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LEGISLATIVE ASSEMBLY

Thursday 29 August 2013

ABSENCE OF THE SPEAKER

The Clerk announced the absence of the Speaker.

The Deputy-Speaker (The Hon. Thomas George), in the absence of the Speaker, took the chair at 10.00 a.m.

The Deputy-Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

CRIMES AMENDMENT (ZOE'S LAW) BILL 2013 (NO 2)

Bill introduced on motion by Mr Chris Spence, read a first time and printed.

Second Reading

Mr CHRIS SPENCE (The Entrance) [10.05 a.m.]: I move:

That this bill be now read a second time.

I am pleased to bring before the House the Crimes Amendment (Zoe's Law) Bill 2013 (No. 2). The object of the bill is to amend the Crimes Act 1900 to recognise the existence of the foetus of a pregnant woman that is of at least 20 weeks gestation so that proceedings for certain offences relating to grievous bodily harm may be brought against an offender who causes the unlawful destruction of or harm to any such foetus as proceedings for grievous bodily harm to the foetus rather than proceedings for grievous bodily harm to the pregnant woman. Further, it is important to note that section 8A (4) specifies that these offences do not apply or have any relation to anything done in the course of a medical procedure, including medical treatment or anything done by or with the consent of the pregnant woman that causes harm to or the destruction of a foetus. The bill does not, nor does it intend to, have any impact on doctors, nurses or other health practitioners or anyone in the medical fraternity who is involved with or provides assistance to any medical procedures or treatments. The bill does not, nor does it intend to, have any bearing on a woman's right to choose.

The bill does, however, acknowledge and protect a woman's right to choose to carry her pregnancy to full term and acknowledges her loss in the same scope as the requirements under Births, Deaths and Marriages when that right is suddenly taken away by a serious criminal offence. Under the Births, Deaths and Marriages Registration Act 1995, a stillborn foetus at 20 weeks gestation is required to be registered as a birth in New South Wales. The definition of "unborn child" for the purposes of this bill is identical to the definition of "still birth" in the Act. The Births, Deaths and Marriages Act 1995 allow parents of a stillborn to name their stillborn baby. It requires the stillborn baby to be buried or cremated and a perinatal medical certificate to be registered with Births, Deaths and Marriages, the stillborn certificate and a birth certificate is issued. On this basis the bill is very distinct in referring to a foetus that is 20 weeks gestation or more in order to correlate with existing legislation. I draw attention to schedule 1 [2] to the bill, which states:

For the purposes of the proposed section, an unborn child that is taken to be a living person for the purposes of applicable offences, is defined as a foetus of at least 20 weeks gestation or, if that cannot be reliably established, a foetus that weighs at least 400 grams (proposed section 8A (1) and (2)).

For the specific purpose of this section only, the defined unborn child is taken to be a living person in order for the applicable offences to actually apply. The applicable grievous bodily harm charges in the Crimes Act are

directed against a person. As a foetus is not recognised as a person, let alone living, in any part of the law at present without taking a breath, it is necessary to allow by law an unborn child to be considered as a living person for the purpose of the applicable offences only. It does not translate across the Crimes Act in its entirety. It is restricted and specific to the applicable offences as listed in the bill as being grievous bodily harm, not murder or manslaughter. This bill does not propose any new offences; rather, it works within the framework of select existing grievous bodily harm offences. The proposed insertion of section 8A simply seeks to clarify interpretation and application for the purpose of specific applicable offences.

I take this opportunity to welcome Brodie Donegan and her partner, Nick, who are seated in the Speaker's gallery, to the New South Wales Parliament. This bill is before the House today due to the efforts of Brodie Donegan. I thank her for sharing her story and I commend her tenacity to use her experience as a catalyst for change in respect of the recognition of stillbirths caused by criminal acts or negligence. I will place on the record the story of Brodie Donegan. Her story—and I will refer to it as much as possible in her words—truly exemplifies the heart and intention of this bill. Since 2011, I have had many conversations with Brodie, and whilst putting the bill together I worked closely with her and Nick to encapsulate the legislative changes she has campaigned for since the incident that changed their lives.

On Christmas Day 2009 Brodie decided to go for a short walk from her home in Ourimbah on the Central Coast to stretch her legs before driving to Newcastle to spend the remainder of the day with family. She was at that stage 32 weeks pregnant with baby Zoe. At 10:30 a.m. Brodie crossed the road and stepped away from the kerb, vaguely hearing a car in the background. Brodie recalls:

The next thing I remember is hearing voices and people asking me if I was okay. I instantly thought I must have fainted but then I started to feel the pain. I couldn't feel my right leg. The only visual I recall is Nick leaning over me and everyone saying not to move me. I remember asking people about my baby.

It took three hours to extract Brodie from the accident as she was wrapped in tree branches under the front end of the van that hit her. Brodie continues to recall:

My next memory ... is at Royal North Shore Hospital where they were trying to locate my daughter's heartbeat, which they found rather quickly. I was hopeful that my daughter still having a heartbeat was good news and it might end up okay. I begged doctors to take her out immediately but they said they needed to stabilise me and work out my injuries. After two hours they couldn't find a heartbeat. I begged and cried, the doctors conferred and decided to give me an emergency caesarean. I remember yelling to Nick as I was wheeled into theatre that he had to call our daughter Zoe because that meant "life". I wanted her to live so badly ...

I was given a general anaesthetic and knocked out for the operation. I woke returning to the recovery ward and I asked everyone I saw if my daughter Zoe survived. They all told me they didn't know. Eventually, after what felt like a lifetime later, Nick was sent in to break it to me. That they'd tried to resuscitate her but they'd been unsuccessful. That she hadn't been able to hold on. By that time I had figured if it was going to be good news everyone would be telling me. I felt like I already knew. Nick and I were heartbroken.

I remember the maternity social worker coming in and asking me if I wanted to see her, which of course I did.

Zoe was wheeled in and Nick handed her to me. She was still warm and she looked and felt and smelt like any other newborn, she just was not breathing. It was so surreal. I wanted to turn back time. I remember looking at her face and seeing the mark on her lip from the resuscitation attempts and noticed one of her eyes partly open. She was absolutely gorgeous and so soft and I just wanted her to wake up so badly. I was completely distraught.

The social worker came up again to give me information on losing a baby and asked if we wanted to see Zoe again. We did, and by the time she was brought up, my mother and stepfather had arrived with my eldest daughter Ashlee. I hadn't seen Ashlee since I left the house to go on that walk, nearly 12 hours before. She was so scared of me, and of all the tubes attached to me. She would not go near me and this upset me greatly. I'd just lost one daughter and I desperately wanted my other daughter close to me, but with my hair still matted with blood from the lacerations from going through the windscreen, the bruises, swelling and grazes all over my body, and the fact I could not sit up, could not move and had a metal belt around my hips was all just too frightening for her.

We then had to try to explain to Ashlee what had happened to Zoe. Ashlee touched Zoe and wanted to know why she had a sore on her lip. It was heartbreaking to see them together in such completely different circumstances to how I'd imagined they would meet. In the midst of all this, the Police arrived to take Zoe to the Coroner. I was in shock. I had only had this baby a few hours before, and despite the hospital telling me I could see her as often as I wanted, here were the Police trying to take her.

After an intervention by a doctor, Brodie was granted further time with her baby Zoe. Brodie underwent further surgeries to insert a 10 centimetre screw into her shattered pelvis and to reattach the muscle in her thigh which had been torn from her bone and was bleeding into her leg. She also suffered a broken foot, as well as numerous lacerations and soft tissue damage. The physical injuries sustained to Brodie were nothing in comparison to the loss of her baby Zoe, who just 24 hours before the accident had been given a glowing report at her antenatal check-up.

A few days after her accident, Brodie gave her statement to police. At that time she was told that as Zoe had not taken a breath there would be no charge against the loss of her life, and that Zoe would not be regarded as there was no specific intent to harm her. She was advised that it was likely the driver would only receive a fine and a good behaviour bond. Brodie found this difficult to comprehend, saying it was as though the daughter she had held and said goodbye to just did not count. In hospital Brodie began to realise the hard work she would have to go through to recover from her injuries, but she was determined. She set her sights on being able to walk the City2Surf in August 2010, and was going to fundraise for the hospital in Zoe's name. To date Brodie and Nick have fundraised close to \$50,000 for Royal North Shore Hospital, Miracle Babies and Bears of Hope—a truly wonderful achievement and a testament to their great determination to remember Zoe and make her count. The funeral for Zoe was held almost four weeks after the accident, when Brodie was recovered enough to attend. At the funeral Nick and Brodie both spoke. Brodie recalls:

We had lost our little girl. She would never get to do the things our two year old daughter Ashlee had done or will do. We'd never see her take her first steps, smile, go to school or grow up. All our hopes and dreams for Zoe were lost and she'd lost all of us ... We still couldn't reconcile that we were having a funeral for the death of a baby that the law wasn't charging for.

In the ensuing months, and notwithstanding a long battle, the driver was charged with grievous bodily harm to Brodie and sentenced to two years and three months; however, she was released at the conclusion of her nine month non-parole period. Baby Zoe was simply listed amongst Brodie's injuries. Brodie's opinion about what happened is:

Nick and I believe that from a victim's perspective there should be a separate charge for the loss of the baby. We believe the offender should be charged with the loss they caused. We believe this should only be used in certain cases, in relation to serious crimes and it should not impact on a woman's right to choose, nor should it jeopardise medical professionals.

We think this bill (Zoe's Law No 2) does that. It fills the gap we perceive to be there.

Births Deaths and Marriages say you need to have a funeral for a baby born over 20 weeks. We received a stillbirth/death certificate. We named our daughter. We received the baby bonus paid as the bereavement bonus, as happens after you lose a baby over 20 weeks. I received six weeks paid parental leave from Newcastle University as is also customary if you lose a baby over 20 weeks.

There is all this existing legislation recognising the existence of Zoe, yet when it came for the driver to be charged with what happened, she was charged with Dangerous Driving causing Grievous Bodily Harm to me—Zoe was listed with my injuries. To me, she was more important than my injuries ... the loss of her was harder to recover from than my injuries. She may have breathed and possibly survived if I'd been extracted from the scene earlier, or had been operated on earlier.

To us, those hours which possibly made the difference between a separate charge or to be listed as one of my injuries is where the gap lies. And we think it should be filled ... that any baby lost in any horrific or violent way due to someone committing a criminal act should count ... should be included ... and should be recognised.

That is Brodie Donegan's story. That is how this bill came to be named Zoe's Law. I turn now to the detail of the bill. Under the current Crimes Act 1900, section 4 defines grievous bodily harm to include:

... the destruction (other than in the course of a medical procedure) of the foetus of a pregnant woman, whether or not the woman suffers any other harm.

This bill expands on the section 4 (1) definition of grievous bodily harm to further define the application of the offence in relation to the destruction of or harm to the foetus of a pregnant woman. Specifically, this bill retains the current provision that the destruction of or harm to a foetus under 20 weeks gestation is grievous bodily harm to the pregnant woman, again being whether or not the woman suffers any other harm. However, for the destruction of or harm to a foetus that is of at least 20 weeks gestation, a separate grievous bodily harm charge may be brought as an offence to the foetus itself. For the purposes of this bill and to distinguish from a foetus that is under 20 weeks gestation, this is defined in the term "unborn child", which means the foetus of a pregnant woman that is of at least 20 weeks gestation or, if gestation cannot be reliably established to be more or less than 20 weeks, has a body mass of at least 400 grams.

It is only within the specific applicable offences within grievous bodily harm that this recognition will occur—namely, section 33 (1), intentionally causing grievous bodily harm; section 33A (1), discharging firearm, with the intent to cause grievous bodily harm; section 35, recklessly causing grievous bodily harm; section 46, intentionally or recklessly causing grievous bodily harm by gunpowder; section 51A, predatory driving; section 52A (3), dangerous driving occasioning grievous bodily harm or section 52A (4), aggravated dangerous driving occasioning grievous bodily harm; section 52B (3), dangerous navigation causing grievous bodily harm or section 52B (4), aggravated dangerous navigation causing grievous bodily harm; section 54, causing grievous bodily harm by an unlawful or negligent act or omission; section 95, robbery or stealing from the person in circumstances of aggravation; and section 110, breaking and entering a dwelling and the infliction of grievous bodily harm therein.

It was with great deliberation that this bill creates a very specific developmental threshold upon which these offences may be brought against a foetus of at least 20 weeks gestation or with a body mass of at least 400 grams. Under the New South Wales Births, Deaths and Marriages Act 1995 a foetus that is at this stage of development stillborn is required to be registered by the parents in the normal way. A doctor is required to complete a perinatal certificate specifying the cause of death. The stillborn baby must be either buried or cremated. If parents so choose, the stillborn can be blessed or baptised with a baptismal certificate issued. In registering the stillbirth with the New South Wales Registry of Births, Deaths and Marriages, the parents are able to name their child or, if they choose not to, the birth certificate simply names the child "Baby".

Also to be considered, stillbirths at this stage of development qualify the mother to be able to claim the Commonwealth baby bonus, which is noted as a "bereavement bonus". The mother is also able to take paid parental leave where provided through her employment. While these requirements through the New South Wales Births, Deaths and Marriages Act are considered to be administrative requirements, they are strongly recognised as assistance to parents in the bereavement process to acknowledge and come to terms with their loss. By extension, the ability for grievous bodily harm proceedings to be brought against an offender who caused the destruction of or harm to an unborn child of 20 weeks gestation or more in criminal or negligent circumstances as a result of this bill will be a significant recognition for grieving parents, and one that I know Brodie Donegan much longed for in 2009.

It has been put to me that the Births, Deaths and Marriages Act deals with the grieving process. I put it to members that in nearly 99 per cent of all cases it merely assists a parent in grieving the loss of their child. Not being capable of carrying a child myself by virtue of being male, I cannot imagine the grief and the sense of loss that a stillborn child could bring, but being a father I can certainly imagine the loss I would feel had my own daughter not been born alive. To suggest that the Births, Deaths and Marriages Act has dealt with the grieving process denies the fact that in situations like Brodie Donegan's, the grieving process for her was denied the moment the Director of Public Prosecutions could not charge the driver of the motor vehicle that directly caused the loss of her pregnancy.

Brodie Donegan was denied the right for her to choose to go full term in her pregnancy. She was denied the right to face the person responsible and see that person face the charges that she should have faced for the direct consequences of her criminal actions. The driver of that vehicle should never have got behind the wheel. The driver of that vehicle should never have been on the road on Christmas Day 2009. Yet she was, and the catastrophic and tragic circumstances surrounding what followed were not dealt with, they were not considered to be over for the parents of Zoe in the weeks that followed just by what was presented to them through the Births, Deaths and Marriages Act; the grieving did not end.

The closure for Brodie Donegan should have been when—15 months later—she testified in court against the driver. Yet it was not. It was not closure listening to the driver face a charge simply listing Zoe as an injury. That is not the closure that grieving parents would seek. That is not the closure that is deserving of the criminal action that ended the pregnancy of Brodie Donegan. Many will argue that this bill will be seen as being the first step in encroaching upon the rights of women to choose; that it will be seen as the first step in recognising an unborn child as a living entity. That is not what this bill is about. In fact, for the record Brodie Donegan herself is a self-confessed supporter of pro-choice. She has made it clear that this bill should not encroach upon a woman's right to choose.

The reasoning behind the use of the words "unborn child" as being a living person for the purposes of this bill was because of the difficulties in trying to acknowledge that the existing grievous bodily harm charge could be brought against an offender, recognising the foetus as being separate to the mother. Each act of grievous bodily harm currently in the Crimes Act is listed as being "to a person". Rather than duplicate every grievous bodily harm listed and change them to include a foetus of 20 weeks gestation or greater, and because a foetus is not deemed to be a living entity until such time as it takes a breath, for the purposes of this section, and this section only, the foetus will be referred to as an "unborn child" considered to be a "person" so that each of the grievous bodily harm charges noted can be applied. As I said earlier in this speech, it does not apply outside of this section. It is not a first step—it is not to be used as a first step. Indeed, sections 52A (1) and (2) and 52B (1) and (2) were removed because these sections dealt with dangerous driving or dangerous navigation causing death.

It is a fact that in order for death to be considered in a criminal charge, the victim must first have been born. In this bill, the charge is not death as the foetus has not yet been born. Therefore, it is appropriate that grievous bodily harm be the only charge applicable in this instance. The passing of this bill, does not allow, in

any way, shape or form, for the charges of murder or manslaughter. We as legislators have a responsibility to introduce legislation and enact laws for the people for whom we represent. From time to time we will introduce laws that not everybody agrees with but at every stage we must consider what a reasonable person we represent would want. Brodie Donegan is a constituent of mine and this bill is overwhelmingly supported by the constituency that I represent. It is with my greatest respect and empathy that I present this bill to the House on behalf of Brodie Donegan and in honour of Zoe.

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

FIREARMS AMENDMENT (PROHIBITION ORDERS) BILL 2013

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

Second Reading

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [10.28 a.m.]: I move:

That this bill be now read a second time.

The purpose of the Firearms Amendment (Prohibition Orders) Bill 2013 is very simple: Police officers in New South Wales will be given the necessary tough new powers to get guns off the streets; to enable them to gather evidence so that the Government can finally declare and shut down its first criminal gang; and, importantly, bring the day closer where law-abiding Sydney families can once again live in peace. Today Labor calls time on the Premier, who is now well into his third year and who has failed to declare a single criminal gang or heed police requests for more resources. The number one job of any Premier is to keep the community safe.

The reason Labor has introduced this bill is because the Premier has failed. Since this Government came to power there have been 264 shootings in New South Wales. In 2013 there have been 82 shootings and in the last month alone there have been 11 shootings. Since last October there have been 12 shooting fatalities and all this time the Premier has stood idly by. The people of Sydney are sick and tired of gunshots ricocheting across our streets, holes in their garage doors and windows, the screech of tires and the revenge attacks. In many suburban areas, especially in our city's west and south-west, gun violence is a never-ending ordeal that unfolds night after night, week after week. It is only a matter of time before another innocent person is shot and killed as the violence continues to escalate. I seek leave to complete my second reading speech.

Leave granted.

Over the past few weeks the police reports have made for brutal reading: August 18, shots fired at a house in Cranebrook; 17 August, shots fired at a house in Putney; 14 August, shots fired in Heckenberg; 13 August, Kellyville; 11 August, Colyton; 8 August, Leppington; 7 August, Parramatta; 5 August, Liverpool; 2 August, Eagle Vale; and on 29 July a 19-year-old was shot and killed in Bexley, with another man slaughtered in Earlwood that same night. It has continued for over two years. These are our streets, our neighbourhoods and our communities. There have been 264 shootings on the Premier's watch, which is a record of colossal failure that frankly this Premier should be ashamed of.

Unlike the Premier, I have been to the sites of most of these shootings, I have knocked on doors, and I have seen the fears of local residents and the confusion in the eyes of the small children with their memories forever scarred. These shootings have left a trail of bloodshed all over Sydney. As the Premier has failed to act a message of weakness has radiated from his office in Macquarie Street to every criminal and every thug. The result has been a brazen and frightening escalation of violence. At first the bullets grazed doors and windows but the criminals soon started shooting to injure and maim their targets, leaving them blood-stained and staggering to the nearest hospital. Now the criminals are shooting to kill. There have been 12 fatalities in the last 10 months.

This is not the city of Sydney that any of us recognise and this is not the Sydney we know and love. This city is known for its friendliness and as the city that hosted the world's best ever Olympic Games, but these shootings have smeared the reputation of our great city. Under this Premier the day is approaching when Sydney's gun violence will be mentioned in the same breath as notorious American cities. The Premier may be content to let that happen, but I am not. Enough is enough. The community expects this Parliament to lead and if the Premier will not then the Opposition will.

The bill I am introducing today gives police a critical and long-overdue tool in their arsenal to fight gun crime. Our police will be equipped with the automatic ability to search a suspect who has been issued with a firearm prohibition order [FPO]. Under the current law the New South Wales Police Commissioner can place a firearm prohibition order on any person deemed unfit to possess a firearm, whether they are involved in a criminal gang or have a known history of serious crime or violence. The maximum penalty for failing to comply with an order is 10 years jail, in the case of using a prohibited firearm, or five years in any other case.

The problem is that the current law does not give police the power to search individuals who are subject to a firearm prohibition order without obtaining a warrant. Instead of focusing on raids and patrols and cracking down on illegal and stolen guns they have to jump through hoops, tick off boxes and waste time on paperwork, even though the police commissioner has already given a clear direction that the individual concerned is not a fit person to possess a firearm. This is the major reason why firearm prohibition orders, despite their potential, have barely been used in practice by New South Wales police. Today Labor will change all that.

Labor's bill transforms the firearm prohibition order from an obscure acronym into a front-line weapon in the fight against gun crime. Labor is prepared to give the firearm prohibition order real teeth and give police pre-emptive authority over people whose actions have shown that they cannot be trusted with a gun. As far as I am concerned the day someone chooses to join a criminal gang and carry a firearm is the day their rights take a back seat. That is why under proposed section 74A of Labor's tough new laws a police officers may detain a person subject to a firearm prohibition order; enter any premises occupied by or under the control or management of a person subject to a firearm prohibition order; and stop, detain and search any vehicle occupied by or under the control of such a person. They will be able to do these things without first obtaining a warrant.

Let us be clear, these are tough new search powers, tougher than anything that has ever been proposed in New South Wales, but they are necessary to protect the community. Another important feature of this bill is that it strengthens the restrictions on a person to whom the firearm prohibition order applies. Under Labor's proposed laws such a person will continue to be disqualified from holding or obtaining any firearms licence or permit; be banned from acquiring, possessing or using firearms or ammunition; and, as before, nobody will be able to supply firearms or ammunition to another person who is also on a firearm prohibition order.

Today Labor will legislate that a person subject to a firearm prohibition order must not be present at the grounds of a firearm club, a commercial firing range or a business that manufacturers, repairs or tests firearms; they must not be a member of a firearms club; they must not be in the company of a person who has a firearm; and they must not reside at a premises at which firearms or ammunition are kept. These are not laws that the Opposition introduces lightly. As is currently the case, a person may apply to the Administrative Decisions Tribunal for a review of any decision by the police commissioner. Nonetheless, while sensible protections are written into this bill, tougher powers are necessary to hunt down illegal guns. I believe Labor has the balance right.

I remind the House that firearm prohibition orders are not served on just anyone. The intention of this bill is that a firearm prohibition order could be served on a range of people the police believe are unfit to possess a firearm including, but not limited to, criminal gang members and their associates; anyone charged with a prohibited firearms offence, or on bail for a firearms offence; violent offenders; repeat offenders; and people consorting with known violent offenders. In other words, the bill Labor introduces does not gratuitously target legitimate firearms owners but people the community would expect the police to come down on hard.

I also note that Labor's bill will finally bring our State's laws into line with South Australia. In South Australia firearm prohibition orders are considered a valuable tool in restricting firearms access to people with a known history of violence or criminal activity. In South Australia police already have the authority to conduct compliance searches without a warrant. As of April this year there were 90 firearm prohibition orders issued in South Australia and 47 of them are linked to members of outlaw motorcycle gangs, with the remainder being serious firearms offenders. Imagine that. Here in New South Wales the O'Farrell Government has huffed and puffed but failed to declare and shut down a single criminal gang. It has failed to name them, shame them and prevent members from meeting in places like clubhouses, where they plot their next round of mayhem. Yet in South Australia, dozens of gang members face lengthy jail terms if they even go near a gun.

This is the tough framework that is long overdue in New South Wales, and that is why I introduce it today. As I have said, the Premier is now well into his third year of office. Yet, when asked about Sydney's soaring level of gun crime, he either shrugs his shoulders or ducks for cover. How pathetic this Premier looked

the other day as he grinned and nodded behind Tony Abbott as he announced he would raise penalties for gun importation, ignoring the fact that just 0.5 per cent of weapons being seized in Sydney's gun crime are imported. The Premier is trying to shirk responsibility for what is squarely a State matter. A real leader would be using every legislative tool in his arsenal to ensure police have the powers and resources they need. In the *Sydney Morning Herald* on 28 April 2012 Peter Hartcher wrote about gun crime:

What is O'Farrell doing? Apart from damaging police morale by cutting their injury compensation entitlements, he is doing nothing more than posturing.

He has declared a ban on bikie gang members wearing their colours in a number of bars. What is he campaigning against here? Fashion crimes? And he is denouncing a judge for granting bail to a bikie accused of torching an empty police van. This fulmination merely exposes his own inaction.

He went on:

In short, O'Farrell's policy response has been risible

Yoni Bashan in the *Daily Telegraph* on 21 August this year wrote:

Illegally imported firearms are barely an issue, yet have become the focal point for the Coalition. Tony Abbott says he will impose five year minimum sentences on gun traffickers to stop the flood of smuggled weapons. But there is no flood.

Actual shootings are carried out using stolen guns, those not surrendered after Port Arthur, or those legally imported and diverted to the black market.

It is time for this Parliament to wake up and act to prevent the spread of guns in New South Wales. Labor stands with the decent law-abiding families of New South Wales. We stand with all the parents of New South Wales who hold their children tight—the parents who look around the world and shudder at countries where gun massacres routinely occur and urban areas are targeted night after night by gangs. This is not the future any of us wants to see.

I will never stand by and allow America's gun culture to repeat itself in New South Wales. I do not believe we should wait until another innocent person is killed. The Premier has stood by as 264 shootings have occurred under his watch. The Premier has done nothing. He has not proposed a single new idea. He is prepared to give in to gun violence. My position stands in stark contrast. There is no acceptable level of gun violence. There is no acceptable level of organised crime. We must get the guns off the streets, and to do that we must give police the tough search powers they are crying out for. I urge the Government to support Labor's laws and make our streets a safer place for the wider community.

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

ACTING-SPEAKER (Mr Gareth Ward): It being after 10.30 a.m. the House will now consider General Business Orders of the Day (for Bills).

TRUTH IN LABELLING (FREE-RANGE EGGS) BILL 2011

Second Reading

Debate resumed from 22 August 2013.

Mr RON HOENIG (Heffron) [10.44 a.m.]: I wish to conclude my remarks in relation to the Truth in Labelling (Free-range Eggs) Bill 2011 that I commenced last week by saying that truth in labelling, particularly for any food product, is essential. Government members got pretty excited by this bill, probably because it emanated from The Greens. I remind the House that the bill does no more than enable New South Wales to establish regulations to mirror standards that should apply right throughout the nation.

People have to know that they are getting what they pay for. Egg producers are becoming excited about regulations about how many chooks they can have in a paddock and call them free range. The House should realise that when egg producers make so much noise, and when their views are echoed in this Chamber by members on the Government side, there must be a considerable economic benefit to labelling your eggs free range.

The concept of truth in labelling of any type of food product has wide implications. As I was walking into the Parliament last week, when this debate was taking place, in the foyer I ran into Rabbi Jeremy Lawrence from the Great Synagogue Sydney and the Chief Executive Officer of the Jewish Board of Deputies, Vic Alhadeff, who were arranging for a meeting with the ministerial council. They pointed out to me that, while people who are strict about eating kosher foods have to have them certified by the kosher authorities, it was important to many Jewish people to know exactly what the contents of any particular food product were so that they could make an informed choice. Rabbi Lawrence suggested something to me in relation to truth in labelling that I had not thought of—that is, that with the advent of technology, and the limited size of labels that can be put on products there should be a national approach to bar-coding labels, whereby the bar code would take people straight to a particular website so that they could know the total contents of any food product that they buy.

That is even more essential now because throughout this country and right throughout the world people seem to be more affected by allergies. I have a son who suffers an anaphylactic reaction to dairy food. Allergies to nuts and other foods seem to be rife, particularly amongst babies and young people. I asked the shadow Minister for Health—he is, as the House knows, a paediatrician—whether it is just that medical science is discovering allergies or that there are more people suffering allergies. He said that there are more people suffering from allergies. He has a theory about the fact that we no longer build up resistances.

Allergies can kill a child, so it is essential that those who buy products know exactly what is contained in the products that they buy. It is not sufficient to stick a label on a product saying that it contains some sort of preservative called 521 or another preservative called 419. There needs to be complete truth and accuracy in the labelling of the contents of all food products so that all persons who are buying a particular food product know exactly what the contents are. That does not mean that people would know the ingredients for the purpose of stealing somebody's recipe for a particular product, but they are entitled to know accurately the food content.

Truth in labelling does raise the question: What should be done about imported products? This matter was raised by the member for Murray-Darling, the only Government member to make an intelligent contribution to the debate. At least those who have allergies or suspected allergies should be able to acquire products knowing full well the content of those products and whether they have been certified by the appropriate authority in this State. As far as free-range eggs are concerned, the fundamental principle is that all people in this country need to know they are getting what they pay for.

Mr NICK LALICH (Cabramatta) [10.49 a.m.]: I speak in support of the Truth in Labelling (Free-range Eggs) Bill 2011. The object of this bill is to regulate the labelling of eggs: first, by prohibiting the sale of eggs as free-range eggs or barn eggs unless certain requirements are complied with in relation to the eggs and the laying fowls that produce the eggs; and, second, by requiring eggs that are not free-range eggs or barn eggs to be labelled as cage eggs and prohibiting the use of any words or images in advertising that suggest the laying fowls that produced the eggs are not kept in cages.

It can be said that eggs are a staple of society's diet, be that as a breakfast option or be it as part of cooking or an ingredient in baking. It is no surprise that the people of New South Wales consume a lot of eggs. Thus it is imperative for Parliament to get right any legislation that regulates the egg industry. The egg industry is worth \$197 million in New South Wales. This is an industry that supports many individuals and families that are trying to make a better life for themselves. This State's egg industry produces 44 per cent of Australia's egg production; so we are talking about almost half the country's total production. In New South Wales there are about 7.3 million laying hens which produce these eggs, underpinning thousands of jobs and underpinning our diets.

This bill is designed to develop a clear definition of "free-range eggs" that will apply across New South Wales. Under the bill, producers will have to ensure that their laying fowls meet the following requirements: one, access to a range of area with a density of not more than 1,500 fowls per hectare; two, availability of shade, shelter and vegetation in the range area; three, stocking density in a shed be to a maximum of six fowls per square metre for more than 4,000 fowls; four, exposure to natural and/or artificial light that does not exceed 16 hours in any 24-hour period; five, availability of natural foods; and, six, prohibition of practices, including inducing moulting by not feeding, toe trimming, using peepers and beak trimming. The bill imposes a maximum penalty of \$55,000 for corporations and \$5,500 and six months imprisonment for individuals.

The New South Wales Labor Opposition supports truth in labelling. That is why we moved appropriate amendments in the other place to ensure egg labelling is consistent with national guidelines. As eggs are a

commodity traded interstate, it is of utmost importance that consistent national standard definitions of free range, barn laid and cage eggs are adhered to. The case can be made for putting in place a tighter restriction on the upper limits of the definition of free-range eggs and whether this would be more appropriate under a national framework. The Australian Egg Corporation has indicated that the industry is moving towards a definition for free-range producers. I am sure the whole House would agree that consumers have the right to have confidence in the labelling of the eggs that they buy; and this labelling should be an exact determinant of the conditions under which the eggs are produced, whether they are free range, barn, organic or caged.

I endorse the amendments moved in the other place by my colleague the Hon. Steve Whan for they will ensure that labelling will reflect the national standard. As I said earlier, this is a \$197 million industry in New South Wales. Massive numbers of families rely on this industry for their livelihood; thus it is imperative that we work with the industry so that we reach an outcome that is fair to all stakeholders and of course protects consumers and the welfare of the 7.3 million laying hens in New South Wales.

Mr JAMIE PARKER (Balmain) [10.53 a.m.], in reply: I thank all members who have contributed to the private member's bill that I have put forward to ensure that consumers are protected; that animal welfare is promoted; and that farmers, particularly those who are free-range egg farmers, have a fair go, as opposed to allowing industrial egg producers to attempt to dominate that sector of the farming community. I thank the members representing the electorates of Liverpool, Sydney, Cronulla, Mount Druitt, Bathurst, Murray-Darling, Heffron and Cabramatta for their contributions to this debate, and of course the Minister. The bill has been introduced because we know that consumers are being misled when they are purchasing eggs labelled as free range. We Greens want to ensure that consumers who walk into a supermarket or local store get exactly what they will pay for: legitimate free-range eggs that meet the industry standard of 1,500 hens per hectare. We know that is not happening; this bill seeks to legislate that aim. The bill is not revolutionary; all it requires is that eggs labelled free range must meet already established industry standards of accurate labelling. That is it; it is very simple.

The Nationals have been arguing this matter, but where are the Liberals? What is their stance on consumer protection? I thought that was at the heart of liberalism. Their views on consumer protection are not being heard. In my view, that is because The Nationals seem to be dominated by the industrial egg producers, who are saying: "Look, we do not want rules on this issue; let us look after it; the industry code at the moment says 1,500, but we want to make it 20,000." We know that the Australian Competition and Consumer Commission, which reviewed the option put forward by the Egg Corporation, rejected that option, saying that it was potentially misleading and deceptive. If the Australian Competition and Consumer Commission has already said that the Egg Corporation's proposal of 20,000 hens per hectare is potentially misleading and deceptive, the proposal should not be able to move forward through the Australian Competition and Consumer Commission trademarking process. So we know that the industrial egg producers have been caught out.

The issue raised by the bill under debate today is that truth in food labelling is important. That is a sentiment with which the Minister for Fair Trading, Mr Roberts, would no doubt agree, as would many other Liberal members. However, it appears the Liberal Party has been overrun by The Nationals yet again, and that The Nationals have been captured by the egg industry. It is disappointing that something as simple as truth in labelling cannot be supported in this place. If members of this place valued a consumer's right to know what they are buying and to get what they are buying, they would support this bill. Despite the importance of this issue, those opposite chose to use this debate to spread misinformation about the bill, and to perpetuate the spin from the big industrial egg producers, who are keen to cash in on the demand for free-range eggs.

I want to systematically address each of the claims that have been made and to introduce the facts of the matter, to demonstrate that there is no significant national competition or national regulatory issues around this matter; that this is actually an opportunity for New South Wales to support consumers and support the free-range industry. The first piece of misinformation that I want to address is the claim that this bill "erodes national consistency". I recognise that as a *Yes, Minister* answer: when you want a State government to do something, they say, "Hang on, we can't do anything because that would erode national consistency." That is a common theme. When we put forward such matters, the Government will say that our proposal would erode national consistency and disadvantage New South Wales and this State's consumers. This argument is a copout; it is an excuse for inaction by a Government that seems more concerned to secure the profits of industrial egg producers than it is to protect consumers and genuine free-range farmers.

I raise this matter because the bill, as amended in the Legislative Council, simply enforces the already existing national industry-accepted standards for egg production as outlined in the Model Code of Practice for

Domestic Poultry, Fourth Edition. The model code is a well-established set of national standards, developed in 2002 by the then Howard Federal Government in cooperation with the States. I point out to the House that this is the same system of Commonwealth-State collaboration that the Minister now seems committed to hiding behind when she talks of the alleged need for a national response to the truth in labelling woes of New South Wales. There is a national response: it is the industry code. This bill seeks to introduce legislatively a binding definition. Yet the Government is running away from that.

The Model Code of Practice, notwithstanding its shortcomings, has been a solid reference point for egg farmers across the country for the past 11 years, outlining the minimum standards for free-range eggs, including a maximum stocking density of 1,500 birds per hectare. If industry self-regulation were working and egg producers were abiding by the minimum standards that this bill would make law, they would have nothing to fear from these provisions. If they were abiding by that code and minimum standards, why would they fear a legislative arrangement that says that it is not legal to claim your eggs are free range unless you comply with the code?

We know why they fear it. We know that the industrial egg producers are rorting the system. Time and time again, we hear claims that eggs labelled as "free-range" are not free range. The producers who disrespect their birds and mislead the people who buy their products in good faith will be brought into line by this legislation. Legitimate producers have nothing to fear. The only thing that has changed since the model code was introduced is the realisation by the Australian Egg Corporation, dominated by the industrial producers, that it can milk more money out of consumers if it dilutes the standard of 1,500 hens per hectare to 20,000 hens per hectare while continuing to charge a premium for free-range eggs. That is the situation this bill seeks to address.

