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# LEGISLATIVE ASSEMBLY

Thursday 9 May 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.

## OMBUDSMAN

### Report

**The Speaker** announced, pursuant to section 43 of the Community Services (Complaints, Reviews and Monitoring) Act 1993, receipt of the report entitled, "Report of Reviewable Deaths in 2010 and 2011, Volume 2: Deaths of people with disabilities in care", dated May 2013.

**Ordered to be printed.**

## HEALTH LEGISLATION AMENDMENT BILL 2013

**Message received from the Legislative Council returning the bill with an amendment.**

**Consideration in detail set down as an order of the day for a later hour.**

## CARBON TAX AND LOCAL GOVERNMENT

**Mr BART BASSETT** (Londonderry) [10.04 a.m.]: I move:

That this House:

- (1) condemns the Australian Labor Party, Greens and aligned Independent councillors who attempt to block local government councils from alerting ratepayers to the financial cost of the carbon tax on rates notices;
- (2) supports local government councils that choose to include a statement on rates notices outlining the cost of the carbon tax; and
- (3) calls on all aligned councillors to support transparency in alerting ratepayers to the cost of the carbon tax.

The House is debating this motion at a time when the minority Federal Labor Government is in the process of winding back compensation payments that we were told were put in place to compensate families for the cost of the carbon tax. Yesterday the Federal Minister for Climate Change and Energy Efficiency, Greg Combet, shelved or indefinitely deferred the compensation payments because of a downward revision in the carbon market in Europe. The Labor Party had no mandate from the people to introduce the carbon tax. It was conceived as part of a horse-trading dirty deal with The Greens after the election so that a diminished Labor Party, deprived of a majority in the House of Representatives, could cobble together a government. Federal Labor will wax lyrical about the financial costs only being imposed on big polluters in order to reduce carbon outputs while State Labor pretends that the tax does not exist and will do anything to avoid the cost of the carbon tax on New South Wales communities being exposed.

A commitment to transparency by the New South Wales State Minister for Energy and Resources ensured New South Wales energy consumers knew the cost of the carbon tax by directing that the carbon tax be included on all energy bills. Federal Labor told the Australian people that they would not be financially worse off because of the carbon tax. It even reassured a cynical electorate that it was putting in place a financial assistance package to compensate families. Now the truth comes out and the compensation payments for families have been deferred. Labor stated that no families would pay more for carbon tax but clearly they are. They are paying for it through hidden costs in a number of areas and one of those areas is councils. It is a cost that Labor, The Greens and their friendly Independent councils are trying desperately to hide.

Local government is responsible for delivering essential services to communities. In 2006 the former head of Treasury, Professor Percy Allen, conducted a review of local government finances that found that

councils collectively in New South Wales would need an additional \$600 million annually to meet existing infrastructure requirements, let alone the \$15 billion required over 15 years to replace ageing infrastructure. This does not account for new expenditure on capital works to meet the challenges of changing demographics such as the aging population, increased population densities and new growth areas. A report prepared by Hawkesbury City Council estimates that the annual cost to council to implement Labor's carbon tax will be another half a million dollars per year. That is half a million dollars that could be spent on essential community infrastructure and services.

Over the past two years I have worked closely with the three local government areas that cover parts of my electorate, namely, Blacktown, Hawkesbury and Penrith, to identify capital works projects that require funding. Coming from local government I know they need the support of the other two tiers of government. One small but vital funding stream is the State Government's Community Building Partnership Program that can be used to fund community groups directly or that can be provided to local government for infrastructure, capital works and community infrastructure. I was pleased that the State Government has provided over \$500,000 in funds for these three councils in my electorate to build or upgrade community infrastructure projects specifically related to the Londonderry electorate. Labor and The Greens councillors in some local government areas are trying to stop their councils from showing the cost of the carbon tax on rates notices in an effort to support their Federal Labor mates in government running against Federal Liberal members of Parliament.

When it comes to something that affects the ability of local government to deliver its core obligations to the community, Labor-Greens councils and their aligned Independent councillors think transparency is a bad idea. It is typical that they have a superior attitude that their views are relevant and that differing views are to be treated with contempt. Currently councils across New South Wales are finalising their budgets and placing them on public exhibition for community consultation and comment. It is important for communities to know the cost and impact of Labor's carbon tax on the ability of councils to deliver essential services. It is important as residents and ratepayers will suffer because of the tax, receiving fewer services at a higher cost, and they need to know why. All members would be aware of the infamous statement made by Prime Minister Julia Gillard during the 2010 election campaign:

There will be no carbon tax under any government I lead.

In order to stay in government following the 2010 election Prime Minister Julia Gillard did a dirty deal with The Greens and sold out on the promise she made to the Australian people not to introduce a carbon tax. The tax was born out of a grubby backroom deal between Labor and The Greens, who demanded the new tax as a condition of their support and now the Australian people are paying the price. As I mentioned earlier, Hawkesbury City Council estimates that the annual costs to that council to implement Labor's carbon tax will be nearly half a million dollars. Multiply that across all 152 councils in New South Wales and the cost goes into the millions. Unfortunately Labor's carbon tax wipes out all the benefits of the State Government's Community Building Partnership Program and now Labor, Greens councillors and so-called Independent councillors, who just like Rob Oakeshott and Tony Windsor at a Federal level, are really Labor or Greens in disguise.

They are using every dirty tactic to cover for their mates. They want to avoid transparency and block the true costs of the carbon tax from being revealed to residents and ratepayers. In Hawkesbury five councillors, made up of one Labor, a Green and three pseudo Independents—one whose daughter used to work for a former State Labor member of Parliament—hide behind the community-based banner but always just happen to vote in a block with the Labor-Greens councillors. They now trying everything they can to avoid a motion by Liberal and other Independent councillors that would transparently and openly display the costs of the carbon tax on the rates notices. Recently the council passed the following resolution:

That the following wording be placed on rate notices for the 2013-2014 Financial Year:

The cost of the Carbon Tax to council in 2013-2014 is estimated to be approximately \$450,000.

Local government across New South Wales has been taking a number of proactive steps to reduce energy costs and save money across New South Wales. I congratulate it. The carbon tax in its current form is a grubby tax, arising from a grubby deal and its costs on local government must be exposed while councils across New South Wales are putting their budgets and management plans on public exhibition. We need to endorse and support councils' right, and I suggest obligation, to state transparently and clearly the true cost in dollars of the carbon tax to ratepayers on rates notices.

**Mr RON HOENIG** (Heffron) [10.11 a.m.]: The master of grubby, dirty deals is the Coalition in this State, which has done dirty deals with the Shooters and Fishers Party to allow duck hunting. The dirty deal for

the sale of the port was to shoot ducks and the dirty deal for the sale of assets was to allow the Elmer Fudds into the national parks of New South Wales, yet a member of the Liberal Party has the temerity to stand up in this House and condemn the Prime Minister for entering into an arrangement to form stable government in this country. It is the height of hypocrisy. If the member wants to condemn anybody he should condemn the New South Wales Government for its lack of transparency over what is put on council rates notices. How much money does the New South Government rip out of councils on an undisclosed basis? What is the biggest thing that local government has been complaining about for some years in this State?

**Mr Gareth Ward:** Labor.

**Mr RON HOENIG:** They have been complaining about cost shifting. The member for Kiama knows all about that because he, along with others, was on the Local Government Association executive bleating about cost shifting. Ratepayers across New South Wales should know how much the New South Wales Government is ripping out of their rates. It does this too with the waste levy.

**Mr Gareth Ward:** You put it up.

**Mr RON HOENIG:** It does not matter who put it up; the Liberal-Nationals have been in government for two years. How long does the Coalition in this State want to blame the former Government? The Coalition has been in government for two years. It was in opposition for 16 long years; when elected one would have thought it would have had a plan, yet for two years the Government has been blaming the former Labor Government. What has this Government done about cost shifting or transparency?

**The SPEAKER:** Order! Government members will have an opportunity to contribute to the debate.

**Mr RON HOENIG:** Council rates notices should include as part of the domestic waste charge how much of the waste levy secretly goes to the New South Wales Government. Why do council rate notices for Liberal-controlled councils such as Sutherland not show how much revenue is gouged out on the quiet for the Department of Environment and Heritage? Why do they not show in nice big red letters how much money is gouged out from the Board of Fire Commissioners and is being directed to the New South Wales Government? The Government can play politics over the carbon tax, but it should be consistent; putting the information on electricity notices is a joke. In the short time since its advent, the carbon tax has seen considerable and dynamic change. Already electricity generators in Victoria have found that because of the carbon tax investing in renewable energy for the supply of baseload power is more economic. Already renewable energy is even less costly than gas-fired power. One needs to know the purpose of it; I understand that ratepayers do not.

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

**Mr RON HOENIG:** People should know that the biggest rort in this State is how much tax they are paying on electricity. Members opposite want the amount of the carbon tax to be put on rates notices but not the net cost because of compensation. I draw the attention of the House to the Senate committee report on electricity prices, which may be an eye-opener to members. Perhaps this information should be placed on electricity bills as well as on council bills. How much in the 2013 budget does the State obtain from electricity generation? It receives \$98 million. For distribution and transmission it receives \$901 million. The State receives \$32 million in income tax equivalents from electricity generation and \$543 million from distribution and transmission.

**Mr Gareth Ward:** What year?

**The SPEAKER:** Order! This is not an opportunity for the member for Kiama to ask a question.

**Mr RON HOENIG:** This is the 2012-13 budget.

**Mr Stephen Bromhead:** That is not your writing.

**Mr RON HOENIG:** No, this is from the Senate committee report into electricity prices. There was also \$524 million worth of revenue from the Snowy Hydro. The State Government is earning more than \$2 billion from dividends and tax equivalent payments. When one adds to that the fact that electricity poles and wires are leveraged, a debt of \$18 billion is owed and the Government is paying interest to TABCorp, the State is extracting from electricity consumers, including councils, \$2.6 billion in electricity tax.

**The SPEAKER:** Order! The member for Drummoyne will stop baiting the member for Heffron.

**Mr RON HOENIG:** That information should be placed on electricity bills to ensure genuine scrutiny. The people of New South Wales should know how much they are paying through the nose. They should know that 51 per cent of their bill is going towards the poles and wires of this State. If members opposite want transparency on council rates notices and electricity bills, all that information should be placed on those bills, instead of moving this trumped up motion to condemn the Australian Labor Party. [*Time expired.*]

**Mr CHRIS PATTERSON** (Camden) [10.18 a.m.]: I support the motion moved by the member for Londonderry. The member for Londonderry and the member for Kiama, who will be the next speaker, are passionate about local government. They see the value of local government, unlike members opposite, who for many years treated local government with contempt. We see the value of local government. We also see the value of being transparent, and that is what this motion is all about. The carbon tax that has been imposed on us all by the current Federal Government is now being felt on a daily basis by everybody in our community. Every time we use anything in our homes that is powered by electricity or gas we know that our bills will reflect that increase in costs. Ratepayers are feeling the effects of the tax in their rates. It is an unnecessary tax that is being passed on to councils and then being passed on to ratepayers.

If anybody thinks for one minute that there is no impact he or she should just ask the residents who use waste services to dispose of their rubbish. If local residents are being charged extra for household waste to be dumped why would anyone think that councils are not being charged the extra costs to dispose of the garbage they collect every week and that that gets passed on to the ratepayer? That is the whole point: These unnecessary charges are being passed on to local government. Why should local government be the scapegoat for the Federal Labor Government? Why should councils be the ones that ratepayers are unhappy with because of these unnecessary increases in rates? This motion is about letting ratepayers know the truth about where those extra costs are coming from.

As the House is aware, rubbish costs are expected to rise by \$264 million a year for all Australian households. Those costs will be passed on. A large proportion of that increase is the \$23.00 per tonne carbon tax. Councils that choose to reflect this impact on their rates show that they are responsible to their residents and upfront with their costs. As I said, why should local government be the fall guy for the Federal Government? The Federal Government is directly impacting on ratepayers; let us let people know. Labor councillors, Greens councillors and Independent councillors are trying to sell the sad story from Canberra that the carbon tax will not impact on residents. Labor councillors, Greens councillors and aligned Independent councillors are supporting the lie that is coming from Canberra, and that is just not acceptable.

This is why we need responsible councils to put this information on rates notices to let people know what is happening. If there is no impact from the carbon tax, if there is no negative impact or if there is nothing to be worried or ashamed about, put it on the rates notices. Every ratepayer in the 152 councils should see how much this carbon tax is costing them and they should be able to make an informed decision as to whether or not they believe it is a good tax. This is all about transparency—something in which this Government believes. Councils should put up their hands when they kick the ratepayer, which is what the Federal Government is doing, cop it on the chin and tell ratepayers that they are doing the wrong thing and that they will show them why.

**Ms CARMEL TEBBUTT** (Marrickville) [10.22 a.m.]: I join my colleague the member for Heffron in opposing the motion moved by the member for Londonderry. Once again a motion has been moved in this House that reveals Coalition members as flat-earthers when it comes to climate change. We see that time and time again. The Coalition initially tried to promote Tony Abbott's scare campaign about the impact of the price of carbon on climate change, but it comprehensively failed to do that because that price is now in place.

**The SPEAKER:** Order! Government members will come to order. The member will be heard in silence.

**Ms CARMEL TEBBUTT:** The claims of Tony Abbott, the Federal Leader of the Opposition, along with the claims of the Premier and the Coalition State Government have been patently proved to be false. Having failed on that front, the State Coalition now turns to local government to try to get local councillors to scare their ratepayers about the impact of the price on carbon, which is reprehensible. The member for Camden said that Government members are committed to local government and to transparency. If they are so committed to local government and to transparency why are they trying to scare the ratepayers of New South Wales by moving rubbish motions such as this in the House?

We have not heard anything from the Coalition about assistance or compensation to the ratepayers of New South Wales with regard to the carbon tax. Let us hear a bit about that in this debate because it is time for a few facts to be put on the table. More than half the funds that are being raised from a price on carbon are being used to cut taxes and to provide household assistance. More than 1.1 million pensioners in New South Wales will receive extra payments as a result of the price on carbon. More than 540,000 families in New South Wales will receive household assistance through the family assistance payments. In total more than 1.9 million people in New South Wales are receiving household assistance through the transfer system as a result of the price on carbon. Does the Coalition want to put that on ratepayers' notices? I bet it does not, because this is all a scare campaign.

The Coalition has got form when it comes to scaremongering. Let us not forget that this is the same group of people who said that the carbon price would result in a 3.6 per cent increase in public transport fares. But that did not happen. Not only did it not happen; the Premier was making those claims when advice from his own Treasury modelling showed that the impact would be less than 0.49 per cent. But that did not stop the Premier and the Treasurer from trying to scare the New South Wales community about the impact of the price on carbon. We also saw that scaremongering with jobs when the Premier and the Treasurer once again said that the price on carbon would destroy the economy of New South Wales and that it would have a disastrous impact on jobs in New South Wales. That has not happened. Professor John Quiggin from the University of Queensland said:

The NSW government has cherry-picked all the scariest possible numbers in a way that is totally misleading and absolutely dishonest.

The Government is doing that again today through this motion and it should be rejected.

**Mr GARETH WARD** (Kiama) [10.26 a.m.]: I thank the member for Londonderry for moving this exceptional motion today. Like I always find myself having to do, I need to correct some of the imputations made by those opposite. I start with my good friend the member for Heffron, who talked about the waste levy. Who introduced the waste levy? That levy was introduced in 1999. Who was in government then? I think it may have been the former Labor Government. Initially many people thought that it was a good concept because all the money was going back to local government.

Those opposite talk about ripping off local government, but in 2005 the people who were in government and who now sit opposite introduced an amendment to the Protection of the Environment Operations Act and hypothecation was gone—they took the money back to Macquarie Street and shovelled it back into their coffers and tried to fix up their disreputable fiscal position—the \$5.2-billion deficit that they left to this State and to this Government. The member for Heffron talked about putting the waste levy on rates notices. If that is the standard, I agree: Sunlight is the best disinfectant, there is no doubt about that. Shoalhaven council put that levy on its rates notices. I was the councillor at Shoalhaven at the time that moved to put the carbon tax on our rates notices. All the councillors supported it except for a couple of left-wing councillors—in particular, Amanda Findley, The Greens councillor who talks about transparency and accountability. She talks about transparency and accountability when it suits her but we know the form of The Greens.

We also know the form of those opposite. I will not be lectured on local government in this place by Lord Hoenig. When he was a Botany Bay councillor the average time for development application approvals was 136 days and there were five budget deficits, the last one being \$5 million. Government members will not be lectured by Lord Hoenig, who gerrymandered Botany Bay council to have single-member wards. I will not be lectured by those opposite. I will not be lectured on this issue by the member for Marrickville, because yesterday the Federal Labor Government abolished the family assistance scheme to which she referred. Members opposite are so detached from their Federal colleagues that they do not even know the announcements they make. The assistance that the member for Marrickville relied on in her argument has been abolished. There is no doubt that New South Wales councils have the legal right to include this information on rates notices. Section 544 of the Local Government Act, under the heading, "Inclusion of names in rates and charges notices", provides:

A council must include the name of each rate and charge, in full or in an abbreviated form, in the rates and charges notice by which the rate or charge is levied.

There is no dispute that it can occur, and it already happens in other parts of the State. High costs will be imposed on all 152 councils in New South Wales as a result of the carbon tax. That gives the lie to the deceitful claim by the Federal Government that only 500 of the biggest polluters will pay the tax. Ratepayers in two city councils in

New South Wales will be hardest hit by the carbon tax. Last month the Federal Government's Clean Energy Regulator offered several views on the topic and indicated that Shellharbour City Council and Wagga Wagga City Council, alongside miners such as BHP Billiton and Rio Tinto, will pay the carbon tax. Ratepayers in those two council areas will be hit hard by the carbon tax, and more affected councils will come to light once all councils have reported to the regulator. Wagga Wagga City Council has put aside \$660,000. I could say more on this topic, but I will leave it to my great friend the member for Londonderry to sum up during his address in reply.

**Mr RICHARD AMERY** (Mount Druitt) [10.30 a.m.]: I support my colleagues on this side of the House in debunking the politically motivated motion of the member for Londonderry. Yesterday the member for Londonderry was given a great privilege when this Parliament voted to allow him to move a motion ahead of all other matters on the *Business Paper*. Of all the issues in western Sydney, such as the loss of cardiac wards, the member for Londonderry chose to put before Parliament a misleading motion that plays politics with Hawkesbury City Council. I would have thought he could have raised more important issues. The motion is a bit of nonsense, because it appears to suggest that Coalition councillors are seeking transparency regarding the carbon price. They call it a "carbon tax", but a tax is not mentioned in any legislation. "Carbon tax" is a politically motivated term, yet an official government body seeks to use it. We can see that politics has been introduced into the process of councils advising their ratepayers.

If councils intend to highlight the carbon price on their rates notices—which is a misleading figure—will they also highlight the amount of Federal Government assistance that is given as compensation for the carbon price? Will councils mention that? Of course they will not. Will Hawkesbury City Council mention how many of its ratepayers are among the 98,200 self-funded retirees in New South Wales who will receive an extra \$338 per year in assistance for singles and \$510 per year for couples? Have a guess—absolutely not. Will there be mention of the more than 201,500 job seekers in New South Wales who will get an extra \$218 per year for singles and \$390 per year for couples? Many of those people are ratepayers who live in the Hawkesbury. Will Hawkesbury council make any reference to that on its rates notices to mitigate the bodgied-up carbon price figure that the member for Londonderry supports? Of course it will not.

This is as misleading as the requirement by this Government to tell electricity consumers on their bills that the carbon price is costing them something in the order of \$300. Those figures have been debunked by experts time and again since the issue was raised. This motion is about the upcoming Federal election. The member for Londonderry could have spoken about the loss of the cardiac ward in his electorate, but he chose to raise this bit of nonsense instead. If he wants to give consumers or ratepayers information about the cost of a policy, he must give them all the information. That includes highlighting the fact that the cost is mitigated by the compensation packages that the member for Marrickville mentioned. This motion is a politically motivated bit of nonsense and it is based on misleading information. If I were to move an amendment to the motion I would add a fourth paragraph that would state, "And the little dog laughed to see such fun, and the dish ran away with the spoon." This motion is a fairytale and it should be rejected.

**Mr BART BASSETT** (Londonderry) [10.34 a.m.], in reply: I thank members representing the electorates of Heffron, Camden, Marrickville, Kiama and Mount Druitt for their contributions to the debate. The member for Mount Druitt mentioned a fairytale. That is typical of Labor members, because they are often off with the fairies at the bottom of the garden. That is where they were when they set the Australian carbon tax at \$23 a tonne; it is now \$3 per tonne in Europe. Another promise was broken yesterday when the Minister for Climate Change, Greg Combet, came out and said, "Gee, our numbers didn't stack up. We have indefinitely deferred the compensation payments." The member for Marrickville spoke about compensation. She said it was all in place and everyone is okay. Guess what? It is not in place. Members opposite must not have got the memo yesterday: The household assistance compensation is gone. Another broken promise, and families are hit yet again.

The member for Mount Druitt referred also to cardiac wards. I remind him that when he was in government Blacktown and Mount Druitt hospitals were screaming out for money. The Coalition has given \$300 million for the upgrade of Blacktown and Mount Druitt hospitals. Members opposite could not do it; we have done it. It is typical that when Labor is on the ropes over a policy its members run for cover and launch personal attacks on individuals and their beliefs. This is not about whether people believe in natural or man-made climate change; it has nothing to do with that. It has to do with the fact that Labor in Canberra decided to introduce a policy that it believed was good for society and the future of the world and that would cost money.

Labor members are now not even proud enough to tell the community what this policy, which is so good for people, will cost. Labor members are running for cover; they do not want to be transparent with the

community about what their great policy out of Canberra will cost. That is a ridiculous argument. If members opposite think it is a good policy they should not be scared to tell people how much it will cost. The member for Kiama clearly articulated that the waste levy was introduced by members opposite. To be fair, the member was correct when he said that the rationale for introducing the waste levy was sound.

**The SPEAKER:** Order! The member for Bankstown will resume her seat.

**Mr BART BASSETT:** It was an attempt to encourage people to recycle and reduce waste and to give the money to councils to achieve good environmental outcomes. But no, under members opposite it became a consolidated revenue tax and local government could not get its hands on the funds. Minister Robyn Parker has reviewed it and spoken to all stakeholders. Now councils will have more flexibility to apply for the money raised by waste levies to do good things for the environment. Hawkesbury City Council is one the few councils to run its own tip. In the motion I did not include the cost to the Hawkesbury community, but I will raise it now because of what those opposite said about the waste levy. The Hawkesbury community's carbon tax bill will go through the roof unless it invests millions of dollars in equipment to reduce the tip's CO<sub>2</sub> output. The enormous cost of carbon tax to the Hawkesbury community is well and truly above the \$500,000 that I mentioned previously.

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

**The House divided.**

**Ayes, 58**

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

**Noes, 19**

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

**Pairs**

Mr Coure	Mr Barr
Mr Owen	Mr Zangari

**Question resolved in the affirmative.**

**Motion agreed to.**

**MID NORTH COAST UNIVERSITY CAMPUS****Debate resumed from 2 May 2013.**

**Mr KEVIN ANDERSON** (Tamworth) [10.47 a.m.]: As I mentioned during debate on this motion on a previous occasion, I support the call by the member for Myall Lakes, Mr Stephen Bromhead, for more universities and more tertiary education, but not only in Taree—right across New South Wales. Tamworth has an affiliation with the University of Newcastle and the University of New England. The campus in Fitzroy Street is auspiced by the University of New England. While there is a move towards less face-to-face interaction and more courses being provided online, I firmly believe we need more face-to-face class contact and bricks and mortar. We need lecture rooms, tertiary facilities and university infrastructure to provide the very best education for people across New South Wales who want to attend university and undertake training. Not everybody wants to go to university, but we need to provide that opportunity should people wish do so.

The 2011 census revealed that persons with tertiary education qualifications in the Tamworth electorate had increased by 2 per cent. In 2006, 14 per cent of the population had tertiary education qualifications and in 2011 that percentage had increased to 16.1 per cent. In 2011, 9,105 people had a tertiary qualification, which was 20.8 per cent of the population. So we need to provide those facilities. We need to offer face-to-face education. Online is fine, but you cannot get away from the fact that eyeballing the lecturer or the teacher is how to get the best out of the education experience. This applies not only to tertiary education but also to preschool, primary, secondary and vocational education. TAFE offers many trade qualification opportunities in our electorates.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [10.49 a.m.], in reply: I thank the member for Mount Druitt and the member for Tamworth for their contributions to the debate. The member for Mount Druitt made a disappointing speech. He said the motion was embarrassing. I will always stand and fight for my electorate, and that is what I am doing in this motion: fighting for the Manning Valley. Once again, the member for Mount Druitt is protecting Labor's boy, the member for Lyne, Rob Oakeshott. He was Labor's favourite son in this place and now he is the favourite in Canberra. The member for Mount Druitt said that in western Sydney there was an agreement about where universities should be located—whether in Penrith, Mount Druitt, Blacktown or Parramatta. He does not understand what happens in regional and country areas. Port Macquarie is 1½ hours drive away and there is no public transport. How do kids from the Manning Valley get to Port Macquarie? The member's argument was embarrassing. It shows that he has absolutely no idea about country New South Wales.

The member for Mount Druitt described Port Macquarie as a regional centre. I have some news for him. Taree is a regional centre. Taree has a superintendent of police. Taree has the maritime centre and one of the biggest Centrelink offices on the North Coast. The recent TCorp audit of all councils in New South Wales refers in its report to Taree as the regional centre. Taree is the logical place for a university so why would the member for Lyne not fight for it? The two university campuses at Port Macquarie will cost \$35 million. Why is the member not arguing that one of them should go to Taree? Taree is the logical place to locate a university. Taree is a logical centre of education. The New South Wales Government is building a nurse education and training centre at the Taree TAFE college. We are expanding local health services. Many local students under the age of 18 attend universities in other centres. If there were a university in Taree we could retain those young people in the Manning Valley and attract others to the area.

A member who represents his constituents properly does not concentrate on only one town in his electorate; he cares about all major centres and towns—the entire electorate. The member for Lyne is Port Macquarie centric; he is focused totally on Port Macquarie to the detriment of Taree, Gloucester and other towns and cities in his electorate. Port Macquarie is not a city but Taree is—the member for Mount Druitt might not know that. It has Greater Taree City Council—there are few such councils in regional New South Wales, but such is the importance of Taree. As I said, it is extremely disappointing that a Federal member is not looking after all of his constituents and his entire electorate. The member for Lyne is focused on only one thing: staying in power and keeping Labor in power in Canberra, to the detriment of his electorate and its people. Those people will never forget the betrayal in 2010 when the member helped to install the illegitimate Government in Canberra. They will never forget how he betrayed the Conservative views of the majority of his constituents, and how he has continued to neglect them ever since. I commend the motion to the House.

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

**Motion agreed to.**

**HEALTH FUNDING**

**Ms TANIA MIHAILUK** (Bankstown) [10.54 a.m.]: I move:

That this House:

- (1) notes the Government plans to cut \$3 billion from the health system;
- (2) notes with concern that the Minister for Health has stated that nurses will not be exempt from these cuts;
- (3) calls on the Minister for Health to rule out any cuts to health services in the Bankstown area; and
- (4) condemns the Government for removing much-needed funds from the health system.

The O'Farrell Government is going to decimate vital health services in New South Wales, with nearly \$3 billion in unprecedented funding and staffing cuts to hospitals and clinics across the State. The O'Farrell Government has already confirmed that it will cut \$2.98 billion in New South Wales health funding, including more than \$2 billion in cuts to services and hospital budgets; \$775 million in staffing cuts; and, as part of these cuts, some 3,600—

**Mr John Williams:** Point of order: The member for Bankstown referred to a statement by the Premier. She needs to support her assertion with a press release or some other evidence that the Premier made that statement.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I have heard enough on the point of order. The member for Bankstown has the call.

**Ms TANIA MIHAILUK:** As a result of those cuts, some 3,600 health workers are set to lose their jobs. Cuts of this magnitude will have an impact on every service in every hospital in New South Wales. Slashing \$3 billion from New South Wales hospitals will mean fewer beds, longer waiting times and compromised patient care. Nobody—not even Government backbenchers—could have anticipated a \$3 billion cut in health funding by Barry O'Farrell based on what he told voters before the election. We expect that a sick child or relative will receive the best medical care, but that will no longer be guaranteed under this Government.

I will cite some of the figures. I hear the member for Murray-Darling laughing, but let us examine the 2012-13 operating budgets of the local health districts. Premier Barry O'Farrell has slashed the operating budgets of public hospitals in New South Wales by more than \$158 million this financial year. Members want facts and figures; here are some facts. The local health district budget cuts for this year include: Sydney, \$47.7 million; South East Sydney, \$43.1 million; Northern Sydney, \$39.5 million; Murrumbidgee, \$31.6 million; Western New South Wales, \$25.9 million—I wonder where all The Nationals members are—Western Sydney, \$19.9 million; Central Coast, \$17 million; South West Sydney, \$12.6 million; Far West, \$4.8 million; and Southern New South Wales, \$2.4 million.

Let us consider the labour expense cuts by local health districts in the same period, 2012-13. In Hunter New England it is \$10.1 million, and 103 jobs; South West Sydney, \$8.6 million, and 88 jobs; and South East Sydney, \$8 million, and 81 jobs. Government members do not like the facts. In Sydney it is \$7.3 million, and 75 jobs; and in Western Sydney—our Premier is the Minister for Western Sydney—it is 73 jobs, and \$7.2 million in labour expense cuts. In Western New South Wales the budget cut is \$4 million; Northern New South Wales, \$3.4 million; and Nepean—I hear the member for Blue Mountains interjecting—\$2.9 million, and 30 jobs cut. That must hurt in the electorate of Blue Mountains. The Mid North Coast Local Health District budget has been cut by \$2.5 million, with the loss of 26 jobs, which will impact on local families.

The impacts of the \$3-billion funding cut continue. Prince of Wales Hospital had to close an entire ward of 26 beds. The cardiac unit at Mount Druitt Hospital is also shutting down and 135 people were axed from the Sydney Children's Hospitals Network. I assure the member for Murray-Darling that it is not a laughing matter. St George Hospital has been forced to cut back on bowel cancer surgeries. When the member for Kogarah attempted to raise these issues in Parliament last week the House censured her for expressing legitimate concerns. All assertions she made in the letter were accurate. In March the Minister claimed that we have never had it so good. Let us look at how well things are going in some areas. Bathurst residents feel things have never been so good because the *Western Advocate* states:

It's a slap in the face for Bathurst residents and a bit ridiculous, given the previous Labor Government spent \$100 million redeveloping Bathurst Hospital just five years ago. At this rate our hospital risks becoming a \$100 million white elephant.

Obviously, Bathurst residents are pretty upset and not too happy with the Grim Reaper, the Minister for Health. Where is the member for Myall Lakes? Bulahdelah residents are not happy with cuts to their hospital. Where is he in this photo? Why is he not in this media release? Why was he not at the rally? Where is his support for those residents and hospital workers? That hospital will become a medical centre, thanks to—

**Mr Stephen Bromhead:** Point of order: The member is using a prop.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I remind the member for Bankstown that the use of props is not allowed.

**Mr John Williams:** Point of order: The member for Bankstown has attacked the member for Myall Lakes. If that is what she wants to do, she should do it by way of a substantive motion. I am happy for her to do so; then we can debate that particular document from the Health Services Union.

**ACTING-SPEAKER (Mr John Barilaro):** Order! I remind the member for Bankstown that if she wishes to make an attack on a member in either House, she must do so by way of a substantive motion. However, I do not believe she was attacking the member for Myall Lakes. The member for Myall Lakes has the call.

**Ms TANIA MIHAILUK:** I certainly did not attack the member for Myall Lakes. I was interested to know why he was not at the rally at the hospital. These cuts are unprecedented and unnecessary. This Government continues to ridicule the people of New South Wales by suggesting that it will make New South Wales number one again. Things will be far worse as the Government implements its health and services cuts. [*Time expired.*]

**Mr STUART AYRES** (Penrith) [11.01 a.m.]: I do not know where to start. Perhaps I will commence with something like voodoo economics or even voodoo maths. When I went to school, adding something to a figure did not equal a cut; it was not a subtraction. In 2012-13 this State's Health budget was \$18.3 billion, up by \$940 million on the previous year. In any language that means the Health budget has been increased. The Health budget makes up 27 per cent of the State budget. It is not that difficult to understand: If the Health budget has \$940 million less last year and it has \$940 million more this year that is not a cut. Advances in health investments are taking place at Nepean Hospital in my electorate with the opening of a new dental health studio, which has 32 chairs to ensure that those on the public dental health waiting list have access to surgery; rebuilding the hospital's East block; and constructing the mental health facility. Significant investment in health is happening across the State.

People call Minister for Health "Jillian the Builder" because she is building new infrastructure. Hospital rebuilds are occurring all over New South Wales. More nurses are employed in New South Wales now than at any other stage in this State's history. We are not cutting the Health budget; we are putting extra money into it. That is what the people of New South Wales wanted. More importantly, they wanted us also to make the health system work better. The people of New South Wales wanted us to make sure that the money invested in the health system did not go to backroom offices, unnecessary support staff or middle management. Every dollar we save across health areas is being spent in health. That is significantly different to what the former Labor Government did.

Past health efficiency dividends did not stay in health or go to the people of western Sydney. They sure as hell did not go to the people in Bankstown or regional New South Wales; they did not go to hospital rebuilds in Tamworth, Bankstown or Wagga Wagga; and they did not go to a car park at Tamworth. The former Labor Government put those dividends back into Consolidated Revenue—back to Treasury away from the people of New South Wales to fritter that money away on existing waste. That is changing—has changed—under this Government. We are getting through more elective surgery than ever before. Under this Government, 2,000 extra surgery procedures have been performed.

The member for Bankstown reminds me a little about the maths and economics of the Federal Treasurer, "Let's forecast figures that have absolutely no chance and are well beyond a rainbow horizon. Let's just pick some random figure way out in the distance and say, that's how much money we're going to spend on health." When they actually return to the real world and figure out what actually is on the street, the figure is cut. If we had not been elected in 2011 by the people much more would have been spent than has been by the current Government. Do those opposite know the State's budget position? Without the disciplined approach of this Government, we would have no money to invest in health.

The fundamental premise of social justice, and being able to invest in and support health infrastructure in this State is a strong, stable economy. That gives us the opportunity to invest in our health services. Time and again the shadow Health spokesperson talks about Federal funds going into health and the New South Wales Government not investing in health. He is absolutely right. We partner with the Federal Government, and so we should. The Federal Government provides a significantly greater contribution. But where does the Federal Government get its money from? It comes from New South Wales taxpayers. God forbid someone thought money from the Federal or State Government, whichever bank account for want of a better term, is reinvested and spent on someone in New South Wales. There is absolutely nothing wrong with that. I am happy to partner on infrastructure builds with the Federal Government.

