the Federal Government; it should find its own solution. Members opposite said that the solution should be funded by the Federal Government. That is classic buck-passing. In response to the member for Newcastle, if money is so tight why is the Government wasting more than \$1 million cutting the rail line in Newcastle? Surely fixing the line at Adamstown is a greater priority if money is so scarce. The member for Shellharbour made some good points about the draft master plan. She said that although the plan recognises that it is an immediate short-term project it does not contain any reference to funding. It would appear that it is not a priority for the Coalition Government.

The member for Charlestown spent precious little time addressing the motion. Instead of talking about the Adamstown crossing, he talked about the credentials of Opposition members. That was not appropriate and it did not deal with the issue. I am sorry that he wasted so much time given that this is such an important issue to his commuters and constituents. He also mentioned buck-passing to the Federal Government. Members opposite should get on with the job. The member for Cessnock said that the arguments presented by members opposite were illogical and inconsistent and that the Coalition's excuse for inaction in the Hunter was the Labor Government's lack of action. I remind Government members that they are about to face their third budget: it is being prepared. The honeymoon is now over. It is about time they started delivering in the whole of the Hunter instead of blaming the Labor Party in their third budget.

To sum up I say that this is an important issue. I must express my disappointment in the chair. I would have liked those gentlemen up the back in the peanut gallery who kept calling out to be asked to remain silent. That kind of rudeness should not be tolerated, and I certainly do not tolerate it when I am in the chair. On behalf of commuters I am insulted by comments by the members of the Liberal Government who do not discuss the important issue of the rail gates but talk about other issues. It shows commuters that they are a low priority. Fixing the Adamstown rail gates should have great priority, and the member for Newcastle should give it number one priority on his list for Newcastle and the Hunter.

Mr John Sidoti: Stop bagging the member for Newcastle.

Ms SONIA HORNER: Certainly I want to discuss issues and it is about infrastructure. I do not spend my time bagging people; I challenge them on issues.

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

Motion agreed to.

PRINCES HIGHWAY UPGRADE

Mr GARETH WARD (Kiama) [11.51 a.m.]: I move:

That this House:

- (1) thanks the Premier for visiting the Kiama electorate to inspect the Princes Highway upgrade; and
- (2) calls on the Federal Government to match the commitment made by the New South Wales Government to the Princes Highway upgrade.

I acknowledge in the gallery friends from Berry that have come to Parliament today. Thank you for coming all the way up the Princes Highway; a dangerous road which you know all about, having come here to this Chamber today. I warn you early on that there are a number of notices standing in my name on the business paper so please get comfy; we may be here a while. I start by acknowledging the member for Shellharbour, who frequently talks about the Princes Highway in this place but the people in the gallery know exactly what Labor members did when they were in office for 16 long years—no action on the Princes Highway, no investment, no funding. Labor members completely ignored our region when they were in government. The member for Shellharbour, as she does so effervescently on radio, continually criticises the Government in relation to the Princes Highway.

In fact this Government has not just invested a few million dollars, has not just done a few studies; it has invested the largest ever single investment in the history of the Princes Highway, with \$310 million of work currently underway at Gerringong. I need to enlighten the House about why this project is so important. For many, many years—and I note that the Speaker is not in the Chamber at the moment—the Speaker as the member for South Coast fought the Labor Government for funding. She called on previous governments to deliver and never did we see the action. I commend the Federal member for Gilmore, Jo Gash, who sought funding time and again, and secured it for the Jervis Bay turnoff, for the Lake Conjola deviation and for the north Kiama bypass. The Coalition Federal Government contributed funding. The member for Shellharbour should be listening: she would certainly learn something. We frequently sought money and it was delivered and those projects were delivered, but the State Government continued to play an unnecessary and unacceptable blame game. The loss of lives on the highway continued. I have attended far too many funerals of people that have tragically lost their lives on the Princes Highway, and I want to prevent more deaths.

When I stood for Parliament I lobbied my party to make a significant commitment to the Princes Highway. We said that we would make the largest ever commitment, a \$310 million project by Fulton Hogan currently underway at Gerringong. The previous Government continued to ignore the issue throughout the election campaign, and in accordance with our undertaking that project is well and truly underway. The previous Government also ignored the calls for design changes for things such as service lanes. They were quite happy for school buses and residents to continue to turn directly onto the Princes Highway. That was fixed by the roads Minister and this Government, as requested by the local community. I thank the Minister for his constant support in relation to this project. Service lanes were delivered. The Kiama bends were improved after a campaign in which a large meeting in Gerringong requested installation of flashing speed indicator signs.

I am delighted that since their installation no loss of life has occurred on the Kiama bends. The situation will be significantly improved by the Mount Pleasant and Toolijooa Road upgrade. The upgrade of that 7.5 kilometre section of the Princes Highway is extraordinarily necessary. The work is due to be completed in 2015. The work is vital not just for road safety but also for economic investment and jobs. This project is employing around 100 people, which is significant. A large proportion of those jobs are local jobs. As I drive along the Princes Highway I see Cleary Bros, excavators and local people at work. The news just keeps on getting better. I acknowledge the shadow roads Minister, the member for Keira, who has just walked into the Chamber. I am delighted that this Government has allocated \$510 million for the Berry bypass, which takes the total commitment by this Government to \$820 million on the Princes Highway. Those who sit opposite ignored the Berry bypass, ignored the Gerringong upgrade and never did anything for us when they were in government.

The Berry bypass involves an 11.5 kilometre upgrade extending from Toolijooa Road all the way through to Schofields Lane. I commend those that have been involved in the consultation. I note that there has been significant time spent on the south versus north option and residents who are in the gallery would be well aware of the debate that has occurred in relation to that matter. I respect that people have got involved at the grassroots level. When I became the member we made sure that we involved the local community. We instigated a community reference group and we made changes such as lowering the bridge over Broughton

Creek by 6.7 metres, moving the route that had been planned by the previous Government away from the town and making changes that I think will have a lasting benefit. I am delighted that we are making those changes. The consultation on noise and other aspects of the design will be ongoing.

We should not underestimate the impact that this huge investment will have on the local community: it will mean many jobs, which is what this side of the House is all about. When Labor was in government it was interested only in Sydney, Newcastle and Wollongong. That was its definition of NSW. It did not know about the Pacific Highway. It did not invest in the M4 or the M5. I note that the members for Drummoyne and Oatley are in the Chamber. The member for the Entrance is very proud of the investment this Government is making. The other part of this motion relates to the Federal Government, because it seems that the Federal Government ignores us entirely when it comes to funding.

Ms Anna Watson: Blaming the Feds again.

Mr GARETH WARD: Right on cue the member for Shellharbour interjects defending her mates in Canberra that are more interested in leadership speculation than running the country. If you cannot give away pink batts for nothing you cannot run the country. The Federal Government needs to get on with the job of investing in the Princes Highway. The Federal Liberal Government did so but Labor ignored the Princes Highway. It keeps on saying that it is a State responsibility. Is the M4 a State responsibility? The Federal Government was happy to ask for a 50:50 funding arrangement on the Pacific Highway but nothing for the Princes Highway. The interjections of the member for Shellharbour show how absolutely dissatisfied even she is. She has not picked up the phone. She has not tried to do anything for the Princes Highway. The Labor Party stands condemned. I commend the motion to the House.

Mr RYAN PARK (Keira) [11.58 a.m.]: I thank the Minister for the Illawarra—I mean the member for Kiama—for that contribution. I always like following the member for Kiama. I welcome to the New South Wales Parliament those in the gallery from that beautiful part of the Illawarra—the second or third best electorate, a little bit behind Keira, but pretty good at Berry. I acknowledge that all residents of the Illawarra have to travel on the Princes Highway to get to and from where we need to go. I am pleased that the member for Kiama has moved this motion. It is very good to see the moderates in the House. I always feel more comfortable when the moderate faction of the Liberal Party is in the House and we do not have the zealots from the right wing around—I am just making sure that everyone is safe. Members should listen carefully as I am going to tell them about Labor's investment in the Princes Highway. Labor invested \$115 million on upgrading the Memorial Drive—formerly the Northern Distributor tip—component of the Princes Highway, \$50 million on the reconnection of the northern suburbs of Clifton and Coalcliff with the Sea Cliff Bridge, \$108 million on the Oak Flats to Dunmore project, and more than \$170 million on the North Kiama Bypass.

Mr Mark Coure: What about the Princes Highway?

Mr RYAN PARK: I vaguely heard someone say, "What about the Princes Highway?" Let me address that. The member for Oatley—this is how out of touch they are—just said in this House, "What about the Princes Highway?" Lesson 101: Those of us from the Illawarra will explain it to him. The Kiama bypass—Princes Highway; Memorial Drive—Princes Highway, Oak Flats to Dunmore—

Ms Anna Watson: Princes Highway.

Mr RYAN PARK: Princes Highway. Those of us from the Illawarra well know that the Liberal Party members struggle to get out of the ring of Sydney. Boy oh boy, and they want to hock our port off. Those roads are linked to the Princes Highway. The member for Oatley should know that because the O'Farrell Government has just spent \$20 million on new signs for our roads. That was a fantastic waste of taxpayer's money but we will all enjoy those new signs, which will make it even simpler for us to travel from the south to the north—I do not know how we could have done it without them. I turn now to the part of the motion that refers to the Federal Government. I am sure the people in the public gallery well know the other member of Parliament from down that way, the Speaker and member for South Coast. Mrs Shelley Hancock holds a very important position in this place; she is the first ever woman Speaker in this place. I will share with the House what she had to say in 2004 about the Princes Highway and the State and Federal governments funding mix.

Mr Gareth Ward: Point of order: Motions of attack on other members should be moved by way of substantive motion. The member for Keira has been in this place long enough to know the standing orders. The member for Keira should return to the leave of the motion.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! I ask the member for Keira to take note of Standing Order 73—

Mr RYAN PARK: My very good friend is in the House—

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! I have not given the member for Keira the call. I ask the member for Keira to take note of Standing Order 73. If the member wishes to denigrate or attack any other member of this House—

Mr RYAN PARK: I do not.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Keira will return to the leave of the motion.

Mr RYAN PARK: I will now read from the *Hansard* of 18 March 2004. The comments of the member for South Coast at that time are very important. She said:

The Minister has now spent far too much time ducking and weaving on this issue, blaming the Federal Government—

listen, Gareth—

and bleating about its lack of funding assistance—

ouch—

I sometimes wonder whether the Federal Government ever calls on the State Government to provide assistance with defence or veterans affairs funding. I doubt it. Clearly, those issues are the responsibility of the Federal Government. According to the roads funding agreement signed in 1991—

wait for it—

the Princes Highway is a State road, and the Minister has not sought to change that funding agreement.

That was what the member for South Coast, now the great Speaker in this place, said on 18 March 2004. I am happy to debate roads funding and to talk about what the former Labor Government delivered for the Princes Highway, despite the member for Oatley saying that those roads are not the Princes Highway.

Mr Mark Coure: I did not say that.

Mr RYAN PARK: They are, but because he is a moderate I will let him get away with it. It is important in debate on this motion that all the facts are placed on the record. The facts are very simple. When in opposition the member for South Coast and others were happy to say that this was a State responsibility. Now they control the Treasury benches they are demanding that Canberra come to the party for what they have admitted was a State responsibility. The people from the South Coast want this Government to get on with the job of funding the Princes Highway. I will always support more funding for the Princes Highway, as will all South Coast local members. I want to ensure that the good folk from the South Coast, Berry, Kiama, Shellharbour, Wollongong, the electorate of Keira, and, of course, the electorate of my mate from Heathcote, as well as from other communities in New South Wales, continue to enjoy the best possible roads network we can provide.

Mr LEE EVANS (Heathcote) [12.05 p.m.]: I am pleased to speak to the motion of the member for Kiama. I have one question for those on the Opposition benches: What is the Princes Highway known as? It is known as Highway 1. Highway 1 is a Federal responsibility and it should be part-funded by the Federal Government. Highway 1 should receive funding that flows to roads of significance.

Ms Anna Watson: You know better than that. Stop misleading this Parliament.

Mr LEE EVANS: I am not misleading the Parliament; the Opposition benches have been misleading the Parliament. I congratulate my colleague the member for Kiama on bringing this matter to the attention of the House. Members from both sides of the House should congratulate the member for Kiama on the amount of funding that has been allocated for the Princes Highway. A hardworking member who secures \$320 million in funding should be congratulated, not castigated by those opposite. I will now inform the House about that part

of the Princes Highway that runs through the Heathcote shopping centre. As the member for Heathcote I am working towards the erection of a pedestrian bridge across that part of the Princes Highway for people to access the shopping centre and to improve traffic flow on the highway. I note also that in my time as member for Heathcote the speed zone in this area has been increased; the former Government allowed a 50 kilometres speed zone on a national highway.

Mr John Sidoti: A disgrace.

Mr LEE EVANS: An absolute disgrace. The speed limit has been increased to 60 kilometres and hopefully in the not too distant future it will be increased further. The member for Kiama continues to do a fantastic job to help the people of the South Coast to commute from their homes to Sydney for work or business. As a result of his hard work, funding of \$320 million has been allocated to the Princes Highway. As I have said, the member should be congratulated, not castigated by those opposite. The member for Kiama referred to funding under the former Government. What position did Ryan Park hold before becoming the member for Keira?

Mr Gareth Ward: He was the former Deputy Director of Transport.

Mr LEE EVANS: When he was Deputy Director of Transport did he put forward any proposals to increase the funding for the Princes Highway? Perhaps his position at the time was like the cricket analogy he made yesterday. Perhaps he did not have any time in his busy schedule to be able to put forward any proposals for his local area. The increase in funding has been an absolute boon for the area. I congratulate the member for Kiama on having the wherewithal, as soon as he was in Parliament, to fight for that funding. I congratulate also the Minister in the other place, the Hon. Duncan Gay, on recognising the need for the upgrade of the Princes Highway. I am dismayed by the Federal Government dragging its feet to the table.

Ms ANNA WATSON (Shellharbour) [12.09 p.m.]: Well, well, well! The future Minister for the Illawarra sits on the front bench shaking his head; I think he knows exactly what I am going to say. We on the South Coast are tired of hearing from the member for Kiama his usual rhetoric. We are tired of his trying to pass the buck by claiming that the Princes Highway is a Federal responsibility and the Federal Government must put some money in for its upgrade, that it is not a State issue. We hear that day in and day out in the Illawarra. In fact, all we hear is Gareth Ward whingeing and whining about how much the Federal Government should be putting into the Princes Highway.

The member for Keira touched on the fact that Government members said for the 16 years they were in opposition that this is a State road, that it is a State responsibility. Now that they are in government they are saying, no, hang on a minute, this is a Federal road and the Federal Government must put its own money into upgrading it. I am very disappointed with what has been said today by Government members. What did that albatross around the neck of the Government, Nick Greiner, do in the Illawarra when he was Premier? Nick Greiner refused to build Memorial Drive, did not want to build the Northern Distributor, left a big black hole on the Wollongong hospital site, closed down half of Kiama hospital, and would not build the Maldon to Dombarton railway.

Let us talk about what Labor did when it was in government. We built the North Kiama Bypass, as the member for Keira stated. We also later built the Dapto bypass. Now we have the missing link. I congratulate the member for Kiama because he is a hardworking member; but I will say now we have the missing link at the Albion Park Rail bypass. Six months ago the member for Kiama told us that they were having a study of the feasibility of building the missing link, the Albion Park Rail bypass. I noted that in the motion moved by the member for Kiama he thanks the Premier for visiting the Kiama electorate to inspect the Princes Highway upgrade. The Premier would have had to drive straight through Albion Park Rail to get to Kiama. But there is no mention of the missing link in the Illawarra, no mention of the Albion Park Rail bypass, just a big pat on the back from the member for Kiama for the Premier, saying, "Good on you, mate, for coming down, and let's talk about what is going on in my electorate."

People are sick and tired of the self-promoting speeches made by Gareth Ward in this place. The future Minister for the Illawarra is a fantastic self-promoter. I have to give it to him: he is absolutely brilliant at self-promotion. I am surprised his arm is not broken from all the backslapping that he does. People are sick and tired of his rhetoric. We need to get the Albion Park Rail bypass built. Two written questions were put to the Minister for Roads and Ports, the Hon. Duncan Gay, in the last fortnight of the

parliamentary sitting. I am waiting with bated breath to hear what that Minister has to say about the missing link at Albion Park Rail. I am hoping that the member for Kiama will support this project. I am hoping that the member will say, "Yes, I'm happy to work with the member for Shellharbour in a bipartisan way; I'm happy to support the missing link at Albion Park Rail; I'm happy to assist the people of the Illawarra." [*Time expired.*]

Mr GARETH WARD (Kiama) [12.13 p.m.]: For the benefit of the House, that is as good as it gets from the member for Shellharbour. We got the history lesson, as we frequently do. The member can talk about 1988, about the past and about the prophet Moses, but nothing will absolve the member and her colleagues from the responsibility they held when they were in government. We know what they did when they were in government—nothing. She talked about missing links. Members opposite should know about missing links. But let us talk about that missing link.

Mr John Williams: Noreen? Where is she?

Mr GARETH WARD: Do not refer to the member for Wollongong in that particular context. I need to enlighten the member for Shellharbour; she said we were doing nothing. Anyone listening to this debate without knowing all of the facts, as she clearly does not, might think we were doing nothing. For 16 years she sat on this side when Labor were in government and did nothing for Albion Park. In the last budget we allocated \$100,000 to start the study work, which has commenced in relation to the Albion Park Rail bypass. I agree with the member for Shellharbour that the bypass is required. The member said on Wave FM a few weeks ago that that money had not resulted in any works being started; she said the money had been allocated last year. Actually, it was allocated in this year's budget. The member should read the budget, because—

Ms Anna Watson: I have read it. It was in June last year.

Mr GARETH WARD: I acknowledge the interjection because the member said it was June last year. A budget starts on 1 July and finishes on 30 June. So when we allocate it in this budget, that means 1 July; that is the start of the financial year. This is how little the Labor Party knows about finance. But I go on. We have allocated funds to start the study. I am pleased that we are actually doing that work, and I hope that we will be able to realise the missing link. The member for Keira talked about the highway as well. Anyone who wants to see this Government's commitment to the Princes Highway should take a drive; the work is being done as we speak. In fact, all of the dollars being spent are collected from the hardworking taxpayers of this State. As the member for Heathcote pointed out—and I thank him for his positive contribution—this is Highway 1; this is a national highway.

It is all right for the Federal Government to go out to western Sydney and for Julia to book a room and promise funds for the M4, and it is all right for them to look after their marginal seat members on the North Coast, but there is nothing for the South Coast of New South Wales. The more the member for Shellharbour talks about the past, the more she proclaims her embarrassment about the present and reveals she has nothing to say about the future. There was nothing from Labor in government, and only talk and rhetoric now that they are in opposition. I will continue, as I have done in this House, to raise these matters. I say to the member for Shellharbour: I am happy to work with you. Can I take up the offer of the member for Shellharbour?

The member for Shellharbour can start by ringing her Federal colleagues and asking them to match dollar for dollar the \$820 million that is invested by the New South Wales Government. Here is her opportunity to tell her Federal counterparts to match the funds that we have allocated. But what do we hear from members opposite? It is more whingeing and rhetoric; there is no attempt to do anything. They just want to harp and carp from the Opposition benches. We are getting on with the work. I am proud that the Premier has taken the stance he has. The member for Shellharbour clearly does not have the guts or the gumption to do anything for her electorate. She would rather whinge, knock and whine from the outside. This is a Government of action; this is a Government that is getting on with the job. Our community knows it because they can see the work, they can see the action. And they saw the 16 years of inaction under Labor's disreputable and corrupt government.

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

Motion agreed to.

WESTCONNEX MOTORWAY

Mr CHARLES CASUSCELLI (Strathfield) [12.18 p.m.]: I move:

That this House:

- (1) commends the Premier and the Government for naming WestConnex as the top infrastructure priority for New South Wales;
- (2) acknowledges the major benefits that this development represents for the Strathfield electorate;
- (3) thanks the Federal Leader of the Opposition for his commitment of \$1.5 billion to this project if elected Prime Minister; and
- (4) calls on the Prime Minister and Federal Minister for Infrastructure and Transport to support the Strathfield electorate and Sydney's inner west by matching the Federal Opposition's commitment to this project.

There was once a road corridor preservation that extended past the end of the M4 at Strathfield and continued on to connect with the Western Distributor. It existed for decades and it made sense. It was needed to accommodate the future requirements of the growing population in the north-west, the south-west and western Sydney. However, in 1977 decades of professional wisdom that supported the need for this road corridor was discarded almost overnight by the Wran Government. It sold all land reserved for the M4 between Strathfield and Pymont and declassified that road corridor.

Since then there have been a number of proposals to complete the M4 missing link. I call it the "M4 missing link" because if one looks at a map of the inner west and Sydney generally, even the most map-challenged individual can see that there is a gap in Sydney's motorway network and its major arterial road network. If you cannot see it from a map, I challenge you to jump in a car or a bus and experience the journey through the inner west during the peak periods of any day. The peak period in the inner west extends for the daylight hours of every day, including weekends. The journey will quickly make anyone a supporter of the building of a road similar to the WestConnex proposal.

Work to progress the building of this missing link has been ongoing, with varying degrees of urgency, for over a decade and a half. In demonstration of the previous Government's incompetence in all matters of transport, the most recent proposal involved a five kilometre tunnel from Strathfield to Ashfield. This met fierce opposition from residents of the inner west who, quite rightly, objected on the grounds that it caused congestion by funnelling traffic into their local neighbourhood. A longer tunnel option was then put forward connecting Strathfield almost all the way to the Anzac bridge. That proposal also came to naught and by April 2005 the previous Government shelved all plans for building the missing link.

Contrast this sad and sorry saga with the immediate and deliberate actions of the O'Farrell Government: Year one, Infrastructure NSW was established; year two, the report of Infrastructure NSW recommended WestConnex as a priority project; year two, the Government committed \$1.18 billion dollars to the project; year two, the Sydney Motorways Project Office was established and took on board the work to commence the WestConnex project; year two, the Government announced the Local Government Consultative Forum to start the engagement process with local government; and year two, the Federal Opposition committed \$1.5 billion—well done, Tony Abbott.

In less than two years the Government has accomplished what the previous Government thought was impossible. The message to the Premier and the New South Wales Cabinet is well done. The WestConnex motorway is more than just a road; it is a public transport initiative. It will allow public transport to run more efficiently on our arterial and local roads. Rail will become more attractive because the buses that feed the railway stations will be running more efficiently and reliably. WestConnex is a health and wellbeing initiative. It is good for the environment because motorway traffic generates fewer emissions than traffic travelling through the arterial road network where it is subject to stopping and stalling.

The amenity of local areas will be much improved. It is a road safety initiative because it removes congestion from our local and arterial roads. It is a housing initiative because it will allow transit-orientated development to occur along the road corridor. It is a recreational initiative because it will ease travel for people taking their families to sporting fixtures on the weekends. It will free up alfresco dining in some of our local neighbourhoods where that has been impossible due to heavy traffic on local roads. It is a small business

initiative that will allow people to get to local business more efficiently because the through traffic in the inner west will be removed from local roads. It is a freight transport improvement initiative because it will remove heavy freight traffic from our local and arterial roads.

WestConnex is a road network initiative that benefits not only the Parramatta Road corridor but other road corridors that centre on Victoria Road and Liverpool Road. The people of the inner west and western Sydney say to the Premier: well done, bring it on as quickly as you can. Not so well done was the belated and half-hearted announcement by the Prime Minister that promised \$1 billion of funding, subject to conditions. I am sure that the Prime Minister's advisers must have been thinking about another city when suggesting that Sydney needed to increase capacity into and out of the Sydney central business district from the west. We may, at some future time, need more capacity in and out of the central business district from the west. However, that is not the present issue.

It may be that at some point we will have to look at expanding the City West Link Road into three lanes in both directions, joining the WestConnex motorway at Ashfield. That would require an additional harbour crossing west of Sydney Harbour Bridge which would free up capacity for traffic entering and exiting the central business district from the Anzac Bridge. Perhaps the Prime Minister could fund this link at some future time. It is about time the Prime Minister rectified the farce of the past Labor Government which inflicted immeasurable traffic grief on the people of Sydney. I say to those opposite and to the Prime Minister: Give the money to a government that knows what it is doing. I commend the motion to the House.

Mr MICHAEL DALEY (Maroubra) [12.25 p.m.]: In life and particularly in politics, the things one does—and particularly the things one says—can come back to haunt one. If I have learnt one thing in more than 20 years in public life and seven years in this place, when talking about these extremely large and expensive infrastructure projects one ought not shoot one's mouth off and crow about projects that have not yet been built. These sorts of projects are notoriously difficult to deliver for one simple reason—money. Our Government had a problem with it; Federal governments of all persuasions have a problem with it; and the members of the O'Farrell Government have a problem with it, by their own admission.

The member for Strathfield talks about a Labor Government that inflicted immeasurable pain on the people of the inner west because of the incomplete construction of the M4. It may come as a surprise to him that the M2, M4 and M5 were all built by the Greiner Government. If they are incomplete, they were incomplete at the time construction ceased. The comments of the member for Strathfield would suggest that with a click of a finger and a bit of gumption one can get on with the job of building infrastructure projects. The implication is that it is not planning difficulties or objections from communities in whose path these proposed projects lie and it is not funding difficulties that stop such projects being constructed, but it is just a sheer lack of political will. If that is the case, then the Greiner Government should be condemned by those opposite in the same way that they condemn the Carr Government and the Labor governments that followed. With enough cash one can do anything in government. It is really that simple: If you have the money, you can build it.

I have grave concerns about the WestConnex motorway because I think it is a bastard child of Treasury. Something our Government was criticised for was not constructing three lanes each way on the M5 East. Members on this side of the House have to wear that. It was a lack of funds that led to that configuration, in the same way that it was a lack of funds that saw the M2 and the M5 constructed with only two lanes in each direction. In time, those projects will need expansion as the city expands. There is one lesson to be learnt: Do not let Treasury give you the el cheapo option. The current WestConnex project is that el cheapo option.

How do I know that? Because when I was Minister for Roads in 2008 I had the M5 East costed and it was \$5.2 billion by itself. I had the M4 East costed and it was \$10.8 billion by itself with a connection to the airport and a connection to Port Botany. If you add them up, in 2008 dollars it was nearly \$16 billion and with escalation costs for concrete and steel and all those sorts of things running at between 8 per cent and 10 per cent, if the Government wants to do this project properly it will be almost \$20 billion in today's dollars. What is the promise now? What is the gift from Treasury that shackles the planning on this project? It is \$10 billion. You cannot build a proper WestConnex with \$10 billion. I give credit to the Hon. Duncan Gay because he had a briefing for all comers about two or three weeks ago and that does not often happen, so I commend him for doing that. But the Government does not have the answers to WestConnex. It does not really know where it is going to go.

It does know there will be no direct connection to the city. That has been criticised by Tony Abbott as well as Prime Minister Gillard. There will be no connection to Port Botany. The member for Heffron is in the Chamber. Port Botany serves both our electorates. It lies within my electorate but it is a national facility. Every afternoon Foreshore Road, which brings trucks out of Port Botany and feeds them onto the M5 East and General Holmes Drive, and out to the west and the M7, is chock-a-block. It is packed; it does not move. If there is no direct connection to Port Botany—I note from the scant details online about WestConnex that it will provide for a duplicated M5 westbound, which we all want to see—trucks leaving Port Botany will have to come out along Foreshore Road, get onto General Holmes Drive, onto Airport Drive and somewhere around there will be a portal onto the newly connected M5 East going to the west.

I am telling members what will happen. If trucks are made to do that and there is no dedicated portal at the end of Foreshore Road for trucks going west to feed onto the newly constructed M5 East tunnel that we all so desperately need, the roads around the airport and Port Botany, which is about to be sold to the private sector, will be slaughtered. The growth in containers at Port Botany is about 8 per cent a year. The number of containers that were leaving Port Botany by rail when I was elected in 2005 was about 19 per cent of the total. It is down to 14 per cent and falling. Fewer containers are being moved by rail and more by road. If there is no portal for dedicated freight rail at Port Botany the roads around the airport, Mascot and Botany, the M5 East and General Holmes Drive will be slaughtered. It has to be built. This el cheapo option is just not viable. The Premier knows it and Treasury knows it.

Mr Mark Coure: You were supportive at the briefing.