The Minister raised the issue of Queensland recently overturning its animal welfare legislation, which specified that not more than 1,500 birds kept in a single hectare could be labelled "free-range" on the grounds that it was because of "the difficulties caused by adopting a State-by-State approach". In fact, the opposite is the case. The Queensland legislation to which the Minister referred has been in place for more than 10 years. Queensland egg producers have survived and prospered with a State-based legislative definition of free-range eggs for more than 10 years. This Government argues that we cannot have a State-based system because it will lead to problems. Queensland had that system for 10 years and when the conservatives came to power they swept it away. Why? It is because industrial egg producers want to be able to label their eggs as free-range but they do not want a limit of 1,500 hens per hectare. They want 20,000 per hectare so they can make more profits by misleading consumers.

If the legislation were such a barrier to competition in Queensland and so indicative of the problems faced by adopting a State-by-State approach, why was something not done about it in 2003, 2006 or 2012? The reason is that in recent years the Egg Corporation has sought to move the goalposts on what defines "free-range" in order to make more money and to give greater support to industrial producers. The fact is that this sensible legislation was amended by a Liberal-Nationals Government at the same time as the push to exploit consumers by intensifying free-range egg production reached its peak. The provisions of the legislation were amended to increase the allowed number of birds from the industry-accepted standard of 1,500 per hectare to 10,000 per hectare—10,000 being the preferred choice of another big industry player, Coles. It seems that the Egg Corporation is in cahoots with the large duopoly supermarkets in pushing for the abandonment of the industry standard developed under the Howard Government in consultation with the States, in order to improve the profitability of industrial egg producers and to undermine consumer safety and information.

It is a race to the bottom by Coalition governments, who seem to be more interested in appeasing the industrial producers and retailers rather than respecting the rights of well-intentioned consumers who want to spend their money on a humane alternative. The consumer advocacy organisation Choice said of these changes in Queensland:

This latest move by the Queensland government has jeopardised consumers' ability to make informed purchasing decisions.

That is all The Greens want to do: We want to give consumers the right to make informed purchasing decisions. What is wrong with that? The Egg Corporation believes it is wrong because it wants to be able to intensify the definition of "free-range" and get away with it. If it were not for the ruling of the Australian Competition and Consumer Commission that this practice is potentially misleading and deceptive, the Egg Corporation would be having its cake and eating it too. But it has been headed off by the Australian Competition and Consumer Commission.

The second claim is that the bill will disadvantage New South Wales egg producers and contravene mutual recognition laws. That is a good point: We do not want to have layers and layers of competing regulation. But the opposite is true. Those opposite rolled out arguments such as the bill would contravene mutual recognition laws by placing a burden on New South Wales producers while permitting eggs from other States to be sold in New South Wales without adhering to the same requirements. They argue that if we introduce the industry standard and make it enforceable—and that is all we are saying—people from Queensland and other States will bring their eggs into New South Wales, label them free-range and that will be a problem. I note that neither the Minister nor her colleagues in the Legislative Council raised this issue and none have mentioned it to me or to other members of The Greens who have been advocating for this legislation.

Far from disadvantaging New South Wales producers, this bill will strengthen the future of genuine, free-range egg farmers. If the Government took this opportunity to protect and support genuine, free-range farmers it would enable farmers to differentiate their products legitimately in a marketplace full of fakes and dodgy imitations. If the Government supported this bill today the label "free-range" on eggs produced in New South Wales would be the gold standard for consumers throughout Australia. Consumers across New South Wales, and indeed across the country, could pick up a carton of New South Wales free-range eggs and that carton could state: "Produced in New South Wales—the only State where free-range is protected under law". Would that not ensure that New South Wales products were differentiated and that consumers could rely on the truth of the label and purchase with confidence?

But the Government is saying that it does not want a legalised definition; it wants to have bodgie definitions that mislead consumers and disadvantage often small free-range egg producers. This bill would reward New South Wales producers who are doing the right thing and complying with the industry code, and it would assure consumers who are looking for a genuine product that they are getting the real deal. It is a win-win situation: It is a win for consumers and a win for farmers. Far from disadvantaging free-range producers in New South Wales, this bill is essential to ensure the industry's future viability when big players like the Egg Corporation are trying to turn the free-range label into a bodgie marketing tool. No extra production costs are imposed by this bill; it just means that eggs that do not meet a decent definition of "free-range" cannot use that label. The eggs that do not meet the standard can be called "barn laid" or another term, just not "free-range". If the O'Farrell Government cared about truth in labelling and protecting consumers it would realise that this bill is a way to raise the free-range standards of producers around the country rather than letting New South Wales be dragged down in a race to the bottom.

Despite the excuses, the reality is the best thing this Government could do to protect consumers and producers and the future of this State's egg industry is to pass this bill. The third claim is that the Food Authority is actively enforcing truth in labelling in relation to existing consumers, that animals are already protected under State laws and that we do not need this bill. The Minister argued that the Food Authority has the power to actively enforce truth in labelling requirements under section 18 of the Food Act and to pursue food businesses that are guilty of misleading and deceptive conduct. However, the critical question that has not been addressed is: How can the Food Authority enforce free-range standards that do not exist? How can the Food Authority determine whether a producer has breached Fair Trading rules if there is no baseline standard of free-range to compare it with? We know that the industry code is under attack by the industrial producers, who are all about pushing up the numbers so that consumers are misled and free-range farmers are knocked out of the industry.

As we have heard, free-range standards vary widely. The Egg Corporation specifies 20,000 birds per hectare, Coles specifies 10,000 birds per hectare, and Free Range Egg and Poultry Australia specifies 1,500 birds per hectare. Other criteria such as cover, the provision of perches and plenty of opportunities for birds to engage in their natural behaviours are also important. What are the Food Authority's criteria for "free-range"? What standard does it use when assessing farms? How often does the Food Authority visit farms? There is no legitimate answer to any of those questions, which leaves the Food Authority in a legal no-man's-land. The bill seeks to address that by providing certainty and a systematic way of understanding the definition of "free-range". I doubt that any consumer in New South Wales who pays for free-range eggs would be satisfied with the Minister's answer that the industry is looking after itself, especially when evidence of clear misleading behaviour has been presented to the House. The lack of a standard definition renders section 18 of the Food Act fundamentally flawed and practically useless. The Minister also argued that the bill duplicates existing regulations. That is simply false. Neither consumer nor animal protection laws in this State cover standard definitions of "free-range".

The bill seeks to implement the existing industry standard, and it is an entirely reasonable measure to protect consumers from exploitation. Arguing against the need for this bill identifies why it is important. I want

to address a matter to which the Minister referred. The Food Authority has pursued a prosecution—miracles do happen. The Liberals could support consumer protection and The Nationals could get out from under the thumb of industrial egg producers. A miracle happened. The Food Authority prosecuted Glensung Pty Ltd, trading as Paul Galea and Son Egg Farm for selling barn-laid eggs as free-range eggs. In a massive industry worth hundreds of millions of dollars, the fine was \$4,620. I am sure that put the company in its place. I am sure that \$4,000 fine put that bodgie egg producer in line.

The Minister used that case—that pathetic example—to argue the system is working and the few bad eggs in the industry will be made accountable and fined accordingly. There was an opportunity to take action in that case, but the Minister knows that a fine of that magnitude is only operational costs and is not a big fine for enterprises of this size that are systematically misleading consumers. We need to protect consumers—which this bill does—rather than have piecemeal prosecutions in an under-resourced area. The Minister for Fair Trading will say that his department could do with more staff and funding in this under-resourced area, which does not permit visits to all free-range and industrial egg producers. This case-by-case approach demonstrates that the free-range labelling regulations are reactive, dysfunctional and fallible. For every Paul Galea and Sons Egg Farm case, I am sure that hundreds of others have slipped through the net over the years. We have seen the data.

As I mentioned in my second reading speech, in previous years it has been demonstrated that the number of free-range eggs sold in New South Wales could not be met by the number of free-range eggs produced. So we know that there was shonkiness in the industry. Because of the Government's failure to introduce a standard "free-range" definition, agencies such as the Food Authority and the Australian Competition and Consumer Commission have one hand tied behind their back, trying to prove on a case-by-case basis what is and is not free range. The impost on the Australian Competition and Consumer Commission and the Food Authority for every prosecution is significant, and it makes the system unworkable. The system is broken, reactionary and needs to be fixed. This bill would take steps to fix the system. By introducing a definition of "free-range" to enable the effective implementation of the State's existing laws, this bill would allow the Food Act to protect consumers when it comes to the misuse of the free-range label.

Members who have argued that existing animal protection laws cover this type of issue have also missed the point. Animal welfare laws do not provide a standard definition of "free-range". The animal welfare laws are there to prevent cases of cruelty and prosecute those who inflict pain and suffering on animals. The laws are not sophisticated enough to distinguish between levels of welfare, which the egg industry suggests it has done by adopting cage, barn and free-range distinctions. Consumers expect something simple: that free-range farms will provide optimum standards to meet the welfare requirements of animals, not just prevent them from being subject to cruelty. This is an important distinction that goes to the heart of why the legislation is necessary to provide that bridge between animal welfare and consumer laws. As increasing numbers of food consumers care about the welfare of animals that produce the food they eat, it is clear that the Department of Primary Industries and the Department of Fair Trading need to start talking to each other to tighten these laws, and passing this bill would be a good start.

We heard the claim that the model code is flawed, that it contains provisions stating that producers can keep more than 1,500 birds per hectare and still be called free range. So now the Australian Egg Corporation—it is leading this charge—is attacking the industry standard, saying that it did not mean 1,500 and it wants to have more fowls per hectare. Since its introduction in 2004, the model code has been understood to prescribe, among other things, a stocking density of no more than 1,500 free-range hens per hectare. Any logical, simple, genuine reading of the industry code would agree with that. The Greens have received legal advice that demonstrates there is no exemption from the 1,500 stocking density limit. We know why the Egg Corporation, which is essentially the industrial egg producers, is now attacking the industry code and trying to push the limit up to 20,000. It wants to get more chickens per hectare. The free-range industry has grown so dramatically, because consumers are buying free range with their dollars, that the corporation wants to move the goalposts to allow producers to get more eggs into that free-range category so that producers can profit.

The bill simply says, "Let's enforce the industry code to make sure that consumers, when they buy a product, know what they are getting." The Egg Corporation's attempts to argue otherwise are just tricky. They are as tricky as the corporation's attempts at mislabelling. Arguments to the contrary have only emerged as part of the Egg Corporation's plan to intensify free-range standards to a staggering 20,000 birds per hectare. The argument that the model code is not prescriptive on stocking density gives the Egg Corporation a way out. It enables the corporation to say, "Well, there is no existing stocking density so by introducing a cap of 20,000 we are the good guys." The Minister's repetition of this argument is opportunistic and goes to show how the

industrial egg producers, led by the Egg Corporation, have The Nationals under their thumbs. The member for Murray-Darling, who is not a bad fellow and a supporter of container deposit legislation, said, "The Greens are appealing to a tiny niche in the community."

Mr John Williams: Exactly right.

Mr JAMIE PARKER: Consumers who buy free-range eggs are not a tiny niche. I think the member for Murray-Darling needs to get out a bit more because, according to the Egg Corporation's figures, free-range eggs accounted for 34 per cent of all eggs sold in Australia in the 2011-12 year. This was up from only 20 per cent in 2006. Interestingly, according to the Egg Corporation, free-range eggs represented more value to the egg industry than cage eggs. So 34 per cent of all eggs sold are free range but they have more value than cage eggs. That demonstrates that consumers are making a decision. Consumers are saying, "I want to protect animal welfare and make sure that if I buy eggs the birds are being looked after." So more than one in three eggs sold in New South Wales claims the free-range label. That is a fairly significant niche; it represents a powerful consumer market, with millions of people across the country making an active decision in the supermarket and at the shopping centre each day to reject the cruelty inflicted on birds in the cage system.

Despite what we have heard, people who buy free-range eggs are not niche and it is not a protected market, but it is a strong consumer base and people are pushing for kinder egg production by purchasing free range. Perversely—and this is what is strange about the situation—the increase in demand for strong animal welfare and free-range eggs has led to the systematic degrading of the standard by industrial producers who see using the free-range label as an opportunity to make easy money rather than change the way we treat animals to produce our food. Do not worry about improving animal welfare—let us have 20,000 hens per hectare rather than the industry standard of 1,500 in order to make more money. It is shameful.

The Minister claimed that the Government is already helping consumers make informed choices. In that case the Liberals should be arguing for this legislation, because they believe in consumer choice. Consumers should have rights. The Greens also believe consumers should have accurate information but the Egg Corporation is seeking to destroy the industry standard of 1,500 hens per hectare by increasing it to 20,000 hens per hectare but retain the free-range label. This bill stands against producers who are trying to do that. It simply legally enforces the industry code of 1,500 hens per hectare. In February 2012 the Minister for Primary Industries convened an egg-labelling industry forum purportedly to address issues surrounding the inconsistent use of terminology on egg labels. So the Minister has been pushed by the tens of thousands of people who signed petitions and the free-range poultry association, which does not want to be destroyed by industrial egg producers.

The convening of this forum was the first and only response from the O'Farrell Government to the issues of mislabelling in the free-range egg industry. When did it meet? It met on 13 March and 24 April. So limited is the Minister's commitment to transparency and restricting the voice of consumers. Who was in the group at the egg-labelling industry forum? Was Choice there to represent consumers? Was the RSPCA there to represent animal welfare on this issue? No, of course it was not, although it wanted to be involved. The group comprised the National Retailers Association, which is a front for the big supermarkets, and the Australian Egg Corporation. The RSPCA and the consumer advocacy organisation Choice were locked out.

Those organisations wanted to be involved in the process and contribute to the debate but the Minister said, "No, keep out of here". And people wonder why The Greens have introduced this bill. There were two meetings. What was the outcome of that forum and the Minister's attempt to address the issue? We do not know. There is a page on the Food Authority's website entitled, "Labelling egg production systems" that outlines a number of different egg production accreditation systems and their standards. That is it; there are no minutes of the meeting or details of what was discussed. The country's leading consumer organisation, Choice, was scathing about the website. It stated:

CHOICE believes that the website gives consumers little help due to the controversial interpretation of the existing definition of "free-range eggs". The problem with the New South Wales Government's new consumer information website—

which is a joke; it is one bodgie page—

is that the information is based on dubious interpretation of the model code.

Dr Geoff Lee: Steady on.

Mr Stuart Ayres: "Bodgie" is the new technical term.

Mr JAMIE PARKER: They are not my words. This is what Choice said. It continued:

The problem with the New South Wales Government's new consumer information website is the information is based on dubious interpretation of The Model Code. Not only is it misleading and confusing but the reality is that very few consumers go to the Food Authority's website before making decisions about eggs on the supermarket shelf.

I do not know about anyone else, but I do not consult the website of the Food Authority before deciding whether something that says it is free range meets the standard that I expect of it. If the Minister for Primary Industries had consulted New South Wales Fair Trading she might have known that. Providing information on the specifics of the different egg production systems is no substitute for clear, accurate and transparent front-of-pack labelling. The website shows the different production systems but what definition is used in supermarkets? I just want to buy free-range eggs that comply with animal welfare standards and look after free-range farmers. It is ridiculous that I have to consult the website to learn about the different standards and procedures.

This is true not just for free-range eggs but also for country-of-origin labelling. I strongly support the issues raised by the member for Murray-Darling because it is important to defend our farmers, Australian production and jobs. It is critical that there be changes around the issue of country-of-origin labelling. The Federal arrangements for country-of-origin labelling are inadequate and need significant revision. I also agree with the member for Murray-Darling that it is wrong to claim that an item is made in Australia when 90 per cent of the ingredients come from overseas. But it is also wrong to claim that eggs are free range when the birds are in cramped conditions in a shed and do not go outside. No amount of information will be of any assistance until the regulations are changed. I agree with that.

As I said, the minutes of the forum's meetings were not made public and no consumer advocates were involved. Choice—hardly a radical organisation—was not able to participate in the discussions. If the Minister is serious about resolving this issue she should include consumers in the consultation process. What is wrong with involving consumers in a forum that looks at how we label the food that consumers buy? What is wrong with including the RSPCA in a discussion about the labelling of free-range eggs? There is nothing wrong with it. In my view, the Minister could handle this issue better. The RSPCA, Choice and other groups should participate in this process but while the meetings are held in secret, there are no relevant agendas and no minutes are produced how can we have confidence that this process is being undertaken in a positive manner?

The Greens do not apologise for bringing legislation to this House that will improve the lives of animals. "Animal welfare" is not a negative term. We were told that the bill makes animal welfare a priority. But animal welfare should be a priority in a decent, civilised country. We know that many farmers prioritise it, and The Greens congratulate them on doing so. Increasing numbers of people in communities across New South Wales, and indeed all over this country, are taking a stand against the worst forms of animal cruelty, and in particular the horrendous treatment of animals in factory farms. Admirable work by organisations such as Humane Society International, Voiceless, Animal Liberation and Animals Australia are highlighting the plight of millions of animals condemned to a life of misery in factory farms across Australia. Options such as free-range products offer a real alternative for people who find intensive farming practices abhorrent but who do not want to stop eating meat or eggs.

This bill, which aims to protect consumers when buying alternatives to factory-farmed eggs, should not be dismissed so readily. We should not be left behind and our constituents should not be left behind. We have the humanity and the sensibility to realise that there are more humane alternatives to intensively farmed food. Growing numbers of community members are choosing to put their money towards supporting more humane farming practices. There is a choice, and The Greens have introduced this bill to protect that choice—to protect consumers, to promote the free-range egg industry and to improve the lives of animals. I thank Verna Simpson from Humane Society International; Lee McCosker from Humane Choice; all the team at Voiceless, especially Ruth Hatten; Lynda Stoner at Animal Liberation; Jeroen van Kernebeek at Animals Australia; Phil Westwood at the Free Range Farmers Association; Angela McDougall and Matt Levey at Choice.

Consumers deserve to have their decisions respected. If they want to buy free-range eggs they should not have that choice prostituted by an industry that seeks to move the goalposts in order to increase profits and intensify the definition of "free-range" to make sure that nothing changes. The Greens believe consumers' rights should come first in this matter. Animal welfare is critical and those farmers who are moving with the times and producing free-range eggs should be supported and protected from industrial producers. I commend the bill to the House and encourage members to support it.

Question—That this bill be now read a second time—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, 53

Mr Aplin	Mr Fraser	Mr Roberts
Mr Ayres	Mr Gee	Mr Rohan
Mr Baird	Mr George	Mr Rowell
Mr Barilaro	Ms Gibbons	Mrs Sage
Mr Bassett	Ms Goward	Mr Sidoti
Mr Baumann	Mr Gulaptis	Mr Smith
Ms Berejiklian	Mr Hartcher	Mr Souris
Mr Bromhead	Mr Hazzard	Mr Speakman
Mr Brookes	Ms Hodgkinson	Mr Spence
Mr Casuscelli	Mr Holstein	Mr Stokes
Mr Conolly	Mr Humphries	Mr Stoner
Mr Constance	Mr Kean	Mr Toole
Mr Cornwell	Dr Lee	Mr Webber
Mr Coure	Mr Marshall	Mr R. C. Williams
Mr Doyle	Mr Notley-Smith	Mrs Williams
Mr Edwards	Mr O'Dea	<i>Tellers,</i>
Mr Evans	Mr Patterson	Mr Maguire
Mr Flowers	Mr Provest	Mr J. D. Williams

Question resolved in the negative.**Motion negatived.****Bill not read a second time.**

ACTING-SPEAKER (Mr Gareth Ward): Order! It being after 11.30 a.m., the House will proceed to consideration of General Business Notices of Motions (General Notices).

BUSINESS OF THE HOUSE**Postponement of Business**

General Business Notice of Motion (General Notice) No. 2532 postponed on motion by Ms Roza Sage and set down as an order of the day for a future day.

PRINCE OF WALES HOSPITAL BED CLOSURES

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

Dr ANDREW McDONALD (Macquarie Fields) [11.36 a.m.]: I move:

That this House calls on:

- (1) The Minister for Health to explain her role in, and prior knowledge of, the closure of 26 beds at Prince of Wales Hospital.
- (2) The Minister to reverse the closure.

On 19 February 2013 Dr Patrick Bolton, the senior administrator at Prince of Wales Hospital, sent an email. That email should be recorded in *Hansard* as a reminder of what is happening in the New South Wales health system under this Government. The email states:

All

Please find reproduced stage 1 of this proposed consolidation for any information and subsequent action as relevant. Please note (and where required act) on the following points

- I am advised that, under policy, it is the Minister that makes the determination to close wards and that this aspect of the consolidation is being addressed through the District
- This is ***stage 1***. I am not at liberty to discuss further stages with you, and will do so when I am able
- The expectation is that allied, pharmacy and medical services will be reduced pro rata with these changes. Stage 1 essentially requires the closure of one of the two wards on Parkes level 7 (There are other bed closures but I accept that these are marginal) I am therefore required to reduce staff in the disciplines noted who work on one of the two Parkes wards. Since the decision as to which of the two Parkes wards is to close one for the Program of Surgery and has not been made yet, I need advice from you about how many FTE [full time equivalents] you use to staff each of the P7E and P7W separately. You may have noticed that applications have not been approved on Mercury—

That means that vacancies are not being filled—

and I will be unable to progress these until I have received this advice from you and received advice about how you plan to reconcile vacancies with any new positions you are seeking to fill. For clarity, on this occasion I will require advice from each of the defined allied health disciplines, pharmacy and the MWU.

As always happy to discuss

Patrick

That is Patrick Bolton. A memo states:

IMMEDIATE

Confirming closure of 8 beds on Parkes 6, with an additional 4 beds closed in Rehab. ...

4 closed beds on Parkes 9W ...

Close 6 beds on Parkes 8.

Close 4 beds on 3 South

That makes a total of 26 beds. This memo was written in February about the closure of 26 beds. It continues:

... by 1 April 2013

Ward closure on Parkes level 7 confirmed.

Gastro to relocate to D4B ...

It is quite clear under the Health Services Act 1997 that the Minister is responsible for the closure of wards. Section 31 (3) of the Health Services Act 1997 clearly states that a local health district must, before implementing any decision to exercise its functions under subsections (1) or (2), notify the director general of the decision, and ensure the decision is appropriate having regard to the functions of the local health district—it is there in black and white. That is why Dr Bolton told the staff that the director general, and therefore the Minister, would be notified and involved in this closure. Since then the Minister has done everything she can to deny responsibility for this. The Minister said ward changes are a matter for local management; that is wrong. The Health Services Act 1997 is quite clear that the closure of wards is not a matter for local management; the director general must be notified. The Act states that a local health district may make changes to the health service as it thinks necessary. The Minister has her fingerprints all over this ward closure.

Mr John Williams: Rubbish.

Dr ANDREW McDONALD: I note the interjection by the member for Murray-Darling but he knows I am telling the truth. If those opposite were telling the truth then 50 per cent of patients waiting in emergency departments after four hours would not be there.

ACTING-SPEAKER (Mr Gareth Ward): Order! Government members will come to order.

Dr ANDREW McDONALD: The Minister has form on this. I have been told that senior management have now advised staff there are to be 200 voluntary redundancies at Prince of Wales Hospital. When the Minister was asked about this during budget estimates she and her department were deliberately evasive. It was said that there are no plans to offer "clinical" redundancies but the definition of a "clinical" worker is very rubbery. There are 200 voluntary redundancies, with letters to be posted, and I expect those opposite to deny that there will be any redundancies offered at Prince of Wales Hospital over the next six months. Only a clear denial by those opposite will be believed.

Since the email was sent, Andrew Bernard, General Manager, Prince of Wales Hospital, a decent ethical, highly skilled and committed bureaucrat, has left. He is one of many who are finding it increasingly difficult to work in the system. Only 7 per cent of the 1,200 doctors who were asked about the health system by the Australian Medical Association said things have improved in the last two years. The Government can put whatever spin it likes but what is happening on the ground and what is being said in this place are on two different planets. For example, today we know that Demi Ellul, a 17-year-old girl who was suffering from appendicitis—which can and does kill people—was forced to lie for nine hours on the floor of the emergency department at Campbelltown Hospital with a blanket over her. The bed that Demi Ellul needed was there. The Government has mothballed wards that were built less than 10 years ago and nursing staff who wanted to work there have not been given jobs—and all this has occurred since 2011.

The community will continue to hear the spin from those opposite, but until the Government and the Minister stop treating vital health statistics as a State secret, the people who suffer will be those who need care under our public health system. As I said earlier, the Minister is responsible for the closure of wards but the Minister is not in the House to discuss these issues. The public has a right to know about bed closures at Prince of Wales Hospital and what the Government proposes to do about the increased waiting times currently being experienced in the emergency department of that hospital.

Mr BRUCE NOTLEY-SMITH (Coogee) [11.43 a.m.]: The students seated in the gallery today may be interested in the word "snollygoster": deceitful politician. Indeed, that is what we have just heard from those opposite: deceitful politics. The Prince of Wales Hospital has more funding than it has ever had and this year will treat more patients than it has in its history. A record capital works program is being implemented at the hospital and the local area health district is receiving record funding. The Prince of Wales Hospital is making changes to the way it delivers services so that it can continue to deliver first-rate quality health services to the people of eastern Sydney, metropolitan Sydney and across New South Wales.

Dr Andrew McDonald: Snollygoster.

Mr BRUCE NOTLEY-SMITH: Despite the interjection by the member for Macquarie Fields, he is an honourable man. But he has been engaged in dishonourable politics by those in the shadow Cabinet who want to fuel lies. What is this motion all about? Where has it come from? It is a deceitful, but traditional, scare campaign because the Federal election is in a week's time. The member for Maroubra is in the Chamber. He is trying to rescue his mate Matt Thistlethwaite, who is contesting the Kingsford Smith electorate. What Federal issues does Labor have to campaign on? None, whatsoever. This scare campaign is being stirred up by those opposite who should know better. Dr McDonald is a paediatrician. He knows the health service. He knows also that he is peddling lies. It is a disgrace. This is all about saving a mate, another head office boy from the Labor Party, Matt Thistlethwaite. It should be about the good quality health services being delivered, and will continue to be delivered, at Prince of Wales Hospital. I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead:

this House:

- (1) Welcomes the Prince of Wales Hospital record initial expenditure budget of \$375 million in 2012-13.
- (2) Supports the Minister for Health's policy of devolution that empowers local health districts, hospital managers and clinicians to make decisions at a local level in the best interests of patients.
- (3) Thanks the doctors, nurses and support staff at Prince of Wales Hospital for their tireless efforts to improve patient care.

One only has to visit the Prince of Wales Hospital campus to see the record works that are taking place, including a massive hole in the ground where a brand new cancer centre of excellence is to be built, and a new

clinical services wing for the children's hospital. Since the O'Farrell Government has been in office a new mental health wing has been opened and there has been record spending on health services. This is nothing but a scare campaign by those opposite because at a Federal level they have nothing to hold their heads up high about.

When the Federal Government cut \$100 million in funding for rehabilitation from the NSW Health budget we did not hear a peep from those opposite. Why was that? Because they hang their heads in shame at Labor's record both at a State and Federal level. Labor will pay the price at the Federal level next week. The former State Labor Government wasted 16 years in this Parliament; it did absolutely nothing. It is disgraceful. The Opposition has nothing to be proud of; it should be ashamed because it wasted billions of dollars.

ACTING-SPEAKER (Mr Gareth Ward): Order! Members will come to order. The member for Coogee has the call.

Mr BRUCE NOTLEY-SMITH: Chuck her out, Mr Acting-Speaker.

ACTING-SPEAKER (Mr Gareth Ward): Order! I do not need advice from the member for Coogee.

Dr Geoff Lee: It was good advice.

ACTING-SPEAKER (Mr Gareth Ward): Order! I call the member for Parramatta to order for the first time. The member for Kogarah will come to order.

Mr John Barilaro: Put her on a call.

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

Mr BRUCE NOTLEY-SMITH: Fabulous doctors, nurses and support staff work hard at Prince of Wales Hospital. They do a great job. Those opposite should be congratulating them for delivering quality health services. Those opposite should not be running a scare campaign, which they cannot provide the figures to justify—only the spin. The students in the public gallery should remember that the word "snollygoster" applies to the Australian Labor Party—they are full of it. For 16 years opportunities were wasted by those opposite when they should have been supporting our doctors and nurses in delivering quality services.

Mr Ron Hoenig: Point of order: Standing Order 160 requires an amendment to be relevant or generally relevant to the question proposed. The amendment proposed by the member for Coogee is not even close.

ACTING-SPEAKER (Mr Gareth Ward): Order! The amendment is relevant to the motion. Is the member for Heffron seeking the call?

Mr Ron Hoenig: Yes.

ACTING-SPEAKER (Mr Gareth Ward): I call the member for Heffron.

Mr RON HOENIG (Heffron) [11.50 a.m.]: The motion moved by the member for Macquarie Fields and shadow Minister for Health deserves support. It is directly relevant to one of the most important doctrines of the Westminster system—accountability of the Executive to Parliament and, in particular, to this House. The motion seeks an explanation from the Minister for Health as to her decision to close 26 beds at Prince of Wales Hospital, and asks the Minister to reverse that decision. The shadow Minister has not done what often happens—he has not condemned particular decisions. He has not come in here beating his chest and saying the decision was disgraceful to get some cheap tabloid headlines. In a responsible way he has moved a motion to make the Minister for Health accountable to this House. Why would he not do so when a 26-bed ward in a hospital that services the electorates of Coogee, Heffron, Maroubra and Sydney has been closed?

As the shadow Minister for Health told this House, under section 31 of the Health Services Act the Minister must approve the closure. The Minister cannot devolve health cuts to a health service and wipe her hands of it when the law places the responsibility in her hands. The Government has been inveigled by the Treasury boffins to make cuts in health services across the board for the purposes of the bean counters who determine policy. The economic rationalists and bean counters in the Treasury have actuarial costing for

everything—even the cost of human life. We all know that the health system is a bottomless pit—within 15 years it will usurp the entire budget. The people in this State are entitled to a rolled-gold health system, not to Treasury boffins cutting money when it directly impacts on the quality of health care in this State.

Nurses, doctors and health workers are complaining bitterly about the pressure they are under and about the lack of patient care. Even honorary medical officers are railing against the closure of beds and the closure of wards at this hospital. What happens when health workers and medical practitioners are pressured? Errors occur. For example, an error such as occurred in the paediatric unit at Campbelltown Hospital yesterday, and for which the hospital has apologised. When the shadow Minister for Health expresses concern in this place he is not doing it to get a tabloid headline. He is a paediatrician who practices on an honorary basis. He knows what is going on in our health system. He genuinely cares about the system. He does not come in here—like every other shadow Minister has for the last 30 years—wanting to hang the health Minister simply because beds are being closed. People are sick and are not being admitted to hospital when they should be. People are concerned that beds are being closed. The Opposition wants the Minister to explain herself. The Minister is accountable to this House. She turned a blind eye. She did not exercise her power under the Health Services Act as the law requires her to do. Or did she know and mislead this House?

ACTING-SPEAKER (Mr Gareth Ward): I acknowledge the presence in the gallery of former members of the New South Wales transport workers association. Welcome to the Parliament of New South Wales.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [11.54 a.m.]: As an old transport provider I also acknowledge the former transport workers in the gallery. I worked as a bussie in the transport industry at Glenorie Bus Company for 22 years. Unfortunately, our visitors will be horrified by the scandalous motion presently before the Parliament. The member for Macquarie Fields has made some outrageous claims and the Government is endeavouring to correct those mistruths on behalf of the people of New South Wales. The Government makes absolutely no apologies for improving the efficiency of our departments, but we will never, ever compromise the health of the people of New South Wales through those reforms.

It would be fair to say that the people of New South Wales had a very good look at the health industry prior to the O'Farrell Government being elected in March 2011. Indeed, there were some horrific outcomes in health prior to then because of the neglect and irresponsible mismanagement of the previous New South Wales Labor Government. It is a little rich for those opposite to blame the O'Farrell Government when record funding is being invested in the New South Wales health system. I have often said that there is no greater or more genuine example of our commitment than the \$300 million in funding for Blacktown Hospital. Blacktown is located in the heart of Western Sydney—a rapidly growing region. It is not an area that The Nationals or the Liberal Party will ever win; it is safe in Labor hands. However, the O'Farrell Government recognises the importance of making a record investment in that area.

I turn now to dispel some of the myths raised this morning. The final bed consolidations at the Prince of Wales Hospital were signed off by the Northern Sector Clinical Council on 11 March 2013, and communicated widely to all staff on 15 March 2013. This involved the consolidation of 37 beds—a realignment of surgical specialty beds with no loss of any specialty services. The clinical council and local health district board are working together to ensure that the Prince of Wales Hospital can treat more patients at reduced cost. That is called efficiency. As I said, this Government will never apologise for creating efficiencies to improve departments and save money so that we can spread the dollars further. We will not waste taxpayer dollars because we recognise how hard the taxpayers of New South Wales work. We recognised also how hard we have to work to stretch those dollars further.

Unfortunately, the member for Macquarie Fields is absent without leave whilst his mistruths are being corrected. I can dispel the myth that the Prince of Wales Hospital expenditure budget has not been reduced. In fact, it has been increased since March 2011, but the hospital's costs have exceeded budget for the past four years—which is natural because costs always increase. This year the South Eastern Sydney Local Health District received a record budget of \$1.47 billion, an increase of some \$58.5 million from the 2012-13 financial year, and the hospital will treat more patients this year than it did last year. So we have corrected the mistruths that are being spread around by the member for Macquarie Fields for those wonderful retired transport workers present in the gallery today. This Government is applying itself completely to the health of the people of New South Wales. [*Time expired.*]

Mr MICHAEL DALEY (Maroubra) [11.58 a.m.]: It is intriguing that the Government would have the member for Hawkesbury—whose electorate is a long way from Prince of Wales Hospital—speak on this

motion. The salient and principal question in respect of this debate is: Where is the Minister? Why is the Minister for Health not in the Chamber to defend herself, because the motion directly calls upon her to explain herself? The second question is: Why is the member for Coogee so foolhardy that, with respect to the most important institution not only in his electorate but also in the region, Prince of Wales Hospital, he comes into this place and tries to stick up for cuts to this hospital? There is one thing that a community will not forgive of its local member: and that is if the local member refuses to stick up for them, regardless of whether the wrong being done to them is by his or her own political party or by another party. The test for a good local member is whether the member sticks up for the troops. The physics speak for themselves.

If there is record funding for the Prince of Wales Hospital, as the member for Coogee claimed, why is A ward closed? Why are 37 beds closed? Why is Parkes ward 7 now closed and empty, with the lights off, beds disconnected, power disconnected, and with no staff? If this hospital has record funding, why are people at the hospital being sacked? If there is record funding, why are letters about to go out to 200 staff telling them that they no longer have a job? The member for Coogee cited the Cancer Centre and the neurosciences building as evidence that treatment is increasing at Prince of Wales Hospital. The Cancer Centre is a wonderful initiative; it resulted from a commitment of \$45 million by the Keneally Government. I am glad that the current Government has decided to continue with that funding. The neurosciences building was also the subject of a \$9 million commitment by the Keneally Government; and I am glad that the current Government is continuing with that funding.

However, the neurosciences building does not treat a single soul and the Cancer Centre is currently under construction. In this debate we are talking about recurrent funding. The fact is that beds and wards are being closed at Prince of Wales Hospital. If that were not so, why would Professor Kolbach of the Prince of Wales Medical Research Council, who acts on behalf of the peak body of visiting medical officers at the hospital, have a motion passed earlier this year condemning the closures and condemning the cuts? When doctors condemn cuts and closures at the hospital they work at, we know something is wrong. The member for Coogee says that this debate is all about posturing for the Federal election next week.

ACTING-SPEAKER (Mr Gareth Ward): Order! Government members will come to order.

Mr MICHAEL DALEY: I remind the member for Coogee that the shadow Minister for Health, the member for Macquarie Fields, put this motion on the business paper on 12 March 2013.

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

Mr MICHAEL DALEY: I remind the member for Coogee that I spoke about these closures on 27 February 2013. But while we are talking about the Federal election, let us discuss the Liberal candidate for Kingsford Smith. He is a doctor, but he has not said a single thing about those closures. Like the member for Coogee, he refuses to stick up for the people whom he aspires to represent. He is going from candidate forum to candidate forum and, in response to claims by Matt Thistlethwaite that these cuts are occurring, he simply says they are not true.

Ms Katrina Hodgkinson: Point of order—

Mr MICHAEL DALEY: It is only when the nurses turn up at the candidates forum—

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Maroubra will resume his seat.