I am happy to stand with Liberal or Labor and cut the ribbon on a new oral health facility or new ward at Nepean Hospital, whatever is the co-funded arrangement. But it irks me that after all the building and ribbon cutting, the State Government is left to make sure the facilities operate. Every time we invest in new infrastructure or open a new facility at any hospital or medical unit across the country, it is left to the State Government to provide recurrent expenditure to make sure those facilities function. That is exactly what is occurring. Nepean Blue Mountains Local Health District received a 20 per cent funding increase in recurrent expenditure to ensure the new facilities were funded. That is where the new nurses are going. That is where the elective surgery lists are being cut. That is where we are seeing extra investment to ensure people on public waiting lists get all the health services they need.

This Government has prioritised health at the top of the list. There is no choice. This Government spends 25¢ or more of every dollar on health. We want to make sure that the New South Wales taxpayer gets value. We want to make sure that people in New South Wales get access to a first-class health system. We want to support the workers in that system. That is exactly what this Minister is doing. She is rebuilding infrastructure that was neglected by the former Labor Government. She is ensuring that, as we partner with our Federal Government colleagues of any political persuasion, the State can support recurrent funding to ensure new facilities continue to operate. That is happening in western Sydney and in regional New South Wales. That is how to make New South Wales number one again.

**Mr RICHARD AMERY** (Mount Druitt) [11.08 a.m.]: I support the four-point motion moved by the member for Bankstown, notice of which was given in November last year. The motion relates to the \$3 billion cut to the health system. I note the comments of Government members. I will respond to the member for Penrith, who referred to western Sydney. Perhaps the best advice I can give to the member for Penrith is to consider the words attributed to Neville Wran when he was Premier and Treasurer of the State. He is reported to have said to one of his staff when he came to work in the morning, "Whilst shaving this morning I said to myself, 'I must not believe treasury today'." I think that is good advice.

Minister Hodgkinson, who is present in the Chamber, would, in a quieter moment, relate to that particular statement. If ever a Government member has been bitten by Treasury it is the member for Penrith. I do not have the time in the remaining few minutes to explain to the member and Government members the difference between the consumer price index and the health consumer price index, which is dramatically different and has been for many years. I can point out that the increase in wages, and the cost of painting and buying these elaborate beds and equipment increases the Health budget. What we are talking about is the service provided to the patients in New South Wales and that is where the \$3 billion is being clawed back from—the operating budgets. It involves millions of dollars from every hospital.

The member for Penrith made reference to western Sydney. I am the member for Mount Druitt, a western Sydney electorate, and my electorate is feeling the brunt of the \$3 billion cut. The Government is going ahead with a program at the Mount Druitt Hospital to expand the dental program for Blacktown and Mount Druitt. The facia of the hospital, the ambulance receivable area and the rehabilitation unit are being updated, and I am happy about that. Clouding this progress is the removal of the cardiac unit from Mount Druitt Hospital and putting it in Blacktown Hospital. In response to a community campaign, which will deliver a petition of 10,000 or more signatures for debate later this year, the Minister has stated in the local press that she no longer has responsibility for operational matters; they have been handed over to the health bureaucracy.

Government members should take my advice to speak to the Premier and Minister for Health and tell them not to let that happen. The head of the Western Sydney Local Health District stated in the press that removing the cardiac unit from Mount Druitt Hospital would improve services for the community. Therefore, if you take the cardiac unit away the cardiac services will improve. That level of logic reminds me of *Yes Minister* in which the best-run hospital had no patients. I urge Government members to not allow every major ward

closure or opening to be placed in the hands of the health bureaucracy. As politicians they will pay for it at the ballot box. Do not believe Treasury. The motion moved by the member for Bankstown should be supported because \$3 billion out of the Health budget is unacceptable to all communities, not just those in western Sydney.

**Mr JOHN WILLIAMS** (Murray-Darling) [11.12 a.m.]: After listening to the motion moved by the member for Bankstown I am starting to wonder what they have in the water at Bankstown. Certainly the member for Bankstown is delusional to commend this crazy motion, which is built around speculation

**Ms Tania Mihailuk**: Point of order: I use fluoride, do you?

**ACTING-SPEAKER (Mr John Barilaro)**: Order! That is not a point of order.

**Mr JOHN WILLIAMS**: The motion is built on speculation. It is about the member speculating on what might happen or could happen, and the notion that the budget is being cut. Last Monday week in The Nationals party room the Minister for Health addressed members of The Nationals. She spoke about health issues in our electorates and the general direction of health care in this State. I saw a presentation showing where funds were being allocated in the network and I could not see a \$3 billion cut to health services anywhere. I am sure the Minister would love to be able to save \$3 billion, as would any Minister. The fact is that the Minister for Health is committed to front-line patient care.

The number of nurses employed since the March 2011 election has increased, which demonstrates a huge commitment by this Government to ensuring that front-line services are not just maintained but are also improved. The evidence is clear in the key benchmarking that issues remaining from the former Labor Government are being addressed. I suggest to the member for Bankstown that she talk to the chairperson of her local network, Morris Iemma. The member for Bankstown might not know Morris Iemma, but I am sure if the member wished to discuss health services in her area with him she would discover what was going on and would no longer make these wild accusations.

Mr Iemma is a former Minister for Health and has a good understanding of what is occurring in the health network. Mr Iemma was chosen for the position because he has the ability to run the network and to ensure that front-line services are not neglected. The Opposition is telling furrphies and criticising health care to scare the community in the hope that people will hide under the bed praying they do not get sick. Wild speculation about the future of health is a disgrace; it removes constituent confidence in health services in the member's electorate. The member is damaging the reputation of health care to promote her image, but at the end of the day the result will be lower morale in her electorate. I do not support the motion.

**Mr RYAN PARK** (Keira) [11.16 a.m.]: I join with the member for Mount Druitt in supporting the motion moved by the member for Bankstown and congratulate her on bringing this important issue to the attention of the House. If we were to ask the young men and women in the gallery what is one of the important issues they will face they will say education and getting a job, but their health and the health of their families would also come to mind. In my electorate of Keira we have seen funny money. It is as though The Nationals are in charge. There were big promises in the lead-up to the March 2011 election about what the Coalition would do about Bulli Hospital. Following the election the member for Heathcote stated his view was that a new hospital should be built. That proposal lasted the 30 seconds it took someone from Treasury to instruct the member to not comment again; he was very quickly put back in his box.

We have seen substantial cuts to health care in the Illawarra. The member for Wollongong has raised the trolley block that is occurring when ambulances have to wait at Wollongong Hospital emergency department to hand over their patients, and the time associated with that practice. The problems that Wollongong Hospital is experiencing are exacerbated by the problems at Bulli Hospital, which are caused by the Coalition not delivering on its promised investment in that hospital. My colleague the member for Shellharbour raised the importance of Shellharbour Hospital but that has not been mentioned. I quote from a press release dated a little over 12 months ago from my good friend the member for Heathcote who spoke on that fabulous station ABC Illawarra about Bulli Hospital, a hospital that the Government is not putting a dollar towards. He stated:

Why not just build a new facility and get on with it. That's the way I've been talking to Jillian Skinner. She's already heard that from me but I'll be reiterating that to Jillian.

**Mr John Williams**: Hear, hear! A good local member.

**Mr RYAN PARK**: A good local member, out there fighting for his community. Tragically we fast forward to the end of 2012 when the Government released a major report for the Illawarra, the Illawarra Action

Plan. All members would have seen these plans in their various areas; they are written by bureaucrats. Members would not have had any input into them. I looked through the action plan to see whether Bulli Hospital was mentioned in the document because we had been fighting for it. I could not see Bulli Hospital mentioned so I reread the document, but tragically Bulli Hospital did not rate a mention in this significant report on health in the Illawarra. We have one member saying we should rebuild the hospital and the former shadow Minister for Health stating that Bulli Hospital is important, yet when the Minister for the Illawarra released the report, there was no mention of the hospital. What fantastic governance. The Government's record on health is appalling. I congratulate the member for Bankstown on moving the motion.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [11.20 a.m.]: I will outline what is happening in my electorate as an example of why the motion is misleading. In March 2011 the Manning Rural Referral Hospital was about to lose its accreditation such was the state of the hospital and the lack of clinical services. When the Coalition came to office we reprioritised the budget so that more money was going to regional areas. Manning Rural Referral Hospital now has two new anaesthetists, two new intensive care specialists, a new general surgeon, a new ear, nose and throat specialist, an orthopaedic surgeon for the first time in eight years, an oncologist for the first time to look after cancer patients, a new cardiologist, a new nephrologist, a new geriatrician, 25 new nurses in 2012 and 23 new nurses in 2013, five new registered nurses and a new midwife via Ireland from India, a clinical services plan to be delivered shortly and a new plan to look at redevelopment of the hospital in the future. In anyone's language that is a phenomenal success, and shows that the Government is putting medical services first, with more nurses, more doctors, more front-line services, no cutbacks and an increase in the budget. In addition, for the first time the Manning Valley has the benefit of an MRI.

**Mr Ryan Park:** What about Bulahdelah?

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Keira has had his opportunity to contribute to the debate. The member for Myall Lakes will be heard in silence.

**Mr STEPHEN BROMHEAD:** I have called for 24-hour services at Bulahdelah and I have been assured they will continue. More community nurses have gone into that area and there will be more nursing structures such as hospital in the home. A \$500,000 redevelopment of the hospital is to go ahead, including more clinical services such as orthopaedic services and the specialist services older people require, including physiotherapists, dieticians and podiatrists. This is a win-win situation. The member for Mount Druitt seems to suffer from Alzheimer's disease because he always talks about the old days, as he did today when he talked about Neville Wran. One needs to go back 30 or 40 years to find out what Neville Wran said. One need only look to the Manning Valley to see what is happening in health in regional New South Wales. It is improving all the time. The Government is putting regional areas first. My electorate is the perfect example of increased front-line services to a regional area in New South Wales.

**Dr ANDREW McDONALD** (Macquarie Fields) [11.24 a.m.]: It is wonderful to see student leaders in the public gallery. As someone who has spent nearly 40 years working in the New South Wales public hospital system I encourage any of them who wish to enter the health professions to enter the public health system. It is the most rewarding job they could have. Their generation is the best that Australia has seen. We hope that many young people will enter the public health system. If they do they will inherit one of the world's better health systems. We are in opposition, and it is my job to keep the Minister to account. We should never forget that Australia has one of the world's better public health systems.

It has the second-longest life expectancy in the world because, when I was young, Gough Whitlam introduced universal health care, which means that every person in Australia has some form of guaranteed health care. One need only look at dental care to see the benefits of universal health care. Australian governments pay 78 per cent of the total cost of all health care that students, their parents and grandparents receive; in dentistry that figure is 24 per cent. In Australia there is a five-year gap between the richest areas of Sydney and the poorest areas of New South Wales when it comes to life expectancy; in dental care that gap is quite different. As we do not have universal dental health care one needs only to look at the teeth of people to tell whether they are rich or poor.

This affects not only their employment and their happiness, but also their life span because dental care does matter. I turn now to deal with the motion on health cuts and whether they exist. I will give some simple mathematics. Health costs increase by about 8 per cent each year, about 4 per cent for increases in staff costs, 2 per cent for changes in technology and 2.3 per cent for increases in demand, totalling about 8 per cent a year. Last year the New South Wales Government increased the Health budget by 5.4 per cent; already the gap is

2.6 per cent between what we need to provide and what the Government has provided. The Government has done this by a \$3 billion cut to the health system in two ways: first by the so-called efficiency saving of \$775 million over four years—

**Mr Stephen Bromhead:** That is not true.

**Dr ANDREW McDONALD:** I am telling the truth; read it in your own budget papers.

**Mr John Williams:** Point of order: The basic premise for this debate is about a \$3.5 billion speculated cut. So far no Opposition member has given any quantitative figure to support the motion and there is no reflection in the level of services.

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member is being relevant to the motion. The member for Macquarie Fields has the call.

**Dr ANDREW McDONALD:** For the information of students in the public gallery, the purpose of taking points of order is to cut into a member's speaking time and to get the member's view into *Hansard*. It is a tactic. Interjections are only recorded in *Hansard* if they are responded to, so although I answer interjections a lot, I will only respond to those I want recorded in *Hansard* to advance my case. As I was saying, \$775 million over four years is returned to Treasury and \$2.2 billion is kept within the Health budget, but it is done so that when someone other than a nurse—a doctor, occupational therapist, cleaner, or ward clerk—resigns, that position is not replaced and that money is then put into the nursing system. The \$2.2 billion cut is a so-called efficiency dividend—that is Orwellian—and that money has been taken away from allied health, medicine, cleaning and ward clerks, which is why when people ring the hospital it takes for ever to speak to someone because the number of switchboard operators has been cut.

**Ms TANIA MIHAILUK (Bankstown) [11.28 a.m.],** in reply: I thank the member for Mount Druitt, the member for Keira and the shadow Minister for Health, the member for Macquarie Fields, for their contributions to debate on this motion. Nobody could be as well versed in this Parliament about health as the member for Macquarie Fields. He has almost 40 years of experience in the health sector and he gives tremendous advice to the Government. It is very sad that the Minister for Health fails to listen to the member for Macquarie Fields, who knows better than anybody else in this Parliament what the health system needs. I take this opportunity also to acknowledge the member for Mount Druitt and congratulate him on organising a petition that will be discussed later in Parliament relating to saving the cardiac unit at Mount Druitt. The member for Mount Druitt always knows what issues matter in his electorate.

Another wonderful member who has a bright future in this place is the member for Keira. He stood up for the residents of Bulli in relation to the many cuts that have been made to their hospital and in relation to the many promises about that hospital that have not been kept by this Government. The member for Murray-Darling—what an unfortunate member—does not appear to read a lot about the budget. The budget is very clear: there has been \$1.5 million cut from the Bankstown hospital budget this financial year. The hospital is in the electorate of East Hills, which is a marginal Liberal seat. I am very surprised that the member for East Hills has not expressed disgust—he certainly has not in the local media—at the \$1.5 million cut from the Bankstown hospital budget. I would like to hear more from the member about his disgust at that cut.

**Mr Stephen Bromhead:** Point of order: The member for Bankstown is now raising issues in her reply to the debate that have not been raised in the substantive part of the debate.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the member for Bankstown that when members debate any motion they are not entitled to raise new material in reply to the debate. Members can respond to what has been alluded to within the debate, but they are not to expand the debate in their reply. I bring the member for Bankstown back to the leave of the motion.

**Ms TANIA MIHAILUK:** I was referring to something I raised earlier in my speech. I am so pleased that the member for Penrith—the Damien of this Parliament—contributed to this debate, because he failed to mention how a number of constituents in his electorate were turned away from Nepean Hospital when they attempted to give birth earlier in the year. There are many of these examples. I would like to know what the member for Penrith said to Paula Bailey, who was forced to give birth to her daughter in the Nepean Hospital car park. I would be interested to know what the member for Penrith said to Michelle Trotter, whose baby was

overdue and who presented to Nepean Hospital in February only to be sent home with Panadeine Forte and sleeping pills. Two hours later she returned to the hospital after having given birth on her kitchen floor. I did not hear much from the member for Penrith when those things happened in his electorate. [*Time expired.*]

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

**The House divided.**

**Ayes, 21**

Ms Burney	Mr Lynch	Mr Robertson
Ms Burton	Dr McDonald	Ms Tebbutt
Mr Daley	Ms Mihailuk	Ms Watson
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, 59**

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

**Pairs**

Mr Barr	Mr Cornwell
Mr Zangari	Mr Owen

**Question resolved in the negative.**

**Motion negatived.**

**CHRONIC DISEASE DENTAL SCHEME**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [11.42 a.m.]: I move the following motion, as amended by leave:

That this House:

- (1) condemns the Federal Government on its plans to stop the Chronic Disease Dental Scheme from the end of November 2012;
- (2) notes that this scheme pays for just over \$4,000 worth of dental treatment for people whose teeth have become so bad it is affecting their general health;

- (3) notes that whilst the Chronic Disease Dental Scheme closes at the end of November 2012, the replacement scheme will not be operating until July 2014;
- (4) notes that there is a concerted effort by academics, the Australian Dental Association and groups such as the Australian Diabetes Council to prevent many poorer people who need dental treatment from falling between the two schemes;
- (5) condemns the Federal member for Lyne for voting with the Federal Government to close the Chronic Disease Dental Scheme;
- (6) condemns the Federal member for Lyne for failing in his responsibilities to his poorest constituents who will bear the heaviest impacts of the closure of the Chronic Disease Dental Scheme;
- (7) condemns the Federal member for Lyne for his failure to take note of the particular impact on Indigenous communities with the closure of the scheme and the 19-month gap until the replacement scheme;
- (8) commends the New South Wales Government for its successful implementation of a national partnership on dental health;
- (9) commends the New South Wales Government for meeting its election commitment of establishing a ministerial taskforce and also on the release of Oral Health 2020: A Strategic Framework for Dental Health in NSW; and
- (10) commends the New South Wales Government for the redevelopment of the Nepean Hospital Centre for Oral Health, an \$8 million project.

In 2012 when this motion was first moved many people in the health profession were extremely concerned about the actions of the Federal Government and what would happen to people within our communities. From 1 December 2012 the Chronic Disease Dental Scheme ceased as a result of a decision made by the Federal Labor Government. Although the scheme closed last December, a new scheme to replace it will begin in January 2014 for children and in July 2014 for adults—a gap of 13 months and 19 months respectively. Despite opposition from dental and medical experts, the member for Lyne supported the Federal Labor Government. In the context of medical experts, I point out that the Australian Dental Association spokesman, Andrew Wong, said that the scheme was shutting too quickly. Diabetes Australia spokesman Greg Johnson said that the gap between the old scheme and the new scheme was not good enough. Professor Hans Zoellner, head of oral pathology at the University of Sydney, stated:

These people have been deprived of access to basic care for so many years, now they've finally had some care and the scheme's gonna be taken away from them, which is frankly tragic. 80 per cent of these people are not very well off, they're health care card holders...

Those are the views of some leaders in health and clinical services about the devastating impact that the cessation of the scheme will have on the people who need the service. I spoke to Dr Eardley Rosario from my electorate, who is the doctor and dentist at the Biripi Aboriginal Corporation Medical Centre in Taree. He performs dental work and operations not only in Taree but also for the Cabarita Aboriginal Mission in Forster. Dr Rosario is a medical doctor as well as a dentist. He said that it was disaster for the Federal Government to have announced this scheme in 2012 but then to delay its commencement until 2014. He said that of all the people in the Lyne electorate, it has the greatest impact on the Aboriginal community, many of whom live in the Taree and Forster regions. The Federal member for Lyne supports the Federal Government in this and did not fight to get some funding for the interim period until the new scheme commences. Unlike other health services in Australia, dental services are not covered by the principle of universal access.

In the Australian healthcare system, Medicare, and the entitlement that all Australians have to the medical and pharmaceutical benefits it provides, is a well-recognised strength. Public dental health services provided by State public health services are mostly only provided to the disadvantaged and there is no Commonwealth scheme similar to Medicare that provides access to all. The National Health and Hospitals Reform Commission identified the lack of universal basic dental programs as the major gap in health services. Access to dental care is essential for people to improve their oral and general health. The rate of clients visiting dental professionals varies considerably between the most and least disadvantaged in the population. A significantly higher proportion of adults in the least disadvantaged quintile, 68.6 per cent, visited a dental professional less than 12 months ago, compared with the most disadvantaged quintile, at 53.5 per cent. This contributes to the persistent gap in oral health between the most and the least disadvantaged.

NSW Health provides a safety net public dental system that offers a range of services to children and to eligible adults. Eligible adults are those who hold one or more of the following cards: Commonwealth Seniors Health Card, Health Card, or pensioner concession card. Twenty-four per cent of the New South Wales adult population is eligible for public dental services, with waiting times for access to services based on clinical

priority. The Chronic Disease Dental Scheme ran from 1 November 2007 to 1 December 2012 and was administered by Medicare. The scheme closed due to changes made by the Commonwealth Government. New South Wales residents were significant users of the scheme and just under half of all claims paid nationally in 2012 were paid in New South Wales. This amounted to \$513 million. The New South Wales Government did not support the closure of the Chronic Disease Dental Scheme. Rather than closing the scheme, the New South Wales Government believes there were opportunities to revise and improve it to support the wellbeing of the people of this State.

**Dr ANDREW McDONALD** (Macquarie Fields) [11.47 a.m.]: This is chapter 444 in the jihad between the member for Myall Lakes and the member for Lyne—another week, another motion. I do not know whether The Nationals check motions with their leader's office before they list them for debate. The member for Myall Lakes probably should have first checked with the Leader of The Nationals, Andrew Stoner, who stated his opposition to fluoridation on the public record. Fluoridation is the most important preventative health measure in dentistry and is ranked at number nine of the most valuable health improvements over the past 100 years by the Centers for Disease Control and Prevention [CDC]. If any member wishes to google Andrew Stoner on YouTube, they will hear him say, "I haven't supported it. Democracy is being ignored" and "Fluoridation is a matter for local government."

Fluoridation is currently being ignored in Queensland. Queensland's dental health is going backwards because local councils decide on fluoridation. The most effective and cost-effective form of preventing dental disease is opposed by the Leader of The Nationals, which he confirms on the public record. The Minister for Health chose to outsource dental care by giving responsibility for dental care to the Minister for Mental Health, and Minister for Healthy Lifestyles. It is a matter of saying one thing yet doing another, and this motion is another example of that. Even the report "Oral Health 2020: A Strategic Framework for Dental Health in NSW" states:

[While] The Commonwealth plays a role in the funding of dental services ... the NSW Government is responsible for delivering the major public program for children and eligible adults.

Dental care is a responsibility of the New South Wales Government. Even though the last part of the motion commends the New South Wales Government for the Nepean Centre for Oral Health, there is no mention whatsoever that the centre is part of a Federal-State agreement. The motion criticises the Federal Government for closing a program that was not working and did not properly target the part of the population in need. It was not means tested, which meant anybody could obtain dental care, and it will be replaced by a scheme that will be much more effective because it will concentrate on children. As the Minister knows from his own report, people in rural New South Wales will show signs of poor health care by the age of five, yet nothing has been said during this debate in support of the new Commonwealth Government's Grow Up Smiling program, which will provide \$1,000 over two years for dental care with a dentist of a family's choice for children whose family received Family Tax benefit A, which is \$112,000 a year for a family with two children and which will commence in January 2014.

Government members have a dreadful record when it comes to dental health. I want each member of the Government to declare his or her support for universal dental care. I support universal dental care because the only way we can improve dental care in Australia is by having universal dental care. A classic example is that governments fund 78 per cent of medical services and Australia has the second-longest life expectancy in the world and a public hospital system that is regarded throughout the world as one of the world's better public hospital systems. But when it comes to dental health, the Australian Government funds 24 per cent of all dental care and 76 per cent is paid out of the individual's pocket. There is enormous inequity in the quality of dental care across the socio-economic spectrum. Australia rates in the bottom third of OECD countries in rates of dental decay.

Disadvantaged people have very high rates of tooth loss extractions and decay because there is no availability of universal dental care. The opponents of universal dental care, the Tories, are the ones who should bear a lot of the responsibility for the inequity. If they had supported universal dental care when universal medical care was introduced, we would have a much more effective and cost-effective dental system instead of the grossly underfunded public dental system we have now. The New South Wales Government spends \$178 million, or \$24.50 per person, on dental care everywhere in New South Wales whereas, according to the Council of Social Service of New South Wales [NCOSS], a simple \$213 million over three years would bring New South Wales up to an acceptable funding level. It would cost \$213 million to provide dental care for poor and disadvantaged people at an acceptable level. That is all that is required.

In this year's budget, I want to see the additional \$213 million to upgrade dental care. The Oral Health 2020 report states that fewer than 7 per cent of dentists work in the public health sector. However, where is the response of the Minister for Health to comments made by Professor Zoellner, whom she supported when she was in opposition, about an intern year for dentists? I support an intern year for dentists as a very effective way of employing dentists in the public health system. Internships work well for doctors, nurses and allied health professionals. There is nothing in dentistry that would preclude an intern year for dentists, and such a scheme would provide enormous benefit. In December 2012 there were 117,369 people's names listed on the dental waiting list. How good would it be if every graduate undertook a year of dental training in the New South Wales public dental system? The total cost of dental disease in New South Wales is \$2.8 billion. In 2011 there were 15,700 cases of preventable hospitalisations. Despite that, Government members said nothing when the previous Commonwealth dental scheme ceased under the Howard Government. When it comes to public funding of dental care, Government members should hang their heads in shame.

The Chronic Disease Dental Scheme was not means tested and did not cover treatment for many people who needed it. It covered only people who had a chronic disease, so children, for whom early dental care would have been most effective and cost-effective, were not covered by the Chronic Disease Dental Scheme because they did not have a dental problem. Children are covered by the New South Wales public dental system—if they can get an appointment. That scheme is grossly underfunded. I urge all members to read very carefully the "Oral Health 2020: A Strategic Framework for Dental Health in NSW". It contains some very interesting statistics. It does not have a plan to equalise opportunity of access for every person in New South Wales based on need. Until universal dental care is embraced by everybody, the State will continue to provide dreadful dental care. I urge the Deputy Premier, Andrew Stoner, to state publicly support for fluoridation instead of leaving it to YouTube to present his views as being against fluoridation.

**Mrs ROZA SAGE** (Blue Mountains) [11.55 a.m.]: It gives me great pleasure to support the important motion moved by the member for Myall Lakes. Well, well, well, the shadow Minister for Health again has been bleating about the Chronic Disease Dental Scheme being such a failure because it did not have a means test. Then this socialist ideologue started jumping up and down about the Denticare scheme, which also will not be means tested and will not target the appropriate sector of the population. But getting back to the good news about the New South Wales Government's oral health initiatives, I inform the House of the pleasure I took in accompanying the Minister for Health, and Minister for Medical Research and the Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales to the launch of the "Oral Health 2020: A Strategic Framework for Dental Health in NSW" report on 22 April 2013 at the Nepean Hospital and the official opening of the new Nepean Centre for Oral Health, which is the result of an \$8 million joint funding arrangement between the New South Wales Government and the Federal Government.

This Government recognises that the Federal Government has funding input, and it is great that it does. The Federal Government also contributed blitz funding to reduce the number of patients whose names are on the waiting list. I present a challenge to the Federal Government over this partnership scheme being a one-off: New South Wales requires recurrent funding to support the provision of dental care in New South Wales. The report on a strategic framework for dental health outlines three strategic goals in the action framework that are central to improving dental outcomes for the people of New South Wales. The first goal is improving access to oral health services in New South Wales. The second goal is to reduce disparities in the oral health status of people in New South Wales. The third goal is improvement in the oral health of the New South Wales population through primary prevention. As members have stated already, there are sectors within the community who need additional focus by government to ensure that disparities in oral health status are reduced. Those groups include the Aboriginal and Torres Strait Islander people, older people, adults and children with special needs, children in out-of-home care, and people in rural, regional and remote communities where access to services is limited.

The New South Wales Government's commitment to improving dental outcomes and access to care for people in New South Wales in these targeted groups is evidenced in the range of current and future initiatives in 2012-13. More than \$5.2 million is being provided to 18 Aboriginal medical services to deliver oral health services to Aboriginal communities via the New South Wales Ministry of Health Non Government Organisation Treatment Grants Program. I also point out that the new Nepean Centre for Oral Health—it will be the third-biggest such facility in New South Wales, after Westmead and the Sydney Dental Hospital—has 32 new chairs for general and emergency care, and a new dental laboratory, which is great and has six dental technicians. Additionally, six of the 15 funded places in the Voluntary Dental Graduate Year Program have been given to Nepean-Blue Mountains, so the area is well serviced. Those graduates have already commenced work. I particularly congratulate Dr Albert Yacoub, who runs the centre at Nepean Hospital tremendously well. He knows a bit about business—unlike some of those opposite with medical experience.

**Mrs BARBARA PERRY** (Auburn) [11.58 a.m.]: The irony is amazing: The member for Blue Mountains condemned the Federal Government but then commended the wonderful oral health centre at Nepean Hospital—the third largest in New South Wales—which the Federal Government helped to fund. She failed to acknowledge that—

**Mrs Roza Sage:** I did.

**Mrs BARBARA PERRY:** No. It is disappointing the member for Blue Mountains did not acknowledge that Federal Government money is involved in the project. It is clear that the Federal Government—

**Mrs Roza Sage:** I did; you obviously were not listening. I said it was very welcome.

**Mrs BARBARA PERRY:** Minister Skinner never gives any credit to the Federal Government for funding partnerships. The money for the Nepean centre came primarily from the Federal Government. It is a wonderful, new, extensive facility that will help many people in the member's electorate. The Minister's press release indicates that Tanya Plibersek, the Federal Minister for Health, was at the opening. The press release also notes that the upgrade of the centre was funded by a joint \$139-million investment, to which the Federal Government contributed \$96.4 million—a large part. Dental health is so important. The shadow Minister for Health and I discussed this issue only recently. Dental health is integral to good general health. Teeth problems can cause or exacerbate other health problems—as the member for Blue Mountains, who is a former dentist, knows—so it is incumbent on the Government to look for ways to improve the State's public dental system.

**Mrs Roza Sage:** Why did you not do it in 16 years?

**Mrs BARBARA PERRY:** We did do it, but those opposite cannot when they are ripping \$3 billion out of the health system. That is a concern for my constituents and for those of the member for Blue Mountains. The Government is not investing in health, which is most important for our community. It should be ashamed. I hope that the member for Blue Mountains will go to her party room and lobby the Minister for Health and the Premier to improve the State's dental health system. That is her job; this is her watch. Let us see what she does to improve dental health. It is fantastic that Nepean has an oral health project. It is about partnerships, and that is a beautiful partnership. Dental health is an important issue.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.02 p.m.], in reply: I thank members representing the electorates of Macquarie Fields, Auburn and Blue Mountains for their contributions to the debate. Of course, the shadow Minister for Health sought to protect Labor's boy, the Federal member for Lyne. It is interesting how much those opposite try to protect him. He was their boy when he was in this House and now he is their boy in Canberra. He says that I am running a vendetta against him; I certainly am not. If the member for Lyne did his job properly—if he did the right thing by his constituents—I would not have to bring issues to this House. But I am going to fight for the people of my electorate.

I am going to fight for the Indigenous population. I am going to fight for the less well-off. There is a huge gap between when the old scheme stopped and when the new scheme will commence. The member for Blue Mountains acknowledged—if I had had more time earlier I would have mentioned it also—that the national partnership agreement for adult public dental services, which commences in 2014, will be additional to the agreement to treat more public dental patients, which commenced this year in New South Wales. We welcome the Commonwealth funding for those services. The problem is the gap in service provision from 1 December 2012 and 1 July 2014, when adult public dental services will commence. That will affect many people.

The member for Auburn said it was ironic that Government members failed to acknowledge the assistance of the Federal Government. If she had been in the House during the significant and intellectual speech by the member for Blue Mountains, she would have heard her acknowledge the Federal Government's contribution. Those opposite fail to understand that over 16 years New South Wales Labor governments spent less on dental health per head of population than any other government in Australia. This motion is about the removal of the Chronic Disease Dental Scheme, and it is opposed by Opposition members. They preach to the House about health matters when they have the worst record on dental health in all of Australia. It is an absolute disgrace.

The member for Macquarie Fields had conversations with Dr Rosario, who pleaded with him to go to his Labor masters in Canberra and ask for something to fill the gap between 1 December 2012 and 1 July 2014 in

order to help needy people. Dr Rosario had no money to fund operations for Aboriginal people in Taree and in Forster. He exceeded all expectations in improving public health in those communities. The Labor Party turned its back on those communities, and my poor constituents are suffering. That is why I bring motions such as this before the House. My constituents are suffering because of decisions made by the previous State Labor Government and the current Federal Labor Government. The illegitimate Government in Canberra is ruling this nation with the support of the member for Lyne. He should stand forever condemned for supporting the Federal Government and for ignoring his electorate and the Indigenous population in his area. I commend the motion to the House.

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

**Motion agreed to.**

### **WALLSEND POLICE STATION**

**Ms SONIA HORNER** (Wallsend) [12.08 p.m.]: I move:

That this House:

- (1) notes that despite the concerns of locals regarding crime, the Minister for Police and Emergency Services, and Minister for the Hunter has stated there are no plans for a new police station in Wallsend;
- (2) notes that to date approximately 2,000 constituents have signed a petition seeking funding for a police station in Wallsend; and
- (3) calls on the Minister for Police and Emergency Services, and Minister for the Hunter to reconsider his decision due to the risk to the safety of the community.

My office is located off the main street of Wallsend's business district. Over the past two years the property owners have replaced the windows 23 times. The situation has become so dire that the owners fitted protective screens over the windows. This damage—inconvenient, time consuming and costly—is merely the tip of the antisocial behaviour iceberg in Hunter communities that must be addressed. On 30 November last year the *Newcastle Herald* reported that the Auditor-General determined that the Northern Police Command, encompassing the Hunter's local area commands, is short 61 officers, with another 40 on restricted duties. According to the New South Wales Bureau of Crime Statistics and Research, last year robberies with a weapon increased by 79 per cent in the Hunter. Hunter crime rates were above the State average in 12 out of 17 categories—break and enter, and motor vehicle theft rates are nearly twice the State average. By early September last year the Hunter had seen more than 100 armed robberies, the highest number in a decade. By November the *Newcastle Herald* reported that there had been 125 armed hold-ups—an increase of 66 per cent on the previous year—all on the watch of the O'Farrell Government.

At a crime forum that I held in my electorate for people aged over 65 many residents reported that they were worried about antisocial and offensive behaviour, intimidation and home break-ins. Many said they were beset with fear just walking to the supermarket. Though police officers at the forum provided valuable insight into how residents could protect their properties, it goes only halfway to resolving the problem. Of course, with more housing developments in the Maryland and Fletcher areas, the population will only increase, and the demands on police will increase also. The member for Canterbury was right when she told the forum that there is no magic bullet to solve these problems. She was right also when she said that a balance must be struck. I ask the Minister for Police and Emergency Services to support the critical campaign to locate a police station in Wallsend. The Minister reneged on his promise to build the Glendale police station after urging the Labor Government to build it. My electorate has been left with not a single police station in its boundaries.

I call on the Minister to protect the people of my electorate from violent criminals by funding the building of the police station that we need so desperately. Our residents feel unsafe even in everyday situations—such as trips to the shops—because of police invisibility. Every Australian has the right to go about their daily lives feeling safe in their neighbourhood and to find sanctuary in their homes, unimpeded by fear of crime. Our community knows that building a police station at Wallsend will solve the increasing crime problem in Wallsend. Last year I presented to this House a petition bearing the signatures of more than 1,000 citizens and businesses calling for the Wallsend police station to be built. Since I presented that petition, more than 5,500 people have added their names and lent their support. I have made this call many times during my six years in this place, and I repeat it again today: We need a police station in Wallsend.

An NBN news report aired in August last year stated that this Government thought building a police station in Wallsend was unnecessary, even though it takes police at least 20 minutes to reach many Wallsend

suburbs from the closest station at Waratah. Toronto police station is even further away, in the Lake Macquarie Local Area Command. Wallsend has been left without a permanent police presence. Of course, this leads also to a shortfall in response times around Wallsend and its suburbs. In a crisis situation, 20 minutes can be an eternity. I highlight one example of the ongoing problem in the electorate. Over a period of months in 2011 the Jesmond Early Education Centre was vandalised multiple times. Windows, skylights and cameras were smashed, staff members were harassed, and the building was vandalised with graffiti.