Mr MICHAEL DALEY: I am supportive, but I asked a question of the Hon. Duncan Gay at the briefing and he could not answer it. We support the project but there must be a dedicated connection to Port Botany and a connection to the city must be addressed. We all know that the City West Link is at capacity most of the day at the moment. If members opposite want to dump all that traffic coming in from the M4 onto the City West Link they will slaughter it too. It is a worthy project but the Government does not have the answers. It should be of great concern that they are promising only \$10 billion and they do not have any answers.

Mr MARK COURE (Oatley) [12.32 p.m.]: That is certainly a hard act to follow. I acknowledge the member for Strathfield for moving a great motion. Members on this side of the Chamber promised to fix Labor's mess and we are doing just that. During the State election I promised the people of Oatley that a Liberal-Nationals Government would fix up Labor's mess and start rebuilding New South Wales. As a result the Government announced the WestConnex project as well as the widening of the M5 West, which is a huge win for electorates in south and south-west Sydney, including your electorate of Menai, Madam Acting-Speaker. It will help improve traffic management along one of Sydney's major arterial roads.

We announced WestConnex, which is one of the Government's top infrastructure priorities. The M4 and the M5 were ignored by Labor and therefore they ignored the residents, particularly in my community of Oatley. WestConnex is one of Sydney's missing links and its construction will assist in easing pressure on Southern Cross Drive and the Eastern Distributor as well as traffic flows along the M5 East. This will no doubt be of great benefit to residents living across St George and the Sutherland shire, south and south-west of Sydney, and of course the inner-west areas represented by the member for Strathfield and the member for Drummoyne, who are in the Chamber.

We are fixing Labor's mess after 16 years. The former Labor Government failed to build an M5 that could cope with the increase in population in south-west Sydney and increased traffic flow. It is worth remembering that the former Labor Government had an opportunity to widen the M5 East before its completion, but it failed to deliver. Widening of the M5 would have benefited motorists in the long term. Part of the WestConnex project is to assist with the flow of traffic over the long term through the duplication of the M5 East. I encourage my local residents to go online to learn about and have a say in the Government's WestConnex project, which the Minister announced recently in his media release.

Mr Paul Toole: That is www—

Mr MARK COURE: I do not have the website address but it is certainly available online through the Roads and Maritime Services website. This year the Minister has already announced the Sydney Motorways Project Office, which has been established to develop WestConnex. I had an opportunity to visit it recently. The Government through WestConnex is building a 33-kilometre project to link Sydney's west with the airport and the Port Botany precinct, which is a huge win—

Mr Guy Zangari: All stations stopping at Taverners Hill.

Mr MARK COURE: The member for Fairfield had his opportunity to contribute to the debate. It is a huge win for my electorate of Oatley. It will mean real-time savings for motorists and will help meet future growth, which the former Labor Government failed to deliver with projects like widening the M5. There will be time savings on journeys for people in my area once WestConnex is built. As the member for Strathfield has said, this will create jobs and generate investment for the State. Members opposite were out of touch with the M4 and M5. They had the opportunity to fix this problem but they failed to deliver. This development will strengthen the access to industry and commercial centres across Sydney's south and south-west and the St George area, and support jobs growth. WestConnex includes widening the M4 East at Parramatta, extension of the M4 East at North Strathfield and duplication of the M5 East to King Georges Road, which is a big win for our local community.

Mr JAMIE PARKER (Balmain) [12.36 p.m.]: What we have heard today is pure assertion and speculation. In 1950 a decision was made to build a road corridor and we should do what we did 60 years ago because I am sure people had the right idea then. The situation is absolutely ridiculous when it comes to planning. Planning has transformed itself in the past 60 years and that is exactly the reason that the "Let's look at the map, there's a gap that we should fill" approach is ridiculous because it is not based on any evidence or a public policy agenda. It is based on some kind of jigsaw or connecting dots, which will then lead to outcomes that are not supported by evidence.

This proposal will not lead to a sustainable transport change, a paradigm shift which is required in this State and around the world to address climate change and all the issues that we know are significant. All this will do is encourage greater dependence on private vehicles and raise all the related transport, health and social wellbeing concerns. It will increase costs for people, in particular those in western Sydney who seek to use transport. It will lead to a greater need for parking in areas that cannot accommodate it. It will induce more traffic because we know that that is what happens. When we make it cheaper, easier and faster to drive it reduces capacity in public transport. Members may recall the report done for the *Sydney Morning Herald* by Sandy Thomas, a well-known and respected transport planner, who said:

These huge radial motorways will compete directly with passenger and freight rail services—

as we saw with the reductions in passenger services when tollways were built in the past—

even though they will be vastly less efficient and environmentally sustainable, and because they will soak up limited construction resources, escalating costs for rail projects...

That is the point. The second rail crossing was Sydney Harbour. There is no money because WestConnex is sucking it up. The proposal by Transport for NSW was far more superior than the report from Infrastructure NSW. It was talking about rail and about the future of public transport. Nick Greiner's program talked about a 1950s-type technology to deal with a twenty-first century problem. I want to ask some questions. The Hon. Duncan Gay has not seen any modelling. Have members opposite seen any modelling? No, of course they have not because they do not know where it is going to go. I would like to interrogate the modelling. If members opposite believe it will produce congestion, show the modelling. There has been no modelling and no planning. This is the overreach that the member for Strathfield is engaged in. A year down the track he is saying, "Here is the modelling. It will go here. We think it is a good idea."

At the moment it is a pure flight of fancy and is purely speculative. He has not seen any modelling—no-one has. Is the member for Strathfield committing to say that there should be value capture? That is what Infrastructure NSW reported. This means new taxes will be imposed on properties and communities to pay for this. Is that supported as part of the project? Is tolling other roads supported to fund this project? Yes or no? How will it be funded? Should there be private-public partnerships? If so, is the availability of private-public partnerships supported? In other words, the State takes the risk. While we know that the private sector will find capital, investment in private toll roads and private-public partnerships has been an unmitigated catastrophe. Look at the evidence: the Cross City Tunnel is a disaster, Sydney's Lane Cove Tunnel has a \$1.1 billion bond debt, Brisbane's Clem7 tunnel is a catastrophe, and Brisbane's airport link is a disaster.

Mr Charles Casuscelli: Modelling gave you those disasters.

Mr JAMIE PARKER: Modelling gave us the disasters and we have not even got any modelling for a \$10 billion project. There is no money for it. Even Tony Abbott says that it needs to go in a different location than the Government is proposing. This is a speculative model. There is no money or evidence to support the notion that the 1950s model will provide a real solution for commuters and people in New South Wales.

Mr STUART AYRES (Penrith) [12.40 p.m.]: I commend my parliamentary colleague the member for Strathfield for moving this motion. We have heard how important this road is. We have heard from the member for Balmain about how important this piece of infrastructure is. We have heard from the member for Maroubra how important this piece of infrastructure is. I will acknowledge some things that the member for Maroubra said. Without a shadow of a doubt this will be a challenging project for the Government to deliver. There is no doubt that it is an expensive road. We are paying the price for past decisions on both sides of politics, whether it is the removal of road corridors that makes this road more expensive or whether it is the failure to tackle the challenges around this in more recent times. Both sides of politics in this State have a bad track record on delivering this road but the residents across western Sydney continue to pay the price. They have to travel on roads that have not been built or upgraded to sustain the growth that has occurred.

What Infrastructure NSW identified, and it was summarised in the title of its State infrastructure document, is that it is about finishing the projects that have not been completed in the past. We have an orbital road network that most people recognise is the right plan for roads, but it is not finished. It is not finished because the centre corridor is not completed. That is where WestConnex fits in. We want to invest in other modes of transport such as rail and light rail so that we can move people around the more densely populated areas of our city, but the orbital road network has to be completed first. We cannot embark on other more challenging projects without finishing off the projects that were not previously completed.

The Sydney Motorways Project Office is undertaking the task of planning the delivery and funding of this project. The member for Strathfield raised a number of important things about this project. It will require new thinking concerning urban regeneration, particularly along the Parramatta Road corridor. We will have to consider the ways in which we deliver this project such as tunnelling, cut and cover options, and what type of infrastructure is already in the ground to allow us to get the most logical outcome for this particular road. The Government has to face these challenges and tackle them. We have to draw a line in the sand on this project. If we do not, there is no doubt it will get worse.

The fundamental structure that WestConnex is proposing is a continuation of distributor roads. It is 1970s thinking to build long freeways that drop people in the middle of the central business district. There is no way to disperse the traffic. It does not work. We have a Western Distributor and an Eastern Distributor and, yes, they are already under pressure; we know that. That is why we need to build an extension to the orbital road network that is a further extension to the distributor network. That is why the Taverners Hill tunnel is critical. It will relieve pressure on the Western Distributor and the Eastern Distributor. The member for Strathfield has acknowledged an extremely important point: As Sydney continues to grow, our decisions regarding the City West Link as part of the broader road and distribution network around the central business district are critical. We need to look at options, but we cannot do that at the expense of not progressing with WestConnex.

The Prime Minister's approach to this issue is most frustrating. At the very least she could have said, "The Federal Opposition has committed \$1.5 billion. I will match it." That would have been a much better outcome than her actions thus far, which is to offer a lesser amount of money with a lot of strings attached that cost significantly more money. This thinking and approach has cost State and Federal Liberal and Labor governments for more than 20 years. The residents of western Sydney experience the shortfalls of these governments every single day when they travel around the city. It is time for it to end. This Government will deliver WestConnex. It will be a challenging project, it will cost a lot of money and it will have tolls. We would like some help from the Federal Government but we will get on and do it whether it helps us or not.

Mr RON HOENIG (Heffron) [12.44 p.m.]: For 16 long years those opposite were in opposition. Anyone would have thought that when they ended up on the treasury benches of this House they would have a plan. Do they have a plan? They went to a former Premier, the Hon. Nick Greiner, and said, "What infrastructure does Sydney need? Can you tell us, Nick, because we have no idea?" It is no surprise to anybody that it took the Hon. Nick Greiner 18 months to tell us that the WestConnex was needed. Those opposite had to wait 18 months for the Hon. Nick Greiner to tell them what road system is required. The member for Maroubra stood up in this House and took an apolitical view. He gave us the benefit of his knowledge as a former roads Minister and finance Minister and told us what the costing was. He also paid tribute—and I pay tribute—to the Hon. Duncan Gay for giving the Opposition a briefing and being frank and apolitical in his approach to a project that Sydney desperately needs.

Members opposite are delusional if they think, as the member for Oatley said, "We promised it. We are going to fix it", and he knows better. I know the member for Oatley is competent. These are just words. One of these days, the public are going to say to themselves, "I am sick and tired of these politicians promising things out of the blue. They think they are going to build WestConnex for \$10 billion." After two long years of the O'Farrell Government, it is a line on a map. The Federal Minister for Infrastructure and Transport, the Hon. Anthony Albanese, had to give them \$25 million for an office so that they could draw up a plan. It is no

more than a line on a map. The WestConnex was costed at \$16 billion to \$17 billion in 2008. The Minister for Roads and Ports has all the modelling and costing available from the former government and we can all get the figures. The member for Oatley can decide where the exhaust stacks are going to go from the M5 East extension, and we do not want to talk about that. This proposal is just a line on a map. In the *Telegraph* this week the Premier was quoted by Andrew Clennell as saying, "It will be 2019 before Sydney's congestions are eased in respect of gridlock."

I can tell you what the plan is from those opposite. If they want to keep talking about WestConnex, stick a few holes in the ground and try to get through the next two elections with no problems at all. The mess that will be created by the holes in the ground can then be handed over to their successors in Government. The Opposition supports a realistic plan. The estimated \$20 million that the WestConnex project will cost is predicated on Port Botany's cap of three million 20-foot equivalent units, and that will increase to seven billion. The Government has no mechanism for moving freight or passengers out of the terminal, but it wants the Federal Government to provide the money. Infrastructure Australia wants to see the State Government's modelling, its plan and its solution. It does not want to hear the State Government simply talking about the project. Members opposite will be exposed because all they are offering is words. They are about to be hoist with their own petard.

Mr JOHN SIDOTI (Drummoyne) [12.48 p.m.], by leave: I thank members for giving me the opportunity to make a brief contribution to debate on this great motion moved by the member for Strathfield. Unlike members opposite, he has extensive knowledge of traffic and road management. Opposition members would be the last people from whom I would seek advice. There was great fanfare in my electorate when the Rozelle metro was announced. The Labor Government spent \$500 million but delivered absolutely nothing. In fact, when the one piece of infrastructure it delivered in my electorate—the duplication of the Iron Cove Bridge—was opened the then Premier, the Hon. Kristina Keneally, was so looking forward to cutting the ribbon that she did a drive-by performance to avoid the flack she knew would be directed at her. Members opposite criticise the Government for investing money in infrastructure. That is absolutely amazing. After 16 years of doing nothing in government they are now preaching to the Coalition about how to deliver infrastructure. My constituents have suffered long enough. The member for Fairfield might interject, but his parents live in my electorate—they are lovely people—and they will benefit from this project.

Mr Guy Zangari: Why don't you call in and have a cuppa with my parents? They would love to see you.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! Members will come to order.

Mr JOHN SIDOTI: They may have been fans of mine at one time. This is a critical piece of infrastructure stretching for 33 kilometres. Members opposite should offer bipartisan support; they should not try to shoot it down. They should stop being negative about the delivery of infrastructure; they should jump on board with a government that will deliver. This Government has demonstrated a great deal of integrity and honesty. It is consulting and running workshops across the State and a website has been established. All members opposite can do is criticise; they cannot make a valuable contribution. The WestConnex project will accommodate the growing transport needs of greater Sydney and strengthen access for industry to commercial centres, and that will improve growth opportunities for local businesses. It is also designed to stimulate urban renewal opportunities, particularly along the Parramatta Road corridor.

Yesterday we spoke about opportunities for urban renewal and the record number of housing lots being released. There are development opportunities along Parramatta Road, particularly around the Strathfield triangle. The major interchange will accommodate growth and increased density in that area, which has become run down, and that will be a great benefit for the community. The Tony Abbott Federal Opposition has committed \$5 billion and the State Government has committed \$1.8 billion to this project. I commend the member for Strathfield for moving this motion and for his hard work. I will work hand in hand with him to deliver a great project for the people of not only the inner west but also greater Sydney.

Ms CARMEL TEBBUTT (Marrickville) [12.52 p.m.], by leave: I am surprised at the member for Strathfield's rashness in moving this motion endorsing the WestConnex proposal in its current form. We all recognise that having the M4 terminate at Strathfield creates all sorts of problems in that area and beyond. As members have said, we need a sensible proposal to address a variety of transport issues. However, I categorically oppose this motion. As we have already heard from the member for Maroubra, the Government has picked the cheapest possible option without considering the impact on the surrounding residents, traffic and connectivity. The Premier has admitted that the \$10 billion WestConnex proposal is the least-cost option. It does not take the M4 East into the city despite the fact that both the Federal Government and the Federal Opposition have called for that connection to be included in the project. It also does not provide a direct connection to Port Botany.

I will address the impact that the WestConnex proposal will have on my electorate. I have been inundated with letters, emails and phone calls from concerned residents who have raised many concerns about the proposal. The Government cannot provide any detailed information about the route, the design or the cost, and the business case has not been completed. As members have said, the Government has not done the required modelling for a project of this size that will have such a huge impact. Despite that, members opposite expect the Opposition to endorse the Government's proposal. I simply will not do that.

My constituents have raised their concerns about the route and how it will impact on houses in the Marrickville area. They are also concerned about the location of the tunnel ventilation stacks and the fact that no information has been provided. This proposal will funnel more traffic into already heavily trafficked parts of the inner west. Again, the Government has provided no detail about how that issue will be addressed. My constituents are also concerned about the project's impact on the Wolli Creek area. It is not in my electorate, but many of my residents use that bushland for recreation and it acts as green lungs for the inner west. This project will have a major impact on Wolli Creek. Residents have also said that they want more investment in public transport and they are concerned that the money being spent on this project will reduce the amount available to improve public transport.

I cannot possibly endorse a proposal having had access to so little information and given the enormous impact that it will have on my electorate. Like other members, I have real doubts that the WestConnex proposal will achieve the transport benefits that the Government claims it will achieve. The lack of costings, modelling and detail about the route is generating serious concern in my electorate. I am also concerned about the impact it will have on the Tempe parklands. Again, they are not in my electorate, but they do border it. That area is frequently used by my constituents and other residents of the inner west. We have little green space in Marrickville and few playing fields, so children do not have enough opportunity to participate in sport locally. The Tempe parklands provide that opportunity. As the proposal stands the parklands will also be impacted by the WestConnex route. Despite that, the Government cannot provide any information about how they will be protected. For those reasons, I do not support this motion and I urge the House to oppose it.

Mr CHARLES CASUSCELLI (Strathfield) [12.56 p.m.], in reply: I thank the members for Maroubra, Oatley, Balmain, Drummoyne, Penrith, Heffron and Marrickville for their contributions. I quickly turn to some of the comments made by the member for Maroubra, who is a former roads Minister. He has experience and I listen to some of the comments that he makes. However, what we heard today was a whole bunch of reasons why nothing was done. I get that. I know it was hard. I know that there were funding issues. The former Minister blamed the Greiner Government for not building the entire M4 because he thought that staging it was an appropriate way to get the thing done in the first place. I know it was all too hard. The difference is that the member for Maroubra was not even prepared to consider the first step.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 54

Mr Anderson	Mr George	Mr Rohan
Mr Annesley	Ms Goward	Mr Rowell
Mr Aplin	Mr Grant	Mrs Sage
Mr Baird	Mr Gulaptis	Mr Sidoti
Mr Bassett	Mr Hartcher	Mr Smith
Mr Baumann	Mr Hazzard	Mr Souris
Ms Berejiklian	Mr Humphries	Mr Speakman
Mr Brookes	Mr Issa	Mr Spence
Mr Casuscelli	Mr Kean	Mr Stokes
Mr Conolly	Dr Lee	Mr Stoner
Mr Coure	Mr Notley-Smith	Mr Toole
Mrs Davies	Mr O'Dea	Ms Upton
Mr Dominello	Mr Owen	Mr Ward
Mr Doyle	Mr Page	Mr Webber
Mr Edwards	Ms Parker	
Mr Elliott	Mr Patterson	
Mr Evans	Mr Perrottet	<i>Tellers,</i>
Mr Flowers	Mr Provest	Mr Ayres
Mr Gee	Mr Roberts	Mr Maguire

Noes, 22

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

Question resolved in the affirmative.

Motion agreed to.

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No 30/55

Report: Legislation Review Digest No. 31/55

Report: Legislation Review Digest No. 32/55

Report: Legislation Review Digest No. 33/55

Motion by Mr Stephen Bromhead agreed to:

That in accordance with Standing Order 306 (7) the reports of the Legislation Review Committee, being Orders of the Day (Committee Reports) Nos 1 to 4, be considered together.

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

Mr STEPHEN BROMHEAD (Myall Lakes) [1.12 p.m.]: As chair of the Legislation Review Committee I take this opportunity to comment on the four recent Legislation Review Digests tabled on 19 February, 26 February, 12 March and, most recently, on 19 March. Given the number of committee reports tabled in the past few sitting weeks, this is the first opportunity I have had to comment on the digests. These are the thirtieth, thirty-first, thirty-second and thirty-third digests prepared by the Legislation Review Committee of the Fifty-fifth Parliament, and the first digests for 2013. The role of the committee, as it has been since 2003, is to identify issues in proposed legislation and regulations as outlined in section 8A and section 9 of the Legislation Review Act. Given that I am speaking to four digests, I will only identify a handful of the bills that the committee has commented on.

In the thirtieth digest, tabled on 19 February, the committee reported on eight bills, five of which required comment. I will quickly address three of those bills. In the first digest the committee dealt with the Crimes (Criminal Organisations Control) Amendment Bill. This bill is aimed at curtailing the existence and activities of criminal organisations. The bill provides for a scheme of mutual recognition when comparable declarations against criminal organisations are made in other States and Territories. The committee considered possible impacts on the presumption of innocence, given the bill proposes to amend the definition of "serious criminal activity" and replace it with a lower threshold. The committee considered the possible effects this would have on presumption of innocence and whether declarations and control orders constitute pre-judicial punishment.

Also in the first digest, the committee reviewed the Ombudsman Amendment Bill, which provides for a number of changes, including authorising the Ombudsman to restrict the publication of evidence or information provided to an inquiry, and to require officers of the Crime Commission or the Police Integrity Commission to give evidence or produce documents in certain investigations. The committee considered whether these provisions infringed upon rights against self-incrimination, access to open justice, and procedural fairness. Lastly, the committee examined the Small Business Commissioner Bill. In particular, the committee examined the possible impacts on privacy that could occur following the exchange of information between the commissioner and designated agencies, and possible restraints on the freedom of information that could arise due to limits on what the commissioner may report about.

In the thirty-first digest, tabled on 26 February, the committee reported on seven bills, two of which warranted detailed comment. The first is the Crimes Amendment (Zoe's Law) Bill, which is to establish a separate offence for an individual who inflicts grievous bodily harm on a pregnant woman that causes serious harm to or the destruction of a child in utero, and to extend the offence of dangerous driving causing the destruction of or serious harm to a child in utero. The committee referred to Parliament for its careful consideration matters relating to offences against a child in utero with particular respect to a lowering of the threshold for a criminal offence to be met and the requirements that children in utero be recognised to the same standard as a natural person for the purposes of criminal law.

The committee also dealt with the Crimes (Serious Sex Offenders) Amendment Bill, which aims to provide for the continued supervision and detention of high-risk violent offenders and adult offenders convicted of an offence against a child in certain cases. The committee referred to Parliament issues relating to the deprivation of liberty, freedom of movement, burden of proof, retrospective application of certain provisions, and the extra-territorial supervision and detention of offenders. In its thirty-second digest, tabled on 12 March, the committee made comments on five out of the six bills. I will refer briefly to three of those bills.

The committee considered the Crimes (Sentencing Procedure) Amendment (Provisional Sentencing for Children) Bill. This bill sets up a scheme to enable the provisional sentencing of children who are convicted of murder. The committee considered a range of issues associated with the proposed scheme. For example, the committee discussed how a court's assessment of matters relevant to sentencing may be affected by a child already being in custody, serving a provisional sentence. The committee referred to Parliament whether possible delays in final sentencing under the scheme may unduly trespass on the rights of the offender, particularly if it leads to the perception of a delay in the offender receiving justice.

The committee also considered proposed amendments to the Independent Commission Against Corruption Act. The proposed amendments allow employers to rely on evidence from an investigation carried out by the Independent Commission Against Corruption rather than the employer carrying out their own independent misconduct investigation from scratch. The committee considered whether these changes would impact on the right against self-incrimination, given that the Independent Commission Against Corruption could provide an employer with potentially incriminating evidence against the employee. The final bill that the committee commented on in that digest was the Powers of Attorney Amendment Bill, which makes a number of changes to the Powers of Attorney Act, one of which may be considered an inappropriate delegation of legislative power as it allows the regulations to replace or amend schedule 3 of the Powers of Attorney Act. This schedule outlines a number of authorities that an attorney has, including the authority for them to confer a benefit to themselves.

In the thirty-third digest, tabled this week, the committee made comments on four of the six bills that it reviewed. I will refer briefly to four of those bills. The Criminal Procedure Amendment (Mandatory Pre-trial Defence Disclosure) Bill, which is cognate with the Evidence Amendment (Evidence of Silence) Bill, was the subject of some discussion by committee members. The committee referred to Parliament whether the unfavourable inferences that can be drawn in relation to the failure of an accused to answer a question or in relation to the failure to comply with mandatory disclosure provisions infringes on the right to silence. The committee also considered the Health Legislation Amendment Bill, in particular a provision that requires the Health Care Complaints Commissioner to give notice to the employer of a health practitioner in certain circumstances if that practitioner is the subject of an investigation by the Health Care Complaints Commissioner.

The committee considered the potential privacy ramifications of such a disclosure on the health practitioner, including how it may adversely affect his or her professional reputation. Privacy was again the subject of some consideration with the Independent Commission Against Corruption and Other Legislation Amendment Bill, specifically the ability of integrity agencies to obtain personal information from law enforcement bodies before the hiring of new officers, staff or consultants. This information includes that which would otherwise be protected by a spent convictions scheme. The retrospective application of this bill was also the subject of the committee's concern. For a detailed consideration of the identified issues in the bills I invite members to review the digests. I remind the House that the digests aim to assist members in the consideration of bills. I thank the other committee members and the committee secretariat.

Ms TANIA MIHAILUK (Bankstown) [1.18 p.m.]: Today we are considering the first four digests of 2013. This is the committee's first take-note debate for this year and it is hoped in future we will be able to return to our normal time slot.

Ms Robyn Parker: We enjoy them all.

Ms TANIA MIHAILUK: They will always be enjoyable. I acknowledge the chair of the committee, the member for Myall Lakes and my colleagues in this place, the member for Rockdale, the member for Parramatta, the member for Swansea, as well as my colleagues in the other place, the Hon. Shaoquett Moselmane, the Hon. Dr Peter Phelps and Mr David Shoebridge. I take this opportunity to commend the committee staff for their hard work in preparing the digests. I wish the staff the best of luck for their preparations for next week's digest. This week's meeting was the longest in my memory: it went for a whole ten minutes.

The reason for this considerable increase was not an abundance of government legislation to consider; the meeting went longer than usual because of several attempts to amend the digest. It is not very often that amendments are moved to a digest, so it is usually a noteworthy occasion when it happens. Mr Shoebridge moved two amendments to the digest, and the Hon. Shaoquett Moselmane and I voted with Mr Shoebridge, and the Coalition voted against the amendments. This week's meeting was also a first tied vote. The chair was very much in shock, like a deer in headlights. The vote was the same with both amendments, with three members on each side in the vote.

However, the chair, after considering the amendments—I think for a total of three seconds—exercised his casting vote and saved the day for the Coalition. Things might have moved a lot more smoothly for the chair, the member for Myall Lakes, if the Coalition had its usual majority. But for some reason the member for Parramatta was not present; I do not know where he was. Dr Phelps, I think, was busy sitting in the Antony Green seminar, where his contribution to the Liberal submission for the redistribution was being critiqued by Mr Green. I think he was much more concerned about being there taking notes. Perhaps that is where Dr Phelps was. The first of Mr Shoebridge's amendments concerned the Criminal Procedure Amendment (Mandatory Pre-trial Defence Disclosure) Bill 2013 and the Evidence Amendment (Evidence of Silence) Bill 2013, which are cognate bills. Mr Shoebridge proposed the inclusion of the following statement in the draft report:

The Committee considers that the loss of the 400 year right to silence is a substantial trespass on a citizen's rights and liberties, and refers this matter to Parliament.

The second amendment also concerned the same pair of bills. Mr Shoebridge moved that the draft report include the following statement:

The Committee notes its serious concerns that the proposed pre-trial procedure seriously impinges on the basic principle that the prosecution is required to prove its case and a citizen is not required to prove his or her innocence, and refers this matter to Parliament.

I supported those two amendments. I thought they were quite reasonable, and I would have expected that any report prepared by the committee would have included those amendments. I was surprised that the member for Myall Lakes, in his role as chair, did not want to explain why he chose not to support those amendments, or who actually prepares the digest. We were trying to ascertain who assisted the chair in preparing the digest, but he gave us the answer that he always gives us, "No, I'm not going to tell you." So the members for Rockdale, Myall Lakes and Swansea, also known as "see no evil, hear no evil, speak no evil", managed to prevent these amendments from proceeding. I commend the four digests to the House.

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

Reports noted.

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

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

Mr BARRY O'FARRELL: I inform the House that the Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services will answer questions today in the absence of the Minister for Primary Industries, and Minister for Small Business.

QUESTION TIME

[Question time commenced at 2.20p.m.]

SYDNEY HARBOUR CROSSING TOLL

Mr JOHN ROBERTSON: My question is directed to the Premier. Given the horror delays motorists experienced following the closure of the Sydney Harbour Tunnel this morning, will the Premier cancel the tolls on the Sydney Harbour Bridge and the Sydney Harbour Tunnel tomorrow?

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

Mr BARRY O'FARRELL: I have it on the best authority that the Leader of the Opposition fainted just after one o'clock today. Someone in his office said, "There is a leadership challenge underway". The important words for anyone in the Labor Party to include is, "In Canberra there is a leadership challenge underway".

Mr John Robertson: Point of order—

The SPEAKER: I remind the Leader of the Opposition of my recent ruling about taking points of order 10 seconds into an answer.

Mr John Robertson: I was just going to say that I was not that surprised because Imre does not start until next week.

The SPEAKER: Order! There is no point of order.