Mr MICHAEL DALEY: It is only when the nurses turn up at the candidates forum—

ACTING-SPEAKER (Mr Gareth Ward): Order! The member will resume his seat.

Mr MICHAEL DALEY: —that he cannot hide any longer.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Maroubra will be removed from the Chamber if he does not resume his seat when directed to do so.

Ms Katrina Hodgkinson: The member was making disparaging comments about someone who has no means of responding to those comments.

ACTING-SPEAKER (Mr Gareth Ward): Order! I uphold the point of order.

Mr JOHN WILLIAMS (Murray-Darling) [12.02 p.m.]: It is very interesting to be in the House for this debate and to listen to analogies devised regarding decision-making for hospitals. It is interesting that the New South Wales Government was happy to adopt Kevin Rudd's guidelines for health networks. Part of those guidelines gave autonomy to local networks to make decisions about how they manage hospitals, how they manage budgets, how money will be spent and how hospitals will be staffed. That model, adopted by this Government, was one proposed by the Labor Prime Minister at the time, Kevin Rudd. Now that that system is in operation, all of a sudden the Labor members in this place are expressing outrage. It is sad that the Opposition loves to run a scare campaign about the Health portfolio. It does not have to have any truth in it, nor have any reasoning or basis behind it—as long as there is an opportunity to make a comment that criticises the health service in some area of the State, they will jump up, move a motion and starting criticising. For 16 years, under Labor we saw a health system that was going nowhere.

Dr Andrew McDonald: We built hospitals. We built the Broken Hill hospital.

Mr JOHN WILLIAMS: I accept that interjection by the member for Macquarie Fields. Yes, there were hospitals built under Labor, as there still are being built today, with the Federal Government funding them. That is all part of the process. But Labor members can always find something to scare the population with when we discuss health. That is what this motion is about. It just happens to be timed for the Federal election—an election that sees Kevin Rudd running around making statements about nurses and teachers losing their jobs; a scare campaign run by Labor, knowing full well that nurses and teachers are employed by the States. They will say anything in their scare campaign.

Whatever the circumstances, this is about a health network that made a decision; it is a health network that is following the guidelines established under a Labor Prime Minister. All of a sudden, Labor members in this place do not like the system and land their criticism in the lap of the Minister for Health. The Minister for Health that this State has today knows full well what happened in the 16 years of Labor administration. She knows about all its failures, and she is not going to repeat them. One Labor Minister lurched from one chaotic situation to another. Members who run scare campaigns about the health service of this State will affect the morale of the people of New South Wales. They should be very accurate in making their criticisms. It is absolutely irresponsible for them to move a motion aimed at scaring the population, which is what they are doing here; it is destroying the morale of people in this State.

ACTING-SPEAKER (Mr Gareth Ward): Order! I withdraw my previous ruling. There is no relevant standing order. I remind members to use due caution when making a speech and exercising their right to parliamentary privilege. I apologise to the member for Maroubra.

Dr ANDREW McDONALD (Macquarie Fields) [12.06 p.m.], in reply: This motion goes to the heart of health care under this Government. The basic principle of a Westminster democracy is ministerial responsibility. The Minister for Health has a duty to explain to the people of New South Wales what is going on in the health system. The current Government treats vital health statistics as a State secret. It does so to prevent the scrutiny that the people of New South Wales need in order to make informed decisions about allocation of health resources. The future of the health system relies on the ending of this secrecy. If we want things to remain as good as they are now—and we have one of the world's better health systems, as Garling said, and as I freely acknowledge—the system has to change.

Mr Bruce Notley-Smith: It's getting better under us.

Dr ANDREW McDONALD: I note the interjection of the member for Coogee. That would make him one with the 7 per cent of the 1,200 doctors who, with many years experience in the health system, felt that things had improved under this Government. A minority of 7 per cent is not a group I would like to be in. Not only is the Minister morally bound to notify the people of this State what is going on, she is morally bound to debate a motion such as this about a hospital in the eastern suburbs of Sydney rather than sending the member for Hawkesbury, the member for Broken Hill and the member for Coogee to debate the motion. The Minister is also legally bound under the Health Services Act, which, if she had wished to devolve responsibility for ward closures, would have been part of the amendments that were passed on the first day of Parliament in 2011.

In relation to redundancy letters, all I can say is: Watch this space. There was a very interesting exchange in the budget estimates hearing about redundancy letters. The Minister for Health claimed to have no

knowledge whatsoever of redundancy letters. I am sure those redundancy letters are saved and printed and will be going out. A couple of hundred redundancies in the South Eastern Sydney Local Health District will be published some time after the election. The response from Dr Patrick Bolton from the administration is that, "I am not at liberty to discuss." The member for Broken Hill spoke about the need for accuracy. I read Dr Patrick Bolton's email onto *Hansard* precisely for that reason. The people of New South Wales need to know exactly what the administrators are saying so that they can make informed decisions about their care. In the budget estimates hearing the Hon. Helen Westwood asked the Minister:

Will we get an announcement after the Federal election that there are a couple of hundred jobs going at Prince of Wales?

The Minister replied:

The management of Prince of Wales is up to the local health district.

The Minister says she cannot tell us that. I bet she can. The Hon. Helen Westwood asked:

You cannot tell me whether or not there will be a couple of hundred jobs going from Prince of Wales?

The Minister replied:

I think that would be highly unlikely.

The Hon. Helen Westwood said:

Highly unlikely?

The Minister replied:

Highly unlikely.

We will soon see if that is like something out of *Yes, Minister*, because those redundancy letters are saved on a hard drive somewhere in the Prince of Wales Hospital computer system just waiting for someone to press "print". It is time that the 50,000 people who go to Prince of Wales Hospital got the care they need. Fewer than 50 per cent are seen within four hours—that was before these cuts. It is just not good enough.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 58

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

Noes, 21

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

Question resolved in the affirmative.

Amendment agreed to.

Motion as amended agreed to.

TRAIN CLEANLINESS

Ms SONIA HORNERY (Wallsend) [12.20 p.m.]: I move:

That this House:

- (1) Notes that complaints about the cleanliness and efficiency of trains have risen.
- (2) Notes that dirty and inefficient trains are major deterrents to commuters to use public transport as their preferred mode of transport.
- (3) Calls on the Minister for Transport to encourage more passengers onto trains by providing funding to improve their cleanliness and efficiency.

Travelling by train should not be a turn-off. It was reported last year that complaints about the cleanliness of trains on New South Wales rail networks had risen; so, too, had complaints about the efficiency of the trains. We are all aware that one minor delay can have a knock-on effect costing hundreds of man hours and untold thousands of dollars in lost productivity. In May the Minister announced a \$3.5 million cleaning blitz. This one-off blitz was a success, but there is a systematic problem with our trains that must be addressed. Last year the Government cut the jobs of 600 transit officers, replacing them with roughly half the number of police officers. The police do their best but, given their reduced numbers, it is understandable that they struggle to stay on top of some issues, including vandalism.

Why is the transport Minister putting the best trained, most experienced staff in offices while the people of Newcastle and Sydney are left with gaping holes in rail security and graffiti-ridden, smashed-up train carriages that are unable to run? According to the transport Minister, the Police Transport Command will be fully staffed by the end of next year. Until then, Sydney train services, including services to and from Newcastle, which are crucial to the people of the Hunter, are buckling under the strain of running with a skeleton police staff. In last week's budget estimates hearings the Minister for Transport said that there are currently as few as 130 transit officers left on the rail network. We also learned that currently 100 transit officers are redeployed, but not on trains.

Vandalism is a significant issue on our trains following the recent funding hack and slash. It baffles me why the Government would choose to dismantle an incredibly successful program such as the special graffiti task force, which was set up by the Labor Government. The disbanding of the special graffiti task force has had a significant and harmful effect. Trains are being coated in graffiti and vandalised so badly that staff are being forced to remove them from service. In December last year an eight-carriage train running from the Blue Mountains to Sydney was pulled from service because vandals had smashed several of its windows. Stopping mindless acts of destruction and protecting our valuable public assets will not happen by making cuts to the departments that perform vital functions of maintenance and supervision.

The contents of leaked documents made public by the *Sydney Morning Herald* on 17 January this year showed that the Government was made aware that continued cuts to maintenance funding would jeopardise the

safety of the rail network. It was aware of this a year before the Minister for Transport announced last November that 450 maintenance jobs—10 per cent of the workforce—would be axed as part of the Government's Fixing the Trains policy. The cuts announced by the transport Minister are being reached through the merging of maintenance departments across the network. Documents obtained by Fairfax show that the Government plans to collapse 126 maintenance depots into six super depots and 17 satellite depots. I do not see how closing maintenance centres and firing staff will help fix anything. And I am only one of many who feel that way.

The National Secretary of the Rail, Tram and Bus Union, Bob Nanva, shares my concerns and our community's concerns about this matter. In his words, "The wholesale axing of maintenance depots will gut RailCorp of the experience and knowledge needed to keep our rail network safe." This view is shared by many transport officers, including former transit officer Adrian Catt, who spoke on *Seven News* on 26 July this year about the alarming shortfall of transit officers on Sydney trains in the wake of the Government's gutting of the transit officer division. He stated unequivocally, "Absolutely no doubt, public safety is being compromised." What about the cost? RailCorp was officially disbanded on 1 July this year and replaced by two organisations: Sydney Trains and NSW Trains.

The Minister is shy about revealing the cost of the rebadging of the rail network, including new staff uniforms, saying, "We are not focused on what these things cost but what it means for the customer experience." I put it to the House that if members opposite were truly focused on customer experience they would be putting the money spent on rebranding and uniforms into front-line necessities such as maintenance and security and improving efficiency. According to the Office of State Revenue, 41,700 fewer fare evasion tickets were issued in the first six months of this year, since the Government started getting rid of transit officers, than in the first six months of 2011. This drop in the number of people being fined for dodging fares started almost immediately after the Government announced the closure of RailCorp's transit officer division in February last year.

Despite efforts to clean the State's trains, carriages are still being vandalised, damaging trains and disrupting efficiency. It is imperative to the safety of train users in my electorate and in the Hunter that the Minister for Transport immediately puts redeployed transit officers back on trains, reinstates the special graffiti task force and follows through on the rhetoric of her "obsession to focus on the customer" by granting train customers in Newcastle and Sydney the most basic of acceptable transport experiences, with adequately maintained and efficient trains.

Mr MARK SPEAKMAN (Cronulla) [12.27 p.m.]: The Government opposes this motion because it is founded on a number of misconceptions. The Government is committed to providing a better transport system and services for the people of New South Wales. In our 2½ years in government we have been getting on with that job. We know from customer satisfaction surveys undertaken in recent years that only about half of respondents have been happy with the cleanliness of our trains. If we are to clean up the trains we need a plan. But that is not what we had under Labor. Under Labor and RailCorp's archaic industrial demarcation arrangements, we had the ludicrous situation—it might have appeased the rail union bosses to whom the Opposition answers but not the customers—where cleaning staff could paint over graffiti on carriage walls, but graffiti on ceilings, doors and floors had to be left to specialist maintenance staff. That meant that ceilings, doors and floors of trains had graffiti on them for extended periods, while the walls were cleaned within days.

In 2012 the Minister for Transport announced a major reform of the State's rail system to improve the cleanliness of our trains and customer service. As part of the Fixing the Trains program, we created a specialist cleaning unit to attack graffiti, rubbish and dirty trains and stations. In February 2013 Transport Cleaning Services went live and is now delivering cleaner trains for our customers. That is an exciting new model that provides a better experience for customers and drives greater accountability and opportunities for innovation in the delivery of cleaning services. Late last year and early this year a graffiti blitz was undertaken. More than 10,000 carriages had graffiti removed over a 15-week period at a cost of \$1.5 million; almost 39,000 square metres of graffiti was removed; the amount of graffiti identified on each carriage decreased from 1.02 to 0.23 square metres on average—in other words, a 75 per cent reduction in graffiti.

We had another graffiti blitz in July 2013, in which almost 14,000 carriages were cleaned. In a seat cleaning blitz from October 2012 to June 2013 approximately 1,400 carriages received a deep clean. Seats, floors and the walls below the window ledge were all deep cleaned. A range of technologies were trialled for tough jobs like cleaning off chewing gum and graffiti, including freezing, spraying and steaming techniques. On 2 February 2013 a major station cleaning blitz commenced. The Government has also been delivering on laws to tackle graffiti. The laws this Government introduced and passed require juvenile graffiti vandals to appear

before court for a graffiti offence and to clean up their graffiti. It rings rather hollow to hear the Opposition complain about graffiti on trains when it opposed every step of the way the laws introduced in this Parliament to tackle juvenile graffiti. The Opposition has also opposed our strategy for better security on trains. Cleanliness depends not only on having laws to tackle graffiti but also on proper security, and that is what this Government has done with the dedicated Police Transport Command. The command will see 610 dedicated police officers patrolling trains, buses and ferries by the end of 2014.

The Government has also recruited former London Underground boss Howard Collins to put a focus on customer service. The motion moved by the member for Wallsend is not only about cleanliness but also about efficiency. To have an efficient public transport system we need modern rolling stock. Of course, unacceptable incidents still occur periodically. We have a legacy of Labor's 16 years of failure to invest in rolling stock. In 2006 then Minister for Transport John Watkins said the first carriages of the new Waratah fleet would be in service as early as 2008, with all carriages in service by 2010. In June 2010 the now Leader of the Opposition and then Minister for Transport said in the Legislative Council that these carriages would "start to be delivered later" in 2010. Yet when this Government was elected in March 2011 not a single carriage, let alone a single train, had been delivered by the former Labor Government.

The Waratah project came within days of collapsing—had Labor remained in government, it would have collapsed. The first Waratah train only made it into service in Sydney, by the middle of 2011, under this Government and this Minister. By last month we had introduced 50 brand-new air-conditioned Waratah trains to the network. When all 78 Waratahs are delivered next year, approximately 95 per cent of the timetabled fleet will be air-conditioned. As I have said, the legacy of the Labor Government has been, and will continue to be, periodic unacceptable incidents, but their number will reduce over time because of this Government's investment in rolling stock. My constituents on the Cronulla line have the benefit of a fully air-conditioned service. The old S set trains have now gone.

As to efficiency, it is also important to talk about the timetable. In 2006 there was almost a meltdown on public transport and trains in New South Wales. What was Labor's solution to trains not running on time? It changed the definition of "timely service" and changed the timetables. It made the trains slower. I look forward to an exciting new timetable to be introduced by the Minister for Transport in about October 2013 that will significantly improve services not only for my constituents but all commuters across Sydney. Efficiency is also about customer focus. For years, the former Government was under the command of trade unions, including railway unions. It was more interested in appeasing union bosses with work-to-rule practices and silly demarcation disputes than focusing on customer service. This Government has now employed a world-class rail operator, Howard Collins, from the London Tube to make a difference on Sydney trains. This Government is getting back to the business of clean and efficient trains, which Labor ignored for 16 years.

Ms ANNA WATSON (Shellharbour) [12.34 p.m.]: I support the motion moved by the member for Wallsend. The cleanliness of trains, whether one is travelling to or from work or going on an outing, is paramount to commuters who use public transport. How can Government members say that our trains are clean when they have cut hundreds and hundreds of jobs and effectively reduced not only cleaning hours but also security on our trains?

Mr John Williams: The old broken record.

Ms ANNA WATSON: I know the truth hurts. We know that vandalism is a very real and confronting issue facing commuters in the Illawarra, and it has only gotten worse since the Minister for Transport slashed jobs. The Minister even disbanded the special Graffiti Task Force, to which the member for Wallsend referred. It is no secret that our trains get later and dirtier under the O'Farrell Government. As revealed by the Auditor-General, passenger complaints have risen by a huge 10 per cent. The Minister for Transport admitted that she spent \$17.2 million of taxpayers' money on rebranding and signage, which is a total waste and misuse of taxpayers' money at a time when CityRail and on-time running is at a four-year low. Security and cleanliness on our trains is declining under the Minister for Transport and the O'Farrell Government. In the budget estimates committee meeting the Minister was asked to justify her spending. She said:

This is an ongoing piece of work. There are always costs associated with branding in public transport.

That absolutely says it all. Commuters want public transport that is safe, reliable, punctual and clean. They do not want spin from consultants or stylists. Commuters are being put at risk by cuts to jobs while this Minister simply awards contracts worth hundreds of thousands of dollars to her mates. I congratulate the member for Wallsend on bringing this motion to the House.

Mr Andrew Constance: Point of order: I draw your attention to the suggestion by the member for Shellharbour that the Minister for Transport had awarded contracts to her mates. I ask that she withdraw that comment, otherwise I am happy to refer to her behaviour. It is entirely inappropriate for a Labor member to make such a comment.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Shellharbour has been asked to withdraw the comment.

Ms ANNA WATSON: I withdraw.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Shellharbour should also apologise.

Ms MELANIE GIBBONS (Menai) [12.38 p.m.]: I thank the member for Wallsend for the opportunity to show that this Government is in fact getting on with the job of delivering better services for New South Wales commuters. I think we all agree that no-one likes to board a train carriage that is strewn with rubbish or covered in graffiti. We also agree that our train network has been in need of an overhaul for many years but those opposite overlooked the issue while they were in government. The Minister for Transport, Gladys Berejiklian, has always had a vision for our rail network and, after much planning and consultation, we are starting to see it take shape. Members may have seen the freshly rebranded Sydney Trains and NSW TrainLink signalling, in effect since 1 July, a new era for our public transport network. The trains and the stations are already cleaner and staff more visible to ensure that the new standards are maintained.

Earlier this year the Minister established a new specialist cleaning unit, the Transport Cleaning Service, to target graffiti and rubbish on trains and stations. The unit has a set of standards to maintain cleanliness on trains and stations in line with commercial benchmarks. They can no longer fall behind without being noticed. In addition, the Police Transport Command is targeting graffiti attacks and gathering intelligence hopefully to deter them occurring, if not prevent them altogether. That means increased security at our depots, stabling yards and maintenance sites. Our police say that this is working. Our rail operators aim to remove all graffiti as quickly as possible from toilets, walls or station windows when it is reported by staff or customers. Our cleaners will remove it in the fastest time possible. When there is graffiti on walls, seats or windows of trains, cleaning staff will do their best to remove it each night. When trains are vandalised externally with offensive graffiti, arrangements are made for them to be cleaned as soon as possible.

Indeed, in the 2011-12 financial year the New South Wales Government spent \$26 million to repair and remove vandalism and graffiti from our trains. Late last year and early this year a graffiti blitz saw more than 38,500 square metres of graffiti removed from 10,002 carriages. As a result of the blitz, the percentage of carriages with graffiti decreased from 31 per cent to 15 per cent. Another graffiti blitz occurred on 5 July 2013, when nearly 14,000 carriages were cleaned. On average, more than 2,000 square metres of graffiti were removed from the outside of carriages each week. Not too long ago it was revealed that many of our trains had not received a deep clean in more than 10 years. This is not acceptable. I hope that the member for Wallsend called for these changes when Labor was in office. If she did, her voice obviously was not heard. In a seat-cleaning blitz from October 2012 to 30 June 2013, 1,356 carriages finally received a deep clean. Seats, floors and walls below the window ledge were all deep cleaned. A range of technologies were trialled for tough jobs such as removing chewing gum and graffiti. These included freezing, spraying and steaming techniques. In February 2013 a major station cleaning blitz commenced.

So far, more than 15 stations have been cleaned. This Government understands the importance that our customers place on the cleanliness of our rail system and the link between cleanliness and perceptions of safety. We want commuters to feel safe and comfortable using our trains, whether it be for work or recreation, travelling during the day or night. I mention also the Police Transport Command, which is focused on proactive policing to improve safety and reduce crime on New South Wales rail, bus and ferry services. The command is currently staffed by more than 350 officers. The Government has a target to increase the command strength to 610 police officers by December 2014. We are serious about improving our public transport system and the overall experience for customers, and I condemn the motion.

Ms TANIA MIHAILUK (Bankstown) [12.41 p.m.]: I take this opportunity to congratulate the member for Wallsend on moving the motion. It is always fascinating to listen to Government members.

Mr John Williams: Tell the truth.

Ms TANIA MIHAILUK: That is true. It probably is not fascinating; the member for Murray-Darling is quite right. It is always fascinating to hear history being rewritten and to hear Government members' versions of efficiency. I will turn to actual statistics. The member for Cronulla advocated the Government's supposed efficiencies with respect to on-time running. The statistics show that, after two years of the O'Farrell Government, six train lines are not meeting the Government's benchmark of 92 per cent on-time running in 2012-13. They are the Southern, Newcastle-Hunter—the member for Wallsend referred to the cleanliness and efficiency issues raised by her constituents—Western, Blue Mountains, Southern Highlands and Newcastle-Central Coast lines. The figures reveal also that in 2010-11 the on-time running performance was worse on 11 out of 16 lines under this Government than under the previous Labor Government. Those lines were Bankstown, North via Strathfield, Inner West, Blue Mountains, Airport, Newcastle-Central Coast, South, Southern Highlands, North Shore, Newcastle-Hunter and the Western lines.

The statistics clearly indicate problems with efficiency. Another sign of inefficiency is that RailCorp failed to spend \$872 million—or 35 per cent—of its capital expenditure budget in the last financial year, and the O'Farrell Government has cut its budget by an additional \$111 million this financial year. We know that there is some tension between the Minister for Transport and the Treasurer. The Minister for Transport is doing her best to make New South Wales number one again but the Treasurer keeps reminding us that we have to live within our means. He no longer uses the line about making New South Wales number one again, but we hear regularly that we need to live within our means. No doubt the \$111-million cut is an indication of the Treasurer's view about RailCorp's capital expenditure. The rail operations budget has been cut by \$176 million—another sign of supposed efficiency—and train operations-services capital budget has been cut by \$38 million. Asset maintenance was underspent by 29 per cent last year and will be cut by a further 27.7 per cent this financial year.

The member for Wallsend and the member for Shellharbour were correct when they said that commuters have complained about cleanliness. I understand that the cleaning blitz remains in place; I know that cleaning was outsourced earlier in the year but I am awaiting confirmation from the Minister that all carriages on the Bankstown line have been cleaned. Security is also an issue. A lady who travels on the Bankstown line each morning and afternoon came to my office to say that she has never seen any police on the trains; she has only seen police and sniffer dogs at the station. So the member for Shellharbour was well within her rights to raise the issue of security on trains. I commend the member for Wallsend for moving the motion. I place on record also that there have been more than 15 delays this year on the network. [*Time expired.*]

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I call the member for Murray-Darling.

Mr JOHN WILLIAMS (Murray-Darling) [12.45 p.m.]: Thank you, Madam Deputy-Speaker.

Ms Tania Mihailuk: Where do you catch trains?

Mr JOHN WILLIAMS: Every time I travel to Sydney to come to Parliament I catch the train from the airport to St James station. I do not know the habits of the member for Wallsend or members opposite, but I would hazard a guess that they probably have not been on a train in the past 12 months. I happen to be a regular user of the trains. What has motivated the member for Wallsend to move this motion?

Ms Linda Burney: Point of order: The member is not speaking to the motion.

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

Mr JOHN WILLIAMS: I am speaking to the motion. The member for Wallsend did not mention in the motion that only a few years ago there was corruption in RailCorp. She did not mention that it was a major problem for the former Labor Government; it was not even on the agenda. The member for Wallsend is motivated by some disgruntled unionist.

Ms Anna Watson: Point of order: The member for Murray-Darling should return to the leave of the motion, rather than talking about union bosses and corruption.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member's comments are relevant to the motion before the House.

Mr JOHN WILLIAMS: I thank the member for Shellharbour for linking union bosses and corruption. It was very good of her to do that. I would not have thought of it and I thank her for doing so. The member for Wallsend moves so many motions in the House that she has finally dried up and is trying to find something—

Ms Sonia Hornery: Point of order: My point of order is relevance under Standing Order 76.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member for Murray-Darling will return to the leave of the motion.

Mr JOHN WILLIAMS: The motion is about safety, graffiti and cleanliness on the trains. It is an absolute luxury to have a public transport system because where I live that is not taken for granted. Indeed, one does not see public transport where I live so it is an absolute luxury to ride on public transport. Since this Government took office I have observed an improvement in all the areas that the member for Wallsend criticised. The Government made a decision to devise a business plan for rail services in this State. Members opposite do not accept it because the unions held a gun to their heads when they were running rail services in this State and they were obligated to comply with the wishes of the unions. This Government has the freedom to implement a business plan to run the rail service. Opposition members act as though graffiti has suddenly been discovered on trains. When speaking about the order for the Waratah trains, the member for Coffs Harbour asked jokingly whether they would come with or without graffiti. [*Time expired.*]

Ms SONIA HORNERY (Wallsend) [12.49 p.m.], in reply: I thank members representing the electorates of Cronulla, Shellharbour, Menai, Bankstown and Murray-Darling for their contributions to the debate. The member for Cronulla said that the Government is committed to improving rail services and then spent the rest of his time giving an ancient history lesson. It is sad that when important issues such as rail cleanliness and efficiency are debated members opposite want to dwell on ancient history rather than speaking about the present and the future. I inform the member that the motion did not mention appeasement of unions. In fact, the unions would be appeased if trains were cleaner and more efficient and staff were hired to do that job. That is the subject of this motion. It is about cleanliness and efficiency on trains, and members opposite should focus on that.

The member for Cronulla spoke about the privatisation of contract cleaners and claimed that it improves cleanliness on trains. I disagree. Fundamentally, it does not work because those companies are profit driven. The contractors reduce services and cut back staff hours, resulting in dirtier trains for commuters. The member for Cronulla also referred to security on trains. I repeat what the member for Willoughby admitted during budget estimates hearings: Currently there are as few as 130 transit officers working on the trains. On Labor's watch there were 600 transit officers but they have now been moved elsewhere and less than half of Police Transport Command officers are available. The Police Transport Command will not be fully employed until the end of 2014.

The member for Shellharbour focused on cleaning hours and said that sacking transit officers will not help the efficiency and safety of trains. She pointed out that the Government has spent \$17.2 million on rebranding. The community would prefer that that money was spent on cleaning and improving the efficiency of trains. The member for Menai spoke about the Police Transport Command. I repeat: This command will not be fully staffed until the end of next year. Until then it must struggle with a skeleton staff. The member for Menai also gave an ancient history lesson, which highlighted that Government members are, sadly, not focused on the present and the future. The member for Bankstown informed the House, using clear statistics, that this Government has failed to meet its own benchmarks for on-time running. I note that the members opposite remain silent about the inadequacies in that area.

The member for Bankstown referred to the Government's massive cuts to the rail budget this year and the likely ramifications and consequences of those funding cuts. The consequences will include reduced efficiency and cleanliness of trains. The member for Bankstown highlighted the worrying lack of police presence on trains on the Bankstown line. The member for Murray-Darling did not attempt to address the motion, which is a pity. Our community will be disappointed that the member for Murray-Darling does not want to deal with the issues of cleanliness and efficiency of trains. They are issues of concern to everyone in New South Wales. I am disappointed that yet again Government members are not dealing with the issues at hand, which Labor members have addressed—that is, efficiency and cleanliness of trains. That is important to commuters in New South Wales and it should be important to members opposite. Clearly it is not.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 23

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	
Mr Greenwich	Mrs Perry	
Ms Hay	Mr Piper	<i>Tellers,</i>
Mr Hoenig	Mr Rees	Mr Amery
Ms Hornery	Mr Robertson	Mr Lalich

Noes, 61

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

Question resolved in the negative.

Motion negatived.

Pursuant to sessional orders committee reports proceeded with.

COMMITTEE ON COMMUNITY SERVICES

Report: Outsourcing Community Service Delivery—Interim Report

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

Mr KEVIN ANDERSON (Tamworth) [1.00 p.m.]: I am pleased to present the findings of the first report of the Community Services Committee in its comprehensive inquiry into the outsourcing of community services. As previously outlined by the deputy chair of the committee, the member for Riverstone, the transfer and outsourcing of housing, disability and homecare services from government to non-government agencies has been proceeding for some time without a consistent framework across government agencies. The committee has examined a range of issues, including the development of appropriate models to monitor and regulate service providers; mechanisms to meet the needs of, and ensure service quality for, clients; remote and regional service access; capability frameworks; and capacity building for local providers. Additionally, the inquiry looked at the use of technology to enhance service provision and the use of incentives for philanthropy.

The committee is aware that the human services sector is undergoing rapid change and that the Government is committed to improving the efficiency and effectiveness of service delivery, while at the same

time giving clients greater control and individual choice in the provision of these services. As the analysis of all the evidence received by the committee has not yet been completed, and conscious of the pace with which the outsourcing process is evolving, the committee decided to release a preliminary report making recommendations to guide policy in two key elements of the outsourcing process: the need for a centralised and open data base for all funders and service providers, and a mechanism for coordinating all applications for service delivery provision.

In its consultations with stakeholders on the ground and in evidence presented at public hearings, the committee was alerted to the absence of generally available and easily accessible information about allocated funding for current services. This means that it is not possible to determine the extent of duplication or lack of funding for specific services in any one geographical area. It also means that individually contracted projects may be funded from multiple program sources without the knowledge of the funders themselves. Current arrangements are not conducive to the optimal use of scarce resources and do not provide the best outcomes for recipients of these services.

The advantages of easily accessible and shared information about funding and service provision will result in greater clarity about services on the ground, as well as making clients better informed about services provided in their own local areas. This creates conditions for improved collaboration, thereby building capacity for smaller service providers and allowing the sharing of information about programs, projects and capabilities. Such a database will also produce a consistent and transparent compliance regime and lead to improved quality assurance measures, benefiting funders, service providers and clients. The committee has therefore recommended that a centralised database be established within an appropriate government agency to collect information about outsourced services, classified by service category, for all providers across all agencies.

This should be an open-access database and enable all interested parties to see in detail the precise nature of services delivered and the management of projects funded. In tandem with these recommendations, and to improve the ease and transparency of the application process for funding, the committee has also recommended that a consistent approach to applying for service contracts be established. This proposed model is a response to many complaints about the cumbersome nature of current funding processes, where basic information about each service provider has to be supplied each time an application is made. This results in unnecessary repetition of baseline content requirements for contracts, along with high compliance burdens, and serves to disadvantage smaller providers that often do not have the same administrative resources to devote to making multiple funding applications.

The committee's solution is to establish an application gateway, which will streamline contract requirements and level the playing field for providers. Further recommendations are made to require applications to be expressed in clear language, after consultation with service providers. A greater description of the process is contained in the report. A more detailed report dealing with other complexities of the outsourcing process will be tabled later in the year. I thank all those who shared their knowledge and experiences with the committee and who contributed to the evidence contained in this report. The tabling of this report makes a significant contribution to the policy debate in this important area of community services and the committee trusts that the Government will respond positively to its recommendations. I take this opportunity to thank the committee members and the committee secretariat, managed by Bjarne Nordin, who have put in an enormous amount of work and have shared their vast knowledge in relation to compiling the interim report.

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

Report noted.

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 42/55

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

Mr STEPHEN BROMHEAD (Myall Lakes) [1.06 p.m.]: I appreciate the opportunity to update the House on the comments made by the Legislation Review Committee in its most recent digest, which was tabled on 27 August 2013. This is the forty-second digest prepared by the Legislation Review Committee of the Fifty-fifth Parliament. The committee considered three bills introduced in Parliament in the sitting week commencing 20 August. The first bill was the Road Transport Amendment (Electronic Traffic Infringement

Notices Trial) Bill 2013. The object of the bill is to establish a trial for the service of penalty notices to email addresses or mobile phone numbers where the persons on whom those penalty notices are to be served elect to have the penalty notices served on them in that way. The trial will occur in five local area commands for four weeks to allow a systems-testing and data-matching process to occur. The trial findings will then be used by the NSW Police Force to determine whether a larger production trial followed by an independent evaluation should occur. The committee made no comment on this bill.

The second bill was the State Authorities Non-contributory Superannuation Amendment Bill 2013. The main object of this bill is to require employers of New South Wales public sector employees in "defined benefit" superannuation schemes, and who are subject to the 2.5 per cent wages cap under the NSW Public Sector Wages Policy, to pay the 0.25 per cent increase in the superannuation guarantee charge for the 2013-14 financial year by means of a compulsory employer contribution. Through this requirement, the bill gives effect to recent amendments to the Commonwealth superannuation law to increase the compulsory superannuation guarantee charge from 9 per cent to 12 per cent over the next six years, with the percentage rising to 9.25 per cent from 1 July 2013. The committee similarly made no comment on this bill.

Lastly, the committee considered the Liquor Amendment (Kings Cross Plan of Management) Bill 2013. The object of this bill is to provide additional measures to ensure the safety of patrons in the Kings Cross precinct. The bill will require patrons seeking entry to high-risk venues in the Kings Cross precinct to have their identification scanned upon entry. The committee noted that ID scanning technology can have potential consequences on an individuals' privacy, including identity theft, if the technology is not managed or regulated properly. However, on consideration of the issues, the committee considered that the bill contains appropriate safeguards to minimise these privacy risks. The committee also noted that a provision of the bill reverses the onus of proof so that accused is required to disprove an element of information, rather than the onus of proof resting with the prosecution. However, the committee also noted that this provision aligns closely with section 152 of the Liquor Act 2007, which has a similar provision that reverses the onus of proof.

The committee noted that the bill will allow the police to issue temporary banning orders preventing a person from entering relevant licensed premises for up to 48 hours and the Independent Liquor and Gaming Authority to issue long-term banning orders preventing a person from entering or remaining in a high-risk venue for up to 12 months. A person can be given a long-term banning order if they have been given three temporary banning orders within a 12-month period, so they do not necessarily have to be charged with or convicted of an offence. The committee considered the potential impacts these provisions would have on an individual's freedom of movement. However, in light of the bill's public safety objectives the committee made no further comment. The digest is a weekly brief that seeks to inform members about what bills are being introduced into Parliament, the objectives of those bills, the background explaining why the bills are required, and any issues that the bills may present. I trust the digest continues to serve members well in this regard. I thank and congratulate the staff of the preparation of the digest.

Ms TANIA MIHAILUK (Bankstown) [1.12 p.m.]: Before contributing to the discussion of Legislation Review Digest No 42/55, I take this opportunity to acknowledge my fellow committee members: the chairman and member for Myall Lakes, the member for Parramatta, the member for Rockdale, the member for Swansea, and our colleagues from the other House: Mr David Shoebridge, the Hon. Shaoquett Moselmane and the Hon. Dr Peter Phelps. I concur with the member for Myall Lakes in his thanks and praise of the diligent committee staff members, who have worked to their usual high standard in completing the digests for this third straight week of Parliament sitting. The committee considered three bills, most notably the Liquor Amendment (Kings Cross Plan of Management) Bill 2013, which the committee was concerned could impact on a patron's right to privacy. The digest states:

The Committee notes that ID scanning technology can potentially have significant privacy consequences for individuals (such as identity theft) if the technology is not managed and regulated properly.

However, the committee considered that the bill contained appropriate safeguards to minimise these privacy risks. However, the Opposition raised concern that the Government has not ruled out the sharing of information acquired by the ID scanning technology. As the digest noted with regard to the reversal of the onus of proof:

The Committee notes that section 152 of the Liquor Act 2007 already reverses the onus of proof so that the accused is required to disprove an element of information rather than the onus of proof resting with the prosecution.

The committee made no further comment on that matter. The committee also examined the issue of freedom of movement, and noted:

The Committee notes that long term banning orders in particular could impact on an individual's freedom of movement. However, the Committee notes the bill's public safety objectives and makes no further comment.

The committee noted the following:

That the bill commences by proclamation. This makes it unclear when the new arrangements provided for in the bill will commence, including the new offences, the additional powers provided to the Police and the Independent Liquor and Gaming Authority to issue temporary and long term banning orders, and the new provisions which affect certain licensed premises and those who work in and frequent those premises.

Labor supports this bill in principle, but more measures need to be considered in both dealing with people entering the area already under the influence of drugs or alcohol and for more train services to be provided to help people leave the vicinity of the area late at night. The committee also considered the Road Transport Amendment (Electronic Traffic Infringement Notices Trial) Bill 2013 and the State Authorities Non-contributory Superannuation Amendment Bill 2013 but did not make any comment on those two respective bills. I thank the staff for preparing the digest. I hope that when we return post the Federal election we will have more bills to consider. The Legislation Review Committee has been considering, on average, three to five bills. Unfortunately, the committee has been reviewing bills that have long been passed by this House. It is important that the committee be able to appropriately examine pieces of legislation prior to their introduction to the House.

