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LEGISLATIVE ASSEMBLY

Wednesday 19 June 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.

SERVICE NSW (ONE-STOP ACCESS TO GOVERNMENT SERVICES) BILL 2013

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

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

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

INAUGURAL SPEECH

Mr ADAM MARSHALL (Northern Tablelands) [10.10 a.m.] (Inaugural Speech): I stand here this morning very humble and proud to have been elected to this place by the people of Northern Tablelands. There is no greater honour in life than to be entrusted to represent your community, no nobler pursuit than to serve the community and no greater responsibility than to advocate for the needs, desires and aspirations of the people. I am very honoured to have received a vote of confidence from the communities of the Northern Tablelands and fully understand that support comes with an expectation that I will work hard for them, be a strong advocate and represent their issues in the Parliament and in the Government. I willingly undertake that task and welcome that responsibility.

Throughout the campaign for the seat of Northern Tablelands I was always described in the media as the youngest candidate. Now that I am in Parliament I am described as the youngest member of the Legislative Assembly. When I was elected to Gunnedah Shire Council at the age of 19 I was described as the youngest councillor in the State, then the youngest mayor at the age of 23 and, at 25, the youngest chairman of the New South Wales Country Mayors Association. While others have sought to make much of my age throughout my career, I have not. Gender, background and age should not be a barrier; rather one's commitment to the role, and one's willingness to listen to the people and be a strong voice for them should really be what is emphasised. I have never regarded myself as a young person, just a person taking on a very serious responsibility and doing the very best that I can.

I am incredibly proud to join a resurgent Nationals party in this place. We have now a young, vibrant and diverse group of members of Parliament representing more than 92 per cent of the area of New South Wales. I believe it is a very good sign for the renewal of our party, but it is also a good sign for the people of regional New South Wales. Since my election a great deal has been made of the scale of the result, and I must say it was quite extraordinary. For those of you who know me well, you know how humbled and how uncomfortable I was with the final numbers and the tumbling of the records that ensued. It is not something that ever sits well with me. I appreciate the significance of the result, particularly for the members of our party who have toiled for 14 years in the tablelands to work hard to see the seat regained by our party. I particularly acknowledge the former member for Northern Tablelands, Ray Chappell, who is in the gallery, and the Chairman of the Armidale branch, Rosemary Leitch, who is one of those many people who have worked for 14 long years in warm but mostly incredibly cold conditions on polling days in the tablelands to try to have the seat returned.

I want to make it clear that while I think the result is incredibly significant for our party, for the Government and for the people of the Northern Tablelands, I know that the people will judge me on my

performance, my commitment to them and the results that I achieve in partnership with the communities in my electorate. So the results of 25 May are important and very gratifying, but I have never been one to rest on my laurels, and I am not about to begin now. Today I acknowledge my parents, Geoff and Sue Marshall, who are in the gallery, and my many friends and supporters, including my aunt and uncle, Jenny and John Marshall, who have come all the way from Toowoomba. It is great to see them all here.

It is wonderful to have a strong base of support throughout the electorate, and far beyond that. It is very encouraging to see them all here, and I really do appreciate it and thank them. My father, who will be uncomfortable about me speaking about him like this, is also a former mayor of Gunnedah Shire Council. I remember at one stage when I was considering entering local government he actively discouraged me from entering politics. But, like many sons, I took no notice of his advice and instead chose to follow his example. Regardless of that, he and my mother have always been incredibly supportive in everything I have done throughout my life and have helped me along my path, and I thank them very much for that and for being here today.

I am a country boy through and through. I grew up an only child on a farm near Gunnedah and learned right from the very start about the hard yakka of farming, the trials and tribulations of the agricultural sector, and the challenges of managing farming operations in rural areas. I had the pleasure of attending Gunnedah South Primary School and then Farrer Memorial Agricultural High School—both public schools and schools that I absolutely loved. I am very pleased to see in the gallery my former principal from Farrer, Ian Downs, and his wife, Shirley. I thank them for being here. Along with a great many people, Mr Downs has been a great mentor to me throughout my life and imbued in me a sense of obligation to give something back and to contribute. I thank him for that.

Unlike many of my peers, I chose not to gravitate towards the bright lights of Sydney, but made a deliberate decision to stay in the country area and make my career there. I am very proud that I have spent my whole life in regional New South Wales and most of my working life serving the communities in which I have lived. I have never ever regretted that decision. When I left school I cut my teeth in an electorate office and went on to become a journalist, during which time I successfully stood for Gunnedah Shire Council. One of my strongest influences in entering public life came from my grandparents, and I acknowledge in the gallery today my grandmother Ros Thompson and thank her for being here. My grandfather always has much to say about politics; needless to say, he does not think much of politicians, except for his grandson, which I think is magnificent.

They instilled in me some great values from a very young age and, although I have probably never acknowledged it, I should, and I choose now to thank them for the values and ethics they instilled in me from a very young age. As with most things, when I entered local government there was a very steep learning curve that prompted a very quick path to maturity. You soon learn that your life is not your own, that the price of public life is that the public want a piece of you all the time—even when you are doing your shopping—and you need to respond accordingly. Another valuable lesson that I learned very early on was how essential it is to work collaboratively and to work within a team. I discovered early on in public life that you never achieve anything on your own. I found that, as a leader, you need to convince people, consult extensively and work collaboratively towards a common vision. You need to work within a team environment.

These were all valuable lessons I had to absorb on the job at a very early age, but the most important lesson of all was drilled into me by a former member of this place, Roger Wotton, whom many of my colleagues would know very well. I vividly recall that he pulled me up on one of my first days as mayor of Gunnedah and told me to hop in his car as we were going for a drive and he was going to teach me about the world. One of the things he said—and it is a mantra I have lived by—was, "Adam, if there is anything you do in public life, it is to put the concerns and the priorities of the people first. If you do that, the politics will eventually take care of itself." They were very wise words and I have carried them with me ever since. I always want to let the community drive my agenda and not the other way around, and I have Roger to thank very much for drilling that into me.

That is why I am so proud to stand here as the latest member of our Nationals team. The Nationals is a great and strong party that represents the people of regional New South Wales unashamedly. It respects the right of members of Parliament to represent the views of the people they represent vigorously. It is a party that is not bound by dogged political ideology or philosophy; it is about geography. It is about giving all the people who live outside our major metropolitan areas a voice and sticking up for them. Just as in the early days of the last century when the old Country Party was formed to fight for a fair go for people in rural and regional areas, we

continue that battle. I am very proud to be part of that and to wear that mantle. Regional New South Wales is becoming more diverse and our party is reflecting that and evolving and constantly renewing. My preselection and subsequent election to this place is a very tangible sign of this.

The Northern Tablelands electorate experienced a great level of support from the Government during the by-election campaign. There were a number of great announcements for the people of Northern Tablelands: \$1.6 million for the Glen Innes airport, \$1.3 million to upgrade the Guyra to Ebor road, \$3.5 million for Emu Creek crossing near Bundarra, and \$200,000 for valuable mental health programs at Freeman House in Armidale. They were just a few of the announcements. There is great value in having Government Ministers visit your electorate to see first-hand what needs to be done and to discuss issues with local people. I take this opportunity to reissue an invitation to all those Ministers who visited my electorate during the by-election campaign to come back and see the results of some of those announcements and discuss other priorities with the people of Northern Tablelands.

I acknowledge and thank the Minister for Health, Jillian Skinner, for her recent visit to the electorate and her strong support for the redevelopment of the Armidale Hospital campus. On her visit she reiterated the New South Wales Government's commitment of \$10 million to the redevelopment of the hospital. I will be working very hard with her to press the Commonwealth in the lead-up to the Federal election to provide the remainder of this funding so that this much-needed project for the most important rural referral hospital in the Northern Tablelands can go ahead.

The Minister also approved the new multimillion-dollar ambulatory care building on the hospital campus and was personally responsible for providing additional funding to ensure the community health section of that building could be completed as part of the overall project. With the opening due later this year I look forward to welcoming the Minister for Health back to the electorate once again not just to open the facility but also to give the community the opportunity to thank her for her tremendous contribution to health in the tablelands. I also thank the Minister for Education, Adrian Piccoli, for his visit and for his strident support and advocacy for the Gonski reforms, which will benefit many rural and regional schools. [*Extension of time agreed to.*]

A big issue for education in the Northern Tablelands is the continuation of years 11 and 12 Higher School Certificate programs at the essential schools of Ashford, Bundarra and Emmaville, which are under threat because they do not fit the current Department of Education staffing formula. My view echoes that of local communities that it would be much more effective for the department to be flexible with its formulas to ensure the outstanding results that have been achieved at these schools—not just in the opinion of the schools but endorsed by a review report conducted in March this year by the department—to ensure that these results can continue to be achieved and local Aboriginal students in particular are able to undertake and finish their secondary education at their local high school. I look forward to further discussions with the Minister and his department to find a workable solution to this issue.

As is the case with many of my colleagues in The Nationals, roads are always a top priority and in our current Minister for Roads, Duncan Gay, we have one of the best roads Ministers this State has ever seen. I was very grateful to the Minister for his visit to the electorate and for his announcement of funding for the Emu Crossing bridge and the Guyra to Ebor road upgrade, both of which are important strategic thoroughfares not only for tourism but also, importantly, for freighting valuable produce in and out of the electorate. I am grateful also to our Premier, Barry O'Farrell, who visited the electorate during the campaign and announced a number of funding initiatives. Most importantly, he appreciated the significance of the electorate to the people of Northern Tablelands and to the Government. He understood as well, when he made an announcement about road funding, that it is vitally important for country people to see their leaders. I look forward to a return visit from the Premier to Northern Tablelands shortly.

I would not be standing here today if not for the support given to me by my leader, the Deputy Premier, Andrew Stoner. He was a stalwart during the campaign, visiting the Northern Tablelands four times and announcing the \$1.6 million funding for the Glen Innes Flight Training Academy, which is a vital project for the economic growth of our region and the diversity of the economy in the electorate. It will create jobs and growth, which are much-needed in country areas. Most importantly, the Deputy Premier gave me his political and personal support, which was invaluable. There was no better feeling on the night of 25 May than joining with him to place that last green piece in the jigsaw on the map of New South Wales, showing quite proudly that we now represent more than 92 per cent of the land area of New South Wales.

I cannot finish this speech without thanking all the workers, supporters and branch members who helped during the Northern Tablelands campaign. They were tremendous. They worked incredibly hard, day and night. They were unstinting in their efforts and so keen to see the seat returned to National Party hands. They stood on street corners in freezing weather, as many of my colleagues can attest, on polling day and during the week leading up to polling day. They stood at polling booths and handed out fliers. They wore those wonderful yellow shirts, which are fashion items—I am still waiting for many of them to be returned because everyone wants to keep them. I thank them sincerely for their tremendous effort. There are too many people to mention and I will no doubt omit some, but I say a big thank you to them all. I am indebted to them and I will certainly work very hard for them and not let them down.

I acknowledge and thank The Nationals State Chairman, the Hon. Niall Blair, MLC, and our State Director, Ben Franklin. Together they make a formidable team. The Nationals are now a very professional and intimidating force. I also thank the people who worked very closely with me on the campaign: Ross Cadell, who is here in the gallery, and Jessica Price-Purnell, who worked with me day and night. It was good for me but I am not so sure it was good for them. They worked incredibly hard and I am very appreciative of that. Ben and his head office team were incredible and I really appreciate the work they have done, and continue to do for our party. I also want to thank all of my colleagues from The Nationals and the Liberal Party who came to the electorate and put in an enormous effort. All my colleagues have been very warm in their welcome and so helpful thus far and, as I said yesterday, I know that will continue. I appreciate it. It is incredibly humbling to have the support of so many and to enter this place as part of a very strong team. It certainly has been an amazing experience, and I thank you one and all.

In conclusion, I give another assurance to the people of the Northern Tablelands that I will never take them for granted nor will I ever allow this Government to take them for granted. I will work tirelessly on their behalf. I understand the challenge before me and acknowledge that my predecessor left big shoes to fill. I am determined to work incredibly hard for my constituents to ensure that their priorities are my priorities and, most importantly, that they are also the Government's priorities. I again thank all my colleagues, friends and family for being here. I look forward to being in this place for some time to come and being a strong voice for the Northern Tablelands in ensuring that we get our fair share.

ACTING-SPEAKER (Mr Gareth Ward): Order! I join members of the House in congratulating the member for Northern Tablelands on his inaugural speech and welcoming him to the Fifty-fifth Parliament of New South Wales.

SECURITY INDUSTRY AMENDMENT (LICENCES) BILL 2013

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

Second Reading

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [10.32 a.m.], on behalf of Mr Greg Smith:
I move:

That this bill be now read a second time.

I am pleased to introduce the Security Industry Amendment (Licences) Bill 2013. The main purpose of the Security Industry Amendment (Licences) Bill 2013 is to address the inconsistencies with Australia's commitments under the General Agreement on Trade in Services [GATS]. The bill also will make minor amendments to the regulation of the security industry. Under the existing free trade agreements [FTA], Australia is committed to accord treatment to the service suppliers of its free trade agreement partners that is no less favourable than that accorded to its Australian service suppliers.

Currently, under section 15 of the Security Industry Act 1997 only Australian citizens and permanent residents can obtain a security industry licence in New South Wales. This may restrict the ability of foreign suppliers, individuals or companies to engage in security-related activities in New South Wales. This is inconsistent with Australia's General Agreement on Trade in Services commitments. The most watertight way to address this inconsistency is via legislative amendment to residency and citizenship requirements. Namely, the bill proposes to allow holders of a valid temporary visa that permits employment in Australia, other than a student visa or a working holiday visa, to apply for a New South Wales security industry licence. These applicants will be in addition to Australian citizens and permanent residents who can already apply. Only a small number of additional people are expected to become eligible for the security licence via this means.

Citizenship and permanent residency requirements were introduced in 2002 as a result of the Bali bombings, but the proposed amendments are not expected to impact adversely on public safety in New South Wales. Only the holders of valid work visas, excluding student and working holiday visas, will be added to the list of eligible persons for a New South Wales security licence. The majority of these persons will have been nominated and sponsored by businesses to work in Australia on a temporary basis in an occupation listed in the Australian Government Department of Immigration and Citizenship's Consolidated Sponsorship Occupation List, commonly known as the CSOL. None of the higher-risk manpower-related security occupations, such as security guards or crowd controllers, appear on the Consolidated Sponsorship Occupation List.

Under this bill, a small number of persons will become eligible to come to New South Wales independently to work in the security industry. A locksmith, for instance—an occupation that is recognised on the Consolidated Sponsorship Occupation List—may become eligible to live and work permanently in New South Wales via a Skilled Independent (subclass 189) visa. Dog handlers or dog trainers who are licensed under the Act may also become eligible to live and work permanently in New South Wales if nominated by the New South Wales Government via a subclass 190 visa. People who apply for either a subclass 189 or a subclass 190 visa must meet the relevant visa requirements, which include character requirements.

Each applicant and their dependants who are aged 16 years or older, whether they are migrating or not, must provide police certificates from each country they have lived in for 12 months or more over the past 10 years. Foreign service suppliers who apply for a security industry licence under the proposed provisions in the Act will be subject to a probity check similar to those for Australian citizens, permanent residents and applicants for certain visa categories, including subclass 189 or subclass 190 visas. The proposed procedures for these applicants are that they will provide the NSW Police Force with a police certificate from each country they have lived in for 12 months or more over the previous 10 years since turning 16; pay for the cost of the police certificate or certificates and any required translation costs; obtain verification of police certificates from the relevant countries, embassies or consulates in Australia; and submit verified police certificates in English to the NSW Police Force at the time of making the application for the security industry licence.

These procedures aim to ensure that public safety is maintained in New South Wales and that Australia meets its obligations under the General Agreement on Trade in Services. Failing to address inconsistencies in our national General Agreement on Trade in Services commitments may make Australia vulnerable to dispute action in the World Trade Organization. In examining this issue, priority was given to identifying a solution that imposes reasonable administrative requirements on overseas applicants while ensuring that the probity standards in New South Wales can be maintained. The bill also incorporates miscellaneous amendments to the Act and to the Firearms Act 1996 that are consequential to the Security Industry Amendment Act 2012—the amending Act.

These amendments aim primarily to streamline licence procedures. Specifically, subsection 14 (2) (b) of the Act provides that an application for a security licence must be accompanied by such information and particulars as prescribed by the regulation. These include evidence of the applicant's competence and experience. The bill amends the Act to clarify that this information does not need to accompany the application form but must be lodged prior to the granting of a licence. This will expedite the granting of a licence because the application processing and probity checking will be able to be done in parallel with training.

Subsections 35 (2) and 36 (3) were inserted by the amending bill and refer to security licences that have been lost, stolen, destroyed, defaced or mutilated. It is proposed that these provisions will be expanded beyond deliberate acts to include "or become illegible". This acknowledges that a licence may simply become illegible over time and exempts the person from producing the damaged licence if the application form has been lodged for a replacement. The amendment will ensure alignment with clauses 22 and 23 of the Security Industry Regulation 2007. Section 48 of the Act provides for the making of regulations in respect of a number of issues, including methods and practices relating to uniforms and vehicle signage for the security industry. Clause 40 of the regulation specifies in more detail the types of information to be included in these guidelines and states that a reference to the guidelines refers to those in force at the commencement of the regulation.

It is proposed to amend section 48 to include a regulation-making power to allow updates to the guidelines as required from time to time. These updates will be subject to the usual New South Wales Government procedures applying to the amendment of regulations. Without this regulation-making power in the legislation the guidelines will be unable to be amended to reflect contemporary standards. It also proposed to make minor amendments to the Firearms Act 1996 to rectify the unintended consequence of the amended Act in that the definition of "direct supervision" was not carried over to the Firearms Act 1996 in regard to the holders

of provisional firearms licences. The changes proposed in this bill will ensure that New South Wales meets its obligations under the General Agreement on Trade in Services while ensuring that public safety is maintained. I stress that public safety will be maintained under these amendments. I commend the bill to the House.

Debate adjourned on motion by Ms Noreen Hay and set down as an order of the day for a future day.

POLICE LEGISLATION AMENDMENT (SPECIAL CONSTABLES) BILL 2013

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

Second Reading

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [10.43 a.m.], on behalf of Mr Greg Smith:
I move:

That this bill be now read a second time.

The Police Legislation Amendment (Special Constables) Bill 2013 represents the final process in the reform of special constable arrangements in New South Wales. Special constables are officers who undertake law enforcement, security and other related duties for agencies in which they work. They include certain local government employees such as council law enforcement officers, RSPCA officers or individuals from animal welfare organisations registered as a charity under the Fundraising Act 1991. It also relates to officers within the NSW Police Force, including officers in the Security Management Unit, the Police Band and the Special Services Group. Under part 4 of the Police (Special Provisions) Act 1990, a magistrate or any two justices of the peace may appoint special constables at times of tumult or riot or on occasions when ordinary constables or officers are not sufficient for the preservation of peace and the protection of the community.

The office of special constable was created to enhance police strength at times of unrest and when the NSW Police Force was in its infancy. That is no longer the case. Section 103 of the Police (Special Provisions) Act 1901 confers upon special constables all the powers, authorities, advantages and immunities of a police officer of the rank of constable. According to the Act, special constables are also liable to do all such duties and responsibilities of any police officer of the rank of constable. However, in practice special constables are not subject to the discipline, control or oversight to which their sworn counterparts are subject. There is also some question about the powers that special constables have had since the enactment of the Law Enforcement (Powers and Responsibilities) Act 2002, and that issue must be clarified. Additionally, while the legislative provisions governing special constables have remained largely static over time, the requirements of such roles have change significantly. Put simply, arrangements governing the office of special constable are out of date, out of step and out of touch with contemporary society. This bill addresses that issue.

The bill contains two parts. Schedule 1 deals with special constables employed by the NSW Police Force and schedule 3 deals with officers granted special constable status but who work for other New South Wales Government agencies and charitable organisations, and makes amendments to other legislation. Schedule 1 amends the Police Act 1990 to provide for the appointment of special constables in the NSW Police Force. Under new section 82L, the Commissioner of Police will be able to appoint a person to the position of non-executive administrative officer (special constable). At present, special constables in the NSW Police Force Security Management Unit and the Police Band are employed under section 47 of the Constitution Act 1902 whereas special constables employed within the Police Special Services Group are appointed as administrative officers under the Police Act 1990. Appointing special constables in the Security Management Unit and the Police Band as non-executive administrative officers under the Police Act 1990 will create a more consistent management framework across all the areas in which the NSW Police Force special constables are employed.

The bill formalises the Commissioner of Police as the employer of NSW Police Force special constables for industrial purposes. It gives that group appeal rights in the New South Wales Industrial Relations Commission and brings all NSW Police Force special constables within the scope of the Police Integrity Commission. The bill amends the Police Act 1990 to clarify that the Commissioner of Police may delegate to special constables any of the powers that a police officer of the rank of constable has, including those conferred under the Law Reform (Powers and Responsibilities) Act 2002, that are necessary to the varying roles of special

constables within the NSW Police Force. This will clarify those powers that a NSW Police Force special constable ostensibly already has access to and may use in the course of their duties. These powers will be aligned to the individual functions they perform, effectively streamlining the powers that special constables are able to use. Only NSW Police Force special constables, excepting those within the Police Band, will retain the title of special constable.

The removal of special constable status for the Police Band reflects the largely ceremonial nature of their work. Members of the Police Band will, however, be able to wear the police uniform by authorisation of the Commissioner of Police. In accordance with section 82L (4) of schedule 1 to the bill, NSW Police Force special constables will be subject to drug and alcohol testing, gunshot residue testing and integrity testing. These requirements are being provided in recognition of the quasi police duties that special constables employed by police perform. For example, under the current NSW Police Force Drug and Alcohol Policy special constables are required to understand and comply with its requirements but are not tested. As the majority of special constables carry firearms and interact with the public and in recognition of the safety risks involved in their work, it is important that they be subject to the same drug and alcohol testing requirements as their sworn colleagues.

Similarly, the need to subject special constables to integrity testing is an acknowledgement of their positions as being ones of high trust and authority. Section 201 of the Law Reform (Powers and Responsibilities) Act 2002—that is, supplying police officers' details and giving warnings—will also apply to NSW Police Force special constables when exercising certain powers under the Law Reform (Powers and Responsibilities) Act 2002. Some scenarios in which NSW Police Force special constables would be required to use section 201 include seizing property, such as seizing items during routine screening at Parliament House, and giving directions to a person.

The bill will also insert a new part 29 into the Police Act 1990 to provide for the revocation of appointment of all special constables under the Police (Special Provisions) Act 1901 and appoint existing NSW Police Force special constables as non-executive administrative officers, special constable, or administrative officers in the case of the Police Band under the Police Act 1990. To enable the holistic introduction of these reforms, the Police (Special Provisions) Act 1901 will be repealed under schedule 2 to the bill. Schedule 3 to the bill concerns those officers who perform law enforcement duties for agencies other than police, principally council law enforcement officers and RSPCA and Animal Welfare League inspectors.

The bill proposes to amend the Local Government Act 1993 to give council law enforcement officers the power to give directions relating to public places—that is, if a council law enforcement officer has reasonable grounds to believe a person's behaviour or presence in a place is obstructing another person or persons or traffic. An example of how this power would be used by council law enforcement officers is when enforcing alcohol-free and alcohol-prohibited zones. This power will be subject to section 201 of the Law Reform (Powers and Responsibilities) Act 2002 safeguard—supplying officers' details and giving warnings—and will apply to council law enforcement officers in the same way as it applies to NSW Police Force special constables and sworn police officers.

RSPCA and Animal Welfare League inspectors will be given the power to demand an individual's name and address when an offence is committed, suspected of having been committed, or attempted to be committed; require a person to answer questions and provide information in connection with the RSPCA and Animal Welfare League compliance and enforcement responsibilities; and present cases and provide evidence in court by being able to read, or be led through, a written statement previously made by the inspector subject to the same conditions as set out in section 33 (2) of the Evidence Act 1995. An exemption from the requirement to hold a permit under the Weapons Prohibition Regulation 2009 will also apply to inspectors appointed under the Prevention of Cruelty to Animals Act 1979. At present, inspectors do not have to obtain a permit under the Weapons Prohibition Regulation 2009 because they are special constables.

This exemption will ensure that inspectors can continue to carry handcuffs and extendable batons when undertaking their enforcement activities. These items can be needed in order to carry out their duties. For example, extendable batons are used to provide protection when dealing with aggressive animals as a safety mechanism rather than to subdue the animal. Handcuffs are sometimes used to effect an arrest in incidents when the owner of the premises becomes hostile towards inspectors. The bill also amends the Firearms Act 1996 to enable RSPCA and Animal Welfare League inspectors to continue to hold category A and category B firearms licences. These firearms licences are held in accordance with Section 12 of the Firearms Act 1996 and a genuine animal welfare reason for having a licence. Schedule 3 to the bill amends section 60AA of the Crimes Act

1900 to include NSW Police Force special constables and recognised law enforcement officers within the meaning of "law enforcement officer" under that Act. Section 60AA carries penalties for assaults and other offences committed against a law enforcement officer.

These reforms will modernise arrangements for special constables in New South Wales, and I thank all those who have been involved in bringing this bill to fruition for their input and their commitment to the reform process. They will ensure that the law enforcement officers from each of the agencies I have referred to can work more effectively and with greater certainty about the powers they have. It would be remiss of me not to acknowledge the fine work that is being done by the special constables at Parliament House. I have no doubt that all members would join me in applauding them. I commend the bill to the House.

Debate adjourned on motion by Ms Noreen Hay and set down as an order of the day for a future day.

ABORIGINAL LAND RIGHTS AMENDMENT BILL 2013

Second Reading

Debate resumed from 18 June 2013.

Mr ANDREW CORNWELL (Charlestown) [11.00 a.m.]: At the outset I acknowledge the traditional custodians of the land on which we meet, the Gadigal people of the Eora nation, and pay my respects to their elders past and present. I also pay my respects to the elders past and present of the other first nations of New South Wales, including the Awabakal people whom I represent in the electorate of Newcastle. In late 2011 my colleague the member for Ryde began the five-yearly statutory review of the Aboriginal Land Rights Act, principally to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

A working group was established to assist in this important work. Members of the working group, which was chaired by the Registrar of the Aboriginal Land Rights Act, included the New South Wales Aboriginal Land Council, two members of local Aboriginal land councils and representatives from government agencies such as Aboriginal Affairs and the Director General of the Department of Primary Industries. The amendments in this bill are largely the fruits of the tireless work of that working group. I take this opportunity to thank them for their diligence, dedication and indefatigability. The proposed amendments will have a significant effect on the day-to-day business of both local Aboriginal land councils and the New South Wales Aboriginal Land Council. The amendments will help to nurture good business administration and remove impediments for Aboriginal land councils to serve and develop their communities.

In essence the amendments contained in this bill enhance the Act to make it both more efficient and more effective. In addition, the proposed amendments will clarify certain parts of the Act to make the oversight and regulation of the land council network by the New South Wales Aboriginal Land Council less expensive and burdensome. In so doing it will ease the costs currently endured by the land council network, thereby preserving the value of the New South Wales Aboriginal Land Council Statutory Investment Fund to ensure that it can be maintained for the benefit of future generations of Aboriginal people in this State.

I will highlight a few of the amendments that will assist the New South Wales Aboriginal Land Council to spend more time carrying out its core functions and less time entangled in costly and time-consuming red tape; for example, the amendment that will see the repeal of provisions that require the New South Wales Aboriginal Land Council and local Aboriginal land councils to notify the Minister for Aboriginal Affairs and the Ministers administering the Crown Lands Act 1989 of their land dealings. This will remove an unnecessary and time-wasting administrative task that serves no purpose. Those Ministers have no powers in relation to the land dealing provisions of the Act and thus do not need to be notified of such dealings.

I turn now to the proposed amendment to the provisions in the Act that set out the requirements for the recruitment of staff to both the New South Wales Aboriginal Land Council and local Aboriginal land councils. The proposed amendments will remove the current onerous and no doubt costly requirement to advertise in both Indigenous and statewide newspapers. This measure is overly rigid and an avoidable cost borne by Aboriginal land councils. The matter of where positions are advertised to attract suitable candidates is surely best decided

by councils themselves. However, it is worth noting that in relation to the advertising of chief executive officer positions and the need to reach a large pool of candidates when a chief executive officer position is vacant, specific advertising in a statewide newspaper and the Indigenous press may still be required.

The bill will improve the way the Act works and make life easier for the New South Wales Aboriginal Land Council by providing flexibility and discretion in the financial and administrative reporting obligations of local Aboriginal land councils. The Act currently fails to give flexibility to the New South Wales Aboriginal Land Council to exercise its funding allocation. This means that it must cease funding a local Aboriginal land council even if, for example, a local Aboriginal land council provides financial statements as little as a day or two after the due date stipulated in the Act. This inflexible approach serves to impose not only excessive administrative red tape on the New South Wales Aboriginal Land Council for no discernible benefit but also unfair and often disproportionately harsh penalties on local Aboriginal land councils.

Another example of an amendment that will remove unnecessary and time-consuming data collection and reporting is the removal of the requirement of the New South Wales Aboriginal Land Council to increase membership by 3 per cent per annum for the five-year period commencing 1 July 2008. As the Aboriginal land council network is based on voluntary participation, to be asked to ensure increased membership over the period is unfair and inappropriate as well as being a time-consuming and costly imposition on the New South Wales Aboriginal Land Council.

My final example that highlights the good work that has been done to develop sound and sensible changes to ensure that the Act works better for the Aboriginal community, is an amendment that enables New South Wales Aboriginal Land Council employees to stand for office as board members of the New South Wales Aboriginal Land Council or local Aboriginal land councils. Currently they are not able to do so because as employees of New South Wales Aboriginal Land Council they are disqualified from holding office. These people often have the sort of experience and know-how that would be invaluable on boards of either the New South Wales Aboriginal Land Council or a local Aboriginal land council. It is both unfair and counterproductive to bar such people from running to be elected on local Aboriginal land council boards.

The New South Wales Aboriginal Land Council brought invaluable expertise and experience in the development of this bill, as did the two member representatives of local Aboriginal land councils on the working group, Mr Sean Gordon, Chief Executive Officer, Darkinjung Local Aboriginal Land Council, and Ms Stacey Meredith, Aboriginal owner and member of the Griffith Local Aboriginal Land Council. The amendments contained in this bill will be of immense benefit to the New South Wales Aboriginal Land Council and will help it to perform its oversight and regulatory functions in relation to local Aboriginal land councils and Aboriginal communities across New South Wales more generally. These amendments will help to provide the Aboriginal people of New South Wales with the means to realise the immense potential in the Aboriginal Land Rights Act and ensure better economic and social outcomes for their communities for the future. I commend the bill to the House.

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [11.07 a.m.]: I support the Aboriginal Land Rights Amendment Bill 2013. I acknowledge the traditional custodians of the land on which we meet, the Gadigal people of the Eora nation, and pay respects to the many people of the Wiradjuri nation that I represent in the electorate of Dubbo. This bill is very relevant to those who live in the electorate of Dubbo. The object of the bill is to amend the Aboriginal Land Rights Act 1983 as follows:

- (a) to clarify which functions of a Local Aboriginal Land Council (a **LALC**) may be exercised by the Board of the LALC to alter the provisions relating to the delegation of functions by the chief executive officer of a LALC, and
- (b) to alter the requirements in relation to the advertising of staff vacancies for Aboriginal Land Councils and the qualifications of persons to fill those vacancies, and
- (c) to clarify the provisions relating to the disqualification of a person to hold the office of a member of a LALC or New South Wales Aboriginal Land Council (**NSWALC**) and the filling of vacancies in those offices, and
- (d) to change the basis on which community development levies payable in relation to certain transactions of LALCs are calculated, and
- (e) to make other miscellaneous amendments aimed at improving the administration of the principal Act and of Aboriginal Land Councils.

Since becoming the Minister for Aboriginal Affairs the member for Ryde and my colleague Mr Victor Dominello has spent a lot of time visiting western New South Wales and in particular the electorate of Dubbo. He has done

this in order to gain a better understanding of the Government's arrangements surrounding Aboriginal affairs and the impact that they are having on those communities. As part of that role, he began the five-yearly statutory review of the Aboriginal Land Rights Act, principally to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

The purpose of the Aboriginal Land Rights Act 1983 is to provide land rights for Aboriginal persons in New South Wales, to provide for representative Aboriginal land councils in New South Wales and to vest land in those councils. Since 1983 this vast network of Aboriginal land councils has formed comprising important landowners and businesses that make up the many and varied communities of New South Wales. As I alluded to earlier, many of those communities are within the Dubbo electorate. Aboriginal land councils can operate large to medium-size businesses, some with multimillion dollar budgets and projects, whilst others are smaller community organisations located across New South Wales.

The diversity of the network requires practical regulation to support land councils so that they may thrive and achieve their best as businesses, and be the social and cultural hubs for their communities. An example of this is the repeal of section 38 of the Act. This amendment will remove the restriction on local Aboriginal land councils from purchasing or taking on lease property, other than land, unless in connection with the use, development and improvement of land. As it currently stands, the Act unnecessarily shackles the efficient operation of many local Aboriginal land councils engaged in a wide range of complex commercial operations and reduces the capacity of Aboriginal land councils to realise the true economic and commercial opportunities that exist.

As independent operators, local Aboriginal land councils should have the independence and autonomy to appoint an appropriately qualified auditor whom they feel best suits their needs rather than have an auditor appointed directly by the New South Wales Aboriginal Land Council. This amendment has been requested by many local Aboriginal land councils and I am happy to let the network know that their request has been granted. Most importantly, many of the amendments cut unnecessary red tape, as alluded to by the member for Charlestown, and restrictions on land councils so that things can be done more quickly, and in some cases reduce waste and cost.

To assist in this important work, a working group was established which included the New South Wales Aboriginal Land Council, two members of local Aboriginal land councils and representatives from New South Wales government agencies such as Aboriginal Affairs and the director general of the Department of Primary Industries. This group was chaired by the Registrar of the Aboriginal Land Rights Act. When the O'Farrell-Stoner Government introduces changes to legislation whilst attempting to deliver for the people of New South Wales it does so in a transparent and consultative fashion. This is an example, led by the Minister, of that outcome being achieved.

This bill represents the first stage of amendments stemming from the five-yearly statutory review of the Aboriginal Land Rights Act. I thank the key players I have mentioned that have invested their time and expertise in the development of this bill, including the New South Wales Aboriginal Land Council, the Registrar of the Aboriginal Land Rights Act, the staff of Aboriginal Affairs and the Department of Primary Industries. I have no doubt that the amendments in this bill to the Aboriginal Land Rights Act will benefit the land rights network and Aboriginal communities across New South Wales.

My final example, highlighting the good work that has been done to develop sound and sensible changes to ensure that the Act works better for the Aboriginal community, is an amendment that enables New South Wales Aboriginal Land Council employees to stand for office as board members of the New South Wales Aboriginal Land Council or local Aboriginal land councils. These amendments will help to provide Aboriginal people right across New South Wales, and particularly in the Dubbo electorate, with the means to realise the immense potential within the Aboriginal Land Rights Act to ensure better economic and social outcomes for their communities in the future. I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) [11.14 a.m.]: I make a short contribution to debate on the Aboriginal Land Rights Amendment Bill, given that a number of speakers have enumerated the proposed amendments that are within it. The bill aims to simplify, correct and remove unnecessary control and make other miscellaneous amendments to give Aboriginal land councils autonomy in their own administrative arrangements. The key drivers for reform include administrative efficiency because changes are proposed to the operational and administrative functions of land councils that will augment the administrative efficiency of the land rights networks; improved governance because changes are proposed that will facilitate better governance of land councils; and addressing inconsistencies and inaccuracies that have inadvertently arisen through a lack of updating.