Mr BARRY O'FARRELL: I refuse to allow that spurious point of order to draw me away from the issue at heart—an extract of Eddie Obeid's diary which was published in today's *Australian Financial Review*. I will leave Eddie Obeid for another day or for later in question time. Only the Labor Party, which failed to invest in transport infrastructure in this State, would attempt to use such an issue to get a cheap grab on television tonight. That attempt has now been destroyed by his friends in Canberra. The Leader of the Opposition, who is doing so poorly in the community, leads with a question that because there was an unacceptable blockage in the Sydney Harbour Tunnel today we should penalise taxpayers by having a toll holiday.

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

Mr BARRY O'FARRELL: On 16 March 2011 the public highlighted the fact that there are no free lunches in politics. We do not have to read Eddie Obeid's diaries to understand that. What happened today was unacceptable, and that was admitted early in the piece—far earlier than any of those opposite would have done—by the Minister for Roads who apologised on radio. The Minister for Roads will provide me with a report as to what occurred because the fact that the snarl on Sydney's roads meant people—whether they came from the northern beaches, the north-west or the western suburbs—added half an hour to an hour to their journey was absolutely unacceptable.

All it does is encourage me in continuing our reforms. The reforms will see balanced investment in transport across this State over the next four years, where slightly more money will go into public transport than will go into roads. It is fairly balanced; I think from memory about 53 per cent and 47 per cent. Also, we will finally see the delivery or start of those great transport projects promised so often in this Chamber but never delivered. The South West Rail Link, where I was on Monday, is being delivered ahead of schedule. The North West Rail Link will have tunnel boring machines in the ground by the end of this term. Light rail all the way out to the University of New South Wales has been committed to by this Government. We have made commitments to roads including \$1.8 billion to WestConnex, the connection of the M4 and the M5.

Dr Andrew McDonald: Point of order—

The SPEAKER: Order! The point of order has to be something other than relevance because the Premier is being relevant.

Dr Andrew McDonald: No, it is not. The South West Rail Link has nothing to do with the harbour tunnel, which is what the question is about.

The SPEAKER: Order! The Premier is being relevant to the question asked about transport. There is no point of order

Mr BARRY O'FARRELL: I am amused, amazed and appalled that someone who is normally as responsible as the member would raise the issue when his Government promised the widening of the M5 but did not deliver it and we managed to get that project started within our first 18 months. We are getting on with the job of fixing Sydney's transport networks. It is not easy because under successive Premiers on the other side all we got was hot air. All we got was an addition to the climate change problem that affects this State and we did not get the investment that people in this city deserve. It is ironic that one of the issues they raise relates to today's unacceptable delays in the harbour tunnel, which serves not just the northern beaches and the North Shore but also the Central Coast and the north-west, areas completely and utterly devastated by those opposite because of a refusal to invest in infrastructure.

Whether it was trains for the Central Coast, whether it was the link between the F3 and the M2, whether it was the delivery of the rail line to the north-west, time and again they turned their backs. We are getting on with the job. As part of our \$62 billion infrastructure investment program we are spending this year in the order of \$330 million on the South West Rail Link and a similar amount on the North West Rail Link. We are spending money on roads, including Schofields Road, Narellan Road, Camden Valley Way, Erskine Park Link Road and those great roads that have helped build this State such as the Princes Highway and the Pacific Highway. We will not take any lessons from those opposite when they are simply trying to make a cheap point.

OUTLAW MOTORCYCLE GANG LEGISLATION

Mr TROY GRANT: My question is directed to the Premier, and Minister for Western Sydney. What is the Government doing to crack down on outlaw motorcycle gangs and support police?

Mr BARRY O'FARRELL: I thank the member for Dubbo for his question and his interest in this issue. The New South Wales police have no better friends than the New South Wales Government. That is best evidenced by the fact that not only is the questioner a former police officer but so too is the opal from Campbelltown and the Minister for Police and Emergency Services. By any measure, the NSW Police Force has made enormous progress in cracking down on outlaw motorcycle gang violence across New South Wales. Last week, in a record raid, 30 people were arrested in one of the largest ever police operations in the State's history. Drugs, guns and cash were all seized, assets were frozen and charges were laid. Operation Spartan is effectively working to stamp out gun crime. So far, 1,100 charges have been laid and more than 660 arrests have been made. These are real results that are having a real impact, assisted by those additional 300 police delivered since we were elected in March 2011.

We have also given police additional powers to crack down on gun-related crime. We have strengthened consorting laws, increased drive-by shooting penalties and legislated to tighten the supply of ammunition. We have called in the New South Wales Crime Commission with its royal commission powers to compel witnesses to cooperate with police investigations. We have introduced a licensing scheme with stringent probity checks for tattoo parlours, the business of first choice for these criminal gangs to launder their money. We have banned bikies from wearing their colours in the 58 licensed venues in Kings Cross. Just last night we passed legislation to stop criminals from putting forward ambush defences in our court system, all because we want police and the courts to have the powers and resources needed to deal effectively with outlaw motorcycle gangs and their nefarious activities, including too many shootings across the city.

Where has Labor been while we have been getting on with the job? Did they support our latest efforts to stop these criminal elements misusing the law to try to protect themselves and their lethal behaviour? No, yesterday Labor shamefully opposed that legislation. When given the choice on the floor of Parliament to back the police or back bikies they backed the bikies, led by the Leader of the Opposition. Not having learnt his lessons from riding too long with Eddie's gang, he has now saddled up and is riding with outlaw motorcycle gangs across this city. Between now and the next election, every time the Leader of the Opposition rushes to do his latest cheap stunt press conference at the scene of a shooting the first question he should be asked is, "Did you back the State Government?"

Mr Michael Daley: Point of order: My point of order relates to Standing Order 73. This is almost too lowbrow even for the Premier. His answer is clumsy and lacking in creativity and it offends the standing orders.

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

Mr BARRY O'FARRELL: Every time he rushes off to a press conference about a shooting in Sydney the first question he should be asked is, "Have you supported the Government in its efforts to provide police and courts with the resources they need to combat this crime?" I cannot believe that the member for Toongabbie who—hang on, is there a leadership challenge today? Where is the member for Toongabbie? I cannot believe that he would support Labor's opposition to laws to crack down on outlaw motorcycle gangs. Has he been moved to the back bench?

Mr Michael Daley: Point of order: The member for Toongabbie and the member for Liverpool are in a briefing being given at the Attorney General's office that we requested and the Leader of the House was good enough to organise. Once again, they are cheap stunt merchants.

The SPEAKER: There is no point of order. The Premier has the call.

Mr BARRY O'FARRELL: The member for Toongabbie is back. What is the number? Have you got a quorum yet? Just over a week ago the High Court made a decision in relation to Queensland's outlaw motorcycle gang laws. An article in today's Brisbane *Courier-Mail* shows the import of those laws because bikies are saying they are worried about the laws that were passed by the Queensland Parliament. Those laws are bad news for outlaw motorcycle gangs in Queensland and those laws are coming to New South Wales. Today I can announce that the New South Wales Government will introduce a bill immediately after question time that replicates the Queensland criminal organisations legislation in relation to declarations. [*Extension of time granted.*]

We will replicate the Queensland criminal organisations legislation in relation to declarations and we will retain the remainder of the current New South Wales model. We are determined to get these tough new laws in place. We have done what is prudent. We have followed the advice of the Commissioner of Police, waited for the High Court ruling and, as foreshadowed by the Attorney General last year, made adjustments to our legislation in light of that ruling. Now it is time to get on with the job of further supporting police. I intend to have these laws passed by Easter. The real question is whether the bikies' BFF, their best friend Labor, is prepared to support us. They have been asking for these laws and there is now no excuse not to pass these laws, which should be in place by Easter, given their rhetoric over the past two weeks.

I am not sure who will be Prime Minister by five o'clock, but I do know that the Prime Minister is talking about national uniform legislation to deal with this issue. That is something she refused to do when it was raised by me last year. The Prime Minister, whoever it is at the end of today, first and foremost needs to tighten up Customs protections in this country. The Federal Government must reverse the cuts it has made to Customs. It needs to reverse the appalling statistic that less than 10 per cent of air cargo is inspected. When the Howard Government left office 60 per cent of air cargo was inspected. That is important because last year New South Wales police—not Federal Police, not Customs—intercepted 220 Glock pistols being imported through the mail into this State. These pistols would have found their way on to the streets of Western Sydney. The Federal cuts must be ended. We need to pass this legislation and continue to support the police and courts in relation to outlaw motorcycle gangs.

CITYRAIL SERVICES

Ms TANIA MIHAILUK: My question is directed to the Minister for Transport. Given there have been nine major CityRail incidents in eight weeks, including a train stuck in the tunnel at Museum station yesterday and trains delayed across the network this morning, how can the Minister say she is fixing the trains?

Ms GLADYS BEREJIKLIAN: I thank the member for her question because it causes us to reflect on the Opposition's record in government, the legacy we inherited and our achievements in under two years. The Government is halfway through its first term in office.

[*Interruption*]

The SPEAKER: Order! The member for Canterbury will cease interjecting.

Ms GLADYS BEREJIKLIAN: For at least the last few years they were in office they were not governing for the people of New South Wales. The Leader of the Opposition was the Minister for Transport but

he was too obsessed with other matters to be bothered about fixing trains. When we inherited the transport network just under two years ago there were at least 150 incidents across the rail network on a daily basis, there were more than 4,000 middle managers in RailCorp and there were no police on the transport network. Commuters could not get mobile phone reception in tunnels.

Ms Linda Burney: Point of order: It relates to Standing Order 129. The question is about what the Minister is doing—

The SPEAKER: I know what the question is about. There is no point of order. The Minister is being relevant to the question asked. The member for Canterbury will resume her seat.

Ms GLADYS BEREJIKLIAN: Whilst commuters were suffering on the transport network, did they increase services? No, they did not. They cut 416 daily rail services. That is more than 2,000 every week. I often receive letters from members opposite about air conditioning on trains. When the Leader of the Opposition was transport Minister he continually issued press releases about the Waratah carriages. The Labor Party promised to deliver all of them by 2010. How many did we get by the time it left office? None. I could dwell on its appalling record all day long, but members want to hear about what this Government is doing. Since we have been in government we have tidied up the Waratah project. Now more than 30 new fully air-conditioned trains are on our network. They could not deliver a single one. The Opposition cut services when it was in government. We have increased the frequency of trains by more than 100 weekly services, and many of those services are during peak hours on the Western line.

Mr Richard Amery: Point of order: I know it may be ruled that the Minister is being relevant under Standing Order 129, but I refer to Standing Order 130. The Minister is now giving a broad transport speech when the question was specifically about train services.

The SPEAKER: There is no point of order. The Minister is answering the question.

Ms GLADYS BEREJIKLIAN: They do not like to hear the truth because they did not deliver any of these services and improvements for commuters. I have not even started on our projects. Do members remember the 12 different rail lines the Opposition was going to build? How many did they build? None. Instead, they wasted half a billion dollars on the CBD Metro and about \$100 million on the Tcard. They could not get a single thing right.

Dr Andrew McDonald: Point of order: My point of order relates to Standing Order 59, tedious repetition.

The SPEAKER: I remind the member for Macquarie Fields of my comments last week on this matter. The Minister is answering the question that was asked of her.

Ms GLADYS BEREJIKLIAN: They ask the questions but they do not like the answers. I hope I get an extension because I have more to say. We are delivering on transport projects: the North West Rail Link, tick; the South West Rail Link, tick; and light rail all the way to Randwick, tick. I dug up a letter that the member for Maroubra, Mr Middle Manager, had written to me about extending the light rail network.

Ms Tania Mihailuk: Point of order—

The SPEAKER: Order! I hope the point of order is not in relation to relevance because the Minister is answering the question.

Ms Tania Mihailuk: It is relevance pursuant to Standing Order 129. I specifically referred to the train being stuck at Museum yesterday and the delays this morning and asked how is the Minister fixing the trains?

The SPEAKER: Order! The member for Bankstown will resume her seat. The member for Bankstown asked how the Minister was fixing the trains and she is answering that question. The Minister's answer is relevant.

EARLY CHILDHOOD EDUCATION

Mr DOMINIC PERROTTET: I direct my question to the Minister for Education. How is the Government helping to make preschool more accessible and affordable for New South Wales families?

Ms Carmel Tebbutt: Why didn't you debate our motion yesterday?

Mr ADRIAN PICCOLI: Did the Opposition move a motion yesterday?

Ms Carmel Tebbutt: Yes.

Mr ADRIAN PICCOLI: Like 99 per cent of the State, I did not notice. I will have to read *Hansard*. I am unaware that the Opposition said anything about early childhood yesterday. Why would it start now after 16 years? Today I had the pleasure of being in the electorate of Coogee with the excellent local member to announce some great news for New South Wales families. We all know about the cost-of-living pressures being experienced by families across this State, particularly because of the high cost of preschool and long day care. I have two children in the early childhood sector, so I know about the daily grind and the cost of sending them to long day care and preschool. It was great to be able to announce that this Government will spend \$20 million this year to reduce preschool fees. That will mean an average reduction in fees of 26 per cent. That is great news for the people of New South Wales.

I know that this issue is close to the hearts of all members and it gives me enormous pleasure to inform the House that in regional areas preschool fees will be reduced by up to 52 per cent. Coalition members will be able to say they were members of a government that reduced preschool fees by up to 26 per cent across the State and 52 per cent in regional areas. They are averages, and I will provide the House with some examples of the reductions. I know that the Premier loves talking about the opal and the diamond of the west, but we have our own topaz of the west, the member for Murray-Darling—it is the best I can come up with. Preschool fees in Broken Hill will be reduced by up to 54 per cent and Wentworth families will enjoy fee reductions of up to 100 per cent—that is, they will pay no fees at all. Bourke families will also pay no preschool fees.

Walcha families will pay \$2, Uralla families will pay \$3, Berrigan families will pay \$5, Guyra families will pay nothing, Glen Innes families will pay \$1 and Walgett families will also pay only \$1. These are some of the most disadvantaged communities in the State. It was great to be able to make that announcement. These reductions are part of the Government's reform of the early childhood sector. Responsibility for early childhood education was moved from the Department of Community Services to the Department of Education and Communities, where it sits more neatly, in response to repeated requests from the early childhood sector that were ignored by the former Labor Government. The Government also commissioned Professor Deborah Brennan to examine the way in which preschool education and early childhood education are funded.

Ms Carmel Tebbutt: You waited.

Mr ADRIAN PICCOLI: Yes, the Government did wait after receiving the report to get the final details about funding from the Commonwealth Government. That funding was delivered three weeks ago, although it was due to be delivered in August last year. These fee reductions could have been introduced earlier, but we cannot spend money until we have it in the bank. Members opposite should tell the Commonwealth Government to pay its bills on time.

Ms Carmel Tebbutt: Why don't you give it credit for that?

Mr ADRIAN PICCOLI: If the member had been at the press conference instead of having morning tea, she would have heard me giving the Commonwealth Government credit. Along with the New South Wales Government, it is a significant investor in early childhood education, and I have never made a secret of that. We support any Commonwealth Government initiatives designed to ensure we have quality centres like the KU Randwick Coogee Preschool that we visited this morning. The Brennan review was released today and I am pleased to say that the Government has accepted almost all of Professor Brennan's recommendations. The two that it is not accepting have been implemented in the Commonwealth Government reforms already.

To all intents and purposes, the Government will be adopting all of the recommendations as it develops the new funding models for preschools and early childhood centres this year. It is essential that that be done; it was long ignored by the former Labor Government. The next payment under the national partnerships agreement is due in June and I expect to receive it. We will be able to use that money to continue to support fee relief over the next few years. The reduced fee schedule will be introduced at the beginning of term two. As soon as we receive the money we will spend it on fee reductions because that is what the people of this State deserve.

POLICE TRANSPORT COMMAND

Mr RICHARD AMERY: I direct my question to the Minister for Transport.

Mr Brad Hazzard: Really?

Mr RICHARD AMERY: "Chainsaw" Tink did it better. Given that two brothers were seriously assaulted on a western line train last month, forcing their mother, Patricia Hooker, to start a campaign for more security on trains, why are there fewer people patrolling our trains than ever before?

Ms GLADYS BEREJIKLIAN: Every member in this place appreciates how important it is not only to feel secure on the train network but also to be secure. That is why I was very pleased in May last year to join my colleague the Minister for Police and Emergency Services in establishing the new Police Transport Command. It does not matter which party members represent, there is no doubt that nothing replaces a police presence to ensure security. Nobody has police powers but police officers; nobody acts more effectively as a deterrent than do police officers.

I remember when I made the announcement about the Police Transport Command that the member for Maroubra interjected saying that I had stolen the Opposition's policy. A few weeks earlier during a speech in this place the member for Keira said how important it was to have police on the transport network. I appreciate the member asking this question because it is important. I assure members that by the end of next year more than 600 police officers will officially patrol our train network. For the first time in the history of our State we have a dedicated Police Transport Command reporting directly to the Commissioner of Police providing security on the network. Police can travel in pairs and thereby cover a greater area, whereas transit officers traditionally travel in threes and fours.

As Minister for Transport I have read many reports about incidents that required transit officers to call in the police to resolve the situation. Having police officers on the network not only acts as a deterrent but also ensures that when incidents occur they can be dealt with quickly. It also enables police officers to be deployed where they are needed and when they are needed in response to intelligence gathering. Security is important on the transport network and that is why the Government took that important step of establishing the Police Transport Command. I empathise with anybody who has had a negative experience on the transport network because it can have a long-term impact. A close friend of mine experienced an incident some years ago and he often says how it has stayed with him.

This Government supports the police in the important task of maintaining security on the transport network. I am committed to ensuring that police officers are utilised as soon as possible. I take this opportunity to thank the Commissioner of Police and the Police Transport Command for the support that they have provided. In fact, if my memory serves me correctly, within six months of the establishment of the command more than 1,200 arrests had been made. I was advised during discussions about the establishment of the command that many people who evade fares or commit minor crimes on the transport network go on to be involved in more serious antisocial behaviour. I would argue that establishing the Police Transport Command is the most positive thing that has happened in this area in a long time. This is a serious issue and I do not want to be political, but I will make one political comment.

[Interruption]

Members opposite can laugh, but this is a serious issue. I know the trade union movement is not happy with my decision because it wanted to keep transit police on the network, but I will make a decision that is in the best interests of the travelling public. What is in the best interests of the travelling public is having police on the transport network. I want to send a clear message to everybody who travels on the network that safety is an absolute priority. Anyone who uses that network knows that nothing replaces a police presence. Nobody else has police powers but for the police, and we on this side of the House support that effort. I hope everybody on that side of the House does as well.

EXCESS EMPLOYEES POLICY

Mr MARK SPEAKMAN: My question is directed to the Treasurer, and Minister for Industrial Relations. How is the Government delivering on its election commitment to reform the unattached employees list?

Mr MIKE BAIRD: I thank the member for his question and for his incredible work down in the shire, a great part of Sydney, probably the second best part of Sydney overall. There is another opportunity today to talk to the House about how the O'Farrell Government is driving the economy, improving the services and building the infrastructure that those opposite promised but we are delivering. It is great to talk about it and in doing that what has become very apparent is that there are many examples of the O'Farrell Government delivering what those opposite promised but were unable to do. This is another example we want to talk about today. As the Minister for Transport said earlier, we are going to put taxpayers' interests first. That is what is driving every decision we are making, ensuring the funds being spent are put where they are needed. One of the hallmarks of the former Labor Government was the unattached list: paying people who did not have a job. I am trying to think of an example. The Premier raised this, and the Leader of the Opposition had a heart attack—

Mr Richard Amery: Paid you and you lost \$1 billion.

Mr MIKE BAIRD: Apparently last night the member for Maroubra got a heads-up that there was a leadership challenge on, so he got out his suit and told his family he was going to go for it. He got in early for the leadership challenge—he was here by 10 o'clock.

Mr Guy Zangari: Point of order: My point of order is Standing Order 129. What the Minister is saying is clearly not relevant.

The SPEAKER: There is no point of order. The Minister will return to the leave of the question, which was about the unattached list.

Mr MIKE BAIRD: The Labor Party had a lot to say about the unattached list. In 2005 there was going to be a crackdown on the unattached list. An audit in 2006 said it had to be fixed and finally there was the big ultimatum; it was over. Morris Iemma, a former Labor Premier, said it was over. No-one was to be on the unattached list for more than 12 months. That was it. The Government was going to enforce that policy. Unfortunately those words were not followed by actions. Did the former Labor Government deliver on that? No it did not. When we came to Government we found that close to 400 people were on the list and on average they had been on the list for 3½ years. In other words, we had paid them close to \$300,000 to do absolutely nothing—that is the challenge we face. Thinking about the unattached list and today's events, I cannot help but reflect that maybe the Prime Minister could be on that list by the end of the day and I do not know who else. It would be a shame if Swannie was on that list—no, not really. I do not know who would be Treasurer in the new Government. It could be Albo; I like Albo.

Mr John Robertson: Point of order: I waited in the hope that the Treasurer would come back to the leave of the question after he had strayed.

The SPEAKER: The Treasurer did return to the leave of the question.

Mr John Robertson: He then wandered away again. I would ask that you do draw him back to the leave of the question.

The SPEAKER: He has only just wandered away. The Treasurer did return to the leave of the question and talk about unattached lists.

Mr John Robertson: I thought he might be getting lost, that is all.

The SPEAKER: I think the Treasurer is just being humorous.

Mr MIKE BAIRD: The other person that got quite excited over the leadership challenge was Luke Foley, a member of the upper House. As everyone might have noticed, he is on an exercise regime and his suit size is coming down.

Ms Linda Burney: Point of order: I think you should ask Mr Humphries about leadership.

The SPEAKER: The member for Canterbury will resume her seat.

Ms Linda Burney: That is who you should be asking. What is he doing to you?

The SPEAKER: The member for Canterbury does not have a point of order. The member for Canterbury will resume her seat.

Ms Linda Burney: Him and him?

The SPEAKER: The member for Canterbury will resume her seat.

Ms Linda Burney: Don't talk about me.

The SPEAKER: The member for Canterbury is on her final warning; there will be no further warnings.

Mr MIKE BAIRD: The O'Farrell Government has gotten on with the job. We have slashed that list. We have reduced the time on the unattached list to three months. If a job is available we will find one, but if no job is available, we will not provide funds for people who are doing nothing.

Ms Noreen Hay: Find a billion dollars.

Mr MIKE BAIRD: While those opposite were happy to put millions of dollars into people who were doing nothing, this Government is happy to put millions of dollars into the front line to get the services of this State running. That is a sensible responsible government. That is a stable government and we will continue to be exactly that.

FIXING THE TRAINS PROGRAM

Mr GUY ZANGARI: My question is to the Minister for Transport. Graffiti has increased by 10 per cent on the rail network and complaints about dirty trains and stations are up to double digit figures to 29,000. Why should the people of New South Wales believe that the Government is fixing the trains?

Ms GLADYS BEREJIKLIAN: At the risk of tedious repetition, I will not outline again everything we have done and continue to do in relation to fixing the trains. But I think it is very interesting—

Ms Linda Burney: We have heard it.

Ms GLADYS BEREJIKLIAN: Exactly, but you keep asking me the question, so I will keep repeating the answer. The Labor Party want us to forget what it failed to do in 16 long years. As I was reflecting on its sudden interest in public transport it allowed me to reflect on the 10 different plans those opposite announced when they were in government. Did they deliver on the Action for Transport 2010? No they did not. Did they deliver on Action for Bikes 2010? No they did not. What about the Metropolitan Rail Expansion Program June 2005? No. What about the New South Wales Metropolitan Strategy? No.

Dr Andrew McDonald: Point of order: I would like your advice on this one. I think it is 129?

The SPEAKER: I am happy to give advice to the member for Macquarie Fields.

Dr Andrew McDonald: I am uncertain whether it is tedious repetition or 129, but I think it is 129 because the question was about graffiti.

The SPEAKER: It is neither. The member for Macquarie Fields will resume his seat. The Minister has the call.

Ms GLADYS BEREJIKLIAN: I will not go through the additional plans; we will save that for later in the session. What about all those lines they promised? Remember the Bondi Beach rail link 1998, did that happen? No it did not. This is a good one. I am sure all the members representing the Hunter and Central Coast areas remember the high speed rail link to Newcastle and the Central Coast. Did that happen? No it did not. I am sure residents in southern Sydney and the inner west would remember the announcement of the Hurstville to Strathfield rail link. Remember that one? What about the high speed rail link from Sutherland to Wollongong? Did that happen?

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

Ms GLADYS BEREJIKLIAN: We remember the infamous or famous Parramatta to Epping rail link, which they promised but never delivered. I will not go over the many different iterations of the north-west rail link and the south-west rail link that those opposite did not deliver. The member for Penrith would remember in his community the Penrith fast rail link was promised in 2008.

Dr Andrew McDonald: Point of order: My point of order is under Standing Order 129. The question was about graffiti on the network.

The SPEAKER: The Minister is being relevant to the question.

Ms GLADYS BEREJIKLIAN: Let us not forget the oft-mentioned central business district to Rozelle metro. We all remember the western metro, which I think was the only occasion on which a State Government gave back money to the Federal Government because it could not even do the feasibility study. We saw what those opposite achieved in government. I referred in my last answer to the number of services we have increased in rail. We have provided 3,000 new services across the network. In relation to cleaning, I place on record how important it is for us to have a clean network.

In recent months our cleaning staff has been working under new management—something those opposite were too scared to do. Even though it has only been a short number of weeks, I am pleased to say that we are seeing a difference. Our commuters deserve better. Under the reforms of the O'Farrell Government they will continue to get better. Under those opposite commuters got nothing: fewer services, and a dirtier and less safe system. All those improvements will be made under the O'Farrell Government. We deliver; those opposite failed to deliver.

SENIORS ASSISTANCE PROGRAM

Mr CHRIS SPENCE: I address my question to the Minister for Ageing, and Minister for Disability Services. How is the Government delivering on its commitment to support seniors in New South Wales?

Mr ANDREW CONSTANCE: I thank the member for The Entrance for his question, which coincides with Seniors Week. A large number of retirees live in the electorate of the member for The Entrance. This week marks the fifty-fifth week of Seniors Week in New South Wales where some 250,000 seniors will gather together at 900 events around the State to partake in a raft of activities.

Mr Barry O'Farrell: That is why Tink is here.

Mr ANDREW CONSTANCE: That is why Andrew Tink is here, but I would not classify this as a Seniors Week activity—he did get a \$2.50 rail ticket to come here so that is something.

Mr Nathan Rees: He needs it.

Mr ANDREW CONSTANCE: Yes. Seniors Week is a wonderful opportunity for the community to celebrate. I thank all those seniors in this State who have made an enormous contribution socially, in workplaces and within the family environment. The activities of Seniors Week are spearheaded by ambassadors. In particular I thank Ita Buttrose who has lead that team of ambassadors this year. Not only is she Australian of the year but Ita is also an enormous contributor to the promotion of Alzheimer's by lobbying government for an effective response to this horrendous disease that affects so many across our community.

Seniors Week is part of an ongoing program. However, with the change of government we have set about putting in place a whole-of-government strategy around ageing. We wanted to see a better allocation of resources to seniors across a raft of government programs. Importantly, we wanted to continue to drive greater respect and dignity for our seniors. Today the O'Farrell Government launched the Elder Abuse Helpline. It is incredible to consider that some 50,000 people over the age of 65 years are subjected to some form of elder abuse, be it psychological, physical or financial across our community. Seniors organisations and associations have been calling for this hotline for a long time. In particular I thank Carers of Disabled Adults [CODA] for its ongoing lobbying and advocacy for the establishment of this helpline. The helpline's number is 1800628221.

Service organisations will be able to seek out more advice on elder abuse through the helpline but, most importantly, those many thousands of seniors who suffer in silence will now be able to get help. In some cases that will mean seniors will be directed to police, but they will be given the tools and support to cope with this

form of abuse. Sadly, a lot of this abuse happens in the family environment—all too often it centres on matters financial. The Catholic Community Services was the successful tenderer to administer the helpline. They had the infrastructure in place to get this up and going as quickly as possible. Elder abuse is a community debate that needs to be brought to the fore, and with the helpline in place people in our community will be better supported.

Through the NSW Ageing Strategy the Government is also running a number of other terrific programs to better assist and support our seniors. One such program is Tech Savvy Seniors. The program is designed to help seniors upskill in the use of technology no matter what their skill level is. Pleasingly, seniors across our community are attending community colleges to learn everything from Skype to Facebook to Twitter, as well as the basic use of internet and email technologies. These programs are being incredibly well received. I know that enormous reward was had by all who participated in Seniors Week this week. I wish everyone a happy Seniors Week.