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

Report noted.

[Acting Speaker (Ms Melanie Gibbons) left the chair at 1.16 p.m. The House resumed at 2.15 p.m.]

QUESTION TIME

[Question time commenced at 2.20 p.m.]

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

Mr JOHN ROBERTSON: My question is directed to the Minister for Family and Community Services. Given yesterday the Minister said she signed a document regarding policy and practice on backfilling caseworker positions and vacancies and would update the House on that information, will the Minister now confirm changes have been made to the backfilling arrangements for caseworkers who take leave?

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Minister will be heard in silence.

Ms PRU GOWARD: Thank you for that Dorothy Dixier. In their questions to me yesterday the member for Marrickville and the member for Cessnock made claims that I had made changes to maternity leave provisions and the backfilling policy for caseworkers. Those claims have now been repeated. There have been no changes to maternity leave provisions within Community Services since this Government came to office. I have been advised by my department that the so-called June briefing the member for Marrickville referred to in her question appears to be a briefing note provided to the department in July.

The briefing note makes very clear that the department's policy is that "any temporary caseworker vacancy that is less than three months is filled by the region using internal resources" and that "any temporary caseworker vacancy that is greater than three months, regardless of the nature of the vacancy, is notified by regions to Community Services Workforce Planning Branch for filling using an external bulk recruitment process". The briefing note makes clear that under the Crown Employees (Public Service Conditions of Employment) revised award 2009 "eligible staff—that is, permanent and temporary employees with 40 continuous weeks' service, are entitled to 14 weeks paid maternity leave. This provision has been in place since March 2006". That was the policy under the former Government and the failed former Minister, and it remains the same to date. Today the department has again clarified this and reiterated that there have been no changes to maternity leave policy or provisions. The department has advised that it is examining the threshold for filling temporary vacancies, including maternity leave, to ensure maximum front-line capacity is maintained—something that members opposite never did. So this charade with these ridiculous questions shows that members opposite will say anything and do anything to hide their record of failure in child protection. They will lie and deceive.

Members opposite are opponents of reform to improve the child protection system. In the end it comes down to our wonderful caseworkers seeing more children more often—vulnerable children whose lives can be at risk. That is what these reforms must be about. The member for Marrickville, another of Labor's failed former

Ministers, was the engineer of the \$1.2 billion in extra spending in 2002, which was wasted. That money ended up in a special commission of inquiry, and Labor left office. As I remind the House time and time again, with caseworkers seeing fewer children—

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Leader of the Opposition was heard in silence. The same courtesy will be extended to the Minister.

Ms PRU GOWARD: For all that money, Labor ended up with a special commission of inquiry. And to the undying shame of members opposite, they left office with caseworkers seeing fewer children. That is Labor's record of failure.

EDUCATION REFORMS

Mrs TANYA DAVIES: My question is directed to the Premier. What is being done to improve our children's education?

Mr BARRY O'FARRELL: I thank the member for Mulgoa for her great interest in the education of children not only across her electorate but also across greater Western Sydney. Education should be a key priority for any government because it is about giving our children and young people the skills they need to secure a future for themselves and to help us secure the best possible future for the State and the nation. The Government has a proud record when it comes to education. New South Wales was the first State to sign up to the Gonski education reforms because they aligned with the directions of the reforms already outlined by the Minister for Education. We have appointed an additional 520 teachers. We have introduced reforms to raise teacher standards—resisted by members opposite because of their links with the Teachers Federation but supported by the Government. We have provided additional teachers to focus on the most basic building blocks in our schools: literacy and numeracy.

Mr Clayton Barr: Where's our 60?

Mr BARRY O'FARRELL: The member for Cessnock can go back to school if he wants to do so. We have given principals and school communities greater decision-making powers. We have committed \$2.4 billion in capital works and, importantly, in increased maintenance spends across our electorates. We have allocated funding to deliver five new schools at Spring Farm, The Ponds, Strathfield, lower North Shore and Crows Nest, along with the upgrade of 14 schools and TAFE colleges. I was delighted to accompany the Minister for Education to the Northern Tablelands electorate on Monday for the opening of the great block M of the New England TAFE. The original TAFE in Armidale was opened in 1938 by another person from this side of politics, Bertram Stevens.

This side of politics has a great history in education, supporting training and schools, and understanding, as we do, that education is the key to the future. It is the most critical key to the future as we seek to give people the skills needed to move ahead. More teachers, more schools and higher standards—that is the mantra of this side of politics when it comes to education. I am delighted to say that that mantra is reflected also by the leader of the Federal Coalition, Tony Abbott, along with his education spokesman, Chris Pyne. This morning I was delighted to join the member for Mulgoa at a school in the Penrith area where we got to see the launch of the Coalition's school education policy, which is all about students first.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I call the member for Cessnock to order for the first time. I call the member for Marrickville to order for the first time. I call the member for Marrickville to order for the second time.

Mr BARRY O'FARRELL: I will come back to that. Unusually, the member for Marrickville has made a pertinent interjection. We on this side of politics support choice in education. We understand that parents may choose to send their child to a public school or a non-government school. But we also understand that if there is to be real choice, the public education system must be of the highest possible quality, which is why, particularly under the Minister for Education, we have put additional resources into ensuring that we lift standards across public schools. We understand that parents who send their children to non-government schools deserve some support. That is why a former Liberal-Nationals Government guaranteed that 25 per cent of the average cost of educating a child in a government school went to schools in the non-government sector.

Why? Let us be honest about this. When a non-government school opens—such as the one I saw today—and attracts 800 children, that is a saving to the State because it means that we do not have a school of

800 on our books. We can have our cake and eat it too. We can have, we celebrate and we support a dual education system that gives parents that choice. Why would we not? Fifty years ago this year, a Liberal-Nationals Prime Minister, Bob Menzies, ended the State aid debate and for the first time gave funding to non-government schools in complete opposition to members opposite, who argued against parents having that choice. They argued against Catholic schools and Independent schools.

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

Mr BARRY O'FARRELL: I come back to the interjection made by the member for Marrickville. It is for that reason that I absolutely— [*Time expired.*]

Mrs TANYA DAVIES: In the faint hope that more information will enlighten those opposite, I seek an extension of time for the Premier.

Mr Michael Daley: Point of order: The provision that enables a further two minutes is for additional information. Government members always ask for an extension of time.

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

Mr Michael Daley: And we don't need smart-alec commentary if they don't know the standing orders.

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

[*Interruption*]

The DEPUTY-SPEAKER (Mr Thomas George): Order! I place the member for Maroubra on three calls to order.

[*Extension of time granted.*]

Mr BARRY O'FARRELL: He might be the pin-up boy for middle managers across the State, but I say with confidence with that sort of performance he is not the pin-up boy of his former schools. I am delighted because this policy commits the Federal Liberal-Nationals to the funding agreement secured under the Gonski deal. That means that people can have confidence in the sorts of reforms that this Government started to introduce last year when it changed the resource allocation mix for New South Wales schools to flow through at a Federal level. That means there will be a base level of support for everyone, regardless of the system in which they are educating their child, and that will then be matched by additional money, depending on additional needs. Those needs could relate to disability, which has been a huge issue within the current unfair funding system at a Federal level, or they could relate to disadvantage in their community.

It is about more resources and about a fairer distribution of those resources. It is about using that funding mechanism to drive the standard of education up and to drive the outcomes of our students up so that we can have a most successful future, just as over the past 225 years, but especially since 1880 when a great Premier of this State, Henry Parkes, introduced the Public Instruction Act, thanks to the importance placed upon education. In the remaining 20 seconds, I say that today I visited a school that demonstrated that Building Education Revolution funds could be used wisely. The non-government school system in this State got 96 per cent of every dollar into a building. The public education system got less than 65 per cent into a building. Public school students were ripped off by one-third because of the incompetence of those opposite. It will not be repeated. [*Time expired.*]

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

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

Ms LINDA BURNEY: My question is directed to the Minister for Family and Community Services. Will the Minister provide an iron-clad guarantee that all vacancies from caseworkers taking leave are being filled?

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Minister will be heard in silence.

Ms PRU GOWARD: I refer the member for Canterbury to my previous answer. The 2013-14 budget provides \$1.5 billion.

Ms Linda Burney: We know that.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Canterbury asked the question. She will listen to the Minister's answer in silence.

Ms PRU GOWARD: The 2013-14 budget provides \$1.5 billion to protect vulnerable children and young people at risk, which is a 4.3 per cent increase on the 2012-13 budget. This Government has provided funding for 2,068 caseworker positions. Issues of vacancies are operational matters for the department, as I have already answered. I remind the House, as I have said many times, that in March I instructed the director general to fill all budgeted caseworker positions. That is what I expect.

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

Ms PRU GOWARD: Ultimately, again, this is about ensuring we see as many children as possible who are at risk of significant harm.

STATE INFRASTRUCTURE FUNDING

Mr ANDREW FRASER: My question is addressed to the Deputy Premier. How is the Federal Labor Government preventing New South Wales from accessing critical funding for infrastructure?

Mr ANDREW STONER: That is a very good question from the member for Coffs Harbour—

Mr Andrew Fraser: Thanks for giving it to me.

Mr ANDREW STONER: —and a great surprise to me! Members will recall that in 2011 I informed the House of this Government's plans in relation to a State Migration Strategy aimed at attracting high-value migrants to New South Wales, in particular, business migrants, investor migrants, skilled migrants and overseas students. This action was necessary because after 16 years of Labor New South Wales was not getting anything near its share of high-value migrants. I know the Labor Party is opposed to migration. It talks about the section 457 visas. A former Labor Premier in this House, now the Minister for Foreign Affairs—go figure—declared that Sydney was full. He did not want any more investment or migrants. This Government understands that high-value migrants, particularly investor migrants, bring significant funds to boost our economy and grow jobs.

Following the release of the State Migration Strategy, this Government recommended to the Federal Government and the then Minister for Immigration and Citizenship, Chris Bowen, changes to its investor scheme to put in line a significant investor visa to compete with nations such as Singapore, the United States of America, Canada and New Zealand in attracting high net wealth individuals to New South Wales. I was pleased that in November 2012 Chris Bowen announced a new significant investor visa, known as the triple-8 visa, which was intended to attract high net wealth individuals to Australia. New South Wales had put forward that its scheme would see 30 per cent of the minimum \$5 million investment criterion go into Waratah Bonds which, of course, are linked to our Restart—

The DEPUTY-SPEAKER (Mr Thomas George): Order!

Mr Nathan Rees: Don't they come along a treat?

Mr ANDREW STONER: The member for Toongabbie ought to listen to learn how we manage the State's finances. Waratah Bonds are attached to the Restart NSW Fund to attract critical infrastructure in New South Wales. Again, this Government inherited a huge backlog of infrastructure after 16 years of neglect from Labor. It was with some optimism that this Government promoted the significant investor visa in China, and other major trading partners, from as early as November 2012. In fact, the Federal Government indicated that it would turn around the applications for the significant investor visa within 30 to 60 days.

This Government was optimistic and there was a lot of interest from high net wealth individuals in places such as China, Singapore, Japan, the United States and India. As a result of its efforts, New South Wales

received more than its fair share of interest. In fact, approximately 50 per cent of the applications received nationally to date have been for New South Wales. We believe New South Wales is the number one investment destination. Ten months down the track, of the 209 significant investor visa applications indicating New South Wales as their preferred State, how many has the Commonwealth approved?

Mr Andrew Fraser: Tell us.

Mr ANDREW STONER: Two. We will do the maths. More than 200 applications at a minimum \$5 million equates to more than \$1 billion investment for New South Wales held up by an incompetent Federal Labor Government. One-third of that money is going into Waratah bonds, which goes into infrastructure. New South Wales is missing out on more than \$300 million in infrastructure funding because of Federal Labor's incompetence. Members should think about that: \$300 million is a lot of hospitals; Jillian, the builder. We could be building more hospitals, more roads, more bridges and more rail in this State were it not for an incompetent Federal Labor Government. It is no wonder that today's *Land* has this as the headline, "Labor's epic fail".

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind members the standing orders state that the member who asked the question may, at the discretion of the Speaker, seek additional information from the Minister.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

Ms LINDA BURNEY: My question is directed to the Minister for Family and Community Services.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Canterbury will be heard in silence. I call the member for Wyong to order for the first time.

Ms LINDA BURNEY: How can the Minister maintain there has been no change to backfilling arrangements when this project plan from her front-line resource management team confirms she was personally presented with a paper on 4 June detailing the impacts of the changes to the maternity leave backfilling provision? It is there.

Ms PRU GOWARD: I do not accept the premise of the question. I will get back to the member with further information.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I call the member for Keira to order for the first time. I call the member for Keira to order for the second time. I call the member for Monaro to order for the third time.

ELECTRICITY ASSETS SALE

Mr CHRIS PATTERSON: My question is addressed to the Treasurer, and Minister for Industrial Relations. How is the Government unwinding Labor's gentrader electricity deal?

Mr MIKE BAIRD: I thank the member for Camden for his question. By all accounts and statements from locals he is the best member Camden has ever had. This morning I signed some important documents which mean that on Monday we will see the end of the gentrader transaction. It will be dead, it will be over. It will be the end of a very sorry tale for the people of New South Wales. It is worth highlighting to the House the journey to get to this position, and members opposite need to understand this.

Before the election in 2007 former Premier Morris Iemma—and this is Labor's DNA—said, "There will be no sale of electricity generation." Labor then spent four years trying to get a sale through. Labor came up with this model; who knows how. It went around Parliament and every single person said Labor should not do it—energy users, Professor Owens, Labor's own expert, stakeholders, advisers, every single person in the State; even the then Opposition said that Labor should not do this. But the Leader of the Opposition said, "Yes, we should", and it is exactly what they did. When the transaction came to the pointy end, when it was about to be executed, eight brave directors stood up and said, "This should not go ahead."

They stood up for the people of New South Wales and said to members opposite, "You are wasting billions of dollars. We are going to resign our positions if you press ahead." Labor pressed ahead so the directors resigned. Today we say to them: Thank you for standing up. The member for Maroubra talks and I will

get to him in a second. At the time a director said, "I have never before seen a more poorly handled transaction, such a frightening disregard for the protection of taxpayers." The directors said not to do it but those opposite said they should. What happened at midnight when the directors resigned? Did Labor pull back and say, "Hang on. We should think about this. This is not in the interests of the people of New South Wales"? They did not do that. They appointed four new directors at midnight—every single one of them with deep connections to the Labor Party—and three of them collectively were paid \$1.4 million to advise the Government on the transaction.

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

Mr MIKE BAIRD: They were taking money for advising and then on behalf of the taxpayers they were saying, "Go ahead and do this deal. We don't care." The question for this House in this sad, sorry tale is: Who signed off on those appointments?

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber. The Minister will be heard in silence. Government members will come to order. I remind the member for Monaro that he is on three calls to order.

Mr MIKE BAIRD: Every single one of those appointments at midnight when the directors had resigned was signed off not only by the former Treasurer but also by the member for Maroubra. That deal then went through. Those assets were sold, not for their value but for 42 per cent of their value. The member for Maroubra opposes the ports sale but he was for this sale, which was at 42 per cent of the value. Labor forgot to tell us the liabilities they left behind. As we went through the detail we found in the transaction that those liabilities totalled \$2 billion, which they did not tell us about. As members know, that included development of a coalmine. [*Extension of time granted.*]

They did not tell us about the \$2 billion. The good news for the people of this State is that as of Monday that \$2 billion is gone. That money can go back into our roads, our health and our public transport system. We have fixed up the mess that Labor left behind. That is the good news for the people of New South Wales. We are interested in looking after the taxpayers of this State and in this transaction we have done exactly that. We do not undertake, as part of public policy, to build, construct and develop a coalmine without having even a dollar to put towards it. That is exactly the deal that those opposite left behind. In conclusion, this has been a long, sorry and sad tale in public policy.

I stand here on behalf of every taxpayer in the State and say to members opposite: I do not know how you did it. I do not know how people sat around the Cabinet table and came up with the decision to happily sell assets for 42 per cent of their value. Only they can answer that question. We say to the taxpayers of this State that the O'Farrell Government proudly protects and looks after the taxpayer dollars of this State. We certainly condemn the actions of those opposite. All that remains is for those opposite to say to the people of New South Wales that they are sorry for what they did. The good news for the people of New South Wales is that on Monday it is over.

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

MINISTER FOR FAMILY AND COMMUNITY SERVICES

Mr JOHN ROBERTSON: My question is directed to the Minister for Family and Community Services. The Minister first told Parliament she had not seen the Ernst and Young report when it had been shown to her numerous times; then the Minister told the House that caseworker numbers were rising despite being advised that they were falling; and now the Minister has said that there was no change to the backfilling policy when she signed off on the briefing note: How can the Minister justify remaining as a Minister when she has failed to tell the truth?

Ms PRU GOWARD: I have already answered all of those questions.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Minister will be heard in silence.

Ms PRU GOWARD: I repeat for the benefit of the House that my earlier answer was based on advice provided by the department and that advice remains as it was several minutes ago.

OPAL CARD ELECTRONIC TICKETING SYSTEM

Dr GEOFF LEE: My question is directed to the Minister for Transport. What progress is the Government making with the rollout of the Opal electronic card?

Ms GLADYS BEREJIKLIAN: That is a very important question. I thank the member for his question and for his painful persistence in all matters regarding public transport, which is a good thing. I am pleased to say that from tomorrow the Opal card will be available on all Sydney ferries and that is four months ahead of schedule. This is usually the time I would speak of Labor's record when in office, but I do not want to spoil this answer today. I will leave that for another day when there is plenty of time to remind the House.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber.

Ms GLADYS BEREJIKLIAN: As I said at the outset, from tomorrow Opal card customers can catch any Sydney ferry service without worrying about queuing for a ticket ever again. From tomorrow it will be available on 20 extra ferry wharves including places such as Parramatta, Meadowbank, Rydalmere, Drummoyne, Greenwich and Milsons Point. This is a great win for customers. The rollout of the Opal card on trains is progressing well. Tomorrow we are extending the Opal card to trains from the central business district to Bondi Junction stations and to stations north of the city to Chatswood. This means that as of tomorrow the Opal card will be available through more than 600 readers, including 40 wharves across the harbour and at 17 Opal card rail stations. There is no doubt that Opal is changing the way customers are using the system and getting around. They love it. I am pleased to inform the House this afternoon that I understand more than 18,000 cards have been ordered so far.

Mr John Barilaro: How many cards?

Ms GLADYS BEREJIKLIAN: Around 18,000. This week alone 4,000 cards were ordered. Interestingly, more than 90 per cent of customers are registering their cards online and around 75 per cent of them are linking them directly to their bank accounts, which will mean that they never have to queue up again. I expect that the rate of take-up for Opal card customers will increase as the rollout continues. I am pleased to say that early next year stations from Redfern to Strathfield, from Strathfield to Hornsby, from Epping to Chatswood, and north of Chatswood to Wyong on the Central Coast will have Opal card readers. The Central Coast will be the first region outside of Sydney to experience the benefits of the Opal card. This is welcome news to all members.

The Opal card will then be rolled out to the western line, to Emu Plains and Richmond, and in stations from Strathfield to Liverpool via Regents Park. By the end of 2014 more than 300 train stations and 5,000 buses, whether government or non-government, will also have Opal card equipment operating. That will include areas such as the Sydney metropolitan area, the Hunter, the Central Coast, the Illawarra, the Southern Highlands and the Blue Mountains. It is a real achievement for our customers. Light rail also will be incorporated into the Opal card system—something that those opposite failed to include in the contract.

I am not embarrassed to admit that I am really excited about the rollout of the Opal card. I am pleased, but not complacent. There is still a lot of work to do but the early stages are going well. Our customers love to use the Opal card. I encourage those opposite to use the Opal card as it is rolled out to their electorates. The member for Parramatta has a card already. It is worth mentioning some of the benefits of using the Opal card. After eight paid journeys a week the rest of the week is free, which means that if you are a regular transport user Friday, Saturday and Sunday travel will be free using the Opal card. This will encourage people to use public transport on the weekends. There is also a daily cap. If you are a casual transport user, on Sundays you do not pay more than \$2.50 no matter where you travel on the network.

Mr Ryan Park: Family fun day Sunday. That was our initiative.

Ms GLADYS BEREJIKLIAN: No, it was not. It is nice to hear the member for Keira interjecting because he oversaw the failed Tcard project.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Keira will come to order.

Ms GLADYS BEREJIKLIAN: If you are a train customer you save 8 per cent on the price of a single ticket and you save 30 per cent if you choose to travel in the off peak. There are real incentives for people to use the Opal card. I encourage all members of the House to use the Opal card.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Leader of the House will come to order. He should lead by example.

TOBACCO OUTLETS

Mr JAMIE PARKER: I direct my question to the Minister for Health. In light of evidence reported by the Cancer Council on the risks of tobacco availability and major noncompliance with retail laws will the Minister agree to the Cancer Council's call for a task force to address these issues?

Mrs JILLIAN SKINNER: I thank the member for Balmain for his question and I congratulate him on his interest in and concern about tobacco smoking. I am proud of the fact that the New South Wales Government is committed to reducing smoking rates and I am happy to inform the House that this has received bipartisan support.

Dr Andrew McDonald: Doesn't your party support tobacco donations?

Mrs JILLIAN SKINNER: No, we do not support tobacco donations.

Dr Andrew McDonald: Don't do that anymore?

Mrs JILLIAN SKINNER: No, not for a long time in New South Wales.

Mr John Barilaro: Silly man.

Mrs JILLIAN SKINNER: He is silly.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Minister will be heard in silence.

Mrs JILLIAN SKINNER: In relation to the request by the Cancer Council I have indicated that I would be happy to work with them on forming a task force to look at some of the issues surrounding tobacco retailers. I have worked with the Cancer Council on previous occasions concerning many of the issues they have raised. New South Wales now has a rate of 14.8 per cent for adults smoking daily, which is the lowest level in the country, with the exception of the Australian Capital Territory. That shows that the Government's approach to tobacco control is making significant inroads. Under the Retailer Notification Scheme tobacco retailers must notify the Government licensing service of their intention to sell tobacco products to before they start retailing tobacco. Almost 90 per cent of retailer premises visited by Cancer Council New South Wales volunteers had notified the ministry that they were retailing tobacco. I can inform the House that the New South Wales Ministry of Health's ongoing compliance monitoring also shows that 87 per cent of retailers inspected are complying with point-of-sale tobacco retailing requirements. Authorised inspectors counsel non-compliant retailers, provide warnings and, in some cases, seek to prosecute those who do not comply.

I can advise that upon request from the ministry the Cancer Council has provided details of reported breaches as identified in the report. The ministry has acted on these potential breaches already, and has referred them to the relevant public health units for further investigation. As I have indicated, I will convene a group to work through the issues identified by the Cancer Council in its latest report. This will be the task force they have identified. The group will consider the outcomes of the investigations of potential breaches undertaken by public health units. This, I am pleased to say, is on top of the most recent measures we have introduced under our tobacco control legislation. As members will recall these are the provisions that restrict smoking, particularly in areas where children and families gather—playgrounds, sportsgrounds, transport stops and close to the entrances of public buildings. I am pleased to inform the House that there has been a large scale take-up of those provisions. Again we are moving forward on tobacco control. I thank the member for his interest in this question.

CARBON TAX IMPACTS

Mr RAY WILLIAMS: My question is directed to the Minister for Resources and Energy, Special Minister for State, and Minister for the Central Coast. What is the impact of Labor's carbon tax on the community?

Mr CHRIS HARTCHER: I thank the member for Hawkesbury and recall his outstanding contribution to the priority debate the other day. It was magnificent.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Members will come to order.

Mr CHRIS HARTCHER: There are two parts to this question. One relates to the carbon tax; the other relates to trust in Labor. Somebody said in this House in August 2012:

I support the position the Prime Minister is out there advocating—and that is putting a price on carbon.

Who said that? Who voted in this House to support the carbon tax on not one, two, three, four, five or six occasions but on seven occasions? Who did that? It was the Leader of the Opposition. But last Sunday 25 August, the new Prime Minister said:

[I'm] the first one to admit that ... the [Labor] Government has got a number of things wrong ... I don't think our actions on the carbon tax were right and I changed it ... We didn't have a mandate for it.

Can I ask one question of the Leader of the Opposition: Did the Prime Minister give you a ring? Did he make that phone call that he never made to the Premier? Did he ring you about Garden Island? No. Did he ring you about putting you right in it on the carbon tax? No. On Sunday 25 August he said that you got it wrong. What were my figures for every bill? I said it would be \$316 a year. What does Labor have in its advertising?

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Oatley that he is on three calls to order.

Ms Linda Burney: Chuck him out.

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

Mr John Robertson: Point of order: Standing Order 129, relevance. This question was about the supposed impact. It was not about the price that the Minister insisted be put on bills.

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

Mr CHRIS HARTCHER: The question was about the price of Labor's carbon tax—the price that the Leader of the Opposition supported. We said that the price was \$316 a year. That came from the Independent Pricing and Regulatory Tribunal. But \$380 is the figure Labor is now giving. So Labor is admitting that the carbon tax was hitting every family in New South Wales, and hitting hard. The Opposition—all of them—on seven occasions when the bells rang came down here to support that carbon tax which Mr Rudd, who is still Prime Minister for the next eight days—

Mr Mike Baird: Ask them to put their hands up if they support it.

Mr CHRIS HARTCHER: I am about to ask. Can we have a show of hands? Who supports the carbon tax over there? Seven times they voted for it, and now not one of them will back it.

Mr Paul Lynch: Point of order—

The DEPUTY-SPEAKER (Mr Thomas George): Order! I cannot hear the member's point of order. The member for Liverpool will be heard in silence. The time for questions has almost expired.

Mr Paul Lynch: The Minister has just committed an act of disorder. It is disorderly in this House to try to provoke an interjection. It is clearly in the standing orders.

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

Mr CHRIS HARTCHER: As the Premier just pointed out, there is no carbon tax in North Korea.

Mr Nathan Rees: Hands up if you support Barry.

Mr CHRIS HARTCHER: You are okay. I turn to the second part of the member's question, which related to trusting Labor. I want to address the issue in relation—

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind members of my ruling about seeking additional information.

Mr Ray Williams: In light of the rude interjections I am seeking your discretion for the Minister to have two minutes to provide additional information.

The DEPUTY-SPEAKER (Mr Thomas George): An additional two minutes is granted.

Mr Richard Amery: Point of order: May I suggest five minutes?

Mr Barry O'Farrell: The Whip is supposed to support the leader.

Mr CHRIS HARTCHER: As the Premier says, the Whip is supposed to support the leader, but the Leader of the Opposition said no to two minutes. What did the member for Mount Druitt go for? Five minutes. Already the backbench are moving. They are moving, Robbo.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Members will come to order.

Mr CHRIS HARTCHER: The second part of the question is very serious. It related to trust in the Government. Tomorrow the report which comes down in relation to the Doyles Creek matter will relate to people like Mr Duncan and Mr Flannery. They shared interests in various companies such as White Energy, Dreniquin and Felix Resources. White Energy received from the Government, in 2011, just prior to the State election, 70 hectares of land. What was the price? It cost one dollar. That was 70 hectares of land for one dollar from a Government in which the Leader of the Opposition was a Minister.

That company was associated with Felix Resources, which had donated \$50,000 in 2008-09—when the Leader of the Opposition was State secretary of Unions NSW—to the Labor Party. There was a \$50,000 donation from one company, and 70 hectares of land for one dollar for another company with a shared directorship of people like Mr Duncan and Mr Flannery. Further, Mr Duncan and Mr Flannery were associated with a company called CSG PEL, which received a coal seam gas licence in 2009, when Mr Robertson— [*Time expired.*]

Question time concluded at 3.09 p.m.

COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Report

Mrs Leslie Williams, as Chair, tabled the report entitled "Inquiry into Health Care Complaints and Complaint Handling in NSW", Report 2/55, dated August 2013.

Ordered to be printed on motion by Mrs Leslie Williams.

PETITIONS

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

Young People in Residential Aged Care

Petition recognising that more than 2,000 young people with disabilities are living in residential aged care facilities in New South Wales and calling on the Government to immediately reinstate the Young People in Residential Aged Care Program funding in order to develop a sustainable solution and deliver real outcomes to all young people with disabilities, received from **Mr Andrew Constance**.

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:

Oxford Street Traffic Arrangements

Petition requesting the removal of the clearway and introduction of a 40 kilometre per hour speed limit in Oxford Street, received from **Mr Alex Greenwich**.

Walsh Bay Precinct Public Transport

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

Pig-dog Hunting Ban

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

Duck Hunting

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

Banning of Plastic Bags

Petition calling on the Government to introduce legislation for the purpose of banning single-use lightweight plastic bags at retail points of sale in New South Wales, 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**.

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:

Mid North Coast Water Catchments

Petition calling on the Government to prevent further pollution of mid North Coast waterways by stopping any existing, pending or future mining licences in sensitive water catchments, including World Heritage rainforest areas, received from **Mr Andrew Stoner**.

"SAVED" PHOTOGRAPHIC EXHIBITION

The DEPUTY-SPEAKER (Mr Thomas George): The "Saved" photograph exhibition is on display in the Parkes Room, Parliament House. Today is the final chance for members to see it and to collect their complimentary annual pass to national parks. The exhibition depicts myriad extraordinary stories of landscapes, habitats, wildlife, Aboriginal culture and historic heritage that has been saved through the hard work, passion and dedication of the community and the National Parks and Wildlife Service.

CRIMES AMENDMENT (TERRORISM) BILL 2013

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

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [3.14 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Crimes Amendment (Terrorism) Bill 2013. The bill extends the operation of the sunset clause applying to part 6B of the Crimes Act 1900, which contains the offence of being a member of a terrorist organisation in section 310L. The offence of being a member of a terrorist organisation was introduced in 2005 to support the operation of covert search warrant powers for terrorism investigations under the Terrorism (Police Powers) Act 2002. As stated when the amendment was introduced in 2005:

The offence of membership of a terrorist organisation will address situations where a person is a member of such an organisation but does nothing more in preparation for a terrorist act. The Commonwealth terrorism offences cover a broad range of terrorist

activities and, importantly, they criminalise preparatory or support activity, such as financing a terrorist organisation, or providing terrorist training, which may be conducted a long time before an actual terrorist attack, and may be committed in countries different to where any attack ultimately occurs, and by persons who do not ultimately play any other role ...

... the offence is in the same terms as the membership offence under the Commonwealth legislation.

The offence and corresponding sunset provision were included as a measure to underpin the New South Wales powers until the Commonwealth enacted a national covert search warrant scheme. However, the Commonwealth has not yet enacted a national covert search warrant regime. Accordingly, the New South Wales terrorist membership offence is still required to ensure the validity of covert search warrants obtained under the New South Wales legislative regime. The substantive amendment in the bill is to omit 13 September 2013 as the date on which part 6B of the Crimes Act 1900 will be repealed and provide that it will instead be repealed on 13 September 2016. The sunset clause is due to expire shortly; and, were part 6B and the offence it contains allowed to lapse, it would risk the validity of any covert search warrant issued to investigate terrorist organisations. Although the sunset provision was extended previously, a further extension is necessary as law enforcement agencies cannot risk losing these powers to properly investigate terrorist organisations.

In relation to the implementation of a Commonwealth covert search warrant regime, I note that two significant reviews of Commonwealth terrorism legislation have recently been completed, one by the Council of Australian Governments and another by the Independent National Security Legislation Monitor. These reviews have made a significant number of recommendations for reform in relation to Commonwealth terrorism legislation. A Commonwealth response to those recommendations was not provided prior to the forthcoming Federal election. Following the Federal election the Government intends to raise the issue of implementing a national covert search warrant regime with the Commonwealth Government. New South Wales will endeavour to resolve this issue with the Commonwealth before September 2016, when the proposed sunset provision will expire.

I confirm that my department has just completed a statutory review of the Terrorism (Police Powers) Act 2002. That Act provides for extraordinary powers, including covert search warrants, which can be exercised by police in certain limited circumstances. The Act includes a number of significant safeguards in relation to the powers it provides. For example, a covert search warrant can only be issued by an eligible judge of the Supreme Court and only where the judge is satisfied to the requisite standard that a terrorist act has been, or is likely to be, committed, and that the entry to and search of the premises will substantially assist in responding to or preventing the terrorist act.

The statutory review found that the policy objectives of the Act remain valid. The review considered and indicated support for certain recommendations made by the Ombudsman in relation to covert search warrants including amendments to the form of the application and the warrant document. The review noted that a number of the Ombudsman's recommendations have been implemented. The completion of the statutory review and the implementation of a number of recommendations of the Ombudsman should provide some comfort that the continuation of the offence and associated power is necessary and that appropriate safeguards regarding the use of the powers are in place. In light of the review's findings that the policy objectives of the Act remain valid, it is necessary that the membership offence in the Crimes Act be retained to support the availability of the powers the Act provides.

Terrorism remains a threat to the people of New South Wales and is of concern to our society. For example, subsequent to the last extension of the sunset clause, three Victorian men were convicted of offences related to the planning of a terrorist act on Holsworthy Army Barracks in New South Wales. This bill will ensure that these extraordinary enforcement powers continue to be available to police in the event that a terrorist incident is imminent or has occurred. I commend the bill to the House.

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

HUNTERS HILL CONGREGATIONAL CHURCH PROPERTY TRUST BILL 2013

Second Reading

Debate resumed from 14 August 2013.

Mr PAUL LYNCH (Liverpool) [3.20 p.m.]: I lead for the Opposition in debate on the Hunters Hill Congregational Church Property Trust Bill 2013. The Opposition is happy to support the bill. I have received

advice from the Hunters Hill Congregational Church that it is entirely supportive of the legislation and that it is at its request. Certainly, the essence of the bill is to make the operations of the church and its various projects more efficient and effective by establishing a corporate trustee rather than relying upon a number of natural persons. The advantages of a corporate trustee are obvious and do not need to be itemised at length here.

The objects of the bill are to constitute a statutory corporation, the Hunters Hill Congregational Church Property Trust; to specify the functions of that statutory corporation, which include holding property on behalf of the Hunters Hill Congregational Church or particular congregations of that church; to vest in the statutory corporation property held in trust for the church, or a particular congregation of the church, without the need to pay duty; to provide for the accountability of the trust to members of congregations of the church; to provide for the making by the trust of trust rules for the control, management and administration of, and dealings with, trust property, the operation of the trust and the conduct of proceedings of the trust's board; and to provide for the making by congregations of the church congregational rules relating to how the congregations may give directions to the trust.

The bill repeals and replaces the Hunters Hill Congregational Church Act 1977, introduced by Frank Walker, the Attorney General in the Wran Government. That legislation arose because at that stage the Hunters Hill Congregational Church did not want to become part of the Fellowship of Congregational Churches, which had its own legislation. The adoption of the corporate trustee model is, as I indicated, understandable for reasons of efficiency. That is especially so when it is realised that the church has established another congregation—I believe at Narellan—and two retirement villages, including one at Narellan. Another alternative might have been to amend the 1977 bill, but I believe the Attorney General is correct in saying that the necessary changes are too complex to be achieved by way of amending the bill.

I have had the benefit of advice from Ron Sims, Business Manager of the Hunters Hill Congregational Church and ministries. He has pointed out to me that the church's property is held in the names of individual trustees, not all of whom are current trustees. All the trustees who are currently on the title deed have signed a consent form agreeing to the legislation. He has also pointed out that a meeting of the church was held on Sunday 28 July 2013 pursuant to schedule 4 to the 1977 Act. That meeting gave unanimous support to the proposed legislation. As someone who is interested in history, I am acutely aware of the history of congregational churches, of their origin in the sixteenth century and their role in the English Civil War. The church is certainly aware of its history and I note that its website refers to Oliver Cromwell. Despite Drogheda and Wexford, we will still support the bill—although I would probably have lined up with Thomas Rainsborough in the seventeenth century. The Opposition supports the bill.

Mr CHRIS PATTERSON (Camden) [3.23 p.m.]: I speak in support of the Hunters Hill Congregational Church Property Trust Bill 2013. The Hunters Hill Congregational Church did not join the Uniting Church and did not wish to become a member of the Fellowship of Congregational Churches, so it did not fall within the Acts created for those churches; hence, the introduction of the Hunters Hill Congregational Church Act 1977. The Attorney General pointed out that this legislation has not been amended in 30 years and he highlighted the clear need to do so now. He said that when the Act was created the church was a single congregation and he spoke about the expansion of the church since then. There is now another congregation at Narellan and the church operates retirement villages in Hunters Hill and Narellan.