The organisation's director, Karen Murnane, contacted my office multiple times to complain. Though police from the Waratah station eventually stopped the vandalism, she confirmed at the beginning of April this year that it had started again. In an interview last year, former Assistant Commissioner Peter Parsons said that super commands are not working in regional areas. The spike in the number of armed robberies in the Hunter and, more specifically, the incidents in the Wallsend electorate are proof positive of that. This crime spike must stop. This issue must be resolved. The Wallsend community demands a more tangible and more visible local police presence. I freely acknowledge that the Police Force does the best it can with limited resources; it has done, and continues to do, an outstanding job for our State. The police of Lake Macquarie and Newcastle local area commands do fantastic work.

Mrs Parkes, a constituent who attended the forum mentioned earlier, said that the police men and women of this State are faced with too much work and too little manpower. I agree wholeheartedly. The statistics speak for themselves. The situation is critical. A police station for the Wallsend electorate is a necessity, not a luxury. The O'Farrell Government has failed to address soaring Hunter crime rates. We suffer rates of sexual assault, motor vehicle theft, and break and enters that are well above the State average. The Hunter region contributes more than \$1 billion to State Government coffers, yet not nearly enough comes back to fund much-needed Hunter police resourcing. The people of Wallsend deserve a police station within their electorate. I call on the Government to take immediate action to see that it happens.

**Mr BRYAN DOYLE** (Campbelltown) [12.15 p.m.]: I oppose the motion moved by the member for Wallsend, but I thank her for her interest in police facilities in the Wallsend area and her enthusiasm in representing her constituents. Her call for a Wallsend police station is a never-ending story. It is interesting to note that Wallsend had a police station until 2007.

**Ms Sonia Hornery**: It was 2002.

**Mr BRYAN DOYLE**: It was certainly closed during a previous Labor regime. The motion gives us an opportunity to inform the House about this Government's absolute commitment to support our police, and to again highlight the neglect that occurred under those opposite. In March 2012 the Minister for Police and Emergency Services, and Minister for the Hunter, the Hon. Michael Gallacher, MLC, announced a commitment to major upgrades to police stations across the Lake Macquarie Local Area Command. I thank the Minister for his commitment to ensuring that Hunter police have the resources they need to do their jobs effectively. This includes \$21.5 million for major redevelopment works at Belmont police station, and upgrades to Morisset and Toronto police stations. Labor proposed to build a new police station at Glendale, which was to accommodate the Lake Macquarie Local Area Command. However, as with most things under the previous Government, it was a thought bubble that never amounted to anything.

A NSW Police Force review determined that a single-site location would not meet operational requirements, and a new multi-site solution would be preferable. The three existing sites at Belmont, Morisset and Toronto were judged as being the most appropriate to serve the local community into the future. The 2012-13 State budget includes \$4.8 million for those upgrades. In addition, this Government will spend \$61 million over four years to remediate and manage hazardous materials in police properties, including \$16 million this financial year. This Government's commitment to resourcing police does not stop at the bricks and mortar of police stations. Police forces are run by police officers, and this Government will boost the NSW Police Force by a total of 859 officers. As at the beginning of this month, we had delivered 370 additional authorised police positions since December 2011. This significant commitment will see the authorised strength of the NSW Police Force reach a record 16,665 officers in August 2015.

It is important to note that we are ensuring these officers are available for work, and have set the goal of achieving 90 per cent operational strength for all front-line commands. This is a commitment to having real police available for duty, in contrast to the inflated figures relied on by the previous regime. It is encouraging that in December 2012, when it last published its authorised strength data, the NSW Police Force was at an operational strength of 95 per cent. Updated figures will be published in mid-May, and I look forward to seeing them. It is interesting to note the operational strength figures for Newcastle, at 97 per cent, and for Lake

Macquarie, at 106 per cent. It is unfortunate that the previous Labor Government set about systematically closing and selling off police stations across the State, perhaps imagining they were sitting on coal seams. It then failed to give police enough funding to maintain the remaining police stations.

I am sad to hear that the member for Wallsend has problems with graffiti in her community. I have always been a big believer that policing is best done for and with the community, not to and against it. In that regard, I suggest she adopt the strategy that was employed in Campbelltown, which included having the media report graffiti as a crime and not art, and removing graffiti as quickly as possible. The police work hard to reduce graffiti through proper enforcement. I know it is sad for the member that the previous Government closed Wallsend police station, and I note her continued interest in this issue. I oppose the motion.

**Mr NATHAN REES** (Toongabbie) [12.21 p.m.]: I support the motion moved by the hardworking member for Wallsend, and note at the outset that nothing moves in that electorate without the member for Wallsend being aware of it. She is an excellent local member and is constantly in my doorway alerting me to issues such as this. The member for Campbelltown admitted that police operational strength in the Hunter is 97 per cent. One of the best pea and thimble tricks we have seen from this Government in the past couple of years is to change the definition of "police on the ground". Under the former Labor Government, an authorised strength of 16,000 police meant that government overemployed to ensure that 16,000 police were on the ground across New South Wales each day. The Labor Government took into account the fact that officers would be on leave and injured, and overemployed to ensure that authorised strength was retained on the ground.

The Government's statement that operational strength is 97 per cent in the Hunter gives the pea and thimble trick away. The Government is underemploying police across the State at a time when statistics, as they relate to important categories of crime, are on the increase: Fraud has increased by 14.6 per cent over the past two years; malicious arson has increased by 14.4 per cent in the same period; drug offences, particularly the possession and/or use of cocaine, has increased by 31.4 per cent; possession and use of amphetamines has increased by 32 per cent; dealing and trafficking in cocaine has increased by 34.4 per cent; other drug offences have increased by 14 per cent; and disorderly conduct with criminal intent has increased by 40 per cent.

The motion of the member for Wallsend is timely and sensible. A great deal of the wealth that New South Wales derives from industry comes from the coal industry in the Hunter region. It is the biggest coal loader in the world. It is appropriate that the people of the Hunter have some of the money they pay to the State returned to them in the form of a police station at Wallsend to keep the community safe. The member has gone out of her way to consult broadly with the community. Approximately 5,500 people signed the petition calling for the new police station. I support that petition and I support the member's motion, which I commend to the House.

**Mr GARRY EDWARDS** (Swansea) [12.24 p.m.]: I thank the member for Wallsend for the motion she has moved on behalf of her electorate. I support the comments of the member for Campbelltown. As all members are, or should be, aware, the site of any police station is determined by the NSW Police Force after consideration of operational requirements. Things may have been different back in Labor's day, when the only consideration was electoral boundaries and which member in a marginal seat would benefit the most. The next thing you know those opposite will be asking for a police station at Mount Penny. This Government takes the advice of the police commissioner before allocating funds to a project.

We let the NSW Police Force tell us what it needs. That is why, for example, the Government is spending \$21.5 million to rebuild and refurbish police stations at Belmont, Morisset and Toronto. This Government was not going to follow the Labor Party's lead in wasting four years pursuing a development at Glendale because it made sense to Sussex Street. I acknowledge the comment by the member for Campbelltown, who said the proposal to build the Glendale police station was never more than a thought bubble. The Minister for Police and Emergency Services was advised by the NSW Police Force that a single building at Glendale would not meet operational requirements and so the Government allocated funding to where it was needed to satisfy operational requirements.

I would like to know whether the member for Wallsend is suggesting that her electorate has no police presence. The member's electorate is covered by two local area commands: Newcastle and Lake Macquarie. Is she suggesting that the hardworking officers from those commands are not out on patrol and are not out solving crimes? Does the member think officers spend their entire day inside a police station? If that is the implication it is an affront to all men and women in the NSW Police Force, not just those in Newcastle and Lake Macquarie. Under this Government an additional 18 authorised police positions have been allocated to local area commands

in the Hunter, including five positions to Lake Macquarie and Newcastle. Under this Government 138 new probationary constables have been posted to the Hunter since the 2011 election. That includes 33 to the Lake Macquarie Local Area Command and 33 to the Newcastle Local Area Command.

Is the member for Wallsend suggesting that those local area commands are understaffed? The numbers tell a different story. As the member for Campbelltown noted, the previous Government closed and sold police stations across the State and failed to ensure that those that were not sold were maintained properly. The Liberal-Nationals Government has spent two years righting Labor's wrongs, and nowhere is that more obvious than in the Hunter, with new infrastructure and record police numbers. As a parting comment, I add that in what I loosely call my "local area" the former Labor Government closed and sold Swansea, Mayfield and Wallsend police stations. I oppose the motion.

**Ms SONIA HORNER** (Wallsend) [12.27 p.m.], in reply: I thank members representing the electorates of Campbelltown, Toongabbie and Swansea for their contributions to the debate. In reply to the member for Campbelltown, it is clear that the member is not familiar with the Hunter and its issues. I am disappointed that more Government members from the Hunter did not contribute to the debate. Perhaps policing is not of great importance to them. The member for Campbelltown highlighted the Government's commitment to the Belmont, Toronto and Morisset police stations. It is fantastic that those upgrades are being funded. But this motion relates to Wallsend suburbs, and the upgrades to those three police stations will deliver absolutely no benefit to the constituents of Wallsend. It is a separate issue. Yes, there was a proposal for a police station at Glendale under Labor and when the \$1 million was available in the budget the Coalition Government and the Minister for the Hunter reneged on that promise to the Hunter region.

How do the Belmont, Toronto and Morisset stations best serve the needs of the people who live on the fringes of the Newcastle Local Area Command and the Lake Macquarie Local Area Command? They do not serve them at all. I respond to the member for Campbelltown because they will be of no use at all. Other than commenting on some advice about graffiti, which the hardworking Wallsend Town Business Association already handles, the member for Campbelltown did not attempt to address the increasing crime rates in Wallsend, nor did the member for Swansea. The statistics show this is the case. Those members have not addressed the reasons for these increases or how to deal with this problem. I ask the Government to ascertain why crime has increased in the Wallsend area and why last year the area had the highest number of armed robberies in a decade—and this has happened under the O'Farrell Government. The member for Swansea said policing numbers in the Hunter were fantastic and that the area was well resourced.

Why then are response times reportedly so poor around the Wallsend area? Indeed, people in the Maryland area report that it takes police hours to respond to crimes because they have to go via Stockton to attend to a domestic violence incident at Maryland. Last Friday it took the police two hours to respond to an armed robbery at Jesmond bottle shop because a car was not available in the area; patrons of the hotel were told that no police car was available. This is not indicative of police in the Hunter being well resourced if they cannot undertake their duties properly. I reiterate that I respect the police; I take my hat off to them. I believe policing is one of the toughest jobs in New South Wales. The police are doing the best they can with limited resources, but if police vehicles are not available and if police are overstretched, they become stressed. As a consequence, my community is calling for better police services and more resources.

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

**The House divided.**

**Ayes, 21**

Ms Burney	Mr Lynch	Mr Robertson
Ms Burton	Dr McDonald	Ms Tebbutt
Mr Daley	Ms Mihailuk	Ms Watson
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, 62**

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

**Pairs**

Mr Barr	Mr Owen
Mr Zangari	Mr Toole

**Question resolved in the negative.**

**Motion negatived.**

**MANNING RIVER AND WALLIS LAKE DREDGING**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.40 p.m.]: I move:

That this House:

- (1) notes that dredging of and from the Farquhar Inlet at the mouth of the Manning River near Old Bar has provided a much-needed boost to local residents, businesses and birdwatchers who can now see birds nesting in safety on the newly created sand islands;
- (2) notes that the dredging of sand from the estuary areas of Wallis Lake near Forster-Tuncurry is removing sand from around the valuable oyster leases in the area and providing a safer environment for recreational boating and fishing;
- (3) commends the Government for undertaking this vital work to revitalise these areas and for fulfilling its election commitments to the dredging; and
- (4) condemns the former Government for not taking any action to assist people and businesses affected by the influx of sand that had built up for more than a decade before the dredging work commenced.

What a great day it was for those areas when the Government realised our election commitment to dredging the area. Prior to the 2011 election I remember that one of the key problems in the area of the mighty Manning River—156 kilometres of navigable waterways, the only delta formation in the Southern Hemisphere, with numerous islands and wonderful waters—was dredging. For years, people in the area had pleaded with the former Labor Government to do something about the dredging. The Manning River used to have huge navigable ships taking produce from the Manning Valley to Sydney and other places, but the sand had built up over 10 years and made it impossible for shipping to enter the river.

The mighty Wallis Lake is the number one Sydney rock oyster nursery in Australia—30 per cent of Australia's Sydney rock oysters come from Wallis Lake—and people in the area were pleading for dredging to go ahead. Before the 2011 election I remember standing on the great wall at Harrington with the member for

Port Macquarie and the Deputy Premier, the member for Oxley, and making a commitment of \$1.5 million for dredging the estuaries that needed help on the east coast. We have delivered on that commitment. In partnership with Great Lakes Council, the oyster growers and boaties in that area, we have provided \$400,000 for dredging.

Two or three navigable channels were dredged as well as an area called the paddock, which is where those fantastic Sydney rock oysters are fattened. During the dredging it was realised that another channel near the Tuncurry boat ramp needed dredging, so another \$27,000 was provided for that to be dredged also. More than \$1.6 million worth of dredging has been done, with a \$400,000 outlay from the State Government in partnership with Great Lakes Council and the oyster farms. That is what partnerships are all about, and what a fantastic outcome it is for the oyster growers, the ferries, the commercial boats and the boaties in that area. Not only was there a problem for oyster growers but there was a problem with shoaling in the navigable channels; it was becoming dangerous for some of the bigger boats, such as the Dolphin Watch boats.

That dredging was necessary and it has been delivered. At the mighty Manning River, \$50,000 of State Government money was provided for the Old Bar area. A number of islands were created, and the little tern—a tiny, beautiful bird that only nests in a few areas in New South Wales and is endangered—now nests on those islands. It is fantastic for those birds and for bird watchers. Navigable channels were also created by the dredging, making it safer for the boaties and improving the health of the river. It is important that the river gets good water flows because further up the river oyster growers rely on good saltwater to flow up into their leases. That is being delivered. This is a government that is listening to people.

People came to the Liberals and Nationals prior to the election, saying that this dredging was a high priority. We spoke to them and we looked at all the plans that had been made over the years, which were sitting on shelves gathering dust and had not been looked at by the former Labor Government. We looked at everything, plans were put in place, we made the commitment and now we have delivered. Nothing could be more important to the people of Manning Valley than to get the river right. I am sure the member for Port Macquarie will speak about the great things that are about to happen in the Harrington area of the mighty Manning River. The member for Port Macquarie made sure that Harrington was on the list of the estuaries that were to be looked after.

Harrington is at the northern mouth of the wonderful Manning River. I know that the people in that area are excited about what is going to happen. For 16 years we had a government that neglected the people of New South Wales, neglected the regional areas and neglected the people of the Manning Valley, Forster-Tuncurry and the Wallis Lake areas. For 16 years the former Labor Government had the opportunity to do something about the area. The rivers will die unless the natural channels are maintained so that the saltwater can get in. For 16 years people have been crying out for this. The Liberal-Nationals Government has delivered. We deliver on our promises; unlike the former Labor Government.

**The DEPUTY-SPEAKER (Mr Thomas George):** I call the member for Mount Druitt, Opposition Whip, former Minister for Agriculture, and former Minister for Land and Water Conservation.

**Mr RICHARD AMERY** (Mount Druitt) [12.47 p.m.]: On behalf of the Opposition I will make a few comments on the motion moved by the member for Myall Lakes, of which notice was given on 13 November last year. I am almost entertained by this character. The first paragraph of the motion notes that dredging of and from the Farquar Inlet at the mouth of the Manning River near Old Bar has provided a much-needed boost to local residents, et cetera. Of course we agree with that. We also broadly agree with the second and third paragraphs of the motion. If the Government has given the member some money for dredging we are happy to commend that and go along with it. We do not agree with paragraph four of the motion, which condemns the former Labor Government. We will oppose the motion on the basis of that paragraph, but we will not elevate the significance of this motion by calling for a division. A few minutes ago the member for Myall Lakes said that nothing had happened for 16 years. He said that the Manning River had silted up and had not been dredged. To assist the member for Myall Lakes, I inform members that the Manning River has been dredged since 1859.

**Mr Andrew Fraser:** You were there for the first one.

**Mr RICHARD AMERY:** I did the opening. This has been an issue for the local community since not long after European settlement. The member for Myall Lakes sees politics in everything. He probably sees politics in the way the newspaper is delivered to his home every morning. I cannot believe that he raised the dredging the river and the Wallis Lake oysters. We know a lot about Wallis Lake oysters: some years ago they caused an outbreak of food poisoning that had a major impact on the industry. The Government, local

communities and the industry concerned had to do a lot of work to resolve those problems. I note the member for Myall Lakes said that rivers will die if things do not happen. That seems to suggest that The Nationals have something to do with cleaning up rivers.

I have been in this place for a long time and I am a former Minister for Land and Water Conservation, as Mr Deputy-Speaker recognised. I remember previous discussions in this Chamber about water reforms, environmental management, environmental flows, river system health, and issues such as the Wallis Lake oyster industry and the Manning River. Who resisted measures to clean up the rivers and waterways in this State the most? It was members of The Nationals. The member for Coffs Harbour should stay quiet. He made passionate speeches against our water reforms and our environmental strategies and environmental flows.

**Mr Andrew Fraser:** Point of order: I suggest that the member for Mount Druitt is straying from the leave of the motion.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! What is the member's point of order?

**Mr Andrew Fraser:** My point of order is that the member for Mount Druitt cut the Country Town Water and Sewerage Program budget by half.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is no point of order. I ask the member for Mount Druitt to continue.

**Mr RICHARD AMERY:** I am only responding to the comments made by the member for Myall Lakes. In his so-called point of order that was actually a debating point the member for Coffs Harbour's raised the Country Town Water and Sewerage Program. We are proud of that program. Not only did the former Labor Government spend millions of dollars every week on that program, it also included smaller towns with populations of fewer than 500 people that were neglected by the Coalition. But let us not stray from the motion. It is important to recognise the local communities near the Manning River and Wallis Lake for their diligent work down through the ages to ensure that they have clean waterways. Labor governments have been at the forefront of ensuring that those waterways have the highest levels of environmental health.

It is almost funny that a member of The Nationals is attacking the former Labor Government about cleaning waterways and dredging. The Manning River and many other outlets along the coast have been dredged regularly since the 1800s. Those works came about as a result of management plans. I recall that a management plan was implemented for the Manning River in 1997. That was two years into the former Labor Government. The fourth paragraph of the motion states that the former Labor Government did not take any action. The former Labor Government worked with local authorities, community and industries to ensure that dredging went ahead.

In answer to these feeble motions about nothing being done for 16 years, from the records of the old Department of Public Works, the former Office of Water and the old Department of Land and Water Conservation we can provide an extensive list of the dredging works that the former Labor Government undertook up and down the coast. This four-point motion about a dredging project for the Manning River is designed to take up the time of the State Parliament and shows that Government members are bereft of any decent policies or comments. This motion is yet more of the bile and hate that comes from the member for Myall Lakes every Thursday, which is disappointing. But it is no wonder because he and all his colleagues from The Nationals are upset that none of them won anything at The Nationals awards night. The Opposition will oppose this motion on the voices, because this bile and hate from the member for Myall Lakes is not worthy of a division.

**Mrs LESLIE WILLIAMS (Port Macquarie) [12.54 p.m.]:** It gives me much pleasure to support the motion before the House. I congratulate the member for Myall Lakes. The people in his community know that their local member is fighting to ensure that their rivers are maintained. As part of maintaining the rivers the community has lobbied long and hard to ensure that dredging works continue. Unfortunately, the community was ignored by members opposite.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I call the member for Drummoyne to order.

**Mrs LESLIE WILLIAMS:** Dredging has now taken place at the Farquar Inlet and at the mouth of the Manning River near Old Bar. I congratulate the member for Myall Lakes on securing the \$400,000 and working

with the local council, the fishermen and the community to ensure that it came to fruition. I also congratulate and commend the Government for undertaking the vital work of dredging not only in the Manning River but elsewhere. The Coalition went to the election with the Rescuing Our Waterways policy. As with all the policies we took to the election, we are making sure we that deliver on our commitments. The policy recognises the importance of our waterways and that they are the lifeblood of many communities, particularly the Manning Valley. In the policy we recognise that the State's lakes, rivers, harbours and estuaries provide a variety of recreational activities, and support local jobs and economic development. Of course, under Labor our waterways were left to degrade. That was really disappointing. Many rivers, including the Manning River, were allowed to silt up. We all know the damage that that causes and the implications for the water health of all rivers.

Under the plan that was part of campaign of the New South Wales Liberals and Nationals during the 2011 State election, a number of waterways requiring dredging were identified. At the top of that list was Lake Cathie, which is part of the Port Macquarie electorate. Similarly with the Manning River, the Government has provided funding to ensure that that waterway was dredged. On 24 August last year the Deputy Premier and member for Oxley, Andrew Stoner, and I announced that dredging would be carried out in Lake Cathie to fulfil our election commitment. Mr Stoner said that the Government would offer \$200,000 to fund dredging works for Lake Cathie in partnership with our local Port Macquarie-Hastings Council. As part of that proposal, the Port Macquarie-Hastings Council will develop and manage the project and will carry out the necessary environmental assessments, approvals and the tendering processes.

It is no surprise to anyone that beautiful Lake Cathie is a real drawcard for local tourism. It is also an area that is viewed fondly and enjoyed by many local residents during the summer. It is pleasing to note that Lake Cathie will be dredged and that the New South Wales Government will provide substantial funding to ensure that dredging occurs. I again congratulate the member for Myall Lakes on moving the motion. While Opposition members may not consider this motion to be important, Government members recognise the importance of dredging our local waterways.

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

#### **JOINT COMMITTEE ON THE OFFICE OF THE VALUER-GENERAL**

**Report: Report No. 2/55 Land Valuation System Report on the Inquiry into the Land Valuation System and the Eighth General Meeting with the Valuer-General**

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

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

#### **LEGISLATION REVIEW COMMITTEE**

**Report: Legislation Review Digest No. 36/55**

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

**Mr STEPHEN BROMHEAD** (Myall Lakes) [1.02 p.m.]: I appreciate this opportunity to update the House on the comments made by the Legislation Review Committee in its recent Legislation Review Digest, which is certainly a quality document. Although the report is not voluminous, it is certainly of high quality. The Legislation Review Committee examined recent legislation. The Legislation Review Digest No. 36/55 was tabled on 7 May 2013 and is the thirty-sixth digest that has been prepared by the Legislation Review Committee of the Fifty-fifth Parliament. The committee commented on two out of three bills that were reviewed during the past sitting week, one of which was the Bail Bill 2013 that repeals and replaces the current Bail Act 1978. The bill makes provision for bail in connection with criminal and other proceedings, and proposes a new scheme for making bail decisions in relation to accused persons. The bill allows a court to refuse to hear a bail application if it is satisfied that the application is frivolous, vexatious, without substance, or otherwise has no reasonable prospects of success.

The committee considered that the grounds for refusing to hear a bail application appear reasonable in the circumstances. The committee also noted that the bill prevents a court from refusing to hear a bail application if the

application is made by the accused person on a first appearance. The bill allows the regulations to provide the circumstances in which a bail application could be heard in the absence of an accused person or his or her legal representative. The committee will refer to Parliament a decision on whether that is appropriate in the circumstances and whether it is appropriate to include such matters in regulations rather than in principal legislation. The bill allows bail conditions to include enforcement conditions for the purpose of monitoring or enforcing compliance with another bail condition. The committee highlighted that that could expose individuals on bail to having their rights and liberties unduly dependent on insufficiently defined limits on enforcement conditions. The committee also drew Parliament's attention to a provision in the bill that allows the regulations to make further provision for the time at which proceedings for an offence are considered to be concluded. The committee is of the view that it may be more appropriate for such matters to be dealt with in the principal legislation.

The second bill the committee considered was the Rights of the Terminally Ill Bill 2013. The bill sets up a framework to allow terminally ill persons who are experiencing pain, suffering or distress to an unacceptable extent to request and receive assistance from medical practitioners to end their lives in certain circumstances. The committee noted that the bill contains a number of conditions that a medical practitioner must meet before assisting a terminally ill individual to end his or her life. However, the committee referred to Parliament for its careful consideration whether the framework could unduly trespass on a terminally ill person's right to life. While the committee assumes that only registered doctors would be able to assist patients under the scheme, the committee referred to Parliament for consideration whether the term "medical practitioner" should be defined in the bill to clarify this issue.

The committee did not make any comments on the final bill that it reviewed, the State Emergency and Rescue Management Amendment (Co-ordination and Notification of Rescues) Bill 2013. The committee's digest is a resource to assist members when considering the bills that are put before the House. I therefore recommend that members familiarise themselves with the more detailed comments that the committee made in its recent digest to facilitate informed and robust discussion of those issues in the House. I commend the staff of the committee for their assistance and thank them for their hard work.

**Ms TANIA MIHAILUK** (Bankstown) [1.05 p.m.]: It is with pleasure that I contribute to debate on the Legislation Review Digest No. 36 of the Fifty-fifth Parliament and No. 7 of 2013. I take this opportunity to acknowledge my fellow committee members—the chairman and the member for Myall Lakes, the member for Parramatta, the member for Rockdale, the member for Swansea and our colleagues from the Legislative Council Mr David Shoebridge, the Hon. Shaoquett Moselmane, and the Hon. Dr Peter Phelps. I commend the hardworking committee staff and thank them for preparing the digest. Given that Parliament has had back-to-back sitting weeks and will have two more back-to-back sitting weeks, I have no doubt that the committee staff will be very busy.

I congratulate them on their efforts throughout the year to prepare the digests, often within very short time spans, and for the digests always being very well researched. This week's meeting went for nine minutes, which might be a record for this committee. The committee examined three bills and regulations. I inform the House of some of the considerations that were debated during the meeting. The committee raised concerns that the Bail Bill 2013 would trespass on personal rights and liberties with respect to the right to have applications for bail heard, procedural fairness and widely defined powers. In relation to widely defined powers, the report states:

The Committee notes that bail conditions under this Bill may include enforcement conditions that, without sufficient limits, may make rights and liberties unduly dependent upon insufficiently defined powers.

The other issue examined by the committee was powers in regulations. The report states:

Section 6 (5) provides that the regulations may make further provision for the time at which proceedings for an offence are to be regarded as concluded.

The committee also stated:

The Committee notes that it may be more appropriate for matters relating to the conclusion of proceedings in a criminal trial to be left in principal legislation, and considers that allowing such matters to be determined by regulation may be an inappropriate delegation of legislative power.

Examination of the Rights of the Terminally Ill Bill 2013 was fairly contentious. An amendment was moved but was negatived. The committee considered trespasses to personal rights and liberties, including the right to life. The report states that the bill proposes a framework for terminally ill individuals who are experiencing pain and suffering to obtain assistance from medical practitioners. The report also states:

... the Committee refers to Parliament for its careful consideration whether the framework set out in the Bill could unduly trespass on a terminally ill individual's right to life.

The committee also noted concerns surrounding the definition of "medical practitioner", although I think there may be a definition for that term, and referred to Parliament the matter of whether the term should be better defined in the legislation. There were issues surrounding whether it was possible for the legislation to commence three months after the date of assent or sooner by proclamation. The report states:

The Committee refers to Parliament whether it is appropriate to allow the Act to commence by proclamation, rather than on an ascertainable date, given that the Bill proposes significant changes to the current law in NSW to allow medical practitioners to assist terminally ill individuals to end their lives in certain circumstances.

Some consideration was given to whether that motion would be amended, but the motion was carried. I do not have sufficient time now to debate that issue. However, I also encourage members to read the digest, which will assist them to familiarise themselves with the legislation. I commend the digest to the House.

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

**Report noted.**

*[Acting-Speaker (Mr Lee Evans) left the chair at 1.10 p.m. The House resumed at 2.15 p.m.]*

### ASSENT TO BILLS

Assent to the following bills reported:

Racing Legislation Amendment Bill 2013  
Small Business Commissioner Bill 2013  
Powers of Attorney Amendment Bill 2013

### QUESTION TIME

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

#### CHILD SEXUAL ABUSE COMPENSATION CLAIMS

**Mr JOHN ROBERTSON:** My question is directed to the Premier. After setting up a special inquiry into child sexual abuse in the Hunter so that victims would finally see some justice, why has the Premier now introduced new laws to specifically prevent those victims from receiving the compensation that they would otherwise have been entitled to?

**Mr BARRY O'FARRELL:** Once again, the Leader of the Opposition is absolutely wrong. What the Attorney General has given notice of is reforms to victims compensation. What those reforms seek to do, in the broad, is to bring our scheme into line with those that exist in other States.

*[Interruption]*

It is amazing that the member for Canterbury is named after a football team whose nickname is the "Dogs", when she is such a sourpuss.

*[Interruption]*

The member for Wollongong interjects. I have some news for the House: The member for Wollongong is running Matt Brown's campaign for Throsby. Captain Underpants wants to go Federal.

**The SPEAKER:** Order! Members will cease interjecting.

**Ms Noreen Hay:** That's how you treat these kinds of schemes; it's a disgrace.

**Mr BARRY O'FARRELL:** It was a disgrace what he did to you. It is a disgrace what he did to you on that couch. It is a disgrace that you would then seek to put him into Federal politics.

**The SPEAKER:** Order! If the member for Wollongong continues to interject, she can expect the reaction she is getting. If she does not interject, members will not make those types of comments.

**Mr John Robertson:** Point of order: My point of order relates to relevance under Standing Order 129. This is a very serious issue. The community has a lot of concern about this issue. I ask that the Premier be brought back to the leave of the question.

**The SPEAKER:** Order! I repeat my earlier comments: If members were silent and did not interject during the Premier's answer, then the Premier would not make the kinds of comments he has made. The Premier has the call.

**Mr BARRY O'FARRELL:** It is less serious because as I said at the start, he is wrong. We are seeking to bring the New South Wales victims compensation scheme into line with those of other States. Every scheme across the nation has a cut-off point. In most cases that is between two and three years. As the Attorney General said, at 10 years our time limitation will end up being the longest in the nation. Yesterday, those opposite raised the matter of the Federal royal commission. It is clear that compensation will be considered. The Federal royal commission's terms of reference are very clear: to look at the issue of compensation. But it is clear also that it is to look at those institutions responsible for paying that compensation. Howard Brown from the Victims of Crime Assistance League said today that the most important thing is to ensure that those who suffer child sexual abuse have access to counselling.

Under the reforms proposed by the Attorney General it will be easier for victims to access free counselling and other services to aid in their recovery. Importantly, no time limit will be imposed on the availability of counselling assistance. I established the commission of inquiry to investigate claims by Detective Inspector Peter Fox in relation to two matters: first, the attempt by senior police to close down his investigation into allegations of child sexual abuse in the Hunter; and, secondly, allegations that within the Catholic Church there had been cover-ups or attempts to pervert the course of justice, to use the parlance. My response was to establish an independent commission of inquiry with all the powers of a royal commission. That commission of inquiry will be headed by Margaret Cuneen, someone who the public can be confident will get to the truth of the matter. That stands in stark contrast to the way Labor Party members handled allegations about Milton Orkopoulos. An independent inquiry was established as a result of someone blowing the whistle—

**Mr Michael Daley:** Point of order: It is not a general catch-all because the Premier does not want to answer the question.

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

**Mr Michael Daley:** My point of order is under Standing Order 129. The Premier is straying into territory that is utterly irrelevant to the question asked.

**The SPEAKER:** Order! The Premier is being utterly relevant to the question asked.

**Mr BARRY O'FARRELL:** There we go again. Where were their concerns for the victims of Milton Orkopoulos? Labor Party members in this House at that time who were told of his activities ignored that advice; they did not go to the police and they did not seek to have the matters investigated. What did the Labor Party do to whistleblower Gillian Sneddon? They sacked her and locked her out of the office—a woman who had given her life to the Labor Party. We seek to ensure that this scheme is affordable and that those eligible receive assistance. We are not doing what the Leader of the Opposition claims.

## GANGS AND GUN CRIME

**Mr MARK SPEAKMAN:** My question is addressed to the Premier. How is the NSW Police Force cracking down on guns and gangs?

**Ms Linda Burney:** Not very successfully.

**Mr BARRY O'FARRELL:** There goes sourpuss again.

**Ms Carmel Tebbutt:** Point of order: The Premier knows he should refer to members by their titles, not by such words. I ask that he adhere to the standing orders and that he be brought back to the question.

**Mr BARRY O'FARRELL:** To the point of order: I understand also that interjections are disorderly.

**The SPEAKER:** Order! The Premier is correct.

**Mr BARRY O'FARRELL:** I will continue to do it for so long as she interjects.

**The SPEAKER:** Order! As I said earlier, if members continue to interject, they can expect a reaction from Ministers or the Premier. The Premier has the call.

**Mr BARRY O'FARRELL:** The member for Canterbury interjects that it is not good enough. I have figures from the office of the Commissioner of Police that show year-to-date figures relating to the discharge from firearms. This year there were 16, and for the same time last year there were 43. This year's figures are a third of last year's. Total year-to-date incidents involving a firearm in the State are down by more than 25 per cent compared with the number last year. That is another example that this State has a world-class Police Force, and it is another example that results will be achieved with the support a government that provides additional resources for the streets and our public transport systems. It is another example of what happens when a government backs its Police Force with state-of-the-art technology.

This morning Commissioner Scipione briefed me on Operation Apollo, which was established on 13 February to deal with shootings in the Bankstown district. Just over 85 days later 220 people have been arrested, 420 charges have been laid and 70 guns have been removed from the streets of that part of Sydney. It is a magnificent result by the State Crime Command and Commissioner Scipione's men and women across this State. That result builds on the success of Operation Spartan, which resulted in 690 arrests and more than 1,200 charges. Police continue to target illegal firearms. I repeat, in just over 80 days they have seized 70 illegal firearms from south-western Sydney streets. I saw some of those firearms today. They included, unbelievably, a grenade launcher, and two Glock pistols that came through the post, thanks to poor customs protection by the Federal Government. These weapons can cause destruction and loss of life.

Some shootings were targeted—villain-on-villain shootings—but we are all concerned that at some stage such attacks could lead to the loss of an innocent life. Since July last year police in New South Wales have seized more than 8,800 guns, with 10 per cent of those—almost 900—being handguns. Handguns are not made in this country; they have to come into this country. My concern remains that as a result of budget cuts by the Federal Government to the Customs Service we have seen the amount of air cargo inspected fall from over 60 per cent under the former Federal Government to less than 10 per cent under this Federal Government. Only 13 to 14 months ago we saw New South Wales police—not Federal police and not Australian Customs—intercept through an Australia Post sub-agency in Sutherland shire the importation of parts to build 220 Glock pistols.

**Ms Carmel Tebbutt:** It's always someone else.

**Mr BARRY O'FARRELL:** Do you want to say that again?

**Ms Linda Burney:** Yes.

**Mr BARRY O'FARRELL:** Look, sourpuss, you did not say it that time. Do not take credit for other people's interjections.

**Mr John Robertson:** Point of order: The Premier degrades the House with those comments. The Premier should be above that sort of response, regardless of interjection.