A couple of key issues that have been talked about and that highlight the need for this sort of action relate to restrictions in the current Act on local Aboriginal land councils purchasing or taking on lease property, other than land, unless in connection with the use, development and improvement of land. This unnecessary restriction shackles the efficient operation of many local Aboriginal land councils engaged in a wide range of complex commercial operations and reduces their capacity to realise economic and commercial opportunity. A second glaring example of unnecessary restriction of their operations is the current requirement for local Aboriginal land councils to notify the Minister for Aboriginal Affairs and the Ministers administering the Crown Lands Act 1989 of any proposed land dealings, even though those Ministers have no role to play in making decisions about the proposed steps. This is simply an administrative requirement that has to be undertaken by land councils, which will result in additional expense and cause delays without achieving any particular outcome.

This sensible bill will be updated to correct those inefficiencies and inaccuracies so that land councils are a little more empowered to do what they are supposed to be doing on behalf of their communities. We are allowing people to exercise real responsibility in relation to issues that are designated to them, which is a positive development. I wish to make a few comments about this Government's approach to Aboriginal policy in general. To the great credit of Premier Barry O'Farrell, a committee of Cabinet Ministers was established early in the life of this Government which has a holistic view about how to address Aboriginal disadvantage and underperformance in many areas. That committee of Cabinet Ministers includes the Treasurer, the Attorney General and people with responsibility for housing, health and education—key portfolio areas relating to the causes of Aboriginal disadvantage and underperformance.

To their great credit those senior people have had a clear and major focus since the early days of this Government. We are now seeing the fruits of that as draft Aboriginal policies are being produced to direct the way in which the New South Wales Government takes on that challenge for years to come. I record my appreciation of the direction taken by Cabinet, and by the Premier in particular, in establishing that focus and making it a priority of this Government. In years to come that will result in great changes and great leaps forward. I am sure all members are aware that this Government will tackle that long-term and ingrained disadvantage, move Aboriginal communities across a range of indices and ensure that they are in a much better area. This sensible and pragmatic bill addresses unnecessary inefficiencies and anomalies in the Act and will enable local Aboriginal land councils to get on with the job of looking after their communities. I am happy to commend the bill to the House.

Mr CHRIS PATTERSON (Camden) [11.19 a.m.]: I support the Aboriginal Land Rights Amendment Bill 2013. I acknowledge the traditional custodians of the land on which we meet, the Gadigal people of the Eora nation, and I pay my respects to their elders past and present. I also acknowledge the Dharawal people who are connected with the land in my area of Macarthur and pay my respects to their elders past and present. This bill is a very sensible approach and I am very proud that an O'Farrell-led Government, through the wonderful work of the Minister for Aboriginal Affairs, Victor Dominello, has put the legislation together and that we are gathered in Parliament today to debate the Aboriginal Land Rights Amendment Bill 2013 with bipartisan support across the Chamber. At a local level it is wonderful to see the acknowledgment of our Indigenous communities.

I note that since the last election Camden Council has begun to do an acknowledgement of country at the beginning of every meeting. I am proud to say that a famous Camden resident, Daniel Geale, world boxing champion, did the council's first acknowledgement of country in October last year. Council now starts every meeting in that way. That is a positive step in the right direction. I commend the Minister, Victor Dominello, for his wonderful work in bringing forward the bill. He is also an extremely good friend of the people of Camden. Minister Dominello has spent much time in our area since becoming Minister, whether at the Narellan Rhythms Festival, which is a multicultural event that obviously takes in the Indigenous community, or speaking at school forums addressing young leaders. Only a month or so ago the Minister launched an Indigenous program at our local YMCA. The support he has given our community and the YMCA has been fantastic. I refer to an article by Kerrie Armstrong in the *Camden Advertiser*, which stated:

Mount Annan Leisure Centre will play a part in the continued education of the area's indigenous young people.

The YMCA, which manages the centre, is taking part in a new program that will give indigenous youths the opportunity to take part in three-year traineeships.

...

The YMCA's Indigenous Management Academy co-ordinator, Shaun Hart—

who is a wonderful person that the Minister and I met on the day—

said the program would give participants the opportunity to experience different aspects of working in a YMCA centre.

Aboriginal Affairs Minister Victor Dominello attended the recent launch of the program and said indigenous trainees would be good role models for indigenous children who came to YMCA centres.

"It gives enormous opportunity, not just to get a job but having a leadership role," he said.

I thank the House for allowing me to digress and I return to the bill. The bill seeks to make minor amendments to the Aboriginal Land Rights Act 1983. Its purpose is to improve the governance and administrative efficiency of the operation of the Act. The Aboriginal Land Rights Act 1983 provides a mechanism for compensating Aboriginal people in New South Wales for the loss of their land. Aboriginal land councils can claim Crown land, which if granted is then transferred as freehold title. There are 120 local Aboriginal land councils represented by a peak body, the New South Wales Aboriginal Land Council, which has an overarching administrative and regulatory role. Before the Minister for Aboriginal Affairs and the member for Goulburn, the Minister for Family and Community Services, entered the Chamber I mentioned Camden Council doing its first acknowledgments of country since the new council was elected, which is a wonderful thing. I note that the Minister's daughter is one of the councillors who instigated that. Well done.

In December 2011 the Minister formed a working group to review the Aboriginal Land Rights Act. The working group was chaired by the Registrar of the Aboriginal Lands Right Act and included representatives of the New South Wales Aboriginal Land Council, the Department of Primary Industries, the Department of Aboriginal Affairs and members of the community. That is what this Government and this Minister are all about. They have proven so often that community consultation achieves outcomes. This is not about this Government imposing its will on the community; it is about community members letting us know what they desire and our constructing a framework. I commend the Minister for his inclusiveness in this process. Minor amendments were identified that would improve the operation of the Aboriginal Land Rights Act. These amendments will provide greater capacity for compliance, greater clarity for their regulation and a reduction of unnecessary costs and red tape borne by the land council network.

There are some wonderful Indigenous people in my local community who contribute so much to the fabric of Camden. I single out Uncle Ivan. I remember the first time I met Uncle Ivan was at a smoking ceremony. I have to say I am glad there was no wind or we would have been calling the fire brigade. It was the smoking ceremony to end all smoking ceremonies. That was to open a park in Narellan. Then, Uncle Ivan performed a smoking ceremony at Campbelltown Hospital that was attended by Minister Goward. That was fantastic. He does a great job. On that occasion a few months ago, which was attended by Minister Skinner and the Premier, Uncle Ivan addressed the Premier as "Brother Barry" and performed the smoking ceremony for the sod-turning. Although he would be the first to tell us that he is not one of the Dharawal people, Uncle Ivan acknowledges them and he is a wonderful person from our local community.

Aunty Joyce—Joyce Mate—is a personal and family friend. She is wonderful. Aunty Joyce was named Elder of the Year for her years of work with Aboriginal youth in the Campbelltown community. She is a strong advocate for not only the Indigenous community but also the Camden community. From memory, on 9 July this year Camden Council will hold its NAIDOC Week flag-raising ceremony. Aunty Joyce and all her family will be there and I look forward to catching up with her again to watch the ceremony. Another wonderful Indigenous person in our area is Glenda Chalker. Glenda has done a fantastic job. She works very well with the community. She is a member of the Dharawal community and does welcomes to country ceremonies but not acknowledgement of country.

I have pointed out what a wonderful hardworking Minister we have. He is a tremendous friend of the people of Camden. I am sure he would like me to acknowledge the hardworking staff in his office. They are fantastic. Verity Lomax is the chief of staff, Ross Pearson is manager of compliance and regulation at Aboriginal Affairs, and Lila D'Souza is the principal legal officer. His general staff are Jessica Dorney, William Sparling, Caity McLoughlin and Jim O'Rourke. They are all outstanding people and a credit to the Minister's office. I commend the bill to the House.

Mr GREG PIPER (Lake Macquarie) [11.29 a.m.]: Mr Acting-Speaker—

ACTING-SPEAKER (Mr Gareth Ward): Before I call the member for Lake Macquarie, I remind members that the way in which the member for Lake Macquarie sought the call is the correct way to seek it. Members should stand in their place and seek the call. Frequently, members are sidling up to the table without adhering to the standing order. I thank members for their indulgence.

Mr GREG PIPER: Thank you, Mr Acting-Speaker. I hope your comments are recorded in *Hansard* as a lesson for all to come. I support the Aboriginal Land Rights Amendment Bill 2013 and commence by acknowledging the Gadigal people of the Eora nation, the traditional owners and custodians of the lands on which we now meet. I also acknowledge the traditional owners and custodians of the lands on which we live. In my electorate it is the people of the Awabakal and Darkinjung nations. I pay my respect to their elders past and present, and to those Aboriginal persons living within our community today, many of whom I have the privilege of recognising as friends.

The city of Lake Macquarie has one of the largest Aboriginal communities in New South Wales outside the Sydney metropolitan area. It is a significant community that is represented by the Awabakal Local Aboriginal Land Council, the Bahtabah Local Aboriginal Land Council and the recently established Biraban Local Aboriginal Land Council. The Aboriginal Land Rights Act 1983 was landmark legislation that had good intentions and great promise for addressing inequity in the quality of life and human rights that has marked the great majority of Aboriginal people since European settlement. It was recognised, however, that this well-intended legislation would need periodic review to ensure it is indeed delivering for the benefit of the Aboriginal community.

In 1995 Lake Macquarie saw what was in Australia at the time the largest land rights grant under State legislation. The grant of more than 1,000 hectares of Morisset that was drawn from part of the Morisset Hospital estate set in train a long-running affair that brought great shame to some and great sadness to many others. The failings of members of the Kooppahtoo Local Aboriginal Land Council were played out not just in the courts but also in the local Aboriginal community. The mismanagement and alleged fraud that was associated with dealings over land eventually saw a number of prominent Aboriginal people appear before the Independent Commission Against Corruption, which handed down a finding of corrupt conduct against eight persons, including a number of key office holders. The sorry affair eventuated with the Kooppahtoo Local Aboriginal Land Council being the first land council to be dissolved, which was an action taken by the then Minister for Aboriginal Affairs.

I am sure that the current Minister for Aboriginal Affairs is proud, in cooperation with the New South Wales Aboriginal Land Council, to re-establish land council representation in this area, moving from a period of ignominy to one of renewed autonomy and hope for the local Aboriginal community. I acknowledge and personally thank the Minister, who is in the Chamber, for that outcome. No doubt significant lessons have been learnt from this experience, but it is important that the failings of the Kooppahtoo Local Aboriginal Land Council do not characterise or burden other land councils. These organisations have been established for the benefit of all members of Aboriginal communities, not just a few from an immediate family or faction. That is why I support this bill. It will give land councils greater autonomy while providing for the high standard of governance that is expected. Land councils will have the ability to make decisions in consultation with their community about the future of their community, in particular, the assets they manage.

While recognising the benefits of this bill, I acknowledge the large number of Aboriginal people who do so much to support and improve the quality of life of those in their communities. Even while the shadow of the former Kooppahtoo Local Aboriginal Land Council hung over the Aboriginal community of western Lake Macquarie, thankfully there were many individuals who stepped forward to fill the void and provide positive leadership. In the first instance I note the Westlakes elders assumed a wider role for their community during the period that the land council was under administration. Their efforts, together with the support of the Biraban Local Aboriginal Land Council, stand the local Aboriginal community in a much better place. We should never be complacent in addressing the real needs of the Aboriginal community nor should we be paternalistic. This bill can achieve this goal. I commend the Minister for his efforts in helping the land council to assist the growth of their communities.

Mr VICTOR DOMINELLO (Ryde—Minister for Citizenship and Communities, and Minister for Aboriginal Affairs) [11.34 a.m.], in reply: I thank all the members who contributed to this debate, particularly the member for Canterbury, the member for Wagga Wagga, the member for Liverpool, the member for Cronulla, the member for Granville, the member for Gosford, the member for Orange, the member for Parramatta, the member for Tamworth, the member for Clarence, the member for Charlestown, the member for Dubbo, the member for Riverstone, the member for Camden and, finally, but definitely not least, the member for Lake Macquarie.

It is worth noting a couple of key points that emerged during the debate. The main point is that while the amendments in this bill are seemingly minor in nature, the administrative burden these amendments will

remove is significant. Members have already mentioned the removal of the restriction on the local Aboriginal land councils from purchasing or taking on lease property; section 153, which allows for local Aboriginal land councils to choose their auditors from a list kept by the New South Wales Aboriginal Land Council; the removal of the requirement of local Aboriginal land councils to notify the Minister for Aboriginal Affairs and the Ministers administering the Crown Lands Act 1989 of any proposed land dealings; and the removal of the current onerous and costly requirement to advertise in Indigenous and statewide newspapers when recruiting staff to the New South Wales Aboriginal Land Council and the Local Aboriginal Land Council. The flexibility of these amendments will allow the New South Wales Aboriginal Land Council to exercise its funding allocation instead of being caught up in excessive administrative red tape with no benefit.

I thank the key players and participants for their expertise and experience in the development of this bill, as well as member representatives of local Aboriginal land councils on the working group, specifically Mr Sean Gordon, Chief Executive Officer of Darkinjung Local Aboriginal Land Council and Ms Stacey Meredith, Aboriginal owner and member of the Griffith Local Aboriginal Land Council. Further, the New South Wales Aboriginal Land Council, the Registrar of the Aboriginal Land Rights Act, the staff of Aboriginal Affairs and the Department of Primary Industries also deserve thanks for their contributions. The proposed suite of amendments will drive greater efficiency in the network as a whole and will help deliver tangible benefits to the Local Aboriginal Land Council communities. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Victor Dominello 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.

SERVICE NSW (ONE-STOP ACCESS TO GOVERNMENT SERVICES) BILL 2013

Consideration in Detail

Consideration of the Legislative Council amendments.

Schedule of amendments referred to in message of 18 June 2013

No. 1 Page 4, clause 5, lines 21 and 22. Omit all words on those lines.

No. 2 Page 4, clause 5 (h), lines 29 and 30. Omit all words on those lines.

No. 3 Page 5, clause 7. Insert after line 26:

- (5) A customer service function of a council or a county council within the meaning of the *Local Government Act 1993* must not be delegated to the CEO by the council or county council or any other person unless the council or county council, by a resolution of the council or county council, approved the delegation before it was made.

No. 4 Page 6, clause 8. Insert after line 3:

- (4) An agreement must not be entered into under this section by, or on behalf of, a council or a county council within the meaning of the *Local Government Act 1993* unless the council or county council, by a resolution of the council or county council, approved the agreement before it was entered into.

No. 5 Page 7, clause 12 (2), line 27. Insert "or a council or a county council within the meaning of the *Local Government Act 1993*" after "section".

No. 6 Page 12, clause 19. Insert after line 31:

- (5) This section does not apply to a council or a county council within the meaning of the *Local Government Act 1993*.

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [11.38 a.m.], on behalf of Mr Barry O'Farrell: I move:

That the House agree to the Legislative Council amendments.

Mr GUY ZANGARI (Fairfield) [11.37 a.m.]: The New South Wales Labor Opposition supports the Legislative Council amendments and thanks the Government for its cooperation in considering the Legislative Council amendments.

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

Motion agreed to.

Legislative Council amendments agreed to.

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

DISTINGUISHED VISITORS

The ASSISTANT-SPEAKER (Mr Andrew Fraser): I welcome Dr Helmut Böck, the Austrian Ambassador, who is in the gallery today. Welcome to the New South Wales Parliament—the oldest Parliament in Australia.

HEAVY VEHICLE (ADOPTION OF NATIONAL LAW) BILL 2013

Second Reading

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [11.40 a.m.], on behalf of Ms Gladys Berejiklian: I move:

That this bill be now read a second time.

As this bill was introduced in the other place on 29 May and it is in the same form, I refer members to the second reading speech that appears at pages 21034 to 21036 in *Hansard*. I commend the bill to the House.

Mr RYAN PARK (Keira) [11.41 a.m.]: It gives me great pleasure to lead for the Opposition in debate on the Heavy Vehicle (Adoption of National Law) Bill 2013. Because we are a cooperative opposition, because we understand the importance of good public policy with regard to the regulation of heavy vehicle transport and because this legislation represents the implementation of a policy developed largely by my Federal colleague Minister Albanese, the Opposition will obviously support it. It is important to understand this legislation and what it will mean. Legislation adopting the Heavy Vehicle National Law was originally passed in the host jurisdiction of Queensland earlier this year.

For those who are new to this place—largely my colleagues on the other side who do not understand much about lawmaking and legislation apart from what they are told by Ministers' officers—when a national law is adopted it must be passed by one State jurisdiction before it is introduced in other jurisdictions. This is important legislation that is supported by the industry because it will ensure we have a single approach to the regulation of heavy vehicles across this country. Why is that important? It is important because New South Wales is a heavy lifter in the movement of freight on the road network. The Illawarra is experiencing an increase in heavy vehicle traffic, particularly in my electorate of Keira, as freight is moved from our busy port to hubs in south-west and western Sydney, regional New South Wales and Australia.

This bill aims to improve not only safety but also productivity. Improved productivity as a result of more efficient, reliable and safe movement of freight is critical as we continue to face global, national and regional economic challenges. We must ensure that customers, suppliers, businesses and communities are well serviced by our road network. It is also important that this bill will help to reduce the business compliance burden. That burden is always a challenge and members should always be aware of it. It must be considered within the overall scheme of safety, productivity and reliability. Reducing the burden of compliance on business—particularly if it is unnecessary or if it is the product of jurisdictional differences—is critical and the New South Wales Labor Opposition will always support measures designed to achieve that.

I am proud that this bill has been introduced and that Minister Albanese, the Federal Minister for Infrastructure and Transport who has carriage of this type of legislation in the Federal Parliament, has been driving this issue for some time. This important legislation has attracted industry support: it will make our roads safer, and the heavy vehicle industry more productive and reliable. It is important because New South Wales has large distances between towns and cities and heavy vehicles are the primary method of moving freight. It is imperative that the men and women of this State know that their lawmakers are committed to ensuring that heavy vehicles are regulated appropriately and that they are safe and reliable. It is also important that small business operators—the owners of trucking companies and the small mum and dad outfits that do the heavy lifting, pardon the pun, in moving freight around the State—are not over-burdened by governments that are not working together.

I commend the Federal Government and the State Government for the introduction of this legislation. I said when I took on the role of shadow Minister for Transport that I am willing and able to work cooperatively with the New South Wales Government in developing and working through legislation that will improve the lives of those who rely on our road network each and every day, whether it be those who commute every day, who move freight or who own a freight forwarding company or a trucking company. We need national legislation and a national framework that will boost productivity, improve safety and increase reliability on the road network. The Opposition supports this legislation and we will continue to work closely with our Federal colleagues in this area. I commend Minister Albanese, his office and his department for the work that they are doing in this regard. I look forward to seeing improved efficiency on our road network and, most importantly, improved safety. All of us, regardless of whether we are involved directly in the heavy vehicle industry or whether we are simply motorists, are concerned about ensuring that heavy vehicles are as safe and reliable as they can be. We do not want to see the tragedies that we have seen in the past. The New South Wales Labor Opposition will gladly support any legislation that aims to improve road safety.

Mrs ROZA SAGE (Blue Mountains) [11.50 a.m.]: I have great pleasure in making a contribution to debate on the Heavy Vehicle (Adoption of National Law) Bill 2013. It is heartening to hear that the Opposition will support this common-sense bill, albeit with backhanded compliments from the shadow Minister for Transport. This bill recognises the fact that trucks are not limited by State borders and that they regularly move between States. Each State now has its own regulation and legislation covering truck businesses, and that in turn results in a great deal of red tape and inefficiency for business and ultimately for consumers because that means extra costs.

The road network of the eastern seaboard carries the greatest volume of heavy vehicle transport in Australia between Brisbane and Melbourne, primarily along the Hume Highway. Roads in the Blue Mountains, and particularly the Great Western Highway, carry a great deal of freight traffic and I am well versed about what happens in the trucking industry and the concerns of local residents. Although rail haulage of bulk freight is more efficient, environmentally and socially friendly than road haulage, it is undeniable that trucks can reach areas that rail services cannot and that it is an important part of the delivery of commodities in Australia. As such it makes common sense to make the industry more streamlined and cost efficient to everyday consumers.

This bill will enable the Council of Australian Governments agreement to establish a single national heavy vehicle regulator to streamline safety and access regulation for heavy vehicles across Australia and at the same time ensure that the New South Wales standards are maintained and strengthened. Generally speaking, a heavy vehicle is one that has a gross vehicle mass or aggregate trailer mass of more than 4.5 tonnes. The object of this bill is to apply the text of the national law as a law of New South Wales. The legislation introduced in the host State, Queensland, was assented to on 26 February. The bill also applies the national regulations made under the national law as laws of this State. Legislation is required to enable the commencement of the national law, and it is necessary to enact legislation for the supplementation of and modifications to the national law as adopted in New South Wales with repeals and amendments of other Acts and transitional arrangements consequent on the adoption of the national law.

Turning to the substance of the bill, part 1 contains the name of the proposed Act and the commencement of the Act, which is to be appointed by proclamation and definitions. Part 2 outlines the application of the heavy vehicle national law and national regulations. Part 3 defines the meaning of the terms "Heavy Vehicle National Law (NSW)" and the "National Regulations (NSW)" and the definitions of many other terms used in the national law and national regulations. The bill nominates the Minister administering the proposed Act. The bill makes clear the meaning of clause 9 of the national law. It also states that convictions for offences do not apply to other laws of this jurisdiction. Part 4 refers to registration of heavy vehicles and will be welcomed by the trucking industry, given the various pieces of legislation that have applied to this industry. It is something that has been niggling the industry for years. Part 5 deals with offences and legal proceedings.

Part 5, clause 26 specifies the persons who will be able to commence proceedings for an offence against the national law or the national regulations. Clause 27 provides that evidence concerning the speed of heavy vehicles obtained under the Road Transport Act 2013 to be admissible in proceedings for an offence against the national law or national regulations. Part 6 "Miscellaneous" enables regulations to be made in this jurisdiction, including regulations modifying the national regulations in their application to this State. Schedule 1 to the bill refers to savings, transitional and other provisions. It is intended that further provisions may be included in the schedule at a later time. This legislation allows for a transition.

This bill is a very common-sense bill that will make Australia one in relation to Heavy Vehicle National Law. This legislation builds on the many reforms that have already been introduced in New South Wales to benefit the heavy vehicle industry, for example, in April 2011 the delivery of an extra 1,739 kilometres of road for higher mass limit access was introduced. Approximately 25 per cent of those roads are regional or local roads managed by councils. More than 21,270 kilometres of State, regional and local roads are now open to high mass limits access that abolished the requirement for transport operators to carry half a dozen truck notices. This has cut a lot of red tape that applied to the trucking industry. It allows performance-based standards for quad and quin dog trucks to operate on the approved B-double network in New South Wales. They are some of the many reforms that have already taken place that benefit New South Wales. The trucking industry is important to the transfer of commodities in Australia, especially in New South Wales and on the eastern seaboard. This bill will further enhance those regulations as we move to a national law.

Mr NICK LALICH (Cabramatta) [11.55 a.m.]: I will make a very brief contribution to the Heavy Vehicle (Adoption of National Law) Bill 2013, which I support. The object of this bill is to adopt the Heavy Vehicle National Law as the law of New South Wales. In order for other States and Territories across Australia to pass legislation that would adopt a host State's legislation as law in their own jurisdictions, the host State is required to pass the national law. This law was passed by the host jurisdiction, Queensland, in February. The New South Wales Government made commitments to the Council of Australian Governments to establish a single National Heavy Vehicle Regulator and to adopt the single Heavy Vehicle National Law in New South Wales.

The objective behind such introductions is to reduce the amount of red tape for business and to make the process that much easier across the board and for the industry. The introduction of a Heavy Vehicle National Law has the support of industry as it enables a single approach to the regulation of heavy vehicles and is intended to reduce the compliance burden on businesses, improve this country's international competitiveness, improve productivity and safety and will make it easier for heavy vehicle operators to operate across borders within this country. The bill is incomplete, and I have been advised that further amendments will be made to repeal or amend the legislation as required in upcoming sitting days. But in essence, this is a common-sense bill that has nothing but support across the board from the trucking industry.

Mr KEVIN ANDERSON (Tamworth) [11.57 a.m.]: I support the Heavy Vehicle (Adoption of National Law) Bill 2013, which is a common-sense bill and something this Government talked about in 2011 following its election. The Government said it would work with industry across the board to set rules and regulations for businesses to do the job they want to do, that is, getting on with their business. The Hon. Duncan Gay, the Minister for Roads and Ports, in the Legislative Council is a solid country fellow who understands what he is talking about in relation to national heavy vehicle laws. The Hon. Duncan Gay spent many years travelling around New South Wales in his former capacity as shadow Minister for Primary Industries and now, as the Minister for Roads and Ports, he understands agriculture in depth and is well qualified to push this legislation through to ensure that we provide a safer road network for heavy vehicle operators.

New South Wales had already passed laws for rail safety and domestic commercial vessels, and only heavy vehicles had to be attended to. For years trucks crossed three jurisdictions on the eastern seaboard—Victoria, New South Wales and Queensland—which was a nightmare in terms of paperwork. New South Wales has a strong, heavy vehicle industry in the Tamworth electorate and the many owner-operator truck drivers say that this law has been a long time coming. The heavy vehicle industry has been governed by a dozen nationally approved model laws that lacked coherence across jurisdictions. While model laws were agreed they were varied by each State upon introduction, leading to increased red tape for business. Truck drivers, owners and operators continually knock on my door and phone me about stopping the paperwork; the Hon. Duncan Gay has worked with the trucking industry to achieve that outcome. The O'Farrell Government is all about reducing red tape and making it easier for businesses to understand what their obligations are under the law.

The Minister for Roads and Ports is making inroads—pardon the pun—into key policy reforms delivered by the Government since April 2011 to slash red tape in the road freight and transport industries.

Transport is the key to economic growth and opening up markets in regional New South Wales. We must work with businesses to make it easier for them to operate via road or rail. For example, in July 2011 the Government restored the 110 kilometres per hour speed limit on the Newell Highway so that cars do not mix with trucks. That fulfilled a key election promise. In September 2011 the requirement for transport operators to carry half a dozen truck notices was abolished. That was in direct response to the transport industry asking for an end to excessive paperwork. In November 2011 performance-based standards quad and quin dog trucks were allowed to operate on the approved B-double network in New South Wales—the member for Blue Mountains mentioned this a little earlier. This is critical to opening up markets and helping operators to get freight, be it grain or cattle, to where it needs to be. Operators need to know that they can not only pick up freight but also deliver it.

In April 2012 the Government delivered modern road train access on select routes east of the Newell Highway. Indeed, for many years road trains were not allowed to travel to the regional saleyards between Narrabri and Gunnedah. The trucks would come into Narrabri to drop a trailer, drive to Gunnedah, load or unload and then drive back to Narrabri and pick up another trailer. That stopping and starting added increased cost burdens to their operations—many operators struggled to make ends meet. This bill is a great win not only for cattle operators but also for a number of heavy vehicle industry operators in and around Gunnedah that build machinery and the like for the mining industry. A company called Stripes had to dismantle large pieces of its machinery and place them onto larger higher mass limit vehicles before it could transport them from Gunnedah. That imposed higher cost burdens and made businesses less competitive in the national market. Allowing road trains in and out of Gunnedah has opened up the market and lets operators do what they do best.

In December 2012 the new Livestock Loading Scheme for New South Wales was delivered. Another key policy reform is the recognition of B- and AB-triples certified under the Queensland Livestock Loading Vehicle Rating in lieu of separate New South Wales certification for entry into the State's Livestock Loading Scheme. In addition, we have delivered an extra 1,739 kilometres of New South Wales roads for higher mass limit access since April 2011—about 25 per cent being regional or local roads managed by councils. More than 21,270 kilometres of State, regional and local roads are now open to higher mass limit access. This will allow companies to truck their freight to those markets in New South Wales that will serve them best. If operators can get from paddock to port in one movement it is so much easier than having to stop, change, unload and reload.

The Minister for Roads and Ports is also responsible for the Bridges for the Bush program, which involves looking at allowing higher mass limits on selected routes. For example, it is planned to build a second railway overpass at Gunnedah, at a cost of \$16 million, to keep traffic flowing freely. The Gunnedah community has called for this for years. The Hon. Duncan Gay visited Gunnedah to see the new street crossing and agreed that Roads and Maritime Services will fund this important project as part of this program. The Hon. Duncan Gay drives extensively around New South Wales in his role as Minister for Roads and Ports, which gives him a greater understanding of what is happening in this State.

What are the issues for our trucking industry? What are the issues for our rail industry? What are the issues involved in getting produce and other freight to port or wherever else it needs to be? The Heavy Vehicle (Adoption of National Law) Bill 2013 is a common-sense measure. The O'Farrell Government is continuing to get on with the job of making New South Wales number one again. How? It is doing that by reducing red tape and making it easier for firms to do business; the Government is keeping out of their way. I commend the bill to the House.

Mr TONY ISSA (Granville) [12.07 p.m.]: It is with much pleasure that I contribute to debate on the Heavy Vehicle (Adoption of National Law) Bill 2013. As a heavy vehicle licence holder for many years I understand why this legislation is so important. I note that the Minister for Roads and Ports also holds a heavy vehicle licence so he knows the rules better than anyone. This legislation was introduced in the other place to bring New South Wales into line with other States and to establish a single National Heavy Vehicle Regulator to streamline safety and access regulation for vehicles over 4.5 tonnes. It will also ensure that the current standards that apply in New South Wales are maintained and strengthened.

In 2009 the Council of Australian Governments agreed to appoint a single national regulator for heavy vehicles. This agreement also applied to rail safety and marine safety; the heavy vehicles law is the last to receive assent in this State. These reforms aim to improve productivity and safety, and to reduce compliance burdens for business and workers. They will also make it easier to operate across borders. Laws regarding heavy vehicles will ensure a safer and more productive industry. As the roads Minister pointed out, the bill marks the New South Wales Government's strong commitment to national reform and the establishment of the National Heavy Vehicle Regulator in New South Wales. This commitment has been backed up by a financial pledge.

The New South Wales Government provided more than \$5 million to the National Project Office to develop and establish a national regulator. Some \$5.2 million will be set aside for the regulator in 2014 to assist with the first year of operation. The provisions of this legislation will allow for a more seamless operation and will reduce costs. Currently, the industry is faced with a model that makes it difficult for operators to do business. Drivers also face logistical difficulties because, for example, they must comply with different regulations in each State and Territory and need to receive access approvals from each State and Territory. This requires much time and effort on the part of drivers, which means more work for them and less time spent on the road. It also involves extra cost, red tape and confusion.

The various models lacked conformity and jurisdictions would often adopt models to address their own issues. As the previous speaker said, Queensland has already passed laws governing the Heavy Vehicle National Law. The national law includes provisions to create a national regulator and to give that regulator the authority to perform all regulatory functions for Australia's heavy vehicle industry, with the exception of administering a national heavy vehicle driver licence and the transport of dangerous goods laws. It is expected that the regulator will be responsible for the administration of new laws regarding matters such as registration, mass and loading, fatigue management, vehicle standards, and compliance and enforcement. Like other national reforms such as that applying to health practitioners, a single host jurisdiction—in this case Queensland—passes the law and other States accept that national law in their own jurisdiction.

The national regulator will enable owners and operators to conduct heavy vehicle business with governments in one place. The one-stop shop will allow registration renewals and the issue of access permits to be coordinated through a single point of contact, thereby cutting down unnecessary costs and time for those operators. The regulator will facilitate negotiations with asset owners across jurisdictional borders and local government to ensure that a single permit with a simplified set of operating instructions for all participating jurisdictions is issued. As I said earlier, nobody is more qualified than the roads Minister to present to this House a bill that will address the issues that should have been addressed a long time ago. This Government is reforming heavy vehicle laws to ensure the safety of all drivers on this nation's roads, and I commend the bill to the House.

Mr JOHN WILLIAMS (Murray-Darling) [12.13 p.m.]: It gives me pleasure to speak in support of the Heavy Vehicle (Adoption of National Law) Bill 2013 that will see the adoption of a national law for road transport. During the first four years of my time as the member for Murray-Darling Labor dominated transport regulation in New South Wales. Frustration was at an all-time high over some of the crazy regulations that were put in place and the differences between how the industry operated in Victoria, South Australia and Queensland and in New South Wales. Many transport operators were continually harassed by police enforcing the regulations in New South Wales and received massive fines. Harvesting contractors moving from Victoria to New South Wales were forced to comply with a string of new regulations relating to the transport of harvesters once they crossed the border. I was continually confronted by operators who could not make sense of the regulations in place in New South Wales.

With the election of a National-Liberal Government—and The Nationals have played a big role as a member of The Nationals is the Minister for Roads and Ports and he has seen the error of the previous Government's ways—some harmonisation has occurred through the adoption of volumetric loading. For many years stock transporters and farmers, in particular, were frustrated by a regulation that said stock would be moved according to axle weights, not the volume of stock in the crate. As a consequence, historically transporters would load lightly on the basis that they could not afford to take the risk, and farmers bore the cost of not transporting the maximum amount of stock. A new policy was adopted in Queensland, South Australia and Victoria, but it could not be adopted in New South Wales because it did not fit with the agenda of a government that was keen on regulations and red tape.

Triple dollies for road trains have been introduced to accommodate higher mass limits [HMLs], which is important when moving transport across this great State. Not enough people travel to the western areas of New South Wales and see the distances that freight is moved. The opportunity to carry a little bit more weight is important to transport operators and improves their profit margin. In the past they were disadvantaged by regulations that were in force in New South Wales but not in Queensland or some other destination. The bill lets transport operators know that they are operating within national regulations. They do not have to build a particular trailer to use only in New South Wales—which has always been a particular frustration for the local industry. They can confidently purchase equipment that can be used on all the roads on which they operate.

New South Wales is the most over-regulated State in relation to the heavy transport industry. So much red tape obviously places restrictions on trade in New South Wales. That is a huge disadvantage. People who

had the opportunity to establish their businesses in this State or in Victoria decided to go across the border because the transport regulations there are more favourable. That is totally unacceptable. We are now seeing the harmonisation of the regulations throughout the States. Obviously it is a work in progress. With the introduction of this bill we take the first step in putting the regulations in place and adjusting our transport code to a national code. Progressively we will see changes that benefit the transport industry and the economy of New South Wales. It will have a direct benefit particularly for the farmers we represent in our electorates.

Major transport companies are integrated in the electorates west of the Blue Mountains and support activities in those regions. They will breathe a sigh of relief. Many of the onerous regulations that were causing them a great deal of frustration will be removed and the industry will go forward confidently and start doing what it does best—transporting across the Commonwealth of Australia under matching regulations in every State. I support the bill and I support the Minister who introduced it. I very much doubt that we would have seen this legislation had Labor still been in government. Those opposite seemed not to want to adopt any of these regulations. We now have a progressive Minister who is totally committed to doing the best for New South Wales. I congratulate him on introducing the bill and look forward to the benefits that will flow from it.

Mr CHRISTOPHER GULAPTIS (Clarence) [12.21 p.m.]: It is my pleasure to speak in debate on the Heavy Vehicle (Adoption of National Law) Bill 2013. I congratulate the Minister for Roads and Ports, the Hon. Duncan Gay, on introducing the bill in the other place. This bill is important to my electorate and for regional New South Wales. I quote from the Minister's second reading speech because he put the object of the bill so well and so succinctly. He said:

The purpose of the Heavy Vehicle (Adoption of National Law) Bill 2013 is to apply the National Heavy Vehicle Law as a law in New South Wales. This delivers a decision of the Council of Australian Governments [COAG] to establish a single national heavy vehicle regulator [NHVR] to streamline safety and access regulation for heavy vehicles over 4.5 tonnes across Australia, whilst ensuring that the standards which apply to heavy vehicles in New South Wales are maintained and strengthened.

I say thank you to the Minister, the Hon. Duncan Gay, for introducing this bill. As I said, this bill is important to the electorate of Clarence because it is a rural electorate close to the Queensland border and we have an extensive road network that is used constantly by heavy vehicles to cater for the primary industries in our region. A single authority imposing uniform laws is imperative for improving productivity. In addition to improving productivity, it simplifies the regulatory regime that exists between the States, which at the moment makes it difficult to conduct business for those companies with cross-border affiliations.