The Attorney General also indicated that the existing trustees under the Act are all individuals and he said that creates administrative difficulties for the church whenever there is a need to replace a trustee. Because of these difficulties created by the Act in managing the financial affairs of the church, the church requested that a corporation be established to hold its property. The Parliamentary Counsel has advised that it is best to create a new Act instead of amending the current one as the changes required are too complex. For that reason, this bill will repeal the Hunters Hill Congregational Church Act 1977. The bill was developed in consultation with the church's management and legal adviser. After extensive consultation the bill was approved unanimously at a general church meeting. The trustees appointed under the existing Act also reviewed and approved the terms of the bill. Once legislated, the bill will establish a corporate trustee known as the Hunters Hill Congregational Church Property Trust. The election and appointment of the trust's board members are dealt with in the bill and the bill specifies the functions of the trust.

The bill supports the independent nature of congregational churches. Property can be held on behalf of a particular congregation and the trust can only use the property for a scheme of cooperation if the congregation consents. Through this bill property is vested in the new trust. The property that will vest in the trust is already held for the church by the current trustees. There will be no change in beneficial ownership,

and no stamp duty will be payable when the property vests. Although the Hunters Hill Congregational Church has now become a member of the Fellowship of Congregational Churches, independent financial arrangements will be maintained, which are clarified in the bill. Under the bill the trust is required to publish financial activities and other information on its website. The bill will meet the needs of the Hunters Hill Congregational Church for many years to come. It will assist the church to manage its property, to continue to deliver a charitable service to the community and to be the well-respected church and congregation it is within our community.

The bill will directly affect a great retirement village in my electorate, Angus Bristow Retirement Village, named after Pastor Bristow, who passed away in 1989. The retirement village is part of the Narellan Community Congregational Church and the Hunters Hill Congregational Church ministries. Building of the village began when there was a need for more facilities for the growing elderly community. The administrators at the time were Len and Jeanette Kingston. Len Kingston became the senior minister of Hunters Hill Church and all its ministries as well as administrator of Hunters Hill Retirement Village in 1992. He had been appointed administrator of the Narellan village in 1990 and, along with his wife, Jeanette, pioneered the start of a fellowship in 1991, which met in various self-care units until 2000. Both Len and his wife, Jeanette, have a passion for providing care for the ageing and the disabled.

Len has been an accredited minister of the Fellowship of Congregational Churches since 1975. From 1982 to 1993 he served the Fellowship of Congregational Churches as its general secretary. In the mid-1980s he helped pave the way for the World Evangelical Congregational Fellowship and was elected its first secretary in 1986—a position he held for six years. Len was then elected president of the fellowship and served in this capacity for another six years. Len and Jeanette oversaw the completion of the Angus Bristow Village at Narellan. They became so much a part of the village community that it was sad to see them retire, but their vision and spirit are very evident in the village today. Both Len and Jeanette are held in the highest esteem. I consider them good friends and I respect them greatly.

The Narellan Community Congregation Service provides centre-based day care for three days per week, which includes transport, lunch and diversional activities. The service also provides social support in the community through its Neighbour Aid program. This includes individual transport assistance for shopping, companionship visits and small group outings. The service currently supports 267 local residents and is supported by 62 volunteers as well as eight part-time staff members. Managers of the community services, Ms Heather Leishman and Mrs Mary Warnock, oversee these operations. I congratulate these wonderful ladies and their team on the wonderful work they do.

Congregational churches have a rich heritage that can be traced back to the sixteenth century in England when Christian men and women sought to develop local churches marked by purity of life and doctrine at a time when the established church was characterised by worldliness and corruption. From that time on, congregationalism has seen churches established throughout the world. Congregationalism has produced many well-known historical figures, such as England's seventeenth century leader Oliver Cromwell, the missionary David Livingstone, the great hymn-writer Isaac Watts, and the poet John Milton. Some of Christianity's greatest preachers have come from congregationalism, for example, Jonathon Edwards, Charles Finney, R.W. Dale, P.T. Forsyth, Joseph Parker, G. Campbell Morgan and Martyn Lloyd Jones.

Congregationalism came to New South Wales towards the end of the eighteenth century and by the 1850s congregational churches were being founded across Australia. The noted evangelist Lionel B. Fletcher was a congregationalist. The Hunters Hill Congregational Church is seen as the mother of these ministries, all of which come under the Hunters Hill Congregational Church Act 1977. Pastor David Beasant is the current Pastor of the Narellan Congregational Church. David was born and brought up in Belfast. He graduated from the University of Ulster and worked for a short time as a residential social worker before undergoing training for the Christian ministry at Belfast Bible College. He served as the Youth Pastor at Abbots Cross Congregational Church from 1984 to 1987, before being called to minister in Australia in 1988.

Prior to coming to Narellan, David pastored two other congregational churches in Sydney, at Jannali and Revesby. Along with his wife, Ruth, and their four children, David has become an integral part of our local community. I believe the Hunters Hill Congregational Church is in very capable and honourable hands—Mr Ian Hudson, Reverend David Beasant, Pastor Peter Atkins, Henry Drayton and Michael Caine. I mention also the management committees members Ian Hudson, Ian Gannell, who is a former director of Camden Council and an outstanding member of our community, Margaret Anderson, Gerie Watson, Muriel Udall and Coral Tierney. [*Extension of time agreed to.*]

The management committee members also include John Drinnan, a former deputy mayor of Camden Council, and Stuart Ryder, who is my former agricultural teacher from school. He is a wonderful person and is respected in the Camden community. All of them have helped the churches develop into the vibrant centres of community activity that they are for all ages. I thank the congregations Business Manager, Ron Sims, for his efforts and involvement with this bill. I also thank him for his communication and updates on the bill's development. I think in the latter stages he sent an email every hour, and I thank him for that. The work that is done by the congregational churches in our communities is invaluable. Their care for the elderly is to be held as an example of what the community expects for our senior citizens to receive in their later years, a life of dignity and respect. Their ministry services provide an holistic, caring service.

The church continues to work towards its goal of providing facilities for persons with a disability. I take this opportunity to thank Narellan Congregational Community Services for inviting me to their Spring Fair this Saturday. I am sure it will be a huge success and one of the highlights on the social calendar of the Camden community. The Government, through this bill, supports assisting the Hunters Hill Congregational Church in continuing its wonderful work into the future. I commend the bill to the House. Each year I look forward to attending the volunteers dinner put on by the committee of the Angus Bristow Village at Narellan. The volunteers and staff of the village do an outstanding job and should be commended for their wonderful contribution to our community. I am proud to have Angus Bristow Village in my community as it adds to the social fabric of Camden. I commend the bill to the House.

Mr TONY ISSA (Granville) [3.37 p.m.]: It gives me great pleasure to support the Hunters Hill Congregational Church. The church means a great deal to many people due to the help it provides to the community in many different ways. As a member of the stewardship committee of Our Lady of Lebanon Church, Harris Park, for more than 35 years, I understand the important role the church plays in the lives of the community. I am passionate when it comes to the church. I can spend hours talking about the involvement of the church within the community and about the church's commitment and dedication to helping the community. Today I am pleased to learn more about the Hunters Hill Congregational Church, which has a history going back close to 150 years. As members are aware, records show that church services have been conducted as early as 1867.

In 1873 a block of land was purchased for the purpose of building the Hunters Hill Congregational Church. On 16 January 1875 the foundation stone was laid and the church was opened for worship on 19 November 1876. The final completion date was 1878. Over the years the church activities have expanded greatly, providing extra services to aged care and providing self-care units since 1970. During the 1980s land was purchased at Narellan to provide accommodation for aged parents with children who have disabilities. Today I was pleased to learn that my own church, Our Lady of Lebanon in Harris Park, has been approved for a \$10-million grant by the Government to build an aged care facility providing services for up to 80 people. I am also pleased that another aged care facility, which will share that \$10 million, Saint Charbel in Punchbowl, has also been approved to provide services for up to 80 people. This is much needed in the community.

It is pleasing to know that all churches provide charitable missions, residential facilities, training and support for the community. As a member of the stewardship committee I know the importance of promoting community involvement and participation through the church. I commend the Hunters Hill Congregational Church for continuing to work towards its goal of providing facilities for people with a disability. The Hunters Hill Congregational Church sets a high standard for other churches to follow in providing exceptional services and support to the community. I am pleased to support this bill, which will help the Hunters Hill Congregational Church to continue to work for the benefit of the community for many years to come.

The trustees of the existing Act have approved the changes being made. These changes will ensure that the Hunters Hill Congregational Church property will be managed in a more transparent and efficient manner. This bill does not change how the church's property may be dealt with. For example, when a property is held for the benefit of a particular congregation, the trust will still only be able to use the property in accordance with directions given by that congregation. Nor does the bill change the independent financial structure of the Hunters Hill Congregational Church. While the church may enter schemes of co-operation with other churches, the bill makes it clear that this may only be with the consent of the congregation. At the same time the bill protects and supports the independent nature of the congregational church. Where property is held on behalf of a particular congregation, the trust may only use the property for a scheme of co-operative if the congregation consents.

This bill will meet the need of Hunters Hill Congregational Church for many years to come and I am pleased to support it. Some people may think churches are boring; others think they are a safe place where they

can meet with other people and can share their problems. Churches have a wide responsibility in our community. The principles of all churches in our community are the same and I encourage members to learn more about the support churches give. I have learnt the importance of the church particularly in my life. In fact my involvement in the church has changed my life in many different ways. It has helped me to communicate with people differently. It has helped me to both accept different people and to encourage them to work together. I have great pleasure in supporting this bill and I hope other members will also support it.

Mr JOHN FLOWERS (Rockdale) [3.43 p.m.]: I make a contribution to debate of the Hunters Hill Congregational Church Property Trust Bill 2013. The objects of the bill are to constitute a statutory corporation, the Hunters Hill Congregational Church Property Trust, referred to in the proposed Act as the trust; to specify the functions of that statutory corporation, which include holding property on behalf of the Hunters Hill Congregational Church or particular congregations of that church; to vest in the statutory corporation property held in trust for the church, or a particular congregation of the church, without the need to pay duty; to provide for the accountability of the trust to members of congregations of the church; to provide for the making by the trust of trust rules for the control, management and administration of, and dealings with trust property, the operation of the trust and the conduct of proceedings of the trust's board; and to provide for the making by congregations of the church of congregational rules relating to how the congregations may give directions to the trust.

The establishment of congregationalism in New South Wales dates back to the late 1700s and since that time many congregational churches have been established in Australia. The Hunters Hill Congregational Church was founded in 1876. The church already has an Act of Parliament—the Hunters Hill Congregational Church Act 1977—which was enacted by the then Government in 1977 as part of the package of legislation in support of the formation of the Uniting Church. In 1977 most congregational churches in Australia belonging to the congregational unit voted to join the Uniting Church. Only 27 churches in New South Wales chose to remain out of the Uniting Church and to continue as congregational churches. This choice resulted in the enactment of legislation to cater for those specific congregations. Most of the congregations became part of the fellowship of congregational churches, which comprised a small group of evangelical churches found in four Australian States, but mostly in New South Wales. However, the Hunters Hill Congregational Church did not wish to become a member of the fellowship at the time.

The Hunters Hill Congregational Church Act has been on the statute books for more than 30 years without amendment, but in recent years it has become increasingly clear that it no longer reflects the needs of the church. The church was originally a single worshipping congregation but another congregation has been established since 1977. The church also operates retirement villages at Hunters Hill and Narellan, which provide a number of services to local communities. The church also hopes to expand the self-care units currently operating in Narellan that provide accommodation to ageing parents with disabled children. The Hunters Hill Congregational Church also provides care, support and training for women in need at Destiny Haven—a residential facility in the Hunter Valley. The church is also actively involved with a number of other local churches in promoting religious education and community services. This bill will ensure that it can continue to do that.

Administrative difficulties arise whenever a trustee is replaced because under the existing Act the trustees are individuals. To address those difficulties, and to manage its financial affairs more effectively, the church requested that a corporation be established to hold its property. Extensive consultation took place between the existing trustees and the Hunters Hill Congregational Church and the request was supported. Initially the church requested that amendments be made to the existing Act. However, the Parliamentary Counsel advised that a new Act was the best way to establish a corporation to hold the church's property. The changes are simply too complex to take the form of an amending bill. The Hunters Hill Congregational Church Property Trust Bill 2013 therefore creates a new Act and repeals the existing Act.

The Hunters Hill Congregational Church Property Trust Bill 2013 establishes a corporate trustee that will be known as the Hunters Hill Congregational Church Property Trust. It also deals with the election and appointment of the trust's board members. The bill also specifies the functions of the trust, which require the trust to hold property on behalf of the church or on behalf of a particular congregation. The bill does not change how the church's property may be dealt with. For example, where property is held for the benefit of a particular congregation, the trust will still only be able to use the property in accordance with directions given by that congregation.

The bill does not change the independent financial structure of Hunters Hill Congregational Church. While the church may enter schemes of cooperation with other churches, the bill makes it clear that this may

only be with the consent of the congregation. In the outline of provisions, clause 42 of part 3 provides for the vesting of the trust of property currently held in trust for the church or a congregation. The clause also specifies the effect of the vesting of property in the trust and makes savings and transitional provisions relating to the vesting of property in the trust by the proposed section. In particular, it provides that when property vests in the trust in accordance with the proposed section, the rights, obligations and liabilities of the former trustees in relation to the property will become rights, obligations and liabilities of the trust.

Hunters Hill Congregational Church has now joined the fellowship of congregational churches. However, the church wishes to maintain its independent financial arrangements. For example, clause 23 of the bill enables Hunters Hill Congregational Church Property Trust to permit trust property to be used for a scheme of cooperation with another church. At the same time the bill protects and supports the independent nature of congregational churches. Where property is held on behalf of a particular congregation, the trust may use the property for a scheme of cooperation only if the congregation consents.

The bill also contains clauses that require the trust to publish information about its financial activities on the church's website, including financial statements, board minutes and resolutions. The establishment of a statutory corporation will assist the church to manage its financial affairs. The trustees currently appointed under Hunters Hill Congregational Church Act and the church community have been aware of the proposed changes for some time and support the passage of the legislation. The current members of the church also approved the new Act. I commend the bill to the House.

Mr CHARLES CASUSCELLI (Strathfield) [3.52 p.m.]: This afternoon I speak in support of the Hunters Hill Congregational Church Property Trust Bill 2013 and do so with a sense of delight. I cannot imagine a society without religion, without faith and without churches. I have tried but I cannot imagine it. When I use the term "church", I use it more in its contemporary sense as meaning a group of people sharing fellowship and a common view that is faith based. I am not talking about infrastructure or buildings; I am talking about groups of well-meaning people who have a deep faith and who come together to experience and share that faith.

I have visited churches many times in my life, especially when I have been stressed or when facing the challenges that all of us experience. Churches have become places of refuge for my family where they can seek and obtain comfort, especially during those difficult times of life. It is well known that faith and churches have greatly influenced the development of Australia and are the essence of what we are today. I take great pleasure in attending citizenship ceremonies and addressing 100 to 150 people who are becoming citizens of this great nation. The reason they choose to become an Australian citizen is not because of what Australia may become at some future date but what it is today. They like what they see in Australia, they identify with it and they want to be part of it. I assure members that churches have had a great influence on the development of Australia and they encourage people from different parts of the globe to become Australian citizens.

Churches provide spiritual wellbeing for all the community. They also provide effective mechanisms for social programs and social change. They look after the welfare of disadvantaged sections of the community. Faith-based organisations that deliver wonderful services include Father Chris Riley's Youth Off the Streets, the St Vincent de Paul Society, the Bill Crews Exodus Foundation and too many others to mention this afternoon. Many schools, aged care facilities and youth engagement and support programs have their roots in churches. Churches not only offer spiritual guidance; they also have many groups and organisations that reach out into the broader community to provide services that governments have failed to provide in the past.

Strathfield has more than 60 churches that provide fellowship and spiritual development to my community—these are churches within my electorate and those bordering my electorate. Those 60 churches represent many different denominations and people from all over the world—Asian, Middle Eastern, European and African. I am not talking merely about Christian denominations but Islam, Buddhism and far more than I could mention now. The Hunters Hill Congregational Church, like many other churches, can trace its history back quite some time; in fact, back to a company of Christians in Norwich, England, in 1580. The Norwich fellowship and other independent congregations emerged throughout England, placing emphasis on purity of life and doctrine.

The church is very similar to other Christian churches in that sense. Congregationalism arrived in New South Wales towards the end of the eighteenth century. In 1866 the Congregational Union of New South Wales was established. The Hunters Hill Congregational Church Act 1977 was enacted as part of the legislation that gave effect to the merger of parts of the Congregational Union and the Presbyterian and Methodist churches.

The principal Act, which dealt with trust and property matters associated with the merger, is of course the Uniting Church in Australia Act 1977. As we know, Congregational churches are largely independent, and so they should be. Each congregation was free to make its own decision about whether to enter the Uniting Church. Many declined to do so, which is recognised by the Fellowship of Congregational Churches (New South Wales) Incorporation Act 1977.

I am giving this history because this bill makes the legislation more appropriate for contemporary Australia. The Hunters Hill Congregational Church did not wish to enter the Uniting Church or the Fellowship of Congregational Churches. Separate legislation was therefore enacted by the Attorney General of the day, the late Frank Walker, QC, to ensure that the property held in trust for the Hunters Hill Congregational Church could be dealt with properly. The Hunters Hill Congregational Church Act 1977 has now been on the statute books for more than 35 years, but it has not kept pace with the changing nature of the church's activities.

The existing Act was enacted for a single worshipping congregation at Hunters Hill. However, the church now operates a substantial retirement village at Hunters Hill. It has acquired a large land holding at Narellan, where it has established a retirement village and has plans for further development. While the existing Act has served the church well, it has become clear over recent years that it no longer meets the needs of the modern church. For example, the trustees appointed under that Act are all individuals. This causes administrative difficulties for the church, especially when those trustees need to be replaced.

Establishing a corporation to be trustee of the church's property will ensure that the Hunters Hill Congregational Church's property is managed in a more transparent and efficient manner. The trustees of the existing Act have approved the changes that are being made to the Hunters Hill Congregational Church Act 1977. The church community also unanimously approved the introduction of this bill at a church meeting held on 28 July. The bill simply modifies outdated financial, administrative and governance arrangements to take account of the change in emphasis of the church's activities today and makes them more relevant. I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) [3.59 p.m.]: I have listened with interest to the previous speakers to the Hunters Hill Congregational Church Property Trust Bill 2013. I will elaborate on some of the themes raised by the member for Strathfield. Churches have been and are important to our communities in ways that sometimes may not be appreciated. The member for Strathfield suggested that governments have been unable to provide all of the services that churches provide to meet community needs. It is a relatively recent phenomenon that people expect governments to meet their full range of needs or that governments have been able to do so. If we look back over the centuries there were no schools, hospitals or social welfare networks and in many societies it was the churches of one religion or another that provided those services.

It was out of the monasteries in Europe that hospitals, schools and universities grew. The desire to help, motivated by the desire to do God's will, led to the provision of services in civilised societies for the first time. We now have in the twenty-first century a society that is built on and benefits from those historical traditions. Governments have grown and moved into these spheres of activity and now meet many of society's needs, but there is never going to be a time when every need in society will be met by government. That simply will not happen. There will always be room for philanthropy and for people of goodwill to make a difference to their community and to improve the lives of those around them through the generosity of their hearts, and that is often motivated by religion. Historically, we have benefited from the institutions and traditions passed down to us from our forebears and people of faith.

This bill is a small practical example of how the State has interacted with the traditions of churches. Churches are not corporate entities. They have structures that are somewhat different from those that might exist in companies or other structures in our society that fit into the normal legal mould that we have developed in civil law over many years. The churches' unorthodox structures require separate treatment to ensure that they fit into the legal structures that the State has created. A number of Acts of Parliament in New South Wales deal with different church structures dotted around the country in an apparently haphazard way. However, each Act deals with the churches' needs as they emerge and interact with the legal system.

The Hunters Hill Congregational Church Property Trust Bill 2013 seeks to modernise a 1977 Act dealing with this church. The bill removes the need to transfer the titles of various properties from one trustee to another on the death or departure of a trustee from the church. The administrative difficulties that were encountered each time a trustee no longer held that position makes it impractical to continue this governance procedure. The church has expanded its activities and has more than one congregation and that need to be

reflected in the Act. This bill tackles those challenges and puts in plain English a straightforward structure for a system of good governance that takes into account the differences in the way the church operates. It allows the church to look to the future with confidence that all those contingencies are covered by a manageable process.

In the fullness of time we may reach a stage where a single Act of Parliament will be developed to encompass all of the church Acts and provide an umbrella structure that allows all their needs to be met. That would involve a great deal of drafting and detailed work, and it is not the most urgent legislative priority. However, it may happen in the course of time. The Hunters Hill Congregational Church Property Trust Bill 2013 introduces sound, sensible structures, good accountability mechanisms and specifies the tasks and responsibilities of the trustees, the trustees' reporting obligations and how they are to be met, and the constraints on their activities. It is a sensible bill that meets the church's needs. Like the member for Strathfield, I am pleased that the New South Wales Government is able to provide this kind of structure for institutions that have given so much to our community. I commend the bill to the House.

Mr DOMINIC PERROTTET (Castle Hill) [4.05 p.m.]: I support the Hunters Hill Congregational Church Property Trust Bill 2013. As the member for Riverstone has said, at some stage we will need an umbrella bill that will ensure that individual legislation is not necessary for each church. Having said that, I appreciate the opportunity to speak to this bill and commend the work that churches do in New South Wales and across our country. Our country is built on Judea-Christian values that are generally passed on to future generations through the great churches that flourish across the State. As was mentioned by the members for Riverstone and Strathfield, churches do much that governments do not, for example, providing adoption services and charitable works. Those good works are undertaken in an efficient and loving way. Governments have not provided for those needs in our community.

A Roman emperor believed one way to undermine the spread of Christianity was to do the charitable works for which the churches were renowned, such as adoption agencies or feeding the homeless. The government took over those services but completely failed because at the heart of any church is a spirit of service and charity. It is said that faith without works is death and there is no doubt that work without faith is death. Churches across this State do a fine job and the Hunters Hill Congregational Church is one such institution. I am happy to support this bill because it is necessary to support the great work that the church has done. The church has grown and its work has evolved. As a result, some of the Act in the 1970s no longer serve its needs. This bill makes minor amendments to ensure that the church is able to operate in an efficient and effective manner. It will allow the church to provide services without having to worry about administrative burdens.

The introduction of this bill gives me the opportunity to raise some of the great works in which the Hunters Hill Congregational Church is involved. Like many churches, it had humble beginnings. A block of land was bought for £200 in 1873. The church now owns multiple premises across the State. In the 1970s the church expanded and built a serviced apartment facility and self-care unit. In the 1980s, land was purchased in Narellan to build another church, which eventually provided accommodation for ageing parents who may have a son or daughter with a disability.

Currently many families across the State are supported by this great initiative and are grateful for the continuing generosity and work that occurs at Narellan. The land in Narellan is now home to a vibrant congregation and service unit personnel continue to work towards their goal of providing facilities for people with disabilities. The Hunters Hill Congregational Church also interacts with other churches in the area to engage with people and develop religious education. Another significant focus of the church has been to assist women who are supported through a charitable mission known as Destiny Haven. This is coordinated through a residential facility in the Hunter Valley that provides training and support for women in need. The mission focuses on the main areas of alcohol use, drugs use, eating disorders and extreme anxiety. The services offered by Destiny Haven have been instrumental in the lives of many women, and have assisted a number of women to overcome significant hardship by providing the necessary support to enable them to improve their lives.

As the facts I have outlined illustrate, the church has evolved because it is doing great work. The more great work it does, the more that people are attracted to it and the greater is its ability to become involved in better services and programs to improve the lives of people in this State who experience difficult times or are born into unfortunate circumstances. This bill will ensure the church's continued operation. It makes a number of changes so that the trustees will constitute a corporation. I know that those changes will assist the church. I note that the congregation not only supports the amendments but has been actively involved in the preparation

of this legislation. The congregation requested a number of the amendments in the bill. That is important to note because it demonstrates that the amendments, when enacted, will support the acts of charity in which the church is involved.

I particularly mention the support for the Hunters Hill Congregational Church given by the Minister for Fair Trading and member for Lane Cove. I have often heard the Minister speak highly of the various religious groups in his district and he has done a lot to support the Hunters Hill Congregational Church. I know he is very supportive and has taken a keen interest in the development of this legislation. I commend him for his work in Lane Cove and for his work to support the church. I also commend the Attorney General for all his work in the Parliament and for his great work in formulating and introducing this legislation. Most importantly, I commend the Hunters Hill Congregational Church for all the work they do across Hunters Hill and throughout this great State. I commend the bill to the House.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [4.13 p.m.], in reply: I thank the member for Liverpool, the member for Camden, the member for Rockdale, the member for Granville, the member for Strathfield, the member for Riverstone and the member for Castle Hill for their contributions to the debate. The bill will help the Hunters Hill Congregational Church to manage its property in a more modern and efficient way. It will improve the governance of the church's property and the services that it provides to the community. The bill has been drafted in consultation with the church. I am confident that it will serve the church well for many years to come. 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.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2013-14

Debate resumed from 28 August 2013.

Mr KEVIN CONOLLY (Riverstone) [4.14 p.m.]: I am pleased to have this opportunity to resume my speech. Yesterday I spoke about the benefits of the 2013-14 budget for the Riverstone electorate and concluded by making a few observations about housing starts and completions statistics to show the recovery of the housing industry, which is so important to my electorate, that has taken place under the O'Farrell Government. I make the point that the Treasurer's policy in the budget for the financial year 2011-12, which was targeting and specifically increasing first home grants for new home buyers, is bearing fruit. We now can see increased housing starts and completions that have been taking place under this Government. The figures I cited yesterday are there for all to see and show the wisdom of the policy adopted by the O'Farrell Government.

In the budget allocations for Family and Community Services and Ageing and Disability Services, there are benefits for my electorate from funding of \$1.4 million provided for villa and group home accommodation at the Ponds in South Windsor. Those allocations are part of a continuing rollout of facilities that are so necessary for people who have disabilities and who are entitled to expect to be able to live as normal a life as possible within the community instead of being shut away in big institutions. That is a policy that both sides of politics have been pursuing in recent years and it is a policy that is continuing to receive financial support from the O'Farrell Government. I am very pleased to note that the funding for that commitment to social equality continues through budget allocations to my electorate in this year's budget.

I state my great respect for the former Minister for Ageing, and Minister for Disability Services, Mr Andrew Constance, who did great work while he had responsibility for that portfolio and in leading this

State towards participation in the National Disability Insurance Scheme. He paved the way for improvements by his strong focus on person-centred policy so that individuals could control their lives rather than the disability controlling their lives. Equally Minister Goward in the Family and Community Services portfolio is strongly committed to and focused on addressing the needs of children. It is wonderful to know that more at-risk children are being seen by caseworkers than previously has been the case, and that the Minister continues to drive that policy focus to ensure that this Government delivers the best possible services to the children who need them. Of course, that is what it is about.

In the Environment portfolio, \$5.7 million has been allocated for the Growth Centres Biodiversity Offset program in my electorate. That is necessary expenditure because in my electorate, which comprises the bulk of the North West Growth Centre, a conscious and deliberate strategy has been adopted to allow that development to occur to meet the housing needs of Sydney by offsetting the biodiversity conservation program that is needed to purchase land and set it aside to ensure that the environment also is protected in that process. The budget provides a continuing allocation, which is a sensible manner in which to deal with planned growth. I am pleased that this Government is making that provision for funding. Another budget allocation in the Environment portfolio that benefits my electorate and more broadly my region is \$6 million for the Western Sydney parklands to enable the project to become self-funding in the fullness of time through commercial activities that are part of its brief. That approach also has been supported by both sides of politics, but this Government is continuing to provide resources to ensure it will be a success.

In the Tourism, Major Events, Hospitality and Racing cluster of portfolios, the Responsible Gambling Fund has received an allocation to support service providers in local areas to meet the needs of people who have gambling problems. The funding supports the provision of counselling services that will assist people to get back on track. It is pleasing to see that there is more than \$900,000 for groups such as Catholic Care, Mission Australia, the St Vincent de Paul Society and the University of Sydney for counselling services in areas such as the Blacktown and Hawkesbury local government areas, which are in my electorate of Riverstone.

All of these activities are included in a budget which attempts to meet the real needs of the people of New South Wales. I began my speech yesterday by talking about the big picture and about how this Government is making New South Wales number one again. It had to make hard decisions. It had to make some unpopular decisions to redirect resources to where they were needed. The people of New South Wales had, in March 2011, resoundingly demanded that we meet the infrastructure challenge that had been so sadly neglected for a number of years and that we raise the standard of services to the community in a way that had not been happening for a number of years. To do that we had to be disciplined in our own spending and disciplined in the management of scarce taxpayer resources to make sure we could direct them to areas of need so that big-ticket projects such as the North West Rail Link, WestConnex and hospital rebuilding projects across Sydney and New South Wales can be undertaken.

It is a delight to report that those very things are happening. The people of New South Wales can rest assured that the mandate they gave us in March 2011 is being respected. We are delivering on those projects. It is not easy. The economic times are not making it an easy ride for us, but we have a Government that is determined to meet the challenge that has been put before it. The 2013-14 budget is a clear example of that, particularly in my electorate of Riverstone, where so many of these activities are happening.

I always like to end on a big note for my electorate—education. In my electorate there are three new schools about to be constructed: The Ponds high school, The Ponds primary school and the school for special purposes at The Ponds. It is obviously a great centre in Sydney. It is a brand new suburb where thousands of houses are being constructed. This Government is meeting the needs of education in that area. Those three schools went out to tender recently, and I trust I am about to hear the result of that tender process and that a construction timetable will be announced. The commitment is there for all of those schools to be open for the first day of the school year in 2015, which will be wonderful news for the people of the Riverstone electorate. It is something that they expected of the previous Government and were not given. One of the loudest calls to me as a candidate, before I was elected, was to provide the high school, in particular, for that region. I am so proud that that is exactly what we are doing. I commend the budget to the House.

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [4.22 p.m.]: I welcome the opportunity to speak on the Budget Estimates and Related Papers 2013-14. People have high expectations of the State Government. The first thing they expect is that we get the State in order. People expect us to cut our cloth to suit our budget. We had a legacy of 16 years when spending went beyond what the State could afford. So the

first thing this Government did was to look at what we could afford, to bring our finances and our spending back in order. Only then—only when the household was in order—could we decide what infrastructure and services that support our community in New South Wales required funding.

The fundamental core of State Government business is providing services to our community—hospitals and health services; education of our kids, who are the future of our community; and transport that suits our needs. Transport infrastructure is about helping people get from one place to another, so that they do not have to think too much about how they can get to family, work or friends. People need to know that they can arrive at their destinations without too much thought or difficulty. Those are the jobs of State Government.

I am proud to be a part of this State Government because that has been the approach of this State Government. The Liberals and The Nationals have come together to get the State's finances in order, and we are now at a point in the cycle of government where we have our fiscal strategy in place—thanks to the good work of our Treasurer, Mike Baird—and we are able to assign spending, in order of priority, to the important State services and infrastructure that this State has done without for way too long. We are there to serve the community. And fiscal rectitude—a good fiscal strategy—is at the heart of good delivery of services into the New South Wales community.

Our good economic strategy is going to lift our State's productivity and reinforce our economic growth. We know already, through a number of external expert reports, that the New South Wales economy is tracking in the right direction for the first time in many years. Put simply, this budget delivered by the Treasurer secures the future of New South Wales. It ensures—this is at the heart of the budget—that expense growth cannot exceed revenue growth. We can and we will continue to keep our house in good order. The budget has us reducing forecast debt. The budget sets out to reduce the payroll tax burden, and that will enable us to drive jobs in the economy—jobs that people in our local communities expect the Government to make available to them.

Most importantly, the budget delivers a \$60 billion infrastructure program. I am proud that we have given thought to what things our fiscal strategy can support in the community. Since forming Government in March 2011, the Liberals and The Nationals have focused on fixing up a fiscal and budgetary mess that we inherited from the former Labor Government. We will continue to live within our means, as we have done in the last two budgets the Treasurer has presented to this House. Many households right across New South Wales and Australia have to do that every week and every month. They have to decide on their priorities—what they can spend their money on and what their budget will stretch to. They decide how they can reduce debt in order to save for a rainy day.

The New South Wales Government has committed to spending a total of just under \$60 billion on infrastructure over the next four years to rectify those infrastructure backlogs across our State. That will include a record of just under \$15 billion for infrastructure and services in public transport and roads—the things that provide the quality of life for the people of New South Wales. We are providing infrastructure in transport and roads—the things that get people to the places that are important to them: their jobs, their families and their friends. By managing our finances responsibly, the New South Wales 2013-14 budget also boosts funding for our front-line services, with an additional \$884 million for health, \$524 million for education, and \$171 million for police.

This budget also includes a New South Wales contribution of \$1.76 billion over six years towards the additional \$5 billion from the National Education Reform Agreement to fund schools and deliver reforms for New South Wales students. This is a major priority for our Government. The National Education Reform Agreement will deliver substantial increases in school funding and a new model for the allocation between schools. It is going to build on the reforms that this Government has already implemented. As Parliamentary Secretary for Tertiary Education and Skills I am particularly proud of these reforms and the priority to spend on education in areas where it will count. This spending will be underpinned by reforms that give autonomy to our schools and that create quality teachers—the teachers that are going to make a difference in our children's lives by inspiring them to reach for their dreams and see that they are obtainable.

The other key education priorities include \$2.3 billion on vocational education and training—I note that this week is National Skills Week—to improve skills and increase qualification levels in New South Wales; and \$300 million on early childhood education and care, with a focus on access to a quality early childhood education program, which we know forms the foundation for success in further education as children grow older. The years before school are very important both socially and educationally for our young children. Added to this are the reforms in the university sector. I have been proud to work with the Minister for Education on

these. They have been focused on stripping away some of the regulatory red tape around our university sector—red tape which is not commensurate with the way in which our universities conduct their \$1 billion-plus enterprises. Another reform area which is very important—it has been led by the former Minister for Ageing, and Minister for Disability Services, Minister Constance—is the \$585 million launch of the National Disability Insurance Scheme in the Hunter. This reform is going to provide vital support to around 10,000 people by July 2016.

The budget incorporates the State Infrastructure Plan, which outlines the key infrastructure priorities being funded by the Government for the next five years. That five-year plan incorporates projects drawn from the infrastructure backlog—and I stress "backlog"—that was left to us by those opposite. That backlog is identified by Infrastructure NSW in the 20-year State Infrastructure Strategy released last year. It sets out the Government's strategy to fund the infrastructure that is needed to improve our State by improving productivity across New South Wales, helping to ease the cost of doing business in this State so that we will attract businesses into the State and improving the quality of life of the people in our community. New South Wales is now open for business. I mentioned that we are reducing red tape in the university sector, but we are also reducing it across all portfolio groups. The Government has a clear and defined vision of the infrastructure this State needs both in the short term and the medium term, but a marker of this Government is that it has a clear and defined vision for the long-term infrastructure needs of this State.

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

MT DRUITT HOSPITAL WARD CLOSURE

Discussion on Petition Signed by 10,000 or More Persons

Mr RICHARD AMERY (Mount Druitt) [4.30 p.m.]: I have spoken about the Mt Druitt Hospital a few times already in this place this year. At the risk of repeating some comments, I will continue for the five minutes I am allowed. I again acknowledge the many people who took up the challenge of getting this petition signed. I did not expect it to exceed the 10,000 signatures so quickly, but such was the concern and anger of the signatories that yet another service was being removed from the Mt Druitt Hospital. I record my disappointment at the Government's response, through the Minister for Health, to this issue. I will quickly address a couple of those responses.

The first argument put by the Minister is that the removal of the cardiac ward is not a closure but an operational relocation of the ward to the Blacktown Hospital and not a decision by the Minister but a decision of the area health bureaucrats. The Minister's second argument is that the closure of the cardiac ward was flagged during the Labor Government's term in office. In other words, an operational matter under this Government is a policy matter under the previous Government. My question is: If it was flagged during the tenure of the previous Government, to whom was it flagged?