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

**Mr John Robertson:** The Premier should refer to members by their appropriate title.

**The SPEAKER:** Order! I remind the Premier that he should refer to members by their correct titles.

**Mr BARRY O'FARRELL:** If she interjects, I will continue to call her "sourpuss".

**Mr John Robertson:** Point of order: I know that you have reminded the Premier—

**The SPEAKER:** And that is all I can do.

**Mr John Robertson:** —but he has stood up and said immediately that he will flout your ruling on any occasion there is an interjection.

**The SPEAKER:** Order! I have reminded the Premier of my previous ruling. The Premier's time has expired.

### CHILD SEXUAL ABUSE COMPENSATION CLAIMS

**Mr PAUL LYNCH:** My question is directed to the Treasurer, and Minister for Industrial Relations. In light of the Attorney General's refusal to answer this question yesterday will the Treasurer inform the House what economic modelling or calculations of savings did the Government undertake to determine that it would retrospectively cancel victims compensation claims and put a 10-year limit on sexual abuse claims prior to the two major inquiries into child sexual abuse?

**Mr MIKE BAIRD:** The Attorney General answered this question yesterday.

**Ms Linda Burney:** He did not.

**Mr MIKE BAIRD:** Do you want an answer or not?

**The SPEAKER:** Order! The Minister has been asked the question; give him a chance to answer it.

**Mr MIKE BAIRD:** The Attorney General said that the scheme needs reform. The advisory board has asked for reform and we need to ensure that the scheme is sustainable in the long term. That is entirely reasonable and it is what the Government is doing. The Attorney General is ensuring that money is available to victims. There is a simple proposition that the Opposition does not seem to understand: If a scheme is not sustainable, one does not have the capacity to look after any victims long term. The Government is ensuring that there is a capacity to look after victims long term.

### JOBS GROWTH

**Mr DOMINIC PERROTTET:** My question is directed to the Treasurer. Will the Minister inform the House how the Government is growing jobs and rebuilding the New South Wales economy?

**Mr MIKE BAIRD:** I thank the member for his question and for his outstanding service to his electorate and interest in a strong New South Wales economy. It is fantastic to be talking about this great day for New South Wales—and even those opposite are excited; they are clapping. Today's jobs data is another example of how the O'Farrell-Stoner Government is driving the economy. The jobs figures released today tell a fantastic story. The figures show that the unemployment rate in New South Wales fell in April from 5.5 per cent to 5.3 per cent. The unemployment rate remains the second lowest in the country. There were 20,000 new jobs created in New South Wales last month alone.

It was the Government's election commitment to target 100,000 new jobs under the Jobs Action Plan and the Government is delivering on that commitment. Indeed, halfway through its term in government it is worth looking at a scorecard to see how New South Wales compares with the other States. In Tasmania, which I note has a Labor Government, 9,700 jobs were lost during the period. In South Australia 8,000 jobs were created during the same period. In Queensland 26,000 jobs were created. In Victoria 45,000 more jobs were created. In the mining State of Western Australia 81,000 jobs have been created since the O'Farrell Government came into office. The good news for New South Wales is that in this State 130,000 new jobs have been created.

**The SPEAKER:** Order! The member for Macquarie Fields has a point of order. There will be no name calling. What is the member's point of order?

**Dr Andrew McDonald:** Point of order: The Minister is misleading the House. It is quite clear the number is 66,000.

**The SPEAKER:** Order! There is no standing order that refers to misleading the House.

**Mr MIKE BAIRD:** It is good news for people across the State, families, jobseekers and for long-term jobseekers. I note that in this economic environment even Eric Roozendaal has found a job—but we do not

know what he is doing. I note that the member for Canterbury said it is fantastic that Eric Roozendaal is leaving the Parliament. Imagine if the Opposition were still in government; Eric Roozendaal would have been locked in the upper House for the rest of his life. There are more jobs for New South Wales.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. The Treasurer has the call and will be heard in silence.

**Mr MIKE BAIRD:** Other data released this week has job implications. A news poll earlier in the week showed that at each of the last three successive polls Labor has lost 1 per cent support. That is concerning, particularly for the member for Blacktown. If that trend continues, by the time the Federal election is held Labor's two-party vote will be down to 29 per cent. Members opposite need to understand that that will result in most of them losing their seats.

**Mr Guy Zangari:** Point of order: This has nothing to do with the question. My point of order relates to Standing Order 129, relevance. I also ask the Treasurer to give his tie back to the Dominos delivery bloke.

**The SPEAKER:** Order! The question was broad, and the Minister is talking in a general way about jobs.

**Mr MIKE BAIRD:** Under that scenario the member for Toongabbie, with or without a beard, would be gone; the member for Maroubra, the middle manager's hero, would be gone; the member for Blacktown would be gone. Even my good old mate the member for Keira would be gone.

**Dr Andrew McDonald:** Point of order: I have read the standing orders and discovered a new one: Standing Order 129. I have not used it before. I can read it out for you if you wish, Madam Speaker.

**The SPEAKER:** Order! Standing Order 129 relates to relevance. There is no point of order.

**Mr MIKE BAIRD:** Another member opposite who would lose his seat would be the member for Mount Druitt—Labor's last leadership prospect gone. If those opposite do not act, the member for Wollongong will become the Leader of the Opposition. Those opposite can look after their jobs while this Government continues to grow the economy of the State.

## VICTIMS OF CRIME COMPENSATION

**Ms LINDA BURNEY:** My question is directed to the Attorney General. How many victims of crime who currently have applications before the Victims Compensation Tribunal will be declared ineligible for compensation because of the Attorney General's retrospective laws? Just the number please.

**Mr GREG SMITH:** As Labor should well know, the current Victims Compensation Scheme is not serving the needs of victims. Soon after the Coalition came to Government it commissioned an independent review of the scheme by PricewaterhouseCoopers. Representatives of victims and members of the Victims Advisory Board have told us we need a better scheme, as did the Auditor-General, who urged the previous Labor Government—of which many of those opposite were members—as early as 2009 to fix the scheme. But Labor did nothing. In 2011 our independent review suggested how we could provide faster and more effective support to victims of violent crime.

We consulted with stakeholders who told us about the importance of counselling and of helping victims as soon as possible after the act of violence. The work on reforming the scheme has been ongoing for a long time, well before institutional child sexual assault became the subject of inquiries. Victims of institutional child sexual assault only make up a small proportion, about 5 per cent, of claims lodged under the scheme. The review found that the old scheme did not meet victims' needs in a timely manner and was financially unsustainable. Under the proposed new victims support scheme victims of domestic violence, child abuse and sexual assault offences can make applications for recognition payments—

**Ms Linda Burney:** Point of order: My point of order is relevance under Standing Order 129. The Attorney General gave this answer yesterday. The question that was asked related to retrospective laws and to the number of victims.

**The SPEAKER:** Order! There is no point of order. The member for Canterbury will resume her seat. The Attorney General is answering the question.

**Mr GREG SMITH:** Under the proposed new victims compensation support scheme victims of domestic violence, child abuse and sexual assault offences can make applications for recognition payments for up to 10 years after the incident or 10 years after they turn 18, whichever is the longer period.

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

**Mr GREG SMITH:** The Government has listened to people like Howard Brown from the Victims of Crime Assistance League, who said on radio this morning that the most important issue for victims was access to counselling, which is available at any time for any victim, including historical sexual assault victims well out of the 10-year scheme under our reforms. He said also that the old application process under which victims had to wait for long periods for their claim to be determined often increased the distress of victims, whereas the new scheme will be much easier for victims and actually address their underlying issues. We want victims of crime to be given better support and services when they need them the most. The new simpler scheme gives victims immediate help with out-of-pocket expenses and access to free counselling.

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

**Mr GREG SMITH:** Victims of violent crime will receive faster and more effective help and have a single point of contact in the system. The budget for the victims support scheme remains the same, with \$72 million made available to the scheme every year.

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

**Mr GREG SMITH:** I say to Opposition members that in my previous career I had far more to do with victims of crime, including victims of sexual assault, than any of them.

**The SPEAKER:** Order! The member for Canterbury, the Leader of the Opposition, the member for Kogarah and the member for Wollongong will come to order.

**Mr GREG SMITH:** I had to keep them going when they were being attacked by defence counsel and breaking down. I had to get them back into the witness box. I had to deal with the families of homicide victims and try to piece their lives together. No Opposition member has ever had any such experience. The member for Heffron has had some experience but I note he is very quiet at the moment.

#### NATIONAL DISABILITY INSURANCE SCHEME

**Mr ANDREW CORNWELL:** My question is addressed to the Minister for Ageing, and Minister for Disability Services. What progress is the Government making in empowering people with disability in New South Wales?

**Mr ANDREW CONSTANCE:** As the House knows, disability can affect anyone, anywhere, at any time. We all know that the way in which people with disabilities—

**The SPEAKER:** Order! Members will come to order. The Minister is addressing a serious subject. I find it offensive that Opposition members on the frontbench find this amusing. This is a serious question about a serious subject.

*[Interruption]*

**The SPEAKER:** Order! The member for Maroubra will come to order. If he does not stop arguing with me he will find himself removed from the Chamber. The Minister has the call.

**Mr ANDREW CONSTANCE:** As I was saying, people with disability in this country relinquish all their important life decisions to others, whether it is bureaucracy or service providers, who often tell them what services they are to have, when they are to have them and who will provide them. For many years the Liberal-Nationals Coalition has pushed the philosophy that services should be based around the individual, that is, a person-centred approach. This now underpins the design work of the National Disability Insurance Scheme. Across our communities people are suffering, whether it is someone in their twenties in a nursing home bed, an 80-year-old or 90-year-old looking after an adult child with disability and who has never sought access to support, or a family trying to obtain early intervention services for a child with autism.

Earlier today history was made in this State when the Commonwealth and the State finalised the bilateral agreement to press the green button for a National Disability Insurance Scheme to commence in seven weeks time in the Hunter. The agreement that Jenny Macklin and I signed this morning—we signed off on the annexure to the bilateral agreement—will commence the phase-in and the way in which contracts will be unpacked to service providers to make this a reality for people with disability.

**Dr Andrew McDonald:** It is a reannouncement. Get Tony Abbott to vote for it first.

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

**Mr ANDREW CONSTANCE:** You silly man. With the agreement now finalised, the scheme will start to phase in clients at around 216 people per month for the next six months and 284 for the following six months, making it 3,000 in the first 12 months, starting in the local government of area of Newcastle where the majority of services are provided in the Hunter. It will then move to the next local government area of Lake Macquarie through to Maitland in the third year. People in the Hunter will be in the unique position of commencing the scheme, which will enable us to test its parameters.

It will not be easy. Change is hard in the disability sector, particularly when for the first time people will be able to make decisions around the types of supports they want in order to achieve their life aspirations. In the past people have belonged to a block-funded program-based service model that has not achieved the outcomes we would have all liked to see across the community. By moving to a model in which people are assessed, have an individualised plan developed and individualised funding attached will not be an easy process; indeed it will be a very difficult process, particularly for the service providers, who will have to change their thinking and move to a more innovative approach to meet the needs of people. That means we will see many new entrants into the scheme.

I am particularly proud of the work undertaken by the O'Farrell Government to achieve finalisation of the bilateral agreement I signed with Jenny Macklin in Newcastle this morning, including the enormous amount of work that has gone into the design. I know that New South Wales officials have worked around the clock to make this the best possible scheme. It will involve some turbulence on the way through because of the nature of the change for people with disability. Over the next five years the Government must maintain the current system while transitioning to the new model. In particular for our staff, service provision from a State level will be transferred to the National Disability Insurance Scheme. [*Extension of time granted.*]

We will see a transition from State Government service provision through to the National Disability Insurance Scheme through to non-government services and the for-profit sector, which will also enter the marketplace in the provision of services to people across the community. This difficult change will require considerable liaison with staff while these changes happen. However, importantly, it addresses the fundamental human right that people with disability should have choice and control over the services and supports that they want and need in their communities. I was pleased to be joined today by the member for Newcastle, Tim Owen, and the member for Charlestown, Andrew Cornwell, and to witness the entire community support for the commencement of the National Disability Insurance Scheme in the Hunter. Community organisations and the wider community will be involved in disability in a way they have never been involved before.

Ability Links and local area coordinators not only will be guiding and supporting people with a disability through the National Disability Insurance Agency but also will have the role of building stronger communities by assisting community organisations to cater for and meet the needs of people with disability as they pursue recreational, social and employment opportunities beyond what traditionally they have had in the past. It is a very exciting and important day for New South Wales in having this agreement finalised. It was pleasing to see the work that was done at a Council of Australian Governments level under the leadership of the Premier. Having other States on board, such as Victoria last weekend and Queensland yesterday, means that we will have a National Disability Insurance Scheme that enjoys the bipartisan support of the Labor Party and Liberals and Nationals across the country.

## VICTIMS OF CRIME COMPENSATION

**Mrs BARBARA PERRY:** My question is directed to the Attorney General. Why has the Attorney General refused to listen to the chairperson of the Victims Compensation Tribunal, Brian Lulham, who recommended a 29-year limitation period for compensation claims by sexual assault victims and offered victims only a 10-year period in which to claim?

**Mr GREG SMITH:** I have not refused to listen to anybody; this Government has listened to everybody. Victims who have already lodged claims will be given access to the new scheme without the time limits applying. No victims of child sexual assault who have already lodged claims will miss out altogether on payments if they are eligible; they will be eligible for recognition payments no matter how long ago the incident occurred if they have already lodged a claim. Mr Lulham is a former magistrate and a very good person and we listen to his advice. That does not mean we ignore his advice and it does not mean we accept all his advice. Many other people have given advice, including Howard Brown, Karen Willis from the Rape Crisis Centre, and Martha Jabour, Ken Marslew and others on the Victims Advisory Board. All have agreed that this new scheme is the best scheme that they have seen; it meets the needs that needed to be met that were not met by the previous Government.

#### NORTHERN TABLELANDS ELECTORATE SCHOOLS

**Mr THOMAS GEORGE:** My question is addressed to the Minister for Education. How is the Government improving schools in the Northern Tablelands?

**Mr ADRIAN PICCOLI:** That is a very good question. I was in the Northern Tablelands electorate earlier this week and, lo and behold, I discovered that a by-election is coming up in the electorate. I was somewhat surprised. I only found out because, like all members of the Coalition, I subscribe to the *Armidale Express*—

**Dr Andrew McDonald:** Table it.

**Mr ADRIAN PICCOLI:** I will. I only found out about the by-election because the Leader of the Opposition had been up in the Northern Tablelands. This is the gut-wrenching thing about being the Leader of the Opposition, particularly when he is the member for Blacktown and the Leader of the Opposition: Every day is a disappointing day when he wakes up and sees the polls, such as earlier in the week, and thinks that perhaps it is time he got out and did some work. He did; he went up to Armidale—

**Mr Paul Lynch:** Point of order: Entertaining as the Minister might think he is, clearly he is in breach of Standing Order 129. He has not yet gone anywhere near the question.

**The SPEAKER:** Order! The Minister has touched on the area of Northern Tablelands, but he is straying slightly. I ask the Minister to return to the leave of the question.

**Mr ADRIAN PICCOLI:** I am sure the member for Blacktown would support the measures we are undertaking in schools in the Northern Tablelands electorate, so I know he has some interest in this. He found his way to the airport—he had to find the regional terminal, not being a frequenter of regional airlines, as we know; he is usually at the international terminal going straight to business class on the union credit card.

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

**The SPEAKER:** Order! In anticipation of these points of order I ask the Minister to return to the question more specifically. Does the Leader of the Opposition wish to take a different point of order?

**Mr John Robertson:** The Minister is now making accusations against me in this House. If he can back those up—

**The SPEAKER:** Is the Leader of the Opposition asking for those accusations to be withdrawn?

**Mr John Robertson:** I am asking for them to be withdrawn, but I am very happy for him to try to back them up in the House or to go outside and say it.

**The SPEAKER:** Order! That is not a point of order. The Leader of the Opposition has asked the Minister for Education to withdraw those comments. Does the Minister withdraw those comments?

**Mr ADRIAN PICCOLI:** That he travels overseas and it may have been paid for by a union?

**The SPEAKER:** Those are the comments the Leader of the Opposition wants withdrawn.

**Mr ADRIAN PICCOLI:** I would not have thought that was unusual. I have travelled overseas and paid for it with a credit card too.

**The SPEAKER:** Order! Will the Minister withdraw those comments? The Leader of the Opposition has taken offence and has asked that the Minister withdraw those comments.

**Mr ADRIAN PICCOLI:** I am happy to withdraw them.

**The SPEAKER:** Order! The comments are withdrawn.

**Mr ADRIAN PICCOLI:** But, as I said, it must be disappointing to travel all that way and go to all that effort to fly up there and then turn up on the Sunday to open up the candidate's office and the headline in the paper says—page 7 admittedly—

**Mr Michael Daley:** Point of order—

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

**Mr Michael Daley:** I do believe that you have asked the Minister to return to the leave of the question.

**The SPEAKER:** Order! I do not know that he has not done so; it has only been 10 seconds from the last point of order.

**Mr Michael Daley:** Talking about the Leader of the Opposition in Armidale is far removed from talking about what the Minister is doing for schools in Armidale. The question was not about what the Leader of the Opposition is doing in Armidale but what the Minister is doing in Armidale.

**The SPEAKER:** Order! There is no further point of order at this stage. I will hear further what the Minister has to say.

**Mr ADRIAN PICCOLI:** The headline on page 7 of the *Armidale Express* states, "Labor fails to win over rural voters." What a disappointing trip to the Northern Tablelands that must have been.

**Ms Noreen Hay:** Point of order: My point of order relates to Standing Order 129, relevance. I have been waiting to hear the Minister relate his answer to education.

**The SPEAKER:** Order! I just ruled on the point of order of the member for Maroubra that there was no further point of order at this stage. I have asked the Minister to return to the leave of the question. I would be very grateful if the Minister did that at this stage.

**Mr ADRIAN PICCOLI:** The campaign for the Northern Tablelands by-election is willing to pay for the Leader of the Opposition to travel up there more often, given the response that he has had. We have been working very hard to deal with the neglect that was left to us after 16 years of Labor. Since the election the school maintenance budget for the State has increased by 22 per cent to \$318 million and we have allocated more than \$1.9 billion for capital works maintenance across schools and TAFEs in this State. Over the past two years in the Northern Tablelands electorate we have spent more than \$8 million on capital works maintenance in schools and TAFEs. That is great news for the people of the Northern Tablelands electorate.

Earlier this week I visited the Armidale City Public School where I announced an upgrade of its dilapidated block A toilet facilities—an announcement very much welcomed by the students and teachers. It was a badly needed upgrade, one that the previous Government did not do. That was not the only announcement of new maintenance funding. Funding will be provided for a new agricultural science learning space at Bundarra Central School, amongst other funding for school maintenance across the New England region. I also was able to announce that we have added an additional \$10 million to be spent on school maintenance across the State. [*Extension of time granted.*]

That \$10 million is over and above the \$318 million that I mentioned earlier. We are able to do that because Nationals and Liberal party members know how to run governments efficiently and effectively. When we made the announcements about efficiency and savings measures in the Department of Education last year I said that we were taking money from the back office so that we can put it in the front line, and that includes

school maintenance. Running a department more efficiently allows us now to inject an additional \$10 million into school maintenance. It is great news for probably every electorate. The Bathurst electorate will see seven or eight different projects across schools in that electorate. We are also putting money into marginal Labor seats that we think we can win at the next election, such as the electorate of Blacktown. There are probably 10 projects in Blacktown that the previous Government did not implement. Also, Campbelltown, Castle Hill, where I had the pleasure of being just last week—

**Dr Andrew McDonald:** Point of order: My point of order relates to relevance under Standing Order 129. Blacktown is nowhere near the Northern Tablelands. The question related to education in the Northern Tablelands.

**The SPEAKER:** Order! The point of order is upheld. The Minister should restrict his comments to the Northern Tablelands.

**Mr ADRIAN PICCOLI:** There is so much to say. The member for Macquarie Fields would not have a clue where the Northern Tablelands electorate is. Monaro, Mulgoa and even the electorate of Murrumbidgee are getting additional money. This additional money, including money for the electorate of Northern Tablelands that this Government is delivering would never have been delivered by the former Government because it refused to make the tough decisions in government about making sure it maximised the dollars that went to the front office. I pay regard to the Department of Education and Communities, which has worked very hard, knowing the demands that we place on it, to make those efficiencies so that we can make these kinds of announcements. [*Time expired.*]

### REGIONAL GROWTH PLANS

**Mr JAMIE PARKER:** My question is directed to the Minister for Planning and Infrastructure. Considering the concerns that have been raised about the level of consultation for the Metropolitan Strategy for Sydney, will the Government review the process and improve consultation for the proposed regional growth plans?

**Mr BRAD HAZZARD:** I thank the member for Balmain for his question. I am a little surprised that he is suggesting that there was not an appropriate level of consultation, because the Government fell over itself to consult with the member for Balmain about every issue in his electorate. Indeed, the Government has fallen over itself to consult broadly on the development of the planning system in the white paper. We even invited the member for Canterbury and all other members of the Labor Party to participate in various consultation phases. Although I am not quite sure what issue the member for Balmain is addressing, I can say that from the moment we started this process the consultation has been pivotal. The consultation also has been bipartisan in that a former Labor Minister and a former Liberal Minister led 100 consultation sessions across the State as we developed the white paper.

The draft Sydney metropolitan plan is out for consultation at the moment, as is the lower Hunter plan. Whenever the community wished to have more of a say about those plans the Government listened, as it does on every occasion in regard to planning. On behalf of the Government I extended the first consultation period to run from the first week of March to the end of May instead of finishing in the first week in May. Again, that shows that the Government listens to, and engages with, the community at all times.

The white paper and its interconnection to the metro strategy seem to be the thrust of the question from the member for Balmain. The white paper has set out a new way of planning in New South Wales and has placed a new emphasis on up-front strategic planning. The former Labor Government never made any effort to engage across portfolios to involve each of the agencies that would provide necessary infrastructure support to the strategic plan. They were not engaged. Through the white paper we will address eight to 12 major planning policies that will be overarching and incorporate the vision, if you like. That vision incorporates the integrated set of policies, the broad planning objectives, priorities and policy directions.

The regional growth plans to which the member referred will sit below that. The metropolitan strategy is just one of them; there will be many others across the State. They will set out the high level vision for each of the regions in the State and establish the objectives and the planning policies relating to housing, employment, environment and infrastructure. They will identify key city region shapers. The sub-regional delivery plans will sit below the regional growth plans. That is the important part that has never existed before. The sub-regional delivery plans will provide the delivery framework for the growth plans. They will set out the vision and outline

the key policies, actions and delivery obligations for each of the sub-regions in particular, for example, the level of housing needed. As I said at the outset, particular focus will be placed on integrating infrastructure. These plans will specify and/or rezone major areas of planning significance.

Also, regional planning boards will reflect the Government's true partnership with local government. That may be what the member for Balmain was addressing in his question. Under the previous Labor Government it was more about how to do a deal, how to get a donation and how to end up at the Independent Commission Against Corruption. This Government will establish regional planning boards that will involve councils, particularly those constituent councils within areas that we will identify as growth regions, and allow them to vote. We will identify the growth regions also in partnership with local government.

At the moment we are working through the voting arrangement with local government and others to determine how best to arrive at a collective decision. State and local government representatives will be involved. We are looking closely at the Vancouver model, where eight or 10 councils in a sub-region vote together, along with State government representatives. The Vancouver voting system also takes into account council populations and issues involving Indigenous communities and so on. We will then have the local plans, that are similar to the local environmental plans that will incorporate the development control plan issues.

The Government is committed to consultation and will continue to consult. In a moment I will seek leave to incorporate a document. I must thank members of the community. Harry and Robyn Young and the other people who are in the public gallery today represent the community members who should be involved up-front in strategic planning. I thank the community for its active involvement in consultation for this new planning system. I seek leave under Standing Order 271 to incorporate a document that clearly sets out the consultation sessions that will take place over the next few months.

### Leave granted.

White Paper discussion sessions schedule 2013

LOCATION	VENUE	DATE & TIME
Hornsby	<b>Hornsby RSL</b> 4 High Street Hornsby	<b>2 May 2013</b> 1. Community—6:00 p.m.-7:30 p.m.
Castle Hill	<b>Castle Hill RSL</b> 77 Castle Street Castle Hill	<b>2 May 2013</b> 1. Community—6:00 p.m.-7:30 p.m.
Wyong	<b>Mingara Recreation Club</b> Mingara Drive Tumbi Umbi	<b>14 May 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Sydney	<b>Australian Technology Park</b> Locomotive St Eveleigh	<b>15 May 2013</b> 1. Building Professionals—1:00 p.m.-2:00 p.m. 2. Local Government and Practitioners— 2:30 p.m.-4:30 p.m. 3. Community—6:00 p.m.-7:30 p.m.
Penrith	<b>Penrith Panthers</b> 123 Mulgoa Road Penrith	<b>16 May 2013</b> 1. Building Professionals—1:00 p.m.-2:00 p.m. 2. Local Government and Practitioners 2:30 p.m.-4:30 p.m. 3. Community—6:00 p.m.-7:30 p.m.
Manly	<b>Manly Leagues Club</b> 563 Pittwater Rd Brookvale	<b>21 May 2013</b> 1. Community—6:00 p.m.-7:30 p.m.
Canterbury	<b>Bankstown Sports Club</b> 8 Greenfield Parade Bankstown	<b>22 May 2013</b> 1. Community—6:00 p.m.-7:30 p.m.
Queanbeyan	<b>Queanbeyan Bowling Club</b> Cnr Campbell and George Street Queanbeyan NSW	<b>23 May 2013</b> 1. Local Government and Practitioners— 11:00am-1:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.

Shellharbour	<b>The Shellharbour Club</b> Shell harbour Road Shell harbour	<b>23 May 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Armidale	<b>Armidale City Bowling Club</b> 92/96 Dumaresq Street Armidale	<b>28 May 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Dubbo	<b>Dubbo RSL</b> Cnr Brisbane St and Wingewarra St Dubbo	<b>29 May 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Newcastle	<b>Newcastle Panthers</b> Corner King and Union Street Newcastle West	<b>30 May 2013</b> 1. Building Professionals—1:00 p.m.-2:00 p.m. 2. Local Government and Practitioners— 2:30 p.m.-4:30 p.m. 3. Community—6:00 p.m.-7:30 p.m.
Parramatta	<b>Mantra Parramatta</b> Parkes St Parramatta	<b>4 June 2013</b> 1. Local Government and Practitioners— 10:00 am-12:00 p.m. 2. Building Professionals—1:00 p.m.-2:00 p.m. 3. Local Government and Practitioners— 2:30 p.m.-4:30 p.m. 4. Community—6:00 p.m.-7:30 p.m.
Coffs Harbour	<b>C.ex Coffs (Coffs Harbour Ex-Services Bowling Club)</b> Vernon Street Coffs Harbour	<b>5 June 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Wagga Wagga	<b>Wagga RSL</b> Dobbs Street, Wagga Wagga	<b>5 June 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Ballina	<b>Ballina RSL</b> 240 River Street Ballina	<b>6 June 2013</b> 1. Local Government and Practitioners— 1:00 p.m.-3:00 p.m. 2. Community—6:00 p.m.-7:30 p.m.
Sutherland	<b>Rydges Cronulla</b> 20-26 Kingsway Cronulla	<b>11 June 2013</b> 1. Community—6:00 p.m.-7:30 p.m.
Ku-ring-gai	<b>Roseville Golf Club</b> 4 Links Road Roseville	<b>12 June 2013</b> 1. Community—6:00 p.m.-7:30 p.m.

## AUSTRALIAN VACCINATION NETWORK

**Mr JOHN FLOWERS:** My question is addressed to the Minister for Fair Trading. What action is the Government taking to protect the community from being misled by the Australian Vaccination Network?

**Mr ANTHONY ROBERTS:** I thank the member for Rockdale for his question and applaud his determination to ensure that the people of New South Wales are not misled by false claims emanating from fringe groups such as the Australian Vaccination Network Inc. As members of this House know, the Australian Vaccination Network [AVN] actively advocates against the use of vaccinations and denies that immunisation is responsible for a dramatic reduction in many serious diseases in the past century. It does this despite overwhelming evidence that vaccination is a safe, effective and rigorously studied practice that provides people with a high level of protection against numerous diseases, including several that can be fatal.

It is incredibly irresponsible for an avowedly anti-vaccination group to advertise itself as a balanced source of information on vaccination. Such action is not only misleading to the public but also dangerous to those who believe they are referring to evidence-based medical advice. This danger is further highlighted by

recent comments by the head of this group, Mr Greg Beattie, who stated, "Don't trust your GP." The Australian Vaccination Network does not provide comprehensive or credible information on vaccinations. Nor does it offer a balanced view on immunisation.

The Government, the medical community and the Australian Medical Association led by Associate Professor Brian Owler are in agreement that the name "Australian Vaccination Network" is unacceptable. To address this issue in the public interest, in December last year the O'Farrell-Stoner Government introduced the Associations Incorporation Amendment (Unacceptable Names) Regulation 2012. This amendment expanded the classifications of unacceptable names to include any name that is likely to mislead the public in relation to the nature, objects or functions of an association. Following the commencement of this amendment, on 14 January this year Fair Trading issued the Australian Vaccination Network with a direction to change the name of its association. This was done on the basis that the name was undesirable because it had the potential to cause confusion, mislead the public and, most importantly, it was against the public interest.

On 8 February 2013 the association sought an internal review by Fair Trading of that decision. The internal review was completed by the principal solicitor of the Department of Finance and Services on 19 February and affirmed our original decision. The review found that the Australian Vaccination Network does not provide a balanced view of the processes, benefits and risks involved with immunisation and that, "Its views are anti-vaccination, and it advises against being vaccinated or taking part in immunisation programs." The review went on to comment that when issues have two sides the Australian Vaccination Network takes just one of them. On 8 March the association put forward some alternative names and Fair Trading responded to the association on 12 March. I and, I believe, this House and the Government are of the opinion that the names proposed do not accurately reflect the true nature, objects or functions of the association.

At the eleventh hour, the association lodged an appeal in the Administrative Decisions Tribunal against the name-change direction. At the most recent hearing of the tribunal on 22 March this year, the president of the tribunal placed conditions on the organisation, including that a prominent consumer warning be published on the association's website and its Facebook page by 26 March this year. This warning states that Fair Trading has directed the association to change its name because it regards the name as misleading, and that the direction is currently being challenged in the tribunal. The warning will reduce the chances of consumers being misled while the tribunal proceedings are finalised. I inform the House that this matter is currently listed for hearing on 13 and 14 June this year. The Liberals and Nationals are determined to safeguard public health and have acted decisively to do so. Associate Professor Owler stated:

The State Government should be commended on its efforts to improve the health of children through its support of vaccination and its stand against the anti-vaccination lobby.

He added that the Government has shown a strong commitment to children's health. The recent introduction of the Health Legislation Amendment Bill 2013, which I can proudly say has been supported by both sides of the House, is further evidence of the action the Government is taking in this space. Two members of this House to whom I wish to pay tribute are the Minister for Health, and Minister for Medical Research and the shadow Minister for Health. Through their strong cooperation and hard work in this area, they have united in a common cause. [*Extension of time granted.*]

The people of New South Wales may rest assured that the Government and this House stand firm in their commitment to protecting our community. I thank all members of the House for their continued support as this issue is being tackled. On behalf of this House, I give notice to the Australian Vaccination Network that we are united in our stance to protect the most vulnerable in our community. The best way to do that is to ensure that we have a vaccination program that increases our level of herd immunity.

**Question time concluded at 3.11 p.m.**

## **PUBLIC ACCOUNTS COMMITTEE**

### **Inquiry**

**Mr Jonathan O'Dea**, as Chair, informed the House that, pursuant to Standing Order 299 (1), the Public Accounts Committee had resolved to conduct an inquiry into the follow-up of the Auditor-General's 2012 financial audit reports, the full details of which are available on the committee's home page.

**JOINT STANDING COMMITTEE ON ELECTORAL MATTERS****Report**

**Mr Jai Rowell**, as Chair, tabled report No. 3/55 entitled, "Review of the Parliamentary Electorates and Elections Act 1912 and the Election Funding, Expenditure and Disclosures Act 1981", dated May 2013.

**Ordered to be printed on motion by Mr Jai Rowell.**

**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**.

**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**.

**Pet Shops**

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

**Slaughterhouse Monitoring**

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich**.

**Public Housing Rents**

Petition calling on the Government not to raise public housing rents when Centrelink benefits are increased, received from **Mr Richard Amery**.

**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**.

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

**West Culburra Beach Development**

Petition supporting the development of West Culburra Beach and calling on the Government to reject legislation that prevents further development in the Long Bow Point and West Culburra Beach area, received from **Mrs Shelley Hancock**.

**HEALTH LEGISLATION AMENDMENT BILL 2013****Consideration in Detail****Consideration of the Legislative Council amendment.**

*Schedule of amendment referred to in message of 8 May 2013*

No. 1 Page 11, Schedule 4, proposed section 120A, lines 5-9. Omit all words on those lines. Insert instead:

(7) In this section:

*salary* does not include any payment in connection with sick leave, recreation leave or any other leave.

*serious criminal offence* means an offence committed in New South Wales that is punishable by imprisonment for 5 years or more or an offence committed elsewhere that, if it had been committed in New South Wales, would be an offence so punishable.

**Motion by Mrs Jillian Skinner agreed to:**

That the House agree to the Legislative Council amendment.

**Legislative Council amendment agreed to.****Message sent to the Legislative Council advising it of the resolution.****MOTOR ACCIDENT INJURIES AMENDMENT BILL 2013****Bill introduced on motion by Mr Mike Baird, read a first time, and printed.****Second Reading**

**Mr MIKE BAIRD** (Manly—Treasurer, and Minister for Industrial Relations) [3.16 p.m.]: I move:

That this bill be now read a second time.

I am pleased to introduce the Motor Accident Injuries Amendment Bill 2013. This bill introduces important reforms to the motor accident injuries scheme in New South Wales that will reduce premiums for motorists and ensure that the majority of the money paid out of the scheme goes to people injured by motor vehicles. The amendments proposed by the bill make provision for a simpler, easier-to-access, no-fault, first party statutory compensation scheme for motor accident injuries, while retaining the right for the more seriously injured also to seek fault-based common law damages. The bill also will improve the claims handling and dispute resolution process with the aim of delivering benefits to claimants as quickly and fairly as possible. These reforms are complemented by provisions to strengthen the powers of the Motor Accidents Authority in premium setting and claims handling.

The current fault-based motor accident injuries scheme means that in order to receive compensation most injured persons must prove that someone else was at fault. This adversarial approach makes the scheme inefficient and expensive to run. The current motor accident injuries scheme also sees injured people having to wait several years prior to receiving benefits and requires injured people to prove disability or incapacity many years after the actual injury. Perversely, this discourages a quick recovery and creates a lump-sum compensation mindset. The need to reform the scheme is pressing because premiums in New South Wales are now the least affordable in the country, with prices having risen 70 per cent since 2008.