Having a single national regulator for heavy vehicles will reduce costs and bureaucracy for operators by reducing red tape, thus making it easier for the transport industry to go about its business. This Government is about reducing red tape and making life easier for business. That was clearly the message in yesterday's budget handed down by the very capable New South Wales Treasurer, Mike Baird. It is about getting on with the job and doing the simple things—dotting the i's and crossing the t's, head down and tail up, and getting on with making New South Wales number one again.

The Heavy Vehicle National Law sets out the functions, powers and objectives of the National Heavy Vehicle Regulator, which include promoting public safety, managing the impact of heavy vehicles on the environment, roads, infrastructure and public amenity, promoting industry productivity and efficiency in the road transport of goods and passengers by heavy vehicles, and promoting and encouraging productive, efficient, innovative and safe business practices. The Heavy Vehicle National Law also establishes the National Heavy Vehicle Regulator, which provides for the national registration of heavy vehicles, imposes duties and obligations on operators and drivers in relation to the standards, mass, dimensions, loading and speed of the heavy vehicles, as well as regulating driver fatigue. Uniform national regulations are common sense, especially for my electorate of Clarence.

A good example of where this will be very effective is the Northern Co-operative Meat Company at Casino, which employs approximately 1,000 workers. The meatworks has been struggling to compete with other abattoirs because of inconsistent road laws. We heard previously from the member for Murray-Darling about the impact that these inconsistencies have had on our rural businesses. The example he gave was of cattle trucks coming from Queensland being loaded to the requirements in that State but having to lighten their load once they reached the New South Wales border. That makes it terribly difficult for the meatworks to compete. The industry is already very fragile. We saw the impact of the live cattle industry debacle that the Federal Government caused for the industry. It completely closed the industry based on claims made on a television program. The Federal Government was not proactive; rather, it responded with a knee-jerk reaction.

The result is that the cattle industry, not just in my electorate but across Australia, is suffering severely at the moment. Prices are at an all-time low. The industry is suffering from drought in northern Australia and there have been successive floods in New South Wales, all of which are impacting severely on the industry. The cattle industry needs assistance and the help that the national law can provide to industries in New South Wales will be very welcome in my electorate of Clarence. I began my speech by quoting the Hon. Duncan Gay and I will conclude by quoting another passage from his speech because I think it is very relevant to electorates in regional New South Wales. He said:

These reforms are part of the National Partnership Agreement to deliver a seamless national economy which aims to reduce costs incurred by business in complying with unnecessary and inconsistent regulation across jurisdictions, enhance Australia's longer term growth, improve workforce participation and overall labour mobility and expand Australia's productive capacity over the medium term, through competitive reform, to enable stronger economic growth.

I commend the bill to the House.

Mr GREG APLIN (Albury) [12.28 p.m.]: In contributing to debate on the Heavy Vehicle (Adoption of National Law) Bill 2013, I open by saying how appropriate it is that we discuss this bill in the lead-up to the opening of the last remaining link in the duplication of the Hume Highway—that magnificent roadway that links the two major cities of this great country—from Sydney to Melbourne. I refer to the opening this Sunday of the Holbrook bypass, some nine kilometres in length, which has been worked on by Abigroup, with Roads and Maritime Services supervising, for the past couple of years.

Many people would acknowledge that it is time the duplication was completed; it has been a long and arduous road to travel. Those of us who live in that area have witnessed not only the heavy trucks that have traversed the towns of that region but also the accidents that have often occurred when there is a mix of heavy vehicles and motor cars. I know that Assistant-Speaker Fraser has experienced some of the trauma in the north on many occasions. I commend the Heavy Vehicle (Adoption of National Law) Bill 2013. In welcoming the introduction of this bill, I am joined by many of the heavy transport companies that are resident in the electorate of Albury. I specifically refer to Border Express, Hume Transport, O'Brien's, Albury Freight Distribution, Greenfreight, which has a service centre based in Rosewood near Tumbarumba and is involved in the transport of heavy timber to and from that region, Francis Transport and Chester Transport based out of Corowa.

All those organisations welcome the introduction of these provisions because for too long they have been frustrated by the inconsistencies that exist across various jurisdictions in Australia. As excited as we are on the border, of all the people we have talked about today we have the greatest experience of those inconsistencies. In border regions we have witnessed also the advent of freight distribution centres, such as the Ettamogah rail hub, operated by Colin Rees, which sees the movement of freight between heavy transport and rail. We can only see an improvement in the quantity of freight that is the subject of distribution via the intermodal communication hub because it will be a lot easier in the future for businesses to become established in border regions to serve such a wide area from those points.

The Heavy Vehicle (Adoption of National Law) Bill provides a scheme to regulate the use of heavy vehicles. A vehicle is a heavy vehicle if it has a gross vehicle mass or aggregate trailer mass of more than 4.5 tonnes. This national law is the subject of agreement between New South Wales and other participating jurisdictions under which each jurisdiction has agreed to establish a national system of regulation for heavy vehicles consisting of uniform laws administered by a single national regulator. The object of the bill is to apply the text of the national law as a law of this State. Other jurisdictions participating in the scheme have introduced or propose to introduce some of the legislation. The bill also applies to national regulations made under the national law as laws of this State. The objective of a single national law for heavy vehicle regulation is to provide consistency of the rules and practices governing heavy vehicles across State borders.

The chapter of the national law relating to heavy vehicle registration is not adopted in New South Wales at this time. That means the scheme for heavy vehicle registration will continue because it is under current State legislation until a date later to be proclaimed. A provision of the national law is that current local productivity benefits in place in New South Wales will continue until such time as they can be harmonised to a national benefit. A number of productivity benefits in New South Wales will advantage rural and regional areas, including Class 3 Baled Agricultural Commodities Load Exemption Notice, Class 1 Agricultural Vehicles Combination Notice, Agricultural Machine Combination Notice, Class 1 Combine Harvester Combination Exemption Notice, and Class 1 Grain Auger Combination Exemption Notice. These and other New South Wales heavy productivity initiatives will carry over into the national law.

Many of those relate directly to the activities conducted in rural and regional areas, which is why so many regional members contributed to debate on the bill this morning. The establishment of a single national heavy vehicle regulator will streamline safety and access regulation for heavy vehicles while ensuring that the standards applying in New South Wales are maintained and strengthened. The removal of unnecessary and inconsistent regulation across jurisdictions will be welcomed by transport operators in the Albury electorate. The reduction of red tape will assist business and make it easier to understand its obligations under the law. All the companies to which I referred earlier join me in welcoming the provisions embraced by this bill.

Let us look at some of the key policy reforms that have been delivered by the New South Wales Government since April 2011, particularly by the Minister for Roads and Ports. The policy reforms have been directed at slashing red tape in the road freight and transport industries. In 2011 the Minister for Roads and Ports published higher mass limits maps on the Roads and Maritime Services public website to allow heavy vehicle operators to properly assess the merits of enrolling in the Intelligent Access Program. He also restored a 110 kilometre an hour speed limit on the Newell Highway so that cars are not mixed in with trucks which, of course, filled a key election promise. Another key policy reform was to abolish the requirement for transport operators to carry half a dozen truck notices. That was welcomed by all operators in my region, and I am sure in the electorates of many other members.

In 2012 we saw the delivery of the online interactive restricted access vehicle map service to replace maps in portable document format. A modern road train access on selected routes east of the Newell Highway was delivered. The requirement for transport operators based in New South Wales to pay stamp duty on the purchase of new truck trailers was abolished. The concessional mass limit exemption was introduced for the 2012-13 grain harvest, and a new Livestock Loading Scheme for New South Wales was delivered. Since working in partnership with New South Wales police and industry, there has been a 79 per cent drop in the number of truck drivers detected speeding at more than 105 kilometres an hour. The Minister has delivered a two-axle bus and coach mass limit increase from 16.5 to 18 tonnes.

Most importantly, since April 2011 there has been the delivery of an extra 17,039 kilometres of roads in New South Wales for higher mass limit access with 25 per cent of these being for regional or local roads managed by councils and more than 21,270 kilometres of State, regional and local roads now being opened to higher mass limit access. If the pilot project that has been introduced for electronic work diaries as an alternative to written paper-based work diaries proves to be successful, it will be welcomed by many of those people driving trucks on a daily basis throughout New South Wales. I look forward to joining the excellent Minister for Roads and Ports, in conjunction with the Federal Minister, at the opening of the Holbrook bypass this coming Sunday. I commend the Heavy Vehicle (Adoption of National Law) Bill 2013 to the House.

Mr RICHARD AMERY (Mount Druitt) [12.37 p.m.]: I make a brief contribution to debate on the Heavy Vehicle (Adoption of National Law) Bill 2013. The object of the bill, in part, is to apply the text of the national law as a law of this State. Other jurisdictions participating in the scheme have introduced or propose to introduce similar legislation and the bill applies the national regulations made under the national law as laws of this State. This bill is part of an ongoing program to introduce regulations, legislation, rules and fees that apply in every State. In other words, Australia will be regarded as one entity so far as these national industries are concerned. Mutual recognition often relates to border disputes—a matter to which the member for Albury referred. I often hear members on the North Coast talk about conflicting regulations between New South Wales and Queensland as one State has a favoured position over the other relating to fees, registration and so on.

However, that does not apply to heavy vehicles. As most speakers have recognised, the heavy vehicle trucking industry is a national industry. Interstate truck driving is a difficult and tough job and can be unsafe for its drivers. These people are expected to transport our goods for many hundreds and sometimes thousands of kilometres over difficult terrain in parts of outback western New South Wales or when crossing into other States. In years gone by the different registration fees charged by the trucking companies have been a hindrance to business. I do not want to get involved in the red tape argument which has already been expounded, but I highlight the fact that having cheaper registration in South Australia, Queensland or Victoria could result in a company primarily situated in New South Wales having the figures in its books juggled to ensure it is registered in another State to gain a financial benefit.

I recall my days as a police officer in the 1970s when the lack of a national registration regime led to trucking companies abusing the system. I am talking about an era when the eastern States did not have a consistent rail gauge, so members can understand how far we have come in a relatively short period. Some unscrupulous operators in New South Wales—in fact, residents of Sydney—registered their companies using

fictitious addresses in other States to save money. I recall receiving a tip about a company that was registered in South Australia. A former employee told the police that a company called Fraslam was abusing the law. Apparently "Fraslam" was a compilation of the first three letters of Malcolm Fraser's surname and the last three letters of Gough Whitlam's surname.

The company's address was a vacant block of land in an industrial estate on the outskirts of Adelaide. I am pleased to say that due legal process was followed and the issue was satisfactorily resolved. My point is that when States reduce their charges to compete with other States and to attract business abuses can occur. The people involved in that fictitious company had no connection with South Australia; in fact, they lived in western Sydney. That demonstrates how the system can be abused because of a lack of national consistency. Adoption of national laws removes the temptation to set up fictitious companies and allows us to avoid the bureaucracy and costs involved in enforcing the law.

The heavy vehicle industry will have national guidelines and a national registration system. While a national entity will oversee it, the national law will be applied to the industry in each State. This is a tidying-up process that began at a ministerial council meeting in 2009. I compliment the Government on working with the other States to introduce national legislation covering the heavy vehicle industry. A number of pieces of legislation have recognised national regulations and this is another step in ensuring that the industry is nationally regulated. I commend the bill to the House.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [12.44 p.m.]: I support the Heavy Vehicle (Adoption of National Law) Bill 2013. Australians often refer to the "tyranny of distance", but many do not understand how serious it is. We saw a demonstration of that with the Electoral Commission's proposed redistribution of electoral boundaries. The proposed electorate of Barwon will be bigger than Germany and Victoria and Tasmania combined. This legislation reflects the problems we have experienced with heavy vehicle registration and regulation.

I well remember in 1993 the then Deputy Premier and Minister for Roads, the Hon. Wal Murray, trying to get the other States to agree to national regulations and registration because of the number of trucking companies in New South Wales that registered their vehicles in Western Australia, the Northern Territory and Queensland. Of course, that resulted in a huge drop in registration revenue for this State. When I lived in Moree a large number of trucking companies had post office boxes in Goondiwindi or Mungindi and sometimes depots across the border. It was far cheaper to do that and the regulations relating to heavy vehicles were far less onerous in Queensland than they were in New South Wales. I do not know whether he is still alive—perhaps the Minister at the table knows—but Andy Doyle had a business in Moree and I guarantee that 90 per cent of his vehicles were registered in Queensland despite the fact that they were used to harvest wheat in Moree. He did that because he could register them more cheaply and for just one month at a time rather than for 12 months.

I well remember the problems with the legislation introduced during the last Parliament dealing with driver fatigue in the heavy vehicle industry. Members representing electorates in northern New South Wales—mine is halfway between Brisbane and Sydney—reported serious problems because of the different radii applied to New South Wales and Queensland stock carriers. There was one law for Queensland and another law for New South Wales. That legislation was designed to reduce heavy vehicle driver fatigue but it was not homogenous. Another issue that people do not understand is that those living in country areas rely almost solely on heavy vehicle haulage for their freight. Everything, including furniture and motor vehicles, comes in on the back of a truck. If motor vehicles are being delivered from a production plant in South Australia or Victoria and the loading regulations in those States are different from those in New South Wales that creates chaos for local freight carriers.

I commend the Minister in the other place for the way in which he has dealt with volumetric loading. He has made the situation very clear and has enabled people in country areas to transport stock, hay and other goods and to go about their business without being unfairly fined. We have experienced problems in the past because a truck that was legally loaded in another jurisdiction might enter a weigh station with a piece of timber overhanging by 60 millimetres, but that would be illegal in New South Wales and the driver would have to park the truck until that 60 millimetres could be sawn off. That is lunacy. Implementing national laws agreed to by the Council of Australian Governments is a huge step in the right direction.

Heavy vehicle drivers are all too often blamed for accidents they do not cause. There are far too many deaths on the Pacific Highway; we have on average 500 deaths a year and heavy vehicles are often involved. The fatigue legislation that has been adopted nationally has helped to reduce the number of

accidents. Seventy per cent or more of the accidents that occur are not the fault of truck drivers; rather they are the fault of car drivers. Members referred earlier to the benefits of this legislation for businesses in New South Wales. Lindsay Brothers, one of the best known trucking companies in Australia established by Peter and Tom Lindsay, commenced operation in Coffs Harbour almost 60 years ago. Peter is sadly deceased but Tom still has a fair investment in that business. Lindsay Brothers, now known as Lindsay Australia, moved from Coffs Harbour to Queensland because of the regulations applying to its business in New South Wales under the former Government—regulations encompassing everything from loading to the cost of registration, et cetera.

It cost Lindsay Brothers \$600,000 to relocate from Coffs Harbour to Queensland although it still maintains a depot in Coffs Harbour. Coffs Harbour and New South Wales suffered financially as a result of the loss of a business that employed hundreds of local people. If this legislation had been enacted at the time Lindsay Brothers would not have relocated to Queensland but rather would have stayed in Coffs Harbour where the business originated. Sometime after the move Tom Lindsay told me that he had recouped that \$600,000 within three months of moving, which provides an indication of the cost burden on transport businesses in New South Wales.

I implore all State governments to continue to negotiate to ensure that all the reforms adopted by New South Wales are adopted nationally as that will enable the transport industry to go about its business delivering freight from country areas into our cities. Almost all the food that is put on our plates in city areas comes from regional electorates. Freight from those regional electorates must be delivered economically to ensure that our city cousins are well fed now and in the future. I commend the legislation to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [12.52 p.m.]: I support the Heavy Vehicle (Adoption of National Law) Bill 2013. In the time that I have been a member of Parliament I have served on the Joint Standing Committee on Road Safety on two separate occasions when it inquired into the transport industry, which was a great education for me. In the early years of my childhood I learned much about the trucking industry because of family connections with that industry. I still have cousins in western New South Wales who operate heavy vehicles.

This bill will adopt the Heavy Vehicle National Law as a law of New South Wales and make a number of other amendments. A number of productivity benefits in New South Wales will advantage rural and regional areas, including Class 3 Baled Agricultural Commodities Load Exemption Notice, Class 1 Agricultural Vehicles Combination Notice, Agricultural Machine Combination Notice, Class 1 Combine Harvester Combination Exemption Notice, and Class 1 Grain Auger Combination Exemption Notice. These and other New South Wales heavy productivity initiatives will carry over into the national law.

These reforms and the many other reforms that the Minister for Roads and Ports has made to the heavy vehicle industry will be most welcomed not only by industry but also by the agricultural community. Earlier road legislation did not keep up with the times. The agricultural industry in Australia, which is the most efficient and innovative in the world, quickly adopts new technology relating to larger, longer, heavier and more mobile machinery. Under the old laws the maximum transportable length permitted for a combine harvester in its cone was 21 metres, but that has now been extended to 26 metres, or the length of a semitrailer. Under the new laws grain augers, which are larger, more mobile and longer, will now be permitted to be transported.

This legislation will help not only the trucking industry but also the agricultural industry, which was heavily penalised under the old regulations because of the failure of the former Government to keep up with technology and engineering advances and to adopt new regulations as new machinery came on line. I refer to the Class 3 Baled Agricultural Commodities Load Exemption Notice and its implementation during the terrible days of the recent drought. Sadly we will see such times because that is the nature of the country in which we live. With today's modern baling technology, bales of hay, lucerne or any other crop can be compacted to a precise size and weight. That weight can vary because of moisture, seed content or the time at which a crop is harvested, but what does not change is the size of the bale.

Farmers who owned semitrailers or large trucks and carted hay, lucerne or other fodder to feed their starving stock received infringement notices when their vehicles were a few centimetres oversize. This bill will increase the allowable limit for vehicles carting hay, wool, straw and cotton from 2.5 metres to 2.7 metres. Each vehicle must have flashing lights and load delineators above 2.6 metres, which is a fair and reasonable requirement. This bill has been formulated in response to the modern technology that has been adopted by farmers who want to be more productive.

The Minister for Roads and Ports continues to deliver for the trucking industry. Since coming to office this Government has increased mass limits, which has enabled trucks with new suspensions, greater carrying capacity and increased power to carry heavier weights. The former Government would not increase mass limits but this Government has done so. This Government restored the 110 kilometres per hour speed limit on the Newell Highway, a major trucking corridor for inland freight, which will ensure that private vehicles and commercial trucks are not mixed. This Government has given approval for 4.6 metre high trucks to travel on the Great Western Highway over the Blue Mountains and allowed performance-based standard quad and quin dog trucks to operate on approved B-double networks in New South Wales.

In 2012 this Government delivered modern road train access on selected routes east of the Newell Highway between Narrabri and the Gunnedah regional saleyards on the Kamilaroi Highway. It has also delivered an online interactive restricted access vehicle map service to replace the old PDF maps, allowed tri-axle dollies to operate on the road train network at tri-axle mass limits, and modular B-doubles to operate in New South Wales under a nationally agreed framework on approved road train routes west of the Newell Highway. This Government has delivered modern road train access on select routes east of the Newell Highway, which will assist in the transportation of grain, cotton and livestock from the Gwydir shire local government area.

We have abolished the requirement for New South Wales-based transport operators to pay stamp duty on the purchase of new truck trailers. We have introduced concessional mass limit exemptions for the 2012-13 grain harvest. That was a problem because it was not possible to guarantee that grain loaded in the paddock would not exceed the mass limit allowed to be carried on the road. As I said earlier, the weight of all product changes because of moisture content when it is harvested and many transport curators were being treated harshly because of that. This Government has delivered a new Livestock Loading Scheme that allows greater numbers of stock to be carried.

The Government has been working in partnership with the NSW Police Force and industry, and in the past year there has been a 79 per cent drop in the number of trucks detected speeding at more than 105 kilometres per hour. B- and AB-triples certified under section 10 of the Queensland Livestock Learning Vehicle Rating have been recognised in lieu of separate New South Wales certification for entry into the New South Wales Livestock Loading Scheme. The two axle bus/coach mass limit has been increased from 16.5 tonnes to 18 tonnes. This reflects new technology and the size of buses/coaches. An extra 1,739 kilometres of roads in New South Wales for higher mass limit access has been delivered as of April 2011. The Government has also led a pilot program in electronic work diaries, provided \$5 million in funding for the National Project Office to help establish and develop the National Heavy Vehicle Regulator and committed another \$5.2 million.

The Government has also worked to fund 17 bridges, which will provide greater efficiencies for trucks travelling interstate. I agree with the comment of one of the previous speakers that the trucking industry has no borders. That is why this legislation is important in moving those regulation borders that cost the trucking industry so much money and which took away the efficiencies that the new technology was to deliver. I congratulate the Minister for Roads and Ports on another fine piece of legislation that delivers for the trucking industry and for the people of this State. I commend the bill to the House.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [1.02 p.m.]: I support the Heavy Vehicle (Adoption of National Law) Bill 2013. From time to time it is necessary to change parts of legislation to improve outcomes for the people of New South Wales. In my life before Parliament I was involved with heavy vehicles for almost 22 years. I was a panel beater and spray painter. I spent a large part of my working life managing an area on behalf of the heavy vehicle industry. Some years ago changes were made to the Road Transport (General) Amendment (Written-off Vehicles) Act concerning cars—namely, badly damaged vehicles are either repairable or written off. This has resulted in a reduction in the theft of motor vehicles and, importantly, ensured that vehicles are not returned to the road if they are not roadworthy.

The amendments proposed in this bill will work towards improving the repair of all heavy vehicles on our roads and adopt legislative changes and reforms similar to those made in relation to cars. I will briefly elaborate why that needs to be done. Heavy vehicle accidents cause serious carnage on our roads. As members well know, truck accidents can destroy the lives of families. They are very different from motor vehicle accidents. Any heavy vehicle involved in an accident should be repaired only in an authorised repair shop. Currently that is not the case. A heavy vehicle damaged on Australian roads today can be repaired in the backyard of unauthorised people—that needs to change. No rules, regulations or standards are applied as to how that heavy vehicle is to be repaired, but they are required to undergo some testing. I remind members that I am referring to significant prime movers that haul B-doubles across this country.

The tests undertaken by the Roads and Maritime Services to assess the suitability of these heavy vehicles after an accident before they go back onto the road are not as extensive as those applied to cars. The damage that results to the steering, suspension and chassis of a truck involved in an accident must be crack tested. Any aspects of heavy vehicle damage, or even suspected damage, must be significantly tested to ensure that the highest standards of safety are upheld when those vehicles are returned to our roads. One way of checking that is to see whether a heavy vehicle involved in an accident has been involved in a prior accident, but it is difficult to establish whether such a vehicle has been checked thoroughly. Therefore, it is hard to determine whether there was a problem that led to the subsequent accident.

New standards must be applied to ensure that any damaged heavy vehicles are thoroughly checked and inspected. That need is not encapsulated in this bill, but it should be addressed in future legislation. It is important that safety standards be incorporated into legislation to ensure that heavy vehicles involved in accidents are repaired only in authorised repair workshops by qualified people—and without patting myself on the back, I am one of those qualified people. Having worked in the industry for 22 years, I understand how damaging an accident can be to the steering components, the suspension and chassis of heavy vehicles. This can be done only through legislation and, as I have said, the legislation will be similar to what is in place for motor vehicles—namely, repairs are carried out in an authorised repair workshop and if the vehicle cannot be repaired to its insured value then the vehicle is written off. Therefore, if a heavy vehicle can be repaired in an authorised repair workshop to its insured value it should be repaired; if not, the vehicle should be scrapped for spare parts as are motor vehicles. I commend the bill to the House.

Mr KEVIN HUMPHRIES (Barwon—Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales) [1.09 p.m.], on behalf of Ms Gladys Berejiklian, in reply: The introduction of a National Heavy Vehicle Law and the establishment of the National Heavy Vehicle Regulator will deliver greater consistency in regulation across jurisdictions and enable cost savings by eliminating unnecessary duplication. The use of national systems and processes that emerge from the national regulator's one-stop shop will offer heavy vehicle operators, governments and the community better coordination of access decisions across all levels of government, especially last-mile access decisions; improved compliance and enforcement strategies that encourage industry participation in accreditation schemes in return for mass, dimension and load productivity benefits; improvements to the regulation of fatigue, offering greater flexibility to operators while ensuring that safety standards are not compromised; and information technology applications that will improve operator efficiencies, such as better online fleet management capability; and reductions in the time needed to train drivers given that there will be one nationally consistent set of rules.

A national system will provide the same outcome in the same circumstances across all jurisdictions, given the common policies, procedures and processes that the National Heavy Vehicle Regulator will introduce. All of this should lead to a reduction in regulatory inconsistencies that currently plague operators and significantly add to the cost of doing business. The regulator will work on behalf of operators with cross-border businesses and local government to ensure a single permit with a straightforward set of operating conditions to cover each applicable jurisdiction. This system will allow access permit applications to be sent simultaneously to decision-makers in councils and State road authorities, facilitating the assessment tasks of road authorities and reducing the burden of operators which, under current arrangement, must contact road authorities themselves.

The National Heavy Vehicle Regulator will introduce case managers to coordinate access applications across councils and State road authorities. The National Heavy Vehicle Regulator will also introduce, for the first time, centralised data on access applications, which will provide intelligence on infrastructure bottlenecks. The Heavy Vehicle National Law provides for ministerial guidelines that the National Heavy Vehicle Regulator will publish to assist road managers in applying consistent processes and criteria while assessing access applications and determining appropriate access to the road network. The passage of the Heavy Vehicle (Adoption of National Law) Bill 2013 and establishment of the National Heavy Vehicle Regulator in New South Wales will deliver an economic boost for New South Wales and the nation over time.

In 2006, the Productivity Commission estimated potential net gains of \$7.5 billion if a national approach to heavy vehicle regulation were to be adopted. In February 2011 the National Transport Commission developed a regulatory impact statement addressing the Heavy Vehicle National Law and the National Heavy Vehicle Regulator. It suggested that there are potential productivity benefits for the nation's economy of between \$5.6 billion and \$12.4 billion over 20 years to be realised as a result of this reform. If those estimates are realised, there will be flow-on effects that will be good for the hip pocket of everyone in this State. 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 Kevin Humphries, on behalf of Ms Gladys Berejiklian, agreed to:

That this bill be now read a third time.

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

COMMUNITY RECOGNITION STATEMENTS

ORANGE ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENTS

Mr ANDREW GEE (Orange) [1.13 p.m.]: I bring to the attention of the House the Queen's Birthday Honours bestowed on Orange residents. Anaesthetist Dr Frank Moloney was honoured with an Order of Australia Medal for his significant services to medicine. Dr Maloney has been an advocate to encourage young doctors to come to rural areas and has served on regional and State medical boards to champion the cause of the provision of rural health services. He has managed his many other involvements in conjunction with his role as director of anaesthesia at Orange Base Hospital for the past 30 years. Retired public servant Scott Griffiths, who now calls Orange home, was awarded the Public Service Medal in recognition of his 40-year service to the New South Wales State Government. Mr Griffiths was former Ageing, Disability and Home Care Western Region Director and Department of Family Services Regional Executive Director.

URUGUAYAN CONSULTATIVE COUNCIL WELLBEING FORUM

Mr GUY ZANGARI (Fairfield) [1.14 p.m.]: The Uruguayan Consultative Council presented a wellbeing forum for Spanish-speaking communities on 18 May 2013. The Uruguayan Club of Hinchinbrook hosted the event. The forum would not have been possible without the contribution of Transcultural Mental Health, the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors [STARTTS], and Community Action Services Australia [CASA]. The forum sessions included topics such as Welfare; If Something Goes Wrong, How to Fix It; and Ageing. An expert presenter facilitated each session, and questions and answers followed the conclusion of each session. Congratulations to the Uruguayan Consultative Council of Sydney President Mr Washington Vinales and the committee on working towards the wellbeing of the senior community.

WEST HEAD AWARENESS TEAM

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [1.15 p.m.]: Today I recognise and applaud the members of the West Head Awareness Team for their continuing efforts to restore several World War II gun batteries at West Head within the Ku-ring-gai Chase National Park. These enthusiastic and dedicated volunteers, led by the group's co-ordinator Rohan Walter, have worked assiduously over the past two years to help restore this nationally significant site and enable its largely unknown history to be shared. What is now a picturesque location with expansive views of the Pittwater, Hawkesbury River and Broken Bay was a key defensive site during the Second World War when a very real threat existed to Sydney's north. I commend all the members of the West Head Awareness Team for helping to ensure a very important part of our nation's history is not forgotten.

POLICE ATTESTATION CEREMONY

Mr NICK LALICH (Cabramatta) [1.16 p.m.]: On 3 May 2013 I attended the Police Attestation Ceremony of Class 318 in Goulburn. I was joined by the member for Fairfield and both of our local area commanders, Superintendent Peter Lennon and Superintendent Wayne Murray. It was a remarkable display to say the least, with all of our fine young cadets filled with hope and inspiration. I congratulate all of our fine young officers who graduated on the day and I extend my thanks to the distinguished guests, friends and families of the officers, my colleagues and other officers who made the attestation the resounding success that it was, and for being there on the day to show their respect and support for the outstanding graduates of Class 318.

NONI AND THE SDA TONGAN PROJECT

Mr TONY ISSA (Granville) [1.16 p.m.]: I congratulate Noni and the SDA Tongan Project on gaining registration as a non-profit charity. I also congratulate the president Alanoni Finau and the Tongan community on this achievement.

TRIBUTE TO ANNE SLATTERY

Mr RON HOENIG (Heffron) [1.17 p.m.]: I bring to the attention of the House Daceyville resident and former councillor of the City of Botany Bay for 22 years, Ms Anne Slattery. Anne Slattery did not run in the 2012 local government elections and is sadly missed, as she served her community with distinction and compassion. Anne followed her father's path into local government. The late James Slattery served the municipality of Botany as an alderman from 1960 to 1974 and was mayor in 1967, 1968 and again in 1970.

Anne Slattery is still very much involved with her local community and was recently elected as President of the Botany Historical Trust. She is also a tireless worker for her local church, St Michael's in Daceyville. Anne is an educator and role model for her profession. She spent most of her career at J. J. Cahill Memorial High School in Mascot teaching history and English. She was a great mentor to our students and her influence helped many a struggling student achieve their goals and change their lives. It is her passion and love of history that she brings to the role of president of the historical trust. Be it working in local government, teaching children and young adults, or working with her community, Anne brings grace, commitment and a sense of caring that is rare in today's society. On behalf of my community I pay tribute to Anne Slattery and thank her sincerely for her service to our community.

GRAND KNIGHT OF THE INTERNATIONAL LIFE SAVING FEDERATION INDUCTEE GREG ALLUM, OAM

Mr MARK SPEAKMAN (Cronulla) [1.18 p.m.]: I congratulate Greg Allum, OAM of Cronulla on his induction as a Grand Knight of the International Life Saving Federation, one of the highest honours in international lifesaving. A life member of Wanda Surf Life Saving Club and of Surf Life Saving Australia, Greg has an outstanding history in surf lifesaving. His achievements include being the winner of 10 Australian championships, including the 1979 Open Ironman and 32 championship medals, the runner-up in the 1978 and 1981 Australian Open Ironman, four-time New South Wales Open Ironman champion, the winner of more than 50 New South Wales championship medals, and the winner of two world championships. He represented Australia on three occasions as a competitor and on four occasions as a manager-coach as well as being three times Australian Championship coach in Rescue and Resuscitation.

ST ALBAN'S ANGLICAN CHURCH, BELMORE

Mr ROBERT FUROLO (Lakemba) [1.19 p.m.]: I congratulate St Alban's Church, Belmore, on its successful Community Building Partnership Program application, a great initiative of the former Labor Government. The \$25,000 grant allows the church to upgrade its kitchen facilities. St Alban's has a long history of charitable works in the community and of helping those most in need. The church has also received assistance from Canterbury City Council for a community kitchen. When I visited St Alban's in April I met a number of members of the Sudanese community who regularly use the facilities at the church. St Alban's provides a supportive and nurturing environment where a Sudanese youth group meets on Tuesdays. I congratulate Reverend David Wallace and members of the Sudanese community on their hard work in lending a helping hand to many in our community.

MYALL LAKES ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENT

Mr STEPHEN BROMHEAD (Myall Lakes) [1.19 p.m.]: I inform the House that Brian McWhirter of Taree has been awarded the Medal of the Order of Australia [OAM] in the Queen's Birthday Honours List. The citation for Brian's medal reads "For services to the community of Taree through charitable and service groups". Brian is a former Wingham High School teacher who became a scout leader of the Taree Scouts before becoming a district leader soon after. Brian was also a representative for the New South Wales Teachers Federation and is a life member of the Wingham Teachers Association. In 1991, Brian joined the Lions Club of Taree and began community work with them. Over the years he has been chairman of the Christmas cake fundraising drive and secretary, treasurer and director of the club before becoming district governor in 2004-05, one of his greatest achievements. Helping people is a big part of Brian's life. It is also important to Brian's family, especially his wife, Jane. On behalf of the New South Wales Parliamentary Lions Club I say congratulations.

MOUNT DRUITT ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENT

Mr RICHARD AMERY (Mount Druitt) [1.20 p.m.]: I ask the House to acknowledge Mr George Nicolaidis of my electorate of Mount Druitt who was awarded the Medal of the Order of Australia, or OAM. George is 82 years old and was the mayor of Blacktown a short time after my wife and I first moved to Rooty Hill in 1974. Being an Independent he was always on the other side of politics from me, however I have always known him as a dedicated community worker and historian, whose efforts have done much to preserve the history of our district. The awarding of an OAM is a proud moment for George Nicolaidis and I am pleased to record my congratulations and the good wishes of the community on his award.

BLUE MOUNTAINS ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENT

Mrs ROZA SAGE (Blue Mountains) [1.21 p.m.]: It is my pleasure to congratulate Ross Ingram, OAM, on being awarded the Medal of the Order of Australia for his generous work in the Blue Mountains community and beyond. I am also honoured to be able to call Ross a friend. Ross has devoted more than two decades of his life to valued community work. As a member of Springwood Rotary Club he has contributed to numerous projects including Riding for the Disabled, the Blue Gum Markets at Faulconbridge Public School and community lunches for Winmalee Neighbourhood Centre. He is also a committee member at the neighbourhood centre. Funds are also raised for the Royal Institute for Deaf and Blind Children when Ross and his wife, Robin, open their garden to the public each year. Ross has even devoted himself to communities abroad having volunteered with Rotary International to provide assistance to important projects in Papua New Guinea and Vanuatu. This honour could not have gone to a more deserving person than Ross Ingram. Congratulations.

REFUGEE WEEK

Mr ALEX GREENWICH (Sydney) [1.22 p.m.]: I commend Refugee Week celebrations and all those who help include refugees in our society. Refugee Week reminds me about the distressing lives that many refugees escape, including torture, abuse, persecution and discrimination, and to celebrate the positive change and valuable contribution refugees make to Australian society. My father is a refugee from the former Soviet Union and I am very aware of his hope for a better life for himself and his family. The Refugee Week theme, "Restoring hope", highlights the journey of hope for freedom, safety and security and a better future, something we all seek. About 4,000 refugees settle in New South Wales each year. The rich diversity of refugee communities is celebrated in Refugee Week through a festival of music, theatre, dance, art and food with a wide range of community organisations, schools, students groups and voluntary and government bodies involved. I commend groups and individuals in my electorate who work for refugees and join them in celebrating diversity and inclusion.

WAGGA WAGGA ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENTS

Mr DARYL MAGUIRE (Wagga Wagga) [1.23 p.m.]: I warmly congratulate Margaret Sedgwick, Police Superintendent David Simmons and Brigadier Simone Wilkie on their recent Queen's Birthday Honours. Margaret Sedgwick, of Batlow, received the Medal of the Order of Australia for her tireless work in the Batlow community. Commander David Simmons received the Australian Police Medal for service to the NSW Police Force since he became a probationary constable in 1977. Brigadier Simone Wilkie was made a Member of the Order of Australia [AM] with a commendation for distinguished service. She was the first female commander of Kapooka, at Wagga Wagga, and served as chief of staff to General Petraeus. She has been appointed to command the Australian Defence Force Academy and is Australia's most senior female soldier.