When the Labor Government was in office the then member for Londonderry, Allan Shearan, and I had briefings from the area health officials and the hospital medical staff at my electorate office. They were designed to brief us on the virtues of the policy of having the Blacktown and Mount Druitt hospitals regarded as one hospital with two campuses. The briefing related to the program of sharing clinical services between the two hospitals. At no time was the removal of the cardiac unit flagged. In fact, it was to the contrary. Allan Shearan reminded me that the fact that the Mt Druitt Hospital had a cardiac unit was put to us as a virtue and an example of the services that were to remain at the hospital.

This situation reminds me of the old public service trick—highlighted in the comedy show *Yes Minister*—where a bureaucrat puts a proposal in an internal report that no-one sees and no-one in the community knows about and then digs it out later to say that it was always on the agenda. The NSW Health officials who are misleading the Minister for Health are the same officials who misled the previous Minister, the previous Government, myself as the local member, and other local members, about the implications of this decision. Nobody told us that the result of Blacktown Hospital having an emergency medicine surgery would be that all emergencies that required admission would be dealt with by the Blacktown Hospital.

Blacktown Hospital now sees more residents of Mount Druitt than Mt Druitt Hospital does. No-one at any briefing mentioned that because Mt Druitt Hospital would be doing mostly elective surgery the majority of the people in beds in the hospital would not come from its catchment area. No briefing from the area health

service told me that as a result of this "casemix distribution"—to use one of their terms—Blacktown Hospital nursing, medical and other staff would be run off their feet on a daily basis. While that is happening—with the exception of the emergency department—the wards and corridors of the Mt Druitt Hospital remain half empty for most of the time. We were also not told that operations would not be performed at the Mt Druitt Hospital after hours or on weekends.

Now we are informed that the most important service—the cardiac unit—will be sent off to Blacktown. More pressure will be placed on the staff and resources of the Blacktown Hospital; more patients will be put on the inter-hospital shuttle bus; and cardiac patients living in the Mount Druitt area will face increased danger. There will also be a continued underuse of the Mt Druitt Hospital, where on most days the corridors and many of the beds are empty. The provision of a cardiac service to an area with a low-income demographic, with high levels of obesity, diabetes and cardiovascular disease, is a policy matter for the Minister and not an operational issue for public servants and medical staff councils. I emphasise that point. The shadow Minister for Health and the Leader of the Opposition have continued to say to the Minister for Health that these matters may be operational, but they call for serious policy decisions affecting the health and wellbeing of many residents.

I call on the Minister and the Premier, as the Minister for Western Sydney, to intervene and stop this stupid and dangerous closure of the Mount Druitt cardiac ward. I know that members of the Government will highlight the public works that are being undertaken at Mt Druitt Hospital, one of which is building a new ambulance space. However, I do not know what it will be used for other than shuttling people to Blacktown. The new dental chairs, the rehabilitation service and the new entrance are all welcome, but are not a good exchange for the cardiac unit.

Mr KEVIN CONOLLY (Riverstone) [4.35 p.m.]: The New South Wales Government has committed \$324 million for the Blacktown and Mt Druitt Hospital expansion project. That is a huge and significant investment in the health needs of the people of Western Sydney—one which is overdue. It is welcomed by the local community and which this Government is delivering. It is disappointing to hear the member for Mount Druitt trying to scare people by saying that there is some danger and that this is a risk to the people of Mount Druitt because he is not a doctor and I am not a doctor.

Dr Andrew McDonald: I am.

Mr KEVIN CONOLLY: The member who interjects simply underlines my point that it is doctors on the Medical Council who drew up the Clinical Services Plan for this joint hospital. It was their suggestion—their plan—that this should be done. This direction was set out in their 2009-10 Clinical Services Plan. It was not my plan, not Mr Amery's, not the Speakers and, I trust, not any other politician's or bureaucrat's—it was the Clinical Services Plan, informed by the medical staff of the hospital, that took this direction.

As soon as I was elected I was approached by the medical staff of Blacktown Hospital with their Clinical Services Plan in hand. They lobbied to persuade me that the upgrade project needed to be funded and commenced. They put a persuasive and powerful argument about the needs of the people in the Blacktown area, with a high turnover of patients and a heavy demand on the hospital. They put such a good argument that it convinced the Minister as well, and the Government is now funding the project. The Clinical Services Plan was the foundation of the decision. It was a clear plan designed to meet the health needs of the people of the region, not a political exercise or a bureaucratic one but a medical one. Our investment in this hospital confirms the commitment by the Government to maintaining and enhancing the health of the Western Sydney community.

The leader of the Mt Druitt Hospital cardiac rehabilitation volunteers has wholeheartedly accepted this proposal. Senior management at Blacktown Mt Druitt Hospital have met with the Mount Druitt volunteers to discuss the consolidation of services and these discussions are ongoing, as are consultations with Blacktown Mt Druitt Hospital cardiologists. It is important to remember that the Blacktown Mt Druitt Hospital is one health facility operating across two campuses. The one service and two campuses model provides a more efficient and effective health service by consolidating specialist services but continuing to provide general services at both campuses.

All services will continue, and there will be no impact on staff due to the relocation. In fact, obviously, there will be a resultant increase in the number of beds in the cardiac unit, from 53 at the moment across two sites to 60 in the new facility. The important bottom line for the people of the area is that all services will continue and that they will be better served as a result of these decisions. Patient care will be enhanced, not compromised, by this relocation. Consolidating services at the Blacktown campus provides cardiac treatment in

an integrated new centre, and that will improve patient care. The new cardiac care centre will be located in a purpose-built new building, and will include a coronary care unit, cardiology inpatient unit, a clinical measurement unit and a cardiac gym for patients requiring rehabilitation following cardiac illness, through a structured and supervised exercise program, and more.

The Mount Druitt campus will continue to provide outpatient services, a device clinic and rehabilitation, including the current exercise facility. Volunteers at the Mount Druitt campus have been offered an invitation to meet with the general manager of Blacktown Mt Druitt Hospital at a mutually convenient time, and to provide a list of questions not already answered, or to seek further clarification. This Government has introduced many reforms in health. One of the most important is the formation of local health districts, which will ensure that decisions are made as close to local communities as possible. This is an example of local decision-making to benefit Western Sydney, with senior cardiac doctors working in consultation with the chief executive at Western Sydney Local Health District and the senior management team at Blacktown Mt Druitt Hospital. The expansion work is progressing well, and management has the Government's full support for the excellent work being done to improve patient care. The Government appreciates the interest of the Western Sydney community in their health care; it welcomes people signing petitions and making their views known. We have no problem with any of that. We can assure them that health services in Western Sydney remain a priority. We want the best health care for the people of Blacktown and Mount Druitt.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [4.40 p.m.]: It is interesting that Bib and Bub from Hawkesbury Council are defending this decision about the Blacktown Mt Druitt Hospital. The Minister for Western Sydney is nowhere to be seen, nor is the Minister for Health, on this issue. This is a Government that makes decisions that are not supported by the wider community. Getting 10,000 signatures is no easy task. What we are seeing is a local community that is genuinely very concerned—concerned about the impacts on them that will result from removal of their cardiac unit. This cardiac unit has been supported by the local community; equipment has been paid for by the fundraising efforts of that community.

I find it ironic that earlier today we had the member for The Entrance lecturing us that we should come in here to advance the interests of our community; yet I have not heard anyone on the Government side talk about the interests of the community. I have heard talk of professionals and the like, but I have heard nothing from those opposite about the interests of the community. It is the community that has got this petition together; it is that community that will suffer because of this change. This is what is seen when a government cuts \$3 billion from the Health budget, which is what this Government has done. Today, we saw what happens as a result: someone in an emergency department on the floor, under a blanket, not being seen; people being forced away from a local facility that has provided them with services to a location that has one of the busiest emergency departments in the State.

This decision will not improve services for the people of Western Sydney. It will compromise the safety and health of those who live in Mount Druitt and Western Sydney. This Government is not committed to Western Sydney; it rips money from a hospital and denies the people of Mount Druitt and Western Sydney the opportunity to have what they deserve: this Mt Druitt Hospital facility continuing to operate, properly funded and properly staffed. Though the Government purports to represent Western Sydney, when it comes to the delivery of services to Mount Druitt, sadly, it is ripping off the local community because money is being taken from the local hospital and this facility is being closed. This is being done under the guise of some sort of improvement.

Mr BART BASSETT (Londonderry) [4.43 p.m.]: Firstly, I acknowledge and thank the 10,000 people who signed the petition, and reinforce for those 10,000 people and the rest of Western Sydney what this Government is doing through its investment in health. Stage 1 of the Blacktown Mt Druitt Hospital expansion project has a capital value of \$324 million, of which \$296 million was provided by the New South Wales Government and, I acknowledge, \$28 million by the Commonwealth. It is important to remember that Blacktown Mt Druitt Hospital functions as one hospital on two campuses—at Blacktown and Mount Druitt. The expansion project will deliver important clinical priorities, including a comprehensive cancer centre for treatments such as radiotherapy, and additional acute beds.

Stage 1 early works for the expansion project commenced in September 2012. The new clinical services building is expected to be completed by mid-2015 and the refurbishment of the existing building in mid-2016. Those are promises made by Labor, but being delivered by this Government. Stage 1 early works are progressing well. The project will provide 170 additional beds and includes: additional emergency department places and a co-located psychiatric emergency care centre; additional intensive care/high dependency beds;

additional outpatient clinics; a new in-centre renal dialysis unit; a new comprehensive cancer centre; additional dental chairs; additional cardiac catheterisation capability; the establishment of a nuclear medicine service at Blacktown campus; and the expansion of medical imaging, pharmacy, pathology, and the central sterilising services department.

The project involves construction of a new inpatient building adjacent to the existing Blacktown Hospital, linked by a fully enclosed hospital street, along with reconfiguration of the existing hospital building and the reconfiguration and extension of services at the Mount Druitt campus. The expansion will also include a multi-level car park and sub-acute mental health beds as part of the Council of Australian Governments sub-acute program. The relocation of the cardiac unit was included in the 2009-10 Clinical Service Plan for Blacktown Mt Druitt Hospital. That forms the basis of major works currently being undertaken at both Blacktown and Mount Druitt. The relocation will ensure world-class cardiac services for Western Sydney using the most up-to-date equipment and technology, and also includes improved access to cardiac rehabilitation services at Mount Druitt, which has been well accepted by the cardiac rehabilitation volunteer support groups. The Opposition spokesman on Health well knows, as I do, that we should look to locate intensive care and specialist services in world-class facilities, and put the resources in those locations. We should try not to spread the load thinly; and we should keep our staff well resourced. That is what this Government is doing.

Dr ANDREW McDONALD (Macquarie Fields) [4.46 p.m.], by leave: I thank the Government for granting me leave to contribute to this debate. We agree on one thing: The most important redevelopment in Western Sydney is the redevelopment of Blacktown Mt Druitt Hospital. That is why it was flagged by the previous Government; that is why it will determine the future of health care in Western Sydney as a major teaching hospital of the University of Western Sydney. The building of a cardiac unit is also vital for Blacktown. But this is not about the need for vital services. If this were such a good idea, why was it that nobody told the people of Mount Druitt about it before these beds were shut? Why did this Government not tell anybody why these beds were to be relocated to where they now are? If these 10 beds shut at Blacktown Mt Druitt Hospital were opened at Blacktown Hospital, in which ward are they now?

That is a very simple question. In fact, it is question 3646 that I asked the Minister; but I got a dissembling reply. These beds have been shut to save money. There is nothing wrong with the principle of one hospital being across two sites. I practised at such a hospital for 23 years. It can be done. But one hospital across two sites means beds across two sites, which means 10 cardiac beds at Mount Druitt. In 1983, a week after it opened, I commenced working at the hospital at Mount Druitt. On my first shift I saw a 35-year-old man die from a heart attack and I had to tell the wife of a man in his mid-forties who had collapsed while jogging that her husband had died. That was nearly 30 years ago and things have not changed that much.

Mount Druitt has a very significant burden of cardiac disease. Much of this is preventable, and if we are serious about doing something about cardiac disease in Mount Druitt we will have some expertise at Mount Druitt. The major centre will always be Blacktown, as it should be—the catheter lab, nuclear medicine and complex cardiac imaging. But most patients with cardiac disease can and should be treated close to their homes because they need multidisciplinary care from community-based providers as well as a hospital. It should be at Mount Druitt. Closing those beds was never flagged with us as a realistic prospect because we would not have allowed it. Bureaucrats come up with ideas all the time; that is why politicians are elected to advocate for the community. Under the Health Services Act 1997, the Minister must have been part of this decision because a ward cannot be closed without the Health Services Act being invoked. That means the director general should know. This is a mistake but it is a mistake that can be rectified—just put the 10 beds back and rebuild Blacktown Mt Druitt hospital. That is what should happen. [*Time expired.*]

Discussion concluded.

ACTING-SPEAKER (Mr John Barilaro): Order! It being after 4.30 p.m., we will now proceed to the making of community recognition statements.

COMMUNITY RECOGNITION STATEMENTS

YASS RAMS RUGBY UNION CLUB

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [4.50 p.m.]: I inform the House that the Yass Rams Rugby Union Club won the Monaro Cup with a

20-9 win over Goulburn's Dirty Reds on Saturday 17 August. This fantastic achievement was made even more outstanding given that four years ago the club achieved only two reserve grade wins in two seasons. I congratulate all the players on their dedication over these years to improving their skills and gameplay, which has now achieved such a remarkable outcome. Special congratulations go to coach Dan Atkins, formerly of Wests and Uni Norths, who took on this daunting task and guided the players to their premiership. Congratulations also to the Dirty Reds on being such great sports and great sportsmen.

TRIBUTE TO CHIEF INSPECTOR GRAEME DONNELLY

Ms NOREEN HAY (Wollongong) [4.51 p.m.]: Today I note with great sadness the recent passing of highly respected police officer, Chief Inspector Graeme Donnelly, aged 52. The high regard in which Chief Inspector Donnelly was held was shown by a sea of blue uniforms surrounding St Francis Xavier Catholic Cathedral in Wollongong. I acknowledge the many years of service that Graeme gave to the NSW Police Force and I am proud that the majority of his career was based in Wollongong. Inspector Donnelly enjoyed a distinguished career through his commitment to the job and was highly respected by his peers and the community. I extend my condolences to Graeme's wife, Kerri, and sons, Aaron and Brad, and to his extended family, friends and colleagues at this very sad time, and say thank you on behalf of the Wollongong community for his sacrifice for us all. This was also recognised by New South Wales Commissioner of Police, Andrew Scipione, who posthumously awarded Inspector Donnelly the National Police Service Medal.

THORNTON PUBLIC SCHOOL JUNIOR LANDCARE TEAM

MAITLAND FOOTBALL CLUB

Ms ROBYN PARKER (Maitland—Minister for the Environment, and Minister for Heritage) [4.52 p.m.]: I congratulate Thornton Public School on winning the Junior Landcare team title at the 2013 Champions of the Catchments regional awards. The awards are coordinated by the Hunter-Central Rivers Catchment Management Authority in partnership with the Hunter Regional Landcare Network. I congratulate and thank the principal, John Millburn, and Caterina Poggi for their commitment to encourage pupils to engage in environmental activities within the school grounds. I wish Thornton Public School all the best for the State Landcare awards to be announced in Newcastle in September 2013. I also congratulate Maitland Football Club on having all three teams qualify for this Sunday's Northern New South Wales first division grand finals at Adamstown Oval. I wish them all the best for their grand final matches, and may three premiership trophies return to the Maitland electorate on Sunday night.

LIVERPOOL CATHOLIC CLUB

Mr PAUL LYNCH (Liverpool) [4.53 p.m.]: I recognise the Liverpool Catholic Club members' forty-third annual mass and luncheon held on 7 July 2013. Mass was celebrated by Bishop Terry Brady. The members' lunch master of ceremonies was Steve Murphy and there was an address of welcome by club president Tony Atkins, who also presented life membership to Elsie Mallett. Scholarships to assist with university studies were presented by director Michael Coffey to a number of high-achieving students from local high schools. The Liverpool Catholic Club is a significant institution within the Liverpool region. Amongst its many other attributes, it directs a very substantial amount of money to the local community, supporting a range of groups and efforts. It is also a substantial employer and an important social hub. It was a pleasure to be invited to the event and to be associated with the club.

SUNHAVEN HOSTEL

Mr ADAM MARSHALL (Northern Tablelands) [4.54 p.m.]: I bring to the attention of the House the Sunhaven Hostel, which is run by Ashford Ageing Care Facility Incorporated, a community-based group that has worked tirelessly for the past two decades to support the ageing in its community. Last weekend I had the great pleasure of joining manager Kim Meale, assistant manager Roberta Thompson, and board chairman Steve Symons at Sunhaven in Ashford to help celebrate 20 years of outstanding service to aged care. Three people were presented with awards for 20 years of service to Sunhaven—they were there since the very start: Kim Meale, and board members Robert Byrnes and Kath Thompson. Ashford is a small community that pulls together to achieve great outcomes, including securing substantial funding earlier this year to convert the old Masonic centre into a new medical clinic. I commend the Ashford community and all the staff and volunteers at Sunhaven for their community spirit.

OUR LADY OF VICTORIES PRIMARY SCHOOL SHORTLAND JUNIOR GIRLS RELAY TEAM

Ms SONIA HORNERY (Wallsend) [4.55 p.m.]: We congratulate four young girls who have had their whole school cheering them on. Tannah Manning, Moreen Dushime, Jada-Lee McBride and Jessica Joice of Our Lady of Victories at Shortland are the school's junior girls relay team that competed at the diocesan Primary Schools Sports Association [PSSA] athletics carnival at Glendale on 1 August. It was the first time in more than 20 years that a relay team from the school had made it to regional representation level. The school is very proud of this achievement and the girls enjoyed—and no doubt benefited from—the experience. Well done!

TRIBUTE TO GEOFF HEDGE

Mr MARK SPEAKMAN (Cronulla) [4.56 p.m.]: I thank Geoff Hedge, who retired last month after two and a half years as my representative on the Sutherland Traffic Committee and after a further six years representing my predecessor, Malcolm Kerr, OAM, on that committee. Geoff generously, diligently and reliably gave his time as a volunteer, attending monthly meetings and, in particular, demonstrating a keen interest in public safety and often dealing with contentious issues. He brought a wealth of experience and knowledge from Rockdale City Council, having been a councillor from 1988 to 2004, deputy mayor from 1993 to 1995, mayor from 1999 to 2000 and long-time chairman of the Rockdale Traffic Committee.

ISLAMIC RELIEF WORLD EXPO

Mr GUY ZANGARI (Fairfield) [4.57 p.m.]: The first-ever Islamic Relief World Expo was held on 30 June 2013. The expo was organised by Islamic Relief Australia. Islamic Relief is one of the largest humanitarian organisations in the world. The expo information stalls showcased the work that is being undertaken by Islamic Relief around the world, and 47 countries were represented at the event. There were presentations, displays and live interviews discussing the work being done to reduce global poverty and suffering. Present at the event were the Grand Mufti of Australia, Dr Ibrahim Abu Mohammad; the chief executive officer of Islamic Relief Australia, Mr Muaz Al Haj; and the chief executive officer of Islamic Relief Worldwide, Dr Mohamed Ashmawey; as well as Federal, State and local government representatives. The institutional programs manager, Fadlullah Wilmot, gave an update on the humanitarian efforts currently being undertaken in Afghanistan. Mr Martin Cottingham, the media and advocacy manager at Islamic Relief United Kingdom, and Islamic Relief country director of Syria, Ahmed Mogazi, gave updates to the audience about programs.

RETIREMENT OF GEORGE ALEXANDER

Mr GREG APLIN (Albury) [4.58 p.m.]: Today I recognise the tremendous work of George Alexander, the NSW Rural Fire Service superintendent based in Albury, who will be taking leave in October and retiring in January after 40 years of service with fire brigades. As team manager for the southern border zone since 2001, George has been responsible for fire prevention in the Albury, Corowa, Greater Hume, Holbrook, Tocumwal-Finley and Berrigan areas, and for 56 Rural Fire Service brigades and 2,500 volunteers locally. George was a most worthy recipient of the Australian Fire Service medal in 2008. We salute his service and wish him all the best in his retirement.

SYDNEY MECHANICS SCHOOL OF ARTS

Mr ALEX GREENWICH (Sydney) [4.59 p.m.]: I congratulate the Sydney Mechanics School of Arts on its 180th anniversary. Since 1833—it is the oldest operating school of arts in Australia—the Sydney Mechanics School of Arts [SMSA] has played a significant and leading role in adult education. It broke new ground by enrolling women from 1838 and now provides affordable venues, makes grants to educational and cultural bodies, and is home to Australia's longest-running lending library. A huge range of classes, forums, groups and learning programs continue to operate from the Pitt Street building. To commemorate this anniversary, local historian Garry Wotherspoon has written the first detailed history, uncovering fascinating tales and telling the Sydney Mechanics School of Arts story about engaging ordinary people in diverse education areas, including art, architecture and anatomy. In addition to teaching skills, the school encouraged students to understand and engage with the world around them. I commend the Sydney Mechanics School of Arts for its many years of contributing to adult education and good citizenship.

MINISTER'S AWARD FOR EXCELLENCE IN TEACHING RECIPIENT SEBASTIAN BRUNDSON

Mr JONATHAN O'DEA (Davidson) [5.00 p.m.]: I congratulate Sebastian Brundson from Davidson High School who was one of only 24 recipients of a prestigious 2013 Minister's Award for Excellence in Teaching. Sebastian is acknowledged as an experienced teacher who inspires his students with his drive and passion for economics and geography. His classroom practice reflects all the best attributes of quality teaching. As a result, his students have produced outstanding academic results in these fields. Teaching is widely acknowledged as being the single most significant factor in educational success and Sebastian's receipt of this award shows the depth of quality in public school teaching in the Davidson area. When presenting the awards in Sydney this week the Minister for Education confirmed the Government's commitment to teaching excellence in the State and noted that the winners, including Sebastian Brundson, have demonstrated a high degree of accomplishment and a commitment to excellence.

VESAK DAY CELEBRATIONS

Mr NICK LALICH (Cabramatta) [5.01 p.m.]: I inform the House that I attended the Vesak Day celebrations on 4 May 2013 at Freedom Plaza in Cabramatta. Also in attendance were the Hon. Chris Bowen, the Federal member for McMahon; the Hon. Chris Hayes, the Federal member for Fowler; the Venerable Ming Vi from Fu Hai Monastery; Mr Tit Leong Tho, the President of Prajna Monastery; and Mr Vincent Kong, the President of the Buddhist Society of Australia. Vesak Day is celebrated by all Buddhists around the world to remember the birth, enlightenment and the passing of the Lord Buddha. I had the pleasure of celebrating the day by taking part in the chanting and the prayers by venerable Thais, Koreans and Chinese. I also took part in the offering of flowers and the bathing of the Lord Buddha. I thank all the people who helped in the preparation and organisation of the event and those who attended the celebrations.

PORT MACQUARIE ELECTORATE VOLUNTEERS JAN DAWES AND KEITH ANDERSON

Mrs LESLIE WILLIAMS (Port Macquarie) [5.02 p.m.]: I congratulate two members of the Port Macquarie electorate. Keith Anderson from Lake Cathie is recognised in his local community as an outstanding volunteer. His journey as a volunteer began four years ago after being diagnosed with prostate cancer. He is now involved in the Cancer Council's advocacy program after recent training to become an advocacy leader in the community. He has been involved in the community speakers program and has helped to sign up 30 primary schools to the SunSmart program across the Hastings, Taree, Great Lakes and Gloucester areas. Keith's efforts were recognised recently when he won the prestigious statewide Cancer Council NSW Star Volunteer Award for his tremendous contribution to the mid North Coast.

Jan Dawes is an inspiration to her local community. A resident of Laurieton, Jan has been volunteering for Lifeline Mid Coast for the past 16 years. Not satisfied that she was doing enough, she last year decided to retrain and increase her skills to provide telephone crisis support. Volunteering to answer the crisis lines can be a demanding and delicate task, yet Jan finds the experience rewarding and personally satisfying. After recently completing 92 hours of telephone work and receiving her statement of attainment, Lifeline head trainer Di Bannister thanked Jan for helping to save lives and for making a very valuable contribution to society.

PRIDE OF THE ILLAWARRA EMERGENCY SERVICES OFFICERS OF THE YEAR AWARDS

Mr GARETH WARD (Kiama) [5.03 p.m.]: On 9 August 2013 I attended the Pride of the Illawarra Emergency Services Officers of the Year Awards. The overall winner in the category for voluntary services was Sandra Huer and the overall winner as a paid officer was Robert Minns, a police officer of 27 years, who provides assistance to members and families who experience stress caused by the job. Other winners include John Wall, a volunteer of 29 years—16 years of which have been based in Kiama as the deputy controller providing support in Kiama in relation to natural disasters, road accidents and missing loved ones—Andrew Erlik for helping Wollongong youth to stay safe on the roads; Wayne Perry, a volunteer and operations coordinator in the Australian Aerial Patrol since 2003; Christopher Bowers, a volunteer for Marine Rescue NSW at Lake Illawarra for 11 years; and Peter Cribbs, a paramedic in the Ambulance Service of NSW who has worked on medical retrievals around the world. Special mention goes to finalists from Kiama: Peter Mitchell, a retained firefighter for the last 37 years who combatted severe weather conditions in Kiama earlier this year, and Terry Dryburgh, deputy captain at Kiama Fire and Rescue NSW since 2001. I thank all those involved with the awards, including Dot Hennessy for organising the awards.

TERALBA SCOUTS GROUP QUEEN'S SCOUT AWARD RECIPIENTS

Mr GREG PIPER (Lake Macquarie) [5.04 p.m.]: I congratulate three young Venturers from the Teralba Scout Group who recently received their Queen's Scout awards. Adam Clark, Alexandra Heemskerck and Jessica Heemskerck were conferred with their awards last month. Adam is a keen participant in outdoor challenges and spends most weekends at scouting events. He has also been a member of the Zone Venturer Council. Alexandra has a strong sense of community and has devoted much time and attention to the West Wallsend High School and Community Museum. She also participates in local environmental projects and has developed a diverse range of new skills during her Queen's Scout training. Jessica has taken a leading role in the Unit and Zone Venturer councils and the group's Cub Parade. She is also an outdoor enthusiast and has contributed to many community and environmental causes. I congratulate all three recipients of the Queen's Scout Award.

TRINITY GRAMMAR PREPARATORY SCHOOL SEVENTY-FIFTH ANNIVERSARY

Mr CHARLES CASUSCELLI (Strathfield) [5.05 p.m.], by leave: I ask the House to acknowledge the significant contribution made by Trinity Grammar Preparatory School as it celebrates its seventy-fifth birthday as a standalone campus and to note that this happy event is occurring during the school's centenary year. The headmaster, Milton Cujes, and staff of Trinity Grammar Preparatory School, which caters for boys from ages four to 12 and provides the foundation for a comprehensive all-round education, are to be commended for their outstanding work in helping to shape the future academic and physical development of their students. I ask the House to join with the Trinity Grammar Preparatory School community in celebrating the school's rich history of providing quality education in Strathfield since 1938. The school continues to build upon its lengthy association with the area, which began in 1926.

NATIONAL ABORIGINES AND ISLANDERS DAY OBSERVANCE COMMITTEE

Mr PAUL LYNCH (Liverpool) [5.06 p.m.], by leave: Tonight I recognise the National Aborigines and Islanders Day Observance Committee [NAIDOC] celebrations in Liverpool. A march was held on 4 July commencing in August Cullen Park and continuing along Macquarie Street to Macquarie Mall, where there was a flag-raising ceremony, a smoking ceremony by Uncle Stephen Williams and a Welcome to Country by Auntie Norma Shelley. There were several speeches and the master of ceremonies was Roy Ah See, a councillor with the NSW Aboriginal Land Council. I attended the celebrations along with Federal members of Parliament and councillors. On the following day the Annual NAIDOC Ball was held at Liverpool Catholic Club, organised by the Gandangara Aboriginal Land Council. These are significant events for Liverpool and an important part of telling the truth about the history of this land.

UNIVERSITY OF WESTERN SYDNEY EQUITY AND DIVERSITY PROJECT

Mr ANDREW ROHAN (Smithfield) [5.06 p.m.], by leave: I am delighted to inform the House that on Friday 26 July, representing the Minister for Citizenship and Communities, I attended the Equity and Diversity Unit of the University of Western Sydney with members of the Vietnamese community as part of the Year of Success through Diversity 2013 project. Our diversity is one of the greatest assets and strengths of our State and nation, and projects such as this go a long way to promoting mutual respect and understanding. The Australian Vietnamese community has made a great contribution to New South Wales and Australia, which is evidenced by the wider Australian community, who enjoy the rich culture and tradition from Vietnam. I congratulate the staff, students and the wider community on promoting such practices across the university and I wish them well in the progression of the Year of Success through Diversity project.

VIETNAMESE COMMUNITY IN AUSTRALIA-NSW CHAPTER INC.

Mr GUY ZANGARI (Fairfield) [5.07 p.m.], by leave: The Vietnamese Community in Australia NSW Chapter Inc. held a fundraising event on Friday 12 July 2013. The fundraiser was for the Braeside Hospital's project in building a "fresh food kitchen". The Vietnamese Community in Australia has previously held fundraisers to assist the victims of Queensland floods and veterans of the New South Wales branch of the Vietnam Veterans Association. The Braeside Hospital is well known in Fairfield as a compassionate and caring facility that provides services for rehabilitation, palliative care and older person's mental health.

Currently all patients' meals are prepared at the Royal Prince Alfred Hospital by the chill-cook system. The new project will facilitate a fresh food kitchen at Braeside Hospital. The Vietnamese Community in Australia raised more than \$90,000 from the fundraising evening. President Mr Thanh Nguyen and the organising committee are to be commended for their continuous work in helping those in the community who require assistance in times of need.

TRIBUTE TO SUPERINTENDENT DOREEN CRUICKSHANK

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [5.08 p.m.], by leave: Tonight I recognise the incredible contribution that Superintendent Doreen Cruickshank has made to the Pittwater community. Since January 2006 Doreen has served as Commander of the Northern Beaches Local Area Command. For more than seven and a half years my local community has benefited from her leadership, which has included the construction of a brand-new police station at Mona Vale, a significant expansion in the number of police officers within the command and a sustained reduction in local crime rates. During her tenure as Commander of Northern Beaches Local Area, Superintendent Cruickshank has been honoured as the Pittwater Woman of the Year for 2008, and was one of just two New South Wales police officers awarded the inaugural National Police Service Medal by the Prime Minister in 2011.

Superintendent Cruickshank was personally nominated for the National Police Service Medal by the New South Wales police commissioner, Andrew Scipione, on the basis that hers ranked among the best examples of a career in the police service in New South Wales. Doreen has been an outstanding police officer, who stands as an exemplar of service leadership. She is universally respected among the northern beaches community and has worked tirelessly to build relationships between the police force and the society it protects. It is with a heavy heart and with all my gratitude and respect that I farewell Superintendent Doreen Cruickshank from her role as our local area commander and wish her all the best in her new role.

MAX HAZELTON AERO CENTRE

Mr ANDREW GEE (Orange) [5.09 p.m.], by leave: I bring to the attention of the House the opening of the Max Hazelton Aero Centre in Orange on Saturday 24 August. Max Hazelton has made a huge contribution to the Orange electorate and to regional aviation, and the naming of the centre in his honour is a fitting tribute. Among his many achievements is the establishment of the iconic Hazelton Airlines. I commend the men and women of the Orange Aero Club, who have worked tirelessly to ensure this project came to fruition, including President Phil Robertson, Vice-President John Pullen, Treasurer John McKenzie, Publicity Officer Bob Nash and current serving members Dr Stuart Porges, Dr Ken Hazelton, Allan Brown, John Omrod, Ken Pidock, Mike Seccombe, Troy Thomas and Bruce Whiley. I also congratulate the many individuals and organisations that donated money and equipment and volunteered their time. Special mention must also be made of my predecessor, the great Russell Turner, who in 2010 secured a Community Building Partnership grant of \$80,000 from the New South Wales Government to get this project rolling.

RETIREMENT OF DETECTIVE INSPECTOR DENNIS CLARKE

Ms NOREEN HAY (Wollongong) [5.10 p.m.], by leave: I ask this House to note my congratulations to Detective Inspector Dennis Clarke, who has announced his retirement from the NSW Police Force. Inspector Clarke was sworn in as a probationary constable on 19 September 1973 and will complete his last day of service on 19 September 2013, concluding a 40-year career with the service. I acknowledge the inspector's distinguished career and note that whilst his most recent role was served as the Southern Region's Professional Standards Manager, in earlier days he worked from the Wollongong Local Area Command. I thank him for his many years of commitment and dedication in keeping our communities safe and extend my best wishes for a happy, healthy and relaxing retirement.

HOLLY HARRIS MOUNTAIN BIKER

Mr ADAM MARSHALL (Northern Tablelands) [5.10 p.m.], by leave: I acknowledge and congratulate Holly Harris of Armidale, who is a member of the Australian team competing in South Africa at the 2013 UCI Mountain Bike and Trials World Championships. Holly became the reigning Australian under-19 years champion when she won the 2013 National Series All Mountain Cup earlier in the year. Holly will take on the best in the world when she competes this Saturday in the event in Pietermaritzburg, South Africa. Holly has had a successful European racing season. I congratulate Holly, a former New England Girls School student, on her selection to the Australian team and wish her all the best in her event on Saturday.

BINGHAM CUP RUGBY TOURNAMENT

Mr ALEX GREENWICH (Sydney) [5.11 p.m.], by leave: I congratulate the organisers of the Bingham Cup, which will be held in Sydney in 2014. The official launch of the cup, known as the gay Rugby World Cup, was held in Parliament last night. I was delighted to join the member for Coogee and the member

for Vacluse in hosting the event. Also in attendance were the Mayor of Woollahra, Andrew Petrie; Lord Mayor of Sydney, Clover Moore; Federal member for Wentworth, Malcolm Turnbull; and a number of State members of Parliament and councillors. The cup is named after San Francisco Fog player Mark Bingham, who tragically died during the September 11 terrorist attacks on the United States of America. As one of the largest lesbian, gay, bisexual, transgender and intersex [LGBTI] sporting events, the Bingham Cup will make a significant cultural and economic contribution to Sydney and New South Wales. The "United in Rugby" theme hopes to challenge Australians to tackle homophobia. The event has the support of Woollahra council, the City of Sydney, the New South Wales State Government and the Federal Government.

SUTHERLAND SHIRE TITANS FOOTBALL CLUB

Mr MARK SPEAKMAN (Cronulla) [5.12 p.m.], by leave: I recently enjoyed watching the Titans Football Club in action on its home turf at Kareela. The club encourages children with special needs aged five to 18 to get involved in sport, realise their potential and socialise with kids of varying levels of ability. Games are played on Saturdays with a modified format involving shorter playing times, smaller teams, smaller fields, no off-sides for younger teams and unlimited interchange. Some younger players have the support of a parent on field when they start out until they become a bit more independent. Each week the Sutherland Shire Football Association allocates a mainstream competition team to play against the Titans as part of their competition season. Mainstream players therefore learn from a young age the importance of having fun and a fair go, rather than simply winning or losing. One very proud parent, Darren Seward, whose son plays in the Titans' Junior 5s, said to me:

I cannot describe the joy and excitement for my son every Saturday as he puts on his Titans uniform and goes to his game.

SPANISH SPEAKING PENSIONER ASSOCIATION

Mr PAUL LYNCH (Liverpool) [5.12 p.m.], by leave: I acknowledge the twenty-ninth anniversary of the New South Wales Spanish Speaking Pensioner Association at a function held in Liverpool on Sunday 28 July. I had the pleasure of attending this event, as I have many other events organised by the association. The member for Fairfield also was present. The association's President, Eduardo Vasquez, welcomed everyone. The master of ceremonies was Coco Rey, a well-known figure in the Spanish-speaking community. Association members come significantly but not exclusively from Chile, Uruguay and Argentina. They have added their own contribution to the cultural diversity that is south-western Sydney. Arising from their settlement here, organisations such as the Spanish Speaking Pensioner Association have developed to help meet the needs of their community. It was a pleasure to be invited to the event and I look forward to continuing to work with the association into the future.