First party cover means that those injured can bring a claim against the insurer of the vehicle they were in at the time of the accident—often their own insurer—who will manage the claim from the outset. If a person is injured outside a motor vehicle, such as a pedestrian or a cyclist, then they simply notify the Motor Accidents Authority, which will refer the claim to the relevant insurer. Injured people who are earners will be entitled to statutory benefits based on their pre-injury weekly earnings. If injured persons are still incapacitated after 78 weeks, they will be entitled to receive compensation for their loss of earning capacity. Injured people whose assessed permanent impairment exceeds 20 per cent will be eligible for statutory benefits until retirement age, based on their loss of earning capacity. Other injured people will be eligible for benefits for up to five years. Statutory benefits will not be available to people who are charged with a serious driving offence unless they are

later found not guilty of the offence. An at-fault driver knowingly driving an uninsured motor vehicle at the time of the motor accident or injured as a result of a deliberate, self-inflicted act will also be precluded from claiming statutory benefits.

A child who is injured in a motor accident may also be eligible for benefits for loss of earning capacity from the age of 18. If the child has more than 20 per cent permanent impairment, the child will be eligible for weekly benefits until retirement age. Other children will be eligible for benefits for loss of earning capacity if they turn 18 within five years of the date of the accident. Children will still be entitled to bring a modified common law claim for damages against a driver at fault, and it is anticipated that the majority of seriously injured children will do so. Injured people whose assessed permanent impairment exceeds 10 per cent will be eligible for reasonable and necessary treatment and care benefits for life, including the loss of capacity by an injured person to care for dependants. Other injured people will be entitled to reasonable and necessary treatment and care benefits for up to five years. Under the proposals, a defined lump sum payment for permanent impairment will also be payable for injured persons with a permanent impairment of more than 10 per cent.

Should an injured person dispute a decision of an insurer with regard to defined statutory benefits, the bill establishes a simple and effective process that does not require claimants to have legal representation, by way of internal review, or external review by an independent claims assessor. An Independent Review Office will also be established. These processes provide a clear and simple pathway for the resolution of statutory benefits disputes, which is accessible to the injured person, not adversarial in nature, and removes the need to pursue lengthy and complex legalistic process when a dispute arises.

Injured people who have more than 10 per cent assessed permanent impairment, and who are not at fault in an accident, will continue to have access to modified common law damages for past and future loss of earnings and earning capacity, and for non-economic loss. The bill extends the time frame for making a claim for damages from six to 12 months from the date of accident, to minimise costly technical disputes about late claims and encouraging injured people to notify insurers early. Damages will no longer be paid for treatment and care expenses, because they will be met under the statutory benefit provisions, and damages for gratuitous attendant care services will not be recoverable. In order to complement the introduction of no-fault benefits, the bill will also give enhanced powers to the Motor Accidents Authority to introduce new, more rigorous rules for the premiums charged to motorists by insurers.

The bill also allows the Motor Accidents Authority to publish information with regard to insurer compliance and performance in claims and premiums. The bill makes provision for government bodies to be approved as self-insurers to issue third party policies in respect of motor vehicles owned by the government body or another government body. The Motor Accident Injuries Amendment Bill 2013 contains the most important changes to the motor accident injuries scheme since its inception in 1999. The implementation of no-fault benefits for people injured in motor accidents, including income support, will improve the health outcomes of all injured people, while at the same time implementing a sustainable, cost-effective framework to contain the costs of green slips in the future. I commend the bill to the House.

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

### **NSW SELF INSURANCE CORPORATION AMENDMENT BILL 2013**

**Bill introduced on motion by Mr Mike Baird, read a first time and printed.**

#### **Second Reading**

**Mr MIKE BAIRD** (Manly—Treasurer, and Minister for Industrial Relations) [3.23 p.m.]: I move:

That this bill be now read a second time.

It is my privilege to introduce the NSW Self Insurance Corporation Amendment Bill 2013. The bill will enable the NSW Self Insurance Corporation [SICorp] to provide principal arranged construction insurance to non-government contractors for certain major capital works projects undertaken by or on behalf of the State or an authority of the State. Principal arranged insurance provides substantial benefits to government over insurance arranged by the contractor. The NSW Self Insurance Corporation will be able to provide the same

level of cover at a significantly lower cost compared with individual private contractors insuring themselves directly in the market. The NSW Self Insurance Corporation already manages most of the State's liabilities and extending these arrangements to include principal arranged insurance is a sound and sensible decision.

Principal arranged insurance will be provided through a newly established Construction Risks Insurance Fund, which will be administered by the NSW Self Insurance Corporation. It will be available where the State or an authority of the State is the principal—that is, where it is a party to the contract or is a member of a partnership, joint venture or other arrangement. The Construction Risks Insurance Fund will allow the NSW Self Insurance Corporation to provide insurance to protect the State's interests and liabilities when undertaking major capital works projects. The NSW Self Insurance Corporation will reinsure appropriate parts of the risks into the international reinsurance market, as it does under current practices.

The bill also confirms that the NSW Self Insurance Corporation may provide protection on an individual basis to eligible State officials for claims made against them in connection with the exercise of their functions. The New South Wales Treasury Managed Fund provides protection for the State and State authorities in relation to liabilities incurred by State officials. The fund is not insurance and individuals, typically directors and officers of State authorities, have expressed concern about the enforceability of the cover provided to them. It is proposed that an indemnity will be provided by the NSW Self Insurance Corporation that is enforceable by the official against the NSW Self Insurance Corporation. The NSW Self Insurance Corporation's obligation under the indemnity will be managed through the Self Insurance Fund.

The New South Wales Government encourages community members to participate in the important roles of directors and officers of State agencies. Historically, these individuals have always been protected, but more adequate arrangements are needed to enable the NSW Self Insurance Corporation to confirm the protection that is available to these individuals. This is an important clarification and provides a level of certainty to eligible State officials. This change will not in any way alter the cover that directors and officers of New South Wales Treasury Managed Fund agencies have received since the inception of the fund in 1989. The New South Wales Government's action to address these matters provides greater certainty to eligible State officials and non-government participants who are working closely with government. I commend the bill to the House.

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

## **ENERGY SERVICES CORPORATIONS AMENDMENT (DISTRIBUTOR EFFICIENCY) BILL 2013**

**Bill introduced on motion by Mr Mike Baird, read a first time and printed.**

### **Second Reading**

**Mr MIKE BAIRD** (Manly—Treasurer, and Minister for Industrial Relations) [3.27 p.m.]: I move:

That this bill be now read a second time.

The Energy Services Corporations Amendment (Distributor Efficiency) Bill 2013 is part of the Government's electricity network reform program to achieve efficiency savings and place downward pressure on electricity prices. It will improve the combined operational and capital efficiency of the three State-owned electricity distributors by creating more streamlined board governance arrangements. The Government is proud to be meeting its election commitment to reform the electricity networks. This bill will ensure that those reforms continue. In July 2012 the Government implemented interim governance arrangements for the three State-owned electricity distributors—Ausgrid, Endeavour Energy and Essential Energy. These arrangements provided for the appointment of common board members, and also provided for a common chief executive officer and senior management structure. The results of these arrangements have already exceeded the Government's initial expectations.

At the time of the March 2011 election, the Coalition Government targeted operating cost savings of the order of \$400 million across the three businesses. Current indications are that this target will be substantially exceeded, with total operating costs and capital benefits now expected to be of the order of \$2.5 billion across the businesses, including more than \$600 million in operating savings. These savings will deliver real benefits for the people of New South Wales, with network price changes stabilising from 1 July this year at or below the

consumer price index. The Government anticipates that this price stability will continue for at least the next six years. Following a review of legal advice provided on this issue, the Government is now moving to formalise the interim structure to ensure the continuing success of the network reform initiatives. This bill will help streamline the decision-making process at board level by formally providing for a joint board of the distributors. Currently, the decisions that help drive electricity reform initiatives are made at three separate board meetings which is inefficient and administratively cumbersome.

The bill also helps to remove any potential conflict of interest for board members in observing their directors' duties. The bill provides for the joint board to act in the best interests of the distributors as a combined operation, as if the individual businesses were being operated as parts of a single enterprise. The joint board will be constituted in exactly the same way as the current boards and will include the current chief executive officer of each of the businesses as well as each of the current directors. The bill makes a consequential amendment that ensures that the existing provisions governing a situation where a direction from the Government affects the commercial interests of a business align appropriately with a situation where a joint board is acting in the best interests of the distributors as a combined operation. As a result of the amendment, a distributor will not be entitled to be reimbursed for the costs of complying with a direction from the Government that is not in its commercial interests, if the direction is in the combined commercial interests of all three distributors.

Further, any amount that an individual distributor will be entitled to be reimbursed is to be reduced by the amount of the net benefit accruing to any of the other distributors as a result of compliance with a direction. The bill recognises that the chief executive officer should be able to delegate his functions in respect of a particular distributor to senior officers of that distributor, subject to any direction of the joint board. This power of delegation supports the role of the chief executive officer in implementing these important reforms in a way that is consistent across the businesses and that enables the efficiencies and benefits of the reformed governance arrangements to be realised. I am pleased to introduce this bill which will, in a simple and effective manner, facilitate the continuation of extremely successful governance arrangements that have led to real and significant savings and benefits for the people of New South Wales. I commend the bill to the House.

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

## **BAIL BILL 2013**

### **Second Reading**

#### **Debate resumed from 8 May 2013.**

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [3.31 p.m.]: On behalf of the New South Wales Opposition I speak in debate on the Bail Bill 2013. The rewriting of the State bail laws is not an act that any government should undertake lightly. The consequences of this bill will be felt by every person accused of a crime and all who live in apprehension of crime. The Premier has railed against the current bail laws, and against magistrates and judges. He has had the chance to review and rewrite the law. So the Premier is accountable for every word of this bill and all that results from it. It is well known that the current Bail Act has its problems; the former Labor Government amended it multiple times. Prior to the last election Labor released a new draft bill and committed, if re-elected, to introduce it to the Parliament. The current Attorney General has long emphasised the need to reform bail legislation. He referred the issue to the Law Reform Commission, which delivered a landmark report that has helped to inform the bill before the House.

Key features of this bill include the repeal of the 1978 Bail Act and replacing it with completely new legislation, and the removal of presumptions for or against bail for any offence being replaced with a risk-management approach to determine whether to grant bail. Under this bill bail can be refused only if there is an unacceptable risk that cannot be dealt with by bail conditions. This includes an unacceptable risk that a person will fail to appear, commit a serious offence, endanger the safety of victims, individuals or the community, or interfere with witnesses or evidence. The bill also provides for three different types of bail applications to be made: release applications, detention applications and variation applications. In addition, the bill retains the current section 22A restrictions on the number of permissible bail applications. The only exception is that one extra application will be allowed for juveniles, provided that the first bail application is made at the first appearance.

Labor does not oppose this bill. We accept the need for the language to be tightened and the streamlining of the sprawling categories in the Act. However, if we had been given the opportunity to rewrite

the bail laws, let there be no doubt that we would have done it differently. Bail law reform is controversial because it must balance two competing principles. The first is that unless convicted and found guilty, citizens generally are entitled to their liberty. This benefits the community and the individual, and is the hallmark of a free and democratic society. The Opposition also acknowledges the special problems inherent in locking up young people accused of crimes. They should not be detained or kept on remand lightly, indefinitely or gratuitously. At the same time the community has an overriding expectation that any system of bail will uphold public safety, and that those who are charged with offences will not evade their day in court.

The people of New South Wales do not want us getting too cute or clever about bail. They have had enough of those games. I approach bail ultimately from the point of view of the law-abiding citizen. For me, the most far-reaching aspect of this bill is its abolition of the presumption against bail. The community expects that accused persons charged with similar offences will be treated consistently. The value of presumption is that it provides guidelines to police, legal practitioners and the judiciary on bail applications. Presumption helps to constrain the scope of judicial discretion, and helps to give an imperfect system a certain measure of consistency. That is why the current Act recognises that some crimes are so heinous, so serious, that those accused of committing them should be held without bail unless there is very good reason to do otherwise. Those reasons include acts of terrorism, sex offences, murder, various firearms offences including drive-by shootings, and repeat serious personal violence offences, including offenders arrested for domestic violence. Under this bill the presumption against bail for these offences will be eliminated completely.

Today we may be about to gain a shiny new set of bail laws, but we need also to be clear about what we are losing. Today we are losing a vital check and balance system. We are losing the check that presumption against bail represented the freedom and foibles of individual judges. The current system was far from foolproof. Last year, when the former head of a bikie gang was released on bail after torching a police car in Newtown, nobody was more disgusted than I was. Removing the presumption against bail opens the door to more loopy, out-of-touch decisions such as that. Removing the presumption against bail widens the scope of judicial discretion; it increases the chance of a judge or a magistrate wandering off the reservation—it increases the chance of them going off on a frolic. The Premier made a very specific commitment in this area. On 28 November 2012 he said:

Accused criminals who pose a serious risk to community safety or are likely to commit further crimes will not get bail under this model.

The Opposition will hold him to that commitment—and so will the public. In fact, I ask the Attorney General to confirm in his speech in reply that he, too, is prepared to state on the record that no accused criminals who are a serious risk to the community or are likely to commit further crimes will get bail under these laws. The people of New South Wales know that any undertaking of this Government on law and order must be taken with a pinch of salt. The Premier, after all, has presided over a whopping 220 shootings on his watch, including eight fatalities since last October. Week after week, homes and vehicles in western and south-western Sydney were peppered with bullets. Last week was a horror stretch involving eight shootings in eight days, and five guns reported stolen from a house in the Hunter, including a rifle and four double-barrelled shotguns. Under Premier Barry O'Farrell we have shooting in national parks and in our streets. In two years this Premier has failed to name, shame and criminalise a single bikie gang.

**Mr Bryan Doyle:** Point of order: I ask that you draw the member back to the leave of the bill.

**Mr Richard Amery:** To the point of order: The Leader of the Opposition is speaking in a second reading debate. He is not speaking to the bill in detail. I suggest that the Leader of the Opposition is in order.

**ACTING-SPEAKER (Mr Lee Evans):** Order! In a second reading debate members are allowed to speak fairly broadly, but I would ask the Leader of the Opposition to return to the leave of the bill.

**Mr JOHN ROBERTSON:** To stop members from co-associating and plotting their next round of mayhem I dearly hope that the Premier is proven right about the Bail Bill. I hope that people who pose a serious risk to the safety of the community will not be let loose on the streets. Opposition members will take the Premier at his word, but we will watch very carefully at the outcome of these laws.

**Mrs TANYA DAVIES (Mulgoa) [3.40 p.m.]:** I support the Bail Bill 2013. Yet again we saw a pitiful performance by the Leader of the Opposition. Clearly he was sitting in the Chamber during question time with socks in his ears because the Premier informed the people of New South Wales and this House about the significant decrease in gun crime that has occurred since the Coalition came to government. This morning the

Premier was informed by the Commissioner of Police, Andrew Scipione, that he is governing over a State in which gun crime is decreasing: the great work of the NSW Police Force has dramatically reduced the number of guns on the streets. I encourage the Leader of the Opposition to read the *Hansard* from question time so that he stops peddling these lies. I am proud to support this bill, which yet again is another fulfilment of the New South Wales Liberal-Nationals 2011—

**Ms Noreen Hay:** Point of order—

**Mrs TANYA DAVIES:** To what standing order is the member referring?

**Ms Noreen Hay:** The member for Mulgoa is not the Speaker. The reference to the Leader of the Opposition telling lies is out of order and bad behaviour by a member. The member for Mulgoa might not have learnt yet that members are required to behave in a certain way in this Chamber.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Mulgoa will come back to the leave of the bill.

**Mrs TANYA DAVIES:** Prior to the last election the NSW Liberal-Nationals Coalition committed to a review of the Bail Act 1978. This review has been a long time coming. When the member for Epping and current Attorney General was shadow Attorney General he brought to the attention of the New South Wales Parliament the shortcomings of the current bail laws. In 2008 he called on the then Labor Attorney General to commission a review of the bail laws. The member for Epping was qualified and, following a distinguished career in criminal law, had the experience to present many examples of the flaws in the bail system that could be the base of a review of the bail laws. Despite repeated requests he was ignored for four years and the problematic bail system was allowed to continue until the Liberal-Nationals Coalition was elected in 2011.

Since its introduction the Bail Act has been amended by 80 different pieces of legislation. Most of these amendments have been made to the presumptions relating to bail decisions which has left New South Wales with bail laws that are complicated, hard to navigate and in some instances completely inconsistent with community expectations. Our current system is based on presumptions in favour of or against bail for individual offences. Some offences carry a presumption in favour of bail, some offences carry a presumption against bail and some offences have no presumption at all. For some offences an additional layer of consideration must also be given to exceptional circumstances that must be met before bail is granted. All these presumptions do not meet community expectations. For example, there is a presumption in favour of bail for serious offences such as committing an act of indecency against a child under 10 years of age. The case for review was convincingly made and the New South Wales Liberal-Nationals Coalition was given a mandate to fix the system.

In June 2011, following the election of this Government the Attorney General asked the NSW Law Commission to undertake a review of the bail laws. The Law Commission was given wide terms of reference and an indication from the Government that the review should be as thorough as possible and take a fundamental look at the New South Wales bail laws. The review identified the complexity of the system as a major issue and recommended an overhaul of the offence presumptions system in favour of a justification or risk management model. The risk management model was supported by the NSW Police Force, the Director of Public Prosecutions and defence bodies, and is the model that this bill will introduce. The key tenet of this risk management model is the unacceptable risk test for bail decisions. This test will focus bail decision-making on the identification and mitigation of unacceptable risk, which should result in decisions that better achieve the goals of protection of the community while appropriately safeguarding the rights of the accused person.

When making bail decisions, bail authorities, including police and the courts, will have to consider whether there is an unacceptable risk that the accused, if released, will fail to appear in court when required; commit a serious offence; endanger the safety of the community; or interfere with witnesses or evidence. To make this decision the bail authority will consider the accused's background and criminal history; the nature and seriousness of the offence; the strength of the prosecution case and any special vulnerability or needs the accused has because of youth; being an Aboriginal or Torres Strait Islander; or having cognitive or mental health impairment. If the bail authority determines that an unacceptable risk is present the next test is whether that risk can be mitigated by imposing conditions on bail. I am proud to support this bill, which will simplify the bail laws in NSW. This bill has been drafted in consultation with the Plain English Foundation to ensure that it can be easily understood by people without a legal background and provides certainty to the community of the way in which bail authorities will deal with accused persons. I commend the bill to the House.

**Mr RON HOENIG** (Heffron) [3.45 p.m.]: The Opposition does not oppose the Bail Bill 2013. I note that on 28 November 2012 the Premier announced new bail laws that would put the community first. This bill is alleged to achieve that objective. It does not achieve that objective in any way different to the former legislation. It is a sad state of affairs when the leader of the Government of this State makes pronouncements about extremely complex and difficult areas of the law in proposed legislation and its operation in practice. Consequently one needs to look at the concept of bail, how it works and what fundamental problems exist in relation to its operations before one can address the problems associated with the practice of the operation of bail applications and court decisions. The Premier's comment is nonsense. He stated in a media release, "Accused criminals who pose a serious risk to community safety or are likely to commit further crimes will not get bail under this model."

Leaders of Government should not make comments purely to engage the popular press and reinforce that they are tough on crime. Before the House decides that this is a magic bill, members should consider the 1978 Bail Act in relation to what matters a court or authorised police officer can take into consideration. It is said that the bill will address the cries by the popular press and some victims in our community who undergo terrible tragedy associated with crime. Section 32 of the Act contains the criteria to be considered when considering bail. Section 32 (1) (a) concerns the probability of whether a person will appear in court in respect of the offence for which bail is being considered. The purpose of bail is to get the person charged with any offence before the court. Section 32 (1) (b) concerns the interests of the person and lists a variety of matters to be taken into consideration. Section 32 (1) (b1) states:

- (b1) the protection of:
  - (i) any person against whom it is alleged that the offence concerned was committed, and
  - (ii) the close relatives of any such person, and
  - (iii) any other person the authorised officer or court considers to be in need of protection because of the circumstances of the case,

Section (32) (1) (c) states:

- (c) the protection and welfare of the community, having regard only to:
  - (i) the nature and seriousness of the offence, in particular whether the offence is of a sexual or violent nature or involves the possession or use of an offensive weapon or instrument within the meaning of the Crimes Act 1900, and
  - (ii) whether or not the person has failed, or has been arrested for an anticipated failure, to observe a reasonable bail condition previously imposed in respect of the offence, and
  - (iii) the likelihood of the person interfering with evidence, witnesses or jurors, and
  - (iv) whether or not it is likely that the person will commit any serious offence while at liberty on bail, but the authorised officer or court may have regard to this likelihood only if permitted to do so under subsection (2), and ...

Those are the sorts of criteria for which the current law makes provision. The bill does not add any further criteria to the existing Act. The complexity of the current bail law, the 85 amendment bills and the 200 amendments to the Bail Act since 1978 have been made because governments of different persuasions have had particular political agendas, cheered on by the then opposition of the day. Other not well-thought out legislation that has been introduced as a knee-jerk reaction to particular issues has led to the present hotchpotch situation. As the shadow Attorney General stated, there is something fundamentally wrong with a bail system when 25 per cent of all prisoners currently not sentenced and in custody are released. When the Attorney General was the shadow Attorney General he advocated amendments to the bail laws and presumptions either in favour of or against bail as part of the then Opposition's position. That was part of the recommendation of the Law Reform Commission, but the Government has chosen not to accept that recommendation, to remove the presumptions for or against bail and to replace those presumptions with a test based on unacceptable risk. The overview of the bill states:

- (d) a bail authority is required, before making a bail decision, to consider whether there is any unacceptable risk that an accused person, if released from custody, will:
  - (i) fail to appear at any proceedings for the offence—

the purpose of bail is to ensure that people attend court to answer the charge—

- (ii) commit a serious offence, or
- (iii) endanger the safety of victims, individuals or the community, or
- (iv) interfere with witnesses or evidence.

There is nothing there that is not contained in section 32 of the Act. However, the presumptions for and against bail have been replaced by the test based on whether there is any unacceptable level of risk and the bill has been simplified. In considering the approach to bail one must appreciate that it is unfashionable under democracy in this State and country today to advocate a principle that is hundreds of years old—and certainly that principle does not seem to apply to members of Parliament in this country—but the age-old principle fundamental to our democracy to protect all citizens is the presumption of innocence.

All persons are presumed innocent until they are proven guilty beyond reasonable doubt. The ultimate sanction in our democracy if people are found guilty beyond reasonable doubt of an offence is the deprivation of their liberty. Until they have been so convicted it is not for the State in a democracy to take away the liberty of any person arbitrarily. People who are charged with an offence are presumed innocent. However, if the community is at risk, if the person is not likely to answer his or her bail, if witnesses are at risk or if an unacceptable level of risk is placed on the community, it is not unreasonable for the State to make provision for temporary removal of a person's liberty. However, the people who make these decisions are judicial officers.

Very often members of Parliament make knee-jerk decisions based upon a report in a newspaper, usually the popular press. However, when such comments are made they are never made on the evidence presented before the judicial officer and the court. It is often done on the basis of a story written by a court reporter that is beaten up for the purpose of selling papers and that puts the community in fear. If a judicial officer makes a decision that the Crown or the accused believes to be unreasonable, there is the right to seek a bail review under the current laws. I concede that in this bill this process has been simplified. However, a powerful provision in the Act is repeated in this bill, that is, if the Crown or the prosecutor believes that a decision is unreasonable and it is to be reviewed, the decision of the court is immediately stayed to enable the review and the person remains in custody—these are ample provisions.

I must admit that it is a big call from the Crown or police prosecutor—and the Attorney General might know whether the provision has been used before—to determine the use of this provision. However, this peculiar provision remains as an ultimate protection. The Opposition does not oppose the bill because it simplifies the concept of bail. However, the Opposition is concerned about the lack of presumptions. I am not sure of the Attorney General's private view but I agree that utilising the test of unacceptable risk is worth a try, depending upon judicial interpretation. However, when this type of legislation is enacted we must understand that while we adopt the words, generally speaking we should be cautious of how they apply in practice.

**Mr BRYAN DOYLE** (Campbelltown) [3.55 p.m.]: I support the Bail Bill 2013 and do so having served 27 years in the NSW Police Force and also having worked as a legal practitioner. I have great respect for our rule of law, the work of our judiciary, both judges and magistrates, in determining the law and the work of the legal profession and police officers, who will be required to deal with the legislation when it is enacted. Like the member for Heffron, I have worked with the Bail Act and I welcome the removal of the complex scheme of offence-based presumptions and a return to the focus on risk management upon which section 32 was always predicated.

The bill aims to achieve more consistent bail decisions based on an unacceptable risk test that the offender will fail to appear, commit a serious offence whilst at liberty, endanger the safety of victims, individuals or the community, or interfere with witnesses or evidence. The Act sets out a reasonably understood process of how this will happen in that a decision-maker will turn his or her mind to whether there is an unacceptable risk. If the answer is no, the person should be released unconditionally. If the answer is yes, the decision-maker will turn his or her mind to whether the conditions can mitigate the risk. If not, bail will be refused. If the answer is yes, bail would be in order.

The bill provides that a bail authority is to consider the following matters, and only the following matters, in determining whether there is an unacceptable risk. That includes the accused person's background, including his or her criminal history, circumstances and community ties; the nature and seriousness of the offence; the strength of the prosecution case as it was known at the time; whether the accused has a history of violence; and whether the accused has committed a serious offence previously while on bail. The conditions also

consider things that are peculiar to the accused person, including the length of time the accused person is likely to spend in custody if bail is refused and the likelihood of a custodial sentence being imposed if the accused person is convicted of the offence.

It is of note that the bill then goes on to define in an inclusive manner what is a serious offence and does not limit the matters to be considered. These include whether the offence is of a sexual or violent nature, or involves the possession or use of an offensive weapon or instrument within the meaning of the Crimes Act, the likely effect of the offence on any victim and on the community generally and the number of offences likely to be committed. It is of note too that the bill also preserves the ability of a senior police officer to review bail after a bail determination has been made by a police officer. I am probably one of the few people in this House who has exercised that power at a police station. It is a valuable safeguard for the liberty of people in custody that a senior officer can make a review decision relating to an initial bail determination.

The bill also addresses various bail conditions, including that bail conditions can impose conduct requirements on an accused person; that they can require security to be deposited for an accused person; that they can require a character acknowledgement—I think most people would agree that to find someone to vouch for one is sometimes harder than finding someone who wants to put up money for one—that they can impose conditions of suitable accommodation; and, importantly from a policing perspective, that they may include enforcement conditions for the purpose of monitoring or enforcing compliance with other bail conditions. I note that the bill requires a review of the section by the Attorney General within a three-year period, which indicates this Government's determination to continuously improve our legislation. I commend the bill to the House.

**Mr CHRIS PATTERSON** (Camden) [4.01 p.m.]: I speak in debate on the Bail Bill 2013 and state at the outset that a review of the Bail Act 1978, which has been amended more than 80 times, was long overdue. These amendments made the Act complex and navigating it became difficult. With wideranging terms of reference, the Law Reform Commission was given the task of reviewing the Act. Among a number of recommendations, the commission proposed a significant overhaul of the Act, including a plain English Bail Act. This review was a commitment of the New South Wales Coalition.

The bill has been drafted with the key feature of an unacceptable risk test for bail decisions, which should result in decisions that better achieve the goals of protection of the community while appropriately safeguarding the rights of the accused person. Rather than relying on bail presumptions, the bill will require police and courts to consider particular risks when determining bail. Before making a bail decision a bail authority is required to consider whether there is an unacceptable risk that the accused person will fail to appear, commit a serious offence or endanger the safety of the community. By applying its unacceptable risk test the Government considers it will be a much simpler and more responsive way to make bail decisions.

One of the key goals of this bill is to simplify the bail laws so that they are easier to understand and apply. Focusing on risk rather than offence-based presumptions should achieve the goal of ensuring that bail decisions are more consistent with the terms of the law. The bill has implemented the recommendation of the Law Reform Commission that a system of continuous bail be adopted to remove the need for courts to formally continue bail every time the accused appears. Suitable accommodation must be arranged before a child is released to bail, and it is a requirement that the court relist the matter every two days for further hearing until the condition is met. Accused criminals who pose a serious risk to community safety or are likely to commit further crimes will not get bail under this model.

Under the current law, decisions about bail are made based on the offence a person has been charged with, not on the risk that he or she poses to the community. This bill will have reforms that will ensure the risk to the community is the first thing taken into account, removing any anomalies under the current Act. Police and courts can also impose tough conditions on those granted bail to ensure that alleged offenders behave themselves while waiting for their trial. The aim of the bill is to simplify the law and to ensure that bail outcomes reflect the circumstances of the accused and the alleged offence.

Many people in the law community have been asking for changes for at least five years, and the New South Wales Coalition has acted on those requests. I have been approached many times by my local community regarding decisions on bail. For those of us who are not privy to the complexities of the law, at times it seemed to be inconceivable that someone could gain bail when the public considered that it was inappropriate. As I do on all legal matters, I conferred with my very learned colleague the member for Cronulla and he tells me that this wonderful amendment, which is long overdue, is common sense. I pay great heed to what the member for Cronulla says and because he supports this bill I know we are heading in the right direction.

By no means am I suggesting that we are all experts—although I have just referred to an expert, the member for Cronulla—but this bill clarifies why bail has been granted, at all times taking the safety of the community into account. Simply put, this bill will articulate the purpose of bail legislation, which is to provide a legislative framework to determine whether a person accused of a criminal offence should be detained or released with or without conditions, having regard to the core principles underpinning our criminal justice system, including the presumption of innocence and the general entitlement to be at liberty. If there is an unacceptable risk that an accused person will not appear in court or if he or she presents an unacceptable risk to the community that person will be detained in custody. I commend the bill to the House.

**Ms GABRIELLE UPTON** (Vaucluse—Parliamentary Secretary) [4.06 p.m.]: I welcome the opportunity today to speak in debate on the Bail Bill 2013, which I support. The bill establishes a new legislative framework for bail and enhances confidence in the justice system. It is incredibly important for a civilised society that the State Government has the trust of the public for whom it makes decisions. The bill proposes a new, simpler Bail Act that will achieve greater consistency by removing complexities such as the presumptions scheme, which have led to many bail decisions that confused the community, our constituents, about how they reflected the principles of a transparent and fair criminal justice system.

There is considerable history to this bill. Back in June 2011 the Government announced that the New South Wales Law Reform Commission would be undertaking a review of the Bail Act 1978. That was one of our pre-election commitments and, unlike Labor, we deliver on our pre-election commitments—they become commitments and deliverables of the Government, and here we are delivering again. The Government's aim was to have a fundamental review of bail laws in New South Wales. The New South Wales Law Reform Commission intentionally had wideranging terms of reference for the review to achieve that aim, and that report was tabled in both Houses of Parliament in June last year. The Government published its response to the commission's review in November 2012, and we have acted swiftly to get this bill before the House.

In the report of the New South Wales Law Reform Commission the commission noted that the Bail Act had been amended 85 times since its introduction and that there had been more than 200 changes. I highlight that the previous Labor Government amended the Act 57 times in 16 years. If there is one thing that the public requires of us as legislators in this Parliament it is to make the law consistent, transparent, easy to understand and, when the occasion arises—and this is one of those occasions—simplified. None of the changes to the Act proposed in the Bail Bill are going around the edges; we will examine the Act properly and comprehensively reform it so that the justice system reflects the expectations of our community. Even those with legal training have found the 80-plus amendments difficult to comprehend and navigate. In its report the commission noted.

... the complexity of the current Act and its language means that it is unintelligible not only to ordinary citizens, but also to legal practitioners.

That is a recipe for disaster in our criminal justice system. The system must be transparent for the community, which places its trust in its operation. Simply put, the Government recognises that the bail laws must step up and move into the twenty-first century. This bill in part honours the Government's commitment to the public to reduce red tape for businesses and the community by 20 per cent by June 2015. Last November in its response to the report the Government agreed to implement a large number of the recommendations the commission made in its review. Importantly, as my colleagues have outlined, the Government decided to adopt a risk-management approach to bail decision-making rather than implement the justification approach that was recommended by the commission. At this point it is important to acknowledge that the commission undertook significant work to lay the groundwork for this important piece of reform, even though the Government is taking a slightly different approach in relation to bail management decisions.

The bill has been drafted in accordance with the Government's response to the commission's report. As I said, the bill will implement an unacceptable risk test for bail decisions. The test focuses on identification and mitigation of unacceptable risk. That is important because that new mechanism should result in decisions that better achieve the goals of protecting our community members while at the same time safeguarding the rights of an accused person. Striking that balance is important in a good criminal justice system. We must keep the community safe but also ensure that an accused person cannot be condemned or convicted before that person has had the chance to argue his or her case.

A significant feature of the bill is that it operates without the complex scheme of offence-based presumptions in the Bail Act 1978. Under the current bail laws decisions about bail are made based on the offence persons have been charged with and not the more important consideration, which is the risk they would

pose to the community if they were to be released on bail. Some offences carry a presumption in favour of bail while others carry a presumption against bail. For some offences no presumptions apply. The old mechanism that we are replacing has created unnecessary layers of complexity in the bail decision-making process.

Rather than rely on the presumptions when considering bail, under the Government's reform the police and the courts will need to decide whether an accused person poses an unacceptable risk of: endangering the safety of the community; committing a serious offence; interfering with witnesses; or failing to attend court when required. Under the new model a number of key considerations will need to be taken into account in deciding whether there are risks of this nature and whether they are unacceptable. These considerations incorporate matters relevant to the protection of the community and the criminal justice system as well as the rights of the accused person.

If the bail authority is satisfied that the accused person presents an unacceptable risk, it will have to assess whether that risk can be sufficiently mitigated by the imposition of bail conditions. If satisfied that the risk can be so mitigated the person will be released on conditional bail. If the risk cannot be mitigated bail will be refused. That is appropriate to protect our community. Applying the new unacceptable risk test is a much simpler mechanism and a more responsive way in which to make bail decisions. Members on this side of the House make things simpler and we do it well. We grasp the opportunity at hand to simplify things and we are doing that through this bill.

It is important to note that Parliamentary Counsel consulted with the Plain English Foundation during the drafting process and the bill is written in plain English. A flowchart will set out the provisions governing the unacceptable risk test and that will provide practical assistance to the police, legal practitioners and the courts that administer our system. The Bureau of Crime Statistics and Research will collect data on the operation of the legislation and will conduct a review after three years. That is an important safeguard so that we will be able to judge whether the policy intention of this legislation is reflected in practices around New South Wales. This bill is important and I strongly support it. The bill will base the granting of bail on a more practical test and will instil in people new confidence in our criminal justice system. I commend the bill to the House.

**Mr KEVIN CONOLLY** (Riverstone) [4.15 p.m.]: The Bail Bill 2013 is of interest to me because I was recently approached by a constituent, a businessperson, who had experienced great aggravation from an offender and a group associated with that offender. Those persons are repeatedly arrested for similar offences and repeatedly bailed despite opposition from the arresting police. Over a period of weeks they may rack up perhaps nine or 10 offences before they even front the court. At court the magistrate has not been able to take the similarity and pattern of offences into account when dealing with the matter. This bill is an improvement because it will allow the court to take into account whether an accused person has previously committed a serious offence while on bail or has a pattern of non-compliance with bail conditions such as apprehended violence orders, parole orders or good behaviour bonds.