RABITAH MAGAZINE SEVENTH ANNIVERSARY

Ms TANIA MIHAILUK (Bankstown) [1.24 p.m.]: I recently attended the seventh anniversary of *Rabitah* magazine, an Urdu/English bilingual community magazine, which has a general readership of approximately 30,000 across Australia and is available at no cost to readers. It provides a conduit between the Australian-Pakistani and subcontinent communities and their broader international corresponding communities. I commend *Rabitah* magazine editor Munir Mohammad and his team for building strong links within all levels of government in helping to strengthen relations between the Australian subcontinental communities and our broader community. The event was also an opportunity to recognise individuals and associations that have contributed in advancing Australian-Pakistani and subcontinental standing. I acknowledge the dignitaries who attended, including Senator the Hon. Bob Carr, the Leader of the Opposition, His Excellency Nabil Mohammad A. Al Saleh, Ambassador of Saudi Arabia, Mr Abdul Aziz Uqaili, Consul General of Pakistan, as well as the many religious and community leaders and parliamentarians who attended the event. I wish *Rabitah* magazine much success in the future.

SOCCEROOS FIFA WORLD CUP QUALIFICATION

Mr ANDREW ROHAN (Smithfield) [1.25 p.m.]: I take this opportunity to congratulate the Socceroos team players, management and fans on their fantastic and historic win yesterday and their direct qualification for the football World Cup in 2014 in Brazil. The Socceroos played a nail-biting, tough and tight game against a young and talented Iraqi side until the eighty-third minute when Mark Bresciano passed a high ball from the right into the penalty area where Josh Kennedy was waiting. Josh rose high and almost stayed in the air for a few seconds to head the ball perfectly to the right side of the keeper thus scoring the winning goal in front of 83,500 fans. The win ensured Australia will play among the world's best 32 teams in the next World Cup in Brazil. This is the fourth time Australia has qualified for the World Cup, an immense achievement to say the least. Australia qualified in 1974, 2006 and 2010 and now for 2014. This makes the third qualification in a row. However, this was the first time that the team had qualified directly. *[Time expired.]*

WORKERS EDUCATIONAL ASSOCIATION SYDNEY CENTENARY

Ms CARMEL TEBBUTT (Marrickville) [1.26 p.m.]: I pay tribute to the Workers Educational Association [WEA] Sydney, which is celebrating its centenary this year. The association is one of Australia's oldest educational institutions and is older than most schools and universities. It was established as a result of the actions of Albert Mansbridge from WEA United Kingdom, David Stewart, a Scottish migrant to Australia who was passionate about education for working class people, and Peter Board, Director of Education in New South Wales. The initial meeting of WEA Sydney was held on 3 November 1913 at Sydney's trade union building with support from the Labor Council of New South Wales, the Trades Hall Association and many unions. The WEA has grown to become one of the largest and most prestigious adult and community education organisations in Australia and every year attracts thousands of students from all walks of life. Its educational program is very broad and ranges from humanities, languages and the arts to computer, business and vocational training. As Michael Newton, WEA's Executive Director has said, the WEA has been a central part of Sydney's intellectual and cultural life for 100 years and I congratulate the organisation.

ORANGE ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENT

Mr ANDREW GEE (Orange) [1.27 p.m.]: I draw the attention of members to the fact that volunteer Jean Whiley recently received the Medal of the Order of Australia. For decades Mrs Whiley has devoted much of her life as a volunteer in Orange and Cowra through music, fundraising and charities. She is currently the Vice-President of the Cerebral Palsy Alliance Orange branch, founder of the Combined Churches Choir, and is an organist and pianist in five churches. She is also involved with the Orange branch of Inner Wheel. Mrs Whiley joins her late husband, Warren, in receiving the Medal of the Order of Australia. He received the award shortly before he passed away in 2000. I congratulate Jean Whiley on her contribution to our community.

CO.AS.IT FORTY-FIFTH ANNIVERSARY

Mr GUY ZANGARI (Fairfield) [1.28 p.m.]: Co.As.It celebrated its forty-fifth anniversary on Friday 17 May 2013. The celebration also marked the commemoration of the Italian National Day. Co.As.It has been providing vital social assistance to the Italian community since 1968. It now reaches out to all communities, ensuring that the expertise in social assistance is shared and not lost. The gala evening raised funds for the new campus of the Italian Bilingual School, which is located at Meadowbank. Co.As.It bilingual school was established in 2002 and caters for students from preparatory to year 6. Congratulations to the board of Co.As.It on hosting the successful fundraising evening.

MYALL LAKES ELECTORATE QUEEN'S BIRTHDAY HONOURS RECIPIENT

Mr STEPHEN BROMHEAD (Myall Lakes) [1.29 p.m.]: I inform members that Lucy Bukolic of Rainbow Flat has been awarded an Order of Australia Medal in the Queen's Birthday Honours List. The citation for Lucy's Order of Australian medal reads, "For services to the community and multicultural organisations". Lucy was born in Vienna, Austria, and travelled with her parents in a circus. Life in the circus meant that Lucy attended a different school every two weeks, which meant that Lucy had to adjust to changing circumstances very quickly. As a result, her ultimate move to Australia in 1962 was no great challenge for her. In 1984 Lucy moved to the Manning Valley with her second husband and they were married for 20 years before he passed away in 1995. When a neighbour suggested to Lucy that she help with the Flair Fashion Awards for something to do, it began a new chapter in Lucy's life where she has worked for dozens of community and charitable organisations. She is very active with senior citizens in Taree and has received many awards for her community service. This is a fitting award recognising her significant contributions to our community.

CABRAMATTA ROTARY POLICE OFFICER OF THE YEAR AWARDS

Mr NICK LALICH (Cabramatta) [1.30 p.m.]: I congratulate the Rotary Club of Cabramatta on another successful Police Officer of the Year awards ceremony held on Monday 17 June 2013 at Club Marconi. Rotary clubs throughout our State and Australia do an outstanding job of supporting worthy causes and supporting the vulnerable in our communities. I thank also Mr Robert Favelle, President of Cabramatta Rotary, for the initiative and ongoing support of police officers within our local police commands of Cabramatta and Fairfield. I congratulate all police officers on their dedication and unwavering support of communities throughout the State and give special congratulations to the officers who were nominated for awards on the evening. Special thanks go to two area commanders, Commander Peter Lennon of Fairfield Local Area Command and Commander Wayne Murray of Cabramatta Local Area Command.

ITALIAN REPUBLIC DAY

Mr ANDREW ROHAN (Smithfield) [1.31 p.m.]: On Sunday 17 May 2013 I joined with members of the Australian Italian community to celebrate Italian Republic Day at Club Marconi in my electorate of Smithfield. Italian Republic Day, or as it is said in Italian "Festa della Repubblica", marks the day in 1946 that the people of Italy voted to abolish the monarchy and become a republic. Festa della Repubblica is a celebration of national pride and culture that Italians celebrate across the globe. Thousands of people gathered to celebrate this important event, which was marked with Italian food, wine, music and great entertainment that included an exhibition of Italian cars. This is testament in itself to the influence that Australian Italians have had on all of us. It was a wonderful day for families to share in this great Italian tradition. The Premier took time out on Sunday to share in this celebration with the Italian community in my electorate. The Italian Consul General, Dr Sergio Martes, was also present.

Community recognition statements concluded.

[Acting-Speaker (Mr John Barilaro) left the chair at 1.31 p.m. The House resumed at 2.15 p.m.]

DISPLAY OF POSTERS IN THE CHAMBER

The SPEAKER: Order! Posters have been placed around the Chamber, including on the Speaker's chair. If I see members using them as props and holding them up around the Chamber, those members will be removed in accordance with past practice. I am directing my comments to the member for Keira. In future, do not place things on the Speaker's chair. Do not touch my chair.

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

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

T. F. BATHURST
Lieutenant-Governor

Office of the Governor
Sydney, 17 June 2013

The Honourable Thomas Frederick Bathurst, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, Professor Marie Bashir, having departed the State, he has assumed the administration of the Government of the State.

LEGISLATIVE COUNCIL VACANCY

Joint Sitting

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

T. F. BATHURST
Lieutenant-Governor

Office of the Governor
Sydney, 19 June 2013

I, the Honourable Thomas Frederick Bathurst, in pursuance of the power and authority vested in me as Lieutenant-Governor of the State of New South Wales, do hereby convene a joint sitting of the Members of the Legislative Council and the Legislative Assembly for the purpose of the election of a person to fill the seat in the Legislative Council vacated by Ms Cate Faehrmann, and I do hereby announce and declare that such Members shall assemble for such purpose on Wednesday the nineteenth day of June 2013 at 3.45 p.m. in the building known as the Legislative Council Chamber situated in Macquarie Street in the City of Sydney; and the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

In order that the Members of both Houses of Parliament may be duly informed of the convening of the joint sitting, I have this day addressed a like message to the President of the Legislative Council.

Ordered by the Speaker, that the joint sitting be set down as an order of the day for 3.45 p.m. today as appointed in His Excellency's message.

SOCCEROOS FIFA WORLD CUP QUALIFICATION

Ministerial Statement

Mr GRAHAM ANNESLEY (Miranda—Minister for Sport and Recreation) [2.23 p.m.]: Yesterday the Premier wished the Socceroos the very best of luck in their World Cup qualifier match last night. I had the great pleasure of attending the game along with my colleagues the Minister for Major Events, the Minister for Education, the Minister for Citizenship and Communities, the Leader of the Opposition and the member for Fairfield.

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

Mr GRAHAM ANNESLEY: Other members may have also attended. Last night saw another great Australian sporting moment with the Socceroos booking their place in the final 32 teams that will compete for the World Cup in Rio next year. Fans had to wait until the eighty-third minute of the match to see our team confirm its place in the draw for Brazil. The victory over Iraq last night adds another chapter to the rich history of Australian sport, with the Socceroos qualifying for the fourth time to participate in the world's most watched sporting event. The importance of last night is heightened for Mark Schwarzer, Lucas Neill, Marco Bresciano, Mark Milligan and Tim Cahill because this will be their third successive World Cup campaign with the Socceroos. Most would agree that it is a rare feat to have played for one's country at the highest level for 12 years. A crowd of 80,000 rose as one last night to applaud the header brilliantly executed by Josh Kennedy to win the game.

The Socceroos have not been beaten on home soil since 2009 and last night was the culmination of strong performances in the qualifying rounds to finish second to Japan in our group. With three successive World Cup appearances to our name, Australia is now recognised as a force in the world game and the Socceroos is a team of which we can all be proud. While the players will take centre stage for the celebrations, this achievement would not have been possible without the dedication of coaches, officials, support staff and, more particularly, the grassroots volunteers who week in and week out give up their time to help produce the stars of tomorrow. Whether it be spectators or participants, football continues to grow in New South Wales and throughout Australia.

The SPEAKER: Order! I remind members that it is disrespectful to have private conversations while a Minister is speaking. Members who wish to have private conversations should do so outside the Chamber.

Mr GRAHAM ANNESLEY: Here in New South Wales we have the largest number of participants in the country with close to 500,000 children and adults playing the game. Whether it be members of this House, the millions of fans glued to television sets around the nation last night or the many thousands of young boys and girls who will be kicking a football around parks throughout New South Wales this weekend, we all wish the Socceroos the very best as they prepare for Rio next year.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [2.26 p.m.]: Madam Speaker—

Mr Chris Hartcher: Don't you have a shadow Minister for Sport?

The SPEAKER: Order! The Minister for Resources and Energy will come to order.

Mr JOHN ROBERTSON: Did the Minister have too much red cordial last night? Last night the Socceroos jumped the final hurdle to go to Rio, and they go with our best wishes. It was a great game. The Minister praised Josh Kennedy's header; however, I think Mark Bresciano's placement of the ball between two defenders and onto Josh Kennedy's head also deserves to be mentioned. It was the placement of the ball that was so amazing at that critical point in the game. The Minister referred to participation in soccer. SBS Television has confirmed that 1.5 million people watched the game on television last night, and that is about 500,000 more than watched the match between Australia and Jordan. It was an exciting game and at times we were all sitting on the edge of our seats as Iraq ventured into Australia's half and looked somewhat threatening.

As the Minister said, it is pleasing to see the Socceroos making their way to the World Cup finals competition because once again it will give us the opportunity to display our sportsmanship. Soccer is growing not only because of the A-League and the efforts of Frank Lowy and David Gallop but also because of the efforts of mums and dads and the kids of this State who play the game. Participation is increasing because soccer has enormous grassroots support from parents who coach, run touch lines and referee. Last night's win makes us very proud of the Socceroos and excited about the green and gold going to Rio, and I know that they go with our best wishes. The Opposition wishes the Socceroos all the best in Rio next year.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.30 p.m.]

ELECTRICITY ASSETS SALE

Mr JOHN ROBERTSON: My question is directed to the Deputy Premier. Given The Nationals State Conference voted unanimously on the weekend to oppose any privatisation of the State's electricity poles and wires, what action will the Deputy Premier take to stop the Premier and the Treasurer from selling off the network?

Mr ANDREW STONER: Once again we have massive hypocrisy from the Leader of the Opposition. This is the bloke who opposed privatisation at every twist and turn until he became a member of the Labor Cabinet. He was happy to sign up to the worst privatisation in the history of New South Wales government—the failed gentrader model that duded the taxpayers of this State. He was happy when Walt Secord, a member of the Legislative Council, advised the then Premier to shut down the Parliament to get that dud deal through without scrutiny. I speak for those on this side of the House and say that absolutely nothing has changed in relation to our position on poles and wires. I am glad the Leader of the Opposition observed The Nationals conference. I dare say there were more of his colleagues observing that conference than were at the Labor conference earlier this year. Absolutely nothing has changed.

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

Mr ANDREW STONER: The Premier has given a commitment that there will no sale of poles and wires in the electricity network unless this Government has a mandate to do so.

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

WESTERN SYDNEY INFRASTRUCTURE AND JOBS GROWTH

Mr ANDREW ROHAN: My question is addressed to the Premier. What is the New South Wales Government doing to build infrastructure and encourage jobs growth in Western Sydney?

Mr BARRY O'FARRELL: This morning I was delighted to join the member for Smithfield and members representing the electorates of Mulgoa, Penrith and Londonderry, along with Mr Finances—the Mike Hussey of the team, the Treasurer—at Erskine Park Link Road. The Erskine Park Link Road does not get much attention from the press gallery but it is one of those important jobs that we are getting on with delivering in this State. It was a key election commitment by this side of politics. It was funded in our first budget and it is due to open next month. There is no better example of this Government getting on and delivering than the Erskine Park Link Road. The link road was too often promised by those opposite, including by the former but not missed member for Heffron, and the member for Toongabbie, Seven Hills or the back bench—or outside the Parliament, after the redistribution. But more about the member for Toongabbie later.

The SPEAKER: Order! The member for Keira will stop shouting.

Mr BARRY O'FARRELL: But like too many projects promised and not delivered by those opposite it turned into a hologram. Nothing ever happened. Well, we promised the Erskine Park Link Road, we funded it

and we are delivering it. The delight of businesses around this piece of infrastructure was evident. The Chief Executive Officer of the Penrith Valley Chamber of Commerce, Jill Woods, has fought hard for this road to be delivered because she understands that it is the key to unlock further employment lands and the jobs that will be driven in that part of western Sydney. The road provides a vital link between the western Sydney employment area and the M7 and M4.

But our work is not finished. Yesterday's budget, thanks to the Treasurer, the Minister for Roads and Ports and the Minister for Planning and Infrastructure, also includes \$70 million for the Old Wallgrove Road upgrade, which will connect the Erskine Park Link Road to the M7. This morning I also announced the great work of the Minister for Planning and Infrastructure and the expansion of the existing western Sydney employment areas from 2,200 hectares to more than 10,000 hectares. It will be the largest employment space anywhere in New South Wales and one of the most important economic and employment zones anywhere in this nation.

This dedicated employment area will allow hundreds of companies to move their businesses to western Sydney, creating tens of thousands of jobs—an estimate of 55,000 jobs and ultimately more than 200,000 jobs. The best thing about this project is that it will provide jobs closer to homes in western Sydney. If people can work close to where they live, they can spend less time travelling to and from work and they will have more time with their families. Further, the growing pressure on transport links into and out of the city will reduce. The Minister for Planning and Infrastructure says that this initiative will deliver 57,000 new jobs over the next few decades. It will greatly assist in our plan to help deliver half of Sydney's new jobs being created in Sydney into western Sydney, those burgeoning areas of population growth.

We are delivering on our election commitment to provide infrastructure and growth side by side. Of course, western Sydney will be the big beneficiary of infrastructure projects in yesterday's budget. We are delivering our \$1.8 billion commitment to WestConnex, \$4.1 billion for the North West Rail Link, \$782 million for the South West Rail Link, which is six months ahead of schedule, \$87 million for the final three stages of the Camden Valley Way upgrade, \$38 million for Schofields Road and \$33 million for Richmond Road. They are all important transport links whether locally or across this city. New businesses in western Sydney—indeed, right across the State—will also benefit from the reforms to payroll tax announced by the Treasurer yesterday. The threshold will increase to \$750,000 on 1 July, meaning that 1,300 businesses will no longer pay payroll tax, and the rest of the State's businesses will receive a reduction of \$3,000.

This will help promote jobs and build on the 130,000 jobs created in New South Wales since April 2011. We are also extending the Jobs Action Plan, as announced by the Treasurer yesterday, which has been a key element of the Government's employment strategy, by two years, until 1 July 2015. The payroll tax rebate for businesses that employ an additional worker in a new job will increase by 25 per cent, from \$4,000 to \$5,000. New South Wales is now leading the nation for jobs growth. It is great for young people whether from Airds High School or from other parts of the State. We want to do everything possible to ensure that we lead the nation in jobs growth. This budget is about infrastructure and jobs. It confirms the difference between members on this side of the House and those opposite: We are the builders; they are the wreckers.

NEWCASTLE RAIL LINE

Ms SONIA HORNER: My question is directed to the Treasurer. Why has the Treasurer failed to allocate a single dollar in the State budget to the planning or design of the Newcastle rail line and not even mentioned the project in the Budget Infrastructure Statement, but has set aside \$142 million for light rail projects in Sydney?

Mr MIKE BAIRD: It is great to be brought back to the budget. This is budget week and we have finally been drawn back to it. The only problem is, the question was not asked by the shadow Treasurer, who does not seem to be interested in the budget. He handed the question back but the Leader of the Opposition is not interested. Those of us on this side of the House make absolutely no apologies for revitalising Newcastle. We are very happy to make decisions that will regenerate that city and transform it into a modern city that will be the envy of the world. We have no idea why those opposite are not interested in any way, shape or form in looking after Newcastle and the broader Hunter. I love the fact that in his critique of the budget the Leader of the Opposition said, amongst other things, that the people of Newcastle will be devastated by this decision. I had a quick look at the local media reports, and I wish to quote one of them: "This is our time".

The SPEAKER: Order! I warn the Treasurer about the use of props. The member will cease pointing at the Treasurer. If the Treasurer wants to use props he is entitled to do so if he quotes the source. Those

opposite are not entitled to wave props around. I remember doing the same thing when I was in opposition and being warned not to do so. If I see props again the member for Shellharbour will be removed from the Chamber for waving them around. The Treasurer has the call.

Mr MIKE BAIRD: I will not hold up the prop again, but the people of Newcastle and the broader Hunter have said that they finally have a government that cares for them. They now have a government that is going to turn Newcastle into a modern city—and it is about time. The Government makes no apologies for building infrastructure in New South Wales. Notwithstanding that, we were criticised by the Leader of the Opposition. I appreciate the member for Wallsend asking this question because over many years she has demonstrated a passion for her community. Indeed, I commend her for standing against the gentrader transactions when the former Government gave away billions of dollars. But in relation to looking after Newcastle and the Hunter—

Mr Michael Daley: Point of order: My point of order is under Standing Order 129. It is a simple question. The member for Wallsend wants to know why the Treasurer has not included one dollar in the budget for that project.

The SPEAKER: Order! There is no point of order. The Treasurer has the call.

Mr MIKE BAIRD: I am looking forward to a question from the member for Maroubra about the budget—it is budget week. The Leader of the Opposition is worried about the long-term lease and jobs. Members well know that no jobs were lost as a result of the long-term lease of Port Botany and of Port Kembla; the same will apply here. But people across the Hunter should be worried.

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

Mr MIKE BAIRD: If people in the Hunter are concerned about jobs they should be particularly worried about the cunning plan by the Leader of the Opposition to shut down the coal industry. He has a fabulous plan for that port—namely, he wants to shut it. That is why we are all looking forward to his response to the budget tomorrow. Who can wait for his speech? The economic blueprint for this State is about to come.

Ms Linda Burney: Point of order: My point of order relates to standing order 129.

The SPEAKER: Order! I have ruled that there was no point of order on relevance. The member for Canterbury will resume her seat. There is no point of order. The Treasurer has the call.

Mr MIKE BAIRD: The Leader of the Opposition wants to take \$14 billion out of the economy. The O'Farrell Government is putting money into the economy. The Government is investing in Newcastle, and the people of Newcastle and the broader Hunter region can be assured that the Government will deliver for them.

STATE BUDGET

Ms MELANIE GIBBONS: I address my question to the Treasurer, and Minister for Industrial Relations. What has been the response to the State Budget?

Mr MIKE BAIRD: Madam Speaker—

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

Mr MIKE BAIRD: I will try to do this with a straight face.

The SPEAKER: Order! I warn members that they will be placed on calls to order if they continue to disrupt the proceedings.

Mr MIKE BAIRD: Not only have we had a fantastic reaction from the *Newcastle Herald* and the Newcastle and Hunter community—

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

Mr MIKE BAIRD: —but there have been other fantastic responses as well. I will share some of them so that members will know what people are thinking. Let us look at a few themes, such as financial discipline—we have seen that from this Government.

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

Mr MIKE BAIRD: When is that question coming from the member for Maroubra?

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

Mr MIKE BAIRD: It was yesterday; the shadow Treasurer has one question about the budget. An editorial in the *Sydney Morning Herald* reported, "Having inherited a financial crash ready to happen ... [the O'Farrell Government] had to act." We have acted—and we love the *Sydney Morning Herald*. The *Australian* reported, "In stark contrast to its predecessor, the Government's expenses have come in under budget over the past three years." It is great that we are seeing financial delivery but there was other delivery. The *Daily Telegraph* reported, "Less sizzling promise, more substantial delivery... The emphasis in this year's State budget is not on illusions and sleight of hand but on basic measures that any responsible person juggling their own home finances would understand." But there is more. The *Sydney Morning Herald* also reported, "[this] 'responsible' budget delivers on a key aim of the O'Farrell Government, which is to establish trust. It is able to claim it has done precisely what it said it would do when first elected." And that is exactly what one would expect from a government. An editorial in the *Australian* stated, "At last a Treasurer delivers a budget we can believe in." The list goes on. These are not my words; they are words from the broader community.

The NSW Business Chamber said, "Any time we can see the removal of a penalty on the ability of small business to hire an extra person is a good thing." The Australian Industry Group stated, "the Government has taken steps to reduce the cost of doing business in NSW. We welcome [that] ...". The Orange Business Chamber said it is "good news for small business owners... It reflects good sound economic management." I inform those opposite—if they are interested but they are probably not—that with regard to infrastructure across the market a UBS market analysis said, "NSW is making significant progress with S & P's requirement to fund its future capital expenditure program through a combination of asset sales and PPPs." Judith Sloan from the *Australian* said, "the government's decision to flip its capital is also sound." Infrastructure Partnerships Australia said, "the State's infrastructure paralysis has passed." The O'Farrell Government is a government on the move and New South Wales is on the move. The only thing not on the move is the Opposition—unless we are talking about the leadership. What those opposite have done to the member for Toongabbie in the electoral redistribution will come back to bite them.

The SPEAKER: Order! Members will come to order. I call the member for Canterbury to order for the third time.

Mr MIKE BAIRD: There were other good comments. Talking about the fantastic work by the Minister for Transport, the *Liverpool Leader* said, "The budget gives \$353 million to get the rail contract"—

[Interruption]

That is endorsed by the member for Macquarie Fields.

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

Mr MIKE BAIRD: The member for Macquarie Fields is giving his endorsement to the budget. We love bipartisanship. The final quote is from the *Blacktown Advocate*. I do not know which member represents that electorate but that fantastic local paper clearly states, "the future looks healthy." The State budget has secured the future of New South Wales. The O'Farrell Government is proud to have delivered it and the people of New South Wales are proud of it. We are getting on with the job.

HUNTING IN NATIONAL PARKS

Ms LINDA BURNEY: I direct my question to the Minister for the Environment. Will the Minister confirm that she has not been provided with a copy of the Dunn review of the Game Council New South Wales despite the fact that she is in charge of the rollout of hunting in national parks?

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

Ms ROBYN PARKER: I have not received a copy of the Dunn report.

STATE BUDGET AND EDUCATION

Mr ADAM MARSHALL: I address my question to the Minister for Education. How does the State Budget deliver for public education across New South Wales?

Mr ADRIAN PICCOLI: I welcome and appreciate the question from the new member for Northern Tablelands, and I thank him for it. What a great time to be the Minister for Education in New South Wales. This year's budget provides for an increase of more than half a billion dollars on last year's revised expenditure. That is the New South Wales Government delivering for not just public schools in New South Wales but all schools across this State.

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

Mr ADRIAN PICCOLI: Total capital expenditure for education for this year is estimated at half a billion dollars, including five new schools, at Spring Farm, The Ponds, Strathfield, Crows Nest and another school on Sydney's lower North Shore. It includes an upgrade of 13 schools and TAFE colleges, with \$205 million available for 47 continuing major works projects and \$221 million for minor works in schools and TAFE colleges. Increased funding of \$100 million over the next four years will be directed to school infrastructure, to build new schools and upgrade existing facilities to cater for projected increased enrolments. The budget includes—it is part of our election commitment—an extra \$40 million over four years for additional school maintenance projects. Two years into its term in office this Government is spending 23 per cent more on school maintenance than did the previous Government. Since its election, the O'Farrell-Stoner Government has committed \$2.4 billion to school infrastructure and maintenance. This year, across almost every electorate—including Opposition-held electorates—as an example, there are 635 projects.

Ms Carmel Tebbutt: How very gracious.

Mr ADRIAN PICCOLI: For members opposite who complain about infrastructure spending in the Illawarra—as we saw from posters they were handing around—could I say that of the three Illawarra Labor members only one consistently raises with me issues of education infrastructure. I am sure the *Illawarra Mercury* would be interested in that information.

Mr Andrew Stoner: Name them.

Mr ADRIAN PICCOLI: Do members want me to name that member?

The SPEAKER: Order! The member for Keira will not be tempted.

Mr ADRIAN PICCOLI: You are right, Madam Speaker, it is the member for Keira. The member for Keira constantly asks me about infrastructure matters related to schools in his electorate. The *Illawarra Mercury*, despite its headline, needs to know which of the Illawarra members are advocating on behalf of their communities for infrastructure. I am not sure about transport or roads or other infrastructure projects, but the member for Keira is constantly in my ear about infrastructure for his schools; the other two, not so much. There are 635 projects, with 89 toilet upgrades, 21 roof upgrades and 33 fence projects across the State, including, as the member for Balmain knows, a fence at Haberfield Public School, which was the subject of recent media attention.

In just two years we have announced 15 new or relocated public schools, with 30 schools receiving major upgrades, including a \$94-million project to upgrade 19 Schools for Special Purposes as part of this Government's use of leftover Building the Education Revolution moneys. In the capital works and maintenance spend, because of changes in the management of those funds, this Government is saving between \$20 million and \$30 million a year. It is not just about spending money; it is how you spend money. Our side of politics knows how to spend money properly. When you save those kinds of dollars in reduced fees and the like—unlike the feast of fees under the Labor Government—that money goes into schools. Two primary schools a year or one new high school can be built from the money this Government has saved. That is precisely what the Government is using that money for.

I had the pleasure today to be at Wetherill Park TAFE with the member for Smithfield and see the great work being done there. We are spending more than \$7 million on upgrading the engineering facilities there. I was at Mowbray Public School with the member for Lane Cove and the member for North Shore—the

member for Willoughby could not be there—announcing the \$70 million that we are spending on increasing the capacity of schools on the North Shore and lower North Shore to make room for those who insist on coming to public education because they know how good an education they will get—improved by reforms that this Government has introduced, by giving principals more decision-making authority and by improving teachers through great teaching-inspired learning. People are voting with their feet; they are coming to public schools. We are continuing to invest in them.

MINISTER FOR FINANCE AND SERVICES, AND MINISTER FOR THE ILLAWARRA

Mr JOHN ROBERTSON: My question without notice is directed to the Premier. What explanation has the Premier or his director general received from Minister Pearce about why he did not pay back the taxpayer money he used to fund a personal trip to Canberra until after the media reported he had misused his travel expenses and lied publicly about his reasons for visiting Canberra?

Mr BARRY O'FARRELL: As was explained at the press conference last Friday, which was publicly reported at the time, the Minister paid for the trip when he received the invoice for the trip.

STATE BUDGET AND TRANSPORT

Mr DAVID ELLIOTT: I have a budget-related question for the Minister for Transport. How is the State budget investing in major public transport infrastructure projects?

Ms GLADYS BEREJIKLIAN: I thank the member for the question and commend him for his particular interest in all matters related to public transport. I start by thanking the Treasurer for the outstanding budget contribution for Transport. What a great budget it is for this State, and what a great budget it is for the people of New South Wales. In a great week for public transport, I would be remiss if I did not make some contrasts with what Labor did over 16 years. For 16 years Labor governments promised 12 rail lines, put out nine different transport plans and wasted hundreds of millions of dollars on failed projects. They wrecked public transport: we are building it. This year's budget backs up with cold hard cash all the commitments that this Government has made, and the projects it is delivering. Right across the State there will be massive construction zones due to the progress we are making in public transport. I am pleased to say that the top six most critical public transport projects at this time will receive more than \$6 billion in funding over the next four years. That is a real achievement.

Not only is this good for public transport and for our customers and commuters; it is fantastic because it means that more than 5,000 jobs, direct and indirect, will be created in this State. Of course, there is a massive \$4.1 billion for the North West Rail Link over the next four years. I know that not only members representing the north-west but all members of this place would welcome that because it is such an important project. This year alone the North West Rail Link will receive \$806 million in funding, and we are preparing to have the tunnel-boring machines in the ground by the end of next year. I was very pleased to be joined on the weekend by members from the north-west as well as by the Premier and the Treasurer to announce that the total cost of the North West Rail Link will be \$8.3 billion and that customers will be sitting on those trains by the end of 2019. That is a real achievement.

The Leader of the Opposition supposedly lives in the north-west and represents the seat of Blacktown. But I say to the Opposition members, "Wake up", because the sole criticism of the public transport budget they have made to date—which came on Monday—was by the aspiring Minister for middle management, who said on 2UE that the Government had not given a start date for the North West Rail Link. We have a total cost, we have an end date, and we have construction zones. If the Leader of the Opposition visited the north-west he would see all the activity going on there. Madam Speaker, I have some A3 newspapers articles that I would like to share with the House.

The SPEAKER: Order! The Minister may do so, but she must identify the source of the articles.

Ms GLADYS BEREJIKLIAN: I will identify the source. There are two source documents, which I am not permitted to open, but I will quote from them. One is a newspaper article from last August that said of the North West Rail Link, "It's started". An article from last October said, "It's started." Unfortunately, a local member and the aspiring Minister for middle management do not even know what is going on. That is a real shame.

Mr Richard Amery: Point of order: On three occasions the Minister has flouted Standing Order 75 by referring to a member of the House other than by the member's electorate. I appreciate that this happens on one or two occasions during the whole of question time, but the Minister has done so on three occasions in one answer.

The SPEAKER: Order! I remind the Minister of the standing order.

Ms GLADYS BEREJIKLIAN: In addition to the North West Rail Link, this budget delivers on a whole range of public transport projects. As the member for Macquarie Fields rightly pointed out—

Dr Andrew McDonald: Our contract.

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

Ms GLADYS BEREJIKLIAN: As the member for Macquarie Fields pointed out, this Government is delivering on the South West Rail Link. In fact, we are dedicating \$782 million to the South West Rail Link, which is a very important project. We are also dedicating \$423 million to important light rail projects. There is \$885 million for the Northern Sydney Freight Corridor, which is a very important project; \$224 million for Wynyard Walk, which is a very important pedestrian access— [*Extension of time granted.*]

We are also dedicating \$76 million to the completion of the Inner West Light Rail Extension, a project that is going very well—and I will have more to say about that in the House. Of course, we are also dedicating \$133 million to the rollout of the Opal card. Remember the transport card that those opposite were supposed to produce for the Olympic Games? That was another of their great contributions to public transport during their time in office. Not only did they manage to stuff that up and cost the State tens of millions of dollars, but when we came to government I had to settle the court case caused by their mismanagement. But that is an aside. We are also pleased to be dedicating around a billion dollars for new Waratah train carriages, buses and ferries. When I was shadow Minister for Transport I remember how the then Minister issued lots of press releases about all the Waratah carriages he was going to deliver. But guess how many he delivered as Minister for Transport? None. There was press release after press release about those carriages, but that train never arrived.

Mr John Robertson: That is just not true; that is a lie.

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

Ms GLADYS BEREJIKLIAN: I collected all the press releases. If I remember correctly, one press release stated that we would have one train by Christmas 2010. But it never arrived. This Government has delivered it. We are past halfway—

The SPEAKER: Order! There is too much audible conversation in the Chamber. The Leader of the Opposition will come to order.

Ms GLADYS BEREJIKLIAN: We have delivered 39 of those carriages, with another 39 to come. We have also delivered more than 3,000 additional public transport services since we came to government. Those opposite slashed services; we brought them back. There is so much more I could talk about and I hope I have the opportunity to do so in the future.

COMPANION ANIMALS TASKFORCE REPORT

Mr ALEX GREENWICH: My question—

[*Interruption*]

The SPEAKER: Order! Members will come to order. Members have been particularly noisy and unruly this afternoon. It is difficult for Ministers and members at the microphone to ask a question when so much disrespect is being displayed. The member for Murray-Darling will come to order. I will not give any more warnings. The member for Sydney has the call and he will be heard in silence.

Mr ALEX GREENWICH: My question is directed to the Minister for Fair Trading. What action will the Minister take in response to the New South Wales Companion Animals Taskforce recommendations to remove barriers to keeping pets in strata and rental accommodation and retirement villages, given that the taskforce was established to help the Government reduce the State's very high cat and dog euthanasia rates?

Mr ANTHONY ROBERTS: I thank the member for his question and appreciate very much his sincere interest in this matter. I also take this opportunity to commend the Companion Animals Taskforce for its report, and particularly my colleague the member for Charlestown, who chaired the taskforce. It is timely to acknowledge the Minister for Local Government and the Minister for Primary Industries, who had the foresight in 2011 to bring together key stakeholders to drive the companion animals agenda. All members of this House are aware of the Government's extensive ongoing review of strata and community laws. As part of this major policy reform process, the Government is determined to remove some of the current barriers to pet ownership in strata schemes.

In the current model by-laws for strata schemes there are three options for regulating pet ownership. The default option, as members know, is to ban pets. This has meant many strata schemes that have adopted the model by-laws currently have a ban in place, even though many owners would be happy to allow pets in the building. This Government proposes to amend the model by-laws to allow pets to be kept with the approval of the owners corporation. Permission cannot be refused unreasonably, and I expect that over time this will lead to a rise in the number of pet-friendly strata buildings in the city and in the State. Individual strata schemes will retain the power to ban pets, or certain types of pets—such as brown snakes—if they wish to, but it will no longer be the default option.

