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LEGISLATIVE ASSEMBLY

Wednesday 11 September 2013

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

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION AMENDMENT BILL 2013

Second Reading

Debate resumed from 21 August 2013.

Mr MICHAEL DALEY (Maroubra) [10.06 a.m.]: I lead for the Opposition in debate on the State Authorities Non-contributory Superannuation Amendment Bill 2013. At the outset, and as a proud member of the Australian Labor Party, I am proud of the fact that due to changes made during the Hawke Government and Keating Government the Australian superannuation industry is the envy of the world. I note a media release by John Brogden, a good man, who is now the Chief Executive Officer of the Financial Services Council, dated 28 February 2013. It states:

Funds under management in Australia reached \$2 trillion at the end of 2012 ...

The media release by Mr Brogden, for whom I have the greatest amount of respect, went on to say:

... "Today's announcement is a significant milestone for Australia's funds management industry which is now the fourth largest in the world."

"We have a world class superannuation system which will continue to grow and support Australians in their retirement and fund managers who have grown Australia's pool of funds by a massive 665 per cent from \$265 billion twenty years ago, to today's figure of \$2 trillion."

"The ABS data also demonstrates that our superannuation system, which is currently worth \$1.47 trillion, is working and is well-positioned to reach \$3 trillion by 2030."

"Australia's financial services industry will continue to go from strength to strength," Mr Brogden said.

Indeed it will. We in the Labor Party take great pride in the fact that we have a great superannuation system in Australia, which increasingly provides for the retirement of people, whether they work in the private or public sector—and that is the way it should be. Those funds under management are working; they are buying, building, constructing, contributing and growing economies not only in Australia but also around the world. That is a great thing. I should say at the outset that the Opposition does not oppose this bill. It is a relatively simple bill with simple mechanisms to effect changes to the Superannuation Guarantee (Administration) Act 1992.

The bill says that in the case of employees subject to the wages cap in New South Wales—that is, the 2.5 per cent wages cap—who are members of the First State Superannuation Fund, which is an accumulation superannuation fund, the increase in the superannuation guarantee charge is to be paid to employees by way of a 0.25 per cent increase in the compulsory employer superannuation contributions payable under the First State Superannuation Act 1992 for that financial year. However, to account for the increase in the case of such employees who are in the defined benefit superannuation schemes in the New South Wales public sector, the proposed Act amends the State Authorities Non-contributory Superannuation Act 1987 to require the employer—that is, the government department in the case of these employees—to make an additional superannuation contribution for such employees, being the equivalent of 0.25 per cent of their salary for each

financial year or part thereof for which they are employees. Schedule 1 [3] provides for these additional employer superannuation contributions, which are called "employer contributions" under proposed section 16A—that is the operative provision of the bill—and includes provisions for replacement of the percentage amount by regulation in relation to that financial year.

Furthermore, the mechanism requires the trustee of the superannuation scheme established under the principal Act, known as STC, to establish for each employee in respect of whom section 16A employer contributions must be paid, an account within the fund established under the principal Act and to credit the account with the section 16A employer contributions for the employee. I have received a great number of submissions about this. Many of those submissions are confusing the issue of the operative provisions of this bill, which pass on the superannuation rise to government department members or certain government department employees in the defined benefit scheme, with the issue of whether the 0.25 per cent should be paid out of the 2.5 per cent wage increase of whether it should be subsumed into it.

We disagree with the proposition that the 0.25 per cent should be paid out of the 2.5 per cent wage increase; we say that it should be separate and I understand that my colleague the Hon. Adam Searle has moved a disallowance motion to put that into effect. That is not what the bill is about. Nevertheless, I will continue to look at the submissions, particularly one that arrived yesterday which suggests to me that some details of the bill will lead to the benefits paid to employees who exit the scheme in the next 10 years receiving less than they otherwise would have. On my reading of the bill, I cannot see that that is the case. However, we will continue to look at the submissions, which have come in late, and, if necessary, we will move amendments to the bill in the other place if we think that employees will be left worse off. We do not need to reserve the right to move amendments; we will simply do so. However, on my reading of the bill, I cannot see how that can be the case. I confirm that the Opposition does not oppose the bill.

Debated adjourned on motion by Mr Andrew Rohan and set down as an order of the day for a later hour.

GAME AND FERAL ANIMAL CONTROL AMENDMENT BILL 2013

Bill introduced on motion by Ms Katrina Hodgkinson, read a first time and printed.

Second Reading

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [10.14 a.m.]: I move:

That this bill be now read a second time.

The purpose of the Game and Feral Animal Control Amendment Bill 2013 is to amend the Game and Feral Animal Control Act 2002 to abolish the Game Council, have the regulatory functions of the Game Council undertaken by the Director General of the Department of Trade and Investment, to be known as the regulatory authority, and to establish a Game and Pest Management Advisory Board. The Game and Feral Animal Control Amendment Bill will give effect to the primary recommendations of the review into the governance arrangements of the Game Council, which was conducted by Mr Steve Dunn. Mr Dunn was commissioned to undertake this review following allegations of unlawful behaviour in relation to an employee of the Game Council Division, less than favourable audit reports and community interest about hunting on public lands.

Mr Dunn's Governance Review of the Game Council of New South Wales found that over the past 10 years the Game Council has taken a number of governance risks and has prioritised resources into operational activities at the expense of internal governance systems. Mr Dunn found that the Game Council lacked a proper framework for governance, strategic planning, internal regulatory compliance, enterprise-wide risk management and policy. Mr Dunn also found that there was an inherent conflict of interest associated with the Game Council's function to represent the interests of hunters and its role as a hunting regulator. The lack of clarity about individual and organisational accountability at both member and executive level within the Game Council, and the recent compliance breaches, led to questions about the Game Council's capacity to undertake its roles. The amendments proposed in the bill will restore public confidence in the regulation of hunting and allow for more effective use of hunting in pest management strategies.

The Dunn review includes 55 recommendations to improve the way in which hunting is regulated in New South Wales. The most important of these recommendations is that the Game Council should be abolished

and that the advisory and advocacy functions under the Game and Feral Animal Control Act 2002 should be carried out by a new advisory board, while licensing, hunter education, and compliance and enforcement functions should be transferred to a government department. Although the Dunn review recognised the achievements of the Game Council and the efforts of the staff within the Game Council Division under trying conditions, it concluded that the inadequate governance framework for the regulation of hunting in New South Wales posed unacceptable risks. The review concluded that the Game Council has expanded its governance role beyond its statutory functions and attempted to reinvent its statutory objects with a focus on "conservation hunting". That is why the amendments prescribed in this bill are necessary.

I now turn to the amendments outlined in the bill. The bill will abolish the Game Council and the Committee of Management presently established under the Game and Feral Animal Control Act 2002, and instead provide for the licensing, enforcement and other regulatory functions to be delivered by the Director General of the Department of Trade and Investment, who will be referred to as the regulatory authority. These amendments will directly address the governance issues identified by Mr Dunn. Functionally, these services will be delivered by the Department of Primary Industries, an office of the Department of Trade and Investment, creating effective alignment of hunting with other pest animal management strategies delivered under the New South Wales Biosecurity Strategy.

The absorption of functional responsibilities for hunter regulation into the Department of Primary Industries will ensure effective governance oversight of regulatory functions by leveraging off the Department of Primary Industries' existing compliance framework, which provides for well-established systems for accountability and transparency. The bill also establishes a Game and Pest Management Advisory Board. The board is to consist of eight members appointed by the Minister, including representatives from regional New South Wales. The advisory board will represent the interests of hunters, and it will also provide advice to the Minister on game and feral animal control, and other important matters such as hunter education and expenditure priorities for research.

The new advisory board will play an important role by advising on the integration of hunters in the development of effective pest animal programs across both public and private lands as part of the New South Wales Biosecurity Strategy. However, the bill has ensured that governance oversight of the advisory board is retained by the Government by providing that the board remains subject to the control and direction of the Minister, except in relation to the content of any advice it provides. The bill also provides that the advisory board must report to the Minister annually in relation to its activities.

Advisory board members will be appointed on merit. In order to ensure that the advice provided by the board properly reflects the concerns of stakeholders directly affected by the impacts of pest animals, the advisory board must include representatives of regional New South Wales. Together, members will also be required to have expertise, skills and knowledge in the area of pest management, wildlife, veterinary science, hunting, education and community engagement. In this way, the amendments proposed in the bill will ensure that the board will deliver balanced, evidence-based advice on pest animal control which properly represents the interests of all stakeholders in pest animal management.

Another of the governance initiatives introduced in the bill is the establishment of a Game and Pest Management Trust Fund. The trust fund will be under the control of the Minister and may only be used for the purposes authorised by the Act. These purposes include the funding of research into game and feral animal control and the funding of the costs of the Game and Pest Management Advisory Board. The fund will also be used to fund the costs of enforcing compliance with the provisions of the Act. Effective compliance and enforcement programs are essential to ensuring that hunting activities are carried out safely and responsibly. The fund will primarily consist of a mix of government funding and also a proportion of game hunting licence fees collected under the Act. All moneys currently held in the Game Council account will also be transferred into the Game and Pest Management Trust Fund upon the dissolution of the Game Council.

The final amendments in the bill relate to a number of consequential matters. These amendments will ensure the smooth transition of functional responsibilities from the Game Council to the new Game and Pest Management Advisory Board and the regulatory authority. First, the bill will transfer all staff employed in the Game Council division of the government service before the dissolution of the Game Council to the New South Wales Department of Trade and Investment where they will be located within the Department of Primary Industries. The bill will also transfer all assets, rights and liabilities of the Game Council to the Crown. These amendments are proposed to ensure that the Department of Primary Industries will be able to deliver best practice licensing services and to ensure the safety of hunting for both hunters and the public.

The bill makes clear that any licence granted by the Game Council will be taken to be a game hunting licence issued by the regulatory authority. Similarly, a decision to suspend a licence or disqualify a person from holding a hunting licence will be taken to be a decision imposed by the regulatory authority. The Government is committed to reducing red tape, and these amendments will ensure that hunters will not have to needlessly apply for new licences from the new regulatory authority. The bill also makes clear that the inspectors appointed by the Game Council are taken to be appointed by the regulatory authority, avoiding the need to appoint a new round of inspectors to monitor compliance with the provisions of the Act once the bill is passed. As such, game managers employed at the Game Council will be transferred to the Department of Primary Industries compliance unit, where they will cross-skill with existing Department of Primary Industries compliance officers.

The final set of amendments I will discuss relate to the formation of the Native Game Bird Management Committee. The Native Game Bird Management Committee was established in 2012 by the Game and Feral Animal Control (Further Amendment) Act 2012. The intention of the 2012 amendment Act was to transfer responsibility for hunting of native birds for sustainable agricultural purposes to the Game Council from the Office of Environment and Heritage. However, the 2012 further amendment Act has not yet commenced. The Native Game Bird Management Committee was established by the 2012 further amendment Act to determine matters relating to hunting native game birds, including hunting quotas, the species to be hunted and the periods and areas during which hunting may occur.

The committee was to consist of three representatives: a representative from the Department of Primary Industries, a representative from the Office of Environment and Heritage, and a representative from the Game Council. However, as a consequence of dissolving the Game Council, the committee would consist of just two members: a representative from the Department of Primary Industries and the Office of Environment and Heritage. Establishing a separate committee in those circumstances is unnecessary and administratively burdensome, and the amendments will remove this requirement. Instead, the bill provides for the regulatory authority—that is, the Director General of the Department of Trade and Investment—to consult with the head of the Office of Environment and Heritage when determining native game bird hunting quotas and other matters specified in the 2012 further amendment Act. This is a sensible amendment, and one that will help ensure that the economic impact of these species on our regional and rural landholders, industries and communities is balanced against considerations about the management of our native fauna.

The bill before the House introduces important governance reforms in relation to the administration of the Game and Feral Animal Control Act 2002. These amendments will help to ensure that hunting activities are carried out responsibly, safely and in accordance with the objects of the Act and the expectations of the people of New South Wales. The abolition of the Game Council and the effective transfer of the licensing, enforcement and education functions under the Game and Feral Animal Control Act 2002 to the Department of Primary Industries will make an important contribution to the effective management of pest animals in New South Wales through the option of integrating hunting into existing and new pest management programs developed by the Department of Primary Industries and the Office of Environment and Heritage. The Game and Feral Animal Control Amendment Bill will give effect to the key recommendations of the review into the governance arrangements of the Game Council. I commend the bill to the House.

Debated adjourned on motion by Ms Carmel Tebbutt and set down as an order of the day for a future day.

VISITORS

The SPEAKER: I welcome to the gallery students and teachers from Florence, who are visiting as part of an exchange program with Sydney Grammar School.

STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION AMENDMENT BILL 2013

Second Reading

Debate resumed from an earlier hour.

Mr ANDREW ROHAN (Smithfield) [10.26 a.m.]: I support the State Authorities Non-contributory Superannuation Amendment Bill 2013, which supports and sustains the growing economy of New South Wales. The bill is necessary in light of the recent annual increase in the minimum compulsory contribution amount, known as the superannuation guarantee charge percentage, from 9 per cent to 12 per cent over the next six years

following the Commonwealth Parliament amendment to the Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration) Act 1992. The first of these annual increases took place on 1 July this year, increasing the guarantee from 9 per cent to 9.25 per cent. Given the net 2.5 per cent cap on employee-related expenses including wages, allowances, superannuation and other conditions under the New South Wales Public Sector Wages Policy, the Commonwealth amendments must be accounted for particularly with respect to defined benefit superannuation schemes.

The purpose of the wages policy in New South Wales is primarily to fix wage increases in line with the average consumer price index which fits in with the Reserve Bank inflation target range of 2 per cent to 3 per cent. Under the bill, New South Wales public sector employees whose remuneration package belong to a defined benefit scheme will be required to be paid the 0.25 per cent increase for the 2013-14 fiscal year by their employer in line with the Commonwealth increases. This is consistent with public sector members under accumulation superannuation schemes. In doing so, the bill also updates the compulsory employer contributions payable for various financial years under the First State Superannuation Act 1992. For defined benefit scheme members, the 0.25 per cent annual increase for the 2013-14 fiscal period and the 0.5 per cent increase starting in July 2015, subject to any subsequent amendments by Federal Parliament, will be calculated as 0.25 per cent of their salary for each financial year.

The bill accounts for members of the public sector fund who, being entitled to the basic benefit under part 4 of the State Authorities Non-contributory Superannuation Act 1987, receive the 3 per cent benefit annually accrued. These members are accounted for as excluded employees under the bill. The effect of exclusion deems excluded employees to be non-entitled to receive employer contributions. The bill further provides a regulation-making power for specific groups to be declared non-entitled to the 0.25 per cent contributions. These groups are classes of members who are already recipients of wage increases under specific award arrangements. They include New South Wales State members belonging to the State Superannuation Scheme, the Police Superannuation Scheme and the State Authorities Superannuation Scheme. Once the award agreements expire, the affected employees will be entitled to the 0.25 per cent arrangement. The bill has future potential impact on defined benefit members within the public sector.

Currently, more than 50,000 basic benefit members are in the three State superannuation schemes. They are employed in all vital areas of our community such as health workers, teachers, magistrates and judges, Crown employees, firefighters, local government employees, State employees, and university staff, to name a few. The local economy of Smithfield is thriving and I am proud of it. Many current health workers such as nurses working across major hospitals, including Fairfield Hospital, have been providing services integral to Smithfield. Many of these dedicated and hardworking members have careers spanning decades and belong to basic benefit schemes. They should not be left out of increases to the super guarantee charge. The provisions in this bill update the remuneration arrangements in the public sector of New South Wales with respect to the recent increases to the superannuation guarantee by the Commonwealth. The bill also provides the mechanism to enable payments to basic benefit accounts thus allowing for the equitable inclusion of defined benefit members in these increases. I commend the bill to the House.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [10.31 a.m.]: I acknowledge the exchange students from Florence who are in the public gallery.

Dr Geoff Lee: Do you want to come too?

Mr RAY WILLIAMS: It is wonderful to have them. I would like to join the member for Parramatta but he, like me, has work to do and we will not be going on holidays any time soon. We have matters of the State at hand, which we are dealing with this morning. It gives me great pleasure to speak to 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, of whom I am one, in defined benefit superannuation schemes, and who are subject to the 2.5 per cent wages cap under the New South Wales Public Sector Wages Policy, of whom I am also one, to pay the 0.25 per cent increase in the superannuation guarantee charge for the 2013-14 financial year, provided for in the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth, by means of a compulsory employer contribution under the State Authorities Non-contributory Superannuation Act 1987.

The bill also updates the compulsory employer contributions payable for various financial years under the First State Superannuation Act 1992 in line with the increases in the superannuation guarantee charge for those years provided for in the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth.

I very much support the principle of superannuation, especially for an ageing population who in their twilight years do not want to burden taxpayers with pensions. Superannuation was set up in order to provide a sustainable source of income for people in retirement. Although I believe in the principle and concept of superannuation, for many years I have questioned the process of the administration of certain superannuation funds and whether they will deliver what will be necessary for people in retirement.

When superannuation was introduced I questioned my employer about why I could not have the 9 per cent that they paid on my behalf to a particular fund, which was actually my money, and contribute it to a bank account that I could not touch, and receive accumulated interest? I could not because it had to be put under the administration of a fund. If we look at the different fund management systems and pay close attention to that 9 per cent over the years and compare it to our wages at the time we will see that the 9 per cent has greatly diminished because it has been chewed up in administration charges. Not all funds are the same. Some funds are very different from others.

A lot of people who were wise and focused on their retirement set up a self-managed fund. I am more than happy to declare an interest because my wife and I are trustees of our own self-managed superannuation fund. Why did I, together with half a million other people in this country, set up a self-managed superannuation fund? It was because I thought if I worked hard for my money I wanted to make sure that the majority of that money, plus its accumulated interest, would be available to me in my retirement. I say to all people to make sure that they pay attention to what their money is delivering. I, like all public servants, pay 9 per cent and people should not just assume that their fund is doing the best it can for them.

I am not pointing the finger of blame. I am saying that certain funds provide certain dividends to people but there are other options that enable people to improve the amount of money in their superannuation. People in the gallery are not elderly but they will be in 50 years and they should take particular note of how their fund is being managed and whether they are deriving the greatest benefit they can, which is why I set up a self-managed fund. In the past my wife and I have taken the responsible action of purchasing investment properties for our retirement because we did not want to be a burden on taxpayers and receive a pension. I preferred to work through my life with a very clear focus on having significant funds to support me and my family in retirement. I have now put my accumulation of property into a self-managed superannuation fund, which derives great benefits but requires a certain amount of management in meeting all the obligations of the Australian Taxation Office and paying all the bills. People can manage their accumulated property assets in their own self-managed fund as I do because I like to be in control of my destiny and my finances during my retirement.

I put on the record that any member of this Parliament or of any Parliament in Australia who was elected after 2004 does not receive a pension. We receive 9 per cent superannuation just like the majority of other workers across Australia. Therefore, given that taxpayers will not be paying for me once I leave Parliament, or am removed from Parliament—far be it from me to suggest that my wonderful electorate will not re-elect me to carry out my representative duties on their behalf—I will not receive a parliamentary pension and be a burden on the taxpayer. Hopefully I will be able to take up some other duties, but if I am of retirement age when my parliamentary service comes to a close, I will be able to draw on the benefits of my superannuation from a self-managed superannuation fund.

For the record and for the benefit of young people in the public gallery, my clear and specific advice is this: Watch where your money is invested and take note because the majority of people simply do not do so. They leave it until they are of an age at which it becomes very difficult to pick up the pieces and begin financial planning. If people focus on retirement at a young age and ensure that they contribute a small amount to superannuation, they will be assured of a very sustainable source of income when they retire. I commend the bill to the House.

Mr GREG APLIN (Albury) [10.40 a.m.]: Following upon the comments made by the member for Hawkesbury, I wish to reflect on superannuation from my personal perspective. When I first commenced work in the mid-seventies with a civil service, as it was then referred to or the public service as it is known now, superannuation deductions from one's monthly salary were a fact of life. In those days the fund was referred to as a pension. The message that I took forward was that I was encouraged to save for the future—in fact, I had no option to do otherwise—and the government as the employer supplemented the contribution that compulsorily was deducted from salary. The aim was to ensure that one retired with a sizeable amount with which to provide for the future. In that sense the pension comprised both an employee contribution and an employer contribution from the government that combined to make a worthwhile emolument at the retirement age of 65 years. The member for Hawkesbury referred to looking after one's own arrangements and, in the case of the civil service

scheme to which I referred, a government contribution supplemented the salary contribution of the employee. I was greatly surprised when I found that that was not the case in this country. It was a relatively novel benefit when the government contribution was introduced approximately 20 years later.

The Government has brought forward the State Authorities Non-contributory Superannuation Amendment Bill 2013 to guarantee payment to public sector employees, who are members of defined benefit superannuation schemes, of the superannuation contribution of 0.25 per cent per annum, which is payable by all employers for the financial year 2013-14. As an employer, the Government is required to give effect to the amendments made in 2012 to Commonwealth superannuation legislation that provides for the compulsory superannuation charge to increase from 9 per cent to 12 per cent starting from the financial year commencing 1 July 2013 through to the financial year commencing 1 July 2019. This bill will not commence until the wages matters, which currently are before the Industrial Relations Commission, reach a conclusion. That may include an appeal to the Court of Appeal. It is important to note that the way the New South Wales Government has treated this recent increase in superannuation is consistent with how superannuation increases have been treated by Federal and New South Wales Labor governments. For example, the former Prime Minister and architect of the superannuation scheme, Paul Keating, said in a superannuation speech in 2007:

The cost of superannuation was never borne by employers. It was absorbed into the overall wage cost.

The former Federal Minister, Bill Shorten, recently confirmed that this remained Federal Labor's approach. In 2012 he stated:

... the increases to superannuation, will be absorbed as part of people's pay rises.

It is also consistent with the wages policy introduced by the former New South Wales Labor Government in 2007, which confirms that superannuation is an employee-related cost and is therefore within the 2.5 per cent cap. The policy states:

The net 2.5 per cent limit covers all employee related expenses – including wages, allowances, superannuation and other conditions.

The NSW Wages Policy 2011 is an important initiative of the New South Wales Government. The objective of the policy is to ensure that public sector employee-related costs do not increase by more than 2.5 per cent per annum. The 2.5 per cent cap was selected as it is the average inflation rate for the Reserve Bank. Currently the Reserve Bank expects inflation to be lower than that: It is forecasting 2 per cent in December 2013. If the superannuation increases are not absorbed into the 2.5 per cent cap, they would cost New South Wales \$800 million over the forward estimates and \$758 million each year when fully implemented. That is the equivalent of 8,000 public sector jobs.