ASHFIELD-BURWOOD NSW JUSTICES ASSOCIATION

Mr CHARLES CASUSCELLI (Strathfield) [5.13 p.m.], by leave: I ask the House to congratulate the Ashfield-Burwood branch of the New South Wales Justices Association on celebrating 25 years of branch meetings at Club Burwood RSL, acknowledge the important voluntary service Justices of the Peace provide to the public and the association's role in supporting its members to carry out their duties, and commend the association for establishing cooperative working links with the New South Wales Government on behalf of its more than 3,500 members across more than 23 branches.

GERRINGONG'S GOT TALENT

Mr GARETH WARD (Kiama) [5.13 p.m.], by leave: I congratulate Gerringong Lions Club on organising "Gerringong's Got Talent" on 29 May 2013. Special congratulations go to the participants in the junior section: Abigail Robinson, Danni Cook, Tayla Ward, Erin Tabley, India Pitt and Carly Baxter; and those in the senior section: Jannah Beth, Domenik O'Kieran, Jack Rose, Hunter Auzins, Ellara Rainnie and Klani Barnes.

BOWDEN'S DISCOUNT CHEMIST

Ms NOREEN HAY (Wollongong) [5.13 p.m.], by leave: Today I acknowledge and congratulate Bowden's Discount Chemist in Port Kembla on being named the Illawarra and South Coast Region's Most Outstanding Pharmacy at the recent 2013 Local Business Awards. My personal congratulations go to Hany, Phil, Trisha and staff at Bowden's. This award is testament to the level of service and care they provide to their

customers. I recognise the strong community focus at Bowden's Discount Chemist and note their much-appreciated assistance in collecting signatures for the petition calling on the Government to reverse its decision to privatise the port of Port Kembla. I also applaud the Port Kembla community for supporting local businesses that do what they can to give back to their community. I wish all the staff and management at Bowden's the best in the future.

ORANGE HIGH SCHOOL TEACHER AWARDS

Mr ANDREW GEE (Orange) [5.14 p.m.], by leave: I draw to the attention of the House that Orange High School is the only school in the State to have two teachers receive the Minister's Award for Excellence in Teaching—an achievement the whole community is very proud of. The recipients are Kathleen Maksymczuk, English head teacher, and Kylie Winslade, physical education teacher. This award was given to only 25 of 70,000 teachers across the State. The principal of Orange High School, David Lloyd, nominated Kathleen and Kylie, who each had to write a 1,000-word essay on how they met all of the State's teaching criteria. Orange High School is going from strength to strength because of the hard work and dedication of teachers such as Kathleen Maksymczuk and Kylie Winslade. We are very proud of them. Long may they continue their excellent work.

DISCOVER CALABRIA

Mr GUY ZANGARI (Fairfield) [5.15 p.m.], by leave: The Italian Chamber of Commerce and Industry in Australia Inc. hosted a Discover Calabria evening on Thursday 18 July 2013. The evening was supported also by Calabria International, the European Union, the region of Calabria and the Italian Republic. The evening coincided with the visit from Minister Luigi Fedele, Minister for Transport Programs, the Calabrian Regional Department of European Union Special Programs, Euro-Mediterranean Policies and Internationalization Community Co-operation. Discover Calabria aims to encourage trade between the region of Calabria and Australia. Calabria is a wonderful tourist destination full of rich history and culture. Discover Calabria aims to attract quality investment to the region, advise and guide companies, search for increasing opportunities and integration with international markets, and strengthen competitiveness of its industries and manufacturers. Congratulations to the Italian Chamber of Commerce and Industry in Australia Inc. on encouraging and fostering business opportunities between Australia and the region of Calabria.

Community recognition statements concluded.

PRIVATE MEMBERS' STATEMENTS

KIAMA TENNIS CLUB MEMBER NORMA STEAD

Mr GARETH WARD (Kiama) [5.16 p.m.]: On Sunday 25 August I was extremely pleased to attend a surprise luncheon organised by the Kiama Tennis Club in honour of Mrs Norma Stead to celebrate her 50 years of involvement with the club. The event was organised by club president, Bob Morgan, and attended by legendary Australian tennis great Ken Rosewall, and the mayor of Kiama, Brian Petschler, and his wonderful wife, Sue. Norma Stead is Kiama Tennis Club's best-known member. She has served the club as treasurer since 1963 and has been involved with the club since its formation in 1953. It is well known throughout the club that if there is anything anyone wants to know, they should just ask Norma. The origins of Kiama Tennis Club date back to 1840, when Kiama's early planning was being resolved. A creek that started at the western end of Terralong Street near Pikes Hill passed through what later became Central Park. Lawn tennis reached Kiama in 1892 when two courts were made in the remaining excavation of the harbour works on the Blowhole Point. Kiama Tennis Club was formed in September 1953 with Noel Cantrill as its president. After her husband, Ray, passed away in 1978, Norma took over as caretaker of the club and in 2003 at her seventy-eighth birthday she declared:

And I'll continue to carry on for as long as I am able.

As the late Molly Mackie recalled in her book, *My Kind of Town Revisited*:

Mention the word tennis in Kiama and one thinks of Mrs Norma Stead, honoured with Life Membership for her devotion and work on behalf of the Club.

The General Manager of Kiama Municipal Council, Michael Forsyth, said:

She is the heart of the tennis club. Norma's tireless contribution over the years has made the club an important sporting centre and a local institution.

In 1986 Norma received the cup for Club Person of the Year along with a poem, which states:

This special tribute is frantically sought
 By many members on/off the court
 It's a great trophy, not often won
 Designated to someone who supports our fun
 Whose hours of toil and hours of stress
 Have always given our members Club happiness
 Her accolades are many, but seldom read
 Kiama Club now honours dear Norma Stead

In 1998 Norma received a certificate of merit from the New South Wales Tennis Association with an expression of gratitude from the board. Twelve years later came the 2000 Sports Medal from the Queen. The development of juniors was also a passion for Norma, and for 20 years she served as the Junior Development Officer for the Kiama and Shellharbour District Tennis Association. Kiama Tennis Club boasts seven floodlit artificial grass courts and a clubhouse with full kitchen facilities. A double-width tennis wall is also available for use by community members.

Kiama has been selected as a host for numerous regional tournaments due to its high-standard facilities and attractive location. I sincerely thank Norma Stead for her enormous contribution to Kiama Tennis Club for more than half a century and her ongoing service to our community. What a remarkable achievement. I wish Norma and the Kiama Tennis Club every success in the future. I am sure that if every sporting organisation had someone like Norma they would be much better off. I enjoyed participating in the surprise celebration for Norma Stead, a woman who is a great contributor to our community and Kiama tennis in particular. To have someone like Ken Rosewall attend her special event demonstrates the level of respect that Norma has not only in the Kiama tennis community but also in the tennis fraternity in general. I commend Norma Stead for her enormous contribution to the Kiama community and tennis in particular.

LIVERPOOL WOMEN'S HEALTH CENTRE

Mr PAUL LYNCH (Liverpool) [5.20 p.m.]: Today I will speak about an important institution in my electorate, the Liverpool Women's Health Centre. The centre is located within my electorate at the edge of the Liverpool central business district [CBD] and provides services to many of my constituents, as well as to women from other electorates. The centre, which has been in existence for 38 years, has a very impressive history. Much of that history relates to what is now called social justice. It provides a range of quality, no-cost or low-cost accessible services dealing with the health needs of women in Liverpool and surrounding areas. In particular, it engages with women who do not access mainstream health services—adult survivors of child sexual assault, Aboriginal women, young women, refugee and newly arrived migrant women, and women experiencing domestic violence and sexual assault.

The centre is also crucial in providing services to people without money, or with very little. As to the users of the centre, 61 per cent are from culturally and linguistically diverse communities; 34 per cent are reliant on the pension or another benefit; another 18 per cent receive no personal income; and 15 per cent are students. The centre's total budget is \$699,000 per annum, with 7.5 full-time equivalent employees. I have known of the centre's work for many years. It provides what is literally an invaluable service for Liverpool. However, there is now a grave threat to its ongoing existence.

A threat arises from the State Government's actions in relation to the centre's funding. The centre's budget is currently met from a non-government organisation grant program totalling \$17.6 million, which is allocated to South West Sydney Local Health District. That funding will cease at the end of June next year, as has been made clear in a letter dated 28 March 2013 from the South West Sydney Local Health District chief executive to the centre. There is no guarantee that this valuable service will be able to continue after that date. Apparently there will be a move to open contestable procurement, which will allow for-profit providers to tender for the work currently being done by the centre.

There are a plethora of problems with this arrangement. Whatever ill the move is claimed to remedy, the cure will be worse than the alleged disease. The first of the problems is the extremely limited information that has been made available about this exercise to the centre or to non-government organisation peak bodies. When representatives of the centre recently met with me, they indicated that they had found great difficulty in obtaining any clear information. Limited information is available to the non-government organisation peaks about how or to whom tenders and contracts will be released. Likewise, there is no clarity as to what services or programs may be released to tender. The entire exercise places non-government organisations at a substantial disadvantage. The large charities and for-profit organisations have considerably greater resources and expertise in the preparation of grant applications.

The contest will not be about who can provide the best services but who can write the best application. It is upon these stubborn realities that the competitive ideology underlying this approach falls down. It is feared that the lack of information available to non-government organisations is not matched by the information available to the for-profit organisations and large charities. Anecdotally, it is being said that the results of tenders will be known by March 2014, which means a mere three months for unfunded services to pack up. As well as other problems, this makes it difficult for any proper longer-term planning by what is an incredibly important organisation.

The adoption of this model has the potential to destroy the holistic service provision that the centre has developed over 38 years. That approach is essential for the practical cases confronted in the centre. A one-stop shop is absolutely essential, but it is threatened by the Government's model. It places at risk the flexibility of the centre—flexibility being one of its great attractions. The current effective best practices service structure of the centre is at threat by this model. Then there is the issue of women accessing cervical screening. A high number of general practitioners do not provide that service in our region. Without the health centre, there are real risks of women not accessing the screening, and the proposed changes threaten the viability of the centre providing this screening.

For many of Liverpool's most vulnerable women who are marginalised and do not access general practitioners, the ending of the health centre would mean the end of treatment. The continuity of treatment that is currently possible would simply dissolve. The current centre receives referrals from the Refugee Health Service, Housing NSW, Centrelink, the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors [STARTTS] and other community providers. The centre offers services that otherwise are not provided. It also provides counselling for mental health issues such as anxiety, depression, grief and loss, and for trauma associated with domestic violence, sexual assault, and for adult survivors of sexual assault. The Government should stop the plan and guarantee the continuation of funding for the Liverpool Women's Health Centre.

GUIDE DOGS CENTRE, GLOSSODIA

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.25 p.m.]: Last Sunday my wife, Wendy, and I attended the Guide Dogs NSW/ACT facility at Glossodia, where the public was invited to tour the centre and view firsthand the wonderful work that is undertaken to train young puppies to be qualified guide dogs on behalf of people with visual impairment. The master of ceremonies for the day was none other than Andrew Voss, one of the great callers of rugby league, who is a long-time supporter of Guide Dogs. Turning a cute pup into a life-changing guide dog is no mean feat. From start to finish it takes more than two years at a cost of \$30,000 per dog, and the dog is then provided free of charge to someone who is blind or vision impaired. To do all of this, Guide Dogs NSW/ACT needs the public's ongoing support. Guide Dogs NSW held the open day at its grounds in Glossodia to say thank you to its loyal Puppy Pal supporters. Puppy Pals are the volunteers and supporters who help fund and raise these wonderfully loyal labrador pups who, when their training is complete in two years' time, will be placed with people who are vision impaired.

The organisation opened its centre at Glossodia in the Hawkesbury for an exclusive behind-the-scenes look at the puppy-to-guide dog journey. Puppy Pal supporters play a key role in providing a person with a highly trained guide dog which can enhance their independence. In return for a monthly donation of as little as \$10, Puppy Pals are invited to the Puppy Pals Open Day and receive a quarterly "PUPdate", which tracks the progress of the pups they are funding. At the open day they experienced tours of the kennels and played with some puppies, witnessed puppy preschool and guide dog training demonstrations, and enjoyed a range of children's activities. One of the organisation's most appreciative Puppy Pal supporters is Sydney's Nicole Tillotson, who was matched with her first guide dog, Ula, late last year. Nicole was the guest speaker at Puppy Pals Open Day and shared with us how Ula has transformed her life.

Nicole, whose vision has been impaired since birth due to a rare genetic condition called Rod Monochromatism, says Ula has made her life so much easier and improved her social life because people now want to talk to her. She is much more confident and relaxed getting around because Ula has made travelling less stressful. Nicole has not let her vision impairment stop her—she has recently completed two half-marathons. Guide Dogs NSW/ACT is the leading provider of guide dogs and orientation and mobility services to enable people with impaired vision to get around their communities independently. Services include training and the provision of aids, such as long canes, guide dogs and electronic travel devices, such as talking GPS technology. In the past year Guide Dogs NSW/ACT has provided services to more than 4,000 people with impaired vision. Guide Dogs was first started in this country in 1950 by Western Australian Arnold Cook, who I believe was a Rotarian and trained in the United Kingdom with guide dog Dreena. Arnold brought Dreena back to Australia and was the first guide dog handler in this country.

In 1951 Guide Dogs for the Blind Association was established in Western Australia, and in 1952 guide dog Beau was the first Australian-trained guide dog. In 1957 Guide Dogs for the Blind Association in New South Wales was formed, and in 1962 guide dogs were permitted to travel in planes. In 1973 Juliet Bishop was appointed the first Australian-trained orientation and mobility instructor in Sydney. In 1979 Guide Dogs for the Blind Association of NSW was renamed the Guide Dogs Association of NSW to encompass people with various forms of vision impairment. In 1982 the introduction of Pets As Therapy program was included and in 1996 a university course was developed to train orientation and mobility guide dog instructors. In 2000 the construction of the Guide Dog Centre at Glossodia was completed and in 2007 Guide Dogs NSW/ACT celebrated its fiftieth anniversary, which I was also privileged to attend.

Guide Dogs is one of the most credible organisations in the world, providing a greatly enhanced quality of life for people with vision impairment. It should be noted that Guides Dogs NSW/ACT does not receive one cent of government funding. Due to Australia's ageing population, it is estimated that the number of people across New South Wales and the Australian Capital Territory with a vision condition that cannot be corrected by glasses, contact lenses or Lasik surgery will increase from more than 100,000 today, including 30,000 people who are blind, to more than 120,000, including nearly 40,000 who are blind, by 2020. With the increasing incidence of vision impairment, enhanced by an ageing population, it is high time we focussed on supporting this most credible facility, which is improving the lives of so many people through the aid of a well-trained man's best friend. To become a Puppy Pal and help Guide Dogs NSW/ACT raise and train more guide dogs, people should visit www.guidedogs.com.au or call 1800 804 805. I commend everyone at the guide dog facility at Glossodia for the tireless work they do on behalf of people who do not enjoy the eyesight that many of us take for granted.

YASS VALLEY WIND FARM

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.30 p.m.]: I have spoken about the proliferation of wind farms in this place on many occasions, specifically as they affect residents in the eastern part of the Burrinjuck electorate. This area is considered to be suitable for these projects because of its position on the western approaches to the Great Dividing Range and its topography of north-south oriented ridges. Our topography and Federal Government subsidies have led to a proliferation of wind farm proposals in my electorate. The Department of Planning and Infrastructure's major project register lists 27 active applications for wind farms in New South Wales. Twelve of these are located in my electorate in the Yass Valley, Boorowa and Upper Lachlan shires.

If all of these proposals proceed, a total of 764 wind turbines will be constructed on ridge lines in these three local government areas. The largest of these is the Yass Valley Wind Farm proposed by Epuron, which comprises up to 152 turbines on the Coppabella Hills and Marilba Hills, with two separate substations and connecting transmission lines. Wind farms continue to be the most contentious of all community concerns within my electorate. In my time as the member for Burrinjuck, the issue of wind farms has been surpassed only by the mishandling of Ovine Johne's disease by the former State Labor Government.

I have held discussions with all of the companies constructing or proposing the development of wind farms in the Burrinjuck electorate. There is a wide spectrum of commitment to real and effective public consultation by the wind farm proponents. Some are truly dedicated to the principle, while others have a particularly poor reputation. After talking with the proponent of the Yass Valley Wind Farm, wind farm supporters, several host landholders, many of their neighbours, local property owners and others who have had dealings with this company, I have come to the conclusion that Epuron has displayed no real commitment to informing the community. The Yass Valley Wind Farm Community Consultation Plan states in part:

Use multiple methods to seek out community members to inform them of the proposal and to understand their concerns and aspirations in relation to it.

I will illustrate my concerns with just two of the many specific examples on file. For the past 40 years Mr Ted McIntosh has operated an aerial agriculture business near Yass. He provides services to almost all of the properties surrounding Epuron's approved Conroy's Gap Wind Farm and the proposed Yass Valley Wind Farm. Mr McIntosh only became aware of the proposals by Epuron in late 2010 by talking to a neighbour. I have made several representations on his behalf to the Minister for Planning and Infrastructure. Mr McIntosh's business will be significantly curtailed by the construction and operation of these two wind farms because the hilly topography of the surrounding properties means they are best fertilised from the air. Once the Conroy's Gap turbines are constructed, fully laden planes taking off in a westerly direction will have limited safety, thus

preventing Mr McIntosh to safely spray a significant number of properties surrounding the Yass Valley Wind Farm. Epuron's environmental assessment for the Yass Valley Wind Farm, conducted in November 2009, in section 7.7.2 under the heading "Existing Environment", states:

Due to the current land use of the proposed wind farm site, potential impacts to aerial spraying of agricultural areas are considered negligible.

Mr McIntosh was only contacted by the company after I made representations on his behalf to the Minister. After the meeting, he informed me that he was dissatisfied with the response by the company representative, who showed no concern about the significant impact this proposal will have on his longstanding aerial agricultural business. Last week I was contacted by Mr Marcus O'Sullivan, who has lived on Black Range Road for the past six years. He was unaware of the Yass Valley Wind Farm proposal until earlier this year when he received a newsletter in the mail after the close of submissions on the proposal. When he contacted Epuron, he was told that the company had run advertisements in the local paper and at the library to inform the local community and that the company had made extensive efforts to keep the community aware.

Mr O'Sullivan expressed to me his frustration and concern after a meeting with the project manager. When he told the project manager that his family had lived on the property for six years and was unaware of the wind farm proposals, he was told that there had been extensive community consultation. He then expressed concerns about the loss of property value but was told that there was no proof that wind turbines affect property prices. Mr O'Sullivan informed the representative that a Yass real estate agent told him that an adjacent property up for sale had its value drop by \$100,000 in four weeks. The Epuron representative stated that this was not proof and only an opinion. She then made the statement that the wind farm was "for the good of all". Mr O'Sullivan understood her to be dismissing his concerns about the proximity and effect of the turbines.

The Yass Valley Wind Farm proposal will be decided by the independent Planning Assessment Commission. When this proposal goes to the commission for decision, I will ensure that the community's concerns are heard about this company's failure to use multiple methods to seek out community members and inform them of the proposal. The Yass Valley Wind Farm has been on the drawing board for more than a decade. The development has been sold twice, to the best of my knowledge, and during this time it has been the source of massive community anxiety and division. It epitomises all that is wrong with the business model of the wind farm industry. Unfortunately, the credibility and reputation of all wind proponents is suffering as a result of poor and, to some extent, disingenuous community consultation.

COROWA BOWLING CLUB

Mr GREG APLIN (Albury) [5.35 p.m.]: I commence with a quote from the Australian movie *Crackerjack*:

Remember, this is a game of skill, touch and patience. A true revealer of character.

The movie was filmed at Corowa, the historic and sentimental regional home of lawn bowls in Australia. The 2002 movie was a comedy about the struggles to save a bowls club. The death and last year's resurrection of this mighty bowls centre is more of a romance. It is a story of sportsmen and sportswomen who would not let go of a good thing and who, through skill, touch and patience, brought the club back to life and, further, to play a leading role in the sport. One might say the campaign, echoing the movie quote, has been a true revealer of character.

Historically, Corowa Bowling Club was a sporting powerhouse, but its financial strength lay in its 280 poker machines—in the context of a restrictive regime that was in place in Victoria. When the exclusivity vapourised in the 1990s so did the cash and the weakened club struggled, eventually closing in 2007. Last year a new bowls club opened on the site of the famous greens. The great news is that Corowa Civic Bowls Club will host the Men's Region Sides Championship on 11 and 12 January next year. From this tournament Corowa expects to benefit from almost \$400,000 in revenue flowing through the town. Large numbers of visitors are expected, including almost 200 bowlers. Rosemary Varty, President of Bowls Victoria, has expressed her excitement to see Corowa back in action for this most prestigious event. She stated:

In bowls this club is one of the most fabled venues in Australia, if not the world. It's fantastic to be up here and we're impatient for January to come so we can see the greens filled with top-class bowling.

But there is more. In September, Corowa will host the inaugural national one-armed bowls tournament. Contrary to what one might expect from this name, it is not a tournament for amputees. It is a competition for

bowlers who need assistance to bowl due to age or injury such as a bad back or knees or otherwise find it difficult to bend. Bowlers wield a stick with a cup on the end in order to propel the ball along the green. This will be the first national tournament of its type and it is launching in Corowa. The expectation is that it will meet a need across Australia and become a regular fixture.

Last September I was pleased to speak at the official opening of Corowa Civic Bowls Club. The new club, which is poker machine free, boasts close to 200 members on its books. Of these 200 members, around 120 are active bowlers and the rest are supporters. This was a community initiative. A number of well-attended public meetings were held and a decision was made to reopen the historic club. Corowa Shire Council came to the party, offering to waive the lease fees on the site, which was owned by council. The council was keen to see that the sporting venue did not deteriorate and be lost to the region.

Initially it was expected that the highest proportion of running costs would be spent on greenkeepers. Support for the club has been so great that a number of greenkeepers are working as volunteers. In re-forming the club, it was thought only three greens would be opened. As it turns out, all five grass surfaces have been able to be opened. The former historic clubhouse has been transformed into the Corowa Civic Centre and tourist information office, with the bowls club using a much smaller space beneath. The sports areas no longer chime to the music of poker machines. While pokies and their revenue supported a successful club back in the tail end of last century, they are gone and it appears today's sportsmen and sportswomen are glad to see the back of them. Now it is truly, simply, primarily and defiantly a club focused on sport.

Corowa had to win these major tournaments from other clubs, but in the mix of all the competing clubs Corowa had some aces to play. In particular, it has five magnificent grass greens. Many clubs have three or four greens but few have five; even fewer have five grass greens. Typically a club will have a number of synthetic surfaces as well as grass, but it is just not the same. In previous years, some important tournaments have had to be held at more than one venue but at Corowa a major tournament can be run at a single location. This is a big plus for Corowa. On top of everything is the history. Bowling at Corowa is one of the grand traditions of lawn bowls in Australia. It is like golfing at St Andrews in Scotland, playing cricket at the Sydney Cricket Ground or running onto the field at the Melbourne Cricket Ground as an Australian Football League player. Sue Curtis, the club's proud president, stated:

We started with absolutely nothing, but now the big tournaments are returning.

Best wishes to all the members and supporters of Corowa Civic Bowls Club for a fantastic year of tournaments and a return to its fitting role as host club for important national and regional competitions.

COUNCIL OF THE CITY OF BOTANY BAY

Mr RON HOENIG (Heffron) [5.40 p.m.]: I bring to the attention of the House an article written by Vikki Champion and John Lehmann, which was published on the *Herald Sun* website, relating to two councils within my electorate. It was also published in the *Daily Telegraph*. The articles states:

HOMEBUYERS are being forced to pay up to \$250,000 more than necessary for new apartments because Sydney councils insist on excessive design standards, an investigation reveals.

Some councils, including Botany Bay, Sydney City, Auburn, Rockdale and Waverley, are insisting that two-bedroom apartments must be between 15 and 40 per cent bigger than State Government regulations.

...

Some inner-city councils are also insisting that all two-bedroom apartments have two car parks, adding about \$40,000 more to the price tag ...

Botany Bay City Council is being consistent with development control standards that I put in place many years ago to encourage redevelopment of quality, high-to-medium density development in the City of Botany Bay area. I note the criticism of Chris Johnson from the Urban Taskforce who is concerned about those standards being out of touch. He said that housing affordability is at record lows for Sydney residents—I have never known a developer to have an interest in affordable housing unless there is a quid in it.

Botany Bay City Council, in areas such as Eastlakes and Hillsdale, has an ample supply of what could be called affordable housing—dog boxes, schedule 7 flat buildings built during the 1960s and 1970s, which create a terrible lifestyle for those who live in them—and some have concrete cancer. For many years Botany

Bay City Council has been trying to encourage a mix of quality development. The developers who have invested in the City of Botany Bay—particularly in the Mascot station precinct—and provided quality residential high-density development, with off-street car parking spaces in accordance with the development control plan, have done very well. In fact, that inner city area of Sydney is leading the way in what can be achieved by providing consistent, quality design-planning policies.

I turn now to an issue that often arises in this place as a consequence of statements made by the member for Kiama as to how long it might take for a development approval in the City of Botany Bay. Within the boundaries of Botany Bay City Council is Orica and many hazardous petrochemical industries, and residents have been subject to explosions and evacuations. They are also subject to storage of hexachlorobenzene [HCB] intractable waste, pollution, mercury poisoning and groundwater contamination. Applications for developments that relate to those things require detailed assessment and cooperation with the Department of Planning. In fact, the director general of the department, who is a world leader on hazard analysis and has worked closely with the City of Botany Bay for many years, would testify to the extreme difficulty with planning concepts. It is not like building a wharf in Kiama where a tick can be put in a box; it requires quite detailed assessment. Those opposite can have a bit of political fun but under no circumstances can those sorts of legacies be rushed through.

I also want to raise the issue of residential development. In the article I referred to earlier it states:

"The Government believes that the market is best placed to provide ideal housing and apartment styles and sizes, based on the changing demands of families," a spokesman for Planning Minister Brad Hazzard said.

In all fairness I know that the Government of the day has a philosophical view in respect of markets, as do many on my side of the House, but markets are for today, planning is for tomorrow. We cannot allow the markets of today to dictate for tomorrow. That is for elected representatives to determine in the future. The Government should not allow the Urban Taskforce, the markets or the developers to dictate the future of Sydney in 20, 50 or 100 years. If the Government allows them to do that today, then we will have a repeat of the planning disasters currently existing in the City of Botany Bay and throughout Sydney.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.45 p.m.]: I take on board the comments of the member for Heffron, but planning is a movable feast and the attitudes and habits of people change. If planners were not to plan for the future—and I can say that because I am a qualified planner—or take people's choices into consideration then we would still be living in caves and bark huts. Attitudes have changed and we have higher density living but provision must be made for areas where people can recreate in open space. People are happy to have a home that requires much less maintenance and to live in a beautiful area. We do not have to look too much further than this great City of Sydney to see that. I acknowledge the concerns of the member for Heffron but reiterate that planning is a movable feast and what we plan today may be quite different from what people want in 20, 30 or 50 years' time.

CASINO TO MURWILLUMBAH RAIL LINE

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [5.46 p.m.]: I bring to the attention of the House my recent announcement that the New South Wales Government will fund a study into the development of a rail trail on the Casino to Murwillumbah rail corridor. Rail trails are becoming extremely popular in Australia and overseas, and are an excellent use of rail corridors that are no longer used for trains. They provide an opportunity for low-impact, environmentally friendly tourism mainly involving cycling and walking. By way of background, train services on the Casino to Murwillumbah rail line stopped in May 2004 when the New South Wales Labor Government declared the line was no longer economically viable. This was a terrible blow to the community at the time and there were many protest rallies across the Northern Rivers as people lobbied to save rail services. Their voices were not heard by the Labor Government and since then the line has been deteriorating badly.

Prior to the last election, the Coalition undertook to have an independent consultant conduct a feasibility study into the benefits and costs of reinstating train services on the line. The study concluded that, regardless of the configuration of train services that were introduced, they would not meet the current or future public transport needs of the region because two of the three biggest towns in the area—namely, Ballina and Tweed Heads—would not be serviced by the line. The condition of the line was found to have deteriorated significantly since its closure in 2004. It is estimated that more than \$900 million will be needed to clear the vegetation, stabilise landslip areas, replace timber bridges, sleepers and ballasts, and bring the system up to the current safety and operating standards for frequent and quick train services.

I recognise there is some community support for rail services and very strong support for the retention of the rail corridor. From the feedback I have had since announcing the study into the rail trail I believe there is very strong support for a rail trail across the Northern Rivers community. People are very excited about the tourism, employment and other benefits for the region if we had a rail trail on the Casino to Murwillumbah rail corridor. Last Friday I announced that the New South Wales Government is going to fund a study into the development of a rail trail on the corridor.

Rail trails for cyclists and walkers are growing in popularity in Australia and around the world. An example of an extremely successful trail is in Queenstown, New Zealand. The Queenstown trail, which opened in 2012, has exceeded all expectations. Initial predictions were that between 25,000 and 35,000 visitors would be using the trail for multi-day and shorter rides during the first five years. In fact, there were 95,000 users within the first six months of opening. Rail trails are also very popular in Victoria, particularly the Murray to Mountains trail. I believe the establishment of a rail trail on the Casino to Murwillumbah rail line has enormous potential for the Northern Rivers and is worthy of further investigation.

In the absence of the trains returning, we still have a magnificent asset in the rail corridor that links Casino to Murwillumbah via cities and towns, including Lismore, Bangalow, Byron Bay, Mullumbimby and Billinudgel. The 130 kilometre line takes in some of the most scenic vistas in northern New South Wales. A rail trail would be another major tourist attraction that would bring millions of dollars every year to the regional economy. The Northern Rivers attracts approximately 2.2 million visitors a year, with approximately 1.3 million visiting Byron Bay each year. It makes sense to initially construct the rail trail from, say, Byron Bay to Bangalow, taking advantage of the popularity of Byron Bay.

There is huge potential not only to tap into this existing tourism market but also to increase tourist numbers by promoting the rail trail as an added attraction. It would have the additional benefit of encouraging people to move beyond Byron Bay to explore other parts of the region such as Casino, Lismore, Bangalow, Mullumbimby, Billinudgel and Murwillumbah. This could have a flow-on impact for the regional economy, providing more jobs, businesses and prosperity. As is the case in Queenstown, it could create increased demand and new markets for accommodation, food-based businesses and bike companies—to mention just a few. The formal terms of reference for the scoping study will be announced shortly. The study will assess the benefits and costs of a rail trail, the stages of its development, sources of funding to construct the rail trail and how it would be maintained.

Significantly, the development of a rail trail would ensure the rail corridor between Casino and Murwillumbah remains in public hands. This is important because it means that the corridor will be preserved and be available into the future if a viable model develops to again run trains on the corridor. I am looking forward to seeing the results of the study after the terms of reference are finalised, tenders are called for and a successful tenderer completes the study. I believe it is a project that will benefit our entire region in many ways, including through increased tourism, greater employment and more business opportunities. There will also be health benefits for walkers and cyclists using the rail trail.

WAGGA WAGGA BASE HOSPITAL

Mr DARYL MAGUIRE (Wagga Wagga) [5.50 p.m.]: With the Federal election looming, Craig Couzens is doing his best to support the candidate of his choice. A series of falsehoods, perpetrated by some individuals in my local area via the local newspaper the *Daily Advertiser*, regarding our Government's commitment to redevelop Wagga Wagga Base Hospital has concerned some local residents. During its 16 years in power in New South Wales, Labor neglected to invest in redeveloping our local health infrastructure. For the past two years, our Government has been rectifying these wrongs and the neglect inflicted by those opposite. For the record, the O'Farrell-Stoner Government has committed \$215 million and the Federal Government \$55 million to urgently upgrade and redevelop Wagga Wagga Base Hospital. This investment is no mean feat—it represents the largest rural hospital upgrade in our State and will radically change the delivery of health services to the largest inland city in New South Wales.

When we came to government we were greeted with a State health care system in disarray, with 40 per cent of the State's hospitals more than 50 years old and desperately in need of refurbishment. Numerous Labor Health ministers had promised to redevelop Wagga Wagga Base Hospital. We are doing it. The Liberal State Government redevelopment of Wagga Wagga Base Hospital will be delivered through three key phases. Phase one will see the construction of a new mental health facility that will provide our local community with an additional 30 mental health care beds to provide a total of 50 beds, which will more than double the previous capacity. Phases two and three will deliver new facilities for the balance of acute services.

Phase two will include an additional seven emergency treatment spaces, two additional emergency medical unit spaces, a new women's health and newborn care unit, an expanded operating theatre and perioperative unit, which will include additional operating theatres and an additional procedure room service, and a new medical imaging department and angiography department. A new helipad is also to be built on top of the hospital tower building to replace the current off-site helipad. Phase three will see the construction of two new facilities for the inpatient unit. It will include additional beds to meet future demand, an additional four renal treatment spaces, a paediatric inpatient unit, a new intensive care, coronary care and high dependency unit; angiography suites and a new main entrance.

As well as providing record infrastructure funding for Wagga Wagga Base Hospital, this Government has undertaken wide-scale operational reform to ensure patients are seen more quickly by the emergency department. The Minister for Health, Jillian Skinner, has overseen the hospital becoming a participant in the New South Wales whole-of-hospital reform. This has seen the following initiatives implemented in the emergency department: a rapid assessment team of a senior doctor and nurse to assess patients to ensure rapid access to the emergency department, a clinical initiative nurse in the emergency department who can treat non-urgent patients awaiting medical assessment, and a transit unit to provide a swift discharge for suitable patients and provide them with a follow-up care plan. We are already seeing an exciting dividend from these initiatives.

I will correct for the record another allegation made in my electorate regarding this Government's record on Wagga Wagga Base Hospital. It is important to correct this mistruth. It has been alleged that the former Federal member for New England achieved the construction of the new hospital in Tamworth. This is untrue. While Tony Windsor provided support to the Gillard-Rudd Labor Government, despite his electorate having one of the lowest levels of Labor primary votes in the nation, it is the New South Wales Government that is ensuring that the redevelopment of Tamworth hospital occurs. Labor is not interested in providing nation-building infrastructure, but we on this side of the House are. My good friend the member for Tamworth noted this in a recent letter to the editor in the *Daily Advertiser*. The writer of a letter to the editor in the *Daily Advertiser* claimed that Tamworth was receiving a new hospital on a greenfield site. This is untrue. It is simply not true.

The Tamworth redevelopment is occurring on the current hospital site—which is what is also happening with the Wagga redevelopment. Why? Because infrastructure surrounding the hospital already exists, including the radiotherapy unit, Calvary Private Hospital, doctors' facilities, day surgery, and hotels and accommodation. That is why the hospitals are being redeveloped on their current sites. It has also been claimed that Wagga Wagga was not getting a new hospital. This is untrue. We are getting a new hospital, as I just explained and as I will continue to explain as many times as is necessary to correct the record. Eventually, as the progress of this building continues and we near the completion date of 2016, Wagga Wagga will have a brand-new hospital, at a cost of almost \$300 million, thanks to the New South Wales Liberal Government. These letters to the editor are alarming people and spreading untruths, all in an effort to assist candidates in the Federal election to the detriment of the wider community.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.55 p.m.]: I support the member for Wagga Wagga and thank him for correcting the record. The comments attributed to Mr Couzens about the Tamworth base hospital being built on a greenfield site are simply not true—the hospital is being redeveloped on the existing site. In relation to that \$220 million redevelopment, those funds were secured by the New South Wales Minister for Health, Jillian Skinner, in conjunction with the former Federal Minister for Health and Ageing, Nicola Roxon. This was one of the Coalition's 2011 election promises. The funding breakdown for that project was \$100 million from the New South Wales Government and \$120 million from the Federal Government. The Tamworth hospital project was promised many times under the previous State Labor Government but it was never delivered. I am now very proud to say that it is been delivered by the O'Farrell Government.

TRIBUTE TO BILL DIXON

Mr DOMINIC PERROTTET (Castle Hill) [5.56 p.m.]: I pay tribute to the life of Bill Dixon who passed away on 25 August 2013. Bill Dixon led a life of sacrifice and service to our community in The Hills district. It is through the service of men like Bill Dixon, through their leadership and example, that The Hills district has developed the spirit of service that abounds today. We are known in The Hills for having the highest rate of volunteerism in the country. That is something that did not just come about; it was nurtured, fostered, cultivated and passed on to others. Bill Dixon has made a significant contribution to ensuring that this spirit remains the bedrock of our culture in The Hills district.