It is my intention to release a policy paper in the near future that will clearly set out the Government's proposed comprehensive reforms in this important area. This is good news for pet owners across the State. Pet owners are already happy following the Treasurer's budget yesterday—and what a budget it was. Pet owners welcomed a budget that secures the future for New South Wales. Pet owners are happy to see that this Government is boosting funds for front-line services. Pet owners are pleased to see a budget that is restoring finances, driving jobs growth, building infrastructure and boosting services. So it distresses me to inform the House that, unfortunately, there is one pet owner in New South Wales who has had no end of bad news. Mr Mark Lennon at Unions NSW has had nothing but trouble from his pets sitting on the benches opposite. He has tried muzzling them, he has tried neutering them, he has tried deworming them—nothing seems to be working.

Mr Ryan Park: Point of order—

The SPEAKER: Order! The member for Kiama will come to order. The member for Monaro will come to order. The member for Kiama will be out of the Chamber if he continues with his unruly behaviour.

Mr Ryan Park: We are not talking about vaccinations or inoculations. My point of order is under Standing Order 129. The question has nothing to do with—

The SPEAKER: Order! The Minister is displaying how he can make pet ownership relevant to the budget. Therefore, he is being relevant. The member for Keira can either like it or hate it.

Mr ANTHONY ROBERTS: Sit. Stay. That is good.

[Interruption]

The SPEAKER: Order! Members will come to order.

Mr ANTHONY ROBERTS: Pet owners in New South Wales will be happy with the news that the budget deficit is falling faster than ever. In fact, the only thing falling faster is the popularity of New South Wales Labor.

The SPEAKER: Order! Is the Minister going to quote the source of the document to which he is referring?

Mr ANTHONY ROBERTS: I reference some Newspoll-sourced data as presented in this document. It shows that under Premier Rees things were going well.

Mr Alex Greenwich: Point of order: The Minister started well but has recently gone off topic. I ask that he return to the question.

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

Mr ANTHONY ROBERTS: Pet owners in strata schemes, or anywhere else, are concerned. As members can see, the Newspoll data shows that Nathan was doing very well but then all of a sudden—oh dear—support dropped.

Ms Linda Burney: Point of order—

Mr Alex Greenwich: Madam Speaker—

The SPEAKER: Order! The Minister for Fair Trading will resume his seat.

Mr Alex Greenwich: In the hope that the Minister will return to the question, I seek an extension of time.

The SPEAKER: Order! An extension of time is granted, but there is a point of order from the member for Canterbury. This is descending into a bit of a farce. I warn the Minister against using props. He may have cited Newspoll but the document to which he is referring is not anything from Newspoll that I recognise.

Mr ANTHONY ROBERTS: Yap, yap, yap. We all have them. It is what most complaints are about. We will sort that out. I thank the member for Sydney for the question. Strata is an important and fundamental issue that this Government is dealing with. The strata laws are 50 years old. The member for Liverpool interjected. I have bad news for him: the Cold War is over—we won.

Mr Richard Amery: Point of order: The mace appears to be covered.

The SPEAKER: Order! I ask the Minister to remove the prop from the mace, fold it up and put it in his pocket. It is disrespectful.

Mr ANTHONY ROBERTS: My apologies. As the House knows, the strata laws are 50 years old. They were constructed at a time when the biggest strata development was a red brick three-storey walk-up. Of course, things have moved on. This Government has tackled a very hard issue. It is a knockdown rebuild of strata and as we see the development of these new vertical villages it is important that people are allowed to work together and live together in a way that gets away from the traditional pets, parties and parking issues. We need to drive real reform through legislation that reflects the needs of the people of New South Wales. I say again on behalf of everyone in this House that we are proud to have a reformist Premier. We are proud to have a Treasurer who, for the first time in a long time, has delivered an incredible budget to the people of New South Wales, be they pet owners or not pet owners.

Mr Barry O'Farrell: He has done it for three years.

Mr ANTHONY ROBERTS: This is the third. We will deliver the reforms needed by the people of New South Wales.

STATE BUDGET AND UNIONS NSW

Mr MARK COURE: My question is addressed to the Premier. What has been the response of the unions and their political wing to the State budget?

Mr BARRY O'FARRELL: I have seen a number of releases issued overnight from the Opposition and Unions NSW and none of them make me at all reflect or withdraw my claim that the response of the Opposition to the budget in this place yesterday was pathetic. In fact, in between watching the great football match on television last night I kept checking, thanks to electronic databases, whether there was a precedent for an Opposition never before asking five questions on the budget on the day it was delivered. I went through year by year. I spent a bit more time on it during the half-time break, but I think I found when it last happened. It was in the fifties—the 1850s. Never before has an Opposition in this place failed to ask five questions on the budget on the day it was delivered and today there was one question, and not even a question from the so-called shadow Treasurer.

I can now confidently say that it is not just this side of politics that thinks Opposition members are pathetic; it is also Unions NSW. As evidenced by the media releases it issued yesterday it is now telling bigger lies than the Labor Party to try to cover up that embarrassment. What have we heard overnight? We have heard

from Unions NSW that front-line services have been cut. But 5,000 additional nurses, teachers and police have been employed across New South Wales. I continue to hear this figure of 15,000 job cuts by this side of politics since we came to office.

Mr John Robertson: That's your figure. It's in the last budget—15,000 jobs.

Mr BARRY O'FARRELL: The figures are clear. I will come back to you.

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

Mr BARRY O'FARRELL: The figures are clear. We put them out. The public sector is down 5,000. We have put on 5,000 front-line staff and taken off 5,000 back-line staff so we can direct more resources to the front line. Like the pathetic Leader of the Opposition that he is, he comes in right on cue. I take members back two years to the preparation for the first budget we were to deliver. The Leader of the Opposition confidently predicted as he campaigned across this State that 80,000 job cuts would be contained in that budget. What was the result? It was 5,000, and that is the number we have delivered. Last year he was claiming 15,000 job cuts. He is claiming 95,000 job cuts and yet the figures produced by the Department of Premier and Cabinet on the basis put in train by the former Treasurer Michael Costa show it is simply 5,000.

The greatest hypocrisy of the Leader of the Opposition relates to his comments about Newcastle. The Treasurer has said much that I should not replicate but the Leader of the Opposition did say in his statement on radio this morning, "I have a message for Mr O'Farrell." That is me. "A first-rate city like Newcastle deserves better than a second-rate transport system." Not only does he want to close down the coal industry and decimate the Hunter; he does not want to give people there the modern light rail system that suburbs, cities and towns across the world are so keen to get.

Mr John Robertson: Some are replacing it with heavy rail. You are about 20 years behind.

Mr BARRY O'FARRELL: Again he comes in right on cue. I can forgive the member for Cessnock—

The SPEAKER: Order! I remind the Leader of the Opposition that this is neither an argument nor a debate. I call the Leader of the Opposition to order.

Mr BARRY O'FARRELL: I can forgive the member for Cessnock because like most new backbenchers he simply does what the leader tells him to do, but I cannot forgive the Leader of the Opposition for confusing earnings with profit from the Port of Newcastle. He claimed overnight there was \$70 million in profit each year produced by the Port of Newcastle.

Mr John Robertson: Correct.

Mr BARRY O'FARRELL: It is not. They are the earnings predicted for the 2015-16 financial year, but the dividend two years ago was \$13.7 million and the dividend this year is \$11.2 million. I have some news for the Leader of the Opposition—the Airds students would have worked this out—there is a difference between revenue and profit. They are very different things. For the benefit of the member for Cessnock and the Leader of the Opposition, profit is revenue minus costs. Put another way, the difference between revenue and earnings is the difference between gross and net. The Leader of the Opposition might want to understand it this way: While in gross terms he might have a few votes in the leadership ballot, we all know that in net terms the member for Toongabbie is well ahead. [*Extension of time granted.*]

We have TAFE courses that can fix that accounting issue or he can go and see the member for Wollongong, who, despite the odd accounting error to the tune of \$60,000, can probably tell the Leader of the Opposition the difference between profit and revenue. The biggest lie that we heard overnight, the biggest waste of members' money, is an advertisement that ran in today's *Daily Telegraph* about double standards relating to a Minister who has gone on sick leave and a worker who has gone on workers compensation. The suggestion is that the Minister is on paid leave and the workers compensation person is on benefits. There is a reason for that. One has been injured and is covered by WorkCover; the other is on sick leave. I am old enough to remember when the union movement and the Labor Party stood up and demanded that workers get access to paid sick leave. Now we have the remarkable situation where the Labor Party and the union movement are saying that those who go on sick leave should not be paid.

Mr Michael Daley: Point of order: Any number of standing orders.

The SPEAKER: Order! To which standing orders in particular is the member for Maroubra referring?

Mr Michael Daley: The fact is Greg Pearce is out of control and the Premier will not bring him under control. It is Standing Order 129.

The SPEAKER: Order! I remind the member for Maroubra that when he takes a point of order he should cite the standing order first rather than last. The Premier has the call.

Mr BARRY O'FARRELL: I thought the member for Maroubra was recreating his experience from July last year over WorkCover. The point is we know the Labor Party is corrupt. The Independent Commission Against Corruption demonstrates that every time it meets. But so too is the State's union movement. It is corrupt because those union bosses put the interests of their political aspirations and political influence ahead of their membership. They are corrupt because instead of representing their members they are trying to represent the interests of their political wing. They no longer represent workers across this State. They are simply trying to further the aims of the Australian Labor Party.

Question time concluded at 3.19 p.m.

PETITIONS

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

Mount Druitt Hospital Cardiac Unit

Petition opposing the closure of the Mount Druitt Hospital cardiac unit and calling on the Government to reverse its decision and to retain the unit, received from **Mr Richard Amery**.

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

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

Sydney Electorate Public High School

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

Rooty Hill Railway Station Access

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

Walsh Bay Precinct Public Transport

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

Inner-city Social Housing

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

Pet Shops

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

Beeby Park Car Park

Petition opposing the construction of a car park in Beeby Park, Mona Vale, received from **Mr Rob Stokes**.

Low-cost Housing and Homelessness

Petition requesting increased funding for low-cost housing and homelessness services, received from **Mr Alex Greenwich**.

Container Deposit Levy

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

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

Synthetic Drugs

Petition requesting a ban on the sale of synthetic drugs, received from **Mr Kevin Anderson**.

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

The Hon. Adrian Piccoli—Gonski Education Reform—lodged 30 May 2013 (Mr Kevin Anderson)

The Hon. Brad Hazzard—West Culburra Beach Development—lodged 9 May 2013 (Mrs Shelley Hancock)

The Hon. Gladys Berejiklian—Marrickville Railway Station Upgrade—lodged 29 May 2013 (Ms Carmel Tebbutt)

BUSINESS OF THE HOUSE**Reordering of General Business**

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.21 p.m.]: I move:

That General Business Notice of Motion (General Notice) No. 2640 have precedence on Thursday 20 June 2013.

This motion deserves to be debated and given precedence because it goes to the very heart of the matters that the Premier so happily lectured this House about: corruption, honesty, integrity and accountability—something about which he made great play before the last election. We regularly hear the Premier talk about meeting and honouring election commitments. This man told us yesterday that he has been a member of Parliament for 18 years. During those 18 years he has referred regularly to honesty, accountability and integrity. However, in the past two years the Premier has applied that old adage: Don't do as I do; do as I say.

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.22 p.m.]: I move:

That the question be now put.

Mr Richard Amery: Point of order: On previous occasions when a Government member moved a motion we always allowed the mover of the motion to state his or her case. The Leader of the Opposition should be allowed to complete his contribution.

The SPEAKER: Order! Convention would dictate that the Leader of the Opposition would have three minutes, but it is at the discretion of the House as to whether the Leader of the House can move that a motion be put at any time. He has done that. The question is, That the question be now put.

The House divided.**Ayes, 65**

Mr Anderson	Mr Gee	Mr Piccoli
Mr Aplin	Mr George	Mr Provest
Mr Ayres	Ms Gibbons	Mr Roberts
Mr Baird	Ms Goward	Mr Rohan
Mr Barilaro	Mr Grant	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 Casuscelli	Mr Holstein	Mr Souris
Mr Conolly	Mr Humphries	Mr Speakman
Mr Constance	Mr Issa	Mr Spence
Mr Cornwell	Mr Kean	Mr Stokes
Mr Coure	Dr Lee	Mr Toole
Mrs Davies	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Doyle	Mr O'Dea	Mr Webber
Mr Edwards	Mr O'Farrell	Mr R. C. Williams
Mr Elliott	Mr Page	Mrs Williams
Mr Evans	Ms Parker	<i>Tellers,</i>
Mr Flowers	Mr Patterson	Mr Maguire
Mr Fraser	Mr Perrottet	Mr J. D. Williams

Noes, 23

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

Question resolved in the affirmative.**Motion agreed to.****Question—That the motion of the member for Blacktown be agreed to—put.****The House divided.****Ayes, 23**

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

Noes, 65

Mr Anderson	Mr Gee	Mr Piccoli
Mr Aplin	Mr George	Mr Provest
Mr Ayres	Ms Gibbons	Mr Roberts
Mr Baird	Ms Goward	Mr Rohan
Mr Barilaro	Mr Grant	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 Casuscelli	Mr Holstein	Mr Souris
Mr Conolly	Mr Humphries	Mr Speakman
Mr Constance	Mr Issa	Mr Spence
Mr Cornwell	Mr Kean	Mr Stokes
Mr Coure	Dr Lee	Mr Toole
Mrs Davies	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Doyle	Mr O'Dea	Mr Webber
Mr Edwards	Mr O'Farrell	Mr R. C. Williams
Mr Elliott	Mr Page	Mrs Williams
Mr Evans	Ms Parker	<i>Tellers,</i>
Mr Flowers	Mr Patterson	Mr Maguire
Mr Fraser	Mr Perrottet	Mr J. D. Williams

Question resolved in the negative.

Motion negatived.

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

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.36 p.m.]: I move:

That standing and sessional orders be suspended to:

- (1) Permit the conclusion of the motion accorded priority prior to the commencement of government business.
- (2) Permit the passage through all stages, at this or any subsequent sitting, of the Ports Assets (Authorised Transactions) Amendment Bill and the Road Transport Amendment (Licence Disqualification on Convictions) Bill.
- (3) Provide that:
 - (a) government business take precedence of all other business at this sitting; and
 - (b) for the remainder of the 2013 budget sittings, government business take precedence of all other business prior to 2.15 p.m. at each sitting.
- (4) Permit at this sitting the House to adjourn on motion.

Given that the debate on the motion accorded priority will be interrupted because of the joint sitting that is scheduled for 3.45 p.m., I have moved this motion to suspend standing orders to allow the matter to be concluded when members return to this Chamber from the other place. Notice has been given of the introduction of the Ports Assets (Authorised Transactions) Amendment Bill 2013 and the Road Transport Amendment (Licence Disqualification on Conviction) Bill 2013 and the second reading speeches for both bills will be presented when we return. It is the Government's intention to have both bills dealt with by the House in this sitting. Accordingly, I propose to have the relevant Ministers present their second reading speeches to allow time for members of the Opposition to peruse them, after which we will proceed. Because these bills are important the Government will give them priority tonight, and I apologise for that. If they are not concluded tonight, they will take precedence over private members' business tomorrow. That means members will be required to be in attendance this evening until debate on both bills is concluded.

Mr MICHAEL DALEY (Maroubra) [3.38 p.m.]: The Opposition opposes this motion to suspend standing and sessional orders. We have only just been given copies of these bills, one of which deals with the privatisation of the largest coal terminal in the world. That facility is vital to the Hunter Valley and to the people of Newcastle, but no member has had an opportunity to talk to anyone about the substance of the bill. Nor have we had the opportunity to consult on the other bill, which deals with an important principle of criminal law. The fact that the Government intends to sell the Port of Newcastle has been obvious for some weeks and there is no reason for the bill to be dropped on the House now. Well might the Premier leave the Chamber. This is yet another display of the O'Farrell Government's arrogance. Once again it wants to remind the House and the people of New South Wales what it will do with its majority in this House.

This afternoon we have seen a Government that wants to slam two bills through the House and, not only that, we have seen the Premier red faced and under pressure when the Leader of the Opposition sought to refer Greg Pearce to the Independent Commission Against Corruption. The Premier looked very uncomfortable and then asked the Leader of the House to apply the gag. Well might the Premier be red faced, uncomfortable and apply the gag in respect of Greg Pearce, because he has been under scrutiny in the media this week. Andrew Clennell from the *Daily Telegraph* has given him the rounds of the kitchen over Greg Pearce, and he has not finished yet. What did the Premier do when faced with a motion to see if he will uphold his own standards and words in this place? He faltered and—here comes the man who will again apply the gag.

Mr Brad Hazzard: Point of order: I will give you a technical lesson about what is a gag, and it was not a gag. The motion before the House relates specifically to the business of the House in dealing with two particular bills. This is not an opportunity for the member for Maroubra to engage in other matters that are utterly irrelevant to the motion before the House.

The SPEAKER: Order! The member for Maroubra has been largely relevant. However, I draw the attention of the member for Maroubra to the motion.

Mr MICHAEL DALEY: I have said all I needed to say. The Opposition opposes this motion.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 65

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

Noes, 23

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

Question resolved in the affirmative.

Motion agreed to.

GOVERNMENT SECTOR EMPLOYMENT BILL 2013

MEMBERS OF PARLIAMENT STAFF BILL 2013

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

LEGISLATIVE COUNCIL VACANCY

Joint Sitting

At 3.36 p.m. the House proceeded to the Legislative Council Chamber to attend a joint sitting to elect a member to fill a seat in the Legislative Council vacated by the Hon. Cate Faehrmann resigned.

At 4.00 p.m. the House reassembled.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I report that the House met with the Legislative Council in the Legislative Council Chamber to elect a member to fill the vacant seat in the Legislative Council vacated by the resignation of the Hon. Cate Faehrmann and that Mehreen Faruqi was duly elected. I table the minutes of proceedings of the joint sitting.

Ordered to be printed.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

State Budget and Regional Infrastructure

Mr ANDREW GEE (Orange) [4.00 p.m.]: I welcome those Opposition members who have turned up at last to hear why my motion deserves to be given priority. The Deputy Premier got it right in question time earlier today when he spoke about the stench of rank hypocrisy that hangs so heavily around those opposite.

Mr Troy Grant: With a capital "H".

Mr ANDREW GEE: With a capital "H". Those opposite cannot be taken seriously on anything: they have no credibility. As the Deputy Premier said, the Leader of the Opposition has serious form in flip-flopping positions. Before the Leader of the Opposition entered Parliament he was Mr Anti-privatisation: he opposed everything. What happened under his watch when he got into Parliament? The Parklea Correctional Centre was privatised and he later told the media that he had a frontal lobotomy on the issue. He fought tooth and nail against electricity privatisation. What did he do when he was in Cabinet? He reclined in an easy chair and watched the former Government do that midnight power deal. He is now Mr Anti-coal seam gas. Before he entered Parliament the former Labor Government was giving out coal seam gas licences like confetti. Now we have found out that the Leader of the Opposition has a secret plan to close coalmines. No wonder a man with such form—

Mr Richard Amery: Point of order: My point of order is relevance. The member should be brought back to giving reasons as to why his motion should be given priority.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is no point of order.

Mr ANDREW GEE: Those opposite do not deserve priority because they have no credibility. That is why Paul Keating described the Leader of the Opposition as a banshee on a rampage that tore at the Government's entrails. That is why former Premier Morris Iemma said trying to pin down the Leader of the Opposition was like wrestling with smoke. That is why Mark Latham said that the Leader of the Opposition has wrecked the Opposition's asylum policy. But do not take my word for it that the Opposition cannot be trusted on anything; it was the Leader of the Opposition who said:

We listened too much to vested interests and the louder voices, instead of the majority.

We made announcements for the media's sake, not the people's sake. And we lost contact with the people we exist to represent.

We did these things so systematically and so frequently that we could no longer be trusted.

If the Leader of the Opposition says that those opposite cannot be trusted, why should we entrust them with a motion to be accorded priority? Those opposite cannot be trusted on anything. The State Budget heralds a new day for the people of regional New South Wales. For those reasons my motion deserves to be given priority.

State Budget and Health

Dr ANDREW McDONALD (Macquarie Fields) [4.02 p.m.]: When the Australian Medical Association surveyed 1,200 doctors last month to ascertain if things had improved in the New South Wales public hospital system in the previous 12 months only 7 per cent of those surveyed said yes. The Health budget that was delivered yesterday has the prospect of further cuts. But, even more disturbing than that, the Minister for Health has cooked the books. She needs to explain her figures to the people of New South Wales. What is the Minister afraid of? My motion deserves to be given priority because the Minister for Health will not debate the Health budget in this place today. As the Minister said in 2011 when speaking about the Coalition health policy:

The facts should always be on the table and allowed to speak for themselves ... people have a right to know what things cost, why decisions are made.

I agree with her. In 2013-14 Budget Paper No. 3, page 6-1, the Health budget for 2012-13 is shown as \$16.99 billion dollars. That is a "revised" figure. In the 2011-12 Budget Papers, the Health budget for 2012-13 was shown as \$17.28 billion. That is a \$290 million difference. But for the inpatient component of the Health budget the difference is even more stark—namely, a budget of \$8.24 billion in last years' budget and a "revised" figure of \$ 7.51 billion in this year's budget. That is an astounding \$730 million difference. The Minister said that these differences are due to technical changes such as adjustments to long service leave liabilities and did not affect front-line services. Based on her figures, nearly 10 per cent of the inpatient Health budget can be explained away by so-called technical changes. My motion should be accorded priority so that the Minister can explain how this could possibly be so. As the Minister said in 2008:

There is a need for more openness, honesty and accountability surrounding the reporting of what is going on in our hospital system.

In the Australian Medical Association survey 72 per cent of doctors said there were not enough beds to meet demand, yet the Government has cut hundreds of millions of dollars from the Health budget, including closing beds at the Prince of Wales and Mount Druitt hospitals. The provision for an extra 69,000 emergency department presentations is clearly inadequate. Last winter 60 per cent of those who wanted to use the emergency department at Bankstown Hospital were still there four hours later and one-third of the remaining 40 per cent left without being treated. The figures for most hospitals across the State are almost identical.

The Minister promised transparency in health care when she was in opposition. This is her chance. With \$290 million missing from the budget papers, with closed beds in many hospitals, the longest waiting times, babies being born in car parks, people lying for hours on ambulance stretchers next to unused beds and unemployed young graduate nurses desperate to work in the New South Wales Health system, the Minister must explain to the people of New South Wales in clear and simple words how this could possibly be so. That is why my motion deserves to be accorded priority.

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

The House divided.

Ayes, 60

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

Noes, 23

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

Question resolved in the affirmative.

STATE BUDGET AND REGIONAL INFRASTRUCTURE

Motion Accorded Priority

Mr ANDREW GEE (Orange) [4.16 p.m.]: I move:

That this House supports the Government's commitment to effectively deliver regional infrastructure in the 2013-14 State Budget.

As that fine Treasurer has said, we are taming the beast. The Treasurer has tamed the beast of financial irresponsibility that was let loose by Labor and ran rampant. For the benefit of the member for Mount Druitt, I recall Paul Keating describing the Leader of the Opposition as the banshee on a rampage. That was due to the financial irresponsibility of Labor governments. In their own ways, members opposite were each banshees on the rampage. I hear one howling now.

Mr Matt Kean: That was a meow.

Mr ANDREW GEE: As the member for Hornsby points out, it was in fact a meow. This budget delivers for regional New South Wales in ways that Labor State budgets have not done for years. This budget is a real win for regional New South Wales. Nowhere is that more evident than in the great announcement of \$43 million for a new funding package to help upgrade the Bells Line of Road. The member for Bathurst is excited about that, as are the members for Dubbo and Northern Tablelands. They are excited because for the years that Labor was in power those governments did nothing about that line of road. The response of Labor governments to maintenance issues regarding the Bells Line of Road was to lower speed limits and close lanes.

We all remember that well because those actions caused great frustration for people throughout the Central West. With this Coalition budget, as the Deputy Premier announced, the Bells Line of Road finally is getting the attention it deserves.

But this budget's delivery for regional roads does not end there. We all remember how those opposite and their comrades in the Federal sphere welched on the 80:20 funding arrangement for the Pacific Highway. That was an appalling action by Labor governments. This budget delivers \$1 billion for Pacific Highway upgrades. I know that members opposite who represent North Coast electorates are delighted with this funding package. It is well overdue. It includes \$220 million to continue work on the dual carriageway between Tintenbar and Ewingsdale, \$180 million to start work on the dual carriageway at Frederickton section, and \$145 million to continue work on the dual carriageway upgrade between Coffs Harbour and Woolgoolga. The list goes on and on. That is real progress for the Pacific Highway, but it does not stop there.

There is \$221 million for the Hunter Expressway and \$140 million for works on the Great Western Highway. There is the Bridges for the Bush program, which includes the Cobb Highway, Kamilaroi Highway, Olympic Highway, Oxley Highway and Snowy Mountains Highway, and \$5 million for overtaking lanes on the Newell Highway—the member for Dubbo loves it. There is \$7.4 million for progress planning for a second bridge over the Clarence River—the member for Clarence loves that; he is very excited about it—and \$5.5 million for work on the Silver City Highway. There is also more than \$1 million for sealing work at a number of locations on the Cobb Highway.

Resources for Regions is a \$120-million package that will deliver badly needed infrastructure for our regional communities. They are very excited about it in regional New South Wales, including in the Mid-Western Regional Council area. The electorate of the member for Bathurst covers part of that area and he knows people are very excited about this funding package. They waited too long under the previous Government to get any real returns from the impact of mining. What about those Novocastrians and the wonderful announcement that \$340 million from the proceeds of the sale of the port will go to the Newcastle revitalisation program? [*Time expired.*]

Mr RYAN PARK (Keira) [4.21 p.m.]: I am delighted to talk about the Government's commitment to delivering regional infrastructure in the 2014 budget. The Illawarra region is delighted by this budget! I share with the House the "Kick in the Gut: Baird shows contempt for Illawarra" headline in this morning's *Illawarra Mercury*. I am not sure whether the people of regional New South Wales are as pleased with the budget as the member for Orange claims. As a regional member in this Parliament, I assure him that the Illawarra is not happy at all. Today's *Illawarra Mercury* states:

The State Treasurer, Mike Baird, on Tuesday delivered a slap to the face of this community. Then, not content with that, he stuck the boot in for good measure.

During my years in the Illawarra and when we were in government I saw some headlines that I wished I had not seen. But "Kick in the Gut: Baird shows contempt for Illawarra" and four pages of coverage about how poor this budget was for the people of the Illawarra hardly shows that regional New South Wales is doing well. What exactly happened in yesterday's budget for the people of the Illawarra? The budget outlined a transaction to lease the Port of Newcastle, the world's largest coal port, and to allocate \$340 million from the proceeds to the people of Newcastle.

Mr Andrew Fraser: Hear, hear.

Mr RYAN PARK: We hear "Hear, hear." I am pretty sure the member for Heathcote and the member for Kiama, who are noticeably absent from the Chamber, were not very happy this morning. I assure the House that, as regional members of Parliament, they are not smiling and I am not sure that the Treasurer, the member for Manly, will be spending too much time in the Illawarra over the next couple of years. This is a disgraceful budget. The people of the Illawarra, a large regional community, have been treated as second-class citizens when it comes to the allocation of funding in comparison with our friends and colleagues in Newcastle. We see why, from day one, the member for Wollongong, the member for Shellharbour and I said this was a dud deal. It was a dud deal because it is clear that the Government thinks differently about the people of Newcastle and the people of the Illawarra.

Opposition members will not stand by and support self-congratulatory motions such as this that give those opposite a pat on the back for investing in regional New South Wales when one of the largest regions in this State—the region that I am from, the region that the member for Kiama is from, the region that the member

for Heathcote is from, and the region that the members for Wollongong and for Shellharbour are from—is being duded. The *Illawarra Mercury* is spot on today. That newspaper makes it clear to the Liberal State Government that if this type of behaviour continues it will have a tough time in that part of regional New South Wales for the next two years. Regardless of who occupies the Treasury benches, I will continue to advocate that this type of arrangement, whereby people in one part of regional New South Wales are treated differently from communities in another part of regional New South Wales to the tune of \$240 million, is nothing short of an absolute disgrace. Government members should be ashamed of themselves.

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [4.26 p.m.]: I speak in support of this motion and start with a simple statement. Those on the other side win government for power and service of self; those on this side win power for responsibility and service to others. That was reflected in the last budget, and indeed in all three budgets handed down by the Treasurer, Mike Baird. Regional New South Wales is finally getting the dividends and seeing promises met in Treasury papers. The member for Orange, who moved the motion, spoke about the significant investment in roads across our communities. There is no starker example of the failure of those who left nothing but a boulevard of broken dreams and promises for the communities of regional New South Wales than in the area of Health. The shadow health Minister, the member for Macquarie Fields, is in the Chamber. He should hang his head in shame. For 10 years hospital upgrades promised at Dubbo, Parkes and Forbes were not delivered—

Dr Andrew McDonald: Still not delivered.

Mr TROY GRANT: The concrete is being poured, earthworks are underway and the money is flowing.

Dr Andrew McDonald: Not a brick in Parkes; not a brick in Forbes.

Mr TROY GRANT: This budget allocates \$35 million to the Dubbo hospital upgrade and \$3 million to the Gulgong Multi-Purpose Service in the electorate of the member for Orange. Sods have been turned. Work is underway at Wagga Wagga, Port Macquarie, Tamworth and Lismore—

Dr Andrew McDonald: Federal money.

Mr TROY GRANT: Money from the New South Wales budget is flowing into all those projects. The former Government left regional New South Wales with nothing but shattered dreams. It broke the hearts of our regional communities. This Government's budgets are delivering. The health Minister and the Treasurer understand that. Unlike those opposite, this Government is delivering real money. Officers will move into Parkes police station next week. That was a police station that Labor promised to half fund. I am not sure what half funding builds but those opposite never delivered a cent of it; they only ever delivered a promise—another broken promise along the boulevard of broken dreams left by New South Wales Labor.

This State's regional communities are finally seeing services delivered. The money that will flow from Treasury coffers will have real benefits for our communities. We have long been distanced from Sydney decision-making but now we are receiving the benefits articulated in the budget papers. It is a credit to the Treasurer, whose eyes, heart and mind are open to the benefits of regional New South Wales. He is committed to driving this economy through investment in infrastructure that those opposite denied for so long. Members opposite should be ashamed, particularly the shadow Minister for Health who knows about the extraordinary work done in regional hospitals. The Labor Government had no reason not to fund those hospitals. That is occurring now in our regions. Members opposite should have known better. I commend the motion to the House.

Mr CLAYTON BARR (Cessnock) [4.29 p.m.]: This is an opportunity to speak about regional infrastructure and what is or is not being delivered as a result of the State budget. Listening to those opposite one would think regional New South Wales was doing quite well when in fact the opposite is true. I will list some of the things that have been provided for regional New South Wales under this Government. We do not have to think back too far to recall the closure of jails such as Kirkconnell and Grafton. For the benefit of Hansard I note that on my mentioning the closure of these jails the member for Bathurst, who is in the Chamber, erupted in laughter. That is a very interesting response that his community should be aware of.

I refer to attempts to establish local land services, which will ultimately result in the destruction of water catchment management authorities and livestock health and pest authorities as well as Department of

Primary Industries positions. I draw attention to those opposite who stand by and do not fight for their communities while the Department of Primary Industries closes offices in regional New South Wales, with the loss of hundreds of jobs. I want to talk about the sacking of local agronomists under the budgets introduced by this Government. Agronomists specialise in different fields and help support the farmers of this great State. I refer to the removal of transport subsidies for fodder during drought. I want to talk about the outsourcing of Land and Property Information roles. I want to talk about cutting the biosecurity budget, including the jobs of 50 officials in regional New South Wales.

There is nothing in the budget for the establishment of a rural crime investigation unit that has been called for by police because rustling in regional New South Wales is on the increase. I want to talk about the change to speed zones, because those opposite like to talk about it. I will tell members opposite what regional New South Wales is getting from this Government. It is a new speed zone sign. It measures about two feet by one foot, it is made of metal and it is worth about five bucks. That is what members opposite are delivering for their regional communities. Why do we not talk about the \$43 million for the Bells Line of Road? It is for safety upgrades. If members opposite want to talk about the Bells Line of Road they should talk also about the Bells Line expressway.

I conclude by referring to the sale of the Port of Newcastle. I use the word "sale" deliberately, not accidentally, because the Minister in the other House, the Hon. Duncan Gay, has referred to it as a "lease". But clearly the member for Orange has let the cat out of the bag because he referred to it as a sale. From this point forth can we please refer to the sale of the Port of Newcastle? It will be a dud result for everybody. Wait and see what happens when BHP or Rio Tinto control the world's biggest coal port and then tell me you are delivering for New South Wales. [*Time expired.*]

Mr ANDREW GEE (Orange) [4.32 p.m.], in reply: I thank all members for their contributions to the debate. I pose a question to members opposite: Where is Jodi? Remember Jodi McKay, former member for Newcastle? She is gone, just like all the other Labor members from the Newcastle region who were swept away at the last election. Do members know why? It was because they were never able to deliver a foreshore revitalisation strategy as the Novocastrian members the member for Swansea, the member for Charlestown and the member for Newcastle have. Well done to them.

As the member for Dubbo has rightly pointed out, rural hospitals were neglected for years under the previous Government. Right around New South Wales the Minister for Health is revitalising and rebuilding hospitals. Who can forget the Gulgong multipurpose service project, which the member for Dubbo mentioned? I remember the day it was closed. All the Labor Government was going to put there was a health facility. What will be opened by the end of the year? A new multipurpose service. Hospitals in Forbes and Parkes were allowed to run down and rot under the previous Government. We are building new roads and there is funding for Bridges for the Bush. There is more than \$380 million for New South Wales rail freight projects. It is all happening now in regional New South Wales.

Let us talk about education in my electorate. In Mudgee a new campus is being provided for the TAFE, costing between \$5 million and \$10 million. TAFE was long neglected under the previous Government but at last we are seeing a really great spend on TAFE not only in Mudgee but also in Orange, where there is a new multimillion-dollar Aboriginal training centre. There are projects such as the Anson Street special school: more than \$3 million has been allocated for that.

Mr Troy Grant: The \$14-million Parkes police station.

Mr ANDREW GEE: The Parkes police station. Millions of dollars are being spent in regional New South Wales. We have never seen that before. I touched earlier on the Resources for Regions program. Again, I commend the Deputy Premier for increasing that fund for regional New South Wales. There is \$170 million for the south-east regional hospital in Bega, \$77 million for the development of Tamworth stage 2, \$59 million for Port Macquarie—the list goes on and on. In every sector of government regional New South Wales has benefited. Even Lismore Hospital in your electorate, Mr Deputy-Speaker, is benefiting from this responsible Treasurer, who is directing money into front-line services. I commend this motion to the House.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 65

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

Noes, 21

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

Question resolved in the affirmative.

Motion agreed to.

DIVISION BELLS

The DEPUTY-SPEAKER (Mr Thomas George): Order! I am informed that the Whips have received complaints about staff wanting to use the lifts while the division bells are ringing. I encourage each member to inform their staff that when the bells are ringing they must stand aside to allow members to use the lifts. Please remind staff of their obligations in that regard.

PORTS ASSETS (AUTHORISED TRANSACTIONS) 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) [4.47 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Ports Assets (Authorised Transactions) Amendment Bill 2013 to authorise the lease of the Newcastle port to the private sector. The bill extends the scope of the existing Ports

Assets (Authorised Transactions) Act 2012 to authorise and facilitate the transfer to the private sector of the State's port assets at the Port of Newcastle. The same restrictions that apply to the recent Port Botany and Port Kembla transactions will apply also to the Port of Newcastle—that is, freehold title to land at the port will remain in State ownership, and the lease of the Port of Newcastle and associated port land can be a term of no greater than 99 years.