Public sector employees who are members of the First State Superannuation Fund or other accumulation superannuation funds have received the increase of 0.25 per cent per annum in the compulsory superannuation contribution as a result of payment of this amount by their employers to their superannuation funds. For public sector employees who are members of defined benefit superannuation schemes, this bill will make provision in the State Authorities Non-contributory Superannuation Act 1987 for the same contribution by their employers. The bill before the House requires relevant employers to make the contribution of 0.25 per cent per annum of salaries for employees who are members of defined benefit superannuation schemes. Those payments will be taken to apply on and from 1 July 2013 and are part of the 2.5 per cent cap. This initiative is proof that the Government is committed to ensuring that all public sector employees, whether they are members of accumulation superannuation schemes or defined benefit superannuation schemes, are treated fairly and equitably. I commend the bill.

Mr CHRIS PATTERSON (Camden) [10.46 a.m.]: I support the State Authorities Non-contributory Superannuation Amendment Bill 2013. This bill aims to ensure that all public sector employees are treated fairly and equitably regardless of whether they are members of an accumulation superannuation scheme or a defined benefit superannuation scheme. The bill will provide members of defined benefit superannuation schemes with a 0.25 per cent employer superannuation contribution to equate with the increase in superannuation contributions for members of accumulation superannuation schemes from 9 per cent per annum to 9.25 per cent per annum from 1 July 2013. Previously, members of defined benefit superannuation schemes have not automatically qualified for the 0.25 per cent superannuation payment as their schemes provide benefits that in general are not directly linked to the superannuation guarantee rate. Members of those schemes will be treated equally under this bill.

Employers will pay the 0.25 per cent to the SAS Trustee Corporation, which is the trustee, as the Treasurer previously explained, for the State Authorities Non-contributory Superannuation Scheme as well as for other defined benefit superannuation schemes. A new account for each employee will be created for the purpose of receiving the 0.25 per cent contribution from employers. This will create the accumulation component in the State Authorities Non-contributory Superannuation Scheme. The Government has been advised that no administration fees will be applicable for those contributions. The current basic benefit in the State Authorities Non-contributory Superannuation Scheme is a defined benefit. The basic benefit accrues at a rate of 3 per cent annually and is an additional defined benefit for members of the State Superannuation Scheme, Police Superannuation Scheme and the State Authorities Superannuation Scheme.

In the bill, "excluded employee" defines employees who are not eligible to receive the employer contribution. The bill will allow regulations to be made to declare groups not entitled to the 0.25 per cent contribution. This definition applies to the classes of employees already receiving the 0.25 per cent contribution via the superannuation guarantee charge Acts on top of the 2.5 per cent wage increase as their combined salary and superannuation costs would then exceed the 2.5 per cent per annum increase for the life of their current industrial agreement. In this definition are police officers, ambulance officers, railway employees and bus drivers. When the current agreements of these employees expire, they will receive the 0.25 per cent arrangements in line with this bill.

This bill is necessary to give effect to the Federal Parliament's Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration) Act 1992. The amendments to these two Acts increase the compulsory superannuation guarantee charge from 9 per cent to 12 per cent over six years. The first increase as part of these amendments took effect on 1 July this year and impacts the New South Wales wages policy, which is not to increase employee-related costs by more than 2.5 per cent a year. The cap has been set at 2.5 per cent as it is the Reserve Bank's average inflation rate. The New South Wales wages policy was introduced in 2007, defining superannuation as an employee-related expense and that it was therefore within the 2.5 per cent cap. The policy provides for increases in remuneration and conditions of 2.5 per cent per year and increases above the 2.5 per cent being available subject to savings being achieved in employee-related costs. This bill is paramount to the implementation of the New South Wales wages policy.

The bill will not commence until there has been a final outcome and conclusion on the wages matter currently before the Industrial Relations Commission. The Government is ensuring, as with any budget on any scale, that it is living within its means whilst being fair in budgetary allocations. The Government's policy is fair to public sector employees and to the taxpayers of New South Wales. I note the way the Government has treated this recent increase and that it is consistent with how superannuation increases have been treated by the Federal and New South Wales Labor governments. If the superannuation increases are not absorbed into the State's existing wages policy, it will cost New South Wales \$800 million over the forward estimates.

Mr Mark Coure: How much?

Mr CHRIS PATTERSON: It will cost \$800 million. I know; it is exorbitant.

[Interruption]

It is not shameful.

ACTING-SPEAKER (Ms Sonia Hornery): Order! The member for Camden will direct his comments through the Chair.

Mr CHRIS PATTERSON: That is a valid point and one I am very happy to apologise for. That said, it is a shame, and it is \$800 million that we just do not have and an extra \$758 million a year when implemented. This equates to up to 8,000 public sector jobs. That is the key. The Government, through the Treasurer, has done everything it can and the Treasurer, the Premier and the Cabinet should be applauded for living within their means. In a perfect world there are no black holes or budgetary constraints and we could do what the former outgoing Federal Labor Government did and spend, spend, spend.

Ms Carmel Tebbutt: What a load of rubbish. I would have expected better from you.

Mr CHRIS PATTERSON: But we will be living within our means.

Ms Carmel Tebbutt: Shame about that triple-A credit rating you inherited, isn't it?

Mr CHRIS PATTERSON: What is going on? I have lost my train of thought. I will return to the responsible approach taken by the New South Wales Treasurer to curtail an \$800 million blowout and a future potential \$758 million a year ongoing cost but, more importantly, to save up to 8,000 public sector jobs. The bill is all about the New South Wales Government living within its means and having a fair and equitable outcome for all employees depending upon their scheme. I commend the bill to the House.

Mr GARRY EDWARDS (Swansea) [10.56 a.m.]: I speak to the State Authorities Non-contributory Superannuation Amendment Bill 2013, which will ensure that all employees subject to the proposed New South Wales wages policy, regardless of whether they are members of accumulation or defined benefit schemes, will receive a 0.25 per cent per annum increase in superannuation as part of the 2.5 per cent cap. Following the Opposition's disallowance motion against the Industrial Relations (Public Sector Conditions of Employment) Amendment Regulation 2013, the Government will look at options to ensure that the wages policy can be delivered because it is fair for the public sector and affordable for the State.

This bill will not commence until the wages matters currently before the Industrial Relations Commissions are concluded. As stated in the New South Wales wages policy introduced in 2007, the net 2.5 per cent limit covers all employee-related expenses including wages, allowances, superannuation and other conditions. Increases greater than 2.5 per cent may be available subject to savings in employee-related costs being achieved. The 2.5 per cent cap was selected as most appropriately reflecting the calculation of the Reserve Bank of Australia of the average rate of inflation. At the present time the Reserve Bank expects inflation to be lower than 2.5 per cent.

Recent amendments by the Commonwealth Parliament to the Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration Act) 1992 will increase the compulsory superannuation guarantee charge from 9 per cent to 12 per cent over the next six years. The first increase took effect on 1 July 2013, with the percentage of an employee's remuneration set aside for superannuation rising from 9 per cent to 9.25 per cent. The amendments contained in the State Authorities Non-contributory Superannuation Scheme Amendment Bill 2013 enable the 0.25 per cent increase in superannuation to be provided to members of defined benefits superannuation schemes as part of the 2.5 per cent cap. The bill ensures that members of these schemes are treated in exactly the same way as employees who are members of accumulation superannuation schemes. This is another example of how the Government is balancing the books and living within its means just like ordinary households do. Therefore, I commend the bill to the House.

Debate adjourned on motion by Ms Carmel Tebbutt and set down as an order of the day for a later hour.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Bills

Motion by Mr BRAD HAZZARD agreed to:

That standing and sessional orders be suspended to permit the passage through all stages, at this or any subsequent sitting, of the Royal Commissions and Ombudsman Legislation Amendment Bill 2013.

ROYAL COMMISSIONS AND OMBUDSMAN LEGISLATION AMENDMENT BILL 2013

Bill introduced on motion by Mr Brad Hazzard, on behalf of Mr Barry O'Farrell, read a first time and printed.

Second Reading

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [11.02 a.m.], on behalf of Mr Barry O'Farrell: I move:

That this bill be now read a second time.

The Royal Commissions and Ombudsman Legislation Amendment Bill 2013 has two purposes. First, it makes further amendments to facilitate the work of the national Royal Commission into Institutional Responses to Child Sexual Abuse. Second, it makes amendments to enable the New South Wales Ombudsman to give evidence for the purposes of certain court proceedings.

As members are aware, the Royal Commission into Institutional Responses to Child Sexual Abuse was established in January this year under letters patent issued under Commonwealth and State legislation. This has been done to ensure that the commission has the ability to use the powers under both Commonwealth and State legislation. Under the New South Wales Royal Commissions Act 1923, the royal commission has a broad power to compel the production of documents and the answering of questions. This power, contained in section 17 of the Act, is expressed to override any ground of privilege or any other ground. The Government is proposing an amendment to the Royal Commissions Act to make it clear that this power overrides all other legislative secrecy provisions. The only exception would be secrecy or non-disclosure provisions which specifically state that they extend to royal commissions.

Although this power of the royal commission is broad, it is also subject to a number of protections. In particular, the power can only be exercised by a commissioner with certain legal qualifications and if the letters patent have declared that the royal commission can exercise the power. Witnesses are protected under the Act, as the disclosed information is not admissible in evidence against them in proceedings except in certain limited circumstances. The bill will also provide for some additional protections by giving royal commissions an express power to issue directions prohibiting or restricting the publication of the information and to hold any part of the inquiry in private. This amendment is particularly relevant to the current national royal commission where sensitive personal information may be disclosed to the commissioners.

Schedule 2 to the bill provides for an additional protection which will specifically apply to information identifying a person who reported that a child is at risk of significant harm under the Children and Young Persons (Care and Protection) Act 1998. The bill will ensure that information identifying the person who made the report may only be provided to the commission either with the person's consent or with the express leave of the commission. The identification of children at risk of significant harm in the community relies on an effective reporting system and it is critical to the success of that reporting system to protect the identity of the reporter from disclosure to the wider community.

The royal commission is continuing to gather information in a number of different ways, including through private sessions and issues papers. The first public hearing of the royal commission will commence in Sydney on 16 September 2013. It will be looking at how organisations, including Scouts Australia, the Hunter Aboriginal Children's Services Corporation and the then New South Wales Department of Community Services, responded to information and allegations concerning Steven Larkins, the former chief executive officer of the Hunter Aboriginal Children's Services Corporation. The bill will ensure that the royal commission will be able to access the information it requires to carry out its inquiries, and it will ensure that the commission can protect the confidentiality of that information. The Government has consulted with the Royal Commission into Institutional Responses to Child Sexual Abuse on the proposed amendments. Given that the commission will be moving to public hearings from next week, the Government will be seeking the House's support in passing this bill on an expedited basis.

The second matter that is dealt with by the bill is the amendments in schedules 3 and 4 to the bill. These amendments have been requested by the New South Wales Ombudsman in the context of his ongoing investigation of matters relating to Operation Prospect. Presently, section 35 of the Ombudsman Act 1974 and section 165 of the Police Act 1990 provide that the Ombudsman or his office cannot give evidence or produce documents in any legal proceedings except in particular categories of cases that are specifically prescribed in the legislation. Likewise, section 34 of the Ombudsman Act prevents the Ombudsman from disclosing information obtained in the course of his office, except if the disclosure is for certain specified purposes. These provisions are intended to ensure the secrecy of information received by the Ombudsman. They also promote frank disclosures to the Ombudsman and encourage cooperation. However, the Ombudsman has raised concerns that these provisions might jeopardise any prosecutions arising out of Operation Prospect and like investigations.

Operation Prospect commenced in 2012 when the New South Wales Government announced that the Ombudsman would investigate allegations concerning the conduct of officers of the NSW Police Force, the New South Wales Crime Commission and the Police Integrity Commission in relation to a number of investigations that occurred between 1998 and 2002. The Ombudsman is also concerned that the secrecy provisions might hamper criminal proceedings or proceedings seeking an injunction against a person who, contrary to the Public Interest Disclosures Act 1994, has taken reprisal action against someone who made a public interest disclosure. The New South Wales Government is keen to ensure that any prosecutions arising out of Operation Prospect as well as those relating to reprisal action offences are not unduly hindered by the existing confidentiality regime. The amendments strike a balance between facilitating prosecutions of the kind identified by the Ombudsman and ensuring the current confidentiality regime continues to operate effectively. I commend the bill to the House.

Mr RYAN PARK (Keira) [11.09 a.m.]: I lead for the Opposition in the debate on the Royal Commissions and Ombudsman Legislation Amendment Bill 2013. I do so in the absence, due to illness, of the shadow Attorney General and in my role as a member of the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission. I want to make a couple of comments from the outset. The Opposition will support this legislation for a number of reasons. This issue, regarding information required by a royal commission in order to carry out its functions effectively, should always receive bipartisan support. The Parliament must ensure that those powers are granted. In addition, I understand that the Ombudsman has sought further changes, which are part of the bill. The requirements of the Ombudsman are also important. I inform the House that in the past hour I, along with my parliamentary committee members, received a briefing from the Premier's office. That is not the way to deal with this type of legislation in this place. This House should not be treated in such a manner. This is important legislation and all members should be given a full and detailed briefing on the bill.

Only in the past few minutes the Opposition has been given the bill. Indeed, I was given the bill as I came into this place. I acknowledge that as a member of the parliamentary committee I was given a briefing this morning by the Premier's office. For some reason, the Government has said it is critical that this legislation goes through the House today. I acknowledge that the national royal commission hearings will commence next week. I do not understand why this bill was not introduced during previous sitting weeks. I ask the Minister to address that issue in his reply. Additionally, I cannot understand why this type of legislation is rushed through at the last minute when it has been known for some time that the royal commission hearings were approaching. I seek answers to my questions, which any reasonable legislator would ask.

From a policy perspective, when were these issues specifically raised by the office of the Ombudsman? What was the process for those issues and concerns to be taken to the royal commission? When did that happen? When was advice received from the royal commission about the need to introduce this legislation? The Government knows that the Opposition is very supportive of the work of the royal commission. The Opposition is extremely supportive of the detailed work the royal commission will undertake to try to uncover systemic abuse and child sexual abuse that happened in this State over many years. But all members should be given the opportunity to examine the bill and to be briefed. In this way, they can put forward issues and raise any concerns which will enable them to offer bipartisan support for the bill. There was no sign of this bill until the eleventh hour. The introduction of this legislation only this morning gives the impression that the Government is in chaos. The Government can spend umpteen days in this place dealing with trivial matters.

Dr Geoff Lee: Oh, that's unfair.

Mr RYAN PARK: Important legislation such as the bill before the House, which goes to the heart of our duty as parliamentarians, should be given the respect it deserves. That means a process whereby legislation is laid upon the table for a number of days to allow detailed analysis by all members of this House and to give members who have an interest in a particular area the opportunity to make a proper contribution to debate. I know that Madam Acting Speaker (Ms Sonia Hornery) has been a strong advocate on behalf of the communities in her region. I am sure that she would have appreciated a detailed briefing and the opportunity to examine the bill. This legislation is important to Opposition members, Government members and crossbench members. This rushing through of legislation must stop. The Government has to move from a state of chaotic mentality to a process of governing. Time and again trivial bills have been debated by 30, 40 and 50 Government members, yet the Government rushes through major, important legislation that involves reforms that go to the heart of improving the lives of people in our communities and protecting vulnerable people.

The Government provides restricted briefings and does not present bills until the eleventh hour. That is not the proper way to deal with legislation. We accept that the Government has a mandate, but the rushing through of legislation is not within that mandate. The Government is demonstrating that when it comes to important legislative reform and change it is in chaos. I have a number of specific time line issues about this important bill that I ask the Government to address. When did government agencies raise their concerns about the provisions in this bill and their inability to disclose information to the royal commission? When specifically was that information given to the royal commission? When specifically did the royal commission relate its concerns to the Government? More importantly, why did the Government not deal with these issues in a more appropriate manner?

The Opposition will support this bill but it does so with a clear message to the Government: the Government has to demonstrate respect for this Chamber and its members. We are dealing with an important and sensitive issue that goes to the heart of difficult challenges faced by our communities. The men, women and

children who have been affected deserve to have this issue dealt with sensibly, methodically and appropriately. That means that legislation should be introduced appropriately, briefings should be provided to all members of Parliament and the bill then debated in due course. Again, I acknowledge that I was privileged to be given a briefing this morning, but this issue goes beyond the briefing of one or two members in this place. It goes to the heart of our duty to make our community safe. It goes to the heart of our duty to protect the most vulnerable in our community.

In future, the Government should consider its actions and cease its chaotic behaviour. The Government must understand that legislation such as this must be examined and debated appropriately. Legislation should not be handed to Opposition members as they walk into the Chamber. The men, women and children of this State have the right to believe that their issues and concerns are being examined clearly and carefully in this place. This bill will ensure that witnesses attending or appearing before a royal commission are not excused from answering any questions or producing any document when required by the commission, despite any other Act. The commission must have access to a complete picture of the situation. We support the removal of any bureaucratic or legislative barriers in order to ensure that information is received in a timely and transparent way. We support also that only under very limited circumstances information about the person who makes a report is disclosed. I will make very clear why that provision is important.

Tonight some of us will be attending the Bravehearts function. My colleague the member for Kiama is the secretary of that organisation. One of Bravehearts' goals is to ensure that people feel secure when they provide information. I have raised questions about this legislation so that, in future, members of the public do not feel threatened by possible negative outcomes as a result of disclosing concerns about the welfare of a child. The Opposition supports the provision that gives the royal commission the power to make directions to prevent the publication of evidence, information or documents and to require any part of an inquiry to be conducted in private. We agree with such provisions, given the sensitive nature of the information before the commission. The Opposition supports the ability of the Ombudsman to disclose information obtained in the course of an investigation by the Ombudsman for the purpose of certain criminal proceedings resulting from the investigation and for the purpose of certain proceedings under the Public Interest Disclosure Act 1994.

The Leader of the Opposition, John Robertson, has said many times that the Opposition will support legislation that is required and improves outcomes for the most vulnerable in our community. However, such support does not mean that the Government can legislate in an inappropriate or improper manner. The Government should introduce its legislation in a timely manner so that all members, regardless of their political persuasion, can fully examine the bill and, if required, receive a briefing. In the area of child protection, we should do everything we can to encourage bipartisan support. The rushing of this legislation through the Parliament indicates that the Government is in chaos. It has demonstrated that it cannot deal effectively with legislation that involves major changes.

Government members were lined up at 60 paces to speak to the library and graffiti bills, but they do not have a clue about the Government's legislative agenda on significant bills such as this bill, which relates to the powers of the royal commission to protect young people and children and the most vulnerable in our community. The Government's actions today demonstrate that it is in turmoil when dealing with the big issues. The Opposition supports this legislation, which will protect young people and children and the most vulnerable in our community. We do not support the manner in which this legislation was introduced, which demonstrates that the Government is in complete and utter chaos.

Mr LEE EVANS (Heathcote) [11.23 a.m.]: I make a brief contribution to debate on the Royal Commissions and Ombudsman Legislation Amendment Bill 2013. I thank the member for Keira for his comments, but I disagree with his accusation that the Government is in complete and utter chaos. I am sure over the 16 years it was in government, there were occasions when the Opposition did the same thing. I draw the member's attention to the important provisions in the bill which will enable the royal commission to move forward and carry out its work in a professional and thorough way. This legislation has to be rushed through today because there is a time line for legislation to be passed by both Houses.

The main purpose of the bill is to make further amendments, to facilitate the operation of the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse—the national royal commission—and to enable the Ombudsman to disclose information and to give evidence for the purposes of certain court proceedings. In January 2013, the royal commission was established by letters patent issued by the Commonwealth Governor-General. The New South Wales Governor issued equivalent letters patent under the New South Wales law to support the legal basis for the national royal commission. In some cases, the national

royal commission has used powers available to it under the New South Wales law, including when it has issued notices requiring the production of documents. The amendments will clarify the powers of royal commissions, including the current royal commission, under section 17 of the Royal Commissions Act 1923, to require the disclosure of information despite non-disclosure provisions in the New South Wales law and to protect confidentiality and sensitive information. The basis for this legislation is that we have to find the characters within our communities who have been involved in child sexual abuse. This legislation will shed some light on these people and the private information that may be required to expose them.

The Ombudsman has requested the amendments to enable the Ombudsman and the Ombudsman's office to disclose information and give evidence in certain circumstances. The bill implements the Ombudsman's request. The bill will clarify that royal commissions have the power to require the disclosure of information despite the provisions of any other New South Wales law unless the other law specifically states that it overrides the Royal Commission Act 1923. It will provide that information that may identify the person who reported a child at risk of harm under the Children and Young Persons (Care and Protection) Act 1988 may not be disclosed to the royal commission, unless the person has consented or the royal commission grants leave. It will give royal commissions express powers to make directions restricting or prohibiting the publication of evidence and to hold parts of the inquiry in private.

The bill will enable the Ombudsman and his officers to disclose information, or to give evidence, for the purposes of criminal or injunctions proceedings against a person who, contrary to the Public Interest Disclosure Act 1994, has taken a reprisal action against someone who made a public interest disclosure. This also applies for the purposes of any criminal proceedings resulting from an investigation conducted by the Ombudsman under the Ombudsman Act 1974, but only if the investigation related to a matter referred to the Ombudsman for investigation by the Inspector of the Police Integrity Commission, or the Inspector of the Crime Commission. As deputy chair of the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission, I commend the bill. The manner in which it was introduced is unfortunate, but it was necessary to do so due to the time line. I commend the bill to the House and I thank the Opposition for supporting it.

Mr RON HOENIG (Heffron) [11.28 a.m.]: I make a brief contribution to the Royal Commissions and Ombudsman Legislation Amendment Bill 2013. In leading for the Opposition, the member for Keira indicated that the Opposition does not oppose the bill. The member made a number of observations in relation to this rushed legislation and suggested that the Government, by proceeding in this manner, may be in some chaos. Why is this bill so urgent? This morning I was given a document headed "New South Wales Draft Government Bill Cabinet-in-Confidence". I was also handed a one-page briefing note. The bill is being introduced in a hurry and I had the opportunity to look at it only as I walked into this Chamber. I have some expertise in child abuse cases. I have appeared in hundreds of criminal trials, mostly as defence counsel but on occasions as prosecutor. If the Government is serious about seeking a bipartisan, constructive approach to legislation and to the workings of the royal commission, it only has to ask. The Opposition has been supportive of the provisions of the bill.