SPORTS BETTING ADVERTISING

Mr GREG PIPER: I direct my question to the Minister for Sport and Recreation. Will the Minister undertake to look into and address the significant escalation of sports betting promotion by way of advertising and imbedded commentary that has recently become prolific during football and other sports matches televised in family viewing hours?

Mr GRAHAM ANNESLEY: I thank the member for Lake Macquarie for his question and his genuine interest in protecting not only the integrity of sport, but also those in our society who may fall victim to problem gambling—something I am sure that is a concern for every member in this House. Although I am not the Minister for Gaming—and I commend Minister Souris for the outstanding job he does in that area—the question does relate to the impact on sport so I will do my best to address it. As members may recall, in my inaugural speech I raised concern about the enormous growth of exotic forms of gambling on sporting events and the potentially significant threat it poses to the integrity of sport not only in New South Wales and Australia but around the world.

I want to reassure members and the people of New South Wales that the advertising of gambling services in sport, other than the racing industry of course, and in particular the promotion of live odds during sporting broadcasts, is a significant concern for not only me but also the community in general. Whilst the area of television advertising in sport is primarily a Commonwealth responsibility under the Broadcasting Services Act 1992, State and Territory governments have a responsibility to work with the Commonwealth to ensure that we have a suitably regulated national environment. I can advise members that the New South Wales Government has shared research findings with the Council of Australian Governments Select Council on Gambling Reform that confirmed the potential harmful effects of this form of advertising in broadcasts, particularly for young people who are significantly influenced by advertising associated with their favourite media or sporting personalities.

Over the past few years a trend has developed where more and more broadcast time during sporting telecasts is being devoted to gambling advertising. Whilst not illegal, the objective is clearly to promote gambling on sport as a more mainstream activity. Whilst most people will gamble responsibly, the increasing level of in-broadcast advertising has the potential to negatively influence the vulnerable and those under age in an adverse and subliminal manner. In my perfect world there would be no gambling on sport other than the racing industry, which was clearly established for that purpose. However, I am not naive enough to think that is a realistic option, as history has demonstrated that prohibition is generally unsuccessful and only drives these types of activities underground.

It is important to remind members that at the request of New South Wales and other State and Territory governments, the Commonwealth agreed to address this issue back in 2011. The subsequent result was an announcement by the Federal Government in June last year that it had secured an agreement with commercial and subscription broadcasters to reduce and control the promotion of live odds during sports broadcasts. I will leave it to members to judge the success of that agreement to this point. However, I am advised by Minister Souris that the Government looks forward to reviewing the findings of the Joint Select Committee on Gambling Reform which is currently examining the issue and is due to report in May 2013.

It is important to remember that through the Responsible Gambling Fund the New South Wales Government provides more than \$12 million a year for counselling and support services. This includes provision of gambling help services at more than 200 locations across the State, funding for a 24-hour gambling helpline,

awareness and education programs, and support for research at both State and Commonwealth levels. To highlight the potential problems associated with sports gambling I draw members' attention to the current Australian Crime Commission investigation into the alleged relationships between professional sports, prohibited substances and organised crime. Last month I attended a meeting of Federal and Territory sports Ministers at which I was briefed about the investigation.

The potential of match fixing for gambling purposes is something that is a real threat and has already occurred overseas, and sadly also in this country. So the problems associated with sports gambling cannot be ignored. It is important to acknowledge that the O'Farrell Government has been proactive in protecting the integrity of sport and in fact led the way as the first jurisdiction in Australia to introduce legislation, with the Crimes Amendment (Cheating at Gambling) Act 2012, establishing offences for match fixing. I thank the Attorney General and Minister Souris for their support in making that a reality. I assure the people of New South Wales that the O'Farrell Government will continue to work with our State, Territory and Federal counterparts to do everything possible to protect the integrity of sport and the wellbeing of the community.

STATE LEGISLATION REFORMS

Mr DARYL MAGUIRE: My question is directed to the Minister for Fair Trading. What action is the Government taking to ensure a fair and transparent marketplace in New South Wales?

Mr ANTHONY ROBERTS: I thank the member for Wagga Wagga for the question and I applaud his interest in ensuring that New South Wales consumers and businesses are able to operate with confidence in the marketplace. I pay personal tribute to the member as not only a fine member of Parliament but also someone who stands up for small businesses in his electorate. Upon coming to office the O'Farrell-Stoner Government immediately embarked on a wide-ranging fair trading reform agenda to overhaul and modernise the State's consumer affairs legislation. This ongoing process has continued and will continue to ensure that markets and communities in New South Wales prosper through empowering and protecting consumers whilst engaging and enabling business.

This Government is one of delivery, and in two short years we have strengthened and focused the State's marketplace watchdog and taken significant steps towards simplifying and improving the laws that govern people's everyday lives. In 2011 the O'Farrell-Stoner Government re-established the position of Commissioner for Fair Trading, bringing leadership back to a department that had been torn apart piece by piece and systematically undermined and sidelined by Labor. We have overhauled and realigned Fair Trading's intelligence and enforcement divisions, creating new and improved links with the police to protect the integrity of the marketplace and prosecute those who break the law. These reforms have already delivered results for the people of this State, with Fair Trading and the police only this week cooperating to achieve the largest seizure of counterfeit goods in Australian history.

I can inform the House that as of late last night Fair Trading officers were still removing some of the tens of thousands of goods seized from the warehouses targeted, some two days after the operation began. This demonstrates the scale of the criminal enterprise that has been smashed as a direct result of our changes to the way that our enforcement divisions operate. We have led a national strategy to stamp out travelling con men, to protect New South Wales communities from criminal operators who take hundreds of millions of dollars from vulnerable residents. And, in conjunction with the police, we have introduced measures to regulate the tattoo parlour industry to tackle organised crime and shut down the ability of outlaw motorcycle gangs to use tattoo parlours as fronts for illegal activity.

This Government's successes in protecting both consumers and businesses are equally matched by its achievements in simplifying, promoting and enabling their everyday interaction within the marketplace. We have reformed the Home Building Act with a series of amendments to reduce red tape and stimulate economic investment in the short term. And we have committed to a complete review of the Act to enable the housing construction industry to get on with the job of building new homes, employing more workers and driving growth in our State. We have reformed petrol price signage regulations to introduce transparency into the marketplace and empower motorists when purchasing fuel, one of the biggest expenditures in the everyday household budget. Once fully implemented, in September this year, this reform will ensure that motorists know the actual price for fuel before they roll up at the pump. This will give them the power to make an informed choice on where they wish to go to make their purchase, promoting competition in an industry in which we can all agree it is desperately needed.

We have reformed plumbing and drainage laws to simplify the system and create a single regulator. We have reformed agricultural tenancy laws to improve dispute resolution. We have reformed cooperatives laws to introduce a national standard. We have reformed laws governing property agents to reduce red tape and assist businesses in New South Wales to grow. And we have recently introduced measures to prevent children falling from windows in strata buildings, something that can cause serious injury and even death, and which this Government's actions will prevent. For 16 years Labor governments did nothing—so Opposition members should be quite.

Upon coming to office we met an election commitment by establishing a statewide register of residential parks, and we are well on our way to fulfilling another commitment with the imminent release of a draft bill as part of our complete rewrite of the existing Residential Parks Act. I am happy to let the House know that shortly we will meet another election commitment with the imminent release of a standard contract for retirement village residents. This will bring long-awaited certainty for older people and their families when determining their future living arrangements. I thank particularly the member for Albury for his fine work in this area in opposition. [*Extension of time granted.*]

In addition to these important reforms, the O'Farrell-Stoner Government has been active in assisting those less fortunate in our community, by providing some \$18 million over three years for financial counselling services. This is in addition to a further \$6 million over three years for the provision of no-interest loan schemes. This represents the biggest funding allocation for these vital services in their history, and is a clear indication of the Government's commitment to ensure that people are able to deal with increasing cost-of-living pressures. This is a Government of action. This is a Government with a strong team—

The SPEAKER: Order! Opposition members will cease interjecting.

Mr ANTHONY ROBERTS: They cannot come to terms with the words "good" and "strong" being associated with government; they have not yet had to deal with that. I repeat: this is a Government with a strong team, a strong Premier who is delivering to the people of New South Wales. It is a Government that is fulfilling the trust placed in it by the people of this State two years ago. Under the O'Farrell-Stoner Government consumers and business in New South Wales know that they are being listened to; and that this Government is delivering the change they have been waiting for for so long. I thank the member for his intelligent question.

SYDNEY HARBOUR CROSSING TOLL

Mr BARRY O'FARRELL: In response to a question directed to me earlier today I note that today is Harmony Day, which should be noted, at least in this Parliament. To assist customers who were stuck in traffic due to the closure of the tunnel Roads and Maritime Services reset the time-of-day toll so that customers travelling through the tunnel or over the bridge will be charged a toll of \$2.50 rather than the usual \$4.00 up until 9.30 a.m. Happy Harmony Day, folks.

Question time concluded at 3.17 p.m.

PUBLIC ACCOUNTS COMMITTEE

Government Response to Report

The Clerk announced receipt of the Government Response by the Premier to Report 5/55 of the Public Accounts Committee entitled, "Report on the examination of the Auditor-General's Performance Audits September 2010-February 2011", received on 20 March 2013.

PETITIONS

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

Albion Park Aeromedical Services

Petition requesting the retention of aeromedical services at Albion Park, received from **Mr Gareth Ward**.

Sydney Electorate Public High School

Petition requesting the establishment of a public high school in the Sydney electorate, received from **Mr Alex Greenwich**.

Rooty Hill Railway Station Access

Petition requesting the installation of elevators at Rooty Hill railway station, received from **Mr Richard Amery**.

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 **Mr Alex Greenwich**.

Inner-City Social Housing

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

Pet Shops

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

Duck Hunting

Petition requesting retention of the longstanding ban on duck hunting, received from **Mr Alex Greenwich**.

Container Deposit Levy

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

PUBLIC ACCOUNTS COMMITTEE**STATE AND REGIONAL DEVELOPMENT COMMITTEE****STANDING ORDERS AND PROCEDURE COMMITTEE****Membership****Motion by Mr Brad Hazzard agreed to:**

That Gregory Michael Piper be appointed to the :

- (1) Public Accounts Committee in place of George Richard Torbay, resigned;
- (2) State and Regional Development Committee in place of George Richard Torbay, resigned; and
- (3) Standing Orders and Procedure Committee in place of George Richard Torbay, resigned.

CRIMES (CRIMINAL ORGANISATIONS CONTROL) AMENDMENT BILL 2013**Discharge of Order of the Day and Withdrawal of Bill**

Order of the day discharged on motion by Mr Brad Hazzard.

Bill withdrawn on motion by Mr Brad Hazzard.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Order of Business**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.21 p.m.]: I move:

That standing and sessional orders be suspended to:

- (1) permit the passage through all stages, at this or any subsequent sitting of the Crimes (Criminal Organisations Control) Amendment Bill 2013, notice of which was given this day; and
- (2) postpone the discussion on the 10,000 signature petition until the conclusion of consideration of the Crimes (Criminal Organisations Control) Amendment Bill 2013.

It is my intention that the Crimes (Criminal Organisations Control) Amendment Bill 2013 will be dealt with through all stages this afternoon. I am aware that the member for Marrickville has some members of the community coming in at 4.30 p.m. for a debate on a petition in relation to TAFE teachers. I hope that we will be able to deal with this matter by that time but, if not, the effect of the suspension of standing orders will be to postpone that petition deliberation until the conclusion of Government Business, being the Crimes (Criminal Organisations Control) Amendment Bill 2013.

The Crimes (Criminal Organisations Control) Amendment Bill 2013 is of great importance to the New South Wales community. It does deserve precedence. On 2 April 2009 the then Premier, Nathan Rees, also suspended standing orders to pass the equivalent of the legislation at that time to try to address the issues. He stated that there were "frequent shootings in public streets". He also stated, "These criminal activities include drug trafficking, money laundering, extortion, bribery, tax evasion and illegal gambling". Those are the issues that we are now left to deal with, as the previous legislation did not adequately address them. That is the reason that the Government now seeks to pass this bill as quickly as possible.

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

Motion agreed to.

CRIMES (CRIMINAL ORGANISATIONS CONTROL) AMENDMENT BILL 2013

Bill introduced on motion by Mr Greg Smith, read a first time and printed.

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [3.24 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Crimes (Criminal Organisations Control) Amendment Bill 2013. In recent years States and Territories around Australia have recognised the growing threat of criminal organisations by passing legislation aimed at disrupting their activities. The prevailing model has been legislation under which an authority, usually a Supreme Court judge acting in his or her personal capacity or the Supreme Court itself, can declare an organisation to be a criminal organisation. Control orders can then be made against members of declared organisations which limit their ability to associate and to participate in high-risk industries. New South Wales was among the first to introduce such legislation.

While legislation of this kind is relatively new, it already has quite a story. Part of the South Australian legislation was successfully challenged in the High Court in 2010. The New South Wales Crimes (Criminal Organisations Control) Act 2009 was ruled invalid on different grounds in 2011. The South Australian Act has since been amended to repair the constitutional faults identified by the High Court. The New South Wales Act was repealed and replaced with modified legislation. Most recently the Government introduced the Crimes (Criminal Organisations Control) Amendment Bill 2012. It included a number of amendments to improve the operation of the Act. It also introduced mutual recognition provisions, allowing interstate declarations and orders to be given force in New South Wales, and vice versa.

At the time the bill was introduced the Queensland organised crime legislation was being challenged in the High Court by the Gold Coast chapter of the Finks Motorcycle Club. The Finks sought to impugn the constitutional validity of the provisions of the Queensland Act. Anticipating that the High Court's decision

would once again have an impact on declaration-based legislation Australia wide, the Government decided not to progress the bill before Parliament until the High Court's decision had been handed down. That decision was correct. The High Court handed down its decision on the Queensland legislation on 14 March 2013. The High Court rejected the Finks challenge to the provisions in question, making the Queensland Act the first of its kind in Australia to have withstood constitutional challenge. The Crimes (Criminal Organisations Control) Amendment Bill 2013 proposes to adopt those aspects of the Queensland model which were considered and upheld by the High Court.

I now turn to the detail of the bill. First, the declaration of a criminal organisation will now be made by the Supreme Court of New South Wales itself rather than an eligible judge of the Supreme Court. The test to obtain a declaration is also being modified. Under the existing test an eligible judge must be satisfied that members of the organisation associate for the purpose of engaging in serious criminal activity and that the organisation poses a risk to public safety and order in New South Wales. The court will now need to be satisfied that members of an organisation in New South Wales associate for the purpose of serious criminal activity and the continued existence of the organisation is an unacceptable risk to the safety, welfare or order of the community in New South Wales. This test represents a hybrid of the test proposed by the 2012 bill, as well as adopting the "unacceptable risk" test used in Queensland and approved by the High Court.

The amended test makes it clear that the police commissioner can seek a declaration in respect of an organisation that has a national or global presence. The application will be based on the activities of the people we are concerned about, being the organisation's members within New South Wales. The bill proposes that the detailed Queensland mechanisms relating to criminal intelligence be adopted in New South Wales. The provisions relating to the use of criminal intelligence are contained in section 28 of the existing New South Wales Act. It provides that the commissioner may classify information as criminal intelligence where its disclosure may prejudice criminal investigations, risk disclosing the existence or identity of a confidential informant, or endanger a person's life or safety. In New South Wales, if the determining authority is satisfied that the commissioner has correctly classified information as criminal intelligence, confidentiality is to be maintained in relation to such information, including hearing the information in private, in the absence of the respondents to applications.

The New South Wales legislation will now be brought in line with Queensland provisions which have withstood challenge in the High Court. Under the new criminal intelligence model the police commissioner will make an application to the Supreme Court to have material declared to be criminal intelligence. It will effectively create a three-stage model, where the first stage will be to seek a criminal intelligence declaration, and the second and third stages will be the declaration and control order proceedings in which the criminal intelligence material will be used. Importantly, the provisions continue to safeguard people who, by coming forward, put their lives at risk. The new part will provide that information before the court need not reveal the informant's identity and, if criminal intelligence is being considered, the court must order that part of the hearing be closed. The part also creates an offence of unlawfully disclosing criminal intelligence, with a maximum penalty of \$11,000 or imprisonment for 12 months, or both.

Third, the bill introduces provisions to allow a criminal intelligence monitor to have a role in the proceedings. The function of the criminal intelligence monitor will be to monitor each criminal intelligence application, as well as declaration and control order proceedings. The monitor will be provided with all materials relevant to applications, and test and make submissions to the court about the appropriateness of such applications. In discharging this function the monitor will be permitted to examine or cross-examine witnesses, and make submissions to the court about the appropriateness of granting the application. A provision will be inserted which will allow for regulations to be made to appoint a person as a criminal intelligence monitor.

While the High Court's decision on the Queensland legislation did not focus on the existence of the Criminal Organisations Public Interest Monitor, as the position is known under the Queensland Act, the monitor's role was described as one aspect which tended to support the validity of the Act. Consequently the bill proposes to adopt this mechanism in New South Wales. The remainder of the bill contains those provisions previously introduced under the 2012 bill in November 2012 which remain necessary and have not been subsumed in the amendments outlined above. I refer members to *Hansard* for details of those provisions.

Mr PAUL LYNCH (Liverpool) [3.32 p.m.]: The Opposition supports what the Government says it is going to do. We do not oppose the Crimes (Criminal Organisations Control) Amendment Bill 2013. I do not say that we support the bill, because we have not had time to read it yet—we got it an hour and a quarter ago—but if the bill does what the Government says it does we will be quite happy to support it. It seems to me there are two

parts to the bill. One is incorporating the provisions that were in the 2012 legislation, such as providing for declarations of criminal organisations to be in force for five years instead of three years, redefining serious criminal activity consistently with the definition of serious criminal offence within the meaning of the Criminal Assets Recovery Act, and providing for recognition and enforcement in New South Wales of comparable declarations and orders made in other States and Territories in relation to criminal organisations and their members. Those provisions were contained in the 2012 bill, which was withdrawn a moment ago, and they are certainly entirely unobjectionable.

The other core of this bill as I apprehend it in the hour and a quarter I have had to take a quick look at it is to incorporate the Queensland model into New South Wales legislation. The logic of that, I have to say, is elegant and sensible. The Attorney has adverted to a series of High Court challenges to this type of legislation around the country. If we have a model that we know the High Court supports there is some logic in adopting that in this State. The logic of that is quite clear. Interestingly, the Queensland model that we are introducing involves a monitor—a public interest monitor in Queensland and a "criminal intelligence monitor" I think is the phrase here. Curiously enough, one would think that creates more protections for criminal organisations and provides more regard for due process. That must I think follow from changing the system so that applications are made to the court rather than to an eligible judge. You cannot make applications to the court without a high level of regard to process and appropriate principles, and the monitor does that. But, as I say, the ironic aspect of that is that it provides greater protection to criminal organisations.

I note in passing that the Queensland public interest monitor also has a role in counter-terrorism matters, and I would be interested in due course if the Attorney proposes to expand the criminal intelligence monitor model here to involve counter-terrorism cases as well. That is not directly relevant here but it is an interesting aspect, because the models are very similar. Granted the extraordinary number of legal challenges, it is a logical step to adopt in this State a model that has been supported by the High Court. In that sense we would have absolutely no difficulty with what is being proposed. The original legislation was introduced by a Labor Government. We are entirely committed to this legislation being implemented, working and being used. That can only be assisted by adopting the most challenge-proof model, if I can use that term, that can be found. As I indicated, we do not oppose the bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [3.36 p.m.]: The Crimes (Criminal Organisations Control) Amendment Bill 2013 is a very important piece of legislation introduced by the Attorney General. As members know, recently the High Court upheld the validity of the Queensland Criminal Organisation Act 2009 and said that the provisions in the law were "not inconsistent with the institutional integrity" of the Queensland Supreme Court. The court held that, while the provisions may depart from the usual incidents of procedure and judicial process, the Supreme Court nevertheless retains its capacity to act fairly and impartially—according to an extract from the judgement.

As the Attorney General indicated, there are some amendments. The most significant of those are: first, the declaration of a criminal organisation will now be made by the Supreme Court of New South Wales rather than an eligible judge of the Supreme Court. Secondly, the bill adopts the detailed mechanism contained in the Queensland legislation relating to the use of criminal intelligence in proceedings. In New South Wales this is currently achieved by a single section, section 28 of the Crimes (Criminal Organisations Control) Act. The bill will amend the Act to include a new part dealing solely with the issue of criminal intelligence. The more significant difference after amendment will be that the commissioner will need to make an application to the Supreme Court to have the information declared as criminal intelligence. Under the existing provision the commissioner classifies information to be criminal intelligence, although the determining authority must be satisfied that the information has been correctly classified as such. The bill also creates an offence of unlawful disclosure of criminal intelligence, with a maximum penalty of \$11,000 or imprisonment for 12 months or both.

Thirdly, the bill introduces provisions to allow a criminal intelligence monitor to monitor each criminal intelligence application as well as declaration and court control order proceedings in order to make submissions to the court regarding the appropriateness of such applications. The monitor will be provided with material relevant to the application and test and make submissions about the application. The bill also contains amendments which were introduced under the Crimes (Criminal Organisations Control) Amendment Bill 2012 and which remain necessary. That bill was introduced in November 2012 but did not progress pending the outcome of the High Court decision. These include amendments that provide for mutual recognition of interstate declarations and control orders. That is extremely important particularly in my area, which borders Queensland. They elaborate on the facts about which the court must be satisfied before making a declaration, redefine serious criminal activity so it is consistent with the definitions in the Criminal Assets Recovery Act 1990, and extend the duration of declarations from three to five years.

The bill does not contain amendments relating to the powers of the eligible judge. These are no longer necessary as the declaration is made by a court. It will also no longer contain the proposed section 20A. The 2012 bill provided that the reasons of the eligible judge could be used as proof of certain things on application for a control order. This provision is no longer necessary as both applications are before a court and the bill adopts the Queensland provisions surrounding the use of statements in affidavits based on information and belief. Under the Queensland provisions and under the 2013 bill, such statements may be admitted, despite the hearsay rule, subject to the ordinary rules and inherent jurisdiction of the court. This is an extremely important bill. There is no opposition to this bill from members on the other side. The wider community is sick and tired of what has been occurring on the streets. This is a fine example of the New South Wales Government taking back control of the streets. I commend the bill to the House.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.41 p.m.]: I speak on the Crimes (Criminal Organisations Control) Amendment Bill 2013. As the shadow Attorney General has advised, the Opposition will support this bill provided it achieves the outcome set out by the Government. It is pleasing to finally see the O'Farrell Government move to do something about gangs in New South Wales. For almost two years we have seen gun crime and, in particular, drive-by shootings spiralling out of control. There have been 210 shootings since Barry O'Farrell became the Premier of New South Wales on 26 March 2011. Since October last year there have been eight fatalities. The worrying part, considering this Government has been so slow to move on this legislation, is that we have seen a growth in the culture of gun crime. Young men think if they have a dispute they can dispense their own form of justice down the barrel of a gun.

Day after day I have been pressing the Government to do something about gun crime. I have walked down the streets where these shootings have been occurring and spoken to the residents. In January last year when I was walking around the streets of Yagoona I spoke to an Asian woman in her eighties who said that she goes to bed at night terrified. She is worried about what is happening in her street because guns have been fired and there have been drive-by shootings. When these drive-by shootings first started, people drove down streets and sprayed houses with bullets. It then escalated to the point that people were appearing in our hospitals with gunshot wounds to the leg, to the arm or elsewhere on their body. It further escalated to the point of fatalities. The latest fatality occurred on Friday night when a young man was gunned down in Wilbur Street, Greenacre.

Last Saturday morning I walked down Wilbur Street in Greenacre and I spoke to the residents. I asked them how they felt about their street being one of the many streets where guns are fired and people are killed. The point that was made clear to me last Saturday, and every time I have walked around these streets, is that residents are living in fear. They feel that nothing is being done, and they are right to feel that way because this Government has been dragged kicking and screaming to introduce this legislation. The Government has finally been forced to do something about drive-by shootings in the streets of western and south-western Sydney. We have named and shamed the Government into doing something about gun crime. The Government has made announcements, but it has not set up a task force or implemented targeted policing.

The Government has said police will be available to conduct investigations but it has not delivered the resources that are required to focus on this issue. The Government has not offered cash rewards for information that could lead to the arrest and conviction of the criminals and thugs who carry out these attacks on our streets. To reinforce the fact the Government is not providing sufficient police resources to combat this crime, last September the Government cancelled the intake of 300 recruits at the Police Academy. By now 300 additional police officers could have been on the streets of Sydney and New South Wales and providing the service that the community expects from the NSW Police Force. The police have not been supported by this Government; they deserve to be provided with all the resources they need to deal with this issue.

Mr Geoff Provest: Point of order: My point of order is on relevance. This Government has been supporting the Police Force.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Leader of the Opposition will continue his contribution to the debate.

Mr JOHN ROBERTSON: The member for Tweed has had an opportunity to make a contribution to the debate, and it was not impressive. Let us look at the growth of gangs. The Hells Angels were recruiting schoolkids at Castle Hill shopping centre, and the Government did nothing about it. The Auditor-General revealed that on 24 August 2012 the NSW Police Force was understaffed by 943 full-time equivalent officers. No doubt the Government will argue about the statistics. I point out that the Auditor-General is independent and

his reports are regularly quoted by the Government when it suits them. When we talk about insufficient policing on our streets and the police not being adequately supported, the Auditor-General's report shows the deficiencies that exist. The Government continues to fail to address the problem of gun crime.

When the Government is being criticised for its inaction on gun crime, it blames the Federal Government. I refer to a comment by the Minister for Transport. During question time today the Minister for Transport was asked about the number of police officers on our trains and the level of protection that is provided to people using the train network. She said, "Nothing replaces a police presence." Although we welcome the introduction of these laws, the fact is that until the Government is serious about supporting police and delivering the resources they need, this problem will not be solved. When, as the Auditor-General said, the Police Force is understaffed by 943 full-time equivalent police officers and the Government refuses to target resources towards gangs and gun crime, this problem will not be solved. The fundamental problem is that the culture of gun crime in Sydney, particularly in south-western Sydney, is growing. It has been allowed to grow through the inaction of the O'Farrell Government—its inaction on outlaw motorcycle gangs, its inaction on providing police with the support they need and its inaction on putting police on the streets to target this crime.

The reason has been floated with me and it is not something that I have floated with others, but I have been known to repeat it. In the middle of last year as I walked around the streets of south-western Sydney a local resident told me that if this were happening on the North Shore police resources would be thrown at it. Tragically, members opposite think it is one of the risks that people must accept when they live in western Sydney. This Government is led by someone who took the mantle of Minister for Western Sydney. For him, it is simply a title; it means nothing when it comes to protecting western Sydney communities. Until the Government starts recruiting police cadets and those 300 officers are put through the Police Academy it will have zero credibility on the issue of targeting police resources and dealing with gun crime in western and south-western Sydney.

Mr STEPHEN BROMHEAD (Myall Lakes) [3.50 p.m.]: I support the Crimes (Criminal Organisations Control) Amendment Bill 2013. I congratulate the Attorney General on introducing this legislation. He is well known throughout New South Wales as Action Man. We all know how tough he is on serious crime and this legislation is yet another example of that. This is another element of the suite of legislation that the Government has introduced to tackle organised crime. In the short time that the Coalition has been in government it has employed an additional 300 police officers and for the first time in its history this State has more than 16,000 personnel. The Leader of the Opposition said that there are not enough police resources. We have more police resources than ever before. That is an example of the old Labor approach of saying and doing whatever it takes. He comes into this place and lies and then issues a media release saying it is the truth.

This Government has given police additional powers to crack down on gun-related crime. It has also increased the penalties for gun-related offences. It is getting tough on serious criminals. The Government has also amended the legislation dealing with consorting to make it easier for police officers to prosecute and for courts to impose tougher penalties. Drive-by shooting penalties have also been increased and legislation has been introduced to more closely regulate the supply of ammunition. The Government has called in the New South Wales Crime Commission, which has royal commission-style powers, to compel witnesses to cooperate with investigators. It has also introduced a licensing scheme with stringent probity checks for owners and operators of tattoo parlours and banned bikies wearing their colours in 58 venues in Kings Cross. Despite the fact that it was shamefully opposed by members opposite, legislation was passed last night to stop criminals making ambush defences. The member for Maroubra has absolutely no credibility in this State or Australia.