While I acknowledge that that provision relates only to serious offences and that the instance in my electorate may not always reach that threshold, it is a common-sense approach to allow a magistrate the latitude to take a pattern of non-compliance into account. As we have heard, the basis of the bill is whether allowing an accused person to remain at liberty will present an unacceptable risk to the community. Of course, the threshold is already set for offences that do not carry a penalty of imprisonment; there will not be imprisonment or detention while the matter is being heard. But for those offences that could carry that penalty, it is appropriate to consider whether the possibility of re-offence, non-appearance at court or danger to witnesses in a case presents an unacceptable risk to the community. For those reasons, I commend the bill to the House. It is a practical step forward.

**Mr KEVIN ANDERSON** (Tamworth) [4.17 p.m.]: I make a contribution to debate on the Bail Bill 2013 and congratulate the Attorney General and all those who played a role in changing the outdated Bail Act 1978. This bill is a substantial step forward to help address issues of law and order in our community. The issue of bail is raised with me regularly and it highlights the need for changes in the granting of bail. The new Bail Act includes what will be called "unacceptable risk", which will be the primary tool for decision-making when police, bail sergeants or courts determine whether an alleged offender should be granted bail and on what conditions. The changes in this bill have been welcomed with cautious optimism. People in my electorate of Tamworth have been waiting with great anticipation for this bill. Jeff Budd, Acting Local Area Commander in Oxley, said:

When a decision as to bail is made consideration must be given to if the accused could endanger or interfere with the victim, evidence or the community or that they may commit another serious offence or fail to appear in court.

On Wednesday 1 May 2013 the Tamworth local newspaper, the *Northern Daily Leader*, also greeted the news that the bill would be introduced with cautious optimism. Like other areas, Tamworth has had its share of antisocial behaviour, alcohol-related crime and a number of other issues such as petty theft. We believe that the Bail Act will assist the bail decision-makers to do what they do best. I am sure it will help to keep our streets safe and further the Government's aim to drive down crime and help police do their job. I commend the bill to the House.

**Mr DAVID ELLIOTT** (Baulkham Hills) [4.20 p.m.]: I am pleased to support the Bail Bill and welcome the new approach to bail that it represents. The Attorney General is correct in describing it as a paradigm shift. The bill will ensure that New South Wales has a bail mechanism that protects both the community and the rights of the accused. The bill should reassure the public that this Government understands the large degree of community interest in the bail system. It recognises that community confidence in bail is crucial to the ongoing ability of the criminal justice system to deliver just outcomes. The greatest change outlined in the bill is a move towards a risk-management approach to bail decision-making. Bail authorities will now use an unacceptable risk test when considering bail matters. This will do away with the current system whereby bail is decided with reference to presumptions, either for or against, relative to the accused's alleged offence. These presumptions are inflexible and unnecessarily complex.

Further, there is little evidence to suggest that these offence-specific presumptions are at all accurate. Often the stated presumptions do not reflect the seriousness of the offence or even the accused's risk to the community. The new unacceptable risk test will simplify bail and better reflect the individual circumstances of the accused and the alleged offence. Bail authorities will be required to consider certain risks when determining the accused's suitability for bail. These include the risk that the accused will not appear, will commit another offence or will endanger community safety. If an unacceptable risk does exist, the bail authority will then need to consider whether bail conditions could sufficiently reduce this risk. If so, conditional bail will be granted; if not, bail will be refused. Appropriately, bail decision-makers will be required to have regard to the presumption of innocence and to the general right to liberty.

The new risk-management approach is a sensible reform to our State's bail laws and will no doubt result in a simplified and more appropriate criminal justice system for all. In the space of a few seconds the member for Liverpool managed to suggest that the new approach was too similar to the old one and yet, at the same time, was somehow going to confuse practitioners because it was unfamiliar. The shadow Attorney General clearly needs to make up his mind. Further, to suggest that practitioners will not be able to get their heads around the new system not only is an insult to the intelligence of practitioners but also discredits the flexibility of our entire justice system. The Bail Bill is a necessary and timely reform that should improve access and equity within the justice system. I commend the bill to the House.

**Mr GREG SMITH** (Epping—Attorney General, and Minister for Justice) [4.21 p.m.], in reply: I thank the member for Liverpool, the member for The Entrance, the Leader of the Opposition and member for Blacktown, the member for Mulgoa, the member for Heffron, the member for Campbelltown, the member for Camden, the member for Vaucluse, the member for Riverstone, the member for Tamworth and the member for Baulkham Hills for their contributions to debate. The Opposition cannot get its story straight. The member for Liverpool is concerned about too many people on remand, while the Leader of the Opposition has come into this place today trying to talk tough.

The Leader of the Opposition was concerned about the removal of presumptions. The majority of submissions to the Law Reform Commission supported removing the scheme of presumptions—they were too confusing. The current presumptions are not always consistent with the seriousness of the offence. For example, serious offences such as sexual assault or committing an act of indecency against a child under 10 years of age have a presumption in favour of bail. Making a decision about bail based primarily on the type of offence charged does not always adequately reflect the risk a person poses to the community. Eligibility for bail should be assessed on a case-by-case basis having regard to what, if any, risks the accused poses to the community. A substantial number of submissions to the Law Reform Commission supported a risk-based approach to bail, including submissions from police.

The member for Liverpool was concerned about the bill having no impact on remand rates. In developing the legislation the Government's overriding consideration has been to ensure that the right bail decisions are made, balancing the protection of the community and the rights of the accused person. The bill requires that the bail decision-maker be satisfied that the accused poses an unacceptable risk to the community, a risk which cannot be sufficiently mitigated by bail conditions, before they can be remanded in custody. The

Government considers that this is the appropriate test for refusing bail as a person who poses such a risk should not be at liberty. It must also be remembered that a proportion of remand admissions result from people whose bail is revoked for a breach of bail conditions. The bill restricts the bail conditions that can be imposed to those that are necessary to mitigate an unacceptable risk. This should promote the protection of the community while ensuring that unnecessary bail conditions that do not serve the traditional purposes of bail are not imposed. By targeting conditions at risk the Government is confident that if persons are placed on remand for a breach it will be because they have demonstrated that they are an unacceptable risk to the community and should therefore not be at liberty.

The Government has always been cognisant of the number of people held on remand and will closely monitor remand levels following the commencement of the legislation. The bill establishes a new simplified legislative framework for bail decisions in New South Wales. It implements the Government's risk-management model for bail and incorporates a large number of the reforms and safeguards suggested by the Law Reform Commission in its review of bail laws. I take this opportunity to thank the Law Reform Commission for the work it did and I also thank those who made submissions. The Government considers that the bill strikes the appropriate balance between the protection of the community and the rights of the accused person. 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.**

## **MONA VALE HOSPITAL**

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

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [4.25 p.m.]: I am delighted once again to have the opportunity to discuss the importance of Mona Vale Hospital and the vital role it plays within the Pittwater community. As members well know from previous speeches I have made in this place, Mona Vale Hospital is dear to all Pittwater residents—the size of the petition clearly demonstrates that. I commence my contribution by acknowledging Dr Suzanne Daly for helping to organise and distribute this petition. Dr Daley is one of Pittwater's most respected health professionals, and I have been pleased to work with her on a number of issues.

I thank also Mrs Jillian Skinner, the Minister for Health, and Minister for Medical Research, for her long-term interest in and support for Mona Vale Hospital, its staff and our community. The Minister has played a pivotal role over the past two years in removing the dark cloud of uncertainty which has hung over the hospital for more than a decade. I acknowledge the incredible work done by the volunteers of the Mona Vale Hospital Auxiliary in raising colossal sums of money in support of the hospital. I also acknowledge the advocacy of the Save Mona Vale Hospital Committee, led by the redoubtable Eunice Raymond, without whom there may not be any future for our hospital at all. Finally, I recognise the hardworking and dedicated staff at Mona Vale Hospital for, despite years of uncertainty and deteriorating conditions, consistently providing an extraordinarily high level of medical care.

It has been my great privilege to work with my community in the fight to reverse the years of neglect which have characterised health services on the northern beaches. Since coming to government in 2011 we have been able to achieve vital improvements, including almost \$20 million in capital improvements for basic building works such as the refurbishment of the hospital's façade, asbestos removal, new car parking and covered walkways, extra air-conditioning, the revival of dental services, the renovation of our maternity unit, the

return of birthing services, the replacement of the hospital's medical air system, the commencement of an innovative mobile digital X-ray service, purchase of new kitchen and surgical equipment, renovation of the paediatric ward, as well as new work such as the upgrade of emergency services, renovation of the community kiosk, a new wing on the rehabilitation unit and expansion of the palliative care unit. Also, work is due to be completed shortly on the construction of a brand new enlarged helicopter facility.

We have also seen a substantial increase to Mona Vale Hospital's recurrent budget of more than \$5.2 million per year. This will mean almost \$60 million will be spent each year to support new and improved services on site. Only last week we saw the long-awaited announcement regarding the construction of the Northern Beaches Hospital—a level five hospital to be built at Frenchs Forest—and the continuing redevelopment of Mona Vale Hospital to provide 24-hour urgent care, as well as improved subacute, community and specialist health services. This announcement will see at least 489 beds provided across the campuses of the Mona Vale and Northern Beaches hospitals, along with the introduction of many specialist health services never before available on the northern beaches. This higher level of healthcare delivery will also mean we will be able to attract more specialists to our area and be able to provide a broader range of professional development opportunities for our valued and experienced local staff.

For Mona Vale Hospital this announcement includes, as a minimum, the provision of at least 66 inpatient beds in new wards, construction of a 24-hour, seven-days a week urgent care department, diagnostic services such as pathology and radiography, state-of-the art rehabilitation and palliative care services, specialist geriatric and dementia care services and medical outpatient clinics. I am pleased to announce that in addition to the construction work currently underway a brand new building will be developed to house community health services, including rapid access aged care services, occupational therapy, physiotherapy, home nursing services, post-acute care services, chronic care health services, allied community health services and aged care assessment services, as well as many outreach services, including paediatric occupational therapy, paediatric speech pathology, mental health services, drug and alcohol services, carer support services and a midwifery clinic.

There is also enormous opportunity for the private sector to become involved on the Mona Vale Hospital campus to augment the public health services to which I have just referred. This could include the establishment of day surgical facilities and dental, pharmacy and family health services. I understand there is strong interest for private and not-for-profit health providers to provide a range of new services at Mona Vale. From the uncertain situation we faced a few years ago, this is a positive vision for Mona Vale Hospital's long-term future. The idea being bandied around that this configuration of local health services will lead to the inevitable closure of the Mona Vale Hospital, or that there is some sort of secret conspiracy to sell land at the Mona Vale Hospital site for housing development, is demonstrably untrue and disappointing to say the least. The reality is that we now have the future of our hospital secured. We have major infrastructure projects currently underway on the eastern side of the hospital.

We also have a commitment that Mona Vale Hospital will be transformed from its existing role as a 1960s-style district hospital with decaying buildings and an uncertain future to a specialist subacute hospital with a range of inpatient services in new facilities and supported by a 24-hour urgent care department to cater for local emergencies, and with improved access to vastly improved emergency and intensive care facilities at Frenchs Forest. No longer will local residents who are facing life-threatening emergencies have to be transported all the way to St Leonards to obtain treatment for issues like stroke and cardiac blockages. As we have known for years, we cannot continue to funnel all local patients who require advanced or specialist medical assistance to the Royal North Shore Hospital. We need Mona Vale Hospital and we need our new hospital at Frenchs Forest as well.

**Dr ANDREW McDONALD** (Macquarie Fields) [4.30 p.m.]: I have spent 40 years working in the New South Wales public hospital system and I still work there. The reality is that sometimes in health difficult decisions are required for the common good. The Manly-Mona Vale decision is one that has confounded governments of all persuasions for many years. The decision to amalgamate Manly and Mona Vale to a freshly built site at Frenchs Forest is a decision that had to be made for the good of the people of the northern beaches for the next 50 years. This is not about the past; this is about the future.

The best quote I have heard is from Professor Dwyer, who said that hospitals should operate like a string of pearls. Every hospital is different. Every hospital must concentrate on what it does well. The days of hospitals being all things to all people have gone, and they are gone forever. People in the gallery might not like

that, but it is like protectionism in the economy. We cannot continue to have hospitals working in isolation. They have to be part of a network. To give the people of the northern beaches and the Manly area the best quality care for the next 50 years there is only one solution: to amalgamate and co-locate the hospitals.

The staff at Manly and Mona Vale are very good. In Robert Slade the people of the northern beaches have one of the best young paediatricians in New South Wales and one who could have gone anywhere in the State. He deserves the chance to be the director of a quality co-located unit which has economies of scale. In 2012 the Mona Vale emergency department saw 30,000 people and Manly's emergency department saw 24,000. In terms of emergency departments, that is neither fish nor fowl. The hospitals see far too many people to be able to treat them all appropriately with existing facilities, but far too few to have a modern intensive care unit with 24 hours a day seven-days a week experienced cover.

To those who are worried about health care I point out that the world has moved on. For heart attacks the best care is what is happening on the northern beaches, which has care for heart attacks that leads the world because patients go directly to the catheter unit at the Royal North Shore Hospital. This model has been rolled out all over the world. It is the future of the care of patients with myocardial infarction. There is no going back. This is the way that heart attacks will be treated for the next 50 years. Trauma bypass was introduced in the mid-eighties. There is no excuse for smaller hospitals to be managing trauma. Trauma does much better in the world now if it is treated in a major centre.

If Mona Vale and Manly are amalgamated at the Frenchs Forest site it will be a leader in health care for the next 50 years. Having worked in hospitals that were being rebuilt while I was trying to work in them, I know that is an impossible situation. Under this plan both hospitals will be able to be run efficiently and then they can be amalgamated to a co-located site. It will not be without some pain, but it is the best. It is what I would want for my family. It is what every modern healthcare worker wants. It is what the patients want. I have worked in hospitals where the care has been questionable. I have worked in hospitals where the care has been improved by building the infrastructure. There is no option: If you build it they will come. The northern beaches already has some of the best nursing, allied health and medical staff in the State. They deserve the right to practise in a modern state-of-the-art facility because that is the best way of providing patient care that is needed.

The member for Pittwater has done very well to secure the best possible arrangement. The use of an acute care unit at Mona Vale and a slow stream medical unit is the best use of that facility and will ensure that it remains in the public system forever. I have very major concerns about the privatisation of the northern beaches hospitals. It did not work at Port Macquarie. It has not worked anywhere in Australia over a 20-year period. For the information of people in the gallery who may not know, the Port Macquarie Base Hospital was due to return to public ownership next year, 20 years after privatisation. In Perth, Joondalup works, but Peel Health has been an absolute disaster. I have major concerns about the Government's decision to privatise the northern beaches hospitals. It puts all the risks onto the public sector and all the profits go to the private sector. But that is a debate for another day. The best chance of providing modern health care for the people of the northern beaches and the Manly area is a modern co-located hospital at the Frenchs Forest site.

**Mr JONATHAN O'DEA** (Davidson) [4.35 p.m.]: I appreciate the opportunity to speak in debate on this petition. I acknowledge the presence of people in the gallery as well as their commitment and their interest in their local community. As one of the members who represents the northern beaches I recall that former Warringah Mayor and long-term councillor Julie Sutton recollected to me how as a teacher at Forest High School in 1965 she witnessed children smoking on the adjoining open space, which was then known by the children and the teachers as "the hospital land". Almost 50 years later at last we will see construction of that proposed hospital commence on the northern peninsula. There have been a number of occasions when a site selection process has considered options for a new hospital, including the Mona Vale site. On the last occasion, in 2006, the then Labor health Minister stated:

The NSW Government considered a number of sites for the new hospital, but after detailed assessment the Frenchs Forest site was identified as the best place for a major metropolitan hospital. The assessment considered many factors including accessibility, public amenity and room for expansion, environmental impacts and an economic analysis.

A wonderful state-of-the-art facility is being built at Frenchs Forest and it will have the best that technology can offer. It will have brand-new, state-of-the-art equipment. It will be a world-class hospital facility that also will be a centre of clinical excellence in health, teaching and research. The Government is now seeking expressions of interest from the private and not-for-profit sectors to design, build, operate and maintain this 423-bed hospital on the northern beaches, with at least 66 beds at the Mona Vale Hospital. I know the Government, the Minister for Health and the member for Pittwater have extensively consulted with clinicians, the community, Health

Infrastructure and others regarding the two hospitals. Mr Rob Stokes, the member for Pittwater, has fought hard and successfully to reinstate maternity services that were cut under Labor to ensure the delivery of important palliative care and other subacute services as well as access to a 24-hour seven-days a week urgent care facility with extensive world-class acute services nearby—via helicopter if that is needed.

I share the determination of the member for Pittwater to see the Wakehurst Parkway flooding issue addressed and traffic intersection congestion, particularly on Warringah Road, properly addressed before the hospital is open in 2018. I am confident, mindful of current planning, that they will be. After decades of promises from previous governments, I thank the Minister for Health for her action in delivering an exciting health solution for the region that involves Mona Vale and Frenchs Forest as sites of complementary hospitals for a healthy future. I also thank the shadow Minister for not playing politics with this issue and for endorsing the current direction. I note that the Joondalup model is the one that is being followed. It has been successful.

**Mr JAMIE PARKER** (Balmain) [4.38 p.m.], by leave: I appreciate the opportunity to make a contribution to the discussion. I am here to give voice to the concerns of the 10,000 people who signed the petition as part of their contribution to the campaign to see the best possible health outcome for their local community. I acknowledge the people in the public gallery who have committed a significant amount of time—I am sure they would prefer to be with family and friends—to working to make the local community a better place. It is also relevant for me because I have seen in my local community Balmain Hospital become more degraded over the years. Now Balmain Hospital does not even provide a 24-hour casualty service. Until a few years ago we were told that a 24-hour casualty service would be the lowest level of service provided at the hospital. However, the service continues to degrade as the value of the hospital and the potential benefits of Balmain Hospital are degraded and the value of the land seems to be increasing.

As we heard from the shadow Minister for Health, residents are concerned about the proposed private model of care for the northern beaches hospital. The provision of public health care by private providers is not proven. We have seen problems in other hospitals, and a wide range of people in the community have raised concerns about it. The location is a significant issue. Yesterday there was bipartisan support for the amalgamation, but residents have told me that the proposed hospital, which will be just 20 minutes by car from Royal North Shore Hospital, will require a substantially longer drive for those at the northern part of the peninsula to access emergency care, particularly after Mona Vale emergency department is downgraded.

We have heard about the significant road and access issues. The proposed location is not accessible by fixed rail public transport, which is optimal in this situation. Concern has been expressed about the impact on Mona Vale Hospital. We have heard assurances from the member for Pittwater—I respect him and take him at his word—but residents and members of the community are genuinely concerned that the Government has acknowledged that services at Mona Vale Hospital will be downgraded. The question is: What about surplus land sales in the future? Today the member outlined that that will not happen, and we will hold him to the commitment he has made this evening in the House.

Many people are concerned about future land sales because of the value of the land. There is that fear, and the local member and the Government need to respond to it. Many people are also concerned about the impact on one of the few remaining remnants of Duffys Forest ecological community, and how the construction will impact on local residents needs to be taken into account. This petition needs to be taken seriously. The issues need to be ventilated fully. Residents and members of the local community would like to see action on this matter, and they would like the Government to acknowledge their concerns. I am glad to put those concerns on the parliamentary record.

**Discussion concluded.**

## COMMUNITY RECOGNITION STATEMENTS

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### AUSTRALIAN WOMEN AND CHILDREN'S RESEARCH FOUNDATION

**Mrs TANYA DAVIES** (Mulgoa) [4.42 p.m.]: Today I inform the House of yet another successful charity ball in support of the Australian Women and Children's Research Foundation [OZWAC]. Congratulations to Lea Hicks, chairperson of the board of directors, and the foundation's organising committee on presenting a wonderful event, with host Tara Dennis, Mark Ferguson and special guests Roy Billing and

Charles Cottier. The Australian Women and Children's Research Foundation was established to conduct medical research into the health of women and children. It is becoming clearer that disease and health problems have their origins during foetal life, yet our knowledge of foetal life is limited.

Western Sydney is a great base for pregnancy and childhood research as Nepean Hospital has one of the largest maternity units in Australia. I thank the major sponsor, Kelly and Partners Chartered Accountants; major supporters Penrith Panthers and Abcoe; and table sponsors including Ben Goldfinch and Better Built Homes, Global Skills, McDonald Brothers, Hix Group, Penrith City Council, Zac Homes, Anthony and Lisa Fleetwood, Stanton and Taylor Strata Management, Southern Cross Trailers, Westco Building Consultants, JLW Interiors, Navwealth, Omni Ultrasound, Sydney Pregnancy and Women Ultrasound Services, and Prompt Mower Service. I thank the members of the community who were involved in the fundraising event.

#### **TRIBUTE TO ELAINE HOUGH**

**Ms SONIA HORNER** (Wallsend) [4.43 p.m.]: Elaine Hough deserves acclamation for almost 20 years of voluntary service to the Calvary Mater Newcastle Mercy Hospice at Waratah. Mrs Hough, 80, of Belmont works on the front desk, taking calls and making cups of tea for guests. A hospice spokeswoman noted that Mrs Hough was the first point of contact for most people at the hospice and had a "warm and welcoming face". We acknowledge how difficult Mrs Hough's voluntary work must be, and thank her and other hospice volunteers for their care and contribution.

#### **YOUTH OFF THE STREETS CIRCLE OF COURAGE AWARD RECIPIENT PAT ALLEN**

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [4.44 p.m.]: I congratulate Pat Allen of Maitland on being presented with the Youth Off The Streets Circle of Courage Award. I note that the Circle of Courage Award is the highest honour anyone can receive from Youth Off The Streets, and recognises individuals for embodying the core values of belonging, mastery, independence and generosity to nurture all children in a climate of respect and dignity. Pat has been volunteering with Youth Off The Streets for 15 years. In September 2013 Pat Allen will have been volunteering for a total of 50 years. I thank Pat for her tireless contribution as a volunteer to the community and wish her well with her future endeavours. Pat volunteers for a number of organisations across Maitland. She contributes across the board, and we thank her for that.

#### **TRIBUTE TO MRS MAVIS ORTON**

**Mr RICHARD AMERY** (Mount Druitt) [4.45 p.m.]: I am pleased to place on record that at a recent afternoon tea Mrs Mavis Orton of my electorate was presented with a Certificate of Appreciation by the Federal member for Chifley, Ed Husic. This certificate recognised Mavis's service in the community during the Second World War, where she was assigned to the St Mary's munitions factory and was employed as a shorthand typist. I am pleased to recognise that, whilst those who served in war zones during the war are rightly recognised each year at events on Anzac Day and Remembrance Day, we should not forget those who contributed to the war effort through their work on the home front. I thank the Federal Government and the Federal member for recognising Mavis Orton's home service during the Second World War.

#### **NORTHERN SYDNEY LEADERS BREAKFAST**

**Mr JONATHAN O'DEA** (Davidson) [4.45 p.m.]: I recognise that the inaugural Northern Sydney Regional Organisation of Councils [NSROC] Northern Sydney Leaders Breakfast this Friday morning will bring together the NSROC board of mayors and delegates and State and Federal members of Parliament from northern Sydney to discuss tripartite collaboration on North Shore issues. The guest speaker is the Premier of New South Wales, who will outline the New South Wales Government's Northern Sydney Regional Action Plan. This special event is being convened by Councillor Richard Quinn, President of the Northern Sydney Regional Organisation of Councils.

#### **CITY OF FAIRFIELD RSL SUB-BRANCH ANZAC DAY SERVICE**

**Mr GUY ZANGARI** (Fairfield) [4.46 p.m.]: The City of Fairfield RSL Sub-Branch held the annual Anzac Day dawn service on Thursday 25 April 2013. The march from Fairfield RSL commenced at Bertha Street at 5.15 a.m., with a large gathering of the young and young at heart from the community. The Anzac march ended at Honour Avenue. A wreath-laying ceremony was conducted. Local community leaders, school representatives and service men and women, past and present, as well as families of the fallen, gathered to pay

their respects. Congratulations to City of Fairfield RSL Sub-Branch President Ken Young, Treasurer Paul Bryant and Secretary Barry Brooks on organising the solemn and prayerful remembrance ceremony. May we always remember those who fought and sacrificed their lives to give us the freedom we enjoy in this great nation. Lest we forget.

#### **KENDALL BUSH POETS BREAKFAST**

**Mrs LESLIE WILLIAMS** (Port Macquarie) [4.47 p.m.]: I acknowledge the Kendall Heritage Society and The Good Life in Kendall, which organised the Kendall Bush Poets Breakfast held on 21 April. Those involved did a wonderful job of promoting and coordinating the breakfast. I especially mention Warren Parkinson of The Good Life in Kendall, Sandra Haswell of the heritage society and the Kendall Services and Citizens Club chef, Craig Bowman. The poets breakfast was just one of many events that formed part of the 2013 Port Macquarie-Hastings Heritage Festival. The poets breakfast showcased a variety of readings and recitals of classic Australian poems and original pieces by local residents and visitors. In fact, the winner decided by acclamation was a visitor whose original verse questioning Australian slang ended on a very funny note—which is probably not appropriate to be recited in this House. The event also served as a birthday celebration of the town's namesake, poet Henry Kendall, and the fortieth anniversary of the establishment of Henry Kendall Memorial Park.

#### **KURDISH GENOCIDE TWENTY-FIFTH ANNIVERSARY**

**Mr PAUL LYNCH** (Liverpool) [4.48 p.m.]: I draw the attention of the House to the conference held on 14, 15 and 16 March this year in Kurdistan in northern Iraq to commemorate the twenty-fifth anniversary of the genocide of the Kurdish people by Saddam Hussein in the Anfal campaign, including the use of chemical weapons on the village of Halabja. The conference was organised by the Kurdistan Regional Government. In attendance were 350 foreign delegates, including current parliamentary representatives from England, South Korea and state legislatures in the United States, Norway and Holland. I was fortunate to be present at the conference. Also present from Australia was Haval Syan, who is the official Kurdistan Regional Government representative in Australia and whose office is located in Liverpool.

Also in attendance was Bernard Kouchner, previously French foreign Minister and co-founder of Médecins Sans Frontières and an outspoken advocate for Kurds. Other significant individuals present included Jay Garner. Also present was the Kurdistan Regional Government President, Mr Masoud Barzani, and other Kurdish and Iraqi Ministers. The conference was a significant acknowledgement of the genocide 2½ decades ago. It is important for the world as a whole, but especially for Kurds, including those who are my constituents.

#### **AUCTIONEER MICHAEL EASEY**

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [4.49 p.m.]: I congratulate Michael Easey of Rutherford on winning the 2013 Royal Agricultural Society of New South Wales and Australian Livestock and Property Agents Association Auctioneers Competition State Final at the Sydney Royal Easter Show. We note that Michael is also the current holder of the John Weekes Memorial Annual Trophy for being the first-prize winner in the Royal Agricultural Society Australian Livestock and Property Agents Association Auctioneers Competition 2013 State Final. We note that Michael will contest the Auctioneers Competition National Final at the 2014 Sydney Royal Easter Show. We wish Michael all the best for the future in his career as a stock and station agent and in auctioneering competitions.

#### **DAYENU ORGANISATION**

**Mr ALEX GREENWICH** (Sydney) [4.49 p.m.]: I commend the work of Dayenu, a Sydney-based organisation established to support and care for the needs of the Jewish lesbian, gay, bisexual, transgender and intersex community as well as their friends, families, partners and supporters. It provides outreach through education, information, resources, social activities and other events. Dayenu is run by dedicated volunteers. There are no paid workers, and the group runs on a not-for-profit basis. Some Dayenu members are trained counsellors and psychologists and provide skilled support to the group. All Dayenu members have experienced the struggle of coming out and understand the unique challenges that being Jewish brings to this process. Organisations such as Dayenu will make acceptance easier for those who follow. My husband and I were honoured when youth group Young Dayenu invited us to speak at a recent Shabbat dinner at Shalom College about political engagement. I look forward to continuing to support the work of Dayenu and Young Dayenu.

### **WESTMEAD CHILDREN'S HOSPITAL BANDAGED BEAR APPEAL**

**Mr ANDREW ROHAN** (Smithfield) [4.50 p.m.]: I am astounded at the generosity and support of our local community for the Bandaged Bear Appeal, which I proudly attended on 26 April 2013 at Bonnyrigg Sports Club. Bonnyrigg Sports Club manager Jason Woods and Crime Prevention Officer Constable Ece Hasan from Fairfield Local Area Command have joined yet again to support this appeal. They organised the Bandaged Bear Night Out to raise funds for the Children's Hospital at Westmead, a centre that treats up to 70,000 patients a year. Last year they raised nearly \$8,000 and they hope to raise \$10,000 this year. The night was an incredible success, and the organisers made this a fun and exciting night while also raising awareness of the need for more funds for the Children's Hospital at Westmead. I thank Bonnyrigg Sports Club, Fairfield police, local businesses and community members for their support of this project.

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

**Mr NICK LALICH** (Cabramatta) [4.51 p.m.]: I am proud to congratulate Canley Heights RSL and Cabravale Diggers on hosting dawn service ceremonies on 25 April 2013, which had very successful turnouts. There has been resounding feedback from our local community regarding the increased turnout from our younger generations, which is great to see, as the spirit of Anzac is carried through the generations. I congratulate local community members, community groups and local organisations who attended on the day to pay their respects and honour those who have fought to keep our great country safe and provide the freedoms we cherish today.

### **BLUE MOUNTAINS BICENTENARY COMMUNITY BALL**

**Mr STUART AYRES** (Penrith) [4.52 p.m.]: I draw the attention of the House to the Blue Mountains Bicentenary Community Ball, which took place over the weekend. A fantastic group of people, around 200, were on hand at the Fairmont Resort to celebrate the 200th anniversary of the crossing of the Blue Mountains by Blaxland, Wentworth and Lawson, and other people that we now must acknowledge in the group who walked with them. I point out that there were a number of people from various parts of the celebration, including Phil Hammond, who is conducting Australia's largest civilian flyover over the Blue Mountains, which I am sure will be a fantastic sight. A descendant of Blaxland, Ms Wendy Blaxland, has co-produced a play to celebrate the crossing, entitled *The Crossing*. Plenty of people were on hand to celebrate the occasion, including the Mayor of Lithgow, who spoke highly of the member for Bathurst. A great night was had by all.

### **NEWCASTLE KNIGHTS RUGBY LEAGUE TEAM**

**Ms SONIA HORNER** (Wallsend) [4.53 p.m.]: Let us recognise the community-spirited generosity of the Newcastle Knights rugby league team. During the past school holidays players from the team, including Kurt Gidley, Darius Boyd, Beau Scott, Chris Houston and Jeremy Smith, spent a day practising footy skills with a group of 500 boys and girls, aged from 5 to 16, as part of the annual National Rugby League school holidays clinic. The players gave up their time in an effort to give the children an outlet to be active while building life skills, including teamwork, cooperation, confidence and respect for others. These players are a great example of the kind and helpful people in the Hunter area.

### **HERONS CREEK COMMUNITY DAY**

**Mrs LESLIE WILLIAMS** (Port Macquarie) [4.53 p.m.]: I acknowledge Martin and Jeanette Parish, Betty Boyd and the many other local committee members for their efforts in organising the heritage events on 21 April 2013 at Herons Creek. As part of the Port Macquarie-Hastings Heritage Festival, the Herons Creek community day included a sausage sizzle, heritage trail tours, and heritage displays at the Herons Creek Heritage Community Chapel. The organisers conducted bus tours of the local area, which also served to highlight a proposed heritage trail in Herons Creek and showcased some hidden treasures, including the Herons Creek Vineyard. I commend the many locals who volunteered on the day and thank them for giving us an insight into the wonderful history of Herons Creek. I look forward to working closely with this dedicated community group to make sure the heritage trail comes to fruition.

### **TROPFEST JUNIOR SHORT FILM FESTIVAL WINNER BEN MCCARTHY**

**Mr MATT KEAN** (Hornsby) [4.54 p.m.]: I am delighted to speak in the House today on behalf of local boy Ben McCarthy, who won the 2013 under 18 section of the Tropfest Junior Short Film Festival. Ben,

from Brooklyn, produced a claymation film titled *Bumper*, about a frog that cannot jump. *Bumper* was inspired by Ben's love of *Wallace and Gromit*. *Bumper* took more than six months to shoot and used more than 1,000 photos of the clay figures to produce the film. Ben has created two other movies. The first, *Light Bulb*, won the Bayside Film Festival in Melbourne and was also shown at the Little Elephant Film Festival in Slovenia. *Light Bulb* also toured Australia as part of the Little Big Shots Festival. His second film, *P.O.P—the Prevention of Organised Pranking*, was shown at the 2012 Art of Brooklyn Film Festival in New York. We are so proud of Ben. He is one to watch in the future.

#### **GUILDFORD LEAGUES CLUB ANZAC DAY SERVICE**

**Mr GUY ZANGARI** (Fairfield) [4.55 p.m.]: The Guildford Leagues Club Anzac Day Memorial Service was held on Thursday 25 April 2103. The memorial included the reading of the Ode, a wreath-laying ceremony by the sporting intra-clubs and a prayer service. Many club members were present, showing their respect and joining in the solemn occasion. Also present were members of the community, both young and young at heart, from a multitude of backgrounds. Congratulations to Mr Greg Edwards, chief executive officer and master of ceremonies, and the board of directors on giving club members the opportunity to participate in the annual service.

#### **TRIBUTE TO ARTHUR LYSAUGHT**

**Mr CHRISTOPHER GULAPTIS** (Clarence) [4.56 p.m.]: I congratulate Arthur Lysaught on his long and illustrious career as General Manager of the Grafton District Services Club. I commend Arthur on his 34 years of dedicated service not only to the club but also to the local community. He was involved in numerous events over a long period. I wish Arthur and his wife, Jo, a long and happy retirement together, with lots of travel and fishing.

#### **LIVERPOOL ELECTORATE LATIN AMERICAN COMMUNITY**

**Mr PAUL LYNCH** (Liverpool) [4.56 p.m.]: I recognise events held recently in the Latin American community involving constituents from the electorate of Liverpool. On 28 April a Todos Por Guatemala, or United Guatemala, event was held to raise money for relief work resulting from the November 2012 earthquake in that country. In particular, the Spanish and Latin American Association for Social Assistance [SLASA], the Spanish Catholic Mission of Fairfield, community activists and other organisations joined to help an area called San Marcos that was struggling to recover and really needed assistance. Amongst many others present I acknowledge Patricia Saavedra, Victor Hugo Munoz, Elizabeth Rivera and the member for Fairfield. On Saturday 4 May I attended an event for the El Salvadorian community. It was also attended by community members, including Jose Pena and Gerardo Diaz. Also present was Damian Alegra, a deputy to El Salvador's Legislative Assembly and a representative of the Farabundo Marti National Liberation Front. He was in Australia to consult with members of the Salvadorean diaspora on elections to be held in February next year. It was a pleasure to meet him.