As a member of this House I have a right to contribute to legislation, and in the case of this bill I have expertise to offer. The Minister for Planning and Infrastructure introduced the bill and delivered the second reading speech written by a bureaucrat. I listened to what he had to say but I still do not understand the bill. I listened also to the speeches by Government members. They too read material that was prepared for them. They do not know what this bill is about; they speak in generalities. The reason members have input in legislation is that sometimes the legislation is wrong or can be improved. As a member of this House I am prepared to offer my expertise on a bipartisan basis in an effort to improve legislation so that it will work well. Problems can be caused when the House rushes through bills without considering the consequences fully. Parliamentary Counsel drafts legislation sometimes with no understanding of the consequences because those drafting the bill do not have to argue what the words mean or work out the legislative intention. For example, I draw attention to schedule 2 [2], relating to the insertion of new section 29AA (2):

A commissioner cannot grant leave under this section unless the commissioner is satisfied that the report or information concerned is of significant importance to the inquiry.

What does "significant" mean? Why is it a potential problem and is it a problem in this case? I do not know whether it is a problem in this case. However, I can report that this House, in enacting the Evidence Act and utilising the provisions in sections 97 and 101 in relation to similar fact evidence or tendency coincidence evidence, used "significant probative value" as the test. Those words have caused considerable consternation in

the criminal courts and in the High Court when trying to work out what this House meant. If the High Court, the Court of Criminal Appeal, the Supreme Court and the District Court have trouble determining what "significant" means in the phrase "significant probative value", how is the commissioner going to interpret that word?

When government rushes a bill through the House it can get the words wrong. I did not have a chance to read the bill until I walked into the House this morning, and I cannot say that I understand it. The speakers this morning have not elucidated it. I am entitled to know what the bill is about, as are other members. I am minded to ask for the bill to be considered in detail because that would require the Minister to give an explanation in respect of each clause. It would serve him right. If he wants our cooperation, why not give us the material in advance? Why have we not heard the views of the chairman of the commission, the Honourable Justice Peter McClellan, Chief Judge at Common Law? Has he asked for this? Does he have a view? He is conducting the inquiry and has had to determine the meaning of words such as "significant" under the Evidence Act. Is he happy with this bill? None of those opposite have a clue about that.

This is a delicate issue and the legislature has a policy determination of protecting individuals from notifications of child abuse, both in the community services area and in the criminal area. People who provide information—even vexatious information—are protected because, on balance, the need to know about the heinous abuse of children is so important. Royal commissions that can compel the provision of information determine these matters in public. I understand that there is a need for the royal commission to have all available information in order to make its determinations and recommendations to government. I understand there is a need to ensure the people who provide that information are protected. However those decisions are made difficult by the use of statutory phrases such as "is of significant importance to the inquiry" because we do not know what "significant" means in those circumstances.

It is regrettable that heinous acts against children have been occurring for thousands of years and that those who have preceded us all over the world have not been able to deal with the issue effectively. New South Wales is no different. The courts and the police in this State have lined up on their desks matters requiring investigation and people waiting to face charges. In closing, I make this observation: My experience in hundreds and hundreds of these sorts of cases is that the terrible offences that happen within institutions are in the minority. It is unfortunate that the royal commission is restricted in its terms of reference. Many abuses occur in the home, tragically involving parents or step-parents or other people associated with the family. I would have liked the royal commission to examine a variety of strategies that could be effective in reducing or preventing the sexual abuse of children, rather than its charter restricting its inquiries to institutions.

I am aware that that would open an even bigger Pandora's box and I know the royal commission will cost millions of dollars. Nevertheless, the commission should be given the opportunity to devise some wideranging strategies. Even though the Government has not conveyed to me why the matter is so urgent—and it could easily have done so—I accept that the Government would not be proceeding in this way unless it was urgent. However, showing common courtesy to Opposition members by allowing us the opportunity to consider the bill may well have yielded more support and added value to the text of the Royal Commissions and Ombudsman Legislation Amendment Bill 2013.

Mr STEPHEN BROMHEAD (Myall Lakes) [11.38 a.m.]: I speak in support of the Royal Commissions and Ombudsman Legislation Amendment Bill 2013. I contribute to this debate with the benefit of my experience of appearing in criminal courts and, prior to that, as a detective investigating numerous child sexual assault cases, bringing the perpetrators to court and ensuring their conviction. It is great to see that we have a hardworking government after 16 of the worst years in the history of New South Wales.

Mr Guy Zangari: Point of order: I refer to Standing Order 76, relevance.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Myall Lakes has been speaking for less than a minute and his comments are relevant to the bill. He is permitted to reflect on previous governments. That is entirely acceptable.

Mr Guy Zangari: The member for Myall Lakes referred to the worst 16 years in the history of New South Wales. I put on record that the previous State Government had many achievements.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member will resume his seat. He is canvassing my ruling. I call the member for Fairfield to order for the first time. Members are entitled to express their

opinions in debate, and the member for Fairfield will have his opportunity to make a contribution. As the speaking time of the member for Myall Lakes has been taken up by a frivolous point of order, I order that the clock be reset.

Mr STEPHEN BROMHEAD: Before I was rudely interrupted by the member for Fairfield—obviously I hit a nerve—I was talking about the 16 scandalous years of Labor governments; 16 years of incompetence. The member for Fairfield is part of the scandalous team opposite who used New South Wales to line their own pockets for years. It is good to see that this bill—

Mr Ron Hoenig: Point of order: The member should not reflect on the member for Fairfield, who was not a member of the House or the Government at that time, by suggesting he was lining his pockets. The member for Myall Lakes is entitled to reflect on the performance of the previous Government but he should withdraw that remark.

ACTING-SPEAKER (Mr Gareth Ward): Order! I refer the member for Heffron to the standing orders. A member may object to a reflection made against them and seek a withdrawal, but another member cannot do so on their behalf. I will hear a point of order from the member for Fairfield if he chooses to take one. The member for Myall Lakes has the call.

Mr STEPHEN BROMHEAD: Previous Labor governments—the Labor organism—spent 16 years wrecking New South Wales. The objects of the bill are as follows. First, it ensures that witnesses attending or appearing before a royal commission established under the Royal Commissions Act 1923 are not excused from answering any question or producing any document when required by the royal commission to do so, despite any other Act. There are other Acts that say a person does not have to answer questions or produce documents under certain circumstances so this clause will override them. That is a great result for the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse, which occasionally uses New South Wales legislation to compel witnesses to speak and to produce documents.

Secondly, the bill will make related amendments to the Children and Young Persons (Care and Protection) Act 1998 to ensure that the identity of any person who makes a report under that Act that a child or young person is at risk of significant harm may be disclosed to a royal commission in only limited circumstances. Thirdly, the bill will enable a royal commission to give directions preventing the publication of evidence, information or documents given to it and directions requiring any part of an inquiry to take place in private. Fourthly, the bill will enable the Ombudsman to disclose information obtained in the course of an investigation by the Ombudsman for the purpose of certain criminal proceedings resulting from the investigation and for the purpose of certain proceedings under the Public Interest Disclosures Act 1994.

The amendments will clarify the powers of royal commissions, including the current Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse, under section 17 of the Royal Commissions Act 1923 to require the disclosure of information despite any nondisclosure provisions in other New South Wales laws and to protect the confidentiality of sensitive information. The Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse was established by letters patent issued by the Governor-General in January 2013. The New South Wales Governor issued equivalent letters patent under State laws to support the legal basis of the national royal commission. The national royal commission has in some cases been using powers available to it under the New South Wales laws, including where it has issued notices requiring the production of documents.

Further, the Ombudsman has requested amendments to enable the Ombudsman and the Ombudsman's office to disclose information and to give evidence in certain circumstances. The bill implements the Ombudsman's request. So the main purpose of the bill is to make further amendments to facilitate the operation of the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse—that is, the national royal commission—and to enable the Ombudsman to disclose information and to give evidence for the purposes of certain court proceedings. This is important legislation that will assist the national royal commission, the State royal commission and the Ombudsman in bringing evidence forward to assist in uncovering what has been going on over past decades and to make recommendations to government. I commend the bill to the House, and I thank the Minister.

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [11.44 a.m.], on behalf of Mr Barry O'Farrell, in reply: I reply to debate on the Royal Commissions and Ombudsman Legislation Amendment Bill 2013 on behalf of the Attorney General. I thank

members representing the electorates of Keira, Heffron, Heathcote and Myall Lakes for their contributions to this important debate. I reiterate that, firstly, this bill makes further important amendments to facilitate the work of the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse. Secondly, as I indicated earlier, it enables the NSW Ombudsman to give evidence for the purposes of certain court proceedings.

I thank Opposition members for their support and note the concerns expressed by the member for Keira, who is the relevant acting shadow Minister. In regard to his questions, the member indicated a level of concern about how long the Government had been aware of the concerns of the royal commission and the Ombudsman. I understand why an Opposition would raise those matters but I give an assurance that the advice I have received is that the issues were raised literally only within the past month or so. The issues relating to the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse would obviously have become clear only in the past few weeks as it moved towards the stage of holding public hearings, which are due to commence next week. In fact, I am advised that government agencies, including the Department of Family and Community Services, raised concerns—which have been addressed in this bill—on 15 August. They were raised with the commission to determine whether it shared those concerns. Of course, as evidenced by this bill, the commission confirmed that it also had concerns.

The usual processes have occurred since 15 August, which is only 3½ weeks ago. The commission, the agencies and the Parliamentary Counsel's Office worked through what needed to be done to address those concerns. In fact, only two days ago—on 9 September—the royal commission wrote to the general counsel and indicated that it considered the legislative provisions this House is now considering addressed the commission's concerns appropriately. I thank Opposition members for their support and for their understanding of the urgency of this bill. As the member for Keira indicated, it is an issue that effectively transcends politics. Members on both sides of the House support the work of the royal commission. Accordingly, these amendments reflect the powers needed by the commission and the Ombudsman to achieve what this Parliament and the community of New South Wales want to see achieved. 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 Brad Hazzard, on behalf of Mr Barry O'Farrell, 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.

STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION AMENDMENT BILL 2013

Second Reading

Debate resumed from an earlier hour.

Mr JOHN WILLIAMS (Murray-Darling) [11.49 a.m.]: The State Authorities Non-contributory Superannuation Amendment Bill 2013 is integral to the implementation of the New South Wales wages policy and will ensure that all employees subject to the policy, whether members of accumulation or defined benefit superannuation schemes, will receive a 0.25 per cent per annum increase in superannuation as part of the 2.5 per cent cap. Following the Opposition disallowance motion against the Industrial Relations (Public Sector Conditions of Employment) Amendment Regulation 2013 the Government will continue to look at options to ensure that the wages policy can be delivered, because it is fair for the public sector and affordable for the State. The bill will not commence until the conclusion and final outcome of the wages matters that are currently before the Industrial Relations Commission, which may include appeal to the Court of Appeal.

The New South Wales wages policy provides for increases in remuneration and conditions of 2.5 per cent per annum. Increases greater than 2.5 per cent may be available subject to achieving savings in

employee-related costs. The New South Wales wages policy was introduced in 2007 and defined superannuation as an employee-related expense, and therefore within the 2.5 per cent cap. The policy states, "The net 2.5 per cent limit covers all employee related expenses—including wages, allowances, superannuation." In 2011 the Government confirmed the previous Labor Government's 2007 wages policy—all members enjoyed that process—in its enactment of the Industrial Relations Amendment (Public Sector Conditions of Employment) Act 2011 and the making of the Industrial Relations (Public Sector Conditions of Employment) Regulation 2011. This was done to ensure that the Government could provide public sector employees with fair and affordable wage increases while recognising the budgetary constraints facing the State.

The Government is committed to maintaining and improving the essential public services it provides to the people of New South Wales, and the wages policy is a key mechanism for making that commitment a reality. In line with the wages policy, the Government has agreed to a salary increase of 2.25 per cent and 0.25 per cent to be paid as a superannuation contribution. Due to the way in which superannuation on wages is calculated, this will not result in the cap of 2.5 per cent being exceeded. The 2.5 per cent cap was selected because it is the average inflation rate for the Reserve Bank. Currently, the Reserve Bank expects inflation to be lower than this and has forecast that the rate will be 2 per cent in December 2013. If the superannuation increases are not absorbed into the 2.5 per cent cap, it will cost New South Wales \$800 million over the forward estimates and \$758 million each year when fully implemented. This is the equivalent of 8,000 public sector jobs.

The wages policy is fair and affordable, and the bill will provide members of defined benefit superannuation schemes with a 0.25 per cent employer superannuation contribution to equate with the increase in superannuation contributions for members of accumulation superannuation schemes from 9 per cent per annum to 9.25 per cent per annum from 1 July 2013. Members of defined benefit superannuation schemes have not qualified automatically for the 0.25 per cent superannuation payment because their schemes provide benefits that in general are not linked directly to the superannuation guarantee rate. However, to ensure that defined benefit scheme members receive the same treatment as their accumulation scheme counterparts, the Government has decided that a 0.25 per cent employer superannuation contribution will be paid. The bill will allow that to occur. The bill will mean that members of defined benefit superannuation schemes will be treated equitably and fairly. I support the bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [11.54 a.m.]: The main object of the State Authorities Non-contributory Superannuation Amendment Bill 2013 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 New South Wales public sector wages policy, to pay the 0.25 per cent increase in the superannuation guarantee charge for the 2013-14 financial year. The bill is necessary to give effect to the amendments to the Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration) Act 1992. The amendments have the effect of increasing the compulsory superannuation guarantee charge from 9 per cent to 12 per cent over the next six years. The first increase took effect on 1 July 2013.

The amendments will have two effects on members of defined benefit superannuation schemes. Firstly, the percentage of employees' remuneration set aside for superannuation will increase from 9 per cent to 9.25 per cent. Secondly, the amendments will limit employee-related costs to 2.5 per cent. This figure has been chosen because it is the average inflation rate for the Reserve Bank, and in this way the amendments intend to maintain real wages of employees. Clause 16A (4) defines "excluded employees" as those who will not be entitled to receive the contribution. These include employees who already receive the 0.25 per cent contribution courtesy of the Superannuation Guarantee Charge Act in addition to the 2.5 per cent wage increase due to pre-existing award arrangements. These employees include: police officers, who are exempt from the 2011 wages regulation until 30 June 2014; ambulance officers, whose current determination expires on 30 June 2014; rail employees, whose agreement expires on 31 March 2014; and bus drivers, whose award expires on 31 December 2014.

Once the existing industrial arrangements have expired, relevant employees will receive the 0.25 per cent arrangements consistent with this bill as part of the wages policy requirement of an increase to remuneration of 2.5 per cent per annum. A regulation-making power is included in the amendments to the First State Superannuation Act 1992 to enable the superannuation contribution rates to be amended in line with any changes to the Commonwealth Superannuation Guarantee (Administration) Act 1992 as they occur. This is in line with Government policies relating to the public sector and I fully support the amendments in the bill. I commend the bill to the House.

Mr JONATHAN O'DEA (Davidson) [11.59 a.m.]: I will firstly speak about superannuation generally and then speak about the State Authorities Non-contributory Superannuation Amendment Bill 2013 and some of the principles it involves. We certainly welcome support from the Opposition for this bill as important principles, including fairness and equity, are involved. Superannuation is a great long-term savings plan to help to provide people with an income when they retire. Currently around \$1.4 trillion is held in Australian superannuation funds. For many Australians, superannuation will be their main form of retirement income and it remains one of the most tax-effective ways to save for retirement. Longer life expectancy and a growing cost of living mean that superannuation is more important than ever.

The main purpose of superannuation is to help to build a nest egg that people can use to create an income in retirement or semi-retirement. The age pension may not be enough for a comfortable retirement and retirees typically spend over 20 years in retirement, so their money needs to last. The Government offers attractive tax incentives to assist with superannuation plans, particularly at the Federal level. Saving through superannuation funds can be much more tax effective than is saving the same amount outside superannuation. Employer contributions up to a certain limit and any returns on superannuation are taxed at just 15 per cent rather than a person's marginal tax rate, which is often around 45 per cent. That makes superannuation a highly tax-effective investment vehicle.

Superannuation also enjoys the benefits of compound interest and a long investment time frame, which means it is often a person's largest asset by the time they retire. During their working lives, contributions to workers' superannuation funds generate earnings that are reinvested, and the value builds up over time. This money must generally stay in the fund until retirement age or transition to retirement, but both may be accessed only after a set minimum age has been reached. In Australia, superannuation arrangements are government supported and encouraged, as I stated previously, and minimum provisions are compulsory for employees. For example, employers are required to pay a proportion of an employee's salary and wages—as at 1 July 2013, that was 9.25 per cent—into a superannuation fund. The minimum obligation required by employers is set to gradually increase to 12 per cent, stepping annually from 2013 to 2020.

This increase in the compulsory superannuation guarantee charge is pursuant to the recent Commonwealth Parliament's amendments to the Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration) Act 1992. The compulsory super rate stepped increases in each of the next seven years will occur as follows: for 2012-13 it already has increased from 9 per cent to 9.25 per cent; in 2013-14, the rate will be 9.25 per cent; in 2014-15, the rate will be 9.5 per cent; in 2015-16, the rate will be 10 per cent; in 2016-17, the rate will be 10.5 per cent; in 2017-18 the rate will be 11 per cent; in 2018-19 the rate will be 11.5 per cent; and in 2019-20, the rate will be 12 per cent. I preface my further comments regarding this bill by recognising, as already has occurred in this debate today, that it is subject to the final outcome of industrial matters currently being considered in our judicial system and involves consideration of some technical legal matters. I will pursue those arguments during this debate.

As already outlined in this debate, this bill generally will provide members of defined benefit superannuation schemes with a 0.25 per cent employer superannuation contribution to equate with the increase in superannuation contributions for members of accumulation superannuation schemes from 9 per cent per annum to 9.25 per cent per annum effective from 1 July 2013. That is in accordance with principles of fairness and equity, but it also must be viewed in the wider foreshadowed increase of up to 12 per cent by 2020. Defined benefit scheme members should receive the same treatment as their accumulation scheme counterparts. Is that not fair and equitable? The answer clearly is that of course it is. The approach taken by the O'Farrell Government also is consistent with the approach advocated by the Public Service Association, which stated that the way to treat the defined benefit of members equitably would be to pay the 0.25 per cent superannuation rise into a separate account, such as the account that is to be established under the State Authorities Non-contributory Superannuation Scheme. The SAS Trustee Corporation must establish a new account for each employee who is to receive the employer contribution of 0.25 per cent, allowing for the creation of an accumulation component in the State Authorities Non-contributory Superannuation Scheme.

Another relevant principal to consider in the context of this debate is consistency. While this debate has a relatively narrow scope, it should be considered in the light of further increases in superannuation and the overall question of offset against wages or salaries. When superannuation was first introduced by Federal Labor—which I acknowledge was a good initiative—they stated clearly that it should be absorbed into wages growth. That remains its policy, and that position was confirmed in the 2013 annual wage review conducted by the Fair Work Commission where the then Federal Labor Government advocated that increases to wages should take into account the superannuation guarantee charge increase. The wages policy that New South Wales Labor

introduced in 2007 also explicitly defined superannuation as part of the 2.5 per cent annual increase in employee-related expenses. The New South Wales O'Farrell Government's position is consistent with the positions previously adopted by Labor in New South Wales and federally. However, it appears that the current New South Wales Labor Opposition's position is inconsistent, as reflected by its disallowance motion in the upper House.

Unions NSW believes and has stated that as superannuation shifts to the 12 per cent I mentioned earlier, it should not be at the expense of wages. Unions NSW expects an additional 3 per cent annual contribution from employers by 2020 with no impact on employee wage rises. The position of Unions NSW is unsustainable, but perhaps understandable given its narrow mandate. While we welcome the fact that the Opposition is not opposing this bill, Labor must clarify whether it now backs the Unions NSW position and, if so, where Labor proposes that the extra money will be sourced to pay for its stance. The Treasurer, Mike Baird, has calculated that adoption of Labor's position would cost up to 8,000 public service jobs. Assuming Labor continues to support such an irresponsible approach to financial management, it should make clear how many of the extra nurses, teachers and police employed by this Government Labor proposes be dumped. It is a simple question. Resource allocation decisions need to be made fairly, equitably and responsibly. There are funding choices that have consequences. If Labor proposes to spend close to a billion dollars a year of New South Wales taxpayers' funds on subsidising public servant superannuation increases, the onus is on Labor to indicate where the money will come from. I commend this responsible bill to the House.

Mr JOHN FLOWERS (Rockdale) [12.09 p.m.]: I support the State Authorities Non-contributory Superannuation Amendment Bill 2013, which has been introduced by the very competent and effective New South Wales Treasurer, Mike Baird. The main object of the 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 New South Wales Public Sector Wages Policy, to pay the 0.25 per cent increase in the superannuation guarantee charge for the 2013-14 financial year provided for in the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth by means of a compulsory employer contribution under the State Authorities Non-contributory Superannuation Act 1987.

The benefit provided by the State Authorities Non-contributory Superannuation Scheme is commonly known as the basic benefit and is an additional benefit for members of the State Superannuation Scheme, the State Authorities Superannuation Scheme and the Police Superannuation Scheme. This basic benefit is currently a defined benefit, which means that the benefit is defined by a formula specified in the State Authorities Non-contributory Superannuation Act 1987. The additional employer contribution will be paid into a new account called the Additional Employer Contributions Account. Accumulation accounts are invested benefits and these additional employer contributions will be invested in the State Authorities Superannuation Trustee Corporation—State Super—pooled fund. State Super, the trustee for the State Authorities Non-contributory Superannuation Scheme, has agreed that no administration charge will apply to the Additional Employer Contributions Account. The new account will remove the need for a separate accumulation scheme account to be established for members as well as the cost and inconvenience to members that maintaining two separate superannuation benefits can bring.

The bill also updates the compulsory employer contributions payable for various financial years under the First State Superannuation Act 1992 in line with the increases in the superannuation guarantee charge for those years provided for in the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth. The bill gives effect to recent amendments to the Commonwealth Superannuation Guarantee Charge Act 1992 and Superannuation Guarantee (Administration) Act 1992. These Acts will increase the compulsory superannuation guarantee charge from 9 per cent to 12 per cent over the next six years, with the percentage having risen to 9.25 per cent from 1 July 2013. The key amendments in the bill enable the 0.25 per cent increase to be provided to members of defined benefit superannuation schemes by requiring employers to pay the 0.25 per cent increase to the SAS Trustee Corporation, which is the trustee for the State Authorities Non-contributory Superannuation Scheme and other defined benefit superannuation schemes. The SAS Trustee Corporation will be required to establish a new account for each employee who is to receive the employer contribution of 0.25 per cent. This will allow for the creation of an accumulation component in the State Authorities Non-contributory Superannuation Scheme.