The bill does not introduce any new policy or regulatory powers over and above those applied to the Port Botany and Port Kembla transaction. It simply extends the scope of the existing Act to include the Port of Newcastle. The long-term lease of Newcastle port will continue the structural reform of the State's balance sheet to focus resources on core service delivery. The recent completion of the long-term lease of Port Botany and Port Kembla showed what can be achieved when the right asset is offered at the right time with the right process. That process was marked by transparency and competitiveness, with the price achieved in relation to retention value exceeding all benchmarks. The Government will continue with that same process in pursuing the long-term lease of Newcastle port. The success of the Port Botany and Port Kembla transactions dictates that the Government act now to capture the current strong market demand for port infrastructure assets.

The Government is seeking approval for this important initiative to free up millions to help fund a critical backlog of infrastructure across the State. Proceeds from this transaction will be paid into the Restart NSW Fund, which was established to fund major infrastructure investment across the State, and has already benefitted to the tune of \$4.3 billion from the Port Botany and Port Kembla transactions. Further, it is the Government's intention to invest \$340 million of the proceeds from the Newcastle port transaction towards the revitalisation of central Newcastle. That revitalisation, which has already been announced, includes removing the heavy rail line between Wickham and Newcastle so that the city is no longer divided from its beautiful harbour front.

The proposed new light rail option between a minimum of Wickham and Newcastle is potentially only the beginning of a light rail system for Newcastle and the region. In addition, \$10 million will be allocated to explore the potential for this link to be the basis for light rail linking the central business district with surrounding suburbs, beaches and the broader Hunter region. Infrastructure NSW will coordinate the revitalisation of Newcastle on behalf of the Government. In addition, the long-term lease of the Port of Newcastle will enable the private sector to invest in the ongoing development of the port, which will help drive growth in the State economy and support jobs while at the same time allowing the Government to focus its limited resources in areas that affect people's day-to-day lives.

I now turn to the detailed provisions of the bill. Schedule 1 makes a number of definitional changes to the Ports Assets (Authorised Transactions) Act 2012. It contains a new definition covering Port of Newcastle land, including land at the Port of Newcastle in the definition of associated port land, and includes Newcastle Port Corporation in the definition of a port State-owned corporation. These changes allow for the substantive provisions of the Act, which are unchanged by the bill, to operate to transfer the Port of Newcastle to the private sector. Item 6 of schedule 1 extends the existing transitional provision so that the Newcastle Port Corporation can have its name changed or be dissolved after the transaction.

Schedule 2 to the bill makes the necessary amendments to the Ports and Maritime Administration Act 1995 to facilitate the introduction of a private port manager at the Port of Newcastle, such as including the Port of Newcastle in the definition of private port, which in turn allows the Minister to declare a private sector party as the port operator at Newcastle; including the Port of Newcastle in the definition of relevant port lease at section 37 of the Act, the effect of which is that a private port operator at Newcastle could give directions to maintain or improve safety and security just as the private port operator at Port Botany and Port Kembla can; including the Port of Newcastle in the definition of relevant port authority at section 47 of the Act, the effect of which is that the private operator at Newcastle can apply navigation service charges, in the same way that the port operator at Port Kembla can; and including the Port of Newcastle in the definition of site, the effect of which is that a private port operator at Newcastle could apply site occupancy charges.

As I have indicated, the bill does not change the substantive provisions of either the Ports Assets (Authorised Transactions) Act 2012 or the Ports and Maritime Administration Act 1995. For the benefit of the House I will elaborate on some of the key substantive provisions which applied to the Botany and Kembla transactions and which will also apply to the Newcastle transaction. The Act includes a number of provisions which set out commitments made by the Government to employees transferring to the private sector. Newcastle Port Corporation employees will have the same protections that were afforded to staff at Sydney Ports Corporation and Port Kembla Port Corporation, including: a two-year employment guarantee for enterprise

agreement employees; the transfer to the lessee on at least the same terms and conditions; continuity of entitlements, including those that relate to superannuation, sick leave, annual leave and long service leave; and a transfer payment of up to 30 weeks pay depending on length of service.

As outlined in the Ports and Maritime Administration Act, the Government retains oversight of price monitoring of the ports. As part of the Government's price monitoring regime, which has been in place for the past six months, all New South Wales ports including the private port lessees must give notice of any proposed change in its service charges and provide a rationale for how the increase is calculated and why it is needed. The port lessee must also provide an annual report of charges to the relevant Minister, and the Minister has the power to require that information relating to port charges be supplied to the Government. If the Government has any concerns, the Premier has the ability to refer the port to the Government's independent pricing watchdog, the Independent Pricing and Regulatory Tribunal, should this become necessary.

In addition, a port user can always apply to the National Competition Council to have the asset declared as nationally significant infrastructure under Commonwealth legislation. This bill is another key part of the Government's commitment in "NSW 2021: A plan to make NSW number one" to build the infrastructure that makes a difference to both our economy and people's lives. It reduces pressure on the balance sheet, it secures and provides for the revitalisation of Newcastle, and it ensures that Newcastle will be envied across the world. 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 later hour.

ROAD TRANSPORT AMENDMENT (LICENCE DISQUALIFICATION ON CONVICTION) BILL 2013

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

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [4.55 p.m.]: I move:

That this bill be now read a second time.

The primary purpose of this bill is to amend road transport legislation to remove an anomaly whereby persons convicted of a serious driving offence—for example, dangerous driving occasioning death—can serve part or all of their licence disqualification period while they are serving a period of imprisonment imposed for the same offence. Current legislation provides that where a disqualification period is imposed for a serious driving offence, whether by order of the court or by statute, the period of disqualification will ordinarily commence from the date that the court convicts the offender. Where the court also sentences the offender to a period of imprisonment, section 47 of the Crimes (Sentencing Procedure) Act 1999 provides that the term of imprisonment is to commence from the date that sentence is imposed, which will also generally be the date the court convicts the offender.

In these cases where both periods are served concurrently, the penalty of licence disqualification is of little consequence because generally when the person is in prison he or she cannot drive anyway. It is clear the community has an expectation that a person who commits the most serious of driving offences, particularly those where death or grievous bodily harm has been occasioned, should be made to suffer the loss of his or her driving privileges for a period of time commensurate with the nature of the offence committed. The unusual situation of the current provisions, allowing a person to serve the separate penalties of a custodial sentence and driver licence disqualification at the same time, was recently highlighted in a case reported widely in the media.

In that case, an offender was convicted of aggravated dangerous driving occasioning death under the Crimes Act 1900 in which the circumstances of aggravation were the presence of a high range concentration of alcohol in the offending driver's blood. The offender was convicted by the court and sentenced to a period of five years imprisonment. The offender was also disqualified from driving for a period of five years. As I have highlighted, the current laws provide that both periods commence from the date the person was convicted. Clearly, in cases such as this, where a person is serving a prison sentence, the penalty of driver licence disqualification is of little or no effect because the person would be in no position to drive a motor vehicle during his or her time in custody.

It is obvious why situations such as this cause great concern to the general public. In effect, a person convicted of a serious driving offence could be released from prison, immediately reapply for his or her driver licence and be back on the road. This Government has acted swiftly to put an end to this situation by introducing the proposals in this bill. The bill is a result of consultations between the relevant agencies including the Department of Premier and Cabinet, Transport for NSW, the Department of Attorney General and Justice, the Ministry for Police and Emergency Services, and Roads and Maritime Services. I thank officers from those agencies for their efforts in assisting with the development of this important legislation.

I turn now to the changes the bill proposes to make to road transport legislation. I should also make mention that the amendments to which I refer will be to the Road Transport Act 2013, which commences operations on 1 July 2013. The main purpose of the bill is to provide that where an offender is convicted of a serious driving offence and is sentenced to both a custodial period of imprisonment and a period of licence disqualification, the disqualification period is extended so that it will be served after the period of custodial imprisonment ends.

Specifically, the bill will amend the Road Transport Act 2013 to insert a new section 206A to provide that where a person is convicted of a major disqualification offence, and the court imposes a period of custodial imprisonment and a period of licence disqualification is applied, whether by statute or by an order of the court, the period of disqualification will be extended by the period of time the person spends in custody. Courts will have the power to rule that any statutory disqualification period, or any court ordered disqualification period, shall not be extended under the section if they consider that is justified in a particular case.

To achieve this outcome new section 206A (3) will provide that a specified period of disqualification is to be extended by any period of imprisonment imposed. This effectively means that the overall period of disqualification will equal the period of imprisonment in addition to the actual period of licence disqualification that was applied. This ensures that the offender does not get the benefit of both periods being served concurrently. New subsection (4) will provide that, for the purposes of the new section, a period of imprisonment will not include any period that the person has been released on parole.

This ensures fairness in that, if the offender does not serve the full sentence and is released early on parole, the overall disqualification period will be reduced accordingly and the person may apply for a licence earlier by a corresponding period. As I have foreshadowed, new sub-paragraph (5) reserves the court's discretion to make a specific order regarding the operation of the extension provision. Offenders who have non-custodial sentences ordered, such as suspended prison sentences or intensive correction orders or home detention, will not be included in these reforms. In these cases the courts have determined that these offenders effectively remain in the community.

As I have stated, new section 206A will make reference to a major disqualification offence. For the purposes of the new section, a "major disqualification offence" will mean a major offence as defined under section 205, a street racing offence under section 115 and an aggravated burnout offence under section 116 (2) of the Act respectively. Major offences under section 205 include serious driving offences under the Crimes Act 1900, and offences under the Road Transport Act 2013 of drink and drug driving and other alcohol-related offences, driving at a speed or in a manner dangerous and negligent driving offences causing death or grievous bodily harm. I make it clear, however, that offences of unlicensed driving, never licensed, under section 53 and the offences of driving while disqualified, suspended, cancelled or refused under section 54 of the Road Transport Act 2013 respectively are not included in these reforms.

High-range speeding offences are also not included in this proposal because, while they attract a penalty of licence disqualification, they do not attract a penalty of imprisonment. The proposals in this bill will not impact in any way on law-abiding citizens. The proposals deal only with the most serious of driving offences that carry mandatory driver licence disqualification and periods of imprisonment as a sentencing option for the court. It is anticipated that, subject to successful passage through the Parliament, the provisions will commence in the forthcoming months following the appropriate arrangements for the receipt and recording of the relevant court conviction information by Roads and Maritime Services. I trust members will lend their unreserved support to the Government's proposal. I commend the bill to the House.

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

PORTS ASSETS (AUTHORISED TRANSACTIONS) AMENDMENT BILL 2013**Second Reading****Debate resumed from an earlier hour.**

Mr MICHAEL DALEY (Maroubra) [5.06 p.m.]: I lead for the Opposition in debate on the Ports Assets (Authorised Transactions) Amendment Bill 2013. Neither the Opposition nor the people of New South Wales were given notice of this bill before it was introduced without warning in the House today. Members of the Opposition and crossbench members have had possession of this bill for about 1½ hours and have had little or no opportunity to read its contents. This morning the Treasurer and Treasury staff were good enough to provide my colleague the member for Heffron and shadow Minister for Roads and Ports and me with a briefing, for which I thank them. However, that is no substitute for proper and detailed consideration of this bill.

The long-established standing orders of this place provide that a bill, having been introduced by a Minister, shall lay on the table for five calendar days for a very good reason established hundreds of years ago: to afford members an opportunity to read the bill and to familiarise themselves with its contents and subject matter. It provides them with an opportunity to seek views from relevant stakeholders, to take it to their communities and to communicate the contents of the bill and the Government's intentions. Members can tell their communities, if they are interested, about the consequences of the passage of the legislation, particularly if it affects those communities. Newcastle has the largest coal port in the world—a vital piece of infrastructure for the people of the Hunter region. Not one member representing the Hunter region has had an opportunity to traverse any aspect of this bill, which is unacceptable. There is no salient reason for this bill to be rushed into this House today without any warning.

One of the explanations proffered for the introduction of the bill today was that the Government had to wait for the announcement of the sale in the State budget, which is not correct. The Government chose to wait until the announcement in the budget and of its own volition and through its own timetable introduced this bill today without warning, which is not acceptable. It means that my colleague Mr Ron Hoenig, the member for Heffron, as shadow Minister for Ports, my colleague Mr Clayton Barr, the member for Cessnock, my colleague Ms Sonia Hornery, the member for Wallsend, and me as shadow Treasurer or any Government member who represents any seat in the Hunter, including the overly smug member for Newcastle, have not had an opportunity to talk to their communities about this bill—an issue for which this Government will stand condemned.

I also find it intriguing, conjoined with the haste with which this legislation is proceeding today, that a scoping study—which cost a bomb—was undertaken by Morgan Stanley for the sale of Port Botany and Port Kembla. That study has not been released; it remains a big, fat secret. But there is to be no scoping study for this sale. The Treasurer is playing the old barrister's trick by telling us that the Port of Newcastle will be sold for about \$700 million. He played the same trick with the sale of Port Botany and Port Kembla. He said that they were worth about \$2.5 billion. If he got anything less he would not sell them and if he got anything more he was a genius. The sale of the Port of Newcastle will go for significantly more than \$700 million—I will return shortly to the amount that has been offered to the people of the Hunter for this sale.

It is an insult to introduce this legislation to get a legislative imprimatur to privatise the Port of Newcastle without having done a scoping study. It is also an indication of the arrogance of the O'Farrell Government. As I said earlier today, the O'Farrell Government, with a burgeoning majority in this place, has decided it can do whatever it wants. Never before has there been an occasion where legislation has been sought to enable a transaction before the nature of the transaction and its details have been studied. However, that is the way of this Government. By not having sought community consultation and by not having a scoping study carried out, the O'Farrell Government has demonstrated that it does not consider it is accountable to the Parliament in relation to a great many questions about this bill.

What will the potential impacts of this transaction be on the international and national shipping of coal from this terminal? What will the impacts be for transport costs to the New South Wales and Australian economies? What will the impacts be on the environment? Where is the discussion paper? There is none. What will the potential impact be on traffic congestion in the future in respect of this port? Did the Government seek any views in respect of competition issues? Did the Government seek any views in respect of transport issues or congestion issues? The answer to all those questions is no.

The Opposition expressed concern to the Treasurer—who cries poor mouth at every opportunity, notwithstanding that he is the highest-taxing Treasurer in this State's history and enjoys more revenue today than

any of his predecessors—on the day that Port Botany and Port Kembla were privatised that the people of New South Wales would be deprived of a very healthy revenue source every year. I understand the difference between revenue and earnings. Port Botany and Port Kembla had gross revenues of \$225 million per year. The Port of Newcastle is also a good revenue-producing asset but it will not be for long. It has gross revenue of \$92-odd million every year with a very low debt of about \$80 million. That revenue will be converted into concrete and steel liabilities around Newcastle. This will not be a good economic outcome for New South Wales.

I turn now to what the Treasurer had to say when dealing with the Port Botany and Port Kembla transactions and again today. The Treasurer said that this transaction is all about the structural reform of the State's balance sheet. That might be the way he views the world but it is about a lot more than that. It is about people, the environment, jobs, planning, competition and fairness. The Treasurer said that we should all feel secure about any issues that might arise from this transaction in relation to charges that the new port operator can potentially impose and about any changes to the present charges that the new port operator can amend with respect to tenants of the port and its users. He said the Government retains the powers under the price monitoring scheme in the Act and that we should all be comfortable because the Premier has the power to refer the issue to the Independent Pricing and Regulatory Tribunal in the future if necessary.

The Treasurer has repeated that statement publicly on a number of occasions—for example, he said it on 7.30 NSW when asked specifically about it by Quentin Dempster. That is simply not true. Under this legislation there is no provision for the Independent Pricing and Regulatory Tribunal to inquire into or interfere with the prices to be charged by a private port operator at Port Botany, Port Kembla or the Port of Newcastle. I will inform the House what the price monitoring regime does provide. New section 79 (1) of part 6 of the 2012 bill—I have not had time to translate that to the current bill—states that "the port operator of a port to which this Part applies must publish a list of the following charges ..." and it details those charges. New section 80 (1) states that the port operator must give notice of any proposed change to the Minister at least 20 business days before the change is proposed to be made and notice of the change must be published on the port operator's website in a prominent position 10 business days before the change is proposed to be made.

New subsection (3) of section 80 provides that the notice of a proposed change in a service charge must identify each charge, and make that information available publicly. New subsection (4) provides that the information required for a new charge includes the purpose and function of the charge, the basis on which the amount of the charge has been calculated, and the persons who will be required to pay the charge. New subsection (5) provides that the information required for a new charge that is a port infrastructure charge under division 6A of part 5 includes details of the port infrastructure project, the basis on which the amount of the charge has been calculated, the persons who will be required to pay the charge, and the period of time for which the charge is proposed to be imposed. New section 81 requires the port operator to report annually those charges to the Minister. New section 82 says that the Minister may require information.

No provision of this bill allows the Minister to refer these new or modified charges to the Independent Pricing and Regulatory Tribunal. That would require a change in the law. If the Premier of the day did not like what was going on, the Premier could bring before the Parliament a proposal to change the law regarding the powers possessed by the Independent Pricing and Regulatory Tribunal. But, as I stand here today, the Independent Pricing and Regulatory Tribunal has no power to inquire into, make recommendations on or mandate any provision with respect to charges at Port Kembla, Port Botany and the Port of Newcastle. I wish the Treasurer would stop saying that the Independent Pricing and Regulatory Tribunal has such powers. It is very sneaky and disingenuous of him to do so.

I warn the people of the Hunter about some of the antics that the Government got up to with respect to fattening the pigs of Port Botany and, to a lesser extent, Port Kembla for sale. What the Government did with Port Botany was not outlined by the Treasurer when he spoke in this place on that enabling bill, and it is not something that he has spoken about publicly. That measure was snuck through this Parliament in the dead of night. There is now a Port Botany State Environmental Planning Policy 2013. I apologise to the House for not having that planning policy in front of me; I have not had time to look into that, having been in the Chamber for the past few hours. However, that planning policy does certain things. It publishes maps and zonings, and makes pronouncements and changes to planning law with respect to activities that might happen around Port Botany.

It rezones the height limit on buildings in Port Botany to, I think, 35 metres. The people of Newcastle ought to inquire whether there will be a Port of Newcastle State Environmental Planning Policy 2013 or 2014 that enables the port operator tomorrow to undertake activities that the operator cannot undertake today,

because that is what happened with Port Botany. The Port Botany operator can now carry out all sorts of income-producing activities that could not be done before the planning policy was passed. At Port Botany there are now 35-metre building height limits; I think the limit used to be 16 metres. Further, State Environmental Planning Policy 2013 allows a whole heap of activities to be carried out without development consent. For example, certain dredging in Botany Bay can be done without development consent.

The planning policy also prescribes that in and around Port Botany and Botany Bay the Minister, not the council, will be the consent authority for certain activities. Traditionally, Randwick City Council and the Council of the City of Botany Bay have been the consent authorities for activities around that port. That is as it should be. Barry O'Farrell said he was returning planning powers to the people; that is, unless you are planning some activity at Port Botany, when the Minister will be the consent authority. I say to the people of the Hunter, and particularly those in and around the Newcastle central business district: Be wary that you do not have a port-related State environmental planning policy that allows activities at the port or that changes building height limits that currently apply.

Mr John Sidoti: You are scaremongering.

Mr MICHAEL DALEY: It is not scaremongering, as the member for Drummoyne interjects. When a bill that comes before the House that has not been to the community for discussion, someone has the responsibility to ask these questions. The member for Drummoyne might think this is a joke, but someone has a responsibility to ask the question. The member might not take his job seriously, but I do.

Mr John Sidoti: I do take my job seriously.

Mr MICHAEL DALEY: If you did, you would not make the stupid comment you did.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Maroubra will address his comments through the Chair.

Mr MICHAEL DALEY: The people of the Hunter and Newcastle central business district have every right to ask: What activities will be able to be carried out in the port once it is privatised? And will those activities be subject to controls and review, and be the subject of proper assessment now? Those are very legitimate questions. Another question they have every right to ask is: What planning instruments does the Government propose in relation to the port that have not been detailed today—and will not detail publicly unless pushed—and do not form part of this bill? The people living around my area are not happy that the building height limits at Port Botany will now be 35 metres.

There are many tenants of the Port of Newcastle. This morning I was given a map extracted from a report of the Newcastle Port Corporation. It lists 42 tenants within the boundary of the Port of Newcastle. Every one of those tenants should start asking questions today of the Treasurer and his colleagues, such as: What does the future hold for me? How much rent will I be paying? What additional charges will be imposed upon me that I do not yet know about? What hidden additional charges will be part of the process of fattening this pig for sale that I have not been told about? I am not scaremongering. A throughput charge was imposed on shipping companies at Port Botany. From memory, it was about \$12 or \$18 per 20-foot equivalent unit for a container.

That charge was meant to raise sufficient funds to build a marshall yard at Port Botany. The levy was imposed and the marshall yard was built. But not only was the levy retained by the Sydney Ports Corporation; it was auctioned off to the new private port operator. That formed part of the revenue stream and formed part of the \$5.1 billion sale proceeds. That means that shipping companies are now paying a charge directly to a private port operator for a truck marshall yard that was built by the Sydney Ports Corporation when the port was in public hands. Those companies, for no reason, are now making a donation of \$18 per 20-foot equivalent unit to a new port operator.

I have something to say to all the tenants of the Port of Newcastle, including CitroVita Juice Terminals, Svitzer Australia, McGrath Newcastle, BP Australia Bulk Fuel Storage Facility, Toll Resources, Newcastle Stevedores, Mayfield Berth, BHP, One Steel, Koppers Carbon Materials and Chemicals, Incitec Pivot, Cargill, Cement Australia Terminal, Boral Timber, GrainCorp, Patrick, Orica, Impact Fertilisers, Mountain Industries, BHP Billiton: Make your inquiries now of the Treasurer about what charges, rents and fees you will have to cop after the port is privatised. And keep in mind when you ask those questions that once the port is privatised there will be no legislative controls, just competition controls, on any of those fees and charges. As is the case with Port Botany, competition does not do the trick here.

If you are a tenant around this coal port and you do not like what is imposed on you by your new private landlord, you do not have much choice other than to pay up if you are an industry that is wedded to port lands. If you are a Port Botany tenant and you do not like what a new landlord is doing to you, you have two choices: relocate to Brisbane or relocate to Melbourne—and that is not choice. The Treasurer should stop misleading people about price controls because there are none. I would love to say more on this, but I know there are some very capable speakers sitting on our side who will say more about it—the shadow Minister for Ports, the member for Heffron, the member for Cessnock and the member for Wallsend—and I look forward to their contributions. The Opposition will oppose this legislation.

Mr GARRY EDWARDS (Swansea) [5.29 p.m.]: I speak to the Ports Assets (Authorised Transactions) Amendment Bill 2013. This is an historic piece of legislation that will drive economic growth and prosperity, and revitalise the Newcastle central business district well into the future. This historic legislation, which formed the centrepiece of the 2013-14 budget, is just one more clear sign that this Government is committed to the long-term future of Newcastle. It is finally a new vision for a city that has experienced significant challenges over recent years, and a changing and dynamic private sector.

As any Newcastle resident would know, Hunter Street in the 1970s and 1980s was a vibrant hive of activity. Seldom was there seen a "For Lease" sign in a business shopfront. However, small businesses in the Newcastle central business district have struggled in today's trading environment. For several years it has been clear that direct action was needed to stimulate private sector investment and development activity from domestic and international enterprises. This bill will allow the Government to unlock resources to revitalise the Newcastle central business district, and support critical economic and social infrastructure projects across the Hunter.

As members have heard, this bill authorises a 99-year lease for the Port of Newcastle, a process that is expected to be completed by mid-2014. Proceeds from the transaction will be directed to the Restart NSW fund to invest in critical projects, with \$340 million from those proceeds to be dedicated to the Newcastle City Renewal project. This amount is in addition to the \$120 million already allocated to that project. As the Treasurer announced yesterday during his budget speech, as part of the Newcastle City Renewal project, the heavy rail service currently in place between Newcastle and Wickham will be replaced with light rail. We have made that decision after years of ping-ponging by those opposite. A further \$10 million will be allocated to explore the feasibility of this service to form the basis for a wider light rail network that will connect the Newcastle central business district with surrounding suburbs, beaches and the broader Hunter region.

This will unlock the enormous potential of the city and make it a diverse, vibrant and attractive place for visitors and locals alike, helping to increase tourism and business confidence. The long-term lease of the Port of Newcastle provides an urgently needed infusion of capital to fund a backlog of critical infrastructure projects across the whole of New South Wales and follows this Government's successful privatisation programs of Port Botany and Port Kembla. These successful programs not only prove that the Government can successfully undertake such transactions so that they provide maximum benefits to the community, but also that there is ongoing market demand for infrastructure assets. Out of the proceeds directed to the Restart NSW fund from these successful transactions, 30 per cent of funding will be reserved for projects in regional areas.

The Port of Newcastle is the world's largest coal export port, exporting 132 million tonnes in the 2012 financial year and handling more than \$20 billion in annual trade. It is a highly diversified port handling, with more than 40 different non-coal commodities. It is also heavily involved in the landside logistics and the port-related supply chain. The port continues to drive the economic growth of the Hunter region and indeed New South Wales. Around 95 per cent of the trade through the port is coal, of which 99 per cent is hauled to the port by rail. The port is also a major employer in the Hunter, employing thousands of people, both directly and indirectly.

Government and industry continue to invest heavily in infrastructure to deliver greater capacity across the existing road and rail networks, including the Northern Sydney Freight Corridor Upgrade project, and upgrades to the Pacific Highway and the Hunter Expressway. The Government is committed to ensuring freight moves in and around the port precinct as efficiently as possible, and we will continue to work closely with the port's eventual lessee, related agencies and port users and tenants, the Hunter Valley Coal Chain and community members to ensure the freight transport network in place will secure the future of Newcastle, and that of the proud communities of Newcastle, Lake Macquarie, Port Stephens, Maitland, Cessnock, and all who call the city of Newcastle home or gravitate to this great city for employment or leisure.

In relation to the budget, this morning I had the honour to speak with one of Australia's leading medical professionals—indeed, a world-renowned medical professional—who asked me to bring a message back to our Treasurer. He put it in slightly different terms to that, but he said, "Would you please tell your mate the Treasurer he has just brought down a great budget." What we witnessed for 16 years was the unfolding tragedy that was the decay of the great city of Newcastle. This Government has revitalised infrastructure. We see infrastructure projects going ahead. We have delivered more police and police facilities, more nurses, more hospitals and more doctors—record jobs growth. We have done all this under the Treasurer while at the same time reducing debt. With a track record like that, those opposite have the effrontery to take issue with this go-forward Government after its 16 years of neglect, decay and corruption—and all, I might add, during 16 years of record receipts. I commend this bill to the House.

Mr RON HOENIG (Heffron) [5.38 p.m.]: The decision to sell the State's and the world's largest coal export port is one of the most significant decisions a government can make. It is a significant public policy decision. It is a decision that should be made after not only a scoping study but also a very careful analysis of the implications. It should not be made on an urgent whim, shoved in a budget as part of a public relations exercise and held up as some sort of solution to the renewal of Newcastle. If it be thought that this is a well-planned strategy by the government of the day, I remind members of a question asked in the other place of the Minister for Roads and Ports, who is supposed to have carriage of the management of the ports on behalf of the people of New South Wales. The Hon. Peter Primrose asked the Minister whether he would rule out selling the Newcastle Port Corporation in the forthcoming budget and, after the Minister refused to either confirm or deny—as is normal practice for Ministers as to what may or may not be in the budget—the Minister said in the other place:

If the honourable member were to ask me whether I have a plan to do anything like that with the Newcastle Port Corporation, I would have to answer "No."

Sometime after 28 May 2013 someone seems to have made a decision to shove it in the budget because it all sounds terrific. But there is a very substantial public policy problem, which is that it is not just the Hunter or the State that depends on this port; the country and our economy depend upon this particular port and the exports associated with it. The whole supply chain for the export of coal is dependent upon this particular port. Some mining companies could write a cheque out of petty cash and buy this port. Then one competitor would be in control of a major part of the export supply chain. So if the Government is making this decision to sell the port because of some philosophical bent it should look at the consequences of what it is doing. Because the consequences could be so significant, it is extremely important that the proposal be subject to some scrutiny and some sort of analysis.

The Government should not just pluck figures out of the air. If members look at the port corporation's annual report for 2012, they will see that the revenue after tax was only about \$20 million and, as the Premier said in question time, the dividend returnable to the State is only about \$11 million. The port corporation says the return on assets is 7.5 per cent. Where do the figures of \$700 million and \$1 billion come from that are being plucked out of the air to promise the renewal of Newcastle? There has been no analysis and no scoping study. Even though the Premier is rushing this legislation through, I thank him for the briefing this morning from Treasury and his staff. They conceded that this proposal will be subject only to a scoping study. So nobody really knows. They think that somehow the cash splash from Port Botany will be repeated at Newcastle. There are some very substantial reasons why caution should be exercised as a matter of public policy. First, it is not an ordinary port: It is the largest coal export port in the world, and it is essential to this country. Secondly, even maritime industry experts like Peter van Duyn, who has no pecuniary interest in this matter, says in an article published in *The Conversation*:

But while many may welcome the sale of such assets to fund necessary infrastructure projects, others have flagged that the concentration of port ownership may lead to steep price rises, as well as concerns over regulatory oversight.

He points out:

The need to fund infrastructure by the states should not lead to "a one policy fits all" approach that includes the sell-off of prized assets such as capital city general cargo ports.

The international experience of port privatisation is not necessarily reassuring. Privatisation in the United Kingdom took place many years ago, but according to Professor Alfred Baird from the Transport Research Institute, at Edinburgh's Napier University, it has not always been a success.

He also says, and this is something that members opposite should understand and ask their Executive Government about:

The onus on a private port owner is to maximise the profits for shareholders and "sweat the assets". In contrast, a publicly owned port on the other hand has the capacity ... to stimulate regional development by investing in port infrastructure.

The reason the Government got \$4.3 billion net from the sale of Sydney ports is, I am told, that the Sydney Ports Corporation, which is not the most competent organisation, never got any rent for three-quarters of its land. The new owners are going to extract the rent and will get back one-third of their outlay. The new owners knew they could get more out of the place than the Sydney Ports Corporation. The other matter I draw to the attention of members is that when those opposite think that the revitalisation of Newcastle is some sort of planned venture from which they are going to benefit, they should remember this: first things first. I refer to the State Infrastructure Strategy 2012-2032. Do members remember this terrific document, which was prepared by the Hon. Nick Greiner? In his report to us all he said:

Infrastructure NSW was created in 2011 for the purpose, in the words of the Premier, "to set New South Wales back on the path of investment in world's best practice infrastructure planning and delivery to improve the lives of our citizens across this State. The people of New South Wales want our State to be number one again ... Providing the infrastructure that New South Wales needs and deserves is the first step".

Do members think there is anything in this 20-year plan about Newcastle or a light rail system? Do they think there has been any examination of its operations with the port? Do members think there has been any costing of a light rail system? Do they think there has been a local environmental plan or a planning study for the revitalisation of Newcastle? Who has been consulted? Has the council prepared a local environmental plan? Where is the transport strategy? Here is this document, which was two years in the making because the Government did not have the ability to plan its State, and it is not in here.

Who is responsible for running this joint? Who is responsible for the planning? Who is responsible for infrastructure development and where is it? It is not here. The reason it is not here is that this proposal has just been pulled out of the air in the past couple of weeks, without a scoping study, to try to get the reporters of the metropolitan newspapers to say what a wonderful Government and a wonderful budget we have. The trouble is the reporters will write a story today, tomorrow and the day after and in five, 10 or 20 years time not only this great State but also Australia will have to put up with the stranglehold of private ownership of the entire eastern seaboard method of import into and export from this country. If members want to know what else happens when these ports are alienated, they should look at the document prepared by Infrastructure NSW, which Nick Greiner chaired, which refers to the plan for this State before the Government sold off Port Botany and Port Kembla. It said:

Once Port Botany reaches capacity, (which is not expected to happen during the timeframe of this Strategy), it is planned for Port Kembla to become NSW's supplementary container port.

I can tell members this: Members from the Illawarra region can forget about that ever happening because the new owner is going to sweat the assets. This Parliament has given up control of one of the most essential vehicles on the eastern seaboard and now we are going to give up control of the largest coal export port in the world without scrutiny, without scoping studies and without having any idea of how much revenue we are going to get. If we are getting only \$20 million a year profit out of the Newcastle Port Corporation, I have no idea where the Government is going to get \$700 million or \$1 billion out of it.

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [5.48 p.m.]: I speak in support of the Ports Assets (Authorised Transactions) Amendment Bill 2013. The purpose of this bill is to authorise the long-term lease of the Port of Newcastle. This is one of the most important pieces of legislation to come before this House in my time as member for Port Stephens. The long-term lease of the Port of Newcastle will provide the infusion of capital we need to fund the backlog of urgently needed critical public infrastructure that those Sydney-centric members on the other side neglected for 16 long years. What we have seen with the budget announcement and from this bill is that the New South Wales Government is getting on with the job it started in March 2011 to transform the Hunter. No longer the bridesmaid or the poor cousin, the Hunter's time is now.

This Government recognises that the Hunter region is one of the State's growth areas and requires infrastructure and investment for future progress. Previous Labor Governments have treated the people of the Hunter with disdain. In 2007 I was elected as the first Liberal member for Port Stephens and my colleague and friend Greg Piper defeated the sitting Labor member for Lake Macquarie. But the three amigos, Premiers Iemma, Rees and Keneally, continued to ignore the Hunter.

No-one can forget the Tourle Street Bridge in my electorate, which was obsolete the day it was opened. It cost \$50 million for two lanes but another \$15 million would have built a four-lane bridge to cater for the future needs of the thousands of drivers, many of whom are my constituents, who use the bridge daily. What about the Newcastle rail line? What did the previous Labor Government do other than give a dodgy costing involving ridiculous allowances compounded by huge contingencies? It did absolutely nothing. Labor politicians at all levels treat the people of the Hunter with contempt and, rightly, the people of the Hunter are angry. The New South Wales Labor Government found that out in 2011, and the Feds will find out in 87 days. Jaimie Abbot will win the seat of Newcastle and John Church will win the seat of Shortland because they are seeking election to provide leadership and prosperity for their community and country, not personal gain, as so many Labor politicians do.

The Newcastle heavy rail line is not just an ugly barrier that separates the city from the harbour; it is an ongoing symbol of the lack of leadership that seemingly endless and ongoing Labor representatives have displayed. The proceeds from the lease of Newcastle port and other transactions will be directed to the Restart NSW fund. From the proposed lease of the Newcastle port \$340 million will be used to revitalise the Newcastle city centre, including construction of the new Wickham transport interchange and light rail in the central business district. It will provide the potential basis for a wider light rail service linking the central business district with surrounding suburbs and beaches. It means a change for the Hunter that is unprecedented in living memory. Since the Treasurer's budget announcement yesterday, we have heard a harmonious tune reverberating around the city: Newcastle's time has come. The Government's commitment to Newcastle's renewal will unlock its potential as a vibrant place to live and to visit, and the whole Hunter community will reap the rewards.

The community sent a clear message in the 2011 poll that resulted in a change of government and the end of Labor's stranglehold on the Hunter. The Coalition was given a chance, and it has delivered. I remember well when Premier Rees appointed retired Air Vice-Marshal John Blackburn to seek defence investment in New South Wales. What resources was JB given? None. What access did JB have to the Labor ministries? None. It was like a lot of what Labor did: issued glossy press releases that were then forgotten. I advise the people of Newcastle that retired Air Commodore Tim Owen, their member of Parliament, is working.

As we debate Tim's most important achievement—which is the first step in resurrecting the city he represents so well—Tim is putting rubber on the road, encouraging Australian and international defence investment in New South Wales. He is at the Paris Air Show and, before members opposite guffaw, for a long-serving, high-ranking, decorated former Air Force officer an air show is not a junket; it can be likened to a busman's holiday. Thank you, Tim, for your ongoing leadership on this issue. We wish you success in extolling the virtues of doing business in New South Wales to the defence industry. The Government will continue to work with the local community, agencies, the new lessee, port users and the Hunter Valley Coal Chain to ensure that a freight transport network is put in place so the Port of Newcastle can realise its full potential. I commend the bill to the House.