#### **CHARLES STURT UNIVERSITY FACULTY OF ARTS GRADUATION CEREMONY**

**Mr BRYAN DOYLE** (Campbelltown) [4.57 p.m.]: "Be not afraid, use your learning for the public good" was the keynote address I gave at the graduation of the Charles Sturt Faculty of Arts on Wednesday. I was honoured, as a former student of Charles Sturt with an MBA, to be invited to give the Occasional Address. I was accompanied by Deputy Chancellor Ms Kathryn Pitkin and Commissioner of Police Andrew Scipione. The NSW Police Band played a musical interlude for the students. It was a great occasion to be with the many graduates, some of whom were the first members of their family to graduate from university. I reminded them of the great Australian story that they are part of: Many of us have family members around the world, and many of our relatives died in the hope that one day a family member would attend university. I was pleased to congratulate each of those students and wish them well in their future vocations.

#### **SYDNEY ELECTORATE CITIZENSHIP CEREMONIES**

**Mr ALEX GREENWICH** (Sydney) [4.58 p.m.]: I acknowledge the many new citizens that my electorate of Sydney has welcomed recently. Since joining Parliament I have participated in ceremonies conducted by the City of Sydney and Woollahra Municipal Council that have seen nearly 1,000 people become citizens in the past six months. Many have moved to Sydney, initially on 457 visas, making great contributions to the local economy—particularly in the digital sector—and then committing to the process to become citizens,

bringing their skills and knowledge to the benefit of many workplaces in my electorate. Others arrived here as refugees or asylum seekers from war-torn countries, or countries where they were victimised due to religion, gender, political views or sexuality. Sydney benefits greatly from the diversity that new citizens bring, and I hope they feel welcomed, appreciated, and respected.

### **MAITLAND REGIONAL ART GALLERY**

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [4.59 p.m.]: I congratulate the Maitland Regional Art Gallery on being shortlisted for the Museums Australia National Awards. I note that the Maitland Regional Art Gallery has been shortlisted in the temporary exhibition category of the 2013 Museums and Galleries National Awards. The gallery has also been shortlisted in six categories of the Museums Australia Multimedia and Publication Design Awards, which celebrate excellence in design and communication in the museum and collections sector. I wish Maitland Regional Art Gallery all the best for the future. It is an outstanding art gallery and I encourage everyone to visit the gallery when they come to the electorate of Maitland.

**Community recognition statements concluded.**

### **PRIVATE MEMBERS' STATEMENTS**

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#### **TRIBUTE TO DOMINIC BERNARD SYME**

**Mr PAUL LYNCH** (Liverpool) [5.00 p.m.]: I draw to the attention of the House the passing of a well-known and well-respected figure in the Liverpool area, Dominic Bernard Syme, often known as Don or Dom. He passed away on 15 April this year aged 91 years. One of his daughters said to me that he always said he would live to be 90. His funeral service was held on 19 April. He served on Liverpool City Council from 1980 until 1995, although his service on council as alderman and councillor was only one very small part of his political life, let alone of his entire life. During the last eight years of his term on council, I was an alderman and councillor with him.

Don was born on 28 October 1921 and lived at Redfern during his early years. In 1927 the family moved to Kogarah. He attended Bexley Primary School and then Marist Brothers Kogarah. Liverpool historian Beverley Donald records that his father was a New Zealand-born socialist and his mother a devout Catholic. In accord with his mother's inclinations he was an altar boy and, according to Bev Donald, began training to become a priest. However, he also helped campaign for Lang Labor. In the 1930s he joined the Australian Labor Party. In 1938 he joined the Communist Party of Australia and remained a member of that party until the party's dissolution in 1991. His funeral service featured many of his comrades from that political involvement: Jack Munday, Eric Mark, Brian Aarons, Mick Tubbs, Ken and Margaret Setter, Ray Harrison and Barbara Wright. He also features a mention in W. J. Brown's *History of the Communist Movement in Australia*.

Don was not short of physical courage. He was in the Army during the Second World War in New Guinea. He is best remembered in Liverpool, however, for other incidents. For example, he would often speak publicly against the Vietnam War in Liverpool, despite its reputation as a garrison town. One Friday night in Railway Street, near the pubs that are still there, he was doing this when he was attacked and bashed by soldiers. Predictably enough, he was the one charged with assault, not the soldiers. As Don told it, he was eventually acquitted at Liverpool courthouse when barrister Rex Patterson represented him. Patterson was also famous for being the only avowed Communist Party of Australia member to be elected to Parliament, in his case in Queensland.

Don was active in a range of other campaigns. At his funeral service one item presented was the coat he had worn into the Sydney Cricket Ground that had hooks inside it to, it was claimed, hold the flares and smoke bombs that he used to disrupt the Springboks game that was being played on that day. One of his local activities involved the campaign against sandmining along the Georges River and the consequent environmental damage. In February 1976 he was brutally and badly beaten by three men who have never been identified. Don believed that that assault was provoked by his campaign against sandmining, and there has been no credible evidence to contradict that belief.

Don had a number of electoral ventures. In 1972 he stood as the Communist Party of Australia candidate in the seat of Werriwa against Gough Whitlam. He was unsuccessful. He also contested the State seat

of Liverpool in 1989 after what is known in Australian Labor Party circles as "Liverpool Mark I", a preselection ballot involving Mark Latham and me. Don was defeated in that by-election by Peter Anderson, although it remains the only occasion on which Labor relied upon preferences to hold the State seat of Liverpool. He was, however, repeatedly successful in being elected to Liverpool council. He ran as a candidate of the East Ward Progress Association [EWPA]. It is fair to say that Don was much more politically progressive than the East Ward Progress Association generally. The person who took Don's mantle in that organisation subsequently joined and ran for the Democratic Labor Party, an organisation that represented everything that Don hated.

Don had bought a farm along Newbridge Road in 1940. In the same year he became secretary of the Associated Poultry Farmers Association and remained in that position for some considerable time. While there he met his future wife, Kathleen, who pre-deceased him in 2003. Kath was also a member of the Communist Party of Australia and just as much of an activist as Don. They were a formidable combination. They sold the farm in 1984 and moved to Hammondville. Don's time on council was marked by a strong commitment to public interests over private and his concern at the roles some developers played on council. He was committed to the protection of the environment and the anti-nuclear cause. It is impossible to summarise a life as rich as Don's. At his service, however, the family adopted a reading from Ralph Waldo Emerson that says something of Don's achievements in life:

To laugh often and much; to win the respect of intelligent people and the affection of children; to earn the appreciation of honest critics and endure the betrayal of false friends; to appreciate beauty; to find the best in others; to leave the world a bit better whether by a healthy child, a garden patch, or a redeemed social condition; to know even one life has breathed easier because you have lived. This is to have succeeded.

That is a very good description, I think, of Don's life. I described him to the media as a good bloke and a good comrade. That is also a pretty good summary of his life.

### MACARTHUR LIONS CLUB ANZAC RUN

**Mr CHRIS PATTERSON** (Camden) [5.04 p.m.]: Today I wish to speak of a wonderful fundraiser held in my electorate on Sunday 28 April, the Macarthur Lions Club Anzac Run. This fundraiser was established to raise much-needed funds to help Lifeline Macarthur in its ongoing assistance to those less fortunate and its 24-hour telephone counselling service. Lifeline in Macarthur has been operating for 33 years and in that time has answered thousands of calls from people needing help. Face-to-face counselling is also offered. The organisation operates 10 shops, which provide goods to those less fortunate in our community.

The team members who oversee the day-to-day running of the organisation are: chief executive officer Peter Mihajlovic, Maria Matriano, Catherine Forsyth, Katrina Woods, Maddie Oliver, Nada Mihajlovic, Sally Roberts, Deborah Cooke, Anthony Passlow, Nicole Solo, Shay Carter, Martin Jess, Philip Fitzgibbon, Tracey Lampard, Jacky Moore, Emylee Tuzon, Liz Seidel and Jacki Hammonds, and shop managers Michael Banasik, Jim Howe, Leanne Mauger, Colin Calder, Valerie Walker, Sue Bolton, Tracy Darrell and Marian Ison. Of course, I also say thank you very much to the very dedicated volunteers who man the phones 24/7 so that no-one will feel alone. This year the Anzac fun run saw 453 competitors running around the course at our Bicentennial Equestrian Park. This park has developed into a wonderful equine site.

In 2012 the park hosted some 40,000 visitors and saw 6,000 horses and riders competing in equestrian, pony club, camp draft, polo cross, recreation riding, Riding for the Disabled and other sporting events such as school cross-country and, of course, the Anzac Run. The dedicated committee at the Bicentennial Equestrian Park is to be congratulated on its vision for the site. It is through the commitment of its members that the committee thrives. President Phil Vale, Iain Richard-Evan, Jenny Frankum, Sandy Davies, David Head, Colin Calver, Patrick White, John Drinnan, Nicholas Sherwood, Tony Mogg, Maree Morn, Warren Grimson, David Funnell, Councillor Debby Dewbery and Camden mayor Councillor Lara Symkowiak are to be congratulated on their efforts. I pay my respects and offer my deepest sympathies to our mayor and her sister Alex—who is such an integral part of my team—and their mother, Sue, who lost their father and husband to cancer this morning. Our thoughts and prayers are with you.

The equestrian park is maintained by another wonderful group, the Camden Men's Shed. These dedicated men meet each week and take on the task of looking after the vast 100-hectare site, including mowing, weed control, tree planting and general maintenance. Without their tireless work this site would not be the pristine attraction that it is in the middle of the Camden township. I acknowledge all the members of the Men's Shed: Don Allan, Doug Almond, Bob Batten, Neil Burns, Stephen Butler, Colin Calver, Brian Coates, Patrick

Conere, Jeff Dye, Neville Kennedy, Vern King, Jeff Langtry, Les McDonald, Raymond Monahan, Peter Munns, James Norris, Clem O'Brien, Roger Smith, Peter Standen, Ron Taylor, Ken Wallace, Graeme Watson, Robert Wheeler, Garry White, Patrick White and Alan Withers.

The site will also hold its annual Paws in the Park event in October this year, which was the brainchild of our Camden mayor, Councillor Lara Symkowiak. She saw another opportunity to use the park as a fundraiser to encourage and educate local residents regarding responsible pet ownership and having their pets microchipped and desexed. This event has grown to outstanding proportions and I would encourage people to take the time to come to Camden in October, bring their dogs and join in the special walk for animals and their owners.

The Anzac Run is held each year on the first Sunday after Anzac Day, hence its name. I had the honour of starting the event this year and presenting the prize winners' medallions. Competitors were aged from 3 to 90 and over and included our patriarch of Camden Jock Wylie, who at the age of 91 entered and completed the five kilometre run in one hour and ten minutes. He certainly is an encouragement to us all. The first three over the line in the men's category 10 kilometre run were Gareth Mumby, Peter Buckley and Rhys Clarke. The first three over the line in the women's 10 kilometre run were Kayla Black, Louise Noble and Zoe Williams. Dylan Dudley and Kasey Mumby were the winners of the five kilometre run in the men's and women's categories respectively. I congratulate all competitors and thank them for their contribution to helping others in our community.

I also thank the dedicated Macarthur Lions who work tirelessly throughout our community raising money for many charities. President Kevin Chaffen, secretary Alan Dean and treasurer Ian Clarke are supported by all members of the club. My own family did the five kilometre run and walk, and I am happy to say everyone did well. My wife, Vicki, finished in 30 minutes 42 seconds, and my children's times were Tom in 24 minutes 46 seconds, Sophie in 31 minutes 58 seconds, Amelia in 46 minutes 15 seconds, and Matthew, my four-year-old, in 47 minutes 57 seconds—beating his father home.

#### **BURRINJUCK ELECTORATE COMMUNITY BUILDING PARTNERSHIP GRANTS**

**Ms KATRINA HODGKINSON** (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.09 p.m.]: Recently I travelled around the Burrinjuck electorate to congratulate the many community-based organisations that were successful in obtaining funding from the 2012 Community Building Partnerships program [CBP]. The program is greatly appreciated by local communities as it allows those projects that many consider are just wishful thinking and financially unobtainable to become a reality. To date the New South Wales Government has invested well over \$1.3 million into the Burrinjuck electorate through the Community Building Partnerships program. Recently, I was in Cootamundra and met with Bethungra on the Up committee members Kay Bird, Annette Black and Bev Sloan to congratulate them on receiving a \$5,000 grant to assist with the rehabilitation of the old tennis courts into a community facility as part of the development of a memorial park at Bethungra. I met also with Cootamundra Red Cross committee members John and Jean Dietsch, Patsy Smith, and Maureen and Allan Smith, who took me on a tour of the Red Cross shop to see how they would spend their \$4,000 to upgrade the premises.

The Cootamundra All Breeds Kennel Club has some great plans to construct a dog park adjacent to Muttama Creek. Graeme Pinney and Robyn Fowkes met with me to discuss the plans for their \$10,000 grant. David McCabe and Melinda Hambrook from the Young and District Netball Association were delighted with their grant of \$5,683 to install reverse-cycle air conditioning in the clubhouse. Then I drove to lovely Grenfell to congratulate Grenfell Guides and District leader Oriel Draffin on obtaining \$10,236 to renovate the Guides' hall. Grenfell Rifle Club member Dave McCue showed me the roof of his clubhouse, which needs urgent replacement. By this time next year the rifle clubhouse will have a brand new roof, thanks to an \$8,000 Community Building Partnerships grant.

Cowra is one of the largest towns in the Burrinjuck electorate and is blessed with a fantastic community spirit. Nowhere is this more evident than in the fantastic bunch of blokes at the Cowra Men's Shed. Last month I dropped in again on the Men's Shed to be met by secretary and treasurer, Bill Bundy, and 20 members delighted with their \$31,000 grant to build a passive recreation area. Never able to let a chance go by, after enjoying a nice cup of tea they gave me a shovel to commence digging the soil that will form the basis for the new building's foundations. The building will have a fantastic view over the south-eastern approaches to Cowra along Darbys Falls Road and the Lachlan River—the perfect spot for those older men who cannot actively participate in the Men's Shed activities due to age or ill health to sit and socialise with their mates.

Whilst in Cowra I also caught up with Scouts leaders Richard Bryant and Charlie Coulston-Knight to let them know about the \$10,000 grant they successfully obtained to help with repairs and maintenance to their group hall. After Cowra I travelled to Boorowa to catch up with Mayor Wendy Tuckerman to chat about council's plan to further develop the already inviting and peaceful Boorowa River walk with more seating, thanks to a \$6,000 Community Building Partnerships grant. In Yass I have been very supportive of the Ngunnawal Aboriginal Corporation's "Mullangar Mura—Pathway to a Healthy Life" project since local Aboriginal Elder Eric Bell spoke to me about the plans. Eric and centre manager Laurie Hutchinson were pleased to receive a \$15,000 grant to develop life skills, health awareness and training opportunities for male members of the local Aboriginal community.

Zac's Place in Yass provides social outreach to youth and non-conformist community members, as well as helping Yass High School with some youth mentoring programs. However, the building it occupies needs significant repairs, so I was delighted to announce that \$29,000 will be provided for roofing and other repairs. Manager Roz Stewart is delighted, of course, with the new opportunities this presents. Rural Fire Service volunteers always are present when needed to protect our lives and property. The fires that ravaged the Burrinjuck electorate following the 8 January catastrophic fire danger rating again highlighted their courage. The \$14,081 Community Building Partnerships grant to help with the fit-out of the Murrumbateman Volunteer Fire Brigade fire station goes some way towards recognising those valiant efforts on behalf of the community.

I visited Crookwell Showground to present a cheque to A. P. and H. Society president Tony Hewitt. Along with Tony, I met Barry Murphy, James Evans and councillors Malcolm Barlow and Paul Culhane. They were happy to receive a \$29,000 funding grant from Community Building Partnerships to upgrade the Dome Pavilion at the showground. While there I caught up also with Ruth Stuart, David Colquhoun, James Evans, Lenny Stewart, Claude Riley and Gordon Stewart from the Goulburn Crookwell Heritage Railway group, who likewise were delighted with their \$8,000 grant to help build a shed for the tram and workshop at Crookwell railway yard. I have spent many hours and attended many functions in the Gunning Community Hall at the showground, but the building needs a significant upgrade of its fire safety and electrical equipment.

Upper Lachlan shire mayor John Shaw and general manager John Bell were very happy to receive a \$15,000 grant to carry out necessary work on the hall. The Burrinjuck electorate is blessed with local communities, some of which are very small and imbued with great community spirit but face difficulty in raising large amounts of money. Travelling around the Burrinjuck electorate I found the community's dedication to helping neighbours marvellous and refreshing. I thank them for their unstinting dedication and congratulate them on their well-deserved funding.

### **WEST DAPTO AND DAPTO ROAD INFRASTRUCTURE**

**Ms ANNA WATSON** (Shellharbour) [5.14 p.m.]: Last week I took the opportunity to acquaint the House with the traffic congestion problems in the Dapto central business district and at West Dapto. This evening I wish to continue those comments and highlight the importance of additional road funding to stimulate local economic activity. The road improvements that form part of the comprehensive package under Wollongong City Council's West Dapto Initial Access Strategy are estimated to cost in the order of \$72 million to complete. Recently, council called for design work to be undertaken to link Fowlers Road to Fairwater Drive at Dapto. The New South Wales Department of Planning and Infrastructure has provided \$600,000 towards this important work. Once this work is completed, we should have a far better idea of the full cost to link Fowlers Road to Fairwater Drive.

No doubt the work to construct this road link will be very expensive. It is outrageous that nearly four years has been wasted since the wrong and short-sighted decision of the former council administrators, on the advice of the NSW Growth Centres Commission, to shelve the Fowlers Road bridge project. Nonetheless, the work needs to continue to upgrade and improve the West Dapto road network. The fact is that this necessary work cannot be undertaken or financed by council alone. Councils across New South Wales have the same problem—a backlog of infrastructure projects, and Wollongong City Council is no different. For this reason, I remain mystified by the decision of the New South Wales Government to not include the Wollongong local government area in the Resources for Regions program. The Wollongong local government area has within it three working coalmines and is surrounded by numerous others over the Illawarra escarpment, the product of which makes its way to the Port Kembla Coal Terminal for use in the steelworks or export. I cannot grasp how this State Government could forget to include it.

The member for Kiama belled the cat on i98FM radio last week. He said that the Government forgot to include the Wollongong local government area as an oversight. It was no oversight. This was the New South

Wales Liberal Government doing what it does best: forgetting the Illawarra and playing political games. The member for Kiama is wrong to suggest in one of his notices of motions that my Illawarra Labor parliamentary colleagues and I said nothing. We made representations to the Minister requesting an obvious explanation. The Minister knew what was coming and how inexplicable it was for the Wollongong local government area to not be included in the program. So he quickly called an inquiry and learned that the Wollongong local government area was indirectly affected by coalmining activity. Who would have thought?

The Minister had not done the right thing and included the Wollongong local government area in the program. However, he recently overturned that decision to include the Wollongong local government area, which is the proper decision. The Minister now can do the appropriate thing and hand over a cheque to Wollongong City Council to help pay for the road upgrades to West Dapto and Dapto. I have spoken to the Lord Mayor of Wollongong City Council, Councillor Gordon Bradbury, and encouraged him to apply for funding under the Resources for Regions program. The Lord Mayor has indicated that council will indeed take up my suggestion. Aside from the Fowlers Road and Fairwater Drive link, a great need exists for the construction of on and off ramps to access the F6 Freeway at Emerson Road, Kanahooka, and Fowlers Road, Dapto. It is simply not viable to funnel traffic through the Dapto central business district for motorists to access the F6 Freeway.

The pinch points throughout the Dapto central business district can be alleviated by constructing those on and off ramps. The estimated cost of undertaking this work at the interchanges I have mentioned is likely to be up to \$70 million. This brings me to the bigger infrastructure project of the Albion Park Rail bypass. The Minister for Roads advised me that the \$100,000 study into the bypass will now be brought forward and completed in mid-2013. The House will recall that the study was funded last June. A desktop study—which is all it is—should not take 12 months to complete. I suspect the study will say nothing new, but I welcome its completion. The Albion Park Rail bypass is likely to cost up to \$400 million to construct. It will cost even more given that associated works will need to be done to the Illawarra Highway and Tongarra Road.

I noted the *Daily Telegraph* yesterday indicated in a report that infrastructure projects in New South Wales were heading into a perfect storm. According to the Civil Contractors Federation there may be massive blowouts, delays and even shelving of projects as capacity needs to increase by up to 70 per cent. The federation suggested that smaller shovel-ready projects get underway now to boost labour force numbers and improve skills. There are a few such projects in my electorate that could benefit from this approach. I urge the Government to make the funding available under the Resources for Regions program and the \$100 million funds—*[Time expired.]*

#### CLARENCE ELECTORATE CANCER COUNCIL FUNDRAISING EVENTS

**Mr CHRISTOPHER GULAPTIS** (Clarence) [5.19 p.m.]: It is with pleasure I inform the House of two Cancer Council events that were staged in the electorate of Clarence in the past month. The first was the Casino Relay For Life, which was held last Saturday in absolutely magnificent conditions at Queen Elizabeth Oval in Casino. Over 520 participants and 45 teams took part on the day, raising approximately \$39,000. It was a fabulous day and I was pleased to be there with the member for Lismore, Thomas George; the Mayor of Richmond Valley Council, Ernie Bennett; and the Mayor of Lismore, Jenny Dowell. I was really pleased with my own team, which included Kevin Hogan, The Nationals candidate for the Federal seat of Page, Tony Sarks and Henry Travers. We very much enjoyed our time with cancer survivors and carers and the community in general.

John Seccombe gave a moving speech about his battle with cancer for some 14 years. He was given a negative prognosis by his doctors but 14 years later was told he had beaten cancer. That is the message that comes from events such as the Relay for Life—it is a long battle for life but there is support in the community and there are treatments if the cancer can be caught early. It was a wonderful message conveyed to participants on the day. I acknowledge the committee for Casino Relay For Life: Annette Benn, Caroline Harris, Jo Piccoli, Julie Brus, Jenny Scully, Andrew Bartlett, Flora Neilson, Karen McDonald, Trudi Hilton, Helen Gill, Kay Wilson, Bridget Benn and Tiffany Benn.

The other event staged was in Yamba. A charity masked ball was held on 6 April at Yamba Bowling Club, which was attended by 155 guests. There was a tremendous amount of support from the whole of the lower Clarence Valley community and more than \$11,000 was raised for the Cancer Council. It was a fun night, but again we heard many moving stories about personal challenges that many people have faced with cancer. I acknowledge the Yamba Relay For Life committee: Lorraine Breust, Neil Drummond, John Ordish, Paul Ordish, Carol Ordish, Victor Doe, Ruth Fletcher, Wendy Smith, Peter Smith, Steve Jenner and Gaewen

Dickenson. These people have given victims of cancer in the Yamba community a tremendous amount of support and they are also providing support for carers. I commend their work and thank them on behalf of the community.

### SHOALHAVEN CITY COUNCIL CLOSED-CIRCUIT TELEVISION CAMERAS

**Mrs SHELLEY HANCOCK** (South Coast—The Speaker) [5.24 p.m.]: I speak about the contentious issue of closed-circuit television cameras [CCTV]. I am sure you, Mr Acting-Speaker Ward, will be very interested about this issue. I say at the outset that I am a very strong supporter of closed-circuit television [CCTV] cameras as a deterrent to offenders, as a tool in the detection of offences that have occurred and are occurring, and also, most importantly, as a tool in the apprehension of offenders. We have seen that occur in Australia and overseas recently. I said in my opening comments that it was a controversial issue and it has been controversial in the Shoalhaven area over the past four years, not just the past week. The issue dates back to 2008 when Shoalhaven City Council was successful in applying for a grant of \$150,000 from the Commonwealth Government to install 18 security cameras in the Nowra central business district. This followed a number of incidents of vandalism, crime and graffiti. I note that Mr Acting-Speaker Ward was on the council at the time and he was a huge supporter of obtaining the grant and moving the project forward; I certainly praise him for that.

The CCTV system is currently owned and operated by Shoalhaven City Council. The NSW Police Force is a partner in the scheme as the reception, recording and viewing equipment is installed at Nowra Police Station, and rightly so. Appropriately, a memorandum of understanding was signed between the NSW Police Force and Shoalhaven council. It outlined the responsibilities of both the council and the NSW Police Force. The main objectives of the project are to reduce the incidence of crime and antisocial behaviour in the Nowra central business district through the installation of the camera system; to increase the perception of Nowra's central business district as a safe place, which was extremely important to me at the time; and to reduce the fear of crime amongst business operators and the community. It was also to enhance the availability of evidence to police to identify offences as they occur and to identify the perpetrators of offences that are committed in the locations monitored by CCTV cameras. The Nowra central business district project operates in accordance with a strong code of practice and standard operational procedures.

Following the installation of the cameras, however, one individual brought an action against Shoalhaven City Council in the New South Wales Administrative Decisions Tribunal claiming council did not have the authority to operate and monitor the cameras. Pleasingly, at the time the tribunal dismissed the case but subsequently an additional case was brought to the tribunal by the same individual, who claimed that the cameras breached his right to privacy under the Privacy and Personal Information Protection Act 1998. Last week, unfortunately, the New South Wales Administrative Decisions Tribunal found in favour of the claimant and ordered Shoalhaven City Council to immediately turn off the CCTV network in Nowra.

The community, the council, the member for Kiama, who is currently in the chair, and I were absolutely appalled and disappointed by the tribunal's decision. We learnt of this outcome this week. But I am gratified that the New South Wales Government has taken swift action. The Government did not wait. Premier Barry O'Farrell immediately committed the Government to review this remarkable decision and sought advice from the Attorney General as to the changes that could be made to the Privacy and Personal Information Protection Act 1998 to exempt councils and allow the operation of CCTV cameras in local communities.

I am aware that the member for Kiama was involved in all of those discussions. I acknowledge the efforts of the member for Kiama, who, as a former councillor on Shoalhaven City Council, worked hard to ensure the installation of CCTV cameras in the Nowra central business district and now as a member of this place has worked with me, the Premier and the Attorney General to review this decision and ensure that it is overturned so that any loopholes are forever closed, not just for Shoalhaven City Council and Nowra but for anywhere in the community where this situation arises. I also acknowledge the Federal member for Gilmore, Joanna Gash, who was instrumental in securing the original grant from the Commonwealth and who spoke out on behalf of her community to raise her opposition to the tribunal's decision.

As members know, the Premier has announced that the Government will be drafting urgent regulations, hopefully to come before this place next week, with a view to having those cameras turned on at the end of next week. Simply put, this regulation will close a loophole that has been discovered in the legislation. Councils will still be subject to other requirements under the privacy legislation to ensure the use of CCTV is not unregulated. We do not want there to be no regulations in respect of privacy. They will still comply with all other

requirements. It is expected the regulations will be in place by the end of next week. I note the support of the Police Association and the local police, who also acknowledge the importance of cameras as a tool for the deterrence of crime as well as for the apprehension of serious offenders—results that we have seen throughout the State and certainly in the Shoalhaven City Council area.

### WYONG ELECTORATE ANZAC DAY SERVICES

**Mr DARREN WEBBER** (Wyang) [5.29 p.m.]: As a member of Parliament I am privileged each year to be invited to attend a number of Anzac Day services in the Wyong electorate. I note that the position I hold in this democratic Government owes its existence to those whom we acknowledge on Anzac Day. This year I was pleased to attend the annual Dawn Service organised by the Toukley RSL Sub-Branch, and the memorial services and Anzac Day activities that followed throughout the day in Wyong. On the Sunday morning prior to Anzac Day I was also able to attend a very special Anzac Day service held at the Wallarah Bay Recreation Club memorial.

Every year it seems that more and more people come to these services, and this year was certainly no exception. Record crowds attended all the Anzac Day services throughout the Central Coast and I was particularly heartened to see the number of young people and families who attended. Main Road, Toukley, had to be closed to accommodate the crowds attending services and celebrations. People came together to pay tribute and to thank the men and women who fought to protect and enhance the democratic freedoms we, along with many other countries across the globe, enjoy as a nation today.

I take this opportunity to thank the members of the Toukley RSL Sub-Branch, the Wyong RSL Sub-Branch and the Wallarah Bay Recreation Club for their efforts in organising these memorable Anzac Day Services. I know it takes many volunteers a great deal of time and effort to ensure that everything runs smoothly, and at all the services this year that was the case. I pay particular tribute to the many local veterans and their families who made a special effort to ensure that all local services were well attended. Thank you to the many other community and school groups who also attended these services and ensured that many young people in their Scouts, Guides and school uniforms were able to also pay their respects to our wonderful veterans.

I saw a number of young people proudly wearing the service medals of family members who are sadly no longer with us. It is truly inspiring to see that the younger generation, not only on the Central Coast but throughout Australia, have embraced Anzac Day as a true national day of remembrance and recognition of our brave service men and women. Anzac Day, 25 April, marks one of the most significant dates on the national and international calendar. Anzac Day, Australia's national day of remembrance, commemorates and acknowledges all Australians and New Zealanders "who served and died in all wars, conflicts, and peacekeeping operations" and "the contribution and suffering of all those who have served". Anzac Day also remembers the first landing of the members of the Australian and New Zealand Army Corps at Gallipoli during World War I.

When we commemorate the 100th anniversary of the Gallipoli landing in 2015 it will be important to note the evolution of Anzac Day. Anzac Day now recognises the involvement of those who fought in the world wars, conflicts in Korea and Vietnam, operations closer to home such as East Timor and of course recent efforts in the Middle East where we continue to have a very strong and crucial presence in Afghanistan and Iraq. Through all these conflicts Australia has shared the burden of war to protect the basic fundamental elements of democracy. We are a stronger nation in a more stable world due to the contributions of those Australians who have served this nation during times of war.

As we remember the battles and sacrifices that were made, we as a community commemorate Anzac Day in many different ways. Some attend services in their local communities and many spend the day with families and friends and enjoy a barbecue, a drink and the odd game of two-up. No matter how people celebrate Anzac Day there is one constant, that is, friends, family, mateship and the sense of being part of the greatest country in the world, enjoying the freedom and lifestyle that so many have fought to protect. I also take this opportunity to thank the service men and women who are currently serving Australia both at home and overseas. Those who are currently serving overseas risk their lives every day for us and I pray that each and every one of them returns home safely to their family and friends as soon as possible.

In closing, I again thank the Central Coast community for coming together to recognise and support our local veteran community on this important day. I make special mention of the *Central Coast Express Advocate*,

which wrapped the local newspaper in a commemorative front page to ensure that everyone knew when and where the most convenient Anzac Day service was for them. I know that Anzac Day continues to be a special event for all Australians now and will be so for future generations.

### THE HILLS COMMUNITY EVENTS

**Mr DAVID ELLIOTT** (Baulkham Hills) [5.33 p.m.]: I acknowledge the contribution of the member for Wyong on the role of the RSL sub-branches in commemorating Anzac Day. The member failed to mention the peacekeepers who served on Bougainville Island, such as the member for Lane Cove and me. I know he also has respect for the peacekeepers. Two community events took place in The Hills district over the course of the past week: the Hills Relay for Life and The Hills Rotary awards which took place last Saturday and Sunday and Monday night respectively. Both of these events are becoming cornerstones of The Hills community calendar and are much-loved across the district. I recognise the member for Hawkesbury in the House, who joined me on a beautiful Saturday morning to commence the Relay for Life at Wrights Road Reserve, Castle Hill. Wrights Road Reserve is on the corner of the electorates of Baulkham Hills, Hawkesbury and Castle Hill and not far from the electorate of Riverstone.

The Hills Relay for Life has been running—pardon the pun—for 12 years. It runs for only 24 hours once a year and it continues to go from strength to strength. This weekend the Hills Relay for Life managed to raise well in excess of \$320,000 in 24 hours. I pause to highlight to members that on Saturday morning when the member for Hawkesbury and I were at the launch the organisers said that they were hoping to achieve a personal best for this relay and raise \$240,000. They beat that figure by 33 per cent. The event raised an absolutely staggering amount of money. It is a wonderful contribution to the cause of cancer research. It goes towards life-saving research that will one day lead to many lives being saved. I acknowledge the member for Macquarie Fields who has attended a number of Cancer Council events with me.

Members will know that money raised by the private sector for research often provides better bang for your buck than government grants because there are fewer strings attached, which allows researchers to push the envelope. The wider Hills community should be commended for the tremendous outpouring of support for this cause. Each year the Hills Relay for Life not only raises a lot of cash for cancer research but it pulls together sections of the community for a day of fun and festivities. This year's *Star Wars* theme went down a treat. The event was run successfully at the new venue of the Wrights Road Reserve.

I draw to the attention of the House two acts of support that were noteworthy: 77 brave people had their heads shaved for cancer research. It is a world record and we are waiting for confirmation from the Guinness World Records. I commend the contribution of Jeff Lowe, a councillor, who managed to walk for the entire 24 hours. In the last year Jeff's sister, who lives in the United Kingdom, tragically became a victim of cancer. The Hills Relay for Life committee should be commended for all their efforts in achieving this stellar result. The Hills Relay for Life is a special event that brings our community together. Few charities have such a wonderful claim to success as the Hills Relay for Life.

The Hills Rotary Awards are another fabulous community event. On Monday night the Rotary Club of The Hills-Kellyville hosted its Pride of Workmanship and Community Service Awards function. This was an excellent opportunity to recognise the invaluable contribution of people right across our community. I commend the Rotary Club of The Hills-Kellyville for hosting this excellent awards evening. Among the Community Service Award winners were Paul and Jennifer Leone, Oliver Gadista-Muso, William Clarke and year 12 student Yanik Fernando. The Pride and Workmanship Awards were won by Trent Burnett, Brooke Dempsey and Dr Stephen Pak, a local dentist who had an extraordinary tale to tell. I congratulate all the award winners and thank them for their continuous contribution to the community. I commend the Hills Relay for Life and the Rotary Club of The Hills-Kellyville and look forward to their ongoing and much appreciated contribution to the community.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [5.38 p.m.]: I join in congratulating all the participants in relation to The Hills Relay for Life. I congratulate the organisers of the Hills Relay for Life and the mayor, Michelle Byrne, who has been an exceptional supporter of the event. This was the twelfth running of the Hills Relay for Life and over those 12 years it has raised in excess of \$2.3 million. It has been a wonderful concept since its inception. I participated in the first running of the Hills Relay for Life on the Castle Hill showground. Only five councils participated in the first Hills Relay for Life and The Hills Shire Council was one of those. To this day the organisation continues to do exceptional work, supported strongly by the council and the committee. I encourage all the participants to continue the great work they do raising money for cancer research.

## DIABETES INSULIN PUMPS

**Dr ANDREW McDONALD** (Macquarie Fields) [5.39 p.m.]: I speak on behalf of Allison McPherson of Hoxton Park, who came to see me this week with her father, Mick Micallef. Allison, who is aged 43, has had diabetes since the age of four. It is a tribute to her mother and father that only minor complications are associated with her diabetes. Unfortunately, Allison's diabetes was recently judged by her employer, the Insurance Australia Group [IAG], to be related to the development of carpal tunnel syndrome in the wrist. Because of persisting symptoms, Allison's employment contract was terminated by the Insurance Australia Group even though she had worked for her employer for 23 years. There is still a dispute in the medical profession about the effects of diabetes on carpal tunnel syndrome. As a result of this dispute and the ongoing court case, Allison, a single mother with two young daughters, is now unemployed and living off savings.