The bill amends the State Authorities Non-Contributory Superannuation Act 1987. The Government's New South Wales Public Sector Wages Policy 2011 applies a wages cap of 2.5 per cent in respect of employees of public sector agencies to which it applies. The application of the 2.5 per cent wages cap for the 2013-14 financial year takes into account the 0.25 per cent increase in the superannuation guarantee charge payable by

all employers for that financial year under the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth. In the case of employees subject to the wages cap who are members of the First State Superannuation Fund, which is an accumulation superannuation fund, the increase in the superannuation guarantee charge is to be paid to employees by way of a 0.25 per cent increase in the compulsory employer superannuation contributions payable under the First State Superannuation Act 1992 for that financial year. However, to account for the increase in the case of such employees who are in defined benefit superannuation schemes in the New South Wales public sector, the proposed Act amends the State Authorities Non-Contributory Superannuation Act 1987—the principal Act—to require the employer to make an additional superannuation contribution for such employees, being the equivalent of 0.25 per cent of their salary for each financial year, or part, for which they are employees.

Schedule 1 [3] provides for these additional employer superannuation contributions, termed section 16A employer contributions, and includes provision for replacement of the percentage amount by regulation in relation to a financial year or years. When the superannuation guarantee charge commenced in 1992 it was absorbed into wages growth, and this remained the former Federal Labor Government's policy. This was recently confirmed in the 2013 annual wage review conducted by the Fair Work Commission where the Federal Government advocated that increases to wages should take into account the superannuation guarantee charge increase. In its submission, the former Government stated that in the whole economy the superannuation guarantee increases are expected to be absorbed into future wages growth. If the superannuation increases were not absorbed into the existing wages policy, as has been said here on many occasions today, it would cost \$800 million over the estimate, which is the equivalent of up to 8,000 public sector jobs.

This bill gives effect to the recent Commonwealth Parliament amendments to the Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration) Act 1992. As previously noted, these Acts will increase the compulsory superannuation guarantee charge from 9 per cent to 12 per cent over the next six years. The first increase took effect on 1 July 2013 with the percentage of an employee's remuneration set aside for superannuation rising from 9 per cent to 9.25 per cent. This Commonwealth policy decision impacts on the New South Wales Wages Policy, which ensures that employee-related costs, including superannuation, do not increase by more than 2.5 per cent per annum.

The amendments contained in the State Authorities Non-contributory Superannuation Scheme Amendment Bill 2013 enable the 0.25 per cent increase in superannuation to be provided to members of defined benefit superannuation schemes as part of the 2.5 per cent cap. The bill ensures that members of these schemes are treated in exactly the same way as employees who are members of accumulation superannuation schemes, such as the First State Super fund. The bill requires relevant employers to pay the 0.25 per cent to the SAS Trustee Corporation, which is the trustee for the State Authorities Non-contributory Superannuation Scheme and the other defined superannuation schemes. The approach taken by the Government is consistent with the approach advocated by the Public Service Association, which stated that the way to treat defined benefit members equitably would be to pay the 0.25 per cent superannuation increase into a separate account, such as the account that is to be established under the State Authorities Non-contributory Superannuation Scheme account. I commend the bill to the House.

Mr TONY ISSA (Granville) [12.19 p.m.]: It gives me great pleasure today to give my support to the State Authorities Non-contributory Superannuation Amendment Bill 2013. The Government has introduced this bill as it will guarantee payment to public sector employees who are members of accumulation or defined benefit superannuation schemes. It also is integral to the implementation of the New South Wales Public Sector Wages Policy. I am pleased to recognise that the superannuation contribution of 0.25 per cent per annum is payable by all employers for the financial year 2013-2014. This bill will address the needs of the community and constituents especially within my electorate. This will provide the community with a retirement fund that will assist them when they are no longer able to work. My office is often contacted by people with superannuation issues that impact on their life, and I am pleased I am part of a Government that is making real change to further assist those people.

Through this bill, the Government as an employer is required to give effect to the amendments made in 2012 to Commonwealth superannuation legislation. They provide for the compulsory superannuation charge to increase from 9 per cent to 12 per cent commencing from the financial year starting on 1 July 2013 through to the financial year starting on 1 July 2019. Commencement of this bill will not begin until the final outcome of the wages matters awaiting conclusion from the Industrial Relations Commission, which also may include an appeal to the Court of Appeal. The importance with which the New South Wales Government has treated this

recent increase in superannuation is consistent with the way superannuation increases have been treated by Federal and New South Wales Labor governments. An example of this would be when the former Prime Minister and architect of the superannuation scheme, Paul Keating, stated in his 2007 speech:

The cost of superannuation was never borne by employers. It was absorbed into the overall wage cost.

Recently, it was confirmed by then Federal Minister Bill Shorten that this remains Federal Labor's approach and in 2012 it was stated:

... the increases to superannuation will be absorbed as part of people's pay rises.

This Government is committed to maintaining and improving the essential public services it provides to the people of New South Wales, and the wages policy is a key mechanism for making that commitment a reality. The object of this important policy initiative of the New South Wales Government is to ensure that public sector employee-related costs do not increase by more than 2.5 per cent per annum. This cap is the average inflation rate forecast by the Reserve Bank. Actual inflation is expected to be lower with the Reserve Bank forecasting 2 per cent in December 2013. Without the absorption of superannuation increases into the 2.5 per cent cap, New South Wales would be worse off by \$800 million over the forward estimates and \$758 million over each year when fully implemented—equating to 8,000 public sector jobs.

The wages policy is fair and affordable, and this bill provides members of defined benefit superannuation schemes with a 0.25 per cent employer super contribution that equates with the increase in superannuation contributions for members of accumulation schemes from 9 per cent per annum to 9.25 per cent per annum from 1 July 2013. Members of defined benefit superannuation schemes have not automatically qualified for the 0.25 per cent superannuation payment as their schemes provide benefits that generally are not directly linked to the superannuation guarantee rate. So that defined benefit scheme members receive the same treatment as their accumulation scheme counterparts, the Government has decided that a 0.25 per cent employer superannuation contribution will be paid and this bill will allow that to happen. This Government is fully committed to ensuring that all employees in the public sector—whether they are members of accumulation or defined benefit super schemes—are treated equitably and fairly. I commend this bill to the House.

Mr CLAYTON BARR (Cessnock) [12.25 p.m.]: I shall make a brief contribution and introduce correct and accurate figures into the debate.

Mr John Williams: Get your Treasurer.

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

Mr CLAYTON BARR: Bear with me.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Cessnock has not had the opportunity to avail us of those figures.

Mr CLAYTON BARR: Even those opposite ultimately might be able to follow the mathematics, but I doubt it. Certainly, the member for Murray-Darling is excellent with numbers: as a small business owner and operator he will appreciate exactly what I am about to say. I sat here and in my office and heard people refer on a number of occasions to the \$800 million that will be needed to raise superannuation by 0.25 per cent. The total budget for this State is \$62 billion of which \$26.7 billion goes to wages. So 1 per cent of \$26.7 billion—not a quarter of 1 per cent—is \$267 million, not \$800 million and not \$700 million. One per cent is \$267 million. A quarter of 1 per cent is a quarter of \$267 million, which equates to about \$67 million or \$70 million. The annual cost to this State to pay for this 0.25 per cent superannuation rise is not \$800 million; it is closer to \$67 million. So let us be clear on that. If members opposite are not sure, here are the budget papers. They are the Government's budget papers. I refer members to Budget Paper No. 2 and the page on which they can find the figures.

Mr John Williams: Why would they want to mislead people?

Mr CLAYTON BARR: I do not know why they would want to do that.

Mr John Sidoti: Haven't you incorrectly read the numbers?

Mr CLAYTON BARR: Maybe.

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

Mr CLAYTON BARR: If members are not sure about the numbers, and I know members opposite probably have not looked at the budget, I refer to Budget Paper No. 2, table 4.3 on page 4-8, which shows that employee expenses in 2013-14 are forecast to increase by \$495 million to \$26.7 billion. So we are talking about a quarter of 1 per cent of \$26.7 billion. Members opposite should stop peddling the message in this House that it is going to be an \$800 million increase and that it will cost 8,000 public sector jobs. Government members have asked Labor Party members where would they find the money. I have a tip for them: \$67 million would probably be the Deputy Premier's travelling expenses—so stop him from flying. Or \$67 million would be just half of the annual consultants' fees to this State. Consultant fees have grown exorbitantly as a result of the sacking of public sector workers. We now pay \$136 million per annum to consultants. Members opposite should deal fairly with public sector workers, who are going backwards in real terms as noted in this year's budget. This year's budget recognises that wage growth has been below trend at 3 per cent and is expected to go to 3.25 per cent this year before going to 3.5 per cent the year after. It is already capped at 2.5 per cent, so in real terms employees are already going backwards. Those opposite come into the Chamber peddling mistruths.

Mr John Williams: Look at the inflation rate.

Mr CLAYTON BARR: I acknowledge the interjection by the member for Murray-Darling. I read again from Budget Paper No. 2, chapter 32, page 13, "Wage Price Index", which states:

The NSW Wage Price Index grew at a below trend annual rate of 3 per cent in the March quarter 2013, driven by below trend growth in private sector wages and public sector wages.

Wage growth is expected to be 3¼ per cent in 2013-14 before picking up to 3½ per cent in 2014-15 ...

We need to accept it is \$67 million per year—

Mr Jonathan O'Dea: But 0.25 per cent is not 3 per cent.

Mr CLAYTON BARR: —which is 0.25 per cent.

Mr Jonathan O'Dea: What about the 3 per cent?

Mr CLAYTON BARR: I am coming to that; bear with me. We need to accept that it is \$67 million and that this Government is already spending \$136 million per year on consultants. Finally, I turn to the interjection by the member for Davidson about the future growth in superannuation. In real terms, the arguments made in this Chamber today about the need to absorb the superannuation growth in the wages salary cap imposed by this Government means that the wages of public sector workers will go backwards. As pointed out by the member for Davidson, in order for future superannuation growth to be held and constrained within the 2.5 per cent wages salary cap some money will have to be given back because the 2.5 per cent cap will not cover the increase in the superannuation. I do not know if that is what the Government is peddling. The main point I make is that the \$800 million is an absolute furphy, it is a mistruth and the Government is misleading the House. The Opposition do not oppose the bill.

Mr JOHN SIDOTI (Drummoyne) [12.32 p.m.]: It is amazing how figures can be fudged, as was done by the previous speaker. His figure of \$67 million has been calculated on 0.25 per cent, which is a twelfth of the percentage it should have been calculated on. Our calculation of \$800 million is based on 3 per cent. Statistics show a different story depending on how they are interpreted. The previous speaker has unintentionally misled the House with his interpretation. I support this legislation. Its introduction into the New South Wales Parliament has been necessary because of the Commonwealth changes that came into effect on 1 July 2013, which increased superannuation contributions to 9.25 per cent. In essence, these changes mean an increase from a contribution of 9 per cent to 12 per cent over the next six years.

The O'Farrell Government, since it came to office in March 2011, has been conscious of its spending, and that includes a public sector wages policy that limits increases in wages to 2.5 per cent per annum. Superannuation is built into that wage increase. The 2.5 per cent cap on increases to public sector wages was selected because it is the average inflation rate per annum target set by the Reserve Bank. All members would agree that superannuation has been successful since its introduction in 1992. It guarantees that retirees from the

workforce will be able to fund their lifestyle through their acquired superannuation. When the superannuation guarantee charge commenced it was absorbed into wages growth, and that is certainly in line with this Government's wages policy. The previous member alluded to the forecast that 8,000 New South Wales public servants would lose their jobs if superannuation was not part of wages growth. That also translates to a blowout of \$800 million in State finances, which the State simply cannot afford.

The 0.25 per cent increase that came into effect on 1 July will be part of the 2.5 per cent wage increase for public sector workers. The amendments contained in the State Authorities Non-contributory Superannuation Scheme Amendment Bill 2013 that we are debating today mean that employers will be made to pay, by law, the 0.25 per cent increase to the SAS Trustee Corporation, which is the trustee for the State Authorities Non-contributory Superannuation Scheme and other defined benefit superannuation schemes. It means further that the members of these schemes are treated in exactly the same way as employees who are members of an accumulation superannuation scheme, such as the First State Superfund.

First State Super was established in 1992 initially to provide superannuation benefits to New South Wales government employees. It is now open to anyone eligible to receive superannuation and it is one of Australia's largest superannuation funds with more than 770,000 members. This bill will bring New South Wales into line with the Commonwealth legislation but at the same time ensure that the State's economy remains on track. The bill will enable the 0.25 per cent increase to be provided to members of defined benefits superannuation schemes by requiring employers to pay the increase to the SAS Trustee Corporation, which is the trustee for the State Authorities Non-contributory Superannuation Scheme and other defined benefit superannuation schemes.

The proposed amendments to the legislation are directly in line with the recommendations of the Public Service Association of New South Wales. In keeping with the recommendations of the Public Service Association, the Government proposes to pay the rise of 0.25 per cent in superannuation into a separate account that will be established under the State Authorities Non-contributory Scheme account. This will allow for the creation of an accumulation component in the State Authorities Non-contributory Scheme. Importantly, employees will be spared the inconvenience and cost of establishing a separate account for these contributions because the SAS Trustee Corporation has advised that there will be no administrative charge for new accounts. This seems fair and reasonable considering the small amounts of money involved in the new transactions. The benefit paid in the State Authorities Non-contributory Scheme is known as the "basic benefit". This benefit was introduced in 1987 in the State Authorities Non-contributory Superannuation Act and is calculated using a formula that is linked to salary under that law.

Under the New South Wales Wages Regulation 2011, certain employees were exempted from the cap of 2.5 per cent wages increases. These employees included ambulance officers, rail employees and bus drivers. Members employed outside the New South Wales public sector, such as university employees and employees in privatised agencies, are also ineligible for employer contribution. The bill also amends the First State Superannuation Act 1992 by updating the current reference in section 8 of the Act to 9 per cent as the rate at which employers must contribute for superannuation payments. This is because the rate has increased to 9.25 per cent since 1 July this year. There is also provision to enable the superannuation contribution rates to be amended in line with any changes to the Commonwealth Superannuation Guarantee Administration Act 1992. I commend the bill to the House.

Mr MIKE BAIRD (Manly—Treasurer, and Minister for Industrial Relations) [12.38 p.m.], in reply: I thank all members who made a contribution to this debate. I will briefly respond to concerns raised by the member for Cessnock, who is undoubtedly a good bloke but, unfortunately, is wrong in his analysis. It is important to clarify this point for the benefit of those outside the Chamber who have underestimated the costs of the policy being pursued by those opposite. I will make clear our decision and put it in context. The Government has chosen a 2.5 per cent wages policy for two reasons: we think it is fair; and at the moment inflation is running at less than 2.5 per cent. The figure of 2.5 per cent has been chosen because the target of the Reserve Bank of Australia for inflation is set at 2.5 per cent over the cycle. The Reserve Bank aims for between 2.5 and 3 per cent. For the past 16 years the target has remained at 2.5 per cent. Sometimes it goes above that rate, sometimes it goes below. Currently, it is below that rate. That is the basis for the wages policy, and as we move towards a sustainable surplus that is where the figure must remain.

Whether we are \$200 million or \$300 million in surplus or \$200 million or \$300 million in deficit, we will have a break-even budget. However, it goes nowhere towards paying back the debt the Coalition Government inherited or tackling the infrastructure deficit that was left behind by Labor. We have a net debt

forecast reaching \$55 billion and an infrastructure deficit of \$30 billion. It is an important rule that governments do not spend money they do not have, and this Government is trying to abide by that rule. When those opposite were in control of the Treasury for 16 years, they would set an expense target and say, "This is what we are going to spend this year". On average, over the 16 years, they spent \$1.3 billion above their target. Those opposite blew the budget by \$1.3 billion and the money they spent was not able to be used to reduce State debt or to go towards the infrastructure deficit. This Government now has to address their lack of financial discipline.

The member for Cessnock referred to numbers. When one looks over the forward estimates, this policy has an impact on each of the next six years as the policy is implemented. Those opposite argue that the increase is fully absorbed above the 2.5 per cent and say that we should pay the 2.5 per cent and then more. They say we should keep paying money that we do not have. Over the forward estimates, the cost of the policy endorsed by those opposite is \$800 million. By the time it is fully implemented, in the final year that is the annual cost to the budget—around \$800 million. The Government does not have that amount of money, so how can we pay it? Labor has shown us where that would lead us: higher debt and no infrastructure. The Government does not want to return to that situation. I clearly state that over the forward estimates the cost of their proposed policy—to pay increases above 2.5 per cent—is \$800 million. By the time it was fully implemented, on an annual basis it would cost approximately that amount, which equates to about 8,000 jobs. It is an unusual position for the unions to take that we should pay above the 2.5 per cent. Effectively, the unions are telling us to spend money we do not have. Where do we find the savings to fund it? I will come back to that question.

The Government is committed to providing wage increases that are fair for employees and affordable to the State. That has been the premise of our wages policy. The New South Wales Public Sector Wages Policy ensures that increases to remuneration and conditions do not exceed 2.5 per cent per annum. Increases greater than 2.5 per cent may be available, subject to savings and employee-related costs being achieved. The New South Wales Public Sector Wages Policy that was introduced in 2007 defined superannuation as part of the 2.5 per cent cap. It said, bearing in mind it was Labor's wages policy:

The net 2.5 per cent limit covers all employee-related expenses—including wages, allowances, superannuation and other conditions.

In 2011 this Government confirmed the Labor Government's 2007 wages policy in its enactment of the Industrial Relations Amendment (Public Sector Conditions of Employment) Act 2011 and the making of the Industrial Relations (Public Sector Conditions of Employment) Regulation 2011. Passing on the superannuation increases within the 2.5 per cent cap is consistent with the New South Wales Public Sector Wages Policy and the way in which superannuation increases have been treated by Federal and New South Wales Labor governments. Indeed, former Minister Bill Shorten, the architect of superannuation, confirmed that superannuation should be passed on as part of wage increases. Those opposite clearly do not support him.

Following the Opposition's disallowance of the Industrial Relations (Public Sector Conditions of Employment) Amendment Regulation 2013, the Government will continue to look at options, including legal and other savings measures, to ensure that the wages policy can continue to deliver increases that are both fair to the public sector and affordable for the State. The State Authorities Non-contributory Superannuation Amendment Bill 2013 is necessary to give effect to the Commonwealth Parliament's amendments to the Superannuation Guarantee Charge Act 1992 and the Superannuation Guarantee (Administration Act) 1992. The Commonwealth legislation has increased the compulsory superannuation guarantee amount from 9 per cent per annum to 9.25 per cent per annum from 1 July 2013. The legislation provides for further increases, taking the compulsory superannuation contribution to 12 per cent per annum over the next six years. The member for Cessnock has his numbers wrong. It is a significant ongoing cost over the next six years. In the case of employees who are members of the First State Super, an accumulation superannuation fund, the compulsory increase in the superannuation contribution is to be paid by employers by way of a 0.25 per cent increase in the superannuation contribution payable under the First State Superannuation Act 1992.

This bill will provide members of defined benefit superannuation schemes with a 0.25 per cent employer superannuation contribution to equate to the increase in superannuation contributions for members of accumulation superannuation schemes. As I have outlined, the bill will require relevant employers to pay the 0.25 per cent to the SAS Trustee Corporation, which is the trustee of the defined State Authorities Non-contributory Superannuation Scheme and the other defined benefit superannuation schemes. The SAS Trustee Corporation will pay the contribution into new accounts established for each employee who is the recipient of an employer contribution of 0.25 per cent. This bill is in accordance with the New South Wales Public Sector Wages Policy and ensures that all employees covered by the policy, whether they are members of

an accumulation or defined benefit superannuation scheme, are treated equally. I thank members for their contributions to the debate and commend the State Authorities Non-contributory Superannuation Amendment Bill 2013 to the House.

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

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Mike Baird agreed to:

That this bill be now read a third time.

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

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2013-14

Debate resumed from 10 September 2013.

Mr ADAM MARSHALL (Northern Tablelands) [12.47 p.m.]: It is with pleasure I contribute to this take-note debate on the Budget Estimates and Related Papers 2013-14 and note what the budget has delivered for the people of Northern Tablelands and New South Wales. This year the Northern Tablelands will receive more than \$75 million worth of capital expenditure throughout the electorate, in particular for upgrades to roads, bridges and traffic management across a number of communities. I was pleased to see the allocation of the first portion of funding to begin the process of replacing the Gwydir crossing bridge at Bundarra. This bridge was a temporary structure constructed in 1919; it was never intended to be a permanent bridge. The community has been lobbying for more than 75 years for the temporary crossing to be replaced with a permanent bridge structure. This Government will deliver to that community the infrastructure it needs.

On a number of occasions I have had the pleasure of touring with representatives of Uralla Shire Council to view the existing crossing. Recently, I accompanied Uralla shire Mayor Mike Pearce, the deputy mayor and local community representatives to view the bridge site, where we saw the survey pegs in the ground for this new piece of infrastructure worth \$3.5 million. The council and the Bundarra community have worked hard for many years to see this project realised and I commend them for their efforts. The new structure will be a higher two-lane bridge, replacing the existing low-level, one-way crossing over the Gwydir River. It will reduce the impact of flooding and provide a one-in-50-years flood immunity to the region.

This piece of infrastructure is important not just for the people of Bundarra but also for people across the region. Thunderbolts Way is an important arterial route. It is a B-double approved route and is responsible for carrying the vast bulk of primary produce across my electorate down to Newcastle and Sydney. It is also the only direct route for the communities of Inverell, Warialda, Bundarra, Bingara and Gravesend to Armidale regional airport, which services the entire region. This is a very low-level crossing and it does not require a huge rain event for that crossing to be flooded. When flooding occurs, the only alternative route adds 95 kilometres to a trip, with motorists having to go either through Glenn Innes or through Torryburn and Kingstown. It is simply not sufficient.

Mr Kevin Humphries: They could go to Moree.

Mr ADAM MARSHALL: No, Minister, they will not be going to Moree to catch planes from your local airport. They will want to go to Armidale, the regional centre of the Northern Tablelands.

Mr Kevin Anderson: A smaller regional centre.

Mr ADAM MARSHALL: The member for Tamworth is boasting about Tamworth; I will get to him in a minute. The upgrade of the bridge is very important not just for freight but also for emergency services.

Further, a number of school bus routes take children each day to and from Bundarra and Inverell to Armidale and the crossing when flooded results in absolute mayhem in those communities and for those families. It is an important link for Bundarra and the wider region. The design for the preferred option for the new bridge has been selected and on-site geotechnical investigations have now been completed. The Roads and Maritime Services [RMS] will finalise its report very shortly before expressions of interest are called for a review of environmental factors.