Bill was born in 1922 in the town of Kellerberrin, Western Australia. He was the second child and oldest son in a family of 10 children. He was a good student and was offered a Nuffield Scholarship, a scholarship in primary industry, to further his studies. However, his deep sense of the importance of family led him to turn down the opportunity this scholarship offered so that he could assist his father in providing for his family by taking a job at a local farm where he earned 10 shillings a week. When talking about his early life and financial struggles, he once said, "We used to run home from school, and if we did not catch a rabbit, parrot or goanna on the way home then we did not eat." As The Hills district has witnessed Bill putting our community before himself, his family saw him put them above himself at such a young age.

Bill was also a very resourceful man. He ensured that all his activities and community service were done in the most effective and efficient way—once again, traits that stemmed from his early years. At the age of 12, Bill needed a bicycle. As he could not afford one, he built one from spare parts he found at the local tip. It was no surprise to his family and friends that Bill later became a qualified mechanic. The bicycle he built could not have been half bad, as he was spotted riding it by a local racing scout who subsequently gave him a brand new bike and racing strip so that he could enter local competitions. His devotion to his country and sense of nationalism led him to join the Light Horse Brigade in Perth at the young age of 17. He very quickly rose through the ranks to attain the rank of sergeant at just 18 years of age.

Bill later joined the Australian Imperial Force as a landing-craft skipper and spent several years in Papua New Guinea during the Second World War. After the war, Bill returned to Australia and returned to farming. But not being able to shake his deep-seated spirit of service and support for his local community, he immediately signed up as a volunteer firefighter in 1946. His commitment to community service is immeasurable. He joined The Hills Community Aid and Information in 1983 and was president of the founding committee of the Meals on Wheels Association New South Wales in 1987.

One of Bill's most notable achievements of many was his founding of the Community Foundation in Western Sydney in 2005. The foundation provides crisis support for families, with the major support measure funding crisis accommodation to assist families and youth who are homeless or at risk of being homeless. This foundation also works with existing services to increase their crisis accommodation capacity. What has made the foundation so successful is its focus on community, a testament to the great man who founded it. Bill was an active member of this organisation until his death. As a patron of the foundation I had the opportunity to attend various board meetings in which I saw Bill in action. He often sat quietly at the end of the table until he felt the need to contribute and when he did interject, one could always hear a pin drop. Everyone listened. He was respected by all.

One of Bill's initiatives was the new Bridging the Gap Program, which helped disadvantaged families pay registration fees for their children and supply sports equipment they otherwise could not afford. Last year Bill was awarded The Hills Senior Citizen of the Year Award. It was an honour to attend his surprise ninetieth birthday celebration to mark 30 years of volunteer service to The Hills community. Despite all his accolades Bill remained a humble man to the end. At his ninetieth celebration his key message to all the well-wishers was to reiterate our duty as citizens. He said:

We are all responsible in some way for the welfare of others.

Bill is survived by his wife, Jenny, his sons, Greg and Steve, and six grandchildren. I look forward to joining with them and many others in The Hills community to celebrate his life on Monday at St Matthew's Anglican Church. May he rest in peace.

BONNYRIGG SPORTS CLUB SERBIAN FOLKLORIC FESTIVAL

Mr ANDREW ROHAN (Smithfield) [6.01 p.m.]: Recently I spoke briefly on this subject in this House, but today I extend my thanks and acknowledgement to the Bonnyrigg Sports Club and the Australian Serbian community for inviting me to their twenty-seventh Serbian Folkloric Festival held at the club on 11 August 2013. The Bonnyrigg Sports Club lies on the border, just outside my electorate of Smithfield. Many of my constituents visit this great club and I am aware of the great work that this club contributes to our community, especially in the field of sports and football in particular. The first Serbian Folkloric Festival, organised by Mr Dušan Rsavac, was held at this club in 1987. Mr Rsavac and the Australian Serbian community wanted to preserve and continue the Serbian tradition and dance, and saw the need to organise a folkloric festival that would allow their traditions to be maintained within their new adopted homeland. I believe Mr Rsavac felt it was the role of the Serbian diaspora to take up this initiative and hence the Serbian Folkloric Festival was born.

I digress for a moment to boast of the multicultural community to be found in the Fairfield local government area. I can proudly say that Fairfield is one of the most diverse local government areas in New South Wales, if not the country, as almost half of Fairfield's population was born overseas. We have Australians of Vietnamese, Assyrian, Lebanese, Italian, Chinese, Spanish, Croatian and Serbian heritage, just to name a few. Australian Serbians in the area felt it was important to preserve some of their wonderful and colourful cultures for their children and grandchildren, and hence the Serbian Folkloric Festival was established. Since 1987 the Bonnyrigg Sports Club has organised the festival in an endeavour to bring people together to celebrate the unique contribution that Australian Serbians have made to our multicultural fabric. I acknowledge the leadership role the Bonnyrigg Sports Club has taken in running this festival for the past 27 years.

As a result of the club's hard work Serbian folkloric groups from Queensland, South Australia, Western Australia, Victoria and New South Wales flocked to the club to celebrate this important day. I was honoured to be invited to share in the celebration with His Grace the Right Reverend Irinej, the Serbian Orthodox Bishop of Australia and New Zealand, and the Hon. Victor Dominello, Minister for Citizenship and Communities. We marvelled at the beautiful costumes, the wonderful dances—pronounced kolo in Serbian—and the amazing traditions that our Australian Serbians community had to offer. It was a day of celebration, with great food, entertainment and great company. Finally, I wish the community many successful festival celebrations in the future.

GLENFIELD TOWN CENTRE TRAFFIC FLOW

Dr ANDREW McDONALD (Macquarie Fields) [6.04 p.m.]: Magee Lane in Glenfield is a 50-metre service lane behind the shops at Glenfield station. For many years the lane ran in one direction, south to north, and the Glenfield Shopping Centre and houses behind it have been designed with this in mind. Yet again I bring to the attention of the House and the Minister for Transport, who is at the table, the concerns of shop owners in Glenfield shopping centre since the direction of Magee Lane was reversed by Roads and Maritime Services at the request of Transport for NSW.

Over the past few years extensive work has been undertaken on Glenfield station, which is now a major transport interchange. However, the needs of the shop owners have been neglected. Many of the shop owners now suffer significant financial hardship because of the Government's failure to listen to their requests that the decision be reversed and that Magee Lane revert to its previous south-north configuration. The construction of Glenfield car park and bus interchange has seen a reduction in through traffic on Railway Parade, Glenfield. This has impacted on businesses, but the major impact is that through traffic past Glenfield shopping centre is only a fraction of what it was previously.

In the past when shoppers were unable to find a parking space on Railway Parade, they were able to turn left and then left again to find a parking space in the council car park at the back of the shops. Since the reversal of the one-way flow, there has been a significant reduction in through traffic and at least a 30 per cent reduction in business, equating to a decrease in turnover of \$10,000 for those businesses. The reversal in flow has also meant that shop owners are required to lug their industrial garbage bins—often a dozen of them—at least 50 metres. The garbage trucks are no longer able to pick up the bins from outside the shops because the change in traffic flow means that the trolleys that pick up the bins cannot be used in the way in which they were designed. It is unacceptable to have large numbers of commercial bins next to houses so at least 12 industrial garbage bins have to be carted 50 metres to be emptied.

Changes to Magee Lane were introduced at the request of Roads and Maritime Services. The Minister for Transport has informed me that local businesses were notified by Transport for NSW. I do not know if it is true, but clearly Transport for NSW did not listen to the concerns of the business owners. Their requests for a meeting with someone who can reverse the traffic flow have been ignored. To reverse the flow of traffic would cost \$50. That is how much the paint required to reverse the traffic flow would cost. This would immediately and substantially improve the business conditions for those Glenfield shop owners. This would be easy and the failure of Transport for NSW to do it, or even to explain to anybody why, is reprehensible and completely beyond my understanding.

It has been indicated that Transport for NSW will review the operation of Railway Parade and the adjacent streets, including Magee Lane, by the end of 2013 once the interchange is complete and all traffic changes implemented. The interchange is complete and the traffic changes have been implemented. It is time for the Government to act before all those local businesses go bankrupt. When I wrote to the Minister for Roads in 2013, my letter was sent to the Minister for Transport, who is at the table, as for some reason the direction of

Magee Lane falls within her portfolio. I request that the Minister for Transport, who is known in and out of the Parliament as being diligent and caring, review the case herself as a matter of urgency and take the case away from the bureaucrats blocking her from meeting and discussing with the shop owners this very reasonable request. I request that the Minister for Transport, who is at the table, meet with the shop owners so that she can hear about the consequences of the actions taken by Transport for NSW. I know that the Minister will take the sensible action that the community and I expect of her to enable the shopkeepers at Glenfield shopping centre to make a living. If action is not taken, the shops will go broke and south-west Sydney will be all the poorer for it.

TRIBUTE TO SISTER KATHLEEN CONLAN

Mr BRUCE NOTLEY-SMITH (Coogee) [6.09 p.m.]: I pay tribute to Sister Kathleen Conlan of Our Lady's Home in my electorate of Coogee. Last week I presented Sister Conlan with a Premier's Award for Community Service after her brother Frank informed my office of his sister's dedicated life of service and compassion. The eldest of nine children from the small town of Binya in far western New South Wales, Sister Conlan left home in August 1944 at the age of 21 to join Our Lady's Nurses for the Poor. For the next few years, she trained as a nurse at Our Lady of the Sacred Heart Hospital in Randwick, which equipped her for the many years ahead that she would dedicate to caring for the poor and needy in Sydney.

Sister Conlan has selflessly focused her life on the needs of others less fortunate, particularly those who may have a mental illness or experience circumstances which cause them to be isolated from the community. According to Sister Mary Birgan, Congregational Leader of Our Lady's Home, Sister Conlan improves the quality of life of many ill and disadvantaged people and is fuelled by her goal to rehabilitate people and improve lives. I am told that every year Sister Conlan entertains at her Randwick home by holding Easter and Anzac Day celebrations. As well as inviting friends and relations, she invites the poor and disadvantaged and frequently provides shelter to those visitors.

In addition to her nursing work, Sister Conlan also ran a sewing guild for 30 years from Our Lady's Home and fundraised and arranged for goodwill monetary donations to charity and the home. Sister Conlan was also a founding member of the Australian Catholic Charismatic Prayer Association and continues to be involved 30 years later. People who know Sister Conlan will say that prayer is her life. The fact that Sister Conlan is still driving to Sydney Swans games and making Christmas puddings at the age of 91 proves that her service to others has not been at the expense of her health. Community service is the livelihood of Sister Conlan. I understand that for Christmas last year she made nine Christmas puddings to give away.

Community service is also a common trait of the Conlan family. Kathleen and Frank's sister, Mary, spent 50 years teaching in the missions of Papua New Guinea. I also congratulate the family on the recent centenary of the Conlan family arriving in Binya. Sister Kathleen Conlan's qualities of compassion, friendship, generosity and selflessness are an example to us all of the way one person can make a tremendous and wide-reaching, positive difference in the lives of others. It was a pleasure to meet with Sister Conlan on Monday to present her with the Premier's Award for Community Service. To her surprise and excitement, I was able to organise for Sydney Swans player Ben McGlynn to attend the ceremony and meet her. As I mentioned, she is a great Sydney Swans fan but had never before met a player from the team. It was a wonderful treat for her.

Through her almost 70 years of service to my community of Coogee, Sister Conlan has epitomised all that the Premier's award aims to recognise. Sisters from Our Lady's Home were a common sight in Coogee when I was a young man, and they can still often be seen around the area today. They were known as the Brown Nurses or the Brown Nuns because of the colour of their habits and their preference for driving small white Toyota Corollas made them instantly recognisable. The sisters have given invaluable service to the Coogee community. I congratulate Sister Conlan on her award and thank her for her tremendous service to the Coogee community over the past 70 years.

KOOKABURRA KIDS FOUNDATION

Mr MARK SPEAKMAN (Cronulla) [6.14 p.m.]: Last Friday I attended the Kookaburra Kids Foundation corporate charity lunch along with the Premier, my shire colleagues the member for Heathcote and the member for Menai, the members representing the electorates of Campbelltown, Charlestown, Port Macquarie and Vacluse, the Hon. Natasha Maclaren-Jones and the Hon. Melinda Pavey. Kookaburra Kids provides invaluable support and early intervention programs for more than 500 children and young people across the Sydney and Illawarra regions whose families are affected by mental illness.

The charity event, hosted by patron John Brogden, helped raise more than \$70,000 for the foundation. That money will help it continue to provide free camps and activity days to vulnerable young people. Indeed, the event proved so successful it will now be held annually. Kookaburra Kids programs aim to give young people respite from their complex home environments and assist them in developing coping strategies, resilience and social and communication skills. At the end of the day, though, it is really about being a kid and having a great time.

There are four camps held during the year, each targeted at different age groups. Children participate in a range of fun and challenging activities such as canoeing, archery, giant swings, arts and craft, rock climbing and go-karting. There is a focus on mental health education and development at the same time. Psychologists have compiled age-appropriate resources containing information about mental illness, and strategies to support an affected family member. In some cases, camp counsellors may assist the children in formulating a carer plan tailored to their situation so that they can return home after the camp with greater confidence and more mature insight.

The children's interaction with the volunteer camp leaders is another important element of the camps. Kookaburra Kids currently engages more than 50 camp leaders, who bring a wealth of knowledge from their personal and professional backgrounds. Among the dedicated team are psychologists, police, teachers, nurses and youth workers and they are always on the lookout for new people to come on board. The program operates on a one leader per four children ratio, which enables them to measure effectively each participant's individual progress. The Kookaburra Kids website contains a quote from "Kyle", who has been participating in the program since 2010. He poignantly captured the spirit of the foundation when he said:

Camp acted as an escape, leaders were role models and gave me plenty of resources specifically relating to my father's illness and how to deal with it. Helped me with not only looking after my family but also myself (sic). Everyone at camp is compassionate and understanding this is empowering, comforting and provides a safer (less hostile) environment than at home. K Kids has also showed (sic) interest in my future, exploring options for employment and study.

As well as weekend camps, Kookaburra Kids operates a school holiday program during the Easter, July and October holidays and a family picnic day on the first Sunday of December. Children and young people can be referred to Kookaburra Kids by school counsellors, mental health workers, general practitioners, family members, community workers or, should they wish, young people can refer themselves. Mental illness can be difficult to confront, not least because it is fundamentally misunderstood. We often overlook the important and challenging role that families, friends and carers play in supporting those affected by mental illness.

Young people who care for someone with illness, disability, a drug or alcohol problem or a mental health issue often struggle to balance their education and social life with the daunting responsibilities of supporting loved ones in their day-to-day activities. The work of organisations such as Kookaburra Kids ensures that young people have every opportunity to build their support networks, equip themselves with the skills they need to cope at home and enjoy their youth. I commend Kookaburra Kids for the fantastic work it is doing to support young people and their families. I look forward to seeing the organisation continue to grow in the years ahead.

WILLOUGHBY PUBLIC SCHOOL 150TH ANNIVERSARY

Ms GLADYS BEREJIKLIAN (Willoughby—Minister for Transport) [6.17 p.m.]: It gives me great pleasure to speak on the occasion of the 150th anniversary of Willoughby Public School. The school has a special place in our community and it is amazing to consider that it is celebrating such a huge milestone. I pay tribute to the Willoughby District Historical Society for going to great lengths and giving a fantastic account of the history of the school in the most recent edition of its publication *Willoughby History Chatters*. I will place on record some of the things mentioned in the article and how we can tie those into the celebratory events happening in the next month.

It is interesting to note that on 31 July 1863 William Wilkins, the secretary of the Board of Education and the leading educationalist of the era, and school inspector Mr J. Gardiner joined 150 guests for the official launch of what was then the North Sydney National School. The article describes the school as a ramshackle hut on Penshurst Street. As the article says, in doing so Mr Wilkins and Mr Gardiner paid homage to its founder, Mrs Eliza Davies, who had made the local wilderness "blossom as the rose through [her] persevering, self-denying labours." The school was established in that context. A number of events are planned to commemorate the school's anniversary starting with a celebration dinner this Saturday night, which I will be pleased to attend. A number of school activities are also planned.

The school moved from the original hut on its first site at 105 Peshurst Street, which later became the First Congregational Church. In late 1863 the school moved to a new brick schoolhouse and teacher's residence. The new schoolhouse was situated within the present school site. Eliza Davies' contribution to the early period of the school's history is substantial as she remained the sole teacher at the school until the end of the 1869 school year. The school moved to a substantial new stone building in 1876 and the brick infant school building was erected in 1900. The latter, known to many recent students as "the annex", is still standing within the high school grounds and represents the wonderful rich history of the school. Willoughby Public School has for a century and a half made an enormous contribution to the education of young people throughout our community. It is a growing and diverse school that last year had 37 classes, 932 students and 73 staff, which is a large school, and this year school numbers are hovering around 950. The school is supported by an excellent teaching staff and principal, Mrs Patricia Petterson.

I pay tribute to the principal, her staff and a wonderfully active parents and citizens association. The school prides itself on offering students a diverse array of opportunities to learn and grow. I note from the school's annual report last year, and I know it continues this year, that many programs including dance, choir, debating, band and chess are offered to students. The school commemorates important occasions such as Anzac Day, NAIDOC Day, Grandparents Day, Harmony Day and Education Week and encourages participation in these community events. The school makes an enormous contribution to providing high quality and well-rounded education to students that includes involvement in the community. I note that whilst I did not attend Willoughby Public School as a full-time student the school site is used as an education facility on Saturdays and I went to Armenian Saturday school at Willoughby Public School for 11 years. I did get to know the nooks and crannies of the school very well.

Willoughby Public School's 150th anniversary is an important occasion. I want to thank all teachers past and present because I know that each student who has walked through the gate and received his or her education at Willoughby Public School has been set up for life. The school continues to make an enormous contribution to the community. When I attend community events and the school is in attendance there is a great sense of pride at how well the school is represented. I pay tribute to past and present students, teachers and principals, the parents and citizens association, and the community which supports the school. I congratulate them on this wonderful milestone and look forward to celebrating future milestones with them.

MOTOR VEHICLE REPAIR INDUSTRY

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [6.22 p.m.]: This evening I raise an issue of increasing concern to smash repair operators within Pittwater. These concerns involve the disdain which has, for some years now, been spreading throughout the industry as insurance companies of all sizes have sought to establish networked smash repairer schemes and preferred smash repairer agreements to control and manage costs and ultimately increase their market share within the industry.

Whilst the methodology behind this practice may appear straightforward, these local repairers believe that businesses that operate independently from insurer networks are increasingly disadvantaged and that it is everyday motorists who are finding themselves at the wrong end of badly skewed and increasingly uncompetitive arrangements. These repairers believe that the arrangements being established by insurers are enabling them to persuade, or even force, their policyholders to engage specific approved repairers, are influencing pricing in the industry and are controlling the promotion of third party demurrage services.

Common examples regularly cited include insurance groups selling products which enable their customers to select their own repairer but then offer a range of added incentives if they choose one of the insurance company's partner repairers. These benefits may range from free car washes or taxi vouchers through to lifetime guarantees. However, if the policyholder indicates a choice other than a preferred repairer they are often informed that repairs may not be authorised, that guarantees may not be offered and that extended assessment periods may apply.

Furthermore, a practice is now emerging whereby insurers insert a clause in their contracts with repairers that their own employees, contractors and agents must be permitted to enter business premises to carry out a particular aspect of repairs. Concerns have deepened significantly as major insurance groups have begun establishing and operating their own smash repair businesses. The real danger with this situation, particularly for those customers that have "no choice" policies, is that insurance companies are gaining complete control over the entire vehicle repair process. Effectively, what we are now seeing with these totally integrated organisations

is employees of the one insurance group assessing, quoting, repairing and carrying out the quality inspection of their own work. As Lord Acton's famous dictum states, "Power tends to corrupt, and absolute power corrupts absolutely".

Apart from the obvious financial implications that this type of set-up has for independent businesses, there is also growing concern over the quality of vehicle repairs being completed and the messages being conveyed to the next generation of vehicle repairers who are currently completing their apprenticeships within this overly centralised and anti-competitive climate. In 2005 a report into the smash repair and insurance industry by the Productivity Commission found that repairers obtain around three-quarters of their income from insurance work and that many repairers feel exposed to the major insurers' market power. The report also found that repairers believe that insurers, through unfairly seeking cost reductions, are causing harm to the repair industry.

Since this time, things have got worse. The previous problems that existed in the industry were that the major insurers could largely determine standard prices based on what they were prepared to pay, could block out independent operators from work through preferred smash repairer agreements and could offer benefits and incentives to customers with "freedom of choice policies" that simply could not be matched by independent operators when competing for work.

I have been contacted by motorists who have exposed the obvious holes, safety concerns and lack of appeal mechanisms in a set-up such as this. I applaud the operators in the Pittwater business community and all those right throughout our State who have put up their hands to register their concerns. I will read from a recent email I received from a motorist who is attempting to address ongoing issues with inadequate and faulty repairs to her vehicle because of the set-up created by these one-stop-shop operations. She states:

There is no power of authority to protect the interests of consumers. Cars carrying lives should be the top priority. There needs to be change so persons like myself don't suffer the undue stress of being absolutely powerless.

I understand this is an issue that has been brought to the attention of the Motor Traders Association, which has been seeking to offer assistance to motorists who have found themselves caught up in ugly situations such as this. I understand also it is an issue that the Minister for Fair Trading, and member for Lane Cove, Anthony Roberts, is looking at and I commend him and his department for doing so. I would also encourage the New South Wales Parliament's Staysafe committee to explore this issue due to the serious and potentially disastrous consequences that inadequately repaired vehicles pose on our roads. Tragedies on our roads due to the eagerness of insurance companies to maximise profits is the last thing any of us wants to see.

TRIBUTE TO BEATRICE SECCOMBE

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [6.27 p.m.]: I pay tribute to Beatrice Seccombe, married to Ian, the mother of four children, two boys and two girls, and grandmother of four. Beatrice resides in Epping and recently celebrated her eightieth birthday. My wife, Julieanne, and I were invited as guests at her surprise party. Her life story is one of grit and determination to survive extraordinary hardship. She was born near the end of the Great Depression. Her mother ran a small tea store in the Rocks when it was a humble part of Sydney populated by battlers. Now, of course, it is a major tourist attraction.

Her father, Jack, was a sailor who worked around the world on merchant ships and she saw him rarely, mainly when he was approaching death in a nursing home in Melbourne. Her mother died when Beatrice was an infant after suffering an aneurism. Her mother's best friend took her to live in Newcastle but after a short time she too passed away. Beatrice was raised by several families and witnessed in some of those homes the violence and hurt that drunkenness can bring. She often stayed outside in the street for her own safety's sake, but great resilience saw her progress through Newcastle High School to nursing and then to teacher's college. During Beatrice's time in Newcastle, she became associated with the Church Army and became a Christian. Learning from her own very difficult childhood, she resolved to work tirelessly for children. While teaching at Carlingford High School and at Marsden High School, she organised numerous camps for young people where she helped in their Christian formation. In recent times her study and interest in biblical studies culminated in the conferring of a degree on her by the Morling College, a bible college at Marsfield.

Beatrice is one of the first modern mums who raised four children, had a career and kept a house simultaneously. That presented many challenges, ranging from sitting in a country kitchen and holding a baby for an entire day to ensuring that a highly venomous black snake, which had taken up residence in the only exit,

stayed away from her baby and saving the family car and children in highly dramatic circumstances. While Beatrice was living at Lennox Head, a bushfire had burnt for days in the sandy brush on the hills above the seven-house community. One day, after her husband had left for work, a sudden wind change brought the fierce flames down towards the beach and up to the beach line. Beatrice evaluated the situation, left the nappies on the line, put the kids in the car and calmly drove them down into the lake. All survived, although I hear that all the NapiSan in the world could not return the nappies to their original condition.

There were no parents in Beatrice's childhood to helicopter her in and out of her trades as a nurse and later a teacher. She did that by herself. Then, valuing a family, she had four children, always putting the welfare of her children and her husband before her own. Her son, Jonathan, who gave a wonderful speech in tribute to his mother, said that he plays a trumpet to this day because Beatrice sacrificed to purchase one. Jonathan's brothers and sisters can tell similar stories about piano lessons. When Beatrice was a young woman, she had absolutely nothing—few material possessions or money—but she ensured that her own children did not experience the same neglect and danger. Beatrice has been a true wife to her husband, Ian, and has taken care of his needs. As the book of Proverbs states:

A wife of noble character who can find?
She is worth far more than rubies.

In conclusion I cite, as Jonathan did, the remarks of Jacqueline Kennedy, who was the wife of President Kennedy:

If you bungle raising your children, I don't think whatever else you do well matters very much.

There is no doubt that Beatrice has been a success in her own life and in rising above the adversity of her beginnings. As requested, at the surprise celebration luncheon held to mark her eightieth birthday I sang *Danny Boy*—Beatrice's favourite song, and mine.

ACTING-SPEAKER (Mr Gareth Ward): Order! Before I call the member for Vacluse, I raise two matters. First, the standing orders require that members who wish to speak must seek the call. It is not appropriate for members simply to walk to the table and expect to be given the call. This is a general reminder to all members; I am not singling out a particular member. Secondly, members who bring mobile phones into the Chamber must ensure that they are set on silent mode.

BONDI BEACH PUBLIC SCHOOL NINETIETH ANNIVERSARY

Ms GABRIELLE UPTON (Vacluse—Parliamentary Secretary) [6.32 p.m.]: On Monday 22 July I was delighted to attend the celebrations for the ninetieth anniversary of the Bondi Beach Public School at the invitation of Maria Hardy, the school's principal, and the school community. Also attending the special school assembly were parents, students, friends and former students of the school, who had travelled far and wide to be there on that very special day. The Bondi Public School is a special school. It is situated across the road from the internationally famous Bondi Beach and it has a close relationship with the Bondi Beach community. I am not sure how students manage to concentrate on hot days with the best beach in the world visible from their playground and almost within easy reach for a quick and cooling dip in the waves. The school is also fortunate to have the Bondi Farmers Markets on Saturdays and the Bondi Markets on Sundays. The markets generate revenue for the school, and those funds are used for many of the school's educational programs, equipment and facilities.

On the beautiful Monday morning of the celebration, the special school assembly was opened and compered by the school captains, Hugh Marshall and Ella Sullivan, who did a marvellous job in keeping the proceedings on track. At the assembly, the violin group and the school band, which was led by teacher Rod Mason, entertained us. There was also a dance ensemble and the school choir performed two songs, one of which was the old-time favourite *What the World Needs Now is Love*, by songwriter Burt Bacharach. All in attendance had the enjoyment of seeing how talented the students are and witnessing the enthusiasm and excitement that beamed from them during those performances. Geoff Steel, who is the grandson of the first principal of the Bondi Beach Public, Herbert "Bert" Brown, entertained us with stories from his grandfather. One of his stories was that when the school was first built in 1923 there were only nine classrooms for 450 students, which meant it was a rather overcrowded school.

Bill Bennett, a former teacher, kept us amused with stories from his teaching days at the school during World War II and how there were air-raid shelters under the school playground. He also reflected on the

wonderful changes he had observed in the school over subsequent years. Maree Ecclestone, a past student and a Commonwealth Games gold medallist in swimming in 1970, also shared her stories from her days at the school and told us how important it was to be able to swim at Bondi Beach, which is just across the road. When the special school assembly finished, we all moved into the playground where every student from kindergarten to year 6 entertained the audience with a *Flashdance* performance under the guidance of teacher Katelyn Boshell. The kindergarten students were encouraged and helped along in their performances by the year 6 students, who played a leadership role in the dance. The year 6 students were dressed in onesies—that favourite outfit that all kids wear at all times now.

Mr Clayton Barr: Kids?

Ms GABRIELLE UPTON: And adults. The younger students found it much easier to see and follow the year 6 students because they were wearing onesies. It was an amazing logistical exercise with all the children from kindergarten to year 6 involved in the coordination of singing, dancing and fancy dress. It was a wonderful spectacle. After the performance, Maria Hardy, Waverley councillor Joy Clayton, school captain Hugh Marshall and I cut the very large blue birthday cake, which had been baked and decorated by one of the teachers. The cake was brightly decorated with the school emblem—a clear sky and a beautiful gold sun splaying down on dark blue waves.

My attendance on that special occasion continues a strong relationship I have with Bondi Public School, its teachers, students and parents. The school excels in its pursuit of academic excellence and creativity in an inclusive and welcoming environment. I saw all of those qualities in abundance on the day. All of that takes place, as I said, just across the road from one of the world's most famous beaches. I wish all those associated with the school a very happy ninetieth birthday. I thank them for including me in their special celebration and their school assembly. I look forward to my continued association with the whole school community. I wish them all very best for their bright future ahead. I commend my private member's statement to the House.

CESSNOCK CITY COUNCIL

Mr CLAYTON BARR (Cessnock) [6.37 p.m.]: It is with pleasure I make a statement to clear the good name of councillors of Cessnock City Council. Twelve months ago in this House I referred to problems at the council that had been referred to the Independent Commission Against Corruption and to my concerns at that time that the then general manager was using whistleblower legislation to protect her own job at the expense of the councillors. I make it clear to the House that I am talking about councillors of Liberal, Nationals, Independent and Labor backgrounds; in other words, I am talking about all the councillors, and I am not singling out any particular political party or making a political point. However, part of being a member of Parliament is that we often make character judgements. My judgement of the good councillors of the Cessnock City Council is that they are far and away of good character.

At the time I made my speech, the general manager had found something that concerned her. Instead of addressing it using a formal internal process, given the threat of her job being lost—the councillors had decided that they would move to terminate her employment—she wrote to the Independent Commission Against Corruption asking it to investigate some fairly loose and flimsy allegations of corruption. As a result, the councillors were told that they could not, must not, and would not move to sack her, which gave her approximately 12 months of extra wages and salary from Cessnock City Council. Most importantly, I am making this speech today to make three main points. The first is that when I spoke about this issue last year, some people condemned me and said it was a bit outrageous that I would speak so aggressively about the actions of the general manager.

The Independent Commission Against Corruption report that has been made available tells me that I was pretty much in line—that I was true and accurate. Secondly, Cessnock City Council has not done as well as it could have done over these past 12 to 18 months if we had had proper, astute management at the helm. Thirdly, I want to point out, as I did 12 months ago, that this has cost the ratepayers of Cessnock \$2 million. I commend and dip my hat to the councillors for their bravery. At the time seven councillors had to pay their own legal fees, somewhere in the vicinity of \$150,000 to \$200,000, to clear their names. In an amazing turn of events, at the time the councillors were made an offer: if they signed a declaration that they would not move to sack the general manager they would no longer be deemed corrupt but if they continued to try to sack the general manager they would be deemed corrupt and would need legal advice and representation to defend their position.

Three of the 10 councillors who were originally deemed corrupt because they wanted to sack the general manager, signed a waiver to say that they would no longer try to sack the general manager. All of a sudden, those three were no longer corrupt and they were removed from the investigation process. It cost the community of Cessnock \$2 million—from a total budget of \$60 million. That means \$1 in every \$30 paid by ratepayers of Cessnock or realised through grants or other sources of income—\$1 in every \$30 available to Cessnock City Council—was being spent on legal fees to defend the position of the general manager that the councillors were corrupt, in order to protect her own position.

On top of that, the general manager led the council to an unfortunate incident with the airport manager. The council was also asked to pay damages to Mr Peter Roberts to the value of \$500,000 because they had unlawfully and ill-advisedly terminated his contract. The legal costs for that were \$200,000. So \$2.7 million of Cessnock City Council money—ratepayer money—was lost due to the bad decision-making of the general manager at the time. Fortunately, that general manager has moved on, and Cessnock looks like going onward and upwards from here. I reiterate that this is not about party politics. It is about the good people who stick up their hands as councillors of Cessnock City Council. It is about the work they have done in the past and the work they will do in the future. It is about somebody loosely using the whistleblower Act to protect her own income.

TAFE NSW REFORMS

Mr ALEX GREENWICH (Sydney) [6.42 p.m.]: I speak about the importance of TAFE in my electorate and the wider State and the impact of current reforms, which may threaten this vital education sector. TAFE has been at the forefront of post-school education and training for over 100 years, with 10 institutes and over 500,000 enrolments in the State. It gives many students a second chance at education and the qualifications needed for jobs and to be contributing citizens. TAFE is important for students who have been out of the job market raising children or those seeking retraining later in life, which is increasingly common. TAFE is inclusive: 20 per cent of students are born overseas, about 6 per cent are Aboriginal and 9 per cent live with a disability. Access to new skills and qualifications adds up to \$400,000 over the life of a worker, and certificate III level qualifications mean earning \$180 a week above those with just a year 12 certificate. In 2012, 87.6 per cent of Sydney Institute TAFE NSW graduates, about 62,900 students, were in employment or further study—a higher number than for universities.

Mercedes from Edgecliff provides an excellent example of TAFE's value. She found herself unemployed from administration jobs in her mid-fifties, and she retrained at Ultimo TAFE, studying part time with affordable fees, hands-on training, extra tutorials when she needed them, and support from professional counsellors. After her visual merchandising course, Mercedes is now doing a TAFE business course so she can start her own small business. All State governments planned a drastic overhaul of TAFE following the 2012 Council of Australian Governments vocational education and training agreement, though some are further along the process. Government funding will apply only to a few qualifications that promise direct jobs or which employers say are needed. Undermining retraining that can adapt to the economic and market changes, for-profit providers are encouraged to enter the vocational education and training sector. As a result, courses are being cancelled and students have to pay much more for basic training. The Vocational Education and Training FEE-Higher Education Loan Program [VET FEE-HELP] introduced student loans, but there is a 20 per cent administrative charge with no limit on what other fees can be charged.

In just a couple of years, Victorian TAFE colleges went from budget surpluses to what the Auditor-General determined was financial unsustainability, with some about to close. TAFE's market share dropped from 70 per cent to less than 44 per cent; 2,400 TAFE jobs, funds for student support, facilities and counselling, and all community service obligations, were cut. One two-year diploma course that cost \$1,100 now costs \$27,000. Queensland tendered out the TAFE facilities, along with the courses, decimating TAFE. In New South Wales, the Smart and Skilled plan cut \$1.7 billion from TAFE over four years. New South Wales students already pay nearly 10 per cent more for courses. Students with a certificate III who need to retrain will have to pay full fees. TAFE nursing course fees, for example, have increased from \$1,432 a year to nearly \$2,000, notwithstanding longstanding nurse shortages. Constituents report TAFE colleges reducing teacher hours and losing experienced staff to casuals—800 teaching jobs are expected to disappear.

Limited regulation of vocational education and training could encourage fly-by-night operators offering cut-price training that provides inadequate skills, requiring students to retrain at full price. In this free-for-all market, some new providers are already advertising inducements of four-day diplomas and free iPads and laptops. Constituents report being "trapped" in courses that do not provide real qualifications and skills. The

Government should not leave students vulnerable to exploitation. Experience shows that some providers cherry-pick profitable courses, leaving TAFE to run expensive courses. Private providers competing with TAFE do not have to provide a full range of education and student services. Specialist units such as multicultural, disability, Indigenous, numeracy and literacy, disability, counselling and outreach learning programs are at risk. Unlike TAFE, private providers have exemptions under the Anti-Discrimination Act, allowing them to refuse entry, expel or treat students differently because of their sex, age, marital or domestic status, or because they are homosexual or transgender, or have a disability. My Anti-Discrimination Amendment (Private Educational Authorities) Bill would remove this exemption.

Increased fees will reduce access for those most in need and leave students with debts which may take years to repay. The July 2013 Productivity Commission's report "Deep and Persistent Disadvantage in Australia" stressed the need to invest in education and jobs for those who suffer entrenched poverty and exclusion, stating, "Education is a foundation capability," and "Employment is the route out of disadvantage for most people of working age." TAFE was set up as an investment in knowledge and education. I share community concern that the new system will focus on profit, not education, will erode trust in our valued education system, and, when it fails, will require scarce resources for a new regulation regime. We need engaged citizens who can solve problems. Education has been a pathway out of poverty and into a contributing life, and we should ensure that it is available to those who can least afford it and who need it the most. I call on the Government to continue providing low-cost quality learning and equal access to students through TAFE.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.47 p.m. until
Tuesday 10 September 2013 at 12 noon.**