Allison's older daughter, Carmen, saved her life in October last year when Allison collapsed from hypoglycaemia. Carmen received a well-deserved bravery award from Liverpool City Council for her action. Allison's life has dramatically improved since she started to use an insulin pump in March this year; she is feeling better and requires much less insulin. The \$9,500 pump was paid for by Bupa Australia Pty Limited because, despite Allison's significant financial difficulties, she has managed to maintain her private insurance payments. However, Allison is still \$30 out of pocket every month for consumables. For an extra \$1,300, which Allison does not have, she can purchase a continuous blood glucose monitor to accompany the pump. That would mean she would no longer need to do the eight finger pricks every day that is required for anyone who uses an insulin pump.

With modern technology it is also theoretically possible for the systems to be installed with a feedback loop between the transmitter and the pump, which would monitor her blood sugar and insulin infusion rates and immediately highlight any shortcomings with insulin control. Whilst this technology appears expensive, the dramatic improvement in Allison's long-term outlook would make this cost effective. If Allison's control over the next 15 years is not as good as it is now she will develop complications associated with diabetes such as kidney and eye disease. Eventually that would mean the use of a dialysis machine, blindness and early death. This is a preventable tragedy in a young woman who has young children.

I raise Allison's case because it focuses on the wider issue of insulin pumps. Although these pumps are effective, the funding for them is completely ad hoc. Up to 40 per cent of children with diabetes statewide use insulin pumps and an increasing number of adults could also benefit from them but are not receiving them. The main culprit is the ongoing Federal and State governments blame game concerning the provision of health aids such as insulin pumps. As a result of this Government's failure to provide universal healthcare, many people such as Allison will be put at risk of developing early complications, resulting in economic loss for us all because they will not be able to work and will require expensive treatment.

Providing education about the use of the pumps is an issue for parents of young children. On average, each patient requires 13 to 14 hours of education which is funded largely by the New South Wales Government. The pumps are good in the right hands but only with extensive education for an appropriate selection of patients. Underfunded education means that many of the education units are unable to teach people how to use the pumps. In December last year the children's education unit at Campbelltown closed. Funding for juvenile diabetes research ran out in August last year so the insulin pumps are not available to those families that cannot afford them.

I urge the Minister for Health to increase funding in the next budget not only for insulin pumps but also for the education that is needed to use the pumps. The benefits will be substantial. These pumps cost \$9,500 and they last for three to four years. As a cost-saving measure some health funds are restricting the use of the pumps to those with top cover. Some companies do what they can, but Australia is a rich country with one of the lowest death rates in the world. The child diabetes epidemic will continue. Although the widespread use of insulin pumps incurs an up-front cost, over the years it will save many health dollars and the lifespan of these children will be increased. I call on the Federal and State health Ministers to resolve the insulin pump issue so that they are available when needed rather than to those who are lucky or have the ability to pay for them.

## TOCAL FIELD DAYS

**Ms ROBYN PARKER** (Maitland—Minister for the Environment, and Minister for Heritage) [5.44 p.m.]: It is with great pleasure that I inform the House of a highly commendable milestone for an annual event in the Maitland electorate, the Tocal Field Days. Last weekend I joined the tens of thousands of visitors

who converged on the Tocal College C. B. Alexander campus to attend the thirtieth anniversary of this agricultural showcase. For three decades the event has provided an opportunity for big and small farming enterprises across the Hunter Valley and in neighbouring regions to touch base and establish what is happening in their industry. It has also enabled those who live in urban areas in the Hunter to get a feel for what is happening on the farm. Tocal Field Days are unlike most other rural events. The event is not held at a showground or on a field day site but rather within the grounds of a working property and an agricultural educational institution.

Tocal College is run by Industry and Investment NSW whilst being assisted also by the C. B. Alexander Foundation, Friends of Tocal, Tocal Students Association, Tocal Ex-students Association, Tocal Field Days Association and the College Advisory Council. It is situated in a picturesque location just north of the Maitland township only minutes from the village of Paterson in an area steeped in Australian colonial history. I am also delighted that it is located in my electorate. Agricultural activity started at Tocal in the 1820s with the National Estate-registered Tocal Homestead built in 1841. The Alexander family, which purchased the property in 1926, were the fourth owners of Tocal. When the youngest son, Charles Boyd Alexander, died in 1947 he left a large estate and a complex will. The intent of his bequest was that the estate be used to help orphaned and destitute children by training them for agricultural careers. In 1963 the Equity Court awarded C. B. Alexander's will to the Presbyterian Church and the C. B. Alexander Presbyterian Agricultural College started to take shape.

Opening in 1965, the college received the Sulman and Blackett awards for architecture. As Minister for Heritage, I recently ensured that the significance of these buildings will continue to be recognised by having them listed on the State Heritage Register. C. B. Alexander's vision to train young people for a career in agriculture is not only being lived out through the day-to-day college educational activities but also being fostered by the annual field days. As one wanders around the college grounds during field days the sense of enjoyment from children and their families is quickly felt as they come face to face with animals of all shapes and sizes—alpacas, buffalo, brumbies, beef and dairy cattle, chickens, ducks, goats and horses, and I cannot leave out the racing pigs that wow the young and old. For some of these children it represents a day out to see farmyard animals up close, and for others it could sow the seed for a future career path in agriculture or even veterinary science.

The key to the Tocal Field Days 30 years of success has been the ability of the college and Department of Primary Industries staff to work together and hold an event that is both relevant and informative for its agricultural stakeholders and the community. The focus this year was on the dairy industry but many places have been in the spotlight since 1984. Feature topics of Tocal have included alternative land use, environmentally friendly living, trees for pleasure and a wide range of agriculture issues. It is an expanding list that builds on a proud heritage that began with lectures on pests, farm animals, plants, mud brick buildings and fencing. The field days have experienced growth in a variety of ways. A crowd of 7,000 attended the initial weekend event, which has increased over the years to as many as 30,000 over three days. Schools are encouraged to visit on the Friday. Activity sheets are given to students to complete, which connect their experience with key learning areas of the curriculum.

An event like the Tocal Field Days requires dedication to the cause. I was honoured to be able to make a small presentation to Wayne Courtney, Treasurer of the Tocal Field Days Association and college registrar, on his 25 years of outstanding service to the field days. I congratulate Tocal College principal Cameron Archer, Tocal Field Days manager Wendy Franklin, and her assistant Carol Cairney on their professional organisation of the event. I was delighted to present Wendy and Carol with awards as well. Additionally, I acknowledge the many individual organisations and businesses that put their efforts behind the Tocal Field Days to make the three days a huge success. May the future of the event continue to build on what has already been achieved and continue to add to the legacy of C. B. Alexander, which is now entrusted to the people of New South Wales. I encourage all members to come to Tocal Field Days next year and experience the country life that we in Maitland enjoy so much.

#### **ELOUERA SURF LIFE SAVING CLUB**

**Mr MARK SPEAKMAN** (Cronulla) [5.49 p.m.]: I was pleased to join the Minister for Police and Emergency Services, the Hon. Michael Gallacher, for the recent presentation of New South Wales's first Water Safety Recognition Certificate to Elouera Surf Life Saving Club and its major sponsor, the Sutherland District Trade Union Club, otherwise known as Tradies. This award was made on the recommendation of the Water Safety Advisory Council. Importantly, the award is the first of its kind to be presented in New South Wales. It recognises, in particular, the outstanding work of volunteers in the popular surf awareness clinic over 31 years.

Surf awareness clinics teach important risk-reduction strategies and provide a social context that promotes personal responsibility and teamwork. The program is unique and its benefits to young people are immeasurable. Each January the week-long Surf Awareness Clinic teaches children aged 7 to 12 basic surf awareness and skills, first aid and sun safety. This year's clinic involved around 250 children and 130 volunteers, including representatives of the NSW Police Force and Cancer Council NSW. Significantly, as the *St George and Sutherland Shire Leader* reported, throughout the program's 31-year lifespan more than 11,000 children from across the State, interstate and overseas have taken part.

The story of the program's genesis is a simple one. Elouera club member Basil Lewis spoke at the presentation of how he had noticed children who were swimming struggling with seaweed and rips. He convinced the company for whom he worked to sponsor a clinic, which was subsequently held in 1982 and has continued each year thereafter. Tradies took over sponsorship in the 1990s. At the presentation Elouera surf club executive director Peter Carney and Tradies director Bob Sharkey also spoke about the importance of the program. It should come as no surprise to members of this House that beach and surf culture is pretty big in my electorate. Unfortunately, there are risks and hazards associated with swimming in the surf and it is vital that people understand from a young age how to recognise these risks and avoid danger.

In 2011-12 there were 55 drowning deaths at Australian beaches. Men accounted for 89 per cent of all people who drowned at beaches and the 25-to-34-year age bracket is significantly overrepresented in these statistics. This suggests that water safety is not just about swimming ability but that risk-taking behaviour, such as swimming in non-patrolled surf beaches or in hazardous waters, plays a big part in drowning deaths. For this reason, young people should be taught how to identify common hazards like rips and strong currents and to make responsible decisions in the interests of their safety. We will never know how many lives have been saved by the skills taught at the surf awareness clinics.

While I have the attention of the House, I note that construction on the Elouera Surf Life Saving Club outdoor stairs and landing has been completed, thanks in part to \$45,000 in funding from the New South Wales Government through the 2011-12 Community Building Partnerships program. I was delighted to join club patron Brian Thompson and club executive director Peter Carney in cutting the ribbon on the new extension on the same day as the certificate presentation. Elouera Surf Life Saving Club has come a long way from its humble beginnings as a tent on the beach in 1966 to the modern and well-used facility we enjoy today.

Of particular note is that Elouera lays claim to having won almost every surf lifesaving title, including district, branch, metropolitan, State, national and international titles. Elouera's excellence in surf lifesaving is testament to the outstanding contribution and dedication of education staff who train hundreds of prospective and veteran lifesavers, as well as of club members and other volunteers in the community. I was privileged to be a part of the awards presentation, which was yet another milestone for the Elouera Surf Life Saving Club and I commend the club on its ongoing commitment to water safety.

### **PITTWATER WORKFORCE SKILLS**

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [5.54 p.m.]: We need more high rise in our suburbs, more skilled jobs in our central business districts and better ways of linking the two—so suggests a new report released by Melbourne's Grattan Institute this week. In "Productive Cities", Jane-Frances Kelly and Peter Mares argue that existing settlement patterns in metropolitan areas do not reflect contemporary economic realities or community desires. A reliance on traditional Euclidian land-use zoning has locked our cities into geographic ghettos where people in outer suburbs are denied access to high-skill jobs and education.

The authors argue that knowledge-intensive activities are always attracted towards central business districts so that government efforts to incentivise the location of high-skill jobs in outer suburban or regional areas are largely destined to fail. The solution presented is to intervene in local planning laws to increase residential densities in areas close to existing employment agglomerations and to improve transport links to high-employment areas. The thesis is well-argued and elegantly presented.

The only problem is that, at least in the case of Pittwater, it is wrong. Pittwater is an outer metropolitan area of Sydney that has long suffered from weak transport linkages and is generally characterised by low-density development along steep hillsides and coastal floodplains. If the conclusions of the Grattan Institute report are applied to Pittwater, our community should have a low-skill workforce, with any high-skill workers having little option but to travel into the central business district to find appropriate employment. Yet the reality

of Pittwater's local economy is wildly different. Pittwater contains all the ordinary service-based industries that could be expected in an outer suburban location, such as those represented by local chambers of commerce in Narrabeen, Mona Vale, Newport and Avalon.

Pittwater also has a range of specialist businesses because of its maritime history, with shipwrights like Stewart Shipwright Services and Rowell Marine, and marina complexes like Quays and Holmeport on the southern shore of the Pittwater and the Royal Prince Alfred Motor Yacht Club, Royal Motor Yacht Club, Careel Bay and Palm Beach marinas on the eastern foreshore, just to name a few. All these businesses rely on highly skilled employees. In direct contradiction to the Grattan Institute findings, Pittwater also supports a range of large, even global, businesses. In pharmaceuticals Pittwater is home to large corporates such as PharmaCare, which Toby Browne grew out of a small local warehouse into an integrated global business employing 250 staff at a new purpose-built, 15,000-square metre warehouse and office building in Warriewood, and Blackmores, a large publicly listed pharmaceutical company employing 400 staff at a new building in Warriewood that opened in 2009.

An example of another industry is Pandora Australia, which Karin Adcock grew from a garage in Avalon in 2004 to become one of the biggest employers in Pittwater, with over 300 employees supplying product to more than 600 retailers across Australia. Yet another example is provided by the Houden family, whose point-of-sale technology business has grown from a garage in suburban Elanora to become one of Australia's leading point-of-sale software developers at large office premises in Mona Vale. NewportNet at Newport Beach is the result of Simon and Karen Bond's vision for a new co-working habitat, which provides shared office spaces for all sorts of high-skill workers to work together independently in an inspiring, collaborative environment that boasts upload and download fibre optic internet connectivity far faster than that promised under the baseline for the vaunted national broadband network.

High-skill businesses using this space include RBS Morgans and an innovative online wine business, Naked Wines Australia, operated by Luke Jecks, which employs more than 20 people and connects wine consumers directly with regional winemakers. If we were to apply the case study of Pittwater to the Grattan Institute report we could draw three conclusions: first, it is simply not uniformly correct to assume that high-skill jobs will naturally agglomerate into centralised locations. Every city is different and the assumptions in the report simply fail to accommodate the unique topography and geography of Sydney's suburbs. Second, the costs of retrofitting mass transit into outer metropolitan areas are vast and, as the law of congestion would suggest, building more roads will simply lead to more cars as more development opportunities are opened up so that the underlying access problems remain. Third, the idea of increasing residential densities to build deep labour markets might sound reasonable but it fails to ask why people choose to live in different areas.

Many of the people I represent live in Pittwater precisely because of its unique coastal environment, its canopy of spotted gums and space for children to grow and play. Many high-skill people choose to live and work in Pittwater precisely because of its urban form. Government intervention in planning to change the urban form of the area may actually damage the features and attributes that encouraged people to make their homes in Pittwater in the first place. I think Pittwater provides a case study of how decentralised employment can work effectively. The concept of people working closer to home helps foster strong local bonds, provides opportunities for local volunteerism, liberates hours otherwise spent commuting and saves governments from the huge infrastructure costs of trying to transport an entire workforce vast distances to centralised workplaces.

#### **SHOALHAVEN CITY COUNCIL CLOSED-CIRCUIT TELEVISION CAMERAS**

**Mr GARETH WARD** (Kiama) [5.59 p.m.]: I commend Premier Barry O'Farrell on his recent decision on the use of closed-circuit television cameras. Madam Speaker, I acknowledge the statement that you made earlier this evening and I join you in commending the Government for its swift action. You and I work together on many issues that affect our communities, and this was an occasion on which we worked together to ensure that common sense prevailed. When I was a councillor on Shoalhaven City Council I took up the cause of residents and businesses to have closed-circuit television cameras installed. That campaign followed a spate of antisocial behaviour and vandalism in the Nowra central business district. I circulated petitions and progressively tabled them at the council. After liaising with you, Madam Speaker, and the Federal member for Gilmore, Joanna Gash, the former Howard Government provided a grant for the installation of closed-circuit television cameras.

Soon after, local resident Adam Bonner—who brought an action in the Administrative Decisions Tribunal—started a public campaign to have the cameras removed. Mr Bonner made an application to have the

tribunal's decision overturned, but it failed. He then made an application under the Government Information (Public Access) Act to obtain footage of him captured on the council's cameras. Putting aside that Mr Bonner has had no issue posing for photographs for the local newspaper as part of his media campaign, I am all too aware of Mr Bonner's opposition. The community was also deeply disappointed about Mr Bonner's decision to appeal the decision. In fact, his action cost ratepayers about \$100,000. One individual put his privacy ahead of the good of the rest of the community. Shoalhaven City Council argued in the second case that section 24 of the New South Wales Local Government Act gives councils the authority to operate a closed-circuit television camera system. The section states:

... Council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law.

While the Administrative Decisions Tribunal seems relaxed about police utilising closed-circuit television camera footage, the tribunal has rejected the notion that section 24 of the Local Government Act gives the council sufficient scope to utilise cameras for law enforcement. Interestingly, the judge was satisfied that section 24 did allow the council the opportunity to conduct "crime prevention" activities, but not "law enforcement" activities. Obviously the judge has not received a parking ticket for some time. As I said, Shoalhaven City Council secured a grant from the Howard Government to install closed-circuit television cameras in the Nowra central business district. I admired the Howard Government for instituting that program and I note that Tony Abbott has stated that it will be reinstated if he becomes Prime Minister.

The closed-circuit television cameras, footage and equipment are the property of Shoalhaven City Council. While I certainly believe that individuals have a right to privacy, in the case of activities in public places there is a competing need for public safety. While some may see closed-circuit television cameras as an invasion of personal privacy, there is in my opinion a greater public need and interest in safety and security. Closed-circuit television cameras act as a deterrent to crime and provide a very useful evidence-gathering tool when crimes have been committed. While the cameras may not prevent crime, they are part of the tapestry of measures that police can use to pursue justice expeditiously.

Civil libertarians forget when arguing the statistical evidence about closed-circuit television cameras and crime prevention that many crimes would never be solved if it were not for the undeniable evidence that they can provide. The camera never lies. The Boston terrorists may well have gone on to kill more innocent people if it were not for vital evidence captured on closed-circuit television cameras. The images resulted in the swift apprehension of the suspects. Closer to home, the closed-circuit television camera evidence in the Jill Meagher case was vital in pursuing and capturing her rapist and murderer.

The Administrative Decisions Tribunal has said that Mr Bonner deserves an apology given the invasion of his privacy. He has said that my name should be added to the list of those who should apologise to him, because of my efforts to have the closed-circuit television cameras installed. He will not be getting an apology from me. I can guarantee him that I will continue to ensure that we take measures to protect our community, to prevent crime and to ensure safety. Nothing will ever replace police officers on the street. However, closed-circuit television cameras provide a feeling of safety and enable the police to investigate crime when it occurs. I will continue to work with you, Madam Speaker, to ensure that our community is protected and secure. I join with the rest of the Shoalhaven community in celebrating that common sense has prevailed and that the Premier was able to intercede. I thank the Government and you, Madam Speaker, Mayor Joanna Gash and, of course, the Premier for ensuring that common sense prevailed over this common law decision.

#### **OATLEY ELECTORATE COMMUNITY BUILDING PARTNERSHIP GRANTS**

**Mr MARK COURE** (Oatley) [6.04 p.m.]: Community Building Partnership grants were recently announced and 15 community groups in the electorate of Oatley shared more than \$300,000. The program provides funds for community groups and local councils and churches to invest in community infrastructure. Community organisations, local councils and churches are invited to apply for funding to build and improve community facilities. A number of applications to share in that funding were submitted and, as I said, happily 15 community groups received funding for much-needed infrastructure and facilities. Oatley Anglican Church received \$15,000 for the installation of air conditioning in the church and the adjacent hall. All Saints Uniting Church also received \$25,000 for the installation of air conditioning in the church and the church hall. I am happy to report that Hurstville Glory Soccer Club received \$35,000 for the construction of an amenities block at Penshurst Park.

The soccer group has been waiting for more than 10 years to receive that much-needed funding. The amenities block will be constructed near the canteen and will include new toilets, showers and change rooms.

Life Education NSW Limited shared in \$2,536 for its work in schools across the State. That money will be used to install a new electrical system to support the audiovisual delivery of life education in my electorate. The Lions Club of Lugarno received \$19,635 for weather protection of its storage area. Lugarno Peakhurst Uniting Church received \$25,000 for the installation of a new kitchen. The church community has been campaigning and raising money to have that work done for a long time. Minooka Preschool Centre at Mortdale received \$33,000 for the construction of a multipurpose learning and therapy area. Mortdale Community Centre received \$24,464 for the construction of a playground at Occy's Place, which will benefit the entire community.

I met with parents, teachers and the principal from Oatley West Public School. They applied for funds to build a shade structure over a paved area, and I am happy to advise that they will receive \$27,500 to complete that project. The parents and friends association has been campaigning to have that work done for a long time, and I am happy that we have delivered. Penshurst Presbyterian Church, which I have visited regularly over the past two years and which is led by Chris Aston, has recently had its signage destroyed and it applied for funds to replace it. Fortunately, the church has been granted \$5,250 and new signs advertising the church and its activities have already been erected. I congratulate the church community on that achievement.

The Minister for Citizenship and Communities, the Hon. Victor Dominello, and I were recently visited by the Resourceful Australian Indian Network Incorporated and we had a morning tea in my office. The network has been granted \$15,000 for the construction of a disability toilet. It received \$5,000 in discretionary funding last year thanks to the Minister for Ageing and Disability Services. I thank the network for everything it has achieved. Oatley West Scouts missed out on funding last year, but I am pleased that this year they will receive \$10,000 to repair their hall. Minister Kevin Humphries and I visited the St George Men's Shed, which will receive \$15,000 for the purchase of machinery, insulation and air conditioning. Oatley Uniting Church will receive \$39,000 to upgrade its kitchen and Our Lady Fatima Church will receive \$8,565 to do long-awaited work on the car park lighting. I thank all the community groups that received funding in 2013.

#### **RETURNED AND SERVICES LEAGUE CLUBS**

**Mr MICHAEL DALEY** (Maroubra) [6.09 p.m.]: Since I was elected to public life in 1996 as a councillor on Randwick council, every Sunday before Anzac Day I have taken part in what is called Anzac Sunday or Commemoration Sunday—a march with returned servicemen and their families. They are proud to put me, councillors and local Federal members at the front of their column. It is a moving and important ceremony and it happens in RSL clubs and sub-branches all over Australia. After the ceremony of wreath laying, speeches and solemn remembrance it is customary to go back to the local RSL club, where the club and the women's auxiliary put on a lunch. It is a wonderful day of appreciation for returned service men and women, past and present, those living and those who did not return. The effort of all the clubs that day is emblematic of the good cooperation between RSL sub-branches and licensed RSL clubs right across the State.

I was disappointed to read comments in the Sydney media in the last few weeks attributed to senior members of the Returned and Services League of Australia, New South Wales Branch. These articles seemed to suggest that RSL clubs generally in New South Wales had departed from their RSL base, that they were no longer valued by members of the RSL sub-branches and returned servicemen and that they were more about poker machines and cheap grog than Anzac Day and service men and women, past and present. Some articles seemed to suggest that the President of the Returned and Services League of Australia, New South Wales Branch, Don Rowe, had even called for licensed clubs to split from their RSL sub-branches. I found those articles hard to believe, because what they were purporting was very distant from my experience of what happens in the clubs and the sub-branches in my area. Therefore, I was very heartened to hear the member for Baulkham Hills say in this place last week:

Earlier today I met with Mr Don Rowe, OAM, President of the NSW Branch of the RSL. He acknowledged that the Castle Hill RSL Club has done a lot in support of veterans and was certainly not one of those offending clubs that the media speculated had failed to serve their veterans.

I welcome those comments and I accept them in the utmost good faith. The implication then, according to Mr Rowe and the member for Baulkham Hills, is that there are some RSL clubs—and, I suggest, sub-branches—that do their jobs better than other clubs. I meet with the licensed clubs in my area often and I suggest that community leaders—whether they are members of Parliament, mayors, councillors, prominent members of the community or prominent members of the club—can and should play a role in ensuring that these clubs, these community assets, stay true to their founding values.

I also suggest that the RSL movement could play a vitally important role in ensuring that some of their diggers, some of their sub-branch members, are fully educated in and equipped with the resources and

knowledge that they need to ensure that there is a good, mutually beneficial relationship between sub-branches and their licensed clubs, because when that relationship is good everyone benefits. The experience in my area has been that licensed clubs of all types are fantastic and that none of them is better than the RSL clubs. Sadly, some of the clubs are closing. When those clubs close everyone loses. I could say much about RSL clubs but time does not permit me to do that. I will quote from a certain correspondent who wrote to the Prime Minister in September 2011. He said:

RSL and services clubs provide RSL sub-Branches and former ADF personnel with essential support. This includes the employment of Veterans' Welfare Officers and counsellors for financial and mental health problems, the maintenance of local war history museums, the organization of excursions for RSL members and their partners, and the provision of funds necessary to ensure that commemorative services take place.

If RSL and services clubs are forced to close as a result of the measures proposed, the flow-on effects would be terrible. RSL sub-Branches which depend on the clubs' backing would also close, placing in jeopardy the support that many veterans require and threatening the continued observance of ANZAC Day and other commemorations in small rural and suburban communities.

Those with a gambling addiction need counselling, advice and support. The counselling, advice and support which veterans require is just as urgent and depends heavily on the financial contribution from the RSL and services clubs.

We ask that you pledge your support for RSL clubs and RSL sub-Branches so they may continue to assist those who fought for this country and their families.

Hear, hear! That correspondent is none other than the President of the Returned and Services League of Australia, New South Wales Branch, Don Rowe. In this regard I agree with him wholeheartedly.

### **COWAN RAIL DISASTER**

**Mr MATT KEAN** (Hornsby) [6.14 p.m.]: Tonight I am delighted to speak on an issue that is very important to my community and to do so while the Minister for Transport is present in the Chamber. I would like the Chamber to pause to remember the victims of the Cowan rail disaster who either lost their lives or were seriously injured in the crash that occurred 23 years ago this week. The six men and women who tragically lost their lives on 6 May 1990 will never be forgotten by the residents of the Hornsby electorate. Today we remember those victims and the other 99 passengers who were injured in the crash and still carry the scars from that ill-fated day. These victims are an important reminder that as elected government members we should always remain vigilant in ensuring that our rail and road networks are properly maintained to avoid tragic events such as this recurring. I note the commitment of the Minister for Transport to ensure that that does happen.

I was touched when one of my constituents, John A'Beckett from Hornsby Heights, visited my office on Monday to personally remind me of the anniversary of the Cowan train disaster anniversary. Mr A'Beckett is a great local resident who does much for our community. He works tirelessly in the Rural Fire Service and is restoring one of the service's old vehicles. He, and many other Hornsby shire residents, remembers the devastating sequence of events which led to the crash at 7.20 p.m. on 6 May 1990. A special steam passenger train was travelling south bound between Brooklyn and Cowan after returning from a popular jazz festival near Maitland. Trouble started when the old steam engine started to slip on the train tracks after passing through the Boronia No. 3 tunnel. The driver of the steam train applied sand to the rails to improve traction but the train came to a complete stop about 50 metres clear of the tunnel. A following CityRail train, which had been stopped by a red signal for 10 minutes, received a green signal and proceeded, ultimately colliding with the steam train.

The resulting impact killed the driver of the CityRail train, Gordon Hill, and a passenger who was riding in the front cabin with him. Another four passengers in the rear carriage of the steam engine were killed, including the former Vice Chancellor of the University of Sydney, John Manning Ward, his wife, Patricia, and daughter Jennifer. Our thoughts are with their families at this time. A coronial inquiry held following the crash found that the sand applied in an effort to improve traction had insulated the train from the rails, meaning that the track circuits had failed to detect the presence of the first train. The NSW State Coroner at the time, Derrick Hand, also found that the steam train's heavily loaded carriages and a steep curving gradient on the rail line had prevented the train from restarting.

The horrific crash caused a deadly explosion on the Newcastle and Central Coast line and required a major rescue operation from local volunteers. I am told that local RSL staff and Police youth club boys rushed to the scene to assist emergency services to remove injured passengers from the mangled wreckage. Most of the injured passengers were sent to Hornsby hospital, where hardworking doctors and nursing staff were inundated with well over 60 emergency admissions. Former New South Wales Premier Nick Greiner visited the injured passengers the next morning to check on their condition and to congratulate hospital staff on the heroic role they played in saving several lives that night.

I take the opportunity to remind the House that tragic rail events such as this have famously affected other areas of Sydney, including Granville and Waterfall. I know my colleagues the member for Granville and the member for Heathcote will know firsthand how a tragic event like this can rally the local community into action to help the injured and traumatised victims get back on their feet. Subsequent fundraising efforts and acts of community generosity are typically strong Australian traits which have remained resolute over the many decades since our nation's birth. New South Wales thanks them all for their efforts in the Cowan train disaster and during many other disasters in this State. I take this opportunity to recognise particularly the important role played by our emergency services personnel in Hornsby and throughout New South Wales. We are extremely fortunate to be served by such dedicated and committed individuals who put their lives on the line to protect us. They ensure that when we are confronted with an emergency and come face to face with tragedy we are served by the most dedicated and best qualified personnel. We thank them greatly for that.

### **RAMSGATE ORGANIC FOODIES MARKET**

**Mr JOHN FLOWERS** (Rockdale) [6.19 p.m.]: I thank the member for Hornsby for his comments; it is important that such tragedies are not forgotten. I acknowledge the Organic Foodies Market in Ramsgate, which were established in 2008. The market has now become an institution in my electorate. The foodies market is set up every Saturday morning from 8.00 a.m. to 1.00 p.m. when locals from Ramsgate Beach, Ramsgate, Monterey, Sans Souci, Dolls Point, Brighton-le-Sands, Kyeemah and throughout the entire electorate are greeted, along with visitors from out of the area. The market is managed by members of the Theo family—Despina, Ari and Krissy—who assist and work harmoniously with other providers.

A hearty breakfast is cooked by Maria and Foula for hungry visitors, with a wide range of other food choices also available for consumption during the morning. Such people tirelessly give of their time and energy to make our community a vibrant and exciting place to live. It is a pleasure to acknowledge and praise them for their efforts. The Ramsgate Organic Foodies Market supports our local community. It is the area's first and largest ongoing organic food market, priding itself on selling the best-quality, tastiest, and most nutritious produce. The market caters for more than 40 farmers and gourmet food producers, who come together in one location to sell their produce. The market has created a great opportunity for the community to easily access fresh food and a varied range of products that would otherwise be difficult to purchase.

I appreciate, as do many others in the electorate, the economic, social and nutritional benefit that the market brings. Our busy world today is saturated with imported processed food containing preservatives. With fresh food markets it is gratifying to know that we can access fresh organic food for us and our families. The benefits of consuming organic food are wide ranging. For example, the production method utilises renewable resources and conserves water and soil quality; management practices promote healthy ecosystems and habitats for livestock and wildlife; and the food is free from pesticides, herbicides and synthetic preservatives. At the Organic Foodies Market one can buy freshly cut flowers, Bilpin apples, fruits including miniature plums, and vegetables transported from Orange and Mudgee.

Shoppers can choose from a variety of breads, aromatic coffees, teas and fresh fruit juices, organic free-range eggs, best cuts of meat from Tamworth, salmon from the Snowy Mountains and rainbow trout that won the 2013 gold medal at this year's Royal Easter Show, natural skincare products, hand-made jewellery, and a variety of cakes and desserts—to name but a few. As one can appreciate, it is not surprising that the Organic Foodies Market is an award-winning enterprise. I further note that the Organic Foodies Market also benefits our rural farmers. Currently, our farmers with small holdings are doing it tough. Hardship caused by years of drought has now been exacerbated by years of flooding—most notably in Queensland but also in New South Wales.

A reduction in competition is due in large part to the supermarket giants, resulting in reduced profits for producers with small farms and, in turn, threatening their viability. Some growers are now selling their produce—for example, bunches of basil—at the same price they were charging two decades ago. But these hardworking, special people still persevere to provide our families with fresh produce. Too high a value cannot be placed on the benefits and goodness of fresh food from country and regional farms. The Organic Foodies Market in Ramsgate in my electorate provides an opportunity for farmers with small farms to access various parts of our community that would otherwise be inaccessible. Members of the Rockdale local community enjoy their presence and support their enterprise.

### **COUNCIL AMALGAMATIONS**

**Mr ALEX GREENWICH** (Sydney) [6.24 p.m.]: I refer to the proposed council amalgamations, which is an issue of great importance to my constituents. The Independent Local Government Review Panel, which

was established to investigate and identify options for governance models, structural arrangements and boundary changes for local government, recently released its report and, predictably, recommended amalgamations. The proposal would merge some 40 metropolitan Sydney councils into 15 large councils, including a super City of Sydney representing almost 800,000 people by 2036 and encompassing seven existing local council areas, including all of my electorate.

While I support reform, I share widespread concern within my electorate that wholesale amalgamations are not the answer, particularly for the inner city. Rural councils representing small populations could benefit from voluntary amalgamations specifically aimed at improving efficiency and services. But how will inner-city councils, which are already performing well, benefit? Local government is the level of government closest to the people it represents. This is a strength, providing people with easy access to their local decision-makers. Local councils are able to provide locally targeted services in response to local needs, such as managing the impacts of homelessness, responding to noise complaints and providing disability services. Local government is the home of grassroots democracy and dramatically affects people's lives.

Mega councils will make it incredibly hard for grassroots local representation and locally targeted services. Under the proposal, residents and ratepayers will have less access to decision-makers and fewer opportunities to contribute to policies. Amalgamations will cause disruptions to operations and a wholesale reshaping of local government areas could create years of uncertainty and inaction. The discussion paper fails to provide evidence that amalgamations will improve finances and quality of service. It relies heavily on the assumption that economies of scale will create efficiencies. But economies of scale have their limits and in governance can create drawbacks such as inappropriately standardised services and policies, lack of local knowledge within an organisation and reduced access to decision-makers. With potential disruptions and loss of grassroots democracy, the case for amalgamations must prove widespread economic and service benefits before we venture down that path. Alternatives such as sharing resources and responsibility of providing services between councils must be explored thoroughly.

I welcome the panel's acknowledgement of the detrimental impact that rate pegging has had on the economic viability of local government, and I call for it to be removed. The panel justifies creating an inner-city super council in order to share the city's wealth further across metropolitan Sydney. The inner city drives Sydney's global city status and is a major contributor to the State and national economies. The City of Sydney council is one of the most financially stable governments in the country and its strong economic situation was recognised by the panel. It has excellent services and award-winning community facilities. Its engagement with both community and business is highly regarded. We cannot afford to put Sydney's global city status through uncertainty and through unnecessary disruptions.

There is a long history of State Government manipulation of local government boundaries in the inner city, leaving many residents suspicious of the latest proposals. Since the end of World War II the City of Sydney boundary has been altered by State governments four times, usually for party political purposes, with amalgamations or de-amalgamations depending on what benefitted the government of the day. In 1982 the Wran Government amalgamated the city with South Sydney Council. In 1987 the Unsworth Government sacked the council and it was again split the following year by the Greiner Government. In 2004 the Carr Government merged them back. Unlike councils in rural and regional New South Wales, only seven councils in or around the Sydney metropolitan area were identified by the panel as being at financial risk. Yet the panel has suggested widespread amalgamations across Sydney. Interestingly, in March four regional areas in Queensland voted to overturn the council amalgamations forced upon them in 2008.

I strongly believe there would be a similar voter backlash if amalgamations were forced upon New South Wales residents, particularly in the inner city. The Government has said that it will not force amalgamations on councils but this Government is already proposing to reduce community input in development proposals and make councils answerable to the State Government over residents and ratepayers. There is concern that the Government is pursuing an amalgamations agenda to further remove the community voice from decision-making. Local government is currently being reviewed by the Local Government Acts Taskforce, which has released a discussion paper for public comment. This review should be combined with that of the panel to establish holistic and comprehensive recommendations for local government. I call on the Government to retain a system of truly local and grassroots representative councils, and to renew its commitment against forced amalgamations ahead of the next election.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 6.29 p.m. until  
Tuesday 21 May 2013 at 12 noon.**

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