I again commend Uralla Shire Council for its excellent work. It just shows the power of smaller councils. Some people, particularly those opposite, want to write off country communities and country councils but Uralla Shire Council is one of those country councils that is stepping up to the mark. It has done a great job assisting the Roads and Maritime Services on this project. It has worked incredibly well with the community since the funding was announced in May this year. I look forward to being there on opening day early next year, and hopefully our great Minister for Roads and Ports, the Hon. Duncan Gay, will join me, Mayor Michael Pearce and Deputy Mayor Bob Crouch to turn the first sod on that very welcome project. I also thank the members of the Bundarra Progress Committee and Melissa and David Lowell, who are the proprietors of Bundarra General Store, a great general store. I recommend that members drop in on the way through and grab a cuppa, a drink or a newspaper. The service is always friendly. I also thank the General Manager of Uralla Shire Council, Tom O'Connor, and the Public Works Manager, Alan Harvey, for the great work they have done on this project.

That is just one of the many projects contained within this great budget delivered by our Treasurer Mike Baird. It is a budget with a lot of benefits for the people of the Northern Tablelands. One of the highlights for my electorate is another \$1.3 million to continue the planning and preparations for the Tenterfield heavy vehicle bypass. I know from speaking to Tenterfield Shire Council Mayor Peter Petty and all the councillors that a heavy vehicle bypass for the main street is an absolute priority. Anyone who has been through Tenterfield will know that it is a very diverse community and one that is growing, but its main street is choked by a huge number of heavy vehicles. That not only presents a safety issue but also detracts from a very beautiful and historic main street. That money will be well spent and the council is working with consultants to narrow the designs for that bypass.

An allocation of \$1.3 million was also in the budget to continue planning for the New England Highway upgrade at Bolivia Hill. This is a much-needed project for the people in the northern part of the Northern Tablelands. I am very pleased to say that the Minister for Roads and Ports has already announced that project. When the new Commonwealth Government is ready, our contribution to fund those important safety works at Bolivia Hill will be ready, in accordance with the States and Commonwealth agreement. There is \$4.65 million in the budget to rebuild a section of the New England Highway south of Dundee and \$5.4 million for capital upgrades and the maintenance of rail lines, level crossings and rail station car parks throughout the Northern Tablelands. As in all rural areas—and I acknowledge the member for Tamworth and the member for Barwon in the House—the upgrade of those rail lines and rail crossings in the Northern Tablelands is absolutely critical not only for the transport of passengers and freight but also to keep people safe.

The budget includes \$599,000 for social housing improvements, \$160,000 for upgrades to State properties in Armidale, \$200,000 for an upgrade of the Inverell courthouse to make it a first-class justice precinct, and \$180,000 for an upgrade of the Walcha courthouse. While I am talking about courthouses, I want to mention the new Armidale courthouse. Thankfully the Attorney General was able to intervene when the National Buildplan Group went into administration and rescue that project. The New South Wales Public Works is back on site and all of the contractors are also back on site working. That project should be completed before the end of this calendar year and hopefully we will see courts, both at a local and a district level, sitting in early next year in a world-class courthouse facility.

I was very fortunate to host a Community Cabinet meeting in Armidale on 26 August and to take the Attorney General through the construction of the new site. It is incredibly impressive in its size and layout. It includes a number of smaller breakout rooms to ensure that victims who have been traumatised do not have to confront alleged offenders. The facility has been planned in a very secure way. It is co-located with the Armidale police station, which will ensure that police no longer have to take offenders from the police station to the courthouse across public streets and walkways. It is a welcome addition to the justice system in the Northern Tablelands, and I certainly look forward to having the Attorney General back in the electorate soon to officially open that new precinct early in the new year.

The budget also allocates \$3.4 million for upgrades to fishways downstream from Copeton Dam, which is a great State park in the heart of the electorate near Inverell. It provides a lot of benefits for recreation and

fishing. It is great to see that this money will be used to improve those fishways and to increase native fish stocks in the area. This will be warmly welcomed by serious anglers and casual amateur fishermen, like me, alike. There is \$900,000 in the budget for the new Tenterfield sewerage program. Again, that is a project the Tenterfield community and Tenterfield Shire Council had been working on for many years—and something that they had to wait for this Government to fund. Good on the Tenterfield Shire Council for its work on this project. The budget has an allocation of \$29 million for improvement works to State roads and \$9.6 million in grants to local councils for regional roads. Local councils, particularly rural councils, do not waste any of that money when they spend it on local roads. As all country members of Parliament know, road funding is always at the top of the list of priorities, particularly for local councils. It is good to see councils getting this money, which will be put to very good use.

In the budget there is \$2.72 million for road resurfacing on the New England Highway, \$1 million for road rebuilding on the New England Highway south of Guyra—an area that was seriously damaged not too long ago during a huge spate of rain events, so it will be good to see that repaired—and \$500,000 for road building on the Oxley Highway east of Walcha. The budget also contains \$800,000 for road widening on the Gwydir Highway west of Delungra and \$500,000 for road rebuilding on Waterfall Way at Armidale. Again, Armidale Dumaresq Council has been asking for funds to upgrade that section of road for some time and that money will be very well spent. I know it is very welcome. There also is \$500,000 for road rebuilding on the Gwydir Highway west of Gravesend, at the far west of my electorate—it is not quite in Moree but very close to it. There is \$1.58 million for road resurfacing at various locations on the Bruxner and Gwydir Highways and Waterfall Way. Again, that is a very welcome investment in improving infrastructure—which this Government is all about, particularly in country areas.

The budget includes \$314,000 for the Uralla-based Tablelands Community Transport; \$237,000 for Inverell Home and Community Care Services; \$37,000 for Bingara Community Transport, which does a great job in that community; \$272,000 for Gwydir Community Transport; \$25,000 for Walcha Community Transport; and \$274,000 for Tenterfield and Glen Severn Community Transport. In addition to those projects, I am pleased that a huge investment of more than \$2.2 million is being made for 35 capital works projects across 27 schools in the Northern Tablelands electorate. Whilst he was in Armidale for the community Cabinet meeting I had the great pleasure of taking the Minister for Education to Martins Gully Public School to meet Principal Brad Hunt, assistant principals and schools leaders to look at their project to refurbish a former administration building and make it a classroom block. The latest technology will be installed in the building so that the students can communicate with their peers in schools across the globe.

This fantastic injection of money forms part of the Government's record \$13.95 billion spend on education, training and early childhood education in this budget and is an increase of \$524 million on the previous year's expenditure. Schools that will benefit from the \$2.2 million capital works upgrade budget and the \$1 million boost to the maintenance budget across 51 schools in the electorate include Armidale City Public School and Armidale High School. Ashford Central School will receive funds for its project to extend the wall height within its covered outdoor learning area. Bundarra Central School will receive funds to upgrade some of its learning space. Other schools to receive funds will be Ben Venue Public School, Chandler Public School, Deep Water Public School, Drake Public School and Drummond Memorial Public School. Duval High School will receive money to install a new lift, carry out line marking and upgrade the sub-mains. Other schools on the list include Emmaville Central School, Gilgai Public School, Glen Innes High School, Glen Innes Public School, Guyra Central School, Inverell High School, Inverell Public School, Kentucky Public School, Macintyre High School, Martins Gully School, which I have mentioned, and Mingoola Public School. Mingoola is a great school

Mr Kevin Humphries: A very important school.

Mr ADAM MARSHALL: It is a very important school that sits right on the border. I look forward to visiting that school as well as Bonshaw Public School to talk to the students. Despite the fact that they are smaller schools in the electorate, they will not miss out on the valuable and needed expenditure that is provided in this budget.

Mr Kevin Humphries: Not one Labor vote?

Mr ADAM MARSHALL: I think the Mingoola booth attracted one Labor vote at the by-election.

Mr Kevin Humphries: Who?

Mr ADAM MARSHALL: We are still trying to find that person. Verandah flooring and other floor coverings will be replaced at Red Range Public School. Other schools to share in the \$2.2 million for important capital works include Ross Hill Public School, Thalgarrah Environmental Education Centre, Warialda High School, which is a great high school, Warialda Public School and Woolbrook Public School. This budget delivers great things for the people of the Northern Tablelands, and as a new member I am looking forward to working with my communities over the next 12 months to ensure that we get an even larger slice of the pie from the next budget. In addition to the items I have mentioned, I am pleased that the Treasurer has made changes to the payroll tax threshold by increasing it from \$689,000 to \$750,000. I have met with several businesses in the Northern Tablelands electorate which will benefit from that change. The businesses which continue to pay payroll tax will be more than \$3,000 better off. That is particularly good news for businesses in country areas.

I am also pleased that the successful first home owners grant of \$15,000 will continue for another two years. It is especially helpful to rural people entering the housing market. According to the latest population projections from the Department of Planning, the electorate of Northern Tablelands is growing. It is full of vibrant communities and we are busily attracting people to make the tree change from the city. The first home owners grant and other incentive schemes are important tools in our kitbag to entice people to country areas. Once they come to the area they fall in love with it. They stay, they bring their families, they work, they do business and they invest.

Mr Kevin Anderson: And then they move to Tamworth.

Mr ADAM MARSHALL: And then they stay in Armidale and they do not move to Tamworth. As a relatively new member of Parliament, this is my first budget. It is great to see that the Government is living within its means and reducing debt in challenging economic times. The budget delivers record expenditure not just for the Northern Tablelands but also for areas of critical importance throughout the State such as infrastructure, health and education. I look forward to working closely with my communities over the next 12 months to identify their priorities. I also look forward to the next budget delivering another record amount of expenditure for the Northern Tablelands.

Mr KEVIN ANDERSON (Tamworth) [1.05 p.m.]: On behalf of the Tamworth electorate I will outline how the Government is looking after rural and regional New South Wales. First I note that the member for Northern Tablelands, Adam Marshall, is doing an excellent job of listening to his community in order to understand the issues in his electorate. It is a big job. He is warming to the role and, no doubt, he is primed for a long and prosperous future in the Parliament of New South Wales. The Liberal-Nationals are getting on with the job of rebuilding New South Wales. The work being undertaken in the Tamworth electorate is a classic example of creating jobs, building our economy, providing infrastructure and delivering the improved services we deserve. I am committed to ensuring that the Tamworth electorate gets its fair share of funding for health, housing, roads, infrastructure, education, policing and the environment.

For many years parts of our road network were allowed to run down through lack of investment. When a government does not spend money on maintenance things fall apart. That applies to roads and school buildings or whatever the case may be. It can end up costing double or even more to bring neglected infrastructure back to an acceptable standard. Under the previous Labor Government that ignored regional New South Wales many facilities and a fair bit of infrastructure was allowed to run down in the Tamworth electorate. That is no longer the case. For example, Manilla Road in the Tamworth electorate is becoming increasingly busy as Tamworth expands. Traffic is increasing as Windmill Hill Estate and Windmill Downs are coming online at Moore Creek Road and housing areas are being extended through Bournes Lane and towards Manilla. As the major thoroughfare that takes cars, buses and trucks into the city Manilla Road has come under increased pressure. Previous governments and previous members promised to upgrade Manilla Road on many occasions. A succession of Ministers came and went. They promised the world but failed to deliver. Under this Government, the Minister for Roads and Ports, the Hon. Duncan Gay, has funded the upgrade of Manilla Road.

A couple of kilometres of Manilla Road were in such poor shape that residents were kept awake at night as trucks bounced along the road. It was also dangerous because cars heading towards Manilla would be forced to the side of the road to make way for turning vehicles. In some instances, cars forced off the road came to grief and took out house fences, trees and letterboxes. The situation was becoming extremely dangerous. Thanks to the Minister for Roads and Ports and the Roads and Maritime Service, which does a magnificent job in the Central West region, the Manilla Road section of the roadway has been repaired and upgraded. The pavement is now wider, flatter and smoother and it has clear turning lanes. It is therefore a much safer road for drivers. I sincerely thank the Roads and Maritime Service for its excellent work in upgrading Manilla Road, and

we are hopeful that the upgrade will be extended. On the Oxley Highway, the Gunnedah Road and Dampier Street intersection has been a bone of contention for motorists who use that section of road in that industrial area, particularly during peak hours. That section of road carries a lot of traffic, the pavement is poor, the T-intersection is continually traffic jammed and it does not have a roundabout. At that point, the Oxley Highway is the main thoroughfare that connects north to the Kamilaroi Highway and south to the New England Highway.

The Dampier Street intersection is in urgent need of upgrading. I am very pleased that work is underway with planning by the Roads and Maritime Service. What we are seeing from this Government is an unprecedented level of cooperation from departments and local councils, particularly in regional areas of the State. Recently I brought Peter Resch from the Tamworth Regional Council, who looks after engineering, roads and infrastructure in the region, to meet the Minister for Roads and Ports, the Hon. Duncan Gay. Peter devised an innovative plan for funding to upgrade that section of road on the back of Federal funding for a project nearby. Peter suggested it would be good if the whole lot could be upgraded. That meeting exemplifies the cooperation and collegiality between local government, the State Government and the incoming Federal Government that is beginning to occur.

These are the outcomes that people want to see. Our communities do not want bickering, backstabbing or people having a go at each other as we saw recently at the Federal level. All that people care about is fixing up their patch with, for example, roadworks and hospital improvements. Just days after the new Parliament assembled in 2011, the Minister for Health, and Minister for Medical Research, the Hon. Jillian Skinner and I travelled to Tamworth and announced \$100 million in State funding that, combined with Federal Government funding, would be used to upgrade the Tamworth Base Hospital. This State is being led to recovery on the back of infrastructure investment. We are experiencing an infrastructure-led recovery. The new Tamworth Base Hospital is worth \$210 million on the hospital site, and that is what people are looking for.

Mr Gareth Ward: A good local member.

Mr KEVIN ANDERSON: I note the member for Kiama is with me on this because his electorate also has benefited from significant infrastructure capital funding since the Government was elected in 2011, as have many members of this House from right across the State. Tamworth also has a new cancer centre worth \$42 million, thanks to the State Government's \$10 million contribution to the project. People want a government that will listen, act, and look after them, and there is no doubt that that is exactly what is happening with the New South Wales Government. The approach of this Government is not confined to big ticket items. Recently the Government allocated \$50,000 to the Nundle Visitors Centre, \$44,000 for a kitchen upgrade for the Anglican Church in Gunnedah, \$30,000 for refurbishment for Barraba Anglican Youth Care, not to mention a brand-new pipeline from Split Rock to Barraba so that for the first time in years the small community of Barraba will have fresh and clean running water when the project is completed in a few short months. Successive Ministers promised that, but did not deliver. I look forward to going to Barraba to turn on a few taps and see clean and fresh water running out of them that will help the people of Barraba.

The Government also has allocated \$22,000 for new kitchen and catering facilities at the Niangula community hall, which hosts community organisations almost every day of the year and enables health, sewing and cooking classes as well as school fetes and school presentations to be held. That is the type of financial support that small regional communities want to see. Another allocation is \$18,000 for the Scouts for a new covered outdoor area at the Lynchwood camp and approximately \$18,000 for Manilla Showground amenities. The list goes on to include this Government's investment in education. The Government has invested \$204 million over five years to improve students' performances across the State and that includes a brand-new specialist school in Gunnedah, the G. S. Kidd Memorial Special School for students who have a disability. Construction has commenced and the school is looking absolutely fantastic. I look forward to being able to share the excitement and joy of having a purpose-built school for kids who have a disability. I am looking forward to that immensely.

A brand-new school, the Parry School, is attached to the Tamworth High School and caters for students who have been suspended, told to take a break to gather their thoughts or in other ways have been disconnected from their school until they are reintroduced to mainstream education. When we talk about schools, infrastructure investment and government that is listening to its communities, that is exactly what the New South Wales Government is doing, and not just in relation to big ticket items. The Government also has allocated \$3,500 to the Peel High School for its environmental trust and \$2,500 to the Tamworth West Public School. This type of government assistance means a lot. The Barraba Central School has been allocated approximately \$12,000 for a new phone system and the Mullaley Public School, which is one of the great small

schools in the Central West region, has been allocated \$3,500 for a food garden grant that will allow students to grow and eat the herbs, fruit and vegetables they grow in the school's garden. There is nothing better than sampling our own produce. Time does not permit me to outline in full all the benefits provided in this year's State budget for the Tamworth electorate. I look forward to resuming my speech and further updating the House on the great infrastructure projects in the Tamworth electorate.

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

COMMUNITY RECOGNITION STATEMENTS

BATTLE FOR AUSTRALIA COMMEMORATION

Mr ANDREW ROHAN (Smithfield) [1.15 p.m.]: I inform the House that on Wednesday 4 September I attended a commemoration of the Battle for Australia on behalf of the New South Wales Government that was organised by the Smithfield Sub-Branch of the Returned and Services League of Australia [RSL]. Throughout the 1990s, the RSL and the Battle for Australia Commemoration National Council foresaw the importance of this day and thus campaigned for an official commemoration of a number of battles including the Battle of the Coral Sea, the Battle of Milne Bay and the Kokoda Track Campaign. Those battles, which were fought in 1942-43, became designated as the Battle for Australia. In 2008 the Australian Government proclaimed that commemorations for the Battle for Australia would be held on the first Wednesday in September every year and hence this significant day was born. I recognise the service and sacrifice of the brave men and women who served in these battles, which became part of a successful strategy to the defence of Australia from a possible invasion.

TRIBUTE TO ENID COOK

Mr ALEX GREENWICH (Sydney) [1.16 p.m.]: I acknowledge the passing in July of longtime Surry Hills community activist, Enid Cook. Enid was a champion for what was then an area of disadvantage and poverty, particularly for the children of the area. As a teacher, she found creative ways to help students learn and be active community members, harnessing resources from the library and other local help. Enid saw that women and migrants needed to be heard and issues affecting them were important. Her knowledge and skills as an unpaid community worker, networker and advocate achieved practical benefits, and she was instrumental in establishing local childcare services, the Surry Hills Neighbourhood Centre, the Surry Hills Social Justice Coalition and English classes for migrants in the rag trade. Enid worked with local residents and all political groupings to improve individual futures and Surry Hills' future. Her commitment to the "local" leaves a legacy that helped make Surry Hills the desirable place it is today.

TRIBUTE TO FLORENCE YVONNE MAIO

Mr TONY ISSA (Granville) [1.17 p.m.]: I pay tribute to the late Florence Yvonne Maio, who departed this life on 24 August 2013. I commend her commitment to the Liberal cause particularly and for paving the way for women in politics through her candidature in five elections from 1978 until 1983. I publicly acknowledge our strong friendship during her years as a councillor with Parramatta City Council from 1983 to 1991.

HUNTER SPORTS HIGH SCHOOL GIRLS FOOTBALL

Ms SONIA HORNERY (Wallsend) [1.18 p.m.]: I recognise the skill of the Hunter Sports High School girls soccer players, who recently won the Bill Turner trophy, and the dedication of tournament volunteer Noel Cocking of North Lambton. The team, coached by Ashley Wilson, won the grand final in a penalty shoot-out. It was the school's fifth title win in this prestigious competition. Northern New South Wales State Manager Mr Cocking has been involved with the Bill Turner cup and trophy since the 1980s. His contribution has been inspiring. The team members are: Hannah Southwell, Sophie, Brooke, Hannah Bourke, Jayde, Georgia, Alice, Kobie, Ashlee, Clare, Renee, Tazmyne, Zoe, Laynee, Breanna, Tia, Amber, Kristy and Anastasia.

EXCELLENCE IN TEACHING AWARD RECIPIENT JUDITH HOGAN

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.19 p.m.]: I congratulate Mrs Judith Hogan, assistant principal at Caringbah North Public School, who was one of 24 recipients of the

2013 Minister's Award for Excellence in Teaching. The award acknowledges exceptional contributions to teaching in public preschools, primary and secondary schools, and TAFE NSW. Mrs Hogan's citation for the award says that she is an exceptional and inspirational educator; that her students are always taught in an atmosphere of mutual respect, with each student supported and encouraged to achieve his or her best; and that she has inspired teachers not only to question but also to improve their practice and to put student learning as the basis for everything they do. I commend Mrs Hogan's exceptional work.

RETIREMENT OF ANNE HALL

Mr NICK LALICH (Cabramatta) [1.20 p.m.]: I acknowledge and recognise the services of Ms Anne Hall, who is retiring from her role after 23 years as manager of Fairfield Library and Museum Services. Ann's long career started off as a library assistant in 1968 when she hand-lettered the Dewey decimal numbers on the sides of books and then saw the introduction of a computerised library system. Anne is a passionate advocate for ensuring that Fairfield's very diverse community has access to educational and cultural opportunities regardless of age, background and language. Some of her major achievements are setting up English conversation classes, family literacy classes, homework centres, Higher School Certificate lectures and Finding MY Place, a program for young people who are disengaged from school. The Fairfield City Museum and Gallery and the local studies collection also owe much to Anne's passion to see local history and culture celebrated and documented for future generations. I thank Anne for her wonderful service to the people of Fairfield. I wish her all the best in a long and happy retirement.

GLEN INNES VOLUNTEER RESCUE ASSOCIATION AWARDS

Mr ADAM MARSHALL (Northern Tablelands) [1.21 p.m.]: I acknowledge and congratulate Glen Innes Volunteer Rescue Association [VRA] deputy captain Graham Pagden and squad member Harley Wallis, who were awarded a bravery commendation by Governor-General Quentin Bryce following their heroic efforts to pull a couple out of a car that had crashed on the New England Highway on 19 June 2012. The Volunteer Rescue Association, along with other emergency services, was called to the accident, which saw a car leave the highway and collide with a power pole, which snapped in half, bringing down the power line and starting a fire. Mr Pagden, who lived nearby, was on the scene within minutes and was able to help the female driver from her seat and then free the male passenger, dragging him out of the vehicle before the fire engulfed the car. Mr Wallis had by then arrived and rushed in with a fire extinguisher to try to control the flames. These men who are volunteer rescue personnel are to be commended incredibly highly for their bravery shown in a bid to save those people's lives.

MOLISAN ASSOCIATION OF NEW SOUTH WALES

Mr GUY ZANGARI (Fairfield) [1.22 p.m.]: On Sunday 11 August 2013 the Molisan Association of New South Wales Incorporated held its annual Festa Paesana Molisana at the Montefano Hall, Smithfield. The event was a celebration of Molisan culture and heritage. Traditional Molisan food was cooked and served by committee members as well as Molisan wine and homemade salami. The event also launched the book by Mr Stefano Di Leonardo titled, *Due Terre un Cuore—Molisani in Australia: Racconti e Ricordi*, which translates to, "Two hands one heart—Molisans in Australia: Tales and Memories". The book is a wonderful collection of stories and reflections from Molisans who migrated from Italy to Australia. Congratulations to Mr Michael Di Re, the President of the Associazione Molise (NSW) Incorporated, and the organising committee for maintaining and promoting Molisan culture.