Mr GREG PIPER (Lake Macquarie) [5.52 p.m.]: In speaking to the Ports Assets (Authorised Transactions) Amendment Bill 2013 I draw briefly on my contribution to the Ports Assets (Authorised Transactions) Bill 2012, which was passed in this place on 17 October 2012. I have listened to both sides of the brief debate. I do not believe the Government will bring all its resources to bear in debate on this significant bill. Although it has been dressed up as a lease, I note the media are referring to it as the sale, by way of a 99-year lease, of the largest coal port in the world. I respect the Government for wanting to redress the sins of the past and to resolve the problems that have developed in Newcastle over many years. However, I am mindful of some issues of concern and the cautious words of the member for Maroubra, the member for Heffron and other members on this side of the House who spoke about the unknown risks associated with the bill.

I consider the lack of consultation on the bill to be an arrogant disregard of proper process. The people of Newcastle expect more from their representatives in the Legislative Assembly of New South Wales. The concept was introduced yesterday as a budget item by the Treasurer and today there is a bill on the table that will be pushed through Parliament using the weight of numbers—the Government has a substantial majority in the House. It is an absolute disgrace. Although the Government has the capacity to use its numbers so forcefully to pass legislation it does not mean it should do so. That is my main concern. I have been contacted by people in the short time that has elapsed since the budget announcement. This afternoon Hayden Williams, a young teenager from the Newcastle area who is not a constituent, contacted me. He is well aware of the issues and wishes to be involved in the debate. I imagine he would love the opportunity to speak to the member for Newcastle to express his points of view and have his concerns addressed. That is what we are not doing.

Members of our collective community have not had time to draw breath since the announcement was made yesterday with great fanfare. No-one has been able to say, "Hold on, member for Charlestown or member for Newcastle, I have a concern; can you answer my question?" I doubt we know all the issues that might arise from the sale and potential loss of control—and we do not know whether all control will be lost—of the largest coal export port in the world. It is the height of arrogance not to allow this bill to sit on the table for five calendar days to allow us to consult our communities. Last year I raised a number of concerns about the privatisation of Port Botany and Port Kembla. I know the State needs to find revenue; there is no doubt about that. As I said last year, these are blue chip shares. If used properly and set aside they will return a nice income for the State, year after year.

As we heard from the member for Heffron, there was obviously unrealised potential in those ports. The operators who won the lease have already made substantial improvements on their bottom line by realising that potential. That might say something about the operation of those assets by the State, and I suggest that perhaps there are opportunities to improve the revenue that has been received to date. I respect the member for Charlestown and the member for Port Stephens, who are both friends of mine. But the fact is I do not have the answers—and nor does anyone opposite. Government members have the information that has been given to them by Treasury officers and they have dutifully read it into *Hansard*, but if they were grilled by their constituents today they could not answer their questions. It is only appropriate that this bill be set aside for a specified period to allow us to consult our communities.

Mr ANDREW CORNWELL (Charlestown) [6.00 p.m.]: I support the Ports Assets (Authorised Transaction) Amendment Bill 2013. As the House has heard, the purpose of the bill is to authorise the long-term lease of the Port of Newcastle. That lease will provide an urgently needed infusion of capital to fund a backlog of critical public infrastructure projects across the State. It follows the Government's successful privatisation of Port Botany and Port Kembla, which highlighted that there is strong market demand for such infrastructure assets. The proceeds from this and other transactions will be directed to the Restart NSW fund, which will support critical economic and social infrastructure projects across New South Wales, 30 per cent will be reserved for projects in regional areas and \$340 million will be dedicated to the Newcastle Urban Renewal Strategy.

The Port of Newcastle, the world's largest coal port, exported 132 million tonnes of coal in 2012-13 and handled more than \$20 million in annual trade. It is a highly diversified port that handles more than 40 different non-coal commodities and which is heavily involved in landside logistics and the port-related supply chain. The port employs thousands of people, both directly and indirectly, and it is essential that it continue to drive economic growth in the Hunter region. The Government is committed to ensuring that freight moves in and around the port precinct as efficiently as possible. To put port-related traffic in context, 95 per cent of the trade going through the port is coal, of which 99 per cent is hauled by rail. Government and industry are investing heavily in infrastructure to deliver greater capacity across the existing road and rail networks, including the Northern Sydney Freight Corridor upgrade project and upgrades to the Pacific Highway and the Hunter Expressway.

Yesterday is the first time in living memory that the Hunter has been at the centre of a State budget. This was the most important budget for the Hunter since a government committed to building the F3 some 35 years ago. The \$340 million in proceeds from this sale is in addition to the \$120 million already committed to the Newcastle Urban Renewal Strategy. Newcastle has been let down and betrayed year after year and decade after decade. As the Treasurer said, our time has come. When I was at school we were promised frigate construction contracts by the then Federal Government. Where did they go? They went to South Australia. We were also promised submarine construction contracts. Where did they go? They went to South Australia. The Hunter has been led up the garden path by successive Labor governments over the years. We have had carrots dangled and taken away. In contrast, this Government will deliver. The Newcastle rail line is a classic example of the Labor Government's record. It is an icon of the Labor Government's failure to make a decision during its last term in office; it is emblematic of its failure. It was crippled by internal division and paralysed by indecision.

I feel immense pity for the former member for Newcastle, who tried to do the right thing. She thought she had the numbers in Cabinet to have the railway line cut but she was betrayed by her colleagues. She was led up the garden path by Cabinet and let down by Cabinet; she was led up the garden path by members in surrounding electorates and let down by them. As a consequence, the one great project planned for the centre of Newcastle—the GPT Group development—came to nothing. GPT walked away because it could no longer trust the Government. That is sovereign risk. Ours is a First World country and it should be able to deliver First World certainty to business. I cannot believe we have seen great organisations like David Jones leave the centre of Newcastle because of a government's failure to make a decision. That was sovereign risk and members of the former Government should hang their heads in shame.

I commend the member for Newcastle for his strong advocacy on this issue. I and my Hunter colleagues support him to the hilt in what he is trying to achieve in his electorate. He has received unfettered support from the Minister for Planning, the Premier, the Treasurer and the Minister for the Hunter. His Hunter colleagues are backing him to the hilt in his efforts to deliver this proposal. What is good for Newcastle is good for Charlestown, Cessnock, Wallsend and the entire region, and this proposal is vital to the region. What are the alternatives?

The greatest threat to the Port of Newcastle is John Robertson, who stated only three or four weeks ago that the Labor Party had a plan to phase out coal exports. Given the tonnages going through the port that is a breathtaking statement. Whether it was said sincerely or to appease his audience is for others to decide, but it was a poorly judged comment. The former Government has a sordid track record in managing the Port of Newcastle. We were promised containers in 2003 and 2006. In 2011 the former member for Newcastle, Jodi McKay, thought she had a deal over the line. The *Newcastle Herald* published an article three weeks before the election that stated:

NEWCASTLE MP Jodi McKay accused forces within her government last night of undermining her efforts to secure a \$600 million container terminal for Newcastle.

The claim follows the leaking of a confidential treasury briefing paper to the *Newcastle Herald* that questioned the project's viability.

Ms McKay said the leak followed a conversation with the Treasurer Eric Roozendaal on Wednesday morning in which she expressed concerns about the delay in announcing the project's successful proponent.

Mr Roozendaal sought last night to distance himself from the briefing document and confirmed that Newcastle would be the location of the state's next container terminal.

That is what happens when a government is both the business owner and the regulator. It resulted in poor outcomes for the community and was yet another undelivered promise in a long list of undelivered promises about frigates, submarines and rail lines that were to be truncated. Businesses walk because their confidence is destroyed. We need to sell the port to fund the Newcastle Urban Renewal Strategy and to involve private enterprise, which has a vested financial interest in ensuring that the port thrives. We need to create jobs. The former Government had a dreadful track record in job creation. It promised everything but delivered nothing. All we heard were lies, lies and more lies. It failed the Hunter.

This Government's visionary project involving a transaction that will ensure it is fully funded will deliver a brighter future for the Hunter. I note that on the day that this Government announced a \$340-million injection into the region the Federal Government decided that it would not provide \$15 million from Regional Development Australia Fund for the Glendale interchange project because our genius Prime Minister has decided that western Sydney is part of regional Australia. Once again, the Hunter is a victim of the political imperatives of a broken Federal Government that is taking its agonising last gasps. Selling the port is the right thing to do because it will unlock private industry in the port and that will result in a much brighter future for our region. It is good not only for the central business district but also for the Hunter generally.

I take great pride in commending this bill to the House. I thank the Premier, the Treasurer, the Minister for the Hunter, the Minister for Planning and Infrastructure, and all members of Cabinet who supported this proposal because it is the right thing for our region. It makes up for decades of Labor Government failure and neglect. The former Government saw the Hunter as something that it could own. The Labor Party does not own the Hunter and political parties do not own seats—they belong to the electorate. In March 2011 the people of the Hunter took control of their destiny and threw out the rotten bunch that had failed them for decades. I commend the bill to the House.

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

ROAD TRANSPORT AMENDMENT (LICENCE DISQUALIFICATION ON CONVICTION) BILL 2013

Second Reading

Debate resumed from an earlier hour.

Mr RYAN PARK (Keira) [6.10 p.m.]: On behalf of the Opposition I support the Road Transport Amendment (Licence Disqualification on Conviction) Bill 2013. The Opposition does not oppose the bill for a

number of reasons. All Opposition members have met people who have suffered the horrendous loss of a loved one because a driver should never have been on the road in the first place. This legislation will enforce a stronger regime for people who are released from prison having been incarcerated for severe and reckless driving that caused loss of life or grievous bodily harm. Their driving suspension will commence upon their release from prison. I am frustrated by the hasty introduction of this bill. It is always best to consider and think through this type of legislation in a spirit of democracy that should always guide this place. I thank the staff of the Minister for Roads and Ports who provided me with a briefing.

I am pleased with the magistrate's discretionary provisions in the legislation. However, I understand that such provisions are already in place so there are arguments as to their purpose. The aim of the bill is very simple: We do not want people who have been convicted of dangerous driving to get behind the wheel again as soon as they complete their custodial sentence. Equally, the Opposition supports the need for magistrates and other judicial officers to examine all aspects of a case and to make a considered decision on sentencing for this type of conviction. Like most members, I am on the road a lot and I have received a parking ticket or a speeding fine that has been recorded against my driving record. However, I am not referring to those types of offences; I am talking about extremely serious dangerous driving offences such as street racing and burnouts, speeding or driving under the influence of alcohol or drugs that cause great harm or death.

I do not seek to diminish any transgression of our road rules, but individuals convicted of such offences have not made an innocent mistake. These are serious offenders who need to be in a different category from those who commit minor offences on our road network. I remain supportive of this type of legislation, although I would prefer to have had additional time to consider, think through and discuss it with stakeholders. As lawmakers, we will pass better legislation if we have more time to discuss the issues with stakeholders and consider and address their concerns. Regardless of who occupies the Treasury bench, I would appreciate more time to examine legislation. I believe that model of lawmaking should be adopted by the government of the day of any colour. That is not a political comment; we must ensure that it does not become the norm to push legislation through this place, particularly legislation that deals with important issues such as road safety.

The Opposition supports the bill and I thank the Minister's office for the briefing. I hope that it brings some comfort and closure to those families who have suffered greatly at the hands of others. I hope the legislation will not be used too often because none of us want to see a repeat of the tragedies that occurred on our roads over the recent long weekend, when seven people lost their lives in a single day. We do not want the road toll to increase, although it rose slightly last year. Regardless of their political persuasions, all members want to pass legislation that drives down the road toll. Equally, we must ensure that we distinguish between serious driving offences and minor driving offences. Judicial discretion is always important and must be enforced. Judges and magistrates consider cases in totality, examining all the issues, and make informed decisions based on an individual's particular actions.

Mr MARK SPEAKMAN (Cronulla) [6.17 p.m.]: I support the Road Transport Amendment (Licence Disqualification on Conviction) Bill 2013, which will amend the Road Transport Act. At the moment road transport law provides that when a person is found guilty and convicted of a serious driving offence heavy penalties such as a fine, disqualification from driving and a period of imprisonment may be applied. When a disqualification period is imposed for a serious driving offence, whether by order of the court or by the automatic operation of the law, the period of disqualification will ordinarily commence from the date that the court convicts the offender.

When the court also sentences the offender to a period of imprisonment, section 47 of the Crimes (Sentencing Procedure) Act 1999 provides that the term of imprisonment is to commence from the date of sentencing. This will generally also be the date that the person was convicted. The penalty of driver licence disqualification and periods of imprisonment are provided for separately under current legislation. The penalties are not intended to be an option for the court to determine that either one or the other is to apply. Allowing an offender to serve both a custodial sentence and driver licence disqualification period concurrently, in effect, means the penalty of licence disqualification has little or no effect as the offender would not be in a position to drive a motor vehicle in any event.

It is obvious why situations such as this cause great concern to the general public. In effect, a person who is convicted of a serious driving offence could be released from prison, immediately reapply for their driver licence and be back on the road. This bill aims to remove that circumstance by introducing new section 206A into the Road Transport Act. The effect will be that any period of driver licence disqualification, whether by court or by statute, should only commence once a person has first served his or her period of imprisonment or upon the day of release from imprisonment if early release is granted under parole, unless the court orders otherwise.

In particular, new section 206A will provide that the specified period of disqualification is to be extended by any period of imprisonment. New section 206A (4) will provide that for the purpose of the section a period of imprisonment will not include any period that the person has been released on parole. The bill defines a sentence of imprisonment not to include a suspended sentence or any sentence or part thereof that is to be served in the community or by way of home detention. This is because it is clear that the court's intention is that the person remains within the community.

The bill will also provide that a major disqualification offence, which is the defined term that will trigger these provisions, for the purposes of the proposed changes is a "major offence" as defined under section 205 of the Road Transport Act, a street racing offence under section 115 and an aggravated burnout offence under section 116 (2) of the Act respectively. Currently section 205 offences define "major offences" to include those that relate to serious driving under the Crimes Act 1900. They also include the serious offences under the Road Transport Act 2013 of drink and drug driving and other alcohol-related offences, driving at a speed or in a manner dangerous, and negligent driving offences causing death or grievous bodily harm.

This proposal does not include unauthorised driving offences—that is, never licensed under section 53—and offences of driving while disqualified, suspended, cancelled or refused under section 54 of the Act. Those offences carry both a penalty of imprisonment and a penalty of licence disqualification but both penalty elements are subject to a broader range of reforms around licence disqualification. The Cabinet has deferred its decision on those proposals and has referred the matter to the Legislative Assembly Committee on Law and Safety for review and report. High-range speeding offences have also been excluded as those offences do not carry the additional penalty of a period of imprisonment. This bill meets community expectations. I commend the bill to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [6.21 p.m.]: I support the Road Transport Amendment (Licence Disqualification on Conviction) Bill 2013. I speak in debate on the bill as a former police officer whose role it was to arrest and bring to court offenders, including traffic offenders; as a lawyer who represented people who had committed such offences and who put mitigating circumstances to the court on their behalf; and as a member of the community who started the Traffic Offender Program in my electorate. Many in the community had great expectations that legislation such as this would be introduced. The object of the bill is to amend the Road Transport Act 2013 to provide that where a person is disqualified for a specified period from holding a driver licence as a consequence of being convicted of certain serious driving offences and sentenced to imprisonment because of such a conviction, the specified period of disqualification is extended so that the period of disqualification is served after the person is released from detention.

The penalties for driving offences are generally found in the Road Transport Act 2013. Certain other serious driving offences are found in the Crimes Act 1900. The penalties for driving offences include fines and demerit points and, in the case of serious driving offences, periods of imprisonment and licence disqualification. A recent court case where a driver was convicted of an offence of aggravated dangerous driving highlighted the circumstances of the current legislation that can cause a period of imprisonment and a period of licence disqualification to be served at the same time. In the case I refer to the offender was convicted of aggravated dangerous driving occasioning death under the Crimes Act 1900. The circumstance of the aggravation was the presence of a high-range concentration of alcohol in the offending driver's blood. The offender was convicted by the court and sentenced to a period of five years imprisonment and disqualified from driving for a period of five years.

It can be argued that the penalty of licence disqualification in such cases is of little consequence because offenders cannot drive when they are in prison. The bill aims to ensure that where a court has ordered a period of imprisonment that the related period of disqualification will also be applied or not automatically be served at the same time. This will be achieved by providing that the current disqualification penalties, whether or not ordered by the court, are to be served after the period of imprisonment and extending the disqualification to include the period of imprisonment. Notwithstanding these changes, the court will retain the discretion to order that the period of imprisonment and the period of disqualification are to be served concurrently if the court is of the view that this is the appropriate decision in the circumstances. Not every case that comes before the courts is the same. It is appropriate for the judge or magistrate to have discretion as to how the penalty is to be imposed in those circumstances.

The typical driving offences found in the Road Rules 2005 such as not stopping at a stop sign or failing to give way or speeding are not included in these reforms because they do not carry a period of imprisonment as a penalty. Only the very serious driving offences that carry penalties of periods of imprisonment are included,

such as drink or drug driving, driving furiously or recklessly or in a manner dangerous, street racing or aggravated burnout offences or offences where death or grievous bodily harm is occasioned. Should a person be subsequently released earlier from prison than the full term such as on parole, the overall disqualification period will be adjusted on the offender's driving record maintained by Roads and Maritime Services. This will ensure that the person is eligible to reapply for a driver licence by a corresponding earlier period. The legislation makes sense, it is appropriate and I commend it to the House.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [6.26 p.m.], in reply: I thank the members representing the electorates of Keira, Cronulla and Myall Lakes for their contributions to debate on the Road Transport Amendment (Licence Disqualification on Conviction) Bill 2013. The bill amends road transport legislation to remove an anomaly whereby persons convicted of a serious driving offence can serve part or all of their licence disqualification period while they are serving a period of imprisonment imposed for the same offence. The bill provides that a specified period of disqualification is to be extended by any period of imprisonment imposed. This effectively means that the overall period of disqualification will equal the period of imprisonment in addition to the actual period of licence disqualification that was applied. This ensures that the offender does not get the benefit of both periods being served concurrently. 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.

LOCAL GOVERNMENT AMENDMENT (CONDUCT OF ELECTIONS) BILL 2013

Bill received from the Legislative Council, introduced and read a first time.

Second reading set down as an order of the day for a future day.

PORTS ASSETS (AUTHORISED TRANSACTIONS) AMENDMENT BILL 2013

Second Reading

Debate resumed from an earlier hour.

Mr ALEX GREENWICH (Sydney) [6.28 p.m.]: I make a brief contribution to the debate to oppose the Ports Assets (Authorised Transactions) Amendment Bill 2013. The bill enables the sale of the Port of Newcastle through a 99-year lease. This bill, which was introduced only today, is being unnecessarily rushed through this Parliament. Members have not had an opportunity to consult with their communities or assess its potential impacts. Bills are meant to be laid on the table for at least five calendar days, and substantial legislation such as this should be laid on the table for longer. By using its majority to override this process, the Executive is showing contempt for Parliament and the people we represent, which is wrong.

The Port of Newcastle, which is the largest coal port in the world, generates massive income for this State. Members should be provided with information about whether it is in our economic interest to sell this asset to the private sector. A 99-year lease is essentially a freehold sale. Equally concerning is the potential environmental impacts of this sale that members have not been able to assess or discuss with environmental groups. Coal exports account for 90 per cent of the port's business. Through this port the State sends tonnes of dirty coal across the globe where it is burnt, which is contributing to dangerous climate change. It does not matter where coal is burnt because the emissions will still cause climate impacts across the globe. Will the sale increase pressure to further expand the port and drive more coal exports from new and expanded coalmines which will impact on communities? Will increased truck and train movements cause impacts on adjacent communities?

Will the port be required to publish information on its website and be subject to the provisions of the Government Information (Public Access) Act as it is now, so that environmental, community groups and academics can assess coal export data? For such a substantial transaction there should be full and thorough parliamentary and community scrutiny. That is not happening. There is no information available in support of the bill. I acknowledge that Labor was given a briefing on the bill but Mr Jamie Parker, The Greens member for Balmain, Mr Greg Piper, the Independent member for Lake Macquarie, and I were not given any information in advance of the bill's introduction. As there is no information in support of this bill I oppose it.

Debate interrupted and set down as an order of the day for a later hour.

[Acting-Speaker (Mr Lee Evans) left the chair at 6.30 p.m. The House resumed at 7.00 p.m.]

PORTS ASSETS (AUTHORISED TRANSACTIONS) AMENDMENT BILL 2013

Second Reading

Debate resumed from an earlier hour.

Ms SONIA HORNER (Wallsend) [7.00 p.m.]: I will try very hard to speak on behalf of the Wallsend and the broader Hunter community in my contribution to the second reading debate on the Ports Assets (Authorised Transactions) Amendment Bill 2013. This bill has grave imports not only for all people in the Hunter but also for New South Wales and Australia. Though the bill is so very important, members are being asked to make a determination to sell the biggest coal port not only in Australia but also the world. This port is part of Newcastle's history; in fact, it is almost the reason for Newcastle's history. It is part of the economy of the Hunter and provides many jobs in the Hunter. We in the Hunter are very protective of this asset because of that history and because the culture of the Hunter centres on what happens at the port.

The member for Heffron said that this is one of the most significant decisions we will make for our State. I agree with him. That poses the question put by the member for Sydney and the member for Lake Macquarie. The decision to introduce this bill seems to have been made on a Liberal whim. We question whether the bill has been well thought through. This major decision appears to have been made without any evidence so far being put forward to support it. I pose these questions on behalf of the people of the Hunter because I would have appreciated five days in which to communicate and talk with members of my community and business groups to find out what they feel will be the outcomes of the bill. Instead, even though the bill was introduced today we are asked to make a decision on it tonight. To me, that seems to be unduly hasty. That haste makes many of us suspicious. Why must we make a decision tonight on a matter of such magnitude and importance to the people of the Hunter? I put that question to my colleagues on the other side of the House. I ask them to consider that it may not be in the best interests of the Hunter community to make this decision tonight. Why the haste?

There is no doubt that our country depends upon the smooth working of the very important Port of Newcastle. The potential consequences of the proposed sale are grave. For that reason we need more scrutiny of this sale than is possible because the bill was put before us for the first time this afternoon. Has there been sufficient analysis of the bill's proposals? Do we need more than a very limited and brief scoping study? I would like—as I know the member for Cessnock would—to be able to take this bill back to the members of my community and ask them, "What do you think about this proposal?" Sometimes we get answers that we do not want to hear. It is nevertheless the job of members to reflect what people have to say to us—sometimes whether we like it or not. I suggest that a brief scoping study may not be sufficient for a decision of this magnitude.

The member for Heffron also mentioned that the privatisation of ports in the United Kingdom was largely unsuccessful. He spoke about the onus of the private owner on sweating the assets; that private companies, unlike public companies such as the Port of Newcastle, are not responsible to their local communities. Is not the crux of the bill, and the reason for it, that the community will benefit from its passing? This proposal needs to be very well planned. I expect that the Hunter community will be asking me and all local members who will benefit from the sale of Australia's most important coal port? And what will the sale mean? For some of us, it means that the annual revenue derived from the sale—a figure that is a mystery, I might add—will not be returned to the people of the Hunter. It will mean also that local jobs will be lost. Even if there is a guarantee that workers will be contracted to do the work they are now doing for a year or so, eventually they will lose their jobs.

This sale is one that lives with hypotheticals. What if this massive beloved Liberal sell-off does not derive the huge benefit that the Government says it will? What if the supposed \$700 million benefit does not eventuate? What happens to that mythical \$340 million from the sale? What happens if the monetary benefit is not realised? What happens if we do not have the money to spend that the Government says will result from the sale? What happens if the rail line is ripped up—at some cost to the Hunter community—and the Government then has to tell the Hunter community, "Sorry, we did not achieve the monetary benefit that we wanted, and we cannot afford light rail"? What happens to the community then? Does it mean that the inner city of Newcastle will be gridlocked by buses travelling all over the Hunter? Will that be an excuse for the Liberal Government to say, "I am sorry, but you are going to have to live with buses because we cannot afford light rail"?

In the end it is the commuters who will suffer. I ask the Government on behalf of the broader Hunter community why the needs of commuters were not taken into account when it made this very hasty decision. When members opposite talk about the Newcastle renewal, what does that mean? It seems to mean something different to those opposite from what it means to the community. Unfortunately, what it means to members on this side of the House is more buses on Hunter roads, more gridlock on Hunter roads, but not necessarily any real benefit for the people of the Hunter. I challenge Government members to tell us what specific benefits we in the Hunter will derive from the sale of the port.

The member for Swansea talked about delivery. He talked about the delivery of police, police facilities, doctors and nurses. What was reflected in the budget, certainly for the Wallsend electorate, was no delivery of services. The long-awaited Newcastle inner city bypass that was touted by the NRMA as being a very important project was not delivered. The NRMA talked about the delivery of the Glendale road-rail interchange—and remember that interchange had the unanimous support of 11 Hunter councils as being the most important infrastructure priority in the Hunter—and it was not delivered. Is the Glendale interchange not more important than ripping up the rail line?

I ask the Government: Should we be spending our hundreds of millions of dollars on ripping up a rail line as opposed to building the Glendale interchange, if money is tight? I conclude by thanking the Government for giving me the time to speak on behalf of my electorate. I am very concerned about the hastiness of this decision. I urge the Government not to make a decision on this matter yet because I believe it requires more scrutiny. I am worried about people's jobs in the future and whether the perceived economic benefits will actually be there for the community. I oppose this decision on the basis of the hastiness of a very important bill that should not be decided tonight.

Ms TANIA MIHAILUK (Bankstown) [7.10 p.m.]: I speak in debate on the Ports Assets (Authorised Transactions) Amendment Bill 2013 and note from the outset that the New South Wales Opposition will be strongly opposing this narrow-minded bill. The bill will see the sale of the Port of Newcastle, and that will forever impact the livelihood of people in the Hunter region. As soon as the members of the O'Farrell Government walked into their new offices in Macquarie Street, without a second thought for the impact that their decisions would have on the State, they moved to privatise Port Botany and Port Kembla. Next on the hit list is the Port of Newcastle, completing the trifecta. Let us examine some of the comments that Ministers have made about this. It is interesting that in August 2011 the Minister for Ports, the Hon. Duncan Gay, said quite clearly:

I have no plans to privatise New South Wales ports.

When asked in Parliament only three weeks ago, at the end of May, whether the Government had any plans to privatise the Port of Newcastle, the Minister replied, "No"—just as he claimed he had no plans before the 2012 sale of Port Kembla. I do not know whether the Minister is briefed on such matters by the Premier or the Treasurer, but it is quite disturbing that only three weeks ago he said that the Port of Newcastle would not be privatised. In 2011 the Premier himself said:

I'm happy to resign if I don't deliver on these promises.

He was referring directly to privatisation of New South Wales ports. He said then that he had no intention of privatising New South Wales ports. So my question to the Premier is: Where is your resignation notice? I know that he is a bit concerned about other things at the moment, but will that happen? I commend the member for Wallsend for raising concerns particularly for workers in the Hunter and their reliance on the port. What protections are in place for these workers? We know there are none. There is absolutely nothing in this bill that indicates any protection for workers who rely heavily on that port or for the many subsidiary companies that rely on that port. A sale such as this can often create instability for the entire region.

The Government has failed to conduct any scoping studies or engage in community consultation. It is not interested in hearing from the Hunter community or from experts. It is not interested in doing the necessary studies to determine whether this is the right approach for the Hunter region. The port is a key asset—the number one asset—of the Hunter region and in these fragile economic times job instability is the last thing that the Hunter community wants to be worried about. It is already doing its bit by contributing more than \$1 billion in royalties and taxes to Sydney.

The New South Wales Government claims that from the sale of the Port of Newcastle the Hunter will receive approximately \$340 million, but when the yearly revenue of the port is projected at \$70 million and growing, how can this measly injection into the Hunter be justified? On top of the \$70 million revenue a year that the Government receives from the Port of Newcastle, the Government has given away \$175 million a year in revenue from Port Botany and \$50 million a year in revenue from Port Kembla. What happens when there is no more revenue coming into the State to pay for the upgrade of infrastructure? What happens when the cost of the North West Rail Link inevitably balloons out? What will be sold next? With one hand the Government kindly gives Newcastle light rail and with the other hand it sells off the Hunter's number one asset: the Port of Newcastle.

It is a very sad day for the Hunter region and the State. As the member for Maroubra mentioned, he was briefed on this bill only this morning by the Treasurer and there is no other information in place. There has been no opportunity to have discussions with the broader community, with experts and associations, or people who have an ultimate interest in the Port of Newcastle. Once again, the Government is ramming through this legislation, as it did with legislation relating to Port Kembla and Port Botany. I do not know why, but it seems to fear scrutiny, of giving people the opportunity to properly assess its agenda. The chief executive of the New South Wales Minerals Council, Stephen Galilee, has said that as the major user and a key stakeholder in the port the council would expect to be fully engaged throughout the lease process. I caution Mr Galilee not to hold his breath, given the Treasurer's record in community consultation and his agenda, together with that of the Premier, to ram through this proposed legislation.

Three weeks ago the Minister for Ports had no idea that the sale was taking place. Then, from memory, a couple of hours after saying that the port would not be privatised, he said it might be. Clearly, he was not given the appropriate briefing. That there have been no studies, no community consultation and no appropriate briefing demonstrates the complete arrogance of this Government. That is the sad reality. I know, as the backbench on the other side of the Chamber also knows, that the Treasurer has been pretty excited over the last couple of weeks. Karma has come his way. Maybe he has jumped at the chance to do this while his buddy is on stress leave. I have to say it is very disappointing and I think people in the Hunter region also will be disappointed. To be blackmailed with a proposal for light rail is disgraceful. This asset belongs to the people of the Hunter region. Shame on this Government.

The member for Maroubra mentioned that the Treasurer has been stating in interviews that the Independent Pricing and Regulatory Authority will have a role in reviewing potential charges that a private operator may introduce, and will make recommendations. It is clear that that power is not contained in the legislation and the Government is not going to put it into effect at this stage. The member for Maroubra made a good point and we have not heard any Government members suggest in their contributions to the debate that such a role would be possible under this bill. As the bill stands there is no opportunity for the Independent Pricing and Regulatory Authority to review any potential charges set by a private operator of the port, so there is no price monitoring regime in place. As I said earlier, this asset belongs to the people of the Hunter region. Shame on this Government.

Mr CHRIS HARTCHER (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [7.20 p.m.]: There are some fundamental premises that need to be understood in this debate. First, the Government is not selling the Port of Newcastle; the Government is leasing the Port of Newcastle. Ownership remains with the people of New South Wales. That is the first important point. The second point that needs to be understood is that this transaction is no different from that which has been undertaken in respect of Port Botany and Port Kembla. The benefit from the transaction, if it proceeds with the consent of the Parliament, will be a benefit to the people of New South Wales and, as allocated by the Treasurer, will be a benefit to the people of Newcastle through the \$340 million investment of the Government that will flow through to Newcastle.

The Port of Newcastle is an historic port and members need to understand its role. The Port of Newcastle is the world's largest coal exporting port. Ninety-five per cent of what goes through the Port of

Newcastle is coal. Without the coal industry of course the Port of Newcastle has no future. Tragically only two weeks ago the Leader of the Opposition made his announcement about bringing the coal industry in New South Wales to an end. To his credit, the member for Cessnock was the only person on the Opposition benches who stood up and defended the coal industry. Every other member who has participated in this debate was silent about the future of the coal industry, yet every one of them is now standing up to complain about the leasing of the port facility, which is dependent upon the coal industry. As the excellent member for Londonderry so rightly said, the hypocrisy is not only mind-blowing; it is also typical of the Australian Labor Party.

Since the closure of the BHP steelworks at Newcastle, the city has had to continue to reinvent itself, but the infrastructure of Newcastle has been allowed to atrophy badly. Newcastle needs revitalisation. It is the second largest city in New South Wales. It must be reinvigorated and it must be revitalised. That is the State Government's plan. The Government has announced its decision to close the railway line at Wickham and develop a light rail facility, which hopefully will not only take passengers from Wickham to the centre of Newcastle but also will be the foundation for a future light rail system throughout the city of Newcastle. We have a vision for the city of Newcastle, the State's second largest city. That city has 10 per cent of the State's population but accounts for 40 per cent of the State's gross State product and is of enormous significance to the people of New South Wales.

The Australian Labor Party, which regarded Newcastle as its fiefdom for the past 100 years, was given a very rude shock on 26 March 2011 when every seat in the Hunter Valley except Wallsend and Cessnock went to the Coalition—and with massive swings. The people of the Hunter and the people of Newcastle have made their decision. They made it on 26 March 2011. They wanted a new vision for Newcastle. They wanted a new vision for the Hunter. They wanted a State government that would focus on the needs of the people of Newcastle rather than simply take Newcastle for granted as a fiefdom that would always return a Labor member of Parliament.

What has this Government done? It conducted a review and through the Minister for Transport and the Minister for Planning it has finally bitten the bullet on the location for heavy rail and light rail. This Government is committed to revitalisation through the establishment of the Newcastle Infrastructure Fund under the chairmanship of the Mayor of Maitland and former member of this House, Peter Blackmore. This Government has allocated the \$340 million that will come from the sale of the lease of the Port of Newcastle to the city of Newcastle for its development. Up until then nothing had been done. Now with this proposal to fund and revitalise the city, as well as a visionary proposal to develop light rail for the city and open up the waterfront of Newcastle, the city has a vision that can be turned into reality through a proper funding program with a proper schedule.

Mr Andrew Fraser: Supported by the mayor and the council.

Mr CHRIS HARTCHER: As the member for Coffs Harbour said, this program is supported by the mayor who was popularly elected in the September 2012 elections. It is supported by the council, supported by the Hunter Business Chamber, supported by the New South Wales Minerals Council, and supported by every responsible organisation. I was going to say every responsible organisation other than the Australian Labor Party but then again the Australian Labor Party is not a responsible organisation. The Australian Labor Party is an irresponsible organisation because it is prepared to allow Newcastle to stagnate, remain stunted and not allowed to grow because it wants Newcastle to remain frozen in the past—in a time when it voted Labor. Newcastle will never go back to Labor because Labor has no vision, no plan and no commitment to Newcastle.

What have we heard from each Labor member today? It is the usual litany of complaint. We are used to that. We have heard the usual argument about employment. We will make sure that in any sale of the lease there will be a proper program in relation to employees. That is what this Government does. More than that, we also will create jobs through the revitalisation of tourism and industry. That is what the council wants, that is what the business chamber wants, and that is what the local newspaper, the *Newcastle Herald*, wants. Today in this Chamber the Premier and the Treasurer held up the front page of the *Newcastle Herald* with the line, "Yes, this is the vision this city needs." Newcastle is the second largest city in New South Wales, but what is the response of the Australian Labor Party to this proposal? Its members say, "Oh, we don't like it."

Let us have proper debate about the vision for Newcastle. Let us get to the stage where we can see a future for Newcastle rather than have to listen to the politically biased complaints that we have heard today from the member for Bankstown and other Opposition speakers. Let us get to the stage where the Australian Labor Party stands up for the coal industry, which employs 125,000 people and contributes 35 per cent of the State's

exports and \$1.5 billion in royalties and which is the lifeblood of the entire Hunter. Yet only one member of the 20 remnant members of the Australian Labor Party in this Parliament was prepared to defend the coal industry in this House. I commend this bill to the House. My constituency is on the Central Coast, which is vitally interested in the future of Newcastle and the Hunter. The Government is determined to ensure that a new city will arise on the great Hunter River of which all New South Wales can be proud and that will continue its great contribution to the economy of New South Wales.