Mr Nathan Rees: Point of order: The member for Myall Lakes well knows that assertions such as that about the member for Maroubra are out of order. Mr Deputy-Speaker, I urge you to direct him to return to the leave of the bill.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Myall Lakes will return to the leave of the bill.

Mr STEPHEN BROMHEAD: This bill includes provisions taken from Queensland legislation, which have been tested by the High Court. The High Court judgement was handed down last week. The Commissioner of Police, Mr Andrew Scipione, requested the Government to wait for the High Court's judgement on the decision in the Pompano case, and it did so. That decision has now been vindicated. The Leader of the Opposition was incorrect in saying that the Government was doing nothing; we were awaiting the High Court

judgement at the request of the Commissioner of Police. The Leader of the Opposition has no confidence in the Commissioner of Police and his officers. Since the Coalition came to office, more than 1,200 charges have been laid against 600 alleged offenders in response to drive-by shootings. That is a phenomenal result in anyone's language. As a former police officer, I know how hard it is to gather evidence, to round up criminals and to take them to court. It is disgraceful of the Leader of the Opposition to say that that is not being done.

The Queensland model that has been adopted in the New South Wales legislation provides that the Supreme Court rather than an eligible judge will make decisions on applications to declare an organisation a criminal organisation and that the Supreme Court will decide what is criminal intelligence. It also provides for the appointment of a criminal intelligence monitor to assess applications under the Act and to test and make submissions about their appropriateness by appointing a monitor to assist the court in these matters and to represent community interests. That was accepted by the High Court and that is what this Government is incorporating in its legislation. A good government relies on the advice of its Police Force and that is what this Government has done. Unlike members opposite, whose legislation was struck out by the High Court, this Government has introduced legislation that has been accepted by the High Court. I commend the bill to the House.

Mr NATHAN REES (Toongabbie) [3.52 p.m.]: I lead for the Opposition in supporting the Crimes (Criminal Organisations Control) Amendment Bill 2013. In doing so I hope I am a little less breathless and febrile than the member for Myall Lakes. I will stick to the facts and let the record speak for itself. When this Government was elected it inherited 17 out of 17 major crime categories either stable or falling. Almost two years later, five out of 17 categories are now going in the wrong direction. In addition, the Auditor-General's report reveals a shortfall of 900 police officers across the State. That is not a record of which this Government should be proud.

The chronology with regard to this legislation is important. I remember exactly where I was in May 2009 when I received the phone call informing me about the horrendous homicide that had occurred at Mascot airport involving a member of the public having his head smashed in by bikie gangs. That event precipitated urgent legislation, and the bill before the House is its latest iteration. If my memory serves me correctly, that legislation was struck down by the High Court in June 2011. It was not until February 2012 that amendments designed to remedy the rather narrow area of contention that the High Court pointed out were introduced in this place. Subsequent to that, the Government has delayed further action on the enactment of the legislation until after last week's High Court judgment with regard to the Queensland legislation.

Now, nearly three years later, not one bikie gang has been outlawed in New South Wales. While it is convenient for the Government to say that it has been waiting for the High Court challenge to be settled, the reality is that in government one either follows or leads. The need to lead on public safety is clear and unequivocal. We have had more than 200 shots in the streets of Sydney over the past couple years. On 5 March shots were fired at Glenmore Park; on 6 March shots were fired into a house at Padstow; on 9 March shots were fired at industrial premises in Tucks Road, Seven Hills, which is in my electorate; on 9 March a woman in her fifties was shot in the legs on Auburn Road, Auburn; again on 9 March shots were fired into a house on Provincial Road, Auburn; on 10 March shots were fired into a house at Lansvale; and on 15 March a 25-year-old man was shot dead at Greenacre. That is to date this month and we are only two-thirds of the way through the month. I will not read onto the record the 210 other shootings that have occurred since Premier Barry O'Farrell was elected.

The existing legislation allows the Government to ban some of these gangs. The Government has dragged its feet on this issue. Despite the Government having been in office for almost two years, it has not banned one gang. The consorting legislation includes specific defence provisions if the consorting involves a family member, the operation of a lawful business or an education course. Plus there is a warning before being pinged for consorting. In addition, nearly 12 months ago the Premier said, in breathless tones, how important it was to have additional crackdowns, regulations and restrictions with regard to the purchase and sale of ammunition in New South Wales. As I understand, the relevant legislation has still not been enacted, and here we are today seeking to tweak a bit of legislation that has been in place for some years now. It comes as no surprise that strong legislation is challenged in court. The challenge for any government faced with a situation like this is to push the envelope as far as it can in order to bring the criminals to account.

Before I wind up, I want to make the very deliberate and clear point that despite the Premier's rhetorical suggestion earlier today that the Opposition was somehow the friend of the bikie gangs, I moved on the bikie gangs after a head was caved in at Mascot. I will not go into the detail of the intelligence that police were able to

pick up in relation to what gang retaliation was in store for me, but I will say that I took extremely seriously the issues that were raised by police with me arising from that intelligence. For the Government to assert in the face of harassment by criminal elements to my family after I moved on bikie gangs that the Opposition is somehow soft on these outfits is frankly beyond the pale. I have a thick skin in this place, I do not get annoyed about much but that was over the top, given the risks that have been incurred by me and my family when I took on the bikie gangs in New South Wales. The Opposition supports the bill. If it gets struck down in the High Court, no doubt we will lean towards supporting whatever subsequent amendment is required at that stage.

Mr MARK SPEAKMAN (Cronulla) [4.01 p.m.]: I support the Crimes (Criminal Organisations Control) Amendment Bill 2012. Yesterday the Leader of the Opposition asked the Attorney General: "Given that it had been one week since the Attorney General said he would study the High Court decision upholding Queensland anti-gang laws, can he now advise when his Government will finally move to ban criminal gangs in New South Wales?" The Attorney General replied by saying, "Watch this space." Twenty four hours later here it is. We are a government of action, a government that gets things done, a government that wastes no time. Within eight days of the High Court decision here we are with the bill before the House.

We are also a government that thinks before we act and before we speak. It was quite extraordinary to hear the Leader of the Opposition rave on about supposed inaction by the O'Farrell Government, given the track record of the Labor Party in government not just in this area but across the board. It was a government that spoke first about the solar bonus scheme, and it ended up in a mess later; a government that spoke first about public transport announcements, resulting in a mess later; a government that spoke first and thought later about its botched electricity privatisation; and a government that in 2009 introduced the legislation that ended up being struck down by the High Court, giving us the mess that we have had to fix with this new legislation now.

We are a government that thinks before we act. Quite appropriately, at the request of the Commissioner of Police, we have made sure that, while there are no absolute guarantees, we have done as much as possible to ensure the constitutional validity of the legislation that we are now bringing before the Parliament by waiting for the High Court decision on the Queensland legislation and modelling it on that. That is what this Government does. This Government acts swiftly, as soon as the opportunity arises, but acts in a considered, thoughtful, methodical way, unlike the constant mess we saw from those opposite across all areas of public policy, including the control of bikie gangs.

We are a government that is not just introducing this bill today but has consistently, over our first two years in office, acted to give police the resources and the powers they need to combat crime, including bikie crime in New South Wales. We are a government that has introduced stringent licensing screening for tattoo parlours, introduced royal commission-style powers to compel witnesses to cooperate with investigators, legislated to tighten the supply of ammunition, toughened drive-by shooting penalties, given police additional powers to crack down on gun-related crime and employed 300 additional police over our first two years. We are a government that has been active in fighting gun-related crime, bikie crime and crime generally. We are a government that has thought before it acted. This legislation is modelled on the Queensland legislation. In particular there will be provisions that will give the community confidence that this is not just a law and order option but due process will be followed.

Following the Queensland model, a Supreme Court rather than an eligible judge will make decisions on applications to declare an organisation a criminal organisation. The Supreme Court will decide on the criminal intelligence. A criminal intelligence monitor will be appointed to monitor applications under the Act, to test them and to make submissions about their appropriateness by appointing a monitor to assist the court in these matters and represent community interests. It is an appropriate balance. We need to take action, and we are taking action. We are taking it in a thoughtful, methodical way and in a timely fashion. We are bringing this legislation now so we can try to get it enacted before Easter—all within eight days of getting the tick of approval from the High Court on the Queensland legislation that we are following. It is swift action by the Government. I commend the bill to the House.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [4.05 p.m.]: I thank the members for the electorates of Liverpool, Tweed, Blacktown, Myall Lakes, Toongabbie and Cronulla for their contributions to the debate. I will comment on some issues raised in the debate. The Leader of the Opposition spoke about shootings and fatalities and pointed out that residents were saying that they lived in fear. That is exactly why we are proceeding with this legislation. That is exactly why we proceeded with the right to silence legislation, which they vigorously opposed. Indeed, I understand in the other place every member of the Labor Party spoke against that bill.

They are not prepared to give police extra powers in relation to clever criminals with clever lawyers who can come up with ambush defences, but they can come in here and criticise. Let us face it, their legislation was found wanting by the High Court. We supported it at the time. We warned it was rushed at the time, but we supported it. It was rushed through on the basis that it was urgent. They had to get an application in urgently. Next thing, two months later, there is an amendment. They added a provision that deals with tattoo parlours, licensed motor dealers, matters of that sort where those who had a control order against them could not hold various licences.

That was a sensible amendment, but where was the application? Did it occur two months later? We took only eight days. Was it three months later, eight months later, 12 months later? No, it was 18 months later that they brought the application, and they talk about us delaying and not caring. It took them 18 months and that is when the members of the Hells Angels group that were the subject of the application took the matter to the High Court and the High Court found error. Error had already been found in the South Australian legislation. We would have been in cloud-cuckoo-land had we not watched to see what happened in the Finks' case. The Queensland legislation was somewhat different because it relies on judges of the court to make the orders using the rules of evidence with some modification, compared to using eligible judges.

The Leader of the Opposition waxed lyrical and in trades hall hectoring style about the number of guns and how we are doing nothing. In the last 12 months the police, with our support, have seized more than 9,370 firearms off the street. Is that nothing? That is a hell of a lot. The proponent of the argument and his cohorts have left the Chamber. They are not game to listen to my reply because they know that they were not speaking fact when they made those allegations. The member for Toongabbie criticised the Government's consorting legislation—he has done this on a number of occasions—in section 93X and 93Y of the Crimes Act. He criticised the fact that the Government has allowed a defence. Section 93Y of the Crimes Act states:

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

- (a) consorting with family members,
- (b) consorting that occurs in the course of lawful employment or the lawful operation of a business,
- (c) consorting that occurs in the course of training or education,
- (d) consorting that occurs in the course of the provision of a health service,
- (e) consorting that occurs in the course of the provision of legal advice, and
- (f) consorting that occurs in lawful custody or in the course of complying with a court order.

Is the member for Toongabbie saying that there should be no defence to those sorts of associations? Is the member for Toongabbie saying that if you want to see a doctor and you happen to be a criminal then your doctor is consorting with you? Is the member for Toongabbie saying that if you see your lawyer then that is consorting? Is the member for Toongabbie saying that if you want to mix with your family on Christmas Day or Easter Sunday then that is consorting? I turn now to section 26 (5) of the Crimes (Criminal Organisations Control) Act—the member for Toongabbie's own legislation—which deals with association between members of declared organisations subject to interim control orders. Section 26 (5) states:

The following forms of associations are to be disregarded for the purposes of this section in its application to a defendant to whom an interim control order relates if the defendant proves that the association was reasonable in the circumstances:

- (a) associations between close family members,
- (b) associations occurring in the course of a lawful occupation, business or profession,
- (c) associations occurring at a course of training or education of a kind prescribed by the regulations between persons enrolled in the course,
- (d) associations occurring at a rehabilitation, counselling or therapy session of a kind prescribed by the regulations,
- (e) associations occurring in lawful custody or in the course of complying with a court order, and
- (f) other associations of a kind prescribed by the regulations.

There is a familiar ring to that defence—the one that the member for Toongabbie continually criticises because it is contained in our consorting legislation. Apparently the Government is allowing defences against these

criminals, yet the member for Toongabbie included almost identical defences in the bill he introduced into this House in April 2009. It was his legislation, but he has not studied it well enough to know that it has that issue. Defences have to be allowed where there is normal activity between people not for a criminal purpose. The member for Toongabbie saw that, so control orders have those defences; just as people who might otherwise be consorting have those defences.

If those opposite are going to criticise the legislation and activities of this Government, then they should do their homework. Those opposite should take a look at what they have said in their own legislation for a start. Before concluding, I remind the House of what the Government has achieved in the fight against organised crime since coming to power. This legislation will add to the work already done by the Government to combat outlaw motorcycle gangs. So far through Operation Spartan, which was set up through the NSW Police Force, more than 1,100 charges have been laid and 660 arrests made, which adds to the additional powers already provided to police by this Government.

We now have at least 300 more police officers than we had under the former Labor Government—it could be more than that. We have already given police additional powers to crack down on gun-related crime. We have strengthened the consorting offences. We have toughened drive-by shooting penalties. We have introduced legislation to tighten the supply of ammunition. We have called in the Crime Commission—something those opposite never did—to use its royal commission-type powers to compel witnesses to cooperate with investigations. We have introduced a licensing scheme with stringent probity checks for owners and operators of tattoo parlours. And we have banned bikies from wearing their colours in 58 venues in Kings Cross.

Last night laws were ferociously fought by Labor members in the upper House, where they had real prospects of getting the numbers, and they were vocally fought in this House—as much as those opposite can do with their rump. What happened? The Labor Party ignored the right to silence and the idea of disclosure. It does not want criminals to be subject to an even playing field. It does not want the Crown to have rights against being ambushed. It wants to let all that criminal activity continue. New South Wales has been waiting for the outcome of the Queensland High Court decision, and the wait was worth it. The High Court upheld the validity of the provisions of the Queensland provisions—the bikies lost.

The High Court delivered three separate judgements, which have been read with care and are reflected in this bill. In short, the High Court found that the challenged provisions allowed the Supreme Court to act fairly and impartially when determining applications when considered in the context of the Supreme Court's inherent powers, other applicable statutory powers and the rules of evidence. New South Wales is adopting provisions requiring the court, rather than an eligible judge, to determine what is criminal intelligence and to make declarations. Under the New South Wales Act, the court already had responsibility for making control orders. Challenges to legislation of this kind cannot be prevented. We cannot stop a challenge to this legislation—assuming it is passed.

Challenges may be inevitable, but the Government can make it harder for organised crime to succeed; this bill does just that. The Government will keep fighting these people and if flaws are found in the legislation then the Government will go again. We will get it right so that these scourges on our community—the civil war that is occurring out there; the urban guerrillas who sell their crack, ice and all those other terrible drugs and engage in various extortion and other rackets; firebombing; shooting up people's houses and terrorising the community—are stopped. For 16 years we waited but what did we get? We got a lot of days older and deeper in debt. I say St Peter don't you call me—I am referring here to a Labor member—because I can't go. I owe my seat to Eddie and Joe. I note the Opposition's support for this bill. 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 Greg Smith 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.

RACING LEGISLATION AMENDMENT BILL 2013**Second Reading****Debate resumed from 20 March 2013.**

Dr GEOFF LEE (Parramatta) [4.19 p.m.]: I support the Racing Legislation Amendment Bill 2013. Several members of this Chamber are big supporters of the racing industry, namely, the member for Penrith, who spoke eloquently about the industry's importance. He even owns part of a horse—I am not sure which part or which leg he owns but, apparently, it is quite a good horse. The member for Hawkesbury was a keen and passionate trainer once upon a time and is now an avid follower. The Premier and Minister Souris also are big supporters of the racing industry. On Tuesday 12 March the Premier and the Minister for Tourism, Major Events, Hospitality and Racing launched Sydney's major autumn thoroughbred racing event, the 2013 BMW Sydney Carnival, which will inject millions of dollars into the State's economy.

This racing carnival is a key event on Sydney's major events calendar and will attract tens of thousands of racegoers from throughout New South Wales, interstate and internationally over six action-packed weekends. Minister Souris said that the Sydney carnival has something to excite everybody. To my great pride, the carnival will kick off this Saturday, 23 March 2013, at Rosehill Gardens racecourse with Ladies Day, followed by Rosehill Guineas Day on Easter Saturday and concluding on 6 April with Golden Slipper Day. The Golden Slipper is the world's richest and most sensational race for two-year-old thoroughbreds, offering prize money of some \$3.5 million.

I am proud of the iconic nature of the Rosehill Gardens racecourse not just for Parramatta, but for this State and country. The Rosehill Gardens racecourse hosts some 700,000 visitors annually for thoroughbred racing, major events and community activities. But Rosehill Gardens is more than thoroughbred racing; it hosts one of Australia's best lifestyle and trade exhibitions—the Caravan and Camping Industry Association super show, which regularly attracts more than 100,000 visitors over eight days. I have attended this wonderful show for many years. It takes more than one day to walk around the site and look at all the exhibitions. Rosehill Gardens racecourse is more than an iconic structure suitable for trade exhibitions or community activities; it is an economic centre and driver of the city of Parramatta. Approximately 400 racehorses are trained on site every day by people such as leading trainer Chris Waller and Hall of Fame Trainer John Hawkes. It even hosts a satellite stable for Peter Moody, the trainer of the incredible racehorse Black Caviar.

Rosehill Gardens employs 300 workers every day, and 1,000 casual and part-time workers are registered for race day and event work opportunities. Rosehill Gardens has a rich and fascinating history that has ensured its place in the very fabric and history of Parramatta and the broader community. Rosehill Gardens could be so much more than just a race track and venue for major events and larger commercial activities. Rosehill Gardens is located at the eastern gateway to Parramatta city on James Ruse Drive, providing a key link to the transport corridors of Victoria Road, Parramatta Road and the M4. Its access to major arterial roads is second to none. It is also serviced by heavy rail on the Camellia line. Rosehill Gardens has enormous potential as a transport interchange to improve travel times for the people of greater western Sydney. By analysis, Rosehill Gardens is a strategic gateway location that could help to transform Parramatta to achieve its full potential.

Rosehill Gardens and the Shell Refinery control more than 50 per cent of the land on the Camellia Peninsula, which has potential for significant mixed-use redevelopment and the ability to generate thousands of new jobs through construction and commercial industry. The Australian Turf Club currently is master planning Rosehill Gardens to make the most of its strategic location and improve its capacity to secure more large events, bigger race day crowds, better racing and racehorse training facilities, and other commercial activities that will create more jobs and more opportunities for leisure and recreation, and make Parramatta and, indeed, Sydney, more exciting. In the past I have spoken about the opportunity to expand the Camellia Peninsula precinct, which is bordered by Duck Creek, Parramatta River and James Ruse Drive. With the closure of the Shell Refinery this wonderful area covering approximately 100 to 150 acres will become available for industrial use or mixed-use commercial and residential, which is my preference.

Mixed use of that part of the precinct certainly would underpin Parramatta's future growth, which is particularly important in providing jobs, housing and innovation because of its close link to the university. The foreshore lands provide prime real estate for housing and commercial activity. I look forward to working with Parramatta City Council, the State Government and the Minister for Planning and Infrastructure in pushing any

potential development for the whole precinct. This brownfield site could be regenerated to provide usages beyond its current industrial applications. Certainly, I urge the State Government, the local council and the community to get behind the development of Rosehill Gardens to make the most of the opportunity for Parramatta and Sydney and to provide a more exciting place to live and work.

I give special thanks to Darren Pearce, the Chief Executive Officer of the Australian Turf Club. He is absolutely dedicated to the club in looking after Rosehill Gardens and Royal Randwick racecourse. I look forward to his development plans for James Ruse Drive and encourage him to promote the development perhaps of a hotel, leisure facilities or mixed commercial use facilities. The precinct is in perfect proximity to the central business district. It could take a few years, but another 10,000 jobs and 10,000 people could move into the area. This is the time to start planning for the future. The community precinct and peninsula offer a fantastic opportunity. I certainly will push for the local and State governments to make the best use of those opportunities.

Mr KEVIN ANDERSON (Tamworth) [4.28 p.m.]: I support the Racing Legislation Amendment Bill 2013. This bill will introduce two reforms to assist in ensuring the ongoing viability of the racing industry in this State. The first removes the prohibition of New South Wales licensed bookmakers offering totalisator odds betting to enable the continuation of traditional bookmaker fielding at a racecourse. At one time in our history bookmakers accounted for a major proportion of wagering turnover in this State. In the early 1980s New South Wales had around 1,000 licensed bookmakers, who accounted for a significant amount of total wagering turnover by New South Wales punters.

A day at the races was not complete without the hustle and bustle of the betting ring and the chance for a punter to beat the bookies. When I go to the Tamworth racecourse and racecourses round the great Hunter and North West Racing Association area I generally go up to my favourite bookie, whoever that may be and wherever it may be, hand over 20 bucks and say, "Here's a donation, take it and run. Enjoy." Times have certainly changed; and today there are only around 200 New South Wales licensed bookmakers standing. At their peak in the middle of the last century there would have been more than that on any Saturday at Randwick or Rosehill, or even in Tamworth, Scone or Muswellbrook. This is due in part to the pressure of other options available to punters on which to spend their leisure dollar; that is, on other forms of entertainment and myriad wagering and gambling platforms that exist in today's world.

New South Wales based punters already have access to many large interstate wagering operators that offer tote odds betting. Allowing oncourse licensed bookmakers to offer tote odds will provide little more than is already available to New South Wales punters, through the internet or their mobile phone, from wagering operators in other jurisdictions. There is nothing better on race day, on cup day on whatever racecourse one happens to be visiting and enjoying the atmosphere, than walking into the betting ring, going round and listening to the talk, and absorbing the colour and atmosphere of the betting ring. Tamworth has a fantastic ring, and the Tamworth racecourse is currently undergoing a \$3 million upgrade.

This will be a magnificent facility, and I look forward to being at its official opening on 28 April for the Tamworth Gold Cup Carnival. Tamworth has a race meeting tomorrow, when it will test those facilities and see how things will pan out. I look forward to seeing how it works out at tomorrow's meeting. That facility will be magnificent. It has a revamped heritage-listed grandstand. Some of the best racing in the Hunter and North West Racing Association area takes place in Tamworth. And some of the best horses come out of Tamworth. One in particular is a horse that has just returned to form, called The Jackal, which raced recently at Quirindi, ridden by Robert Thompson. It has won in the vicinity of \$1.65 million—and this is a country sprinter trained wholly and solely at Tamworth.

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

TAFE ARTS EDUCATION

Discussion on Petition Signed by 10,000 or More Persons

Ms CARMEL TEBBUTT (Marrickville) [4.33 p.m.]: Today we are debating the art petition, which calls on the O'Farrell Government to recognise the value of TAFE arts education and ensure it continues to be funded at viable levels that make it accessible for all. This issue has aroused a passionate response in the community: more than 25,000 people have signed this petition. I have taken part in discussions on many

petitions that have taken place on a Thursday afternoon in this Chamber, but I have not yet seen one that has garnered that level of support. It is quite an extraordinary response on this issue. Members of Parliament have been flooded with letters, emails and telephone calls about this issue. Last year students rallied both here at Parliament House and outside the Art Gallery—in fact, in such numbers outside the Art Gallery that the Premier was forced to change his scheduled appearance at the gallery.

I pay tribute to all those students and community members and everyone else who has been involved in this campaign. It has been an extraordinary effort. A number of those people are in the public gallery today. I particularly acknowledge Sue Young and Penny Ryan, because they have worked so hard to keep this issue at the forefront of public debate. It is an important issue, and people are entitled to be outraged at the O'Farrell Government's imposition of commercial fees for TAFE fine arts courses. We know that last year the O'Farrell Government announced a cut of \$1.7 billion in funding for the education and training budget—without any consultation or forewarning to the community. This included cutting 1,000 staff from the schools portfolio and 800 TAFE teachers and staff. It also included an increase in TAFE fees of 9.5 per cent, and the abolition of government subsidies for TAFE fine arts courses.

This change in funding for fine arts courses came completely out of the blue: it came without notice or consultation. It was imposed on existing students mid-course, so that after they complete their first year they will be hit the following year with fees of up to \$3,000 a semester. It was based on the false premise that fine arts study does not have a vocational outcome. The imposition of commercial fees, with removal of the government subsidy for fine arts training, places this training beyond the reach of the ordinary person. One of the great strengths of fine arts courses offered through TAFE is that it makes art and art education accessible to all. We should not forget that right from the inception of technical education in this State the forerunner to TAFE, art has always been included: it has always been a part of technical training that has been offered in New South Wales.

The courses offered through TAFE range from complete beginner courses to advanced diplomas. Part-time study makes courses accessible to people who are working or who are parenting. We know that in regional and rural areas TAFE is often a hub for cultural life connected to regional galleries, local artists and local economies. And TAFE fine arts courses provided people with the skills and knowledge to find employment not just as working artists—as many do—but in a whole range of areas, such as museums and galleries, in the entertainment and hospitality industries, in local government and in community health. I was horrified this week when the Minister for Education was asked in this House a question about whether he would restore TAFE fine arts funding and he disparagingly referred to people studying ceramics—as if that was all there was to TAFE fine arts training. I am not detracting from ceramics—it is a very important skill and creative art—but we all know, except for the Minister it would seem, that TAFE fine arts study is about much, much more.

In fact, increasingly in the twenty-first century people with arts and design training are seen as having key skills that are now required: skills such as adaptability, resourcefulness and innovative ideas. We also know that the creative industries are an economic force: they contribute more than \$30 billion to Australia each year. According to the Creative Industries Taskforce report, more people work directly in the New South Wales creative industries than are employed in the New South Wales agriculture and mining industries combined. So it is a major employer in this State. Even the Government's own taskforce has called for the funding to be reinstated.

Of course, we know that in the brave new world of Smart and Skilled, the vocational training reforms being introduced by this Government, it is the industry skills list that in future will determine what courses receive State government support. The O'Farrell Government must ensure that fine arts training is on the industry skills list. To do anything else flies in the face of the evidence about the importance of the creative industries to the New South Wales economy. But, of course, this is not just about jobs and the economy. The arts not only create jobs; they create communities that are vibrant, cohesive, healthy and innovative. I urge the Government to listen to the petitioners and restore funding.

Mr CHRIS SPENCE (The Entrance) [4.38 p.m.]: At the outset I acknowledge that the petition has 25,000 signatures. That certainly is a significant number of signatures, and I respect the signatories' opinion in this matter. However, I point out that the New South Wales Government has significant problems that were left to us by Labor; and we are dealing with them. This State is facing incredibly difficult economic circumstances. New South Wales is in deficit for this year and next year in an amount totalling \$1.2 billion; and, according to the latest budget outlook confirmed by the Auditor-General, this is largely due to the legacy left behind by Labor.

While the O'Farrell-Stoner Government's action to control expenses is having an impact, the State has some way to go before finances are sustainable. On our coming to government we found that net debt was forecast at \$55 billion, there was an infrastructure backlog of at least \$30 billion, and New South Wales was on the edge of losing its triple-A credit rating. If those opposite did not waste more than \$1.7 billion on the solar bonus scheme, and hundreds of millions on the Tcard and the Sydney metro, perhaps our finances would have been different and the situation would have been different post March 2011.

While the move to surplus in 2014-15 is a positive step, New South Wales is still in a position where it cannot afford the services and infrastructure the State needs, so responsible spending remains critical. According to the Auditor General, problems have plagued the State's finances for the past decade. The difference under this Government is that we are fixing the situation. All New South Wales government agencies have to make tough decisions to ensure the State is living within its means. The Government is committed to keeping the State's triple-A credit rating as well as being able to deliver world-class infrastructure and services to the people of New South Wales. This year the education budget increased by \$383 million. Education now comprises 22.4 per cent of total Government expenses in the State budget, an increase from 22 per cent in 2011-12.

I stress from the outset that we must not forget that over four years the Government will invest \$53.5 billion in education, compared with \$46 billion in the last four years under Labor. While there has been increased funding for programs and initiatives which drive better education outcomes in schools, general expenses in the education and communities portfolio have still outstripped the growth in government revenue. There has to be a shared impact of these savings measures, and the Minister has asked the director general to ensure that the impact on education will be minimised as much as possible. The Government is committed to delivering high quality education and training and to driving better education outcomes in schools across the State, but the reality is that we are facing very difficult economic circumstances.

We must focus on delivering education and training in the most efficient and equitable way. That is why the Government has had to make a number of tough decisions. The decision that from 2013 some fine arts courses in ceramics, sculpture and visual arts will only be offered on a fee-for-service basis in TAFE NSW was made because these courses are not in areas of employment growth. Government resources must be prioritised to those areas of greatest skill need to drive our economy. There has been a significant decline in employment opportunities in fine arts over recent years. The 2013 employment forecasts in New South Wales for visual arts and crafts, including potters, is 2,830 jobs, compared with over 30,000 jobs for aged and disability carers. Courses in design, digital media, photography, museum practice, arts administration and Aboriginal or Torres Strait Islander cultural arts will continue to be government subsidised.