THE POINT MINISTRY CENTRE

Mr GARETH WARD (Kiama) [1.23 p.m.]: This afternoon I ask that this House: congratulates the Kiama Anglican Churches Parish Council on the official opening of The Point Ministry Centre, a new purpose-designed building to spread the word of God in Kiama for the next generation; notes that the total cost of the project is approximately \$1.65 million, of which \$940,000 has been donated by members of the Kiama Anglican parish community; acknowledges \$25,000 towards the completion of the Kiama Youth Shed project from Community Building Partnerships; notes the attendance of Reverend Peter Hayward, the Anglican Bishop of Wollongong, and Kiama mayor Brian Petschler at the official opening on Sunday 18 August 2013; acknowledges that the new centre features a 300-seat multipurpose auditorium, dedicated meeting and teaching spaces, a new commercial kitchen and new sound system facilities; and notes the hard work and dedication to this project by Senior Minister Reverend Steve Stanis, Reverend Mike Wells, Steve Inman, Deb Baker, Marguerite Robson, and my friend Adam Vidilini.

PORT MACQUARIE SURF SCHOOL

Mrs LESLIE WILLIAMS (Port Macquarie) [1.24 p.m.]: I congratulate Port Macquarie Surf School, which is a renowned local business that has been operating in the Hastings region since 1981. Founded and run by local surfing legends, the "Huddos", father, Peter Hudson, and his sons, Wayne and Grant, have established themselves as multi-award winning leaders in the local tourism market with their surf school. Special congratulations go to the Hudson's on scooping the pool with no less than four awards at last Friday night's Greater Port Macquarie Fuel 4 Business awards. Port Macquarie Surf School was a winner in the categories of Excellence in Innovation, Childcare Education and Training, New South Wales Safe Work and People's Choice. Congratulations again to Port Macquarie Surf School on being tourism industry leaders through excellence across the board.

NOAH'S CHALLENGE

Mrs SHELLEY HANCOCK (South Coast—The Speaker) [1.25 p.m.]: I congratulate the organisers of the third annual Noah's Challenge Short Course Adventure Race held on election day, Saturday 7 September, at the Shoalhaven campus of the University of Wollongong, West Nowra, which I attended as a welcome break from working at a polling booth. The Noah's Challenge was established by a team of South Coast volunteers to raise much-needed funds for Noah's Ark, Shoalhaven. Noah's provides essential professional services to very young children with special needs within the Shoalhaven. The Noah's Challenge is a unique event held annually on the South Coast and attracts a wide variety of local participants. The event has strong community support from local businesses and Shoalhaven City Council, and is supported each year by volunteers from HMAS *Albatross* 816 squadron. This year participants included teams from Nowra Police, HMAS *Creswell*, BHP, Raytheon, the University of Wollongong and local schools, including Vincentia High School, St John the Evangelist School and Scott's College, Glengarry. I congratulate the organisers of this fantastic event, particularly Ginger O'Brien and Vittoria Barazio of Noah's, and I look forward to attending again next year.

DUBBO VOLUNTEER VAL IRVINE

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [1.26 p.m.]: On behalf of the people of the Dubbo electorate I recognise and congratulate Mrs Val Irvine on her 25-year commitment to Dubbo Base Hospital's volunteer Pink Ladies Auxiliary. The Pink Ladies volunteer their time to assist the patients of Dubbo Base Hospital. The auxiliary was formed in 1976 at the request of the Red Cross and has evolved into a service appreciated by staff and patients alike. As a major regional hospital, Dubbo Base often has patients from out of town. The Pink Ladies gladly assist these patients in their daily needs, such as laundry or shopping, making them feel welcome and taking some of the stress out of their lives. The dedication and compassion of Val, and ladies like her, leave lasting positive impressions on people's lives. Val has spent most of her 25 years in the oncology ward assisting staff with cancer patients. This unit, due to the nature of the illness, would be a difficult and emotional unit in which to volunteer. Val is an outstanding citizen and I congratulate her on reaching this important milestone.

MENTAL HEALTH INTERVENTION TEAM

Mr BRYAN DOYLE (Campbelltown) [1.27 p.m.]: I congratulate Inspector Joel Murchie and the Mental Health Intervention Team on their biennial conference held at the Police Academy at Goulburn on Wednesday 4 September. This conference was also attended by the Parliamentary Secretary for Policing and member for Tweed, Mr Geoff Provest, the Deputy Commissioner Nick Kaldas, Assistant Commissioner Steve Cullen, and John Feneley, Commissioner of the Mental Health Commission of New South Wales. The Mental Health Intervention Team training course reaches about 10 per cent of all operational police and is designed to assist in improving outcomes for those suffering from mental illness when they come into contact with police and are in need of assistance. I was one of the first to complete the course, and it is a marvellous program. It is a tribute to Inspector Joel Murchie and his team, and I commend the program.

OUR BIG KITCHEN

Mr ALEX GREENWICH (Sydney) [1.28 p.m.]: I acknowledge the outstanding work of Our Big Kitchen in Bondi, which serves many people and groups in the Sydney electorate. It aims to help people through the language of food. Established by Rabbi David Slavin, Our Big Kitchen provides a community access kitchen to help people in need. The volunteer-run kitchen can be a space for homeless people to take part in a barista course, a place for people convicted of crime to serve their community service by contributing to the community, corporate team-building exercises and meditation for new mothers with post-natal depression. I was pleased to learn on my recent visit that Our Big Kitchen also provides food for the women at Lou's Place in Potts Point. I congratulate Our Big Kitchen on being awarded the National Community Service award by the

Restaurant and Catering Association for three years running. I also acknowledge my social work intern, Pamela Hockey, for helping me to draft this community recognition statement. I commend all those involved with Our Big Kitchen in Bondi.

SMITHFIELD PUBLIC SCHOOL

Mr ANDREW ROHAN (Smithfield) [1.29 p.m.]: I am delighted to inform the House that last Tuesday, 3 September, I attended an awards presentation at Smithfield Public School, which was the winner of the CUA Community Care Program, and received a \$5,000 cheque to fund its science resource program. As the member for Smithfield and representative of the Government, nothing pleases me more than to see the corporate world helping to fund a school in need. This was a great initiative, and I thank CUA for its Community Care Program. The motto of the CUA program is "Your School, Your community, Your Benefit". That sums up the approach of Smithfield Public School, which won the award over 10 other schools in the area. Once again, I congratulate Smithfield Public school, its staff and students on this fantastic achievement.

PREMIER'S TEACHER SCHOLARSHIP RECIPIENT ROBERT LAWSON

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.30 p.m.]: I congratulate Robert Lawson, who lives in Caringbah and teaches at Kirrawee High School, on being one of only 16 educators from across the State who recently received a 2013 Premier's Teacher Scholarship. The scholarship program aims to help make our best teachers world experts in education. Mr Lawson won the Premier's Commonwealth Bank Vocational Education Scholarship. The title of Mr Lawson's proposed study is "Qualifications and Pathways". The study will take him to Switzerland and to the United Kingdom. The scholarship award recognises Mr Lawson's commitment to furthering his already considerable skills and sharing his insights with other teachers.

JOHN HUNTER HOSPITAL AUXILIARY

Ms SONIA HORNER (Wallsend) [1.31 p.m.]: I acknowledge the amazing fundraising efforts of the John Hunter Hospital Auxiliary. Of the 160 volunteers, more than 20 have given over 20 years continuous service. Last financial year, under the guidance of Vicki Dunn, the manager of volunteer services and relative accommodation, a record \$461,000 was raised to buy hospital equipment, taking the grand total to almost \$4 million. We recognise the dedication of these volunteers in their tireless quest to improve the comfort of hospital patients and staff.

FATHER TERENCE BELL GOLDEN JUBILEE

Mr GUY ZANGARI (Fairfield) [1.31 p.m.]: On Sunday 21 July 2013 the Our Lady of the Rosary parish, Fairfield, celebrated the golden jubilee of Parish Priest and Episcopal Vicar Father Terence Bell. The day commenced with a community mass followed by a community lunch in the Mary MacKillop Hall. I congratulate the Parish Council and the Our Lady of the Rosary parishioners on fully self-catering the lunch. Father Terry has been the parish priest at Our Lady of the Rosary, Fairfield, since 25 March 2008. The parish community is blessed to have such a dedicated and humble parish priest. Father Terry has held many ministries since his ordination, from Vocations Assistant Director to Diocesan Director, National Director and Episcopal Vicar—just to name a few. Since his ordination Father Terry has been an integral part of 11 parishes across Sydney. Congratulations to Father Terry on his golden jubilee.

Community recognition statements concluded.

CRIMES AMENDMENT (TERRORISM) BILL 2013

SECURITY INDUSTRY AMENDMENT (LICENCES) BILL 2013

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

ABORIGINAL LAND RIGHTS AMENDMENT BILL 2013

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

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

[The Assistant-Speaker (Mr Andrew Fraser) left the chair at 1.32 p.m. The House resumed at 2.15 p.m.]

TERRORIST ATTACKS ON THE UNITED STATES OF AMERICA TWELFTH ANNIVERSARY

The SPEAKER: Today marks the twelfth anniversary of the September 11 attacks in the United States of America. Twelve years ago 2,977 innocent people lost their lives at the World Trade Center twin towers in New York, at the Pentagon in Virginia and at Shanksville in Pennsylvania, including 246 passengers on four aircraft. Also tragically killed were 10 Australians, including six residents of New South Wales. Today we remember those who lost their lives and the bravery shown by emergency service personnel and first responders who ran into burning buildings and saved hundreds of lives. Unfortunately, 411 emergency service workers lost their lives when the World Trade Center twin towers collapsed, including 340 firefighters. The attacks 12 years ago changed the world forever. However, they generated a renewed sense of international cooperation and strengthened global partnerships. We remember those who lost their lives and extend our thoughts to their families.

Members and officers of the House stood in their places as a mark of respect.

REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

Mr BARRY O'FARRELL: I inform the House that the Treasurer, and Minister for Industrial Relations will answer questions in the absence from the Chamber today of the Minister for Fair Trading, also known as Robbo the Good.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

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

QUESTION TIME

[Question time commenced at 2.24 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.

The SPEAKER: Order! Government members will come to order. The Leader of the Opposition will be heard in silence.

Mr JOHN ROBERTSON: I was going to keep going and give those members the total disregard they deserve.

The SPEAKER: Order! I am inclined to agree with the Leader of the Opposition. Government members will come to order. The member for Monaro, the member for Wyong and the member for Oatley will come to order. I call the member for Coojee to order for the first time. The Leader of the Opposition will be heard in silence. Members who behave in an unparliamentary manner will be removed from the Chamber.

Mr JOHN ROBERTSON: Why did the Minister change the official *Hansard* of this Parliament—

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

Mr JOHN ROBERTSON: —and edit her comments regarding the existence of a moratorium on caseworker recruitment?

The SPEAKER: Order! I warn members, including the Leader of the House, that they will be removed from the Chamber if they behave in an unparliamentary manner.

Ms PRU GOWARD: I thank the Leader of the Opposition for his kind question. I have to begin by asking: Just how far will Labor members fall? They are now pretending that they do not know how the rules of Hansard work. The rules of Hansard are clear.

The SPEAKER: Order! The Minister will be heard in silence. Opposition members will cease interjecting.

Ms PRU GOWARD: *Hansard* is not strictly a verbatim record and the good people at Hansard are interested in accuracy. Any minor changes have, of course, been made in accordance with the standing orders and Hansard is the keeper of the record and the final arbiter of what goes into *Hansard*.

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

Ms PRU GOWARD: Opposition members should be hanging their heads for denigrating a distinguished institution in the way it has done today, all in the name of what can only be described as very cheap political points. As the keepers of the record, Hansard serve all of us in this place with distinction. Let me expose the fundamental flaw in Labor's logic right now. Imagine if the words "by me" had not been added to the record.

Mr John Robertson: We have imagined.

The SPEAKER: Order! I remind the Leader of the Opposition that he was heard in silence.

Ms PRU GOWARD: Now Opposition members need to know the answer. I know I never ordered a staffing freeze. Guess what. Who really ordered a staffing freeze? The member sitting on the other side of the House ordered a staffing freeze. You do not have to believe me. You can believe the then Director General of the Department of Premier and Cabinet. In March 2010 he wrote to the Department of Family and Community Services and stated, "As you are aware, responsibility for the staffing freeze has been devolved to department directors general." Members opposite do not like that—they have gone very quiet. When the freeze was announced the Public Service Association—which, as we all know, represents caseworkers—stated:

... the financial crisis will lead to increased demand for services across the sector, including housing, community services, and education and training.

As demand increases for these services, provided by our members, we will come up against a staff freeze that is cutting jobs at the very time more jobs are needed.

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

Ms PRU GOWARD: Maybe Labor's freeze explains why the failed former Minister allowed caseworker vacancies to blow out to nearly 500 in 2010, up from 450 the year before. It is very clear who has a record of recruitment freezes.

Ms Linda Burney: Point of order: My point of order relates to relevance under Standing Order 129. This question was clearly about the Minister's action in respect of changing *Hansard*.

The SPEAKER: Order! I have listened carefully to the Minister. She answered the question in the first 20 seconds and is now providing information that is relevant to the question. There is no point of order.

Ms PRU GOWARD: It is clear who has got a record of recruitment freezes and it is clear who failed to fill caseworker vacancies. Those opposite had 497 vacancies on their record.

Ms Linda Burney: Point of order—

The SPEAKER: Order! I have ruled on the point of order regarding relevance. What is the member's point of order?

Ms Linda Burney: The member is misleading the House. The Minister knows that caseworkers were excluded and her acting is ridiculous.

The SPEAKER: Order! The member for Canterbury has not cited a standing order. There is no point of order. The member will resume her seat.

Ms PRU GOWARD: All those numbers come from the Auditor-General's report and that was his finding: 497 vacancies.

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

Ms PRU GOWARD: No matter how much these disgraceful Opposition members besmirch Hansard and attempt to besmirch our record, they are the ones who lie and spin and who cannot accept the failure that they left behind them.

STATE BUSHFIRES

Mr BART BASSETT: My question is addressed to the Premier. What is the latest on the bushfire situation across New South Wales?

Mr BARRY O'FARRELL: I thank the member for Londonderry for his question and for his interest in and concern for his community, which has been affected by this latest bushfire crisis. Earlier today I was in Winmalee, where I was joined by the Rural Fire Service Commissioner, Shane Fitzsimmons; the State member for the Blue Mountains; and the Federal member for Macquarie, Louise Markus. For the last couple of days Ms Markus has been out with the Oakville Rural Fire Service unit, of which she is a member, helping to battle these bushfires.

I pay tribute to the Rural Fire Service, to Fire and Rescue NSW and to the National Parks and Wildlife Service. Their paid staff and volunteers have done an amazing job in tackling and seeking to contain these fires. At the height of the emergency yesterday more than 1,200 firefighters and 350 trucks from the emergency services were deployed against the fires. Sixty-three fires are still burning across the State, 21 of which are still uncontained. The good news is that any immediate threat to homes has abated. The main area of concern is the Hawkesbury Road fire in Winmalee—the area I visited today. Whilst there, I received a briefing from Commissioner Fitzsimmons on the latest situation. We also visited the fire ground where back-burning operations were taking place to deal with the uncontained blaze.

The Winmalee fires burnt in the order of 500 hectares and around 100 firefighters from the Rural Fire Service and Fire and Rescue NSW are working to contain it. The Emergency Alert system, which uses SMSs, was used yesterday to warn residents in the area. Staff and students of Winmalee High School were evacuated. Thankfully, earlier reports of a house being lost are incorrect; the house has been damaged, together with the outbuildings and a Rural Fire Service truck. At that location five firefighters were treated for smoke inhalation, and one firefighter was taken to hospital with superficial burn injuries after the fire jumped over the truck and continued on its way.

The other main area of concern is the Tickner Road fire at Castlereagh, which remains yet to be contained. It has burnt around 980 hectares, with damage to property in the area. Firefighters worked overnight and back-burning operations have been successful in significantly decreasing the fire activity. The Richmond Road fire, which burnt around 200 hectares, was contained overnight. Crews continue to monitor the Grange Avenue grassfire in Marsden Park. The evacuation centres, which were set up at Faulconbridge Public School and the Sydney International Regatta Centre at Penrith, closed last night and residents were able to return to their homes.

I thank the Salvation Army for its assistance in providing meals to those who attended the evacuation centres. In addition, 130 dogs were sheltered at the Hawkesbury greyhound racing track. We do not always think of pets in these situations, but it is something that the emergency services plan for and is an issue of great concern to pet owners. I am advised that power has been restored to most homes and there are no major road closures operational. Visibility is affected by smoke so motorists are advised to continue to use caution as they travel through the area. Police are working with the Rural Fire Service to establish the cause of the fire. They are doorknocking residents in the Blue Mountains, Penrith and Hawkesbury local government areas to check on their welfare and to seek information about any suspicious behaviour seen over the last couple of days.

My message to all residents in bushfire prone areas is to please get their homes ready. People should clean gutters, remove rubbish and branches, have an evacuation plan and check their home insurance. They should go to the Rural Fire Service website to download a copy of the Bushfire Survival Plan because, as the Rural Fire Service says, planning to make a plan is not a plan. Today volunteers and others reported to me that too many home owners had not cleaned their gutters or taken the usual precautions that would normally happen during the summer season. We have had a winter that has been very warm and dry, and the fire period has started early. Home owners need to be as responsible now as they would be during the usual December, January, February and March high-fire period.

I assure the community that the Rural Fire Service has done everything possible to prepare for the coming bushfire season. The Government is determined to ensure that our volunteers are the best resourced in the nation. I direct my comments to the Minister for Transport when I say that it was the Willoughby Rural Fire Service unit that attended homes in Winmalee yesterday and saved those homes. That is an example of what happens in this country when volunteers and paid workers come together from a variety of services such as the Rural Fire Service, Fire and Rescue NSW, and the National Parks and Wildlife Service in times of emergency. The New South Wales Government, through the Rural Fire Service and the National Parks and Wildlife Service, has undertaken a record level of hazard reduction—some 280,00 hectares. [*Extension of time granted.*]

Record levels of hazard reduction have been undertaken in the last financial year. I have been informed by the Rural Fire Service that this has helped to protect over 150,000 properties across the State. In the last financial year 12,000 hectares in the Blue Mountains were subject to hazard reduction burns. During this financial year more than 3,500 hectares have been reduced through hazard burns. It stands in stark contrast to the policies of previous governments that ignored these issues and allowed the fire threat to continue.

There is no doubt that we have the best volunteer firefighters in the country, if not the world. I offer them my heartfelt thanks for everything they do at times like this. Without their efforts yesterday, we would have had a lot more damage to homes and potentially more damage to individuals. They were joined by officers of Fire and Rescue NSW, the NSW Police Force, ambulance and charitable organisations, including the Salvation Army. On behalf of the New South Wales Government I thank each and every one of them for the great job they do. Again, I urge people, including members of this House, to support their volunteer services not only in the usual way but by considering joining the volunteer services that protect our way of life.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

Mrs BARBARA PERRY: My question is directed to the Minister for Family and Community Services. How can she maintain that there has been no freeze on caseworker positions?

The SPEAKER: Order! The Premier will come to order. The member for Auburn has the call.

Mrs BARBARA PERRY: How can the Minister maintain that there has been no freeze on caseworker positions when the minutes of her 8 July meeting confirm that they have slowed recruitment and the filling of positions due to budget constraints?

Ms PRU GOWARD: I thank the member for her question. I remind the House, as I have done on a number of occasions, that the 2013-14 budget provides \$1.5 billion to protect vulnerable children and young people at risk. That is a 4.3 per cent increase on the 2012-13 budget. The Government has provided funding for 2,068 caseworker positions. I remind members, as I have done many times, that I instructed the director general in March, in writing, to fill all budgeted caseworker positions. That is what I expect. It does not happen overnight, but it will happen.

DEFENCE INDUSTRY

Mr DARYL MAGUIRE: My question is addressed to the Deputy Premier. How is the Government supporting the State's defence industry?

Mr ANDREW STONER: I thank the member for Wagga Wagga for a very good question. The member has in his electorate both the Royal Australian Air Force Base Wagga and the Kapooka Army Recruit Training Centre. Like the other members on this side of the House, he is vitally concerned about the importance of the defence industry to our great State. Madam Speaker, no doubt you are aware that this Liberal-Nationals Government came to power with a strong commitment to rebuild the New South Wales economy and to make New South Wales the number one State in which to do business. We applied some principles that were fairly radical compared with the approach of the previous Government—that is, we actually sat down and engaged with industries about the issues they faced and worked with them to devise a roadmap for the future and for growth in those critical industries. One of those critical industries in New South Wales is the defence industry and related players.

The feedback we had initially—particularly the Premier, the member for Newcastle, Tim Owen, who is a former air commodore in the Royal Australian Air Force, and I—was that the defence industry in New South Wales had been neglected. There had been no comprehensive undertaking to look at its worth and importance to

our State, let alone to establish a platform upon which we could pitch a case for New South Wales to the Department of Defence and the Federal Government in Canberra. Recent proof of that was when the previous Prime Minister—Captain Chaos—during his visit to Sydney in the dying days of the last chaotic government announced that he would close the Garden Island naval base in Sydney Harbour. He did so in complete contradiction to the white paper that his own department released just a couple of months prior, and without any consultation—he did not even pick up the phone to the Premier; he simply did not bother. The Premier confronted him about that.

I am pleased to advise the House that this Government has acted decisively not only to maintain and preserve but also to grow the defence industry in New South Wales. We engaged the now retired Lieutenant General Ken Gillespie as our New South Wales defence adviser to help us recognise the importance of, and to lobby on behalf of, the defence industry and related players in New South Wales. For the first time we have developed an historic document in this State—one would not think it radical but it is the first of its kind because during 16 years in government that lot opposite did absolutely nothing for the defence industry in New South Wales. I hold in my hands this radical and historic document. It is entitled "New South Wales Position Paper on Defence". It makes very good reading. I recommend it to those opposite because the defence industry is incredibly important to this State and this State is incredibly important to the defence industry and to national security.

The SPEAKER: Order! Opposition members will come to order. Their behaviour is disorderly. This is an important issue.

Mr ANDREW STONER: Thank you, Madam Speaker. I know that those opposite are not very interested in defence, but we are.

The SPEAKER: And so am I.

Mr ANDREW STONER: And so you are, Madam Speaker. You have a significant defence presence in your beautiful part of the State.

The SPEAKER: It is the largest in Australia as a matter of fact.

Mr ANDREW STONER: Yes. This document highlights the fact that New South Wales is home to more defence bases and facilities than any other State or Territory—there are more than 80 facilities in New South Wales. There are more than 30,000 jobs in the defence industry in New South Wales. The industry has an annual turnover of \$5 billion and adds \$1.4 billion in additional value to our State on an annual basis.