Mr CLAYTON BARR (Cessnock) [7.30 p.m.]: We are discussing the Ports Assets (Authorised Transaction) Amendment Bill 2013 just as we discussed the Ports Assets (Authorised Transaction) Bill 2012. The fears that I had at that time have quickly come to fruition. What I need to do with this bill is to roll it up, put it against the side of my head like the barrel of a gun and imagine for a second that I am someone from Newcastle listening to the budget being handed down by this Government.

Mr Andrew Fraser: Point of order: The actions of the member for Cessnock are unsavoury. Every year there are hundreds of suicides in regional New South Wales. It is unsavoury for the member to stand in this Chamber and to do what he is doing.

ACTING-SPEAKER (Ms Sonia Hornery): Order! There is no point of order.

Mr CLAYTON BARR: I described the budget as something akin to the barrel of a gun being held to the heads of the people of Newcastle. How many dollars are there in the budget for the people of Newcastle other than the sale of the port?

Ms Tania Mihailuk: Nothing.

Mr CLAYTON BARR: Zero—a big fat duck's egg. This Government was so enamoured with its proposed sale of the port and with the prosperity of Newcastle that it allocated a duck's egg—nothing, zero in the budget for its revitalisation. Let us go back a bit. It is now saying to the people of Newcastle, and the barrel of the gun is pointed fairly and squarely at them, that they will get nothing.

Mr Andrew Fraser: Oh, come on. That is offensive, you clown. Grow up.

ACTING-SPEAKER (Ms Sonia Hornery): Order! If the member for Coffs Harbour continues to interject, he will be removed from the Chamber.

Mr Andrew Fraser: Point of order: I find offensive the actions of the member for Cessnock, who is pretending to commit suicide.

Mr CLAYTON BARR: I did not say anything about suicide.

Mr Andrew Fraser: The member for Cessnock should be told to desist from doing that. As there are a number of people in regional Newcastle who shoot themselves I find bizarre the fact that this clown is purporting to demonstrate that.

ACTING-SPEAKER (Ms Sonia Hornery): Order! The member for Cessnock will restrain himself. The member for Coffs Harbour will not refer to another member as a clown.

Mr CLAYTON BARR: Let us face it; a number of props have been used in the Chamber today. The glass jaws on that side of the Chamber are misinterpreting my actions. I am not talking about suicide; I am talking about this Government acting against the interests of the people of Newcastle. That is not suicide; it is not voluntary; it has been forced on the people of Newcastle. This is a public mugging of the people of Newcastle. It is one of the world's most bizarre muggings because the Government is saying, "Give us your wallet. If you say please and thank you we will give you something back, but we will take away the rest and leave you with very little." This is a public and humiliating mugging of the people of Newcastle. The glass jaws on that side of the Chamber who want to stop me from having my say should go back to the place they came from. My job is to have my say and to stand up for the rights of the people in my community. That is what I am doing.

ACTING-SPEAKER (Ms Sonia Hornery): Order! I remind the member for Keira and the member for Bankstown that the member for Cessnock does not need their assistance.

Mr CLAYTON BARR: The Port of Newcastle is the world's largest coal port and the city of Newcastle is the second largest city in New South Wales. There is no correlation between those things and the proposed investment in Newcastle. There must be a plan for Newcastle. There have been a number of plans, including the Newcastle Urban Renewal Strategy 2012 produced by this Government—a plagiarised document consistent with previous documents that have been developed.

ACTING-SPEAKER (Ms Sonia Horner): Order! The member for Hornsby will come to order.

Mr CLAYTON BARR: Those members who have not driven into the city of Newcastle for a number of years would not realise that it is being revitalised. It has taken some time but that is occurring.

ACTING-SPEAKER (Ms Sonia Horner): Order! The member for Kiama will cease interjecting.

Mr CLAYTON BARR: Members who are not locals might not know about Honeysuckle. Hundreds of millions of dollars have been spent revitalising the Newcastle central business district. This debate should not be restricted to the Newcastle central business district as it is about the Hunter. The truncation of the rail line at Wickham has had more of an effect on the people of the Upper Hunter and their parliamentary representatives—the member for Maitland and the member for Upper Hunter—are not in the Chamber to debate this issue. On 17 October last year those members representing electorates in the Hunter—who referred glowingly today to this grand idea—spoke in debate on the Ports Assets (Authorised Transaction) Bill 2012. On that occasion the member for Heffron, the member for Maroubra, and I spoke in debate on that bill, but the member for Upper Hunter and the member for Wollongong did not. The member for Lake Macquarie spoke in debate on the bill but the member for Keira, the member for Balmain, the member for Barwon, the member for Drummoyne, the member for Penrith and the member for Wakehurst did not.

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

Mr CLAYTON BARR: Of all the members who spoke in debate on the original bill, only two from the Hunter were present and both were opposed to the bill. At the time I invited all the members of the Hunter to reveal their thoughts about the privatisation of ports. I said that if they believed in the privatisation of ports they should have had their say so that their communities were given an opportunity to engage with them. Two weeks ago we were told that all the bills had to be passed through this Chamber to meet the 30 May cut-off time when the bills would be dealt with in the other place. This bill will be rushed through this House but the likelihood of it being debated in the other place next week is almost zero. It is akin to what this Government has included in the budget for Newcastle—a duck's egg, or zero. The bill is being rushed through this House to ensure that the member for Port Stephens, the member for Newcastle, the member for Maitland, the member for Swansea, the member for Charlestown and the member for Upper Hunter will not have to go back to their electorates while it is still being debated.

What is the value of the Port of Newcastle? If this proposal goes ahead I will be scraping my pennies together to put in a bid because it is a goldmine. The Port of Newcastle, which is the world's largest coal port, drives the economy of this State. The idea of handing control of the Port of Newcastle to a single entity is bizarre and beyond reason. Imagine the glee and the clamour right now in the boardrooms of BHP or Rio Tinto. No doubt board members are saying, "We do not have to line up and pay \$3 per tonne anymore. We will buy the whole port. Instead of us paying, we will charge triple. They will pay \$12, \$15 or \$20. They will pay whatever the hell we want to charge them because we will control the monopoly." It is a bit like saying to McDonald's, "There will be no fast food outlets in New South Wales other than McDonald's." It is a bit like saying to Woolworths or to Coles, "There will be no supermarkets other than yours." Why give them the monopoly?

At one time the Port of Newcastle had 50 or 60 boats sitting off the harbour. That issue has now been rectified through control and management and through deciding which ships should be allowed to load from the port. That strategy is working well. The profit that will be gained from that is potentially \$70 million before infrastructure funds are collected to maintain the port and to keep it functioning properly. Whether it is a \$12 million or a \$20 million profit, over the next 100 years up to \$1,000 billion will be accumulated. The Port of Newcastle will possibly be sold for \$1 billion. If Newcastle receives \$340 million of the proposed \$700 million sale, which is about 45 per cent, I challenge the Treasurer, who is in the Chamber at present, to lock in that 45 per cent for the people of the Hunter.

I hope that those members representing electorates in the Hunter support such a proposal. I can guarantee that the port will be sold for much more than \$700 million. I would love 45 per cent of the sale

price to be allocated to the Hunter region. I am sure that the member for Kiama would love to get 45 per cent of the value of assets of his port. The Government does not care about the State environment protection policy, environmental impacts or the catastrophe that will result from this legislation. I therefore oppose this bill.

ACTING-SPEAKER (Ms Sonia Hornery): Order! The member for Shellharbour and Government members will come to order.

Mr MIKE BAIRD (Manly—Treasurer, and Minister for Industrial Relations) [7.40 p.m.], in reply: I thank members for their contributions to this debate. This is an urgent matter because I strongly believe we are being offered a point-in-time opportunity. The long-term lease of Port Botany and Port Kembla demonstrated keen global interest in this type of investment. Superannuation funds are looking to invest in these sorts of assets and it is in the long-term interests of the State that we take advantage of that opportunity. However, I point out again that the Government will not enter into a lease if it is not in the State's long-term interests and if the return does not exceed the long-term cash flows from the port. That is the general principle that the Government is applying. The member for Shellharbour raised some concerns about the transaction. It is fascinating that the Opposition happily opposes transactions like this but it is quick to spend the proceeds. The member wrote to the Government requesting funds from—

ACTING-SPEAKER (Ms Sonia Hornery): Order! The member for Shellharbour and Government members will come to order.

Mr MIKE BAIRD: This Government was proud to provide \$270 million to the Illawarra as part of the ports transactions. Unlike the former Government, this Government has looked after the Illawarra. I thank the members representing the electorates of Swansea, Port Stephens, Charlestown, Terrigal, Maroubra, Heffron, Lake Macquarie, Sydney, Wallsend, Cessnock and Bankstown for their contributions to this debate. I dealt with some of their concerns generally in my second reading speech. The member for Maroubra asked about the impact on the coal chain. The coal chain from mines to export through to the port is managed by the Hunter Valley Coal Chain Coordinator under an authorisation from the Australian Competition and Consumer Commission. The coordinator is an independent entity whose membership includes all current Hunter Valley coal producers and service providers such as the port and rail track providers and the coal loading facility providers. It is envisaged that the lessee will join the Hunter Valley Coal Chain Coordinator. This arrangement will provide greater certainty with regard to long-term coal chain system capacity and contractual obligations. The lease of the port will not affect the operation of the coal chain.

The member for Maroubra also raised concerns about potential changes to the planning powers regime. The port will continue to be covered by the normal planning framework, which includes consideration of environmental impacts on the area. The scoping study will investigate whether changes need to be made to relevant State environment protection policies to facilitate a private port manager at Newcastle. The member for Heffron raised a couple of concerns relating to competition. As with similar transactions, the Australian Competition and Consumer Commission will be responsible for looking at any potential competition issues as the process proceeds.

The successful bidder will obtain regulatory approval from the Australian Competition and Consumer Commission if required and Treasury expects to have ongoing engagement with the commission throughout the transaction process. It is obviously an important consideration and the commission must sign off on it. The member for Heffron said that there would be no scoping study. There will be a scoping study and it must determine that this transaction is in the State's long-term interests. He also said that it was not mentioned in the State infrastructure study. Infrastructure NSW made a recommendation about the revitalisation of Newcastle and the Government is clearly responding to that recommendation. Infrastructure NSW will be coordinating the revitalisation process.

The member for Wallsend spoke about job losses. I mentioned that in my second reading speech and pointed out that no job losses are expected as part of the transaction. In fact, no-one will lose their job and enterprise agreement employees transferring to the private sector will have the benefit of a two-year employment guarantee. That is the upside. The member for Bankstown also mentioned protections for employees and I dealt with that explicitly in my second reading speech. As its title suggests, the Ports Assets (Authorised Transactions) Amendment Bill is an amending bill. We have debated the concept of leasing ports in

this place and in the other place and both Houses have agreed that it is the right thing to do. This bill simply extends the enabling legislation to include the Port of Newcastle. The provisions, the arrangements, the structure, the concept and the principle have already been debated. This is simply an amending bill that is designed to allow the Government to take advantage of a market opportunity and to implement the proposal announced in the budget.

Under the lease arrangement, the Government will retain ownership of the land and there will be no change to its regulatory powers in relation to ports, including those covering safety, emergency responses and dangerous goods. The bill also requires the net proceeds of the transaction to be paid into the Restart NSW Fund. Restart NSW was established under legislation to fund important infrastructure projects such as schools, hospitals and transport. The strategy is clear: The Government is turning an old asset into a new asset. The member for Lake Macquarie raised concerns about this transaction. We are facing huge challenges and there is huge demand, including in his electorate, for infrastructure projects across the State. The debt we inherited from the Labor Government was threatening the State's triple-A credit rating and revenues were falling.

A government must look for every opportunity to deliver infrastructure and I believe that the Government is acting in the State's long-term interest by proceeding with this transaction. The revenue raised will be spent on hospitals, schools, roads and transport. The Port Kembla and Port Botany transactions demonstrated what can be achieved when the right asset is marketed at the right time using the right process. This bill will enable the Government to progress its strategy, but obviously subject to the findings of the scoping study that I have outlined. That will involve consultation to ensure that all the issues are understood and considered by the Government before the final decision is made.

Should the transaction be successful, Newcastle and the broader Hunter region will be the winners. The local members believe that this is a once-in-a-generation opportunity. If it does go ahead, \$340 million of the proceeds will underpin significant investment in the Newcastle Urban Renewal Strategy, which includes the replacement of the heavy railway line between Wickham and the Newcastle central business district. The broader opportunities remain subject to the business case that will be overseen by Infrastructure NSW. It will determine whether more light rail services can be provided across the region.

There is also better access to capital and the private sector is much better placed to provide for growth opportunities with capital, unlike the restraints currently on our balance sheet that constrain private sector operators with the capacity to bring in fresh capital, fresh expertise and an opportunity to bring forward investment and growth, to look for efficiencies, and to drive the economy both locally and across the State, which is a good thing. I note that the new lessees of Port Botany and Port Kembla put out very clear statements. They said that they took their responsibilities to the local community and to the broader State very seriously and responsibly. They view themselves as long-term partners.

We should note that Steve Bracks, who might be familiar to those on the other side of politics, endorsed this strategy. He spoke about endorsing the concept of social privatisation, noting that local super funds played a critical role in that transaction. This proposal has been supported by many people and it is the right step for the Government to take and is in the long-term interests of Newcastle, the Hunter and the State. Importantly, the Government retains oversight of all regulatory matters such as those relating to price, the environment and the handling of dangerous goods. The member for Maroubra referred to pricing matters. I inform members that the bill does not change the Government's price monitoring regime that applies to all major ports in New South Wales, including Newcastle, which has been operating for the past six months.

In accordance with the principles adopted by the Council of Australian Governments, commercial outcomes will be promoted by establishing market frameworks in preference to regulation, but where regulatory oversight of prices is needed the introduction of price monitoring should be considered a first step. Port users seem to be large, sophisticated businesses with significant commercial bargaining power. There is little or no symmetry of market power that would necessitate heavy-handed price regulation by the State. A light-handed price monitoring regime was established last year under part 6 of the Ports and Maritime Administration Act as part of the price monitoring regime of all New South Wales ports, including that private port lessees must give advance notice to the Minister and on their website of any proposed change in their service charges, including a rationale for how the increase is calculated, why it is needed and who will pay it. They must also provide an annual report to the Minister on the charges levied and the revenue raised.

The Minister has the power to require information about the amount, purpose and administration of any charge to the Government. In performing the price monitoring role, the Minister or his department could be assisted by the Government's independent pricing watchdog, the Independent Pricing and Regulatory Tribunal, under section 9 of the Independent Pricing and Regulatory Tribunal Act. If the Government is not satisfied with the port lessee's pricing behaviour, the Premier has the ability under section 12A of the Independent Pricing and Regulatory Tribunal Act to refer the port to the Independent Pricing and Regulatory Tribunal for review, including public hearings. In addition, in the event of pricing disputes a port user can always apply to the National Competition Council to have the asset declared as nationally significant infrastructure under the Commonwealth Trade Practices Act. The New South Wales Government's pricing regime features stronger oversight than did the regime the Queensland Government put in place when it leased the Port of Brisbane in 2010.

In response to issues raised by members representing the electorates of Maroubra, Lake Macquarie, Bankstown and Wallsend as to why no scoping study has been undertaken, as I detailed earlier in my second reading speech, a scoping study will be undertaken. We are acting on the basis of a unique opportunity: We remain open to considering all issues that might be raised as part of this transaction. We want to get it underway. The amendment to the bill will enable Newcastle to be considered as part of this transaction. The results of the scoping study will come back to the Government with all those issues revealed and detailed, and the Government will make a final decision. I reiterate that this transaction is premised on existing legislation and provides the capacity for it to be extended to Newcastle.

Some members have raised the issue of fair value. The successful privatisation of Port Botany and Port Kembla indicates that currently interest in the State's port assets is unprecedented. The Port of Newcastle is a major strategic asset for the Australian economy. It represents a unique investment opportunity, notwithstanding that it is different to Port Botany and Port Kembla, and will obviously attract a whole range of interested parties from across the world. Obviously, the Government's objective is to ensure that it maximises the return to taxpayers. The member for Cessnock ran through his own mathematics but I can assure him that the Government has nothing to hide, as he saw in relation to Port Botany and Port Kembla.

The member for Cessnock can talk to any financial expert who has viewed the quality of that return to the State. It is a very simple proposition: there is a long-term cash flow. Once we have that long-term cash flow, does the price paid up-front equate to that long-term cash flow or is it indeed above it? On the back of this incredible opportunity in the market at the moment we saw that it was significantly above the value of those long-term cash flows. In that context, it is in the interests of the State to realise that value while it exists in the market because it can disappear at any moment.

The Government has embarked on an incredibly sensible policy direction, faced with very considerable financial challenges. There can be disputes about the level of revenue that has fallen, the level of debt that was inherited or the level of the infrastructure backlog that we faced from those opposite, but I can assure members they are very real things. As Treasurer of this State and as a member of the Cabinet and this Government we have considered all the options available to turn those around and at the same time deliver infrastructure for this State. The recycling of capital, taking capital and putting it into new capital, is a strategy that is working for this State. That strategy is enabling us to deliver for communities across the State.

Whether it be delivery of the WestConnex project, regional hospitals, roads or public transport systems it is critical that within its constraints the Government finds the necessary capital to fund this infrastructure. That is a story of which this Government is proud. It is a sensible transaction that will deliver value to the State in the long term. It undoubtedly provides a once-in-a-generation opportunity for us to reinvest in the city of Newcastle—an opportunity that sadly was missed by the Opposition. The Opposition should not stand in the way of progress which appears to be what it will do tonight. If it stands in the way of progress it will be a slap in the face for Newcastle and the long-term growth of an amazing city that has an incredible future. As a member of this Government I am proud to put forward this proposal. The Government does not want Newcastle to lag behind; it wants Newcastle to surge to the front as a global city and a global destination. I am proud of the fact that this bill will achieve that objective.

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

The House divided.

Ayes, 63

Mr Anderson	Ms Gibbons	Mr Rohan
Mr Aplin	Ms Goward	Mr Rowell
Mr Ayres	Mr Grant	Mrs Sage
Mr Baird	Mr Gulaptis	Mr Sidoti
Mr Barilaro	Mr Hartcher	Mrs Skinner
Mr Bassett	Mr Hazzard	Mr Smith
Mr Baumann	Ms Hodgkinson	Mr Souris
Ms Berejiklian	Mr Holstein	Mr Speakman
Mr Bromhead	Mr Humphries	Mr Spence
Mr Casuscelli	Mr Issa	Mr Stokes
Mr Conolly	Mr Kean	Mr Stoner
Mr Constance	Dr Lee	Mr Toole
Mr Cornwell	Mr Marshall	Ms Upton
Mr Coure	Mr Notley-Smith	Mr Ward
Mrs Davies	Mr O'Dea	Mr Webber
Mr Doyle	Mr O'Farrell	Mr R. C. Williams
Mr Edwards	Mr Page	Mrs Williams
Mr Elliott	Mr Patterson	
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, 23

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

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Mike Baird agreed to:

That this bill be now read a third time.

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

BUSINESS OF THE HOUSE**Routine of Business**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [8.09 p.m.]: The two bills I referred to earlier have been dealt with. The House will now proceed with the matter of public importance. Private members' statements that would have

been dealt with today will be looked at tomorrow. Tomorrow the House will resume its normal schedule. I thank all members for their support in getting the two bills through the House, even if they had strong views opposing them.

SOCCEROOS FIFA WORLD CUP QUALIFICATION

Matter of Public Importance

Mr GUY ZANGARI (Fairfield) [8.11 p.m.]: Tonight I congratulate the Socceroos on their World Cup qualification. On the rain-soaked evening of Tuesday 18 June 2013 the Socceroos qualified for the FIFA 2014 World Cup to be held in Brazil. On behalf of the Parliament of New South Wales I congratulate Mark Schwarzer, Lucas Neill, Tim Cahill, Mark Milligan, Sasa Ogenovski, Luke Wilkshire, Robbie Kruse, Tom Oar, Brett Holman, Matt McKay, Mark Bresciano, Ryan McGowan, Archie Thompson, Josh Kennedy, Mitchell Langerak, Jade North, Mile Jedinak, James Holland, Eugene Galekovic, Robert Cornthwaite, Tomas Rogic, Dario Vidosic and Ivan Franjic. I also congratulate team coach Holger Osieck, the coaching staff, team management, Frank Lowry and the entire Football Federation of Australia team.

The victory over Iraq ensured a third successive qualification by the Socceroos for the FIFA World Cup. An amazing 80,523 spectators cheered the team on from the opening whistle until the Socceroos graced the stage dancing to the music of Peter Allen's *I go to Rio*. Under trying circumstances the Socceroos' tenacity endured the determination of an Iraq team that had nothing to play for. Iraq had two of its best players retire, as well as a swag of key players injured or suspended, and with an average age of 21 years they still managed to perform. The atmosphere at ANZ Stadium had all the trimmings of what will be a highly anticipated 2014 World Cup in Brazil. A dream of qualification became a reality in the eighty-third minute when super-sub Josh Kennedy headed a beautiful cross from Marco Bresciano to book the Socceroos a place in the World Cup—absolutely Brazilliant!

As one would expect from a boisterous Aussie crowd, tears, high-fives and hugs all round were exchanged when Josh Kennedy planted the ball in the back of the net. In true Aussie fashion, it was stacks on the mill as the entire bench rose and piled onto Josh Kennedy. The scene of joy from the players was priceless and reminiscent of John Aloisi's winning penalty kick in 2005 at the very same stadium and at the very same end that sent Australia to the World Cup. Iraq must be commended for giving the Socceroos a game to remember. At half time the Socceroos had 53 per cent of possession to Iraq's 47 per cent, yet could not break through Iraq's defence. Australia played a 4-2-3-1 formation, with Iraq adopting a 4-3-3 formation. With the clock ticking, and the pitch and ball slippery due to the wet conditions, frustration set in with the Iraq team. To the Socceroos' credit, they kept applying the pressure and never really took the foot off the pedal.

Many media reports today suggested that the game was not pretty. What defines "pretty" depends on how one looks at it. Considering the weather, the end result was great. Football is a game of many variables. People expected the Socceroos to romp it in. However, the football gods had other plans. One person who was not there in person managed to be there in spirit. I refer of course to the late great Johnny Warren. Spectators had scarfs and hooded tops with Johnny's image and those magic words, "I told you so." I am sure Johnny Warren's spirit was with the team not only through last night's game but also throughout the qualification campaign. It is rather fitting that the Socceroos make the trip to Brazil, a country Johnny much loved. As I have said in this Chamber before: You know football is in good shape when it is reported on the front, back and centre pages of the daily press.

Some of the headlines in the New South Wales media today included "Soccerios", "We Go to Rio", "All Roads Lead to Rio" and "Kennedy the Redeemer". This evening, as we congratulate the Socceroos on last night's victory, we must put into perspective that the campaign to the World Cup did not start and finish last night. The path to the World Cup has taken many years of hard work by players, management and coaching staff. The Socceroos leadership over the years has ensured the success of the team. I pay specific tribute to players like captain Lucas Neill, Mark Schwarzer, Tim Cahill, Mark Milligan, Luke Wilkshire, Josh Kennedy and Mark Bresciano, who have provided the foundation for the next generation to keep the Socceroos competitive on the world stage. Exciting times are ahead for football in this country with talented players such as Tom Oar, Robbie Kruse and Tomas Rogic. The young pups are growing and so are the pages of football history in this country.

Mr CHRIS SPENCE (The Entrance) [8.16 p.m.]: I quote:

There is a very special place in the Australian psyche for sport. It is one of the pillars of the Australian way of life. You don't really understand what makes the Australian nation tick unless you understand the great affection Australians have for sport.

That was John Howard, and last night was a true reflection of "the great affection Australians have for sport" as across the nation millions watched and held their breath in agonising anticipation. Australians are passionate about their sport and last night there was no greater demonstration of this when over 80,000 spectators cheered the Socceroos to victory. It was truly a memorable night for Australians, and an historical night for Australian sport. It may have taken 83 minutes of game time, but the Socceroos won their ticket to Brazil to represent Australia at the FIFA World Cup next year. Tim Cahill said:

It's not just a massive moment for us, it's for the country.

Naturally, we are all extremely proud of their magnificent performance last night. And of course how can I not mention Josh Kennedy's spectacular goal, which saw us take the 1-0 victory. We as Australians see ourselves as an extension of the team. It is our victory. It is what Howard was talking about when he said sport is in our psyche. For the third time in a row, the Socceroos have qualified for the FIFA World Cup, but this achievement is no less momentous now than it was in 2006 when John Aloisi penalty kicked the team to Germany and broke the drought that had existed since 1974. It is another jewel in the crown for soccer in Australia.

Many years ago I had the pleasure of working with one of the most delightful, humble and well-mannered gentleman I have ever met. It was in ACT Corrective Services; he was my immediate supervisor at the time and he went on to become the Manager of the Indigenous Services and Cultural Diversity Unit. His name was Harry Williams, better known to those of us at work as simply "H". It was on one night shift, well after midnight, that the two of us started discussing sport. It was on that night that I learned that I had been working with the first recognised Indigenous Australian to play for the Socceroos. At the time he was selected he was playing in New South Wales for St George Budapest. "H" was part of the 1974 Australian World Cup touring side.

Mr Guy Zangari: He played with Johnny Warren.

Mr CHRIS SPENCE: Correct. This was the first Australian side of Socceroos to qualify for a World Cup, and they travelled to West Germany. It would be 32 years before another Socceroos side would play in a world cup. I know how proud "H" would have been when Australia finally made the 2006 World Cup, and I am sure that he would be just as proud of the boys last night. The Central Coast has its own championship trophy on the mantelpiece: On Sunday 21 April the Central Coast Mariners finally won the A-League Grand Final. The whole of the Coast celebrated this fantastic achievement, having been on the journey of highs and lows as we made it fourth time lucky.

The Central Coast Mariners, a small club that struggled with financial difficulties but doggedly and determinably stayed in the game, have now opened their Centre of Excellence in Tuggerah, which is truly a state-of-the-art facility and a tangible recognition of the exponential growth of the popularity of soccer on the Central Coast. As member for The Entrance, I have been pleased to work with this Government to see our own local football facilities improved and expanded. Last year, through the Community Building Partnership program, Ourimbah United Football Club received \$125,000 towards a new amenities block, having had a very old and dilapidated building that was grossly insufficient for its needs.

Recently, through the Sport and Recreation Grants, I was pleased that Gosford City Football Club was given \$4,700 to assist in encouraging participation in the community-based football teams. It believes that financial difficulties should never be the determining factor in participating in local sport, and these funds will enable it to provide assistance to those in need. One of the greatest things to come out of victories like that of the Socceroos last night is that they motivate and encourage involvement in sport across the board, not just in football. Every day all across Australia, local competitions in all kinds of sport are taking place, whether it is football, rugby union, rugby league, tennis, cricket, croquet or netball, to name but a few.

Mr Guy Zangari: Darts.

Mr CHRIS SPENCE: And darts. No matter what age, gender, race, class, ability or skill level, everyone can get involved and participate in sport. It is a part of our social fabric. It does not encourage just fitness and a healthy lifestyle; it fosters a sense of community, encourages teamwork and participation, and reaches across social boundaries in a common interest. Last night's achievement by the Socceroos is certainly an achievement of which not only New South Welshmen but also all Australians can be proud as they go to represent our great nation in Brazil next year. On behalf of the Government I congratulate them on their victory and I wish them every success.

Mr RYAN PARK (Keira) [8.21 p.m.]: It gives me great pleasure to support my colleague the member for Fairfield, the shadow Minister for Citizenship and Communities. I commend the fantastic work that he is doing in this place to advocate for the Western Sydney Wanderers. He was a champion of the setting up of the Parliamentary Friends of the Western Sydney Wanderers, I think the first parliamentary friendship group set up within Australia. I take this opportunity to acknowledge the member for Fairfield and the work that he is doing to advance football and the profile of football in this place of lawmakers. It gives me great pleasure to congratulate Lucas Neill and all the boys in the Socceroos on their success last night.

I watched as Cahill was replaced and Kennedy was brought on. I think all of us would have thought, "Boy oh boy, this is going to be one of those make-or-break moments." We quickly realised why the coach is paid handsomely; he got the result in last night's match. It probably was not the prettiest football match. But that does not matter because, at the end of the day, we are heading to Brazil. That is great news for Australia. As a long-time supporter of football and as a former player—I had the great honour in year 6 to captain the South Coast football side—it gave me great pleasure in previous years to have seen friends and former team mates such as Noel Spencer, who I think played for Central Coast, as well as Scott Chipperfield.

It would be remiss of me, as a local Illawarra representative, if I were not to acknowledge Luke Wilkshire, who is from the Illawarra region. He put in another sterling performance, making many runs up the right flank. He performs an outstanding role in giving the Socceroos options in both attack and defence. It was great to see him on display against last night. It is always good to discuss these matters in Parliament because the member for The Entrance is right: Sport, such as soccer, galvanises Australians and should always be above politics. Politicians should use sport not as a sparring point but as a galvanising force to advance the causes of our communities and of this nation as a whole. Congratulations to the Socceroos. I wish them all the best in Brazil.

Mr ANDREW ROHAN (Smithfield) [8.24 p.m.], by leave: Six months ago Australia looked to have very little chance of winning this qualifying round and going to Brazil. Hopes were dim. However, the team's spirits lifted in its last three games. The situation changed when Australia drew with Japan 1-1, beat Jordan 4-0 and then beat Iraq 1-0. It was a very difficult game against the Iraqi side. As we know, the average age of the Iraqi players is 21 years and they are very talented. But the game changed in the eighty-third minute, when Bresciano passed an amazing ball to Josh Kennedy, who was waiting in the penalty area. He jumped high and seemed to hang in the air for a couple of seconds before heading the ball to the left of the keeper, scoring an amazing goal—we call it the golden goal.

They say that managers live and die by their decisions during a game, and the manager made the decision to play Josh Kennedy as striker. That paid dividends in front of 80,000-plus fans, who enjoyed the night immensely. I watched the match on television. It was an amazing night and I congratulate all the players, management, coaching staff and supporters, who were incredible. In 12 months we will be heading to Rio and joining 32 of the best teams in the world. Hopefully we will do a little better than last time. This will be the fourth time that the Socceroos have appeared at the World Cup. The first time was 1974, then in 2006, 2010 and now 2014. It will be the third time in a row. We are looking forward to the competition and hope that our team will do very well.

Mr CLAYTON BARR (Cessnock) [8.27 p.m.], by leave: I thank Government members for affording me an opportunity to speak about this incredibly important matter. Congratulations to the Socceroos, who will go to their third straight World Cup after spending 32 years in the soccer wilderness. The member for Keira contributed to the discussion and said that he used to play football. I never played football as a kid; I played soccer.

The DEPUTY-SPEAKER (Mr Thomas George): Was your position left right out?

Mr CLAYTON BARR: Some things never change, Mr Deputy-Speaker. In that regard, I take some joy from the fact that our national team is called the Socceroos, not the Footballeroos. I think that is in keeping with the traditions of this country. However, I appreciate that the round ball game is the world game. What an exciting adventure it was last night. Sport evokes intense emotions, especially when watching one's national team and hoping that they make it through to the World Cup—the world's biggest sporting stage. The people around me were shouting all sorts of obscenities—not me of course—during the match. When Holger Osieck made the decision to take Tim Cahill off the pitch there were significant contributions regarding his coaching abilities. Frankly, he had spent the 77 minutes prior to that standing on the sidelines gesturing and yelling, "Go

forward, go forward". I thought to myself, "How much does this guy get paid to do that? I could do that." Then Osieck took Cahill off and put Josh Kennedy on. Why would he do that? Why not bring Harry Kewell on? Surely that guy is due a start when he gets back from injury. Is he injured?

Mr Guy Zangari: No, he is not playing.

Mr CLAYTON BARR: Anyway, it turned out to be a stroke of genius and Josh Kennedy knocked it in. However, on behalf of regional New South Wales I want to take serious issue with Football Federation Australia about sporting infrastructure in the regions so that all junior players in this State can play to the highest level. We expect our sporting venues to meet certain standards regarding stadium capacity, playing surface quality, lighting, fencing and car parking. But in a local government area with a population of only 10,000, 20,000 or 30,000, the council cannot build the sort of infrastructure that can be provided in Sydney. As a result, Football Federation Australia is depriving our Socceroos of future champions who come from country areas. The federation must address that issue if Australia wants to continue to excel in the sporting arena. Many of our great sports stars come from country and regional New South Wales. We must embrace and continue that tradition, not desert it. Go the Socceroos! Congratulations, and see you in Brazil.

The DEPUTY-SPEAKER (Mr Thomas George): Before calling the member for Fairfield and with the indulgence of the House, I point out that there was much emotion when Tim Cahill came off the field during last night's match. But when the Socceroos won the game who was the first one to go to the coach? It was Tim. I hope a lot of young players saw that.

Mr GUY ZANGARI (Fairfield) [8.30 p.m.], in reply: I sincerely thank members representing the electorates of The Entrance, Keira, Smithfield and Cessnock for their wonderful contributions to the discussion. The speech by the member for Cessnock was particularly entertaining. Perhaps SBS should sign him up to provide commentary and comedy on one of those shows that air after a World Cup game at 3 o'clock in the morning. His contribution was certainly most enlightening. He called on Football Federation Australia to address the needs of soccer in the bush, and I concur with his comments. All sporting federations around Australia should work with children in the bush and give them the opportunity to participate in sport and to develop their skills and self-esteem.

I was interested to hear the member for The Entrance talk about Harry Williams, known as "H", who was the first Indigenous player to play with the Socceroos. He played in the 1974 World Cup together with a very special and dear friend of mine who has passed away, the late great Johnny Warren. What a team it was back then, with players like Harry Williams and coaching staff like Ralé Rašić and Les Scheinflug. All those greats were real pioneers and, once retired, became advocates for the game in the community—particularly Johnny Warren. I also touch on the member's comments about the Central Coast Mariners. We know that their success this year has done great things for the region, and I am sure will continue to do so. A centre of excellence has now been developed and government funding provided through the Community Building Partnership program will encourage young boys and girls to participate in the great game of football—which we all know is truly the world game.

The member for The Entrance mentioned that last night's qualification was the jewel in the crown for us as a country because this is the third successive World Cup that we will attend. As the member for Cessnock mentioned, we were in the wilderness for 32 years. We took part in 1974 and West Germany won that World Cup. We qualified for the World Cup in Germany in 2006 and we played Italy. I will not go down that path, but Italy was the eventual champion. I am wearing my Socceroos scarf as members will have noted. In South Africa in 2010 we saw Spain take out its first World Cup, which was fantastic. We go to Brazil in 2014, and how good is that? The member for Keira related a very personal story about him captaining his team in year 6. Can members imagine the member for Keira in his Umbro shorts, jersey and socks, and probably with a helmet-style haircut, running around the Illawarra?

The DEPUTY-SPEAKER (Mr Thomas George): Umbro was not around in those days.

Mr GUY ZANGARI: The member for Keira said he was very proud of the fact that Luke Wilkshire is one of the Illawarra's favourite sons and that the region has produced many great players, much like the Central Coast. The member for Smithfield referred to Australia's chances appearing dim some months ago. Things were not looking too good but one of the attributes Aussies have is a great work ethic and the tenacity to go out there and chip away. The match against Japan was one of the best games we had played in a long time but unfortunately we conceded a goal in the ninetieth minute. That put us back in the qualification stakes. However,

we came out in the next game, against Jordan, and gave it a real football lesson. It was awesome to see four goals go in. That galvanised the country, and everyone got behind the Socceroos. Last night will go down as one of our greatest sporting achievements although I know Australians play many different sports. It was fantastic to see 80,000 people all singing for the Socceroos. On behalf of the Chamber, I again congratulate the Socceroos on qualifying for a third successive World Cup, in Brazil in 2014.

Discussion concluded.

ADJOURNMENT

Motion by Mr Rob Stokes, by leave, agreed to:

That this House do now adjourn.

The House adjourned at 8.33 p.m. until Thursday 20 June 2013 at 10.00 a.m.