In 2012 around 4,000 students were studying fine arts courses in TAFE New South Wales Government subsidised programs, with a further 1,000 students studying fine arts in commercial courses. TAFE NSW staff worked closely with students who were impacted by this policy change. The range of options available to these students in 2013 included: vocational education and training fee help; loans for diploma level students, which allow deferral of payments for fees until a minimum tax threshold is reached; offering lower fee programs for students wanting to access studio facilities and less face-to-face teaching; offering gap training and flexible study options to help students complete their qualifications; and fee concessions and part-payment plans in exceptional circumstances.

TAFE has responded to the needs of students and the industry. It recognises that not all students want to do a full qualification, so a range of commercial short courses in fine arts, which are priced from \$400 to \$500 for a six-week program of three hours a week, are available. These commercial short courses are very popular and TAFE will look to expanding offerings in line with demand. I am happy to advise the House that the creative industries taskforce is accepting submissions through the Government's Have Your Say website until 9 a.m. on 2 April 2013. [*Time expired.*]

Mr NATHAN REES (Toongabbie) [4.43 p.m.]: The previous speaker is more appropriately named the "member for the entranced." I have never heard a more extraordinary set of delusions paraded across the Chamber under the guise of debate. There is one person in this Chamber who chaired the budget subcommittee of Cabinet through the global financial crisis—me. This was the only jurisdiction anywhere in the world that I am aware of that managed to improve its credit rating during a global financial crisis. To say that cuts to these families and students are arising because of the situation the Coalition inherited is utter rubbish. It inherited a triple-A economy, and when the Auditor-General most recently had a look at the books he found the Government was a billion dollars better off than it had asserted in its most recent budget.

Let us not cavil about this. It is unequivocal, clear and there in black and white that the rationale the Government says is behind the \$1.7 billion cuts to education in general and more specifically to fine arts in TAFE is utter rubbish. Prior to the election a number of Government members sign the "Invest in TAFE for a better State" pledge. They included: the Deputy Premier, Andrew Stoner; education Minister Adrian Piccoli; environment Minister Robyn Parker; Rob Stokes, Pittwater; Troy Grant, Dubbo; Leslie Williams, Port Macquarie; Shelley Hancock, South Coast; Kevin Anderson, Tamworth; Tony Issa, Granville; Lee Evans, Heathcote; Matt Kean, Hornsby; Gareth Ward, Kiama; John Barilaro, Monaro; Richard Torbay, Northern Tablelands—you would want him on board, wouldn't you?—Geoff Provest, Tweed; and Daryl Maguire, Wagga Wagga.

We have seen today, and in recent weeks and months, the extraordinary silence from those members as the Treasurer and the education Minister have taken a stick to fine arts and arts courses in TAFE. These members are running around looking for a spine to stand up to the Treasurer on this matter. It is important to note that the TAFE arts students in New South Wales represent about a third of the more than 50,000 arts students across Australia that study at TAFE. These courses help civilise our community. These are the courses to give a single mum, a single dad or a youngster who did not complete school the opportunity to pursue a passion. Hopefully, some of them go on to make a bob out of it.

To reiterate the point made by the member for Marrickville, I have variously heard these courses described by Government members as "ceramics", most recently by the Minister for Education, and another member, who will remain unnamed, called them "macramé and string work" in the corridors. That is appalling. Australia, New South Wales and Sydney have a very proud tradition of arts and culture—whether it is visual arts, music, dancing or writing. It has to be nurtured and supported because it is essential to the fabric of a civilised, decent and modern society. The Government should withdraw these cuts forthwith.

Mr ANDREW CORNWELL (Charlestown) [4.46 p.m.]: I appreciate the contribution made about the State's finances by the member for Toongabbie. I recall his success relating to school bus passes—which went down particularly well. The need for changes to fine arts is directly related to the financial position this State Government inherited last year. The situation worsened when the Federal Government announced that New South Wales goods and services tax funding had been cut by more than \$5 billion. I appreciate the concerns raised by the member for Marrickville regarding fine arts and assure her that the decisions made in the education portfolio are directly related to the position of the State's finances.

The Minister has asked me to assure members of the Opposition and the people of New South Wales that the Government would not take difficult savings measures unless they were needed. New South Wales has not had a fiscally responsible government in a long time. The Liberal-Nationals Government is determined to secure the New South Wales economy. Responsible governments make the tough calls, the right calls and, yes, sometimes they are the unpopular calls. The Minister knows these are tough decisions but the Minister would not have made them had they not been absolutely necessary. These are the sorts of decisions that responsible governments make and it is not easy. When John Howard and Peter Costello took over from Labor in Canberra they made tough decisions.

We have to give proper consideration to employment growth, skill shortage areas and industry requirements. These are tough decisions that now ensure that the people of New South Wales can have confidence in our economy. We must live within our means and meet our budget. Let us not forget that this Government is committed to addressing Labor's \$1 billion skill maintenance liability and infrastructure backlog. In response to the concerns raised in this petition New South Wales is working in an environment with falling revenues. In recognition of the need for governments, like families and businesses, to live within their means the New South Wales Government detailed in the June State budget its intention to achieve savings across all departments.

The Government announced that from an estimated \$53.5 billion to be spent on education over the next four years it would make savings amounting to 3 per cent. These savings include reducing expenditure in TAFE NSW, increasing fees from Government subsidised courses by 9.5 per cent and removing fine arts courses from being subsidised by government. Fine arts, while highly regarded, are a low skill priority for New South Wales when compared with the skills shortages we have across areas such as construction, manufacturing, health, children's services, property and business services. This decision was made so that government-supported training places can be focused on areas of high skill need— [*Time expired.*]

Mr JAMIE PARKER (Balmain) [4.49 p.m.], by leave: I congratulate the petitioners who have brought this debate before the House. Today we have heard a sorry story—the argument put forward by the

O'Farrell Government in support of its decision to remove subsidies from fine arts courses. The Government has left students in the lurch. Those opposite say they are targeting funding for skills in industries that will create the greatest number of jobs. The fact is that the Government's claims have been stripped bare by a Government-appointed task force made up of leaders from the creative industries. That task force recently released its draft 10-year Creative Industries Action Plan.

The plan identified the need to reinstate funding for arts courses in TAFE to maintain the significant growth that the creative industries have experienced in recent years. The task force identified that the creative industries that rely on people skilled in the arts generate more than \$1.5 billion of exports for New South Wales and employ 4.7 per cent of the workforce. The task force found that creative industries have maintained an employment growth rate almost double that of the rest of the State. Recently the Victorian Government reversed its \$200 million in cuts to its TAFE courses. We should look at that State's experience. It has come to realise that it now has a weak vocational education training system.

The actions of the Government in cutting subsidies are part of its campaign to destroy public education in this State. It has already introduced massive cuts to public education. This is an ideological campaign that has been waged for many years. Government members talk about increases to education but not in terms of per student funding. Under the former Government per student funding in TAFE fell by 48 per cent in real terms between 1997 and 2010. The Federal Government is pushing to open up the sector to private providers through entitlement funding and the national partnership that prompted the destructive Smart and Skilled policy. The foundations of TAFE and of public education were undermined by the former Government, and this Government is taking it to its logical conclusion and is undermining the capacity of TAFE teachers and students to learn and to receive a quality education.

The Government should recognise that TAFE provides value for money. The Allen Consulting Group report found that every dollar invested in TAFE returned \$4.60, yet the cuts per student continued under the former Government and are continuing under this Government. The economic argument fails when the Government can find almost \$400 million to give to the poker machine industry in tax rebates but is unable to find a few million dollars for this critical purpose. Education is a priority, not just for our economy and for our community but also for the future needs of the creative industries, as identified by the report. This petitioners have logic on their side and their demands have merit. I encourage them to continue their campaign and feel sure that they will succeed in overturning these funding changes.

Discussion concluded.

COMMUNITY RECOGNITION STATEMENTS

ULLADULLA AND DISTRICTS BLESSING OF THE FLEET PRINCESS BALL

Mrs SHELLEY HANCOCK (South Coast—The Speaker) [4.53 p.m.]: On Saturday 16 March I had the pleasure of attending the 2013 Ulladulla and Districts Blessing of the Fleet Princess Ball at the Ulladulla Civic Centre. The Blessing of the Fleet is a tradition that began centuries ago in Mediterranean fishing communities. By blessing the fleet the local priest ensures a safe and bountiful fishing season. The Princess Ball is one of a series of events held in the lead-up to the Blessing of the Fleet scheduled over the Easter weekend. I congratulate this year's Princess, Nina Terry, the runners up, Eden Colly and Tahyla Smith, and all the young women who took part. I also congratulate Brian Morrison; Parade Co-ordinator, Alan McDonald; Sponsorship Co-ordinator, Craig Saunders; entertainment organisers, Sylvia Franklin and Ross Wade; and Chairman Phillip Brown on a successful and enjoyable Princess Ball and on what I am sure will be another successful Blessing of the Fleet in Ulladulla on Easter Sunday.

WALLSEND SENIORS WEEK AWARDS RECIPIENTS

Ms SONIA HORNERY (Wallsend) [4.54 p.m.]: I congratulate the following constituents of Wallsend who have been recognised with the 2013 New South Wales Seniors Week Achievement Award. Mr Harold Barnes received an award for Lifelong Learning. He is a retired electrician with a passion and talent for art, inspiring people to believe it is never too late to start learning. Mr Bruce Deitz received an award for Lifelong Learning. He has a keen interest in computers and has volunteered as an educator and policy-maker in the area, being an educator for the Newcastle branch of the Royal Life Saving Society and a keen writer. Mr Jimmy

Hancock received an award for Community Service. He volunteers his time helping the elderly, people with a disability and clients with dementia. He is a popular deliverer for Meals on Wheels who spends his time with clients. Well done, Hunter seniors.

GOULBURN SESQUICENTENARY CELEBRATIONS

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [4.55 p.m.]: I bring the attention of the House to the recent sesquicentenary celebrations in Goulburn—Australia's first inland City. I congratulate all those involved in organising the events, including a mass of thanksgiving, a civic reception, a street parade and a festival. Special mention goes to Councillor Geoff Kettle, Mayor of Goulburn Mulwaree; Councillor Carol James, Chairperson of the Goulburn 150th Birthday Committee, and other committee volunteers; the Right Reverend Stuart Robinson, Bishop of Canberra and Goulburn; the Very Reverend Phillip Saunders, Dean of St Saviour's Cathedral; and the Goulburn Police, led by Superintendent Gary Worboys. Of course, the celebration would not have been such a success without the numerous volunteers and community groups that assisted and the enthusiasm of Goulburn residents themselves, who turned out in their thousands to celebrate. I am very proud to be the member for Goulburn.

SENIORS WEEK ACHIEVEMENT AWARD FOR BUSINESS WINNER MR YONG MAN KIM

Mrs BARBARA PERRY (Auburn) [4.56 p.m.]: I acknowledge the outstanding contribution that Mr Yong Man Kim has made to the Auburn community. He was recognised by winning the 2013 Seniors Week Achievement Award for Business. His business achievements are many and varied, including the establishment of the Harmex Group, Australia's first health centre in Burwood, the first duty-free shop specialising in health products and an indoor golf practice range. I also congratulate him on the contribution he has made to the community as founding president of Sydney West Lions Club and the Australia and Korea Prayer Breakfast Association. His recent invitation to 50 vocalists and lecturers to a forum at Sydney Opera House demonstrates his dedication to strengthening cultural exchange between Australia and Korea. I commend him for his generous donation of over 15,000 books to local libraries and schools, as books hold the key to learning for all of us. I thank him for his contributions and for his spirit of self-giving. He is truly a deserving winner of the 2013 Seniors Week Achievement Award.

WAGGA WAGGA COMMUNITY SERVICE AWARD RECIPIENTS

Mr DARYL MAGUIRE (Wagga Wagga) [4.57 p.m.]: I bring to the attention of the House community service awards presented in conjunction with Wagga Wagga City Council, the Seniors Committee and my office. Awards were given on Sunday to Michael Bayles, Flo Gibbons, Roslyn Tilden and Barrett Huthwaite. A community award was given to the Riverina Gums Estate. These awards were given in recognition of community service provided by individuals and organisations. The volunteers have worked with organisations such as GROW—helping people with mental health challenges; volunteering for the Remembrance Village—a retirement organisation; working with the Leisure Company—an organisation for people with disabilities; and assisting with Meals on Wheels. These community recognition awards are important. I congratulate everyone who was nominated to receive an award.

CANTERBURY-BANKSTOWN BULLDOGS

Ms LINDA BURNEY (Canterbury) [4.58 p.m.]: I pay tribute to the Canterbury Bankstown Bulldogs Club and team. I mention in particular one of Canterbury Bankstown's favourite sons, Ben Barba. I congratulate Ben, who was born in the Northern Territory and is one of the most outstanding Aboriginal professional rugby league footballers out on the paddock anywhere in this country. Ben, as people would know through recent publicity, has been through a difficult time. I acknowledge the way in which Ben, the club and, in particular, the club's Chief Executive Officer, Todd Greenberg, have handled the situation. We cannot wait until Ben is back on the field. The people of Canterbury Bankstown put our trust and respect in Ben and the team. We wish him the best.

CAPE HAWKE SURF LIFE SAVING CLUB MEMBERS WAYNE BARRY AND LUKE GARDINER

Mr STEPHEN BROMHEAD (Myall Lakes) [4.59 p.m.]: I inform the House of two brave members of the Cape Hawke Surf Life Saving Club who risked their lives to save two tourists on the morning of 5 January 2013 at One Mile Beach in Forster. The two life savers are Wayne Barry and Luke Gardiner, who have received Rescue of the Month awards. At 6.00 a.m. that day two male tourists in their thirties were swimming at

the southern end of One Mile Beach when Wayne Barry noticed them having difficulty returning to shore as they were caught in a rip. Wayne swam to them and directed the tourists to a safe exit point. One made it to shore but the other continued to struggle and required Wayne's support to prevent him from going under. Meanwhile, Luke Gardiner noticed the situation unfolding from the observation deck at the clubhouse, grabbed a rescue board and went to provide assistance. The second tourist was brought ashore on the board and both were assessed for injuries. The quick action from Wayne and Luke prevented a possible tragedy from occurring.

MOUNT DRUITT STATE EMERGENCY SERVICE

Mr RICHARD AMERY (Mount Druitt) [5.00 p.m.]: I would like the Parliament to recognise that on 10 February the Mount Druitt unit of the State Emergency Service conducted an awards ceremony at the Mount Druitt Tradies Club. This Parliament should recognise the long service of many community volunteers to put aside their own time to support our community during difficult times. I congratulate Controller Peter Lalor and all the guests who ensured that a fitting occasion was held to honour our local heroes. Among all the recipients of long service awards were Peter Lalor for 40 years, Kim Birmingham for 30 years, Michael Morgan for 25 years and David Gray for 15 years. To all the recipients, too many to name here, I say congratulations and thank you on behalf of the community.

CANOBOLOS LOCAL AREA COMMAND AWARD RECIPIENTS

Mr ANDREW GEE (Orange) [5.01 p.m.]: I draw the attention of the House to some recent awards handed out in Cowra to members of the Canobolas Local Area Command. In particular, Senior Constable Jason Matters was presented with the Canobolas Local Area Command citation for his work in a high-speed pursuit and the eventual arrest of an offender, while Senior Constable Mark Hevers was recognised for his service to the community by following an armed man into a house and arresting him. Other award recipients included the Western Regional Commander's certificates to Senior Constable Lynne Stone, Constable Tim Brackenridge and Probationary Constable Lucinda Rheinberger for their efforts during an arrest in Orange last year when a man with a firearm threatened himself and his family. I note that Senior Constable Miles Burden was presented with a Canobolas Local Area Command award for the way he provided support to a victim trapped in a vehicle. Cliff Rylance and Anthony Healy were both recognised for their volunteer efforts with the NSW Police Force. Steve Zieltjes and his wife, Michelle, received an NSW Police Force certificate of appreciation for their efforts.

CABRAMATTA FOOTBALL CLUB

Mr NICK LALICH (Cabramatta) [5.02 p.m.]: I congratulate Mr Wayne Blewitt, President of the Cabramatta Football Club, and the members of the board on the successful dinner held for members of the club and players to kick off a new football season on Saturday 16 March 2013. I acknowledge the Cabramatta Football Club for its ongoing commitment to providing the facilities for our youth, members and our local community to interact and engage in sports and social events.

ORDER OF AUSTRALIA MEDAL RECIPIENT MR BRUCE WILSON

Mr CLAYTON BARR (Cessnock) [5.02 p.m.]: I take this opportunity to acknowledge Bruce Wilson, who received notification of his well-deserved Order of Australia Medal this year on Australia Day. He will receive his award at a ceremony at Government House on 1 May. Bruce retired as managing editor of *The Advertiser*, Cessnock's local paper, in November last year. He was with the paper for 42 years, starting in 1970. Bruce is and was involved heavily with many organisations within the local community, including Rotary, for 36 years, becoming a Paul Harris Fellow, which is the highest award in Rotary.

Bruce has served as president of Cessnock Chamber of Commerce. He has been a member of the Hunter Valley Wine Country Tourism Board, been made a life member of Cessnock District Cricket Association, and is an honorary member of Cessnock and Kurri Kurri Retired Mineworkers Associations. Bruce is a director of the Cessnock Supporters Club. He is also a director of Northern Coalfields Community Care Association and the Cessnock District Health Benefits Fund. Bruce's wife, Margaret, was hoping that once he retired they would have time to travel but, knowing Bruce and all that he is involved in, they will be short trips only.

EARLY CHILDHOOD EDUCATION

Ms SONIA HORNER (Wallsend) [5.03 p.m.]: Today we recognise that early childhood education is fundamental for children's development. There is no doubt that children's early learning influences their entire

life. Preschools provide opportunities for children to learn as they discover, create, improvise and imagine. We acknowledge the vital role that community-based preschools play in our children's growth, exemplified at Wallsend community, Orana community and Jesmond community preschool, as well as Awabakal preschool. We thank all our preschool teachers and childcare workers, who work tirelessly to ensure that our most precious resource is well cared for. We appreciate their invaluable contribution to the education of our State's children.

MR KEITH SCHMITZER NINETIETH BIRTHDAY

Mr STEPHEN BROMHEAD (Myall Lakes) [5.04 p.m.]: Tonight I inform the House of the ninetieth birthday of one of Taree's favourite characters, Keith Schmitzer. Keith is well known around parts of Taree as he walks his beloved greyhounds, which he has done for the past 59 years. During that time Keith is sure that he has walked more than three times around Australia by getting up at 4.30 each morning just to walk his dogs. Keith still trains his greyhounds; he is in no mind to retire and he thinks he is probably the oldest owner-trainer in the country, but he is not quite sure just when he took up training. He thinks it could have been about 1956. During that time he has trained around 1,000 winners.

Keith predates Taree Greyhound Club as he used to train at Wauchope Showground. His first ever winning dog, Girl's Sequel, won at Wauchope. When the Taree Race Club opened the greyhounds shared facilities with them but, according to Keith, it was a pretty rough place and the judge's decision was always final. He is now proud of the facilities at the Taree club. Keith says he has had a share of good dogs in his long career, with Exclaim winning a total of 36 races. The Cream dogs were also good, with Oaf Cream, Malt Cream and Sweet Cream winning more than 100 races between them.

BANKSTOWN SPORTING HALL OF FAME AND JOHN MACKAY SPORTS CENTRE

Mrs BARBARA PERRY (Auburn) [5.05 p.m.]: Today I acknowledge the opening of the Bankstown Sporting Hall of Fame and the John Mackay Sports Centre, which I had the privilege of attending with the Hon. Helen Westwood, a member of the upper House, earlier this month. The John Mackay Centre is named after an important person in the Bankstown community. John Mackay is identified as secretary manager of the Bankstown Sports Club and his service with that club has spanned well over 40 years. Therefore, it is important that he has had that honour bestowed on him. I thank also the vision, determination and business acumen of many peak players that resulted in the construction of the two facilities. The Bankstown Sporting Hall of Fame pays tribute to talented sportsmen and sportswomen while the John Mackay Sports Centre provides the facilities to help local youth develop their sporting skills so they, like their local sporting heroes, can go on to conquer their sport on regional, State and international stages.

MARGARET AND CARL PICTON SIXTIETH WEDDING ANNIVERSARY

Mr STEPHEN BROMHEAD (Myall Lakes) [5.06 p.m.]: I inform the House of the sixtieth wedding anniversary of two wonderful residents of Forster Keys, Margaret and Carl Picton. The pair met at a social dance when Carl was a carpenter and Margaret was a secretary at Mascot airport. After announcing their engagement in 1951, to save money for a house and a car the couple worked second jobs. Carl and Margaret married on 11 April 1953 in Ashfield in Sydney and, after honeymooning at Jervis Bay, lived in Five Dock. They raised three sons and a daughter. After Cyclone Tracy hit Darwin in 1973 Carl assisted the rebuilding effort.

Looking for a dream place to retire, Carl and Margaret visited the mid North Coast many times before finding the perfect block to build the home they have lived in for the past 27 years at Forster Keys, in the great electorate of Myall Lakes. It has been the perfect place for them to entertain their eight grandchildren and four great-grandchildren. They are just two of the many thousands of people who realise the wonderful attributes of Myall Lakes. In their retirement the couple have fulfilled their overseas travel ambitions and have caravanned around Australia. They have been involved in many community groups throughout their adult lives, including swimming, rugby league, Camp Quality, Pink Ladies, Meals on Wheels and the Lantern Club. They are keen gardeners and plan to have a quiet celebration with their family on their anniversary.

ORANGE COMMUNITY SERVICE AWARD RECIPIENT MR ROSS MARONEY

Mr ANDREW GEE (Orange) [5.07 p.m.]: Last Sunday I attended the launch of Seniors Week at the Orange Civic Centre. I would like the House to note that Mr Ross Maroney was the recipient of the community service award on that occasion for his work in preserving local history. Ross is a former teacher of Orange High

School. He is a much loved and respected figure in the Orange community. He has done so much to preserve and promote local history in the area. I pass on my warmest congratulations to Ross Maroney and on behalf of the whole community I thank him for his efforts over many years.

Community recognition statements concluded.

PRIVATE MEMBERS' STATEMENTS

CANTERBURY HARMONY GROUP

Mr ROBERT FUROLO (Lakemba) [5.08 p.m.]: Two adjectives I use regularly when talking about the community I have the privilege to represent are "proud" and "lucky". Therefore, it should be no surprise that I am proud and lucky to once again bring to the attention of the House an event in my electorate that focused on promoting harmony through the values of respect, unity and peace. While today is officially Harmony Day, the celebration of this momentous occasion was held yesterday in my community. Once again the fabulous Canterbury Harmony Group brought together a fantastic gathering of local residents to share this important celebration. I had the pleasure of officially opening the event. As I stood on the stage of the Orion Function Centre in Campsie and looked out across the hall, I was impressed that nearly 500 local residents had come together to be part of the occasion.

I am sure it would have been one of the largest Harmony Day celebrations in Australia. The city of Canterbury is lucky to have the rich diversity of more than 150 different nationalities forming one fantastic community. Many of the groups joined in the celebrations. There was an amazing performance of the haka by local Pacific Islander boys, and two talented young Irish dancers shared their proud heritage. Students from Holy Spirit College, Wiley Park Girls High School and St Joseph's Primary School shared the stage, showcasing their cultural heritage and their pride in being Australian. There were also performances from Korean seniors dancers, Indonesian musicians, Chinese traditional singing and dancing as well as Vietnamese performers and many more.

Unfortunately, the people of my community regularly find their area the subject of adverse media reports. They open up the paper to read about another shooting between gangs and drug dealers. One could almost forgive the local residents for giving up on their community. But yesterday was another example of the true character of the families of Lakemba, Wiley Park, Punchbowl, Belmore, Campsie and surrounding areas. They know they are proud Australians, grateful for the wonderful life they enjoy in this country but also proud of their heritage and the culture that courses through their veins. They came together yesterday to share their pride and to give thanks to the country that adopted them and gave them a better, safer and more peaceful life. Their actions send a strong and powerful message: Do not judge our area by your narrow standards of what is Australia. We are Australian; we are proud and we are from all parts of the world.

Once again, I was lucky to be invited to attend this event. I am proud to be the representative of this community in the Parliament. Today I add a new adjective: I was humbled to see the spirit of these Australians from all nationalities celebrating our diversity and our common love for this country. I thank the Canterbury Harmony Group members, in particular Shirley Glennie, Canterbury Deputy Mayor Karl Saleh and volunteers Greta Beston, Carol Barr, her sister Vivienne, and the many other volunteers who made the day a success. To the performers, the students and the schools who came along, I also say thank you and congratulations. I cannot wait until Harmony Day 2014.

NORTH COAST FLOODS

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [5.11 p.m.]: I speak about the severe storms and floods we have had on the North Coast. We have had two major events, one on Australia Day and one early in March. The valiant service of members of the State Emergency Service, Rural Fire Service, Fire and Rescue NSW and police to communities in the Coffs Harbour electorate and the whole of the North Coast during these disastrous events deserves to be put on the record. Merv Rose from the Urunga State Emergency Service spoke to me pretty well every day for a number of days. The Bellingen State Emergency Service is not in my electorate but it contacted me on a regular basis to keep me informed about the upper Bellingen floods and the expected downriver effect. Bob White and Bill Roffey from Coffs Harbour State Emergency Service worked for 24 hours organising teams and sandbagging and taking trees off roofs.

The damage in the second storm was absolutely incredible. On Bruxner Park Road and Central Bucca Road where I live I could not believe the number of 100-year-old trees that were damaged. In fact, the Vincent Tree—which was named after a former Country Party member in this place—lost a limb that was probably two feet across. I lost tallowwoods, blackbutts and flooded gums on my property that were well over 100 years old. I was lucky; all the storm did was take down powerlines at our place. I commend the power workers who were out there in trying conditions restoring power. It took four days to get power back at our place and it cost me a new generator, which hurt the wallet. There were workers from the electorate of Orange, whom I met on the road. To get to Coffs Harbour they had to drive from Orange right up through New England and come down from Tenterfield and Casino. The amount of work done by the community, locals and others alike, to relieve problems that were created by the storm was second to none. I am sure they saved lives through their efforts. The police were out there closing roads and warning people not to cross certain areas.

What disappoints me is the way the rules for disaster assistance have been changed. To my knowledge I think Bellingen shire and Kempsey shire, which are not in my electorate but in the electorate of the Leader of The Nationals and Deputy Premier, have been declared disaster areas but have not been given category C assistance. Last November the Federal Government decided to change the criteria for this assistance so that people have to have 20 per cent damage to 30 per cent of their agriculture. In January 71 per cent of banana farms were in dire straits in my electorate yet they were not entitled to category C funding for that event. Thankfully, we have been able to convince the Federal Government that both events should be counted as one, and they will now get some assistance. That assistance is somewhat paltry when one considers that payments to small business and farmers in New South Wales are limited to \$15,000 per farmer on receipt, yet in Queensland they get \$25,000.

The Federal Government changed the criteria for these events in November without real consultation with the States to put more of the load back on the States. That means we now have to pick up 50 per cent of any disaster relief funding that is required and that has put a real strain on the Roads budget. The Hon. Duncan Gay in the other place has stretched the Roads budget brilliantly to give us new roads but the budget is now being shrunk because the funding criteria have been altered yet again. I call on the Federal Government and those opposite, who usually come from city electorates that are not really affected by these sorts of disasters, to support us in going to the Federal Government and asking for criteria whereby people do not have to have better than 50 per cent of their income on farm, especially in places like the Clarence where they have had six floods in the past two or three years. If someone is a registered primary producer he or she should be entitled to assistance. The funding gets these people back in business; it does not put money in their pockets.

TRIBUTE TO MINHAS ZULFIQAR

Mr DAVID ELLIOTT (Baulkham Hills) [5.16 p.m.]: I was sorry to learn this morning of the death of Mr Minhas Zulfiqar overnight. Minhas was a much-loved and well-respected leading businessman in my electorate. His senseless murder during a robbery in his former home city of Karachi whilst travelling with his wife will leave the close-knit Hills community in mourning. I join other community leaders in offering my condolences to his immediate family as well as to his brother, Freddy. Minhas was a larger-than-life identity. I cannot recall a local event or charity that has not benefited from his generosity.