Mrs Barbara Perry: So you have a position on defence but not a position on a second airport; that is very strange.

Mr ANDREW STONER: I beg your pardon?

Mr Adrian Piccoli: She said she is strange.

Mr ANDREW STONER: Yes, the member for Auburn is very strange. I recommend that she read this paper because she would find it quite educative.

The SPEAKER: Order! Opposition members will come to order. The member for Keira will come to order. This is a serious subject.

[Extension of time granted.]

Mr ANDREW STONER: As I was saying before I was so rudely interrupted by those ignorami opposite, the trained and skilled workforce in New South Wales is a huge strength for our defence industry. Our small- and medium-sized enterprises [SME] sector that underpins the defence industry is incredibly important. As I mentioned earlier, New South Wales is important to the defence industry and defence is also important to New South Wales. I was pleased to launch this position paper on defence last week, along with the member for Newcastle, the member for Port Stephens—who also has a significant defence presence in his electorate, with Royal Australian Air Force Base Williamstown—and the member for Swansea.

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

Mr ANDREW STONER: The member for Charlestown was going to be there too but he had a pretty good excuse for not attending—and I congratulate him on the very recent birth of his baby daughter. I note also the significant defence presence in the electorate of Penrith, with Royal Australian Air Force Base Glenbrook; the electorate of Menai, with the Liverpool military area and Holsworthy Barracks; the electorates of South Coast and Kiama, with HMAS *Albatross* and the Shoalhaven industry cluster; and the electorate of Upper Hunter, with the Singleton military area and Lone Pine Barracks. I have already mentioned the members for Port Stephens and for Wagga Wagga and the defence presence in their electorates. I am proud to say that for the first time our State is in a compelling position to argue for the defence industry.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

Ms LINDA BURNEY: My question is directed to the Minister for Family and Community Services. Does the Minister stand by her statement that the caseworker vacancy rate is, and I quote, "the lowest it has been in a decade"?

Ms PRU GOWARD: The statement that I made referred to the last audited numbers, which were for 2012, when the vacancy rate was 7 per cent. We are awaiting the figures for this year, and until they are properly audited—and of course they will be available on the website very shortly; by the end of the year—it is impossible for either side of Parliament to argue with the latest figures, which were the audited figures from 2012. They made it quite clear that, as the Auditor-General said—

Ms Linda Burney: We all have the figures, Pru.

Ms PRU GOWARD: No, these are the Auditor-General's numbers, and he said that the vacancy rate is 7 per cent, which is the lowest it has been in several years.

MOTORSPORT EVENTS

Mr TONY ISSA: My question is addressed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts, Minister Souris. How is the Government ensuring that New South Wales is the home of motorsport in Australia?

Mr GEORGE SOURIS: I thank the member for Granville for his question. It is with great pleasure that I announce the Government has secured a major motorsport coup for New South Wales—that is, Sydney Olympic Park will be home to V8 motor racing for the next three years. This is a win for our State, a win for Western Sydney and a win for the tens of thousands of motorsports enthusiasts in regional New South Wales.

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

Mr GEORGE SOURIS: The new agreement for the event, known as the Sydney 500, as well as a family-oriented V8 Supercars Test Day and the annual series launch at Sydney Motorsport Park, Eastern Creek, runs for the next three years, until 2016, with an option for an extra two years. Besides providing a multitude of motorsports fans with a wonderful experience, these two events will also generate many jobs and inject many millions of dollars into the New South Wales economy. From 2014 the Sydney 500 will see Ford, Holden, Nissan, Mercedes-Benz and—for the first time—Volvo battle it out for the final race of the series. The events are expected to attract more than 5,000 interstate and international visitors, 15,000 intrastate visitors and bring an estimated \$50 million to our State over the three years. The event will be seen by millions of people throughout Australia and the world thanks to a live broadcast by Channel 7. The new agreement will deliver significant exposure for the State through video postcards that will feature throughout the live worldwide broadcast.

The V8 Supercar Test Day at Sydney Motorsport Park is a free event for the entire family. It is an opportunity for fans to see new cars and teams close up, and witness a full day of testing for all teams. It will include a lunchtime grid walk during which all the cars will be parked on the grid and fans will be granted access to walk around them. There will also be driver signing opportunities. The series launch each year will be held at Eastern Creek. These events will bring significant economic benefit to Western Sydney—an area much neglected by the previous Government. I must point out that the Government did not renew the contract

negotiated by Ian Macdonald and the previous Labor Government. The new agreement comes into effect from 2014 and will replace the old agreement negotiated under Labor. The new agreement has been developed between the Government and the new management team at V8 Supercars Australia, led by Chief Executive Officer James Warburton.

A series of briefings and meetings have been held by Destination NSW with the Sydney Olympic Park Business Forum to keep the group up to date with the event and provide local businesses with a central point of contact. We have taken all the relevant factors into account including community views and the considerable economic benefit to the State. To reduce the impact on the surrounding communities the Government has established a traffic and transport working group and an emergency management group for each year to ensure that all authorities are working together. It has already met in regard to this year's event. This latest agreement to hold the Sydney 500 at Sydney Olympic Park for the next three years gives New South Wales the trifecta of the most impressive line-up of motorsport events in the country. This weekend Coffs Harbour will host the Australian round of the World Rally Championships, which is estimated to deliver a \$12-million economic benefit to that North Coast city.

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

Mr GEORGE SOURIS: It will be watched by an estimated cumulative international television audience of more than 77 million viewers and will showcase regional New South Wales to the world. There is then the Bathurst 1000, which will be held from 10 to 13 October. That too is televised to hundreds of millions of viewers globally and is expected to inject at least \$55 million into the local economy. James Warburton said:

Securing the Sydney 500 V8 Supercars Grand Finale at Sydney Olympic Park for at least another three years will mean motorsport lovers will be able to experience a truly exciting race in a unique venue which brings the precision of the V8 drivers to a challenging course that really delivers entertainment for the fans.

I cannot resist mentioning one more endorsement that we received from the Sydney Business Chamber. It said that the New South Wales Government should be congratulated on securing a new deal for the grand finale round of the V8 Supercars Championship Series—a great win for Western Sydney. I wonder who that endorsement came from. It was from the Western Sydney Director at the Sydney Business Chamber, a certain David Borger. Thank you, David. This is a good news day for the people of New South Wales and motorsport enthusiasts throughout the country. It will showcase our State and bring great economic development and jobs to the people of New South Wales.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

Mr MICHAEL DALEY: My question is directed to the Minister for Family and Community Services. I refer to the Minister's previous answer. How can the Minister claim that there are no recent figures available for caseworker vacancies when her internal briefing note dated 8 July this year shows that caseworker vacancy rates have gone from 7 per cent in 2011-12 to 10 per cent in 2012-13?

Ms PRU GOWARD: Maybe the member was not listening to my previous answer.

Dr Andrew McDonald: We were.

Ms PRU GOWARD: Then you might know that we rely on audited data, and the audited data for the year 2012-13 has not been completed.

Mr John Robertson: So you are denying any knowledge again?

Ms PRU GOWARD: I am not denying anything; I am explaining that we cannot rely on—

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

Ms PRU GOWARD: We cannot rely on unaudited data. What I can say is that the Auditor-General reported that front-line caseworker vacancies were 20 per cent, which is 497, under Labor at 30 June 2010 and the vacant positions fell to 152—which is the equivalent of 7 per cent—as at 30 June 2012.

Mr Barry O'Farrell: Was that 20 per cent?

Ms PRU GOWARD: Yes, 20 per cent.

Mr Barry O'Farrell: So you have halved it but they are complaining?

Ms PRU GOWARD: More than halved it.

The SPEAKER: Order! The Minister has the call. I call the Leader of the Opposition to order for the first time. The member for Cabramatta will come to order.

Ms PRU GOWARD: When further audited information is available for the current financial year—

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

Ms PRU GOWARD: —it will be published on a website, which is something members opposite never did.

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time. Members will come to order.

SYDNEY TRANSPORT STRATEGIES

Mr MATT KEAN: My question is addressed to the Minister for Transport. What is the Government doing to improve journeys across Sydney?

Ms GLADYS BEREJIKLIAN: I thank the member for his question and commend him for his strong advocacy on public transport issues that matter to his community. I am pleased that today the O'Farrell Government has announced two important public transport initiatives. The first is to change the way that we measure the reliability of train operations in New South Wales. This is designed to give customers a clear picture of the performance of trains. We know that for too long under members opposite the people controlling the railways were focused on making everything look good as opposed to improving services for customers.

The SPEAKER: Order! The Leader of the Opposition will cease arguing with the Minister.

Ms GLADYS BEREJIKLIAN: The new punctuality measure will replace on-time running as the main reliability key performance indicator for Sydney Trains and NSW TrainLink. I stress that, in the interests of complete transparency, we will publish both measures so that customers can make comparisons. It will ensure that rail operators focus on customer service and not on fudging the figures, as members opposite did for 16 long years. We want to drive better performance by our rail operators. The best way to do that is to ensure that we set higher targets and that our measures reflect the experience of our customers. I will provide one stark example. Under Labor's on-time running measures, more than 400 trains a year that skipped stops and left people waiting on platforms were counted as being on time. I am sure that every person in this Chamber, including members opposite, would agree that was a ridiculous measure.

In contrast, the punctuality measure we have introduced recognises that when a customer is not picked up at the station because their train skips a stop it is a negative experience and should be measured accordingly. To demonstrate the high standards we are setting, punctuality figures will not be adjusted for force majeure such as significant weather events, and the definition of "peak" will be expanded so that more services are measured. This reflects a recommendation by the Auditor-General and ensures that punctuality will measure 70 per cent of journeys as opposed to the less than 50 per cent measured by those opposite. These new punctuality measures are tougher than on-time running, but I am confident that as we continue to implement reforms across the board and continue to fix the trains we will see positive changes reflected in the results.

It is not only about us making punctuality more transparent for our customers and improving the customer experience but also about making sure we address the very challenging problems regarding Sydney's city centre. Today I was very pleased in the company of the Minister for Roads and Ports to release Sydney's City Centre Access Strategy. For the first time in the State's history, we have a detailed plan showing how people will enter, exit and move around the central business district [CBD]. I am sure that not everybody will be happy with every aspect of the plan.

Mr Mark Coure: Not the member for Keira.

Ms GLADYS BEREJIKLIAN: Exactly. The Lord Mayor of Sydney also will not be happy that we will be removing the College Street cycleway, but I emphasise that this plan is essential for the future of Sydney—Australia's only truly global city. The strategy announced by the Minister for Roads and Ports and me today builds on what the New South Wales Government already has done to relieve congestion in the central business district. I will briefly mention some of the things we have already done to relieve the central business district's congestion. We have diverted approximately 60 buses from York Street to the Cahill Expressway, which has made an enormous difference to people who use buses in the morning.

We have introduced measures such as a dedicated police motorcycle response team, which has had a huge impact on making sure that drivers comply with the road rules, especially during peak periods, and we have introduced double-deck buses. They are just some of the measures we have undertaken, but obviously there is more to do. As the House knows, we are constructing light rail from Circular Quay to Randwick and Kingsford to reduce congestion, which also will remove many buses from clogging the streets. [*Extension of time granted.*]

Our light rail strategy will go further to address the issues of reducing congestion in the streets and revitalising our city. I am sure there will be a future occasion on which to elaborate this in greater detail, but suffice it to say that already key groups, such as the Sydney Business Chamber, Infrastructure Partnerships Australia, and the Property Council of Australia have welcomed the plan. While it is very challenging to ensure that we get the balance right in determining all the competing interests involved in people getting into and out of the city every day, our plan must be compared to the Opposition's plan. The only contribution the former Labor Government made to the central business district was the CBD-Rozelle Metro. Do members recall that plan?

Mr Jamie Parker: And how much was wasted?

Ms GLADYS BEREJIKLIAN: Labor wrote all the details on the back of an envelope and wasted half a billion dollars. I thank the member for Balmain for reminding the House of Labor's contribution. In contrast to that, the Minister for Roads and Ports and I have based our strategy on facts and we look forward to further input.

The SPEAKER: Order! Members will come to order.

Ms GLADYS BEREJIKLIAN: I am pleased to say that both initiatives we announced today demonstrate that we are a Government that is focused on the customer, we are a government that is focused on improving things for people, improving services for our transport users, and on making a difference to the hundreds of thousands of people who need to access the city centre daily. That also goes to the heart of the fact that many people from the greater Sydney region access the city centre every day and they deserve to have a Government that is focused on getting it right. I commend both these very important measures to the House.

DIGITAL AND INNOVATION INITIATIVES

Mr ALEX GREENWICH: My question is addressed to the Deputy Premier, and Minister for Trade and Investment. Given the changing nature of the global economy, what commitments will the Government make to support the digital and innovation sectors, including helping small businesses in those sectors to grow?

Mr ANDREW STONER: I thank the member for Sydney for his very intelligent question—unlike those I am asked by the Opposition. That Sydney is undeniably Australia's digital and innovation hub was confirmed last year by a survey conducted by PricewaterhouseCoopers and Google. The survey revealed that 64 per cent of all technological start-ups in Australia are based in Sydney. Moreover, last year the global start-up eco index confirmed Sydney's position as a global trendsetter, matched only by Silicon Valley in terms of adopting new technologies, management processes and business models.

Mr Nathan Rees: Like you.

Mr ANDREW STONER: We will not have to suffer the Luddite from Toongabbie much longer because his own party has lodged a submission that will result in his electorate being redistributed out of existence. Fancy that! He has been stabbed in the back by his own party, not once but twice.

The SPEAKER: Order! It is amazing what happens when my attention is diverted. The member for Keira will come to order.

Mr ANDREW STONER: But back to the serious issues in which I know the member for Sydney takes a great interest, even if Opposition members do not. The New South Wales Government is not prepared to sit back and rest on its laurels. As strong as Sydney and the rest of New South Wales are in this space, there is more we can do. That is why quite early we established a Digital Economy Industry Taskforce and we consulted with experts to produce a Digital Economy Industry Action Plan, which I commend to the member for Sydney and to other members who may be interested in this critical topic. We understand that the New South Wales Government's primary responsibility is to provide the right conditions for digital businesses, entrepreneurs and start-up organisations to not only start, grow and compete but also connect to the global economy. That means reducing red tape, creating the right kind of infrastructure and planning environment, providing leadership to champion business interests and increasing collaboration to drive innovation and therefore competitiveness. They are the fundamental principles guiding our Government's Economic Development Framework, which is a document I also commend to the member for Sydney.

Only last week, in the same week that Twitter joined Google, Amazon and other leading global technology companies in establishing their Australian headquarters in Sydney, I invited 270 of Australia's leading chief executive officers and business leaders to gather in Sydney to learn more about our city's credentials as a leading digital and innovation hub. The New South Wales Business Leadership Forum confirmed that Sydney is primed to build on its global reputation as one of the world's smartest cities, with our start-up community now delivering solutions for some of the world's most pressing problems. It also highlighted the need to better engage with Sydney's growing army of tech-savvy entrepreneurs to create innovative solutions to improve business competitiveness generally. The Government's multimillion-dollar Innovate NSW program provides an ideal vehicle for that type of collaboration.

Innovate NSW drives strategic collaboration between start-ups, researchers, major corporations and end-users to develop leading edge products and services in key industry sectors. It provides targeted support for start-up companies to trial their ideas and develop world-class solutions using enabling technologies such as mobile, cloud, analytics, sensors, advanced materials and biosciences. We also are fostering collaborative opportunities for Sydney's technological start-ups through support for co-working spaces like Fishburners, with which I know the member for Sydney is familiar, and through our international networks, including our new San Francisco trade office that has been established by this Government very close to Silicon Valley. We also know that talent begets talent—particularly in the technological sector where entrepreneurs thrive on the creativity of those around them. We have been working with the Committee for Sydney to build a better understanding of the drivers and barriers for global talent to move to Sydney as part of our global talent hub initiative. Of course we continue to showcase our entrepreneurial and innovative capabilities to the world through our ongoing support for CeBIT, which is the biggest business technology conference and exhibition in the Asia-Pacific. Earlier this year the Premier announced that we have secured the event for Sydney for another three years.

The SPEAKER: Order! There is too much audible conversation in the Chamber. The member for Macquarie Fields will come to order.

Mr ANDREW STONER: I know the member for Toongabbie wants to get Brian Eno back. That is his type of event. There is much more I could say, and I will be happy to inform the member for Sydney at a later stage. The Opposition is not interested.

The SPEAKER: Order! There is too much audible conversation in the Chamber. Government members will remain silent when Ministers—in this case, the Deputy Premier—are answering questions.

[Interruption]

The SPEAKER: Order! The member for Wollongong will come to order. Members will come to order. The final question will be heard in silence. I call the member for Tweed.

INDUSTRIAL RELATIONS COMMISSION

Mr GEOFF PROVEST: My question is directed to the Attorney General, and Minister for Justice. What are the latest developments regarding the Industrial Relations Commission of New South Wales?

The SPEAKER: Order! Government members will come to order. The member for Toongabbie will come to order. The member for Murray-Darling will come to order. The Attorney General has the call.

Mr GREG SMITH: I thank the member for Tweed for his question and his interest in this matter. The Industrial Relations Commission has a long and proud history in this State. It has been in existence in one form or another since 1901. For more than a century its members have made a significant contribution to the jurisprudence of this State, and played a pivotal role in promoting fairness, opportunity and economic stability in New South Wales. However, the Australian workplace relations system has undergone significant changes over the past decade. As a result, almost all private sector workers have moved into the Federal industrial relations system. Because of the smaller number of workers falling within its remit, the workload of the New South Wales Industrial Relations Commission has dropped significantly—especially in the Industrial Court of New South Wales.

Total filings in the Industrial Court dropped by almost 70 per cent between 2003 and 2009, changing the make-up of the court's workload and making occupational health and safety prosecutions a core component of the court's work for the first time. The implementation of nationally consistent work health and safety laws contributed to a further reduction in the Industrial Court's overall workload—in particular, as most work health and safety prosecutions were transferred to the District Court from 1 January 2013. After the most recent changes, the President of the Industrial Relations Commission, Justice Boland, has advised me that there would be sufficient work for only one Industrial Court judge by the end of this year. It is in this context that I can today inform the House that Justices Boland, Haylen, Staff and Backman have decided to retire from the Industrial Relations Commission from early next year. President Boland and Justice Haylen will retire on 3 February 2014, unless their judicial commitments are concluded earlier. Justices Staff and Backman will retire later in 2014. Each of the judges will receive the full entitlements that attach to a judge of superior court status upon their retirement.

On behalf of the Government, I take this opportunity to pay tribute to the justices and thank them for their commitment and dedication. Between them, the retiring judges have contributed more than 40 years of service to the Industrial Court and to the State of New South Wales. Justices Boland, Haylen, Staff and Backman have made a significant contribution to the development of the law in this State and beyond. I commend them for the manner in which they have performed their role in what has been a challenging and uncertain time for the court. The Industrial Court has a proud history in this State and Justices Boland, Haylen, Staff and Backman have upheld its traditions admirably. The predicted future workload of the court does not justify the appointment of further judicial members to the Industrial Relations Commission and therefore the Government will not be replacing the retiring judges. However, President Boland will take up an acting appointment to the Industrial Court for a period of 12 months following his retirement.

This will enable the court to manage temporary workload fluctuations and will also ensure that his considerable expertise remains available. Justice Haylen will continue to make a contribution in the Administrative Decisions Tribunal and its successor, the New South Wales Civil and Administrative Tribunal. The Government will also ensure that some Industrial Court functions that currently require a full bench will be transferred to the Court of Appeal. The New South Wales Government will recommend that Justice Walton be appointed as the next President of the Industrial Relations Commission. He has been a long-serving judicial officer with more than 15 years experience and will carry on the functions and role of president in the finest traditions of his predecessors. I invite all members of the House to join me in thanking Justices Boland, Haylen, Staff and Backman for their service to this State, and to wish them well in their future endeavours.

Question time concluded at 3.14 p.m.

JOINT SELECT COMMITTEE ON SENTENCING OF CHILD SEXUAL ASSAULT OFFENDERS

Chair and Deputy Chair

The SPEAKER: Pursuant to Standing Order No. 282 (2), I advise the House that on 29 August 2013 Troy Wayne Grant was elected Chair and the Hon. Melinda Jane Pavey, MLC, was elected Deputy Chair of the Joint Select Committee on Sentencing of Child Sexual Assault Offenders.

PETITIONS

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

China Human Rights

Petition urging the government of China to stop the persecution of Falun Gong practitioners and release all Falun Gong prisoners of conscience and requesting that New South Wales residents be discouraged from

travelling to China for organ transplants and that New South Wales hospitals not train Chinese surgeons in transplant surgical techniques or undertake sponsored organ transplant research or training with China, received from **Mr Jamie Parker**.

Sydney Electorate Public High School

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

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**.

Inner-city Social Housing

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

Social Housing Tenants Mental Health Support

Petition requesting the provision of community outreach and support programs directed to people with a mental illness who are tenants of Housing NSW and community housing, 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**.

Aboriginal Culture and Heritage Laws

Petition requesting the Government protect Aboriginal culture and heritage laws, and reform the legislative consultation process, received from **Ms Linda Burney**.

HUNTERS HILL CONGREGATIONAL CHURCH PROPERTY TRUST BILL 2013

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

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Mr Brad Hazzard: Point of order: Before the motions to be accorded priority are proceeded with, I draw your attention to Standing Order 77, which states:

A Member shall not anticipate discussion of any matter which is on the Business Paper. In determining whether discussion anticipates debate the Speaker shall have regard to the probability of the matter being debated by the House within a reasonable period and the most effective means for it to be raised.

The motion of which the member for Lakemba has given notice, in paragraphs (1) and (2) and also in the general content, is entirely focused on the bill that is currently before the House in Orders of the Day No. 2:

Firearms Amendment (Prohibition Orders) Bill; resumption of the adjourned debate, on the motion of Mr John Robertson, "That this bill be now read a second time".

I suppose one could say that the culture of shootings was allowed to proliferate under 16 years of State Labor, but the culture of not quite getting the parliamentary rules right also proliferated under Labor. We on the Government side therefore ask that the notice of motion be ruled out of order. That will remove the necessity for debate on the motion to be accorded priority.

The SPEAKER: Order! When framing questions or motions members should have regard to Standing Order 77, which states a member should not anticipate debate on a bill that is before the House. I therefore rule that the motion sought to be accorded priority by the member for Lakemba is out of order. I declare that the motion sought to be accorded priority by the member for Tamworth be accorded priority.

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

The House divided.

[In division]

Mr Brad Hazzard: Madam Speaker, I ask that you reconsider putting the question. In my view, you have misinterpreted, or your advice has been misinterpreted—

The SPEAKER: No. I have ruled on the matter.