As the general manager of the Crowne Plaza hotel in my electorate, he was never prouder than when he won a national hotel industry award and hosted a visit by the Premier in the same week last year. His photo with the Premier took pride of place in his office. The Crowne Plaza is very much a community lounge room for Hills residents and workers in the Norwest Business Park. For my family it had a special place as it was where we celebrated my son Lachlan's christening as well as my first two sons' Holy Communion, my wife's fortieth birthday, and my preselection and election night party. On every occasion Minhas was present making sure that everyone had a memorable time. His support for me caused a stir at my preselection when he told party members that if I won he would open the hotel bar.

Last Christmas, Minhas hosted my community Christmas drinks and ensured that the Salvation Army was well accommodated to collect gifts from guests for distribution to those less fortunate. Minhas was a friend and counsellor to local politicians of all colours. He loved the Hills community and was proud of his hotel. The Hills community, my family and I will miss Minhas very much. He was shot dead while withdrawing money in Karachi when about to join his flight home to Sydney. He was a genuine and honest friend. The events overnight are a cruel reminder of how lucky we are to live in a country like Australia, where random acts of violence are very much the exception rather than the rule. Vale Minhas.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.18 p.m.]: It is with great sadness that I acknowledge the words of my colleague and friend the member for Baulkham Hills on the sad passing of Minhas Zulfikar. Minhas Zulfikar was also a great friend of mine. He was an iconic leader in the Pakistani community but, more importantly, a very good and strong community supporter of charities and organisations across the Hills district. It was a great pleasure to know Minhas for the many years that I did. There were not too many functions that happened in the Hills that Minhas did not attend. Certainly there were no functions at the Crowne Plaza to which Minhas did not invite representatives of all political parties. I acknowledge that Minhas was cut down in the prime of his life last night, shot in Pakistan in front of his family. He leaves behind his wife, Razia, his three sons, his two brothers and one grandchild. On behalf of the New South Wales Government I extend my condolences to the entire family.

MONA VALE HOSPITAL NURSES AND MIDWIVES

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [5.19 p.m.]: This evening I again raise the importance of Mona Vale Hospital in my community and, in particular, of the invaluable work being undertaken by our local nurses and midwives. Without in any way downplaying the efforts of our doctors and clerical and support staff, without doubt it is our dedicated and professional nurses and midwives who are widely seen as the pillars of our local hospital and integral to its day-to-day operations. Last week I was delighted to welcome Mona Vale Hospital's nine newest nursing graduates, who have been allocated in response to the continuing growth of the Pittwater community and the increasing demands on our local health services. These highly skilled and enthusiastic nurses are part of an allocation of 25 nursing graduates earmarked to begin work at Mona Vale Hospital this year, and will join our existing team of experienced nurses and midwives who provide invaluable support and assistance to our community.

In talking to these graduates I conveyed to them how highly respected nurses are within our community and the unwavering level of support they will receive. Anyone who has visited Mona Vale Hospital knows of the willingness of our nurses and midwives to go above and beyond their duties, their obvious passion for community service and their united interest in assisting others in need. Because of the unique geographical challenges of the peninsula, with only a couple of roads in and out, in many ways the Pittwater end of the northern beaches resembles a country town. So support for our local hospital is very, very strong. Of course, the work of nurses and midwives is not always easy. As we know, nursing is a tiring and demanding job, requiring incredible skill and patience, often under difficult and unpleasant circumstances. Despite this, nurses rarely complain. Instead they simply get on with their jobs and place their patients' wellbeing at the front and centre of their focus.

For those reasons it is particularly important for this House to recognise the work being undertaken by Mona Vale Hospital's nurses and midwives as this Government continues to introduce a range of essential and long-awaited improvements throughout our hospital and the wider district. Despite the disruption the work at the hospital has caused—particularly during the comprehensive refurbishment of the hospital's facade; the revival of dental services; the renovation and reopening of our maternity ward; the replacement of the hospital's outdated medical air system; the introduction of a mobile digital X-ray service; the installation of new kitchen equipment; and the painting of wards and common areas—our nurses and midwives have been the ones, day in and day out, helping to maintain the smooth operations of our hospital and a high level of patient care. In addition, as works begin getting underway towards major capital improvements on the eastern side of the hospital nearest the beach, including the upgrade and expansion of the hospital's rehabilitation wing, palliative care day hospital and helicopter facilities, I have no doubt it will again be our incredible nurses who will rise to the challenge in helping to ensure that patient standards and expectations are maintained and exceeded.

In recent years dozens of enthusiastic and skilled nursing graduates have been assigned to Mona Vale Hospital, including 28 last year. To see this investment in our local health services continuing is an added boost to our hospital when so much is happening in relation to infrastructure and facility upgrades. I thank the Minister for Health for her continuing interest in Mona Vale Hospital and its strong and secure role into the future. I know that the Minister has a personal interest in nursing and is a passionate supporter of the more than 46,000 nurses and midwives working in public hospitals throughout New South Wales, including those at Mona Vale, and our community is very grateful for that.

Our community is also very appreciative of the outstanding work undertaken by Mona Vale Hospital's Director of Nursing and Midwifery, Jacqui Edgley. Jacqui is by far one of the most dedicated and energetic health professionals I have ever met, and the contribution she makes throughout our hospital—overseeing its day-to-day operations, organising staff, supervising building and maintenance works, and liaising with

patients—is outstanding. I simply cannot praise her efforts enough. I would also like to thank Mona Vale Hospital's recently appointed Midwifery Unit Manager, Helen Hadley. Helen's compassion and professionalism is well known to many local families throughout Pittwater, and the work she has undertaken in helping oversee the resumption of maternity services has been of enormous benefit to our community. Along with all of Mona Vale Hospital's midwifery staff, I was delighted to learn of Helen's permanent appointment to her position and I wish her every success.

As the local school captains from the Pittwater electorate, who have joined me here in the Parliament this afternoon and are sitting in the public gallery this evening, will attest, Mona Vale Hospital has an important place in the hearts and minds of all Pittwater residents and we hold a deep respect for all those contributing to its service to our community. On behalf of the Pittwater community I extend the warmest possible welcome to our newest group of nurses commencing at Mona Vale Hospital this week, and I pay tribute to all our existing staff for their ongoing service and contribution.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.24 p.m.]: In acknowledging the words of my colleague the member for Pittwater I also advise the House of the presence in the gallery of some young student leaders from the Pittwater electorate: Jaimi Ward and Will McMullen from Barrenjoey High School; Mitchell Hasler and Jessie Moore from Mater Maria Catholic College; Lakshay Kumar and Keely McDonough from Narrabeen Sports High School; Nick Northey and Eden Groeneveld from Pittwater High School; Dominic Esterman and Olivia Connell from Northern Beaches Christian School; Hannah Zimmermann, Vivian Lee and Ludia Kim from the German International School; and Sarin Karakozian, Hovig Der Tateossian and Nicole Minassian from the Galstaun College. On behalf of the New South Wales Parliament I welcome them to the Chamber and thank them for their attendance here today.

MONTENEGRIN COMMUNITY

Mr PAUL LYNCH (Liverpool) [5.25 p.m.]: Tonight I report to the House on community events relevant to my electorate concerning the Montenegrin community. Montenegro is in the Balkans. It was once part of the Ottoman Empire and for much of the twentieth century it was part of Yugoslavia. In 2006, following a referendum, it became independent from Serbia. On Saturday 2 March a new park was officially opened and named in the Liverpool area. Montenegro Park was named to acknowledge and recognise the contribution of Montenegrins to Australian society and especially to communities in south-west Sydney. Present at the event were the Serbian Consul-General, Mr Radosevac, members of Parliament from the seats of Werriwa and Fowler, the member for Cabramatta and me as member for Liverpool, and councillors from Liverpool and Fairfield councils. The master of ceremonies was Mitar Djuricic.

Recognition was given to people who had helped with the process of naming the park, including Judy Pack from the Liverpool Historical Society and, in this instance, from the council's naming committee, and Carole North-Samardzic. The main driving force behind the project is a good friend and constituent of mine, Slobodan Lazovic. Certainly there needed to be a driving force. It took seven years from the time Slobodan commenced the campaign for the use of the name "Montenegro" until the park opening. As I commented at the official park opening, this was longer than the period over which the Second World War was fought. There had been some silly and short-sighted opposition from conservative political forces to the naming of the park but, predictably, they also turned up at the opening to try to share the glory.

The opening was organised by the Montenegrin cultural and arts society Nyegosh Sydney. This organisation has existed for many years since 1997 and has done a great deal of good and important work over that time. The society's president is Slobodan Lazovic. I have had the pleasure of being involved with many of the events that have been organised by the society. One of those events was the presentation of a copy of the works of Nyegosh to the New South Wales Parliamentary Library. The other significance of the park opening was that it celebrated the 200th anniversary of the birth of Petar Petrovich Nyegosh, whom the society is named after. He was a bishop prince and also the national poet of Montenegro. He is most famous for his work *Mountain Wreath*, which has been translated into English and which I have had the opportunity to read. It speaks, as does much of twentieth century Balkan history, of the struggle for independence from foreign empires—in Montenegro's case, in particular, independence from the Ottoman Empire.

Another event of significance for the Montenegrin community was the launch last year of a book about the earliest Montenegrin and Serbian migrants to Australia. This was a book by Slobodan Lazovic entitled *Our Legends under the Southern Cross*. Slobodan is himself a migrant born in Zabjelo, Podgorica, Montenegro. His father, who was a member of the people's liberation movement, died in the Second World War. Slobodan came

to Australia in 1972. The book launch was held on 16 November 2012 at the Serbian Consulate. Also present at the launch were Slobodan the author; Chris Hayes, member of Parliament for Fowler; and Councillor Wendy Waller from Liverpool council. There was a significant attendance of community figures, including Vaso Despotovic from Beo Enterprises and the Serbian language media. The book was launched by Mirina Muir, the granddaughter of one of the migrants whose story was featured in the volume, and whom I knew from Young Labor.

Slobodan's book is quite interesting. It tells the early Australian history of families such as the Jovanovic, Andrich, Mitrovich, Becich, Nikesitch and Radanovich families. The earliest migrants mentioned in the book arrived about 1860 and more followed in the 1880s. Some of the most interesting vignettes in the book relate to the pre-1914 migrant families, some of whose members ended up joining the Australian Imperial Force [AIF] to fight in the First World War. As I said when I spoke at the launch of the book, I found it particularly interesting that most Australian Imperial Force members were simply the troops of one empire going to fight the troops of another empire. However, those Australian Imperial Force members from Montenegro and Serbia were doing more than that: They were defending their original homeland and fighting against the troops of the Ottoman empire, who had for several hundred years occupied their homeland.

It seems to me they had a more direct personal investment in the fight. The book deals with many incidents in the lives of its subjects. One is the pogrom in January 1934 in Kalgoorlie when southern European migrants, especially from Italy and Montenegro and Serbia, were targeted and one was killed. This episode was recently covered in the SBS series relating to mining in Australia. One resident who witnessed these events was Petar Radanovic and his reminiscences are recorded in the book. It has been described as the longest-lasting race riot in the history of Australia. Although a total of 86 people were charged, the author is careful not to present this as typical of how Montenegrins were or are treated generally. Slobodan's book and Montenegro Park are regarded by the community as a celebration of contemporary multicultural Australia. Some of the final words in the book are as follows:

Coming here, the large majority of us truly embrace this country. We have our descendants who continue to contribute with their work for themselves and to the building of this multicultural society that strides boldly towards an economically powerful and stable country, with equality for everyone, regardless of religious, racial and ethnic diversity.

MYALL LAKES WOMAN OF THE YEAR JAN MCWILLIAMS

Mr STEPHEN BROMHEAD (Myall Lakes) [5.30 p.m.]: Tonight I wish to inform the House about the Myall Lakes Woman of the Year. Great Lakes Mayor Jan McWilliams has been announced as the local Woman of the Year for the electorate Myall Lakes as part of the 2013 NSW Women of the Year awards. The NSW Women of the Year awards showcase inspirational stories of commitment, sacrifice and extraordinary achievement. The awards are important as so many wonderful women are making an outstanding contribution to the communities of New South Wales. These include the local heroes and volunteers who deserve to be recognised. Women such as Jan McWilliams are fantastic role models. I hope that by sharing her story it will help to inspire others to realise their potential.

I had the pleasure of presenting Jan with her award at the recent seniors concert that was held in Forster. Mayor McWilliams has been a councillor on Great Lakes Council since 1995 and mayor since September 2008. In 2011 she was awarded the Women in Local Government award in the category of Elected Representative, Rural and Regional Council. In September 2012 she was awarded the Emeritus Mayor award from the Local Government Association for her service from 2008 to 2012. She also received a Service Recognition award from the Local Government Association for her 17 years of continuous service in local government as councillor, deputy mayor, mayor and council's representative on MidCoast Water.

Mayor McWilliams has lived in the Great Lakes area for 27 years and has two daughters, four grandchildren and three great-grandchildren. She has previously worked as an administrator in the private sector. During those years she has been involved in many organisations and committees. She was on the organising committee for the Tuncurry Skate Park and helped to raise funds for the park, which is valued at \$156,000. She was instrumental in obtaining the grandstand for the Harry Elliott Oval, which is valued at \$1.2 million. Jan was a campaigner for sport and recreation funding as well as council funding for the well-earned public grandstand at that oval. She is also a patron of the local rugby league team, the Forster Tuncurry Hawks, which uses those grounds. Jan has been a member of the police community committee since its inception. Jan has worked closely with the local area command, advocating for 24-hour police service in the Manning Great Lakes area.

Jan was a long-term committee member of the Oyster Festival. She was involved with the Red Cross Ladies to start Forster's first blood bank in the area. Since 2010, which was its second year, it has received 390 donations. Jan is a patron and avid supporter of the ladies of the War Widows Guild. Jan also is a war widow. She visits the ladies on many occasions for a cuppa and a talk and helps them with their fundraising efforts. Jan is a strong supporter of the Vietnam Veterans RSL sub-branch, the National Servicemen's Association, which is strong in the Great Lakes area. She attends all their ceremonies. Jan is on a number of regional and local committees, including the Hunter council committee, the Mid North Coast Group of Councils, and others. Jan is well-respected and is a popular mayor in the community. People relate to her because she is well grounded and kind-hearted with only the best interests of the community in the forefront of her mind. I commend Jan McWilliams.

ACTING-SPEAKER (Mr Gareth Ward): I join the member for Myall Lakes in congratulating Jan McWilliams. I have known Jan throughout her time in local government. She was a strong woman in local government and a great local mayor. Jan should be proud of her nomination.

SECOND ANNIVERSARY OF ELECTION

Mr MARK SPEAKMAN (Cronulla) [5.34 p.m.]: As Tuesday 26 March marks the second anniversary of the O'Farrell Government's election and my election as the member for Cronulla I wish to offer some thoughts about my first two years in office. I am proud to be part of a government that is totally focused on the core business infrastructure of State politics—building infrastructure, delivering front-line services and balancing the books when doing both. Across the State and in Cronulla, the Government is clearing the infrastructure backlog through major projects and record infrastructure spending. Across the State and in Cronulla, the Government is spending record amounts on health and education, and employing more nurses, more doctors, more teachers and more police than ever before. It already has employed more than 400 additional nurses and midwives in the South Eastern Sydney Local Health District.

Since my election significant infrastructure projects have either been completed or are underway in Cronulla. They include, firstly, 100 per cent air-conditioning on all regular timetabled train services on the Cronulla line. When the O'Farrell Government was elected only two-thirds of the trains on the Cronulla line were air-conditioned. This is great news for commuters who have long suffered the stifling heat on trains on the Cronulla line on hot summer days. Secondly, the Cronulla Waste Water Treatment Plant is receiving a \$46 million upgrade. This will control odour and greatly reduce the risk of sewage pollution of our Bate Bay beaches. The third project is the Taren Point Road pinch point project, which is designed to reduce delays and improve safety, particularly during peak periods. Community consultation is finished, detailed design is underway and construction is likely to start within a year. Fourthly, there is a \$1.1 million project for crash barriers on Captain Cook Bridge, which is presently underway. In 2011 the Government completed additional crash barriers either side of the bridge.

Fifthly, there will be substantial New South Wales Government assistance to Sutherland Shire Council for local projects such as the widening of Captain Cook Drive to four lanes between Woollooware Road and Elouera Road, upgrading of the North Cronulla to Wanda walkway, and the upgrading of the esplanade and the Cronulla seawall. In addition to these projects there are substantial grants to local community groups through the Community Building Partnership, and this year more than \$1 million will be spent on capital expenditure and maintenance in local schools. Of course as with anyone's first term there have been disappointments during my first term. The demise of *The Shire* television series was not one of them but the Cronulla Fisheries closure was the most notable. The Cronulla Fisheries site remains in public hands with substantial public sector employment. I am confident that the community trust board will manage the new Hungry Point Reserve in the best interests of Shire residents and with substantial community access.

My other goals for the area for the rest of this term include progressive planning for the F6, now to be known as the M1. Labor had taken the F6 out of its Metropolitan Transport Plan altogether but the O'Farrell Government has reinstated it. Labor's February 2010 Metropolitan Transport Plan did not mention the F6 and emails tabled in the Legislative Council show that less than 10 days before the plan's release, Premier Keneally intervened to remove any mention of it. The O'Farrell Government has accepted the recommendation of Infrastructure NSW that an F6 must be built.

A second local goal is the completion of a new \$10 million car park at Sutherland Hospital. Other local goals include progressing planning for 2020 in Kurnell, which is the 250th anniversary of Captain Cook's landing at Kurnell, and fighting for extra commuter car parking, particularly at Cronulla. Only a tiny percentage

of people have the honour of serving the community in Parliament. Only a handful of people have had that honour of representing an extraordinarily special part of New South Wales such as Cronulla. I am grateful to my masters, the electors of Cronulla, for placing their faith in me which has brought me here. It is an honour I continue to enjoy immensely.

SHOALHAVEN MENTAL HEALTH UNIT

Mrs SHELLEY HANCOCK (South Coast—The Speaker) [5.38 p.m.]: I am pleased to inform the House that the New South Wales Government has commenced work on the Shoalhaven Subacute Adult Mental Health Unit to be based at the Shoalhaven District Memorial Hospital. The 20-bed facility is provided as part of the subacute bed program, funded by the Council of Australian Governments. This is fantastic news for the residents of the South Coast who, with all the mental health providers in the region and me have campaigned well over a decade for a facility such as this. As the member for South Coast I have spoken in this House many times about the need for advanced mental health services.

Particular mention must be made of our local hardworking community organisations such as the Shoalhaven Mental Health Fellowship, Nowra GetTogether, The Junction, the Richmond Fellowship and Schizophrenia Fellowship which all provide outstanding services for patients suffering mental illnesses despite the significant funding and resource challenges they have faced. Building on the Government's already substantial mental health credentials—such as annual funding for Lifeline New South Wales, creation of the Mental Health Commission and establishing a Mental Health Line—the Government is committed to enhancing services and providing greater access to treatment and services for people with mental illnesses in the Shoalhaven.

The new service will cater for a range of acuity in the subacute spectrum and has been designed to allow for gender separation when required. Separate living and outdoor spaces will be provided for each segregated pod. This will be the first unit of its kind in the South Coast-Illawarra region and will closely link to the acute mental health services at Shellharbour. The new beds will enable longer-term stays of up to three months, allowing patients to benefit from a range of rehabilitation services not possible in an acute care setting. The longer stays will allow for more psychotherapy, more occupational therapy and more time to address the skills needed to cope with the pressures of daily life. Patients will work with a multidisciplinary team including a consultant psychiatrist, psychologists, psychiatric nurses and a range of therapists.

The closest facility available is located at Shellharbour. That is a significant distance for patients to travel when requiring treatment. I am sure that the Acting-Speaker, the member for Kiama, is aware of the distances some people have to travel to reach that facility. The travel faced by some patients is an impediment to them receiving treatment because little to no public transport is available for patients to attend the facility or return home. Further, family support networks were, in some cases, unable to be involved in the treatment because no transport was available for them either. I am pleased that both the New South Wales Government and the Commonwealth Government have recognised the need for greater mental health services on the South Coast.

In April last year Headspace Shoalhaven, a youth mental health service for those aged between 12 and 25, was launched in Nowra. It is a brilliant facility that I toured last year and it is a welcome addition in providing valuable treatment and support to youth with mental health issues. The Shoalhaven Subacute Adult Mental Health Unit will complement the services provided by Headspace and other local organisations whilst leading the way in subacute mental health treatment. The Shoalhaven-based facility will ensure that South Coast patients have greater access to services and will centralise health care at the Shoalhaven Hospital precinct. It will complement services currently available and under construction at the site, including the \$34.8 million Shoalhaven Cancer Care Centre.

The Shoalhaven Subacute Adult Mental Health Unit includes a 20-bed mental health subacute unit, single-bed bedrooms, and elevated internal courtyard areas will be provided for all segregated pods. The unit will house quiet activity areas for patient treatment. The inpatient facility has been designed to link to the main hospital via a level walkway and a service lift will be provided to transport patients and supplies from the drop-off point to the main floor. Construction has commenced following the award of the early works package and the facility is expected to be complete and handed over in early 2014.

I extend my sincere appreciation to the Minister for Health and Minister for Medical Research, the Hon. Jillian Skinner, for her continued work and passion for the South Coast and her commitment to improve

health care across all sectors, including cancer treatment and mental health. I also pay special tribute to the Minister for Mental Health and Healthy Lifestyles, the Hon. Kevin Humphries, for securing the important funding for this facility. I commend him for his visits to the South Coast facility to talk to mental health providers and for his passion and commitment to this facility not just on the South Coast but throughout New South Wales. I know that Mr Acting-Speaker shares my excitement as this facility approaches its 2014 completion date.

MACARTHUR MEN'S EVENING

Mr BRYAN DOYLE (Campbelltown) [5.43 p.m.]: The Macarthur Men's Evening is an initiative in Campbelltown and Macquarie Fields that is based on the message, "Responsible men, positive choices". It is an initiative of the Macquarie Fields Local Area Command, James Meehan High School, Father Riley's Youth Off the Streets and Mission Australia, Campbelltown. It is supported by Ingleburn Rotary and the GEO Group Inc. The group is designed to assist males aged 16 years and older to address difficult issues they may face such as domestic violence, alcohol and what it means to be a man in a modern society.

The program started in February 2012 and has continued to hold an event every six months. The number of people attending has increased from 90 on the first occasion to 230 people at the meeting I attended on Monday 18 March. On each occasion the basic message has been, "Responsible men, positive choices". The meetings have included specific topics such as violence against women and on Monday it addressed alcohol-fuelled violence. The general community has provided great feedback for the program and it is easy to see why when we look at the quality of the men involved.

The master of ceremonies was Mr Kurt Wawzkowicz, the deputy principal of James Meehan High School and Shannon Williams. The special guest speaker was Commissioner of Police Andrew Scipione, APM. The discussion panel included "Real Deal" Daniel Geale, the International Boxing Federation middleweight world boxing champion, Krisnan Inu, Canterbury Bankstown Bulldogs and New Zealand Rugby League international player, and Clint Newton, Penrith Panthers National Rugby League player. The panel also included my old friends and colleagues Senior Sergeant Michael Grace, a large man in both stature and character, and Sergeant Richard Simon. They have both been wonderful servants to the NSW Police Force and their communities. The panel also included Judge Ian Pike, AM, chairperson of the State Parole Authority of New South Wales and a former magistrate who was appointed with my father many years ago, and my former commissioner Mr Ken Moroney, AO, APM.

A man by the name of Mr Lucky Ruha was also on the panel. He is a man of great courage, who shared his experience of alcohol and how it led him to some poor decisions that had even poorer outcomes. He spoke about how, with the help of Sergeant Richard Simon, he faced his demons and turned his life around. I commend him for sharing his deep thoughts and experiences with the young men and the older men present on the night. Also on the panel was Superintendent Sean Gersbach, the commander of the Macquarie Fields Local Area Command. He does a wonderful job in leading his men and women who are protecting our community. After an incredible welcoming haka Commissioner Scipione addressed the crowd. He told the young men that even though it was Monday every day was chooseday. He spoke of the power of positive choice and the cumulative impact of continually making positive decisions. He also spoke of the impacts of poor decisions and the fact that a man must have values. He reminded them that a man who stands for nothing will fall for anything.

It was amazing to see the young men of Macquarie Fields, Campbelltown and the greater Macarthur area gathering together to mix with these wonderful role models. I was honoured to be there in support and I was pleased to see my mates from Ingleburn Rotary Club manning the barbecue. There is no event that cannot be made better with a Rotary sausage sandwich. The Macarthur Men's Evening is a wonderful event. I commend all the groups involved for their participation. I look forward to the group continuing to contribute to our wonderful community of Campbelltown.

CATHOLIC CHURCH AND CHILD SEXUAL ABUSE

Ms SONIA HORNERY (Wallsend) [5.48 p.m.]: Last year's inquiry by the Victorian Parliament into child abuse should serve as a reminder that there are issues that need to be addressed and problems that should be brought to light. In its submission to the inquiry the Catholic Church stated that over the past 16 years its internal complaints system upheld 620 claims of child abuse dating back to 1930s. The Victorian Police have

stated that they are aware of 370 cases involving the church and that not one of these was referred to them by the church for investigation. Rather than helping the Victorian Police, Graham Ashton, the Victorian Deputy Commissioner of Police, said:

The Catholic Church's lack of co-operation with Victoria Police will continue to impede investigations, prevent identification of other victims of child sexual abuse during the course of investigations of alleged offenders and decrease the organisations ability to understand the complexities of child sexual abuse and long-term impacts.

This issue has a particular urgency in the Hunter region, given the arrest and charges laid against Father Tom Brennan for not only concealing his alleged sex crimes against children in Adamstown but also for alleged sexual offences committed by him against an eight-year-old boy. How far and wide these offences and assaults go is still unknown to the Hunter community. Most importantly, the men and women who have been the victims of sexual assaults by members of the church have carried a heavy burden. Often they have been punished and victimised when they have tried to defend themselves by reporting the abuse. One of the victims in the Hunter Valley said after the arrest of Father Brennan:

I feel better now that I have got it off my chest after saying nothing for all these years, but there is still a dark side of it.

I only wish that Anthony Foster's two daughters, whose lives were destroyed after their sexual abuse at the hands of a priest, had had the same opportunity. This Parliament and this Government have a responsibility not only to acknowledge the hurt and suffering of these children but also to make every effort to bring those responsible to justice and clear the way for healing and reconciliation to begin. How many others who possibly covered up abuse or were involved in that abuse remain sheltered from the law? The revelations of the Victorian Police that the church had not reported any of the abuse cases for investigation is the most poignant indication that this Parliament must, as our Victorian colleagues have had the fortitude to do, establish an inquiry into abuse. We cannot afford to ignore this matter, given the revelations in the Victorian Parliament. Chief amongst them is the lack of assistance provided by the church and the hesitancy to involve police in what is obviously a criminal matter.

While I support the establishment of a royal commission into the abuse of children, any inquiry is a start. Establishing such an inquiry is a sign of compassion, sympathy and love on behalf of the Government and a clear indication to those affected that they no longer have to suffer in silence, that they must no longer bear their pain, guilt and shame alone. It is a reminder to all that no-one is above the law and that no-one can be sheltered from justice forever. The Opposition has already assured the Government of its full support for any inquiry it may decide to establish. I take this opportunity to urge the Premier on behalf of my constituents in the Hunter region and those children who have not only suffered in the past but who continue to struggle with the aftermath today to establish an inquiry to get to the bottom of this and find a way to begin the healing that so many victims and survivors desperately need.

WESTERN SYDNEY GROWTH CENTRES AND INFRASTRUCTURE

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.53 p.m.]: The New South Wales Government has cleared the way for the construction of almost 40,000 homes in Sydney's new release areas, close to railway lines, employment areas and other new infrastructure. With the North West Rail Link and another five essential infrastructure projects in these areas being funded in the State budget, the Government believes it is time to make more home sites available in the growth centres. Unlike its Labor predecessor, the Coalition Government will announce the release of new home sites only where key infrastructure is being delivered. The growth centres are well placed to be vibrant, liveable communities where people can raise families. They are close to transport, and land has been set aside for open space and other important uses such as retail areas, business zones and schools.

Last Saturday I had the pleasure of joining the Premier and the Minister for Planning and Infrastructure in my electorate as we announced the release of 9,600 new home sites in the Box Hill and Box Hill industrial areas. Those developments will lead to the creation of 16,000 new jobs. The rezoning is one part of a massive housing supply program for up to 172,000 new homes across Sydney to cater for the expected 1.3 million growth in population in Sydney over the next 25 years. The New South Wales Government has also included a timetable for the upgrade or delivery of key infrastructure such as roads and sewerage to enable new homes to be built as soon as possible. These steps are the latest in a concerted and ongoing effort by the Government to kickstart house construction in New South Wales. This approach is paying dividends. Since March 2011 this Government will have rezoned land in growth centres for 35,700 new homes and the creation of 29,000 jobs.

The Government is freeing up the bottlenecks that have restricted housing supply and that have put upward pressure on house prices in Sydney for families wishing to purchase a new home. More than 27,000 new homes will be built and 49,500 new jobs will be created in and around the eight new stations on the North West Rail Link under the revised Metropolitan Strategy. The North West Rail Link Corridor strategy provides a vision of sustainable, well-connected, liveable communities and this vital new rail line will make the north west of Sydney an even more attractive area in which to live and work. The corridor strategy will be coordinated across three local government areas to create a predicted 27,400 homes and 49,500 jobs over the next 25 years. Different housing types are proposed in these areas to suit a range of families, budgets and lifestyles, and each station will have a local mixed-use centre to provide for the day-to-day needs of residents and workers.

Local councils have already done a lot of planning for these areas and the Government will build on that work to ensure coordinated development across the three local government areas of The Hills, Blacktown and Hornsby. The corridor strategy includes a draft structure plan for each of the eight station precincts, including Rouse Hill and Kellyville. These draft structure plans look at the current constraints, opportunities and predicted growth, and present a vision for each area for the next 20 to 25 years. The New South Wales Government will take immediate action to support development of up to 15,850 additional homes across the Sydney region with community consultation taking place about another 60,000 dwellings.

In August 2011 the Government asked landowners to nominate large sites that could be developed for housing within three years at no additional cost to the Government. The Potential Home Sites program has been successful in suggesting large sites where landowners want to build new homes and has assisted the Government to expand its options with regard to additional housing supply. By increasing supply, we help to ease house price pressure. In response to the evaluation of 29 potential home development sites, the Government will investigate the longer-term potential of 13 other sites for 60,000 new homes in consultation with the public. The seven sites for immediate action include North Richmond in Sydney's north-west, which will have upgraded infrastructure to support the current and future population of this area. Three of the sites recommended for future strategic investigation are Box Hill North with 4,300 new home sites, South Dural with 3,000 new home sites and Glenhaven North with a potential 2,000 new home sites.

The consideration of these strategic sites for future housing will enable important work to be undertaken. Those works will include upgrading of local roads and infrastructure such as water storage for Box Hill, the upgrading of Glenhaven Road and the upgrading of Old Northern and New Line roads, which were sadly neglected by the former Labor Government, but which can now finally be constructed under the revised strategy for housing in these areas. The Government will ensure that the local, regional and State infrastructure required to enable growth on all sites is properly addressed before subdivision takes place. Importantly, these new housing sites in western Sydney will be serviced by the North West Rail Link and the South West Rail Link. I acknowledge our extremely capable Minister for Transport, who is a great asset to the Government in providing this important infrastructure for western Sydney.

BAYS PRECINCT LAND USE

Mr JAMIE PARKER (Balmain) [5.58 p.m.]: I draw the attention of the House to a matter of great importance to my electorate and to the future of Sydney's waterfront land. The Bays Precinct is an important site close to the central business district and located in one of the most densely populated areas in the nation. Sydney is a global city and our waterfront land is some of the most spectacular in the world. The Coalition Government has continually promised transparency and genuine community consultation in planning. The Bays Precinct provides a unique opportunity to ensure that our waterfront land is kept in public hands for public use. Today I join with local residents, community groups and planning experts to call on the Government to release the Bays Precinct Taskforce strategic plan.

I will highlight some of the community's priorities for this important site. It is imperative that the entirety of the Bays Precinct remain in public hands. This was a key recommendation of the Bays Precinct Taskforce and is critical to the long-term protection of this area and to ensure that it can be used by the people of Sydney for generations to come. This is prime waterfront land that belongs to the people of New South Wales and it must not be sold off to private developers. The Urban Taskforce has put forward a shockingly inappropriate proposal for a massive residential development, including a 200-metre high, 60-storey tower. I urge the Government to reject this terrible proposal to privatise such an important area of public waterfront land—land that is owned by the people of New South Wales and that should be made available for their use.

The plan for the Bays Precinct must have a strong emphasis on public access and use, with consideration for the land use needs of the community. Priorities include public transport access, active transport

options, such as pedestrian and cycle access, community spaces and open space. Land use opportunities include child care, aged care, community and cultural spaces as well as sporting and recreational facilities. It is crucial that appropriate public transport is provided for the site. An integrated traffic and transport plan should be prepared for the precinct as a guide for future development plans. I have already called on the Government to retain the existing goods line corridor to White Bay and Balmain to allow for the potential extension of light rail. I note the presence in the Chamber of the Minister for Transport. I also strongly support the reopening of the Glebe Island Bridge for pedestrians and cyclists. This area is a prime site for the development and improvement of transport infrastructure.

I will continue to work towards expansion of the light rail network to White Bay and Balmain and along Parramatta Road. I also ask that the Government protect the Rozelle Rail Yards as an important asset for delivering on crucial regional transport needs. After the ad hoc decision-making of the former Labor Government, the community has sought a moratorium on all development applications and leases for the site, pending the release of the strategic plan. Unfortunately, the absence of a comprehensive plan for the use of public land has meant that the ad hoc developments have been submitted, and approved in some cases. This clearly undermines the broader vision for cohesive and appropriate development of the site, particularly considering many of the applications are linked to long-term leases. The community is particularly concerned about Bank Street, Rozelle Bay, Blackwattle Bay, Glebe Island Expo, Glebe Island Bridge, and Bailey's Marina.

Leases on the Bays Precinct site must be independently reviewed and subject to scrutiny to ensure ad hoc developments do not undermine the appropriate development of the whole area. Parts of the Bays Precinct are highly polluted from previous industrial uses. Urgent action must be taken to remediate these areas while ensuring that pollutants are not disturbed, and that waterway areas are protected from contamination. This is a unique opportunity to show vision for the development of this important area. Decisions about the Bays Precinct will impact upon future generations and must be undertaken with full and transparent community consultation. I call on the Government to take into account the community's vision for the sustainable development of this site, in particular to ensure that it remains in public hands, to improve access for all to the waterfront, and to protect public space.

It is also critical that future development within the precinct must be guided by strategic planning principles developed by the Bays Precinct Taskforce. This prominent harbour-front land on the doorstep of the city is public land, owned by us. We must ensure that we get this right. We have seen the mistakes made by the former Labor Government—the ad hoc developments and the inappropriate developments on that site—and currently an opportunity exists for the Government to get it right. It is important that this iconic precinct continues its legacy as a working harbour. I am committed to ensuring ongoing maritime uses, but the uses I have mentioned for a whole range of community issues, in particular when it comes to sporting fields for our growing sporting clubs, is absolutely critical.

I recognise the dedication of local residents in the Balmain community who for many years have campaigned for appropriate development of the Bays Precinct: the former Mayor of Leichhardt, Maire Sheehan; Jean Stuart, the President of the Pyrmont Community Group; Gretchen Gamble of the Save Rozelle Bay group that is based in Annandale; former councillor John Stamolis, a long-term member of the local precincts in Balmain and White Bay and a fierce champion of the White Bay issue; John Gray from the Glebe Society; and many others. This Government has a once-in-a-lifetime opportunity to get this matter right. The sale of land, inappropriate development and the lack of a strategic approach have all been seen before. This Government has an opportunity to release the report, get it right, and ensure that planning is done for the community rather than for developers in an ad hoc manner. I urge the Government to take this opportunity.

GREEK FESTIVAL OF SYDNEY 2013

Mr JOHN FLOWERS (Rockdale) [6.03 p.m.]: I acknowledge the Thirty-first Greek Festival of Sydney and the media and sponsors' launch that was held on Thursday 7 March at the Grande Roxy, The Grand Parade, Brighton-Le-Sands in my electorate of Rockdale. Senator Concetta Fierravanti-Wells and a large contingent of State members of Parliament, councillors and mayors were present, along with His Grace Bishop Seraphim. I believe this is evidence that the Greek Festival of Sydney enjoys wide community support and has a bright future. On this occasion I had the pleasure of representing the Premier. Also present were Mr Harry Danalis, who is the president of the Greek Orthodox Community [GOC] of New South Wales, and Ms Nia Karteria, who is the festival chair of the Greek Festival of Sydney.

Many members would have driven past the Grande Roxy as they drive to and from the central business district along General Holmes Drive and the Grand Parade. This function centre plays a major role in the social

life of the area by hosting numerous and varied functions. The proprietor is Mr Bill Mougios, and I thank him for his many years of hard work in the building of this landmark small business, which is enjoyed by so many residents in my electorate. Before the festival moved to the central business district and Darling Harbour, for many years it was held at Brighton-Le-Sands, so its association with the area lives on with the launch at Brighton-Le-Sands. The Greek Festival of Sydney is one of Australia's largest and longest running annual cultural events, and it is the most attended Greek-Australian community event in New South Wales.

Over the past 30 years the festival has played a key role in providing a forum for showcasing a multitude of Greek and multicultural expressions by featuring the finest Greek-Australian talent alongside the most acclaimed Greek artists in the world. The festival is a cultural celebration of Greek-Australian lifestyle, culture and heritage. However, its appeal is much broader and reflects the rich and diverse multicultural nature of Australia. The festival has evolved into the most prestigious and important Greek-Australian community event in New South Wales. The festival, which traditionally is a three-or-four-week celebration, combines high-calibre ticketed events with popular free events, such as the festival's flagship event, the Street Fair, which attracts more than 30,000 people annually.

The Greek Festival of Sydney was established in 1980 by the Greek Community Council, which is a body that represented all major Greek organisations at that time. It arose out of the Greek community's need to express and maintain cultural and artistic practices. The festival sought to do that through a variety of cultural events, such as theatrical performances, concerts, lectures, film screenings, et cetera. The aim of the festival is to promote Greek culture, not just within the Greek community but also within the broader context of the Australian community. The festival is funded by the Greek Orthodox Community of New South Wales along with the various sponsorships. One of the primary aims of the Greek Orthodox Community is to not only to meet its members' cultural and artistic aspirations but to showcase the very best of Greek and Greek-Australian culture to a wide audience. The New South Wales Government is a major sponsor of this event. I know that that is very much appreciated by the Greek-Australian community that was present on the night of the launch.

The festival's cultural program, including the two-day celebration at Darling Harbour on 16 and 17 March, was a great success. I also look forward to the weeks of quality cultural events that include collaborations with the Australian Museum. This is an appropriate time to reflect on the contribution that the Greek community makes to Australia and New South Wales. According to the 2011 census released last year, the Greek-born community in Australia consisted of 99,938 persons, of whom 31,546, or 32 per cent, live in New South Wales. There are 378,267 people who have Greek ancestry, of which 34 per cent live in New South Wales. Fifteen per cent of the population of the Rockdale electorate have Greek ancestry. The long-term aim of the festival and the Greek Orthodox community is to establish a permanent cultural centre to ensure continuity in the artistic life of future generations of Greek-Australians and their fellow citizens. I wish them every success in the future.

PARRAMATTA COMMUNITY CARE INCORPORATED

Dr GEOFF LEE (Parramatta) [6.08 p.m.]: I congratulate Parramatta Community Care Incorporated [PCCI] on its opening and operations of the Parramatta FoodCare program. I commend Michael Green, the chairman and senior pastor of Community Care Incorporated Parramatta, and I thank him for his important contribution to people with disadvantage in western Sydney, which is made possible with the support of 41 hardworking volunteers and one paid employee. The volunteers at Community Care Incorporated Parramatta are from various backgrounds, cultures and nationalities. Though they are so diverse in their background, they share a genuine camaraderie which has created the social environment of FoodCare that many of their clients enjoy.

At the official opening, it was a pleasure to meet a number of the volunteers along with Councillor Bakous Makari and a member of the Federal Parliament, Julie Owens. Community Care Incorporated Parramatta is a charitable, non-profit organisation that provides affordable and free food to many families in western Sydney. It restores dignity and hope to families who struggle within the current economic climate. In essence, Community Care Incorporated Parramatta is about a small organisation easing the burden on government. If the community builds healthier relationships and takes greater responsibility for each other, then it is more likely for there to be a greater sense of community wellbeing.

Parramatta Community Care also seeks to provide several practical solutions to address real physical, emotional and social needs within the community. Its social services include the provision of heavily discounted groceries, free fruit and vegetables and bread to the unemployed and low-income earners; the provision of social

facilities, including free coffee and pastries provided by the volunteers on a weekly basis; the supply of emergency hampers to clients who have no funds to purchase food; the provision of discounted electricity, free medication, clothing and access to emergency accommodation through partnerships with several community providers; partnerships with the NSW Correctional Services to rehabilitate parolees by offering volunteer positions within the organisation to provide them with the necessary skills, mental preparation and emotional support to integrate back into society; counselling for mental and emotional issues; and training on and assistance with budgeting and management of finances.

Parramatta Community Care has been operating since July 2012. It currently has hundreds of registered clients on its books, and averages 16 new memberships per week. At any one time an average 60 or 70 clients shop there and the majority of clients live in the Parramatta and North Parramatta areas. Clients are made up of 40 per cent seniors over the age of 60 years, 30 per cent families of three or more family members, 15 per cent singles, 10 per cent single mothers and 5 per cent students. It was wonderful to see the FoodCare shop in full operation, with a number of volunteers at work serving clients. The Parramatta Community Care baking team provided a wonderful buffet for its guests and clients, while a group of musically talented volunteers provided the entertainment.

I congratulate all the hardworking volunteers for their efforts, including Grahame Davidson, logistics coordinator; Philip Kitong, supervisor; Ed Diaz; Rohan Arudselvam; Vish Patten; Beau Metti; Robert Powell; Mason Innes; Marysia Mogielnicki; Hinduja Srichand; Natalie Baron, shop coordinator; Ross Esmundo, supervisor; Judy Kerrigan; Laureen Wallace; Wayne Wallace; Jim Edgecombe; Sandra Edgecombe; Amanda Butterworth; Donna Turner; Allison Green; Audrey Schokman; Saras Kumar; Dianne Davidson; Myles Boatman; Monica Mulvaney, baking team coordinator; Christina Arudselvam; Grace Joseph; Lizzie De Silva; Arosha Banauhuareachchige; Anita Kitong; Lynn Whitter; Heather Van Bruinessen, counselling coordinator; Margaret Treanor, Parramatta Community FoodCare manager; Vera Afful, finance; Sara Jayona, finance; Stance Airhumwunde, funding; Suzanne Manuel, marketing/advertising; Jeff Gunawan, entertainment; Jeanette Peterson, procurement; Wati Treanor, technical; and Paul Van Bruinessen, work, health and safety. I congratulate the Parramatta Christian Church. I congratulate also Michael Green, his wife Allison and their children Dominique, Brad and Mitchell, on their excellent community service. They are all outstanding leaders in the Parramatta area.

BRISBANE WATER FORESHORE PROGRAM

Mr CHRIS HOLSTEIN (Gosford) [6.13 p.m.]: Tonight I inform the House about the wonderful Brisbane Water Foreshore Program. This program is coordinated through two government departments, the Office of Environment and Heritage and Hunter-Central Rivers Catchment Management Authority, the Gosford City Council, Central Coast Community Environmental Network, Brisbane Water National Park, the Tangaroa Blue Foundation and local oyster farmers. Graham Johnston, the program coordinator, is committed and passionate about cleaning up our waterways and improving the environment.

Recently Graham was ably assisted by the Brisbane Water Secondary College. For a couple of weeks several groups from the college, The Croft support unit and Bushcraft, helped to clear rubbish and debris from numerous locations around Brisbane Water. More than 14 tonnes of rubbish were removed from Pelican Island, Mangrove Island, Rileys Island and Paddys Channel. We on the Central Coast are very proud of our environment. Indeed, our local council is at the forefront of waste collection and recycling programs. Yet over a short period, in areas considered to be pristine, more than 14 tonnes of rubbish was removed. In that rubbish, plastic was a huge problem. Discarded items included cigarette lighters, supermarket plastic bags, drink bottles, plastic film remnants, foam cups, glass bottles and aluminium cans. Other interesting items included 60 tennis balls washed up into the mangroves, 500 pieces of trays, buoys and baskets from the oyster industry, timber pallets, wooden sleepers, aerosol cans, oyster mesh and processed timber.

It is a sad reflection on society when one realises just how much rubbish gets into our waterways. The clean-up held on 1 March saw more than 200 decaying oyster trays retrieved. This clean-up was conducted in wet and windy conditions, which made it very difficult to remove rubbish from our dense mangroves but the volunteers from the Brisbane Water Secondary College were not to be deterred. These kids got in with the government agencies and cleaned the area. They did a magnificent job. In that one area alone they cleared over 850 kilos of rubbish. A barge was used on the major pick-up later in the week, and it required many trips to remove hundreds of hardwood oyster trays. As I said, more than 14 tonnes of rubbish was removed. The Tangaroa Blue Foundation, which is a marine debris initiative, was involved in this mammoth operation over

several weekends. I was privileged to meet with the volunteers at Woy Woy before they embarked on the major pick-up. I congratulate all who were involved in the process, particularly the young students from the Brisbane Water Secondary College.

Our waterways and our foreshores should always be kept in the best condition possible. Being a realist, I know that rubbish and debris will always get into our waterways. The students and the volunteers devoted their time and effort to clean the waterways. We as a community have to ensure that pristine areas of environmental significance such as the Brisbane Water are protected from rubbish. The amount of rubbish collected was unbelievable. It was only when the kids got well into the mangroves and fairly isolated areas that we were dumbfounded by the amount that was collected. This great initiative has been accurately recorded by the Tangaroa Blue Foundation so that the origin of rubbish can be tracked and positive steps can be taken to reduce the amount of rubbish that is found in our waterways.

SMITHFIELD ELECTORATE AWARD RECIPIENTS

Mr ANDREW ROHAN (Smithfield) [6.18 p.m.]: It is my great pleasure to congratulate all finalists in the NSW Women of the Year awards. It is impressive to see such engaging and powerful women help their communities and our State in so many ways. I am overjoyed to say my electorate holds one of the six Premier's finalists for the awards. Dr Eman Sharobeem, a citizen of Abbotsbury, has been fighting against forced and arranged marriage. She has gone above and beyond her call of duty to advocate for equal rights among immigrant women. For eight years, Eman has managed the Immigrant Women's Health Service in Fairfield, which provides migrant women in the area with assistance to integrate into their society. Eman focuses on aiding women aged 11-to-15 years who are forced into wedlock—a religious and cultural practice that affects an alarming amount of young Australian women. Eman is an Egyptian immigrant, which is why she feels such an affinity with the people she helps. She lived in Egypt until her late teens, and was subjected to an arranged marriage with her cousin at age 14. He was 12 years older than she was. This terrifying and personal experience of forced marriages has motivated Eman to advocate against this custom.

I also bring to the attention of the House two winners of the Premier's Community Service Award, our local heroes Tairyn Vergara and Mary Vandermade. Both of these exceptional women, whom I nominated for the awards, are Smithfield electorate locals. Tairyn is the manager of the Parks Community Network in Wetherill Park. She received the award for the countless services she has established within the electorate. Migrating from Chile to Australia at the young age of eight, Tairyn understands the importance of helping others who are in need. The Parks Community Network offers programs such as low-income support, ethnic specific programs, seniors programs and involvement within the culturally diverse and low socioeconomic background communities in the Fairfield local government area.

These are just some of the many services opened under the management of Tairyn. Not only this; but she is the president of the Spanish and Latin American Social Association, a group founded to serve the interests of the Spanish and Latin American community. This is something she does voluntarily, solely because of her desire to help the community. It is truly wonderful to see high-profile women of our area get involved in helping our community. However, small accomplishments must also be commended. Mary Vandermade, also a winner of the Premier's Community Service Award, works as a lollypop lady for Mary Immaculate Primary School in Bossley Park. She has served the community for 2½ years by helping schoolchildren cross the road. She is constantly alert and cautious, making sure to take care of both pedestrians and drivers.

What is inspiring about Mary is that she puts all her commitment into this small yet significant role. Despite the fact that she is busy studying and taking care of two kids, she has time to help out her community. It would be an understatement to say that Eman, Tairyn and Mary are deserving of the awards and titles they have received. These women have broken through the glass ceiling to accomplish their goals. They have done an incredible amount of work for the Smithfield electorate, and I wholeheartedly congratulate them on their success and thank them for their work. I also acknowledge each and every one of the 10,000 volunteers who put aside time from their otherwise busy lives to work tirelessly for their community. I thank them profusely for all their perseverance in providing services and facilities within my electorate of Smithfield.

HAMMONDVILLE

Ms MELANIE GIBBONS (Menai) [6.23 p.m.]: Let me begin with a quote, if I may, by Franklin D. Roosevelt:

The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have little.

These sentiments are echoed by the life's work of Robert Brodribb Stewart Hammond, an Anglican clergyman after whom the south-western Sydney suburb of Hammondville is named. Not too many people are familiar with the name but Hammondville's history is worth sharing. It is one of the suburbs of the Menai electorate and where my electorate office is located. Today I would like to share some of that history.

During the Great Depression, when jobs were hard to find and families were going hungry, the then minister Hammond had a vision to help unemployed men get back on their feet. He purchased land near Liverpool and started a company called Hammond's Pioneer Homes Ltd. By 1937, 110 homes had been built to house families with at least three children and an unemployed father at the time of settlement. Settlers were helped to find employment, could buy their homes by easy instalments and could supplement wages with home-grown food. By 1940 the homes were joined by a school, general store, post office and church. Hammond saw the solution in encouraging families back to the land to conquer the rise in homelessness and as a means to encourage independence and self-esteem through home ownership.

The model flourished and today there are still some of the original residents living in and around Hammondville. One of this House's former members, John Hatton, grew up in one of Hammond's land settlements and credits it with his family's success. I have had the pleasure of learning more about Hammondville's history through another lifelong resident John Jewell. As a child John was witness to the tragic plane crash of Lieutenant George Cantello while he was defending Australia on 8 June 1942. Today Lieutenant Cantello's memory is honoured with the nearby Lieutenant Cantello Reserve, a popular sporting and recreational spot along the river.

When John informed me of Hammondville's eightieth birthday last November I worked with him to create a commemorative brochure to mark the occasion. John has collected folders full of photos and newspaper articles chronicling the development of the suburb and the then revolutionary model for social reform. It is quite inspiring to learn of the suburb's humble beginnings and the hope and promise it offered for its very first residents who were doing it tough. Just this week I attended the book launch of *Faith in Action: HammondCare* by Meredith Lake. It is an account of the history of yet another one of Hammond's great achievements, the establishment of Hammondville Homes for Senior Citizens. This was one of Australia's first integrated facilities for disadvantaged elderly people.

Today the organisation, now known as HammondCare, services a wide range of people with complex health and aged care needs, through dementia and aged care services, palliative care, rehabilitation and mental health programs. I have spoken before about its state-of-the-art facilities and its fresh approach to the different levels of care accommodation. At the book launch I met Joe Payne, affectionately known as Joey, who shared some of his memories of the hardships of growing up in what he referred to as the unique village for the poor. Despite the poverty, he remembers his childhood in Hammondville fondly—playing in the bushland, swimming in the Georges River, and the makeshift canoes fashioned from corrugated iron and bitumen from their one and only tarred road. He also remembers Canon Hammond as a stately, reserved grandfather, waving benignly to his village family. It is clear that Hammond was revered by the people of Hammondville for giving them the chance to prosper and rise above the poverty they knew so well. As members can see, Hammondville has quite a history to share.

This year Hammondville Public School will celebrate its eightieth birthday, and I look forward to getting involved in the celebrations. Now that I work in the heart of Hammondville I have also come to know and enjoy being part of a community that was built on such inspiring foundations. I was stoked when John Jewell referred to me as an honorary Hammo girl. It may be a small suburb situated just off Heathcote Road and bordering the M5, but it is also home to a number of growing families and many Army families sitting alongside the longstanding residents who spent the majority of their lives in the area.

The member for The Entrance is soon coming to visit his old stomping ground of Hammondville Public School, and I extend an invitation to all members to visit Hammondville and meet some of the friendly faces: John the drycleaner, Betty in the florist, Lillian and Jonathan in the chemist, Keith at HammondCare and Caroline and Shelby in the brand-new cafe and children's store. We were thrilled that the Minister for Women recently presented our Menai Woman of the Year award at Addie and Me, the brand-new store. Finally, I formally acknowledge Hammondville's first 80 years, and hopefully there will be more to share in its next 80 years.

MOUNT DRUITT HOSPITAL WARD CLOSURE

Mr RICHARD AMERY (Mount Druitt) [6.28 p.m.]: I would like to speak about the Mount Druitt Hospital. By way of background I point out that Mount Druitt Hospital is a project of which I am very proud, as

is the Mount Druitt community. The hospital was built more than 30 years ago and was what would be called a project of the Wran Labor Government. Of course, in the last 16 years of government many improvements were added to the hospital, such as the expanded rehabilitation wards; the accident and emergency upgrades that facilitated paediatrics patients being treated separately from adults; and the initial scanner and a replacement scanner installed in the last couple of years. Prior to the election, both the Labor Government and the then Coalition committed to the upgrade of both Mount Druitt and Blacktown hospitals. I acknowledge that the Minister of Health has announced that the Government will proceed with the upgrade of both of these hospitals. Unfortunately, that is where the good news of my statement ends.

Because of the deadline on Monday night, the *St Marys-Mt Druitt Star* edition of Tuesday 19 March 2013 carried a report about the upgrade of Mount Druitt Hospital entitled, "Work starts on the upgrade for hospital". It outlines a very positive story of the work being done. What a difference a day makes. Virtually the same day, and also the following day, the *Mount Druitt Standard* reported on the closure of the Mount Druitt cardiac unit, or coronary care ward. This closure has really hit the community hard. They are extremely angry about this decision. Adding to the anger is the absurd argument that it is actually not a closure but a relocation to Blacktown. I am sure that if the Government were to close a motor registry or government agency in your electorate of Kiama, Mr Acting-Speaker, and reopen it in Nowra or Wollongong, you would see it for what it really is—a closure, not a relocation.

I ask the Minister to reconsider the decision about this facility. While my electorate is one of the youngest electorates as far as age of residents is concerned, it is an electorate that has many what might be called lifestyle diseases affecting the community, such as coronary heart disease, diabetes and the like. Many years ago an official of the Mount Druitt hospital reported to me that whilst many hospitals are caring for coronary patients generally aged 40 years through to middle age, at Mount Druitt these patients are quite often in their mid-30s. The ward has been very successful, and the local community is staunchly behind it.

The president of the support group, Barry Robson, is absolutely stunned by this decision, highlighting that organisations such as Rooty Hill RSL and others have raised a lot of money to buy equipment for the cardiac unit. A person whom Minister Skinner would know, Margaret Thurlow, a volunteer at the hospital, hosted Mrs Skinner when she visited Mount Druitt hospital on many occasions as shadow Minister, at a time when the community was very concerned about a proposal that Blacktown and Mount Druitt would share services. Margaret Thurlow is shocked about the decision; she has emailed me and the Federal member asking us to do all we can to have the Minister and the Government reconsider this decision to close the cardiac unit.

As I have said, this decision is severely impacting the local community. It has shocked them because, given the many visits and the positive stories about the Government going ahead with the upgrades of both the Mount Druitt and Blacktown hospitals, everyone thought it was going to be all good news about Mount Druitt Hospital. No-one thought for one moment that the upgrade would be funded by cutbacks—or, to use the Minister's words, savings, the latest buzzword to describe a cutback in a government allocation. Not just on behalf of Margaret Thurlow and Barry Robson but on behalf of everyone who uses Mount Druitt Hospital, I ask the Government and the Minister to reconsider the decision to close the cardiac unit in Mount Druitt.

It would be a shame if such a positive upgrading of the hospital as is now underway would be spoilt by a decision that has not been thought out. As a politician, a Labor member of Parliament, I say to the community that there really is a cost to voting Liberal. We have lost the education office at Emerton and a number of other closures are in the pipeline. Now, at a time when the hospital is getting all this funding for its upgrade, we will lose our cardiac unit. I plead with the Minister, on behalf of the Mount Druitt community, to reconsider this very poor decision.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.33 p.m. until
Monday 25 March 2013 at 12 noon.**