Call for a division, by leave, withdrawn.

Mr Brad Hazzard: This is important from the point of view of precedent. There is no motion before the House to be accorded priority. If the matter were whether a motion should proceed, I would agree entirely. I understand that this has not happened for some years. I ask that you reconsider and seek advice from the Clerk.

The SPEAKER: In accordance with standing orders, we will give the member for Tamworth three minutes to argue why his motion should be accorded priority and then we will put the question that the motion be accorded priority.

Mr Brad Hazzard: Madam Speaker, there is no motion to be accorded priority. There is one motion remaining.

The SPEAKER: That is right, but there seems to be confusion.

Mr Brad Hazzard: It is not to be accorded priority.

The SPEAKER: The member for Tamworth can argue for three minutes why his motion should be accorded priority.

Mr Brad Hazzard: No. The provisions of the standing order are if there is no other motion, there is no contest. The Clerk advises the provisions permit a three-minute speech to try to establish priority, and require a question to be put. Quite simply, the matter now before the House is the motion.

The SPEAKER: Although the standing orders give the member for Tamworth the right to speak, he does not wish to avail himself of his three minutes. Therefore, I put the question that the motion of the member for Tamworth be accorded priority. I have ruled on the standing order. The standing order is clear. The other motion is out of order. Now we are having a division on the member's motion being accorded priority over all other business of the House.

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

The House divided.

Ayes, 66

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

Noes, 17

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

Pairs

Mr Cornwell	Ms Burton
Mr Gee	Mr Lynch
Mrs Sage	Ms Watson

Question resolved in the affirmative.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Order of Business****Motion by Mr BRAD HAZZARD agreed to:**

That standing and sessional orders be suspended at the sittings to provide:

- (1) For the following routine of business from 7.00 p.m.:
 - (a) private members' statements;
 - (b) matter of public importance; and
 - (c) the House to adjourn without motion moved at the conclusion of the matter of public importance.
- (2) That from 6.00 p.m. until the rising of the House no divisions or quorums be called.

DEFENCE INDUSTRY**Motion Accorded Priority**

Mr KEVIN ANDERSON (Tamworth) [3.35 p.m.]: I move:

That this House supports the vital role of the State's defence industry.

New South Wales needs defence and defence needs New South Wales. Of all the States and Territories, New South Wales provides 28 per cent of Australia's military and civilian personnel working in defence. The value of defence to New South Wales is estimated at some 30,000 jobs, \$5 billion in turnover and \$1.4 billion in value-add across the defence industry. Our State is also home to more than 80 defence bases and facilities, including Royal Australian Air Force bases at Williamtown, Wagga Wagga and Richmond and naval bases in Sydney and Nowra. Those bases provide 4,000 jobs in the Liverpool military area and Holsworthy barracks; 4,000 jobs at the Royal Australian Air Force Base in Williamtown; 500 jobs at the Lone Pine Barracks in Singleton; 1,800 jobs at HMAS *Albatross* at Nowra on the South Coast; and 4,000 at Fleet Base East at Garden Island in Sydney and the Australian Headquarters Joint Operations Command at Bungendore. That is not to mention the regional centres which play a critical role in Australia's defence force and provide the blanket of security, democracy and freedom that we sleep under every night.

Tamworth is home to the major introductory flying training area for the Australian Defence Force, supporting the Australian Defence Force Pilot Selection Agency and the Basic Flying Training School. The facility is managed by BAE Systems, which is contracted to provide sufficient aircraft to meet the daily Australian Defence Force training requirement. The training is provided to pilots and instructors from the Navy, Army and Air Force. BAE Systems also provides civilian flying instructors at Tamworth to support the activities of the Australian Defence Force, and these are normally the 23 CT-4B aircraft based in Tamworth. Approximately 150 people are employed within the training school. In 2011 the defence employment in the region accounted for approximately 1 per cent of the working population. The Basic Flying Training School contract is currently the subject of a request for tender. There is a significant risk of losing these services to the Royal Australian Air Force Base at East Sale in Victoria, despite Tamworth's comparative advantages and having successfully provided these services for 23 years.

Operationally, Tamworth has superior weather advantages over sites such as East Sale. The inland location of Tamworth means that the available number of clear flying days is approximately 134 per year as opposed to 55 per year at East Sale. Significant military training infrastructure has been invested in the facility by the New South Wales Government and Tamworth Regional Council over more than 20 years, including airside works; a parallel runway system where commercial and regular public training aircraft can be separated; large hardstand aprons and advanced navigational aids; landside works by BAE Systems; synthetic training facilities; high-quality accommodation for trainees, staff and visitors; and suitable training airspace to the south-west for a restricted zone.

From a local and regional development perspective, the loss of the Basic Flying Training School to East Sale in Victoria would have a significant negative effect in the absence of other substantial users of the extensive facilities. It is possible that the millions of dollars of capital works would need to be written off and more than \$20 million of annual income in the region would be lost. This situation exemplifies the need for the New South Wales Government to confirm its industry capabilities. Having spent six years helping to defend our country as a former member of the Royal Australian Air Force working in the signals operating branch, I join with the member for Newcastle, another high-ranking Air Force officer, to ensure that we support our defence forces. The New South Wales Government is committed to significantly grow the State's defence industry to support and generate jobs and economic growth. I support project AIR 5428 being located in Tamworth. We have the facilities, the infrastructure and the staff to continue to deliver the very best in pilot training for the Army, Navy and Air Force in regional New South Wales. We can do it in Tamworth and sincerely hope that the BAE Systems contract is awarded to our regional city.

Mr MICHAEL DALEY (Maroubra) [3.40 p.m.]: The Opposition wholeheartedly supports this motion that this House support the vital role of the State's defence industry. We would not disagree with too much offered by the member for Tamworth. He sounded a bit like Jack Nicholson when he spoke about the blanket of freedom being provided by those in the defence industry. I had a flashback to *A Few Good Men*. Nonetheless, we support most of his sentiments. He will be getting a reminder to repeat the phrase "16 years", which he failed to do in his speech. Unless he does so, he might be in danger of being kicked out of the Liberal union. During

question time today, the member for Sydney asked the Deputy Premier how the Government will be supporting business and industry in New South Wales, small business in particular. In a waffling answer that went on for five minutes, the Deputy Premier spoke about digital technology and innovation hubs. He mentioned that 64 per cent of technical businesses are based in Sydney and that Sydney is a global trendsetter. He said that the Government was not prepared to sit back and rest on its laurels, that the Government had established action plans and so on. He also said that it was important that we connect to the global economy.

This motion refers to an important industry, the defence industry. Like most industries, it is a technology business and, as is the case with the finance sector in Sydney and New South Wales, it would benefit from the National Broadband Network [NBN]. The Government says that it supports the vital role of the State's defence industry, which is an industry that relies heavily on technology. Why then has it joined with Tony Abbott in an assault on the National Broadband Network as proposed by the Gillard and Rudd governments, a network that would provide the best connectivity and telecommunications advantages for all industries, not just defence industries in New South Wales? Perhaps the member for Tamworth will address that issue in his reply.

Another industry that needs support and that is growing exponentially—bearing in mind that the Opposition supports wholeheartedly the defence industry—is the renewable energy sector. I do not have the figures relating to the renewable energy sector in New South Wales, but I note that there are 80,000 jobs in the renewable energy sector nationwide. As with the National Broadband Network, we have seen and continue to see this Government, led by the Premier, continue its assault on this sector. The Chinese know the importance of investment in the renewable energy sector. The cost of solar panels is plummeting. The Deputy Premier knows all about solar panels, as does the Minister for Resources and Energy. Whilst the sector has 80,000 jobs nationwide, one of the first utterings of the Premier when he assumed office was that if it were up to him there would be no further wind farms built in New South Wales. With no regard to the environmental advantages of wind farms or the employment opportunities and jobs that they bring, the Government went on to assault the solar panel industry.

Mr Kevin Anderson: Point of order: I ask that the member for Maroubra be brought back to the leave of the motion. He is talking about renewable energy and solar panels. The motion is about the defence industry.

Mr MICHAEL DALEY: That is the highest form of ingratitude. I have indicated my support for the motion, I have praised the member for Tamworth and I have mentioned the word "defence" multiple times in my learned and erudite offerings to the House.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I refer the member to the words of the motion. It states, "That this House supports the vital role of the State's defence industry."

Mr MICHAEL DALEY: I was pointing out the importance of projects such as the National Broadband Network to the defence industry, and yet that project is under assault. We support the defence industry and also industries in the health, education, community services and law and justice sectors, as well as government agencies that are responsible for policy development, roads and safety and promoting business investment. All these industries have been the victims of massive job cuts by the O'Farrell Government. [*Time expired.*]

Mr DARYL MAGUIRE (Wagga Wagga) [3.45 p.m.]: I am pleased to support the motion moved by the member for Tamworth. It may come as no surprise that Tamworth, Dubbo and Wagga Wagga hold an inland forum to offer support to each other in relation to industry challenges. We have joined together previously when, under Labor governments, the future of our bases and contracts were threatened. The member for Tamworth has mentioned industry in his city. In Wagga Wagga there are 1,700 people directly or indirectly employed in the defence industry: at No. 1 Recruit Training Unit, Kapooka, and the Royal Australian Air Force Base Wagga Wagga, which teaches technical information.

In his shallow contribution, the member for Maroubra referred to the National Broadband Network, solar power and other things that have virtually nothing to do with defence. It shows how uninformed those opposite are. A number of members in this House have served in the defence sector, such as the members representing the electorates of Strathfield, Tamworth, Newcastle, Baulkham Hills and others. They understand the importance of the defence industry. For far too long, communities have suffered challenging situations caused by governments that did not understand the important role that defence bases and the defence industry play in those communities. Our community has had to rally many times to support the Kapooka and Royal Australian Air Force bases. The Royal Australian Navy is accommodated at the Royal Australian Air Force Base Wagga Wagga, where it manages the communications for the Australian Defence Force.

The member discussed the importance of the National Broadband Network. I believe it is overstated and overrated when one considers what it will deliver and when. The Royal Australian Air Force Base provides education in technical expertise and students learn to fix aeronautics systems and so on. At Kapooka, 300 to 400 people are directly employed on the base and it turns out 3,500 to 4,000 recruits per year. The march outs attract people to the city and the defence organisations on the base require services. The Royal Australian Air Force Base has been upgraded at a cost of \$60 million, thanks to the former Federal Liberal Government prior to 2007. I could go on but my time is limited. The former Prime Minister made statements without considering the impact that the relocation of defence bases would have on this State. Those statements were unwelcome and contributed to the demise of the Labor Government on polling day. The loss of defence organisations has an impact on communities and our communities of Tamworth, Dubbo, Wagga Wagga and others will fight to retain those services. [*Time expired.*]

Mr CLAYTON BARR (Cessnock) [3.48 p.m.]: I support the vital role of the Australian Defence Force and the role that the State plays in servicing the defence industry. In my various roles prior to becoming a member of Parliament, I had the good fortune to have had close relationships with defence bases in the Hunter, including the Royal Australian Air Force Base at Williamtown and the Singleton Army base camp. The defence industry, by definition, is a national concern that awards contracts to our State. Our State must be prepared to accept those defence contracts as they are awarded. Much has been made in this House about the potential loss of defence industry investment around Sydney Harbour and crocodile tears have been shed by those opposite bemoaning the potential loss of jobs. However, the manufacturing industry is also important, and we have not heard anything from the Government about the thousands of jobs that have disappeared from that industry in the Hunter.

I mention briefly the 450 jobs lost at United Group Limited, which is constructing the trains for our rail networks, and the 250 jobs at Downer EDI Engineering Power, Cardiff, which also constructs the trains. Also, 550 workers at the hydro-aluminium smelter have lost their jobs because the Government could not provide them with an electricity contract and support them in that endeavour. At the Volgren bus company in the Hunter, based at Tomago, 150 workers have lost their jobs and another 250 bus contractors in Western Sydney have lost their jobs. Manufacturing jobs have also been lost. The link between the manufacturing industry and the defence industry is that the defence industry requires a whole bunch of stuff that is manufactured in the civilian world. The member for Wagga Wagga spoke about the connection of the National Broadband Network to defence bases. Defence bases need optic fibre connection for the massive amounts of information, including plans, they upload to the network to be shared across the many bases throughout Australia.

Indeed, there are 80 defence bases in New South Wales alone. Their ability to upload information to the National Broadband Network is incredibly important. The Deputy Premier is a regional member of this House and Leader of The Nationals, a party that is supposed to represent the needs of the regions of this State. Today in the House he talked about the need for the digital economy in the Sydney Basin. Some 36 per cent of that digital economy is based outside the Sydney Basin, and they need the National Broadband Network. The National Broadband Network is also essential to the defence industry, which is part of that digital economy. I ask the member for Tamworth to address that issue in his reply.

Mr KEVIN ANDERSON (Tamworth) [3.51 p.m.], in reply: I thank the members representing the electorates of Maroubra, Cessnock and Wagga Wagga for their contributions and their support for my motion, which is that this House supports the vital role of the State's defence industry. The member for Maroubra very kindly supported my motion. He also talked about renewable energy. In referring to the current state of the defence industry, I think he missed the mark just a little. I encourage the member for Maroubra to read the New South Wales position paper on defence. I would be happy to furnish him with a copy.

[*Interruption*]

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Cessnock has had his opportunity to contribute to the debate. The member for Tamworth will be heard in silence.

Mr KEVIN ANDERSON: I thank the member for Cessnock for his contribution. He strayed into the area of jobs lost through the introduction of a carbon tax. It is an issue that obviously is on his mind and keeps him awake at night. He must wake up at 2.00 a.m. every day and think to himself, "I wish we had not voted for the carbon tax," because that has put jobs in his electorate at risk. I can update the member for Cessnock on some of the major prime defence contractors in and around New South Wales, including Australian Aerospace, BAE Systems, Boeing, DMS Maritime, Lockheed Martin Raytheon and Thalys. A number of companies are

integrated into major defence platform supply chains, including the Joint Strike Fighter program, the air warfare destroyer project, the landing helicopter dock, the C-130J transport aircraft, and the airborne early warning and control aircraft. I can inform the member for Cessnock that they are not PlayStation games; they are integrated major defence platforms supply chains.

I reiterate that we must support our defence industry because New South Wales needs defence and defence needs New South Wales. We look forward to supporting Project AIR 5428, which is a fixed-wing pilot training system that will provide basic flying training for the Air Force, Army and Navy. That contract is coming up in 2015. I also want to reiterate that Tamworth is best placed to deliver this particular contract. The New South Wales Government is committed to significantly growing our State's defence industry to support and generate jobs and economic growth in New South Wales. This House supports the vital role of the defence industry in this State. The industry has our admiration and full support and cooperation to ensure that we do our bit to defend this great country of ours. I thank the House for the opportunity to move this motion.

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

Motion agreed to.

DUBBO RADIATION TREATMENT CENTRE

Discussion on Petition Signed by 10,000 or More Persons

Mr KEVIN HUMPHRIES (Barwon—Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales) [3.54 p.m.]: This petition was largely coordinated by the Foran family, and I acknowledge the patience of Shirley and Bobbie, who are in the public gallery today. I also acknowledge Bob Foran, who contracted cancer and had to spend eight weeks in Sydney undergoing radiation and oncology treatment. I thank them for being so patient. I thank the member for Dubbo, who supported me in presenting this petition of 10,000 signatures to the House. This has been an issue for people in the west and far west of New South Wales since time immemorial. Part of the reason for driving this petition of 10,000 signatures was to make sure that we commit to bringing services closer to home. I thank the many members of western New South Wales communities who have taken the time to show their support for radiation oncology patients in western New South Wales. I thank too our many city cousins who signed the petition.

The New South Wales Government is committed to improving health services for the people of western and far western New South Wales, including those battling cancer. Since coming to government, we have made improving regional health services a priority. As a result of the advocacy of the Minister for Health, Jillian Skinner, for rural and regional communities, the New South Wales Government has made a record investment of over \$1.7 billion in rural and regional health infrastructure in its first term of government. This has included funding to upgrade and redevelop hospitals and health facilities in places such as Muswellbrook, Parkes, Forbes, Tamworth, Wagga Wagga and Dubbo. In addition, we have grown our regional health workforce, with well over 1,000 additional nurses working across rural and regional local health districts.

I acknowledge that treatment is a very difficult and stressful time for cancer patients and their families. I know that these stressful times can be exacerbated for patients and carers who live some distance from cancer care centres. For this reason, there has been substantial investment in the development of rural cancer centres in New South Wales over recent years. Approximately 95 per cent of the population of New South Wales is now within 100 kilometres of a radiotherapy service. In 2012 the average waiting time for NSW Health radiotherapy services was 16.54 days, compared with 18-plus days in 2010. Radiotherapy services are highly specialised and require large capital investments. Given the nature of radiotherapy, the treatment requires specialised buildings with large concrete bunkers and complex equipment that delivers the radiation therapy. Radiotherapy services also require a highly specialised workforce of doctors, allied health professionals, scientists and nurses to run these services. Due to this complexity of service provision and the necessity of a specialised workforce, radiotherapy services are not able to be provided in all hospitals. However, major centres are networked across New South Wales to ensure people can receive care as close to home as possible.

New South Wales identified in its strategic planning for radiotherapy services that a service needed to be established for the people of the central west, west and far west of New South Wales. New South Wales follows the nationally supported planning approach that radiotherapy services are best delivered as part of a comprehensive cancer care service in which patients have access to the full range of cancer care disciplines, including medical oncology, surgical oncology, clinical haematology, palliative care and rehabilitation.

Radiotherapy services also need to have an appropriate level of clinical support services, such as diagnostic imaging, interventional radiology, nuclear medicine, pathology, intensive care units and pharmacy services to support the delivery of a quality service, as well as a skilled workforce to provide a quality sustainable service. To achieve the world's best outcomes a radiation oncology treatment centre must also have a sufficient caseload to stay at the cutting edge.

NSW Health has completed a number of strategic plans for radiotherapy services. As part of that planning, Orange in the central west was identified as the most appropriate site for a cancer centre. That was largely due to the fact that it had existing infrastructure in place and was able to attract and retain the required specialist staff. It also demonstrated that, being in the central west, it is reasonably close to most centres. I acknowledge the issue around travel raised by my constituents. The New South Wales Government responded by extending the New South Wales Isolated Patients Travel and Accommodation Scheme. Whilst we will continue to support people travelling to the city or to Orange in the central west for treatment, we still maintain on the radar services to be developed in the future in and around Dubbo so that we can bring cancer care closer to home for those in that region.

Dr ANDREW McDONALD (Macquarie Fields) [3.59 p.m.]: The Opposition supports the petition and compliments the Foran family on its amazing achievement in collecting 10,000 signatures. The New South Wales Parliament should consider the establishment of a radiation treatment centre in Dubbo. It can be done; the only question is whether it will be done. We have had no commitment today from the Minister for Healthy Lifestyles; however, I encourage the Foran family to be persistent. Those who are reasonable, realistic and persistent can sometimes achieve results in the long term, if not in the short term. I note that the New South Wales Government is investing a very welcome \$80 million in Dubbo hospital. That money is well deserved because Dubbo is one of the most important rural health hospitals in the State. For the first time in living memory we have enough young trainee nurses and doctors who want to work in rural areas, and Dubbo will be the centre of training.

The difficulty in attracting experienced staff has been a major problem and impediment to providing radiotherapy services at Dubbo, but that will not be the case forever. Staff numbers will be increased and Dubbo is a perfect place to train them. According to NSW Health, the life expectancy of people in western New South Wales is five years less than for people living on the North Shore of Sydney. In the Northern Sydney Local Health District a man will live 81.9 years and a woman 85.5 years compared with 76.5 years for men and 81.9 years for women in western New South Wales. One of the many reasons for this is that treatment for conditions such as cancer is less available in western New South Wales and many people in the area cannot travel to access vital radiotherapy. The need for radiotherapy services in the Dubbo area has been increasing for some time because radiotherapy is now more widely used for cancer than it has been at any other time in the history of medical treatment.

The Cancer Council also raised the need for a radiation treatment centre in Dubbo. Its May 2009 road map entitled, "Improving Radiotherapy: Where to From Here?" states that 50 per cent of all cancer patients will need treatment at least once during their illness. It further states that the ideal time to commence treatment is within 21 days of the decision being made to undertake treatment. Another recommendation in the report is the establishment of an online public waiting times database for radiotherapy. This still has not happened. The need for radiotherapy services is growing because of the aging Australian population. Cancer rates are increasing as the morbidity and mortality rates for cardiac disease are reducing. The nearest radiotherapy centre, which is at Orange, is up to four hours travel away. This is too far for many elderly people to access radiotherapy because many of them are unable to drive and do not have family members to transport them.

Many people choose to travel to Sydney. Many of the staff at the Alan Coates Cancer Centre are based in Sydney, and that is another reason why it is difficult for people to access radiotherapy services in Dubbo. NSW Health has responsibility for planning and funding radiotherapy services. We have not heard today what plans the Government has for such a centre. There are issues not only of capital but also of staffing. I note that the door to the radiotherapy centre at Orange cost \$100,000. There is always a long lead time between a decision to establish and fund a new radiotherapy treatment service and when patients start treatment. For example, the Coffs Harbour and Port Macquarie centres were announced in 2002 and did not begin to treat patients until 2007. Therefore, this decision needs to be taken sooner rather than later.

It is possible to run a functional radiotherapy centre with one linear accelerator. That is done in some Victorian centres, but it is better to have two. A second linear accelerator was installed at Orange because each linear accelerator has a working life of about 10 years and the replacement of an outdated machine can take up

to six months. The staffing issues relate to the need for nurses and radiographers as well as medical physicists, so this is a long-term project. However, the provision of jobs in the health sector in Dubbo will always be welcome and the opportunity is there. The Opposition supports this petition. I congratulate the Foran family and hope that it achieves its aim. The people of Dubbo deserve equity of care.

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [4.04 p.m.]: I too acknowledge the Foran family and welcome the family members to the Parliament. What the shadow Minister for Health said was 100 per cent right. Unfortunately, members opposite did not do anything about this during their time in government. They failed to do all the things the member for Macquarie Fields articulated. In his wonderful speech he also articulated all the reasons why they should have done something. The member opposite is 100 per cent right on this issue, and we recognise that. Unfortunately, we are essentially 10 years behind on the delivery of health services in Dubbo because members opposite did not take decisions when they were in government. We have taken those decisions and, as the Foran family knows, the rebuilding of Dubbo is well underway. The Foran family and the Dubbo community also know that I am committed to the cause outlined in this petition.

People have often said that we need to have the capacity to house this type of equipment and we must continue with the redevelopment phase because that will help to attract the workforce we need. The member for Macquarie Fields spoke about those things in his eloquent speech and is now demanding that we do what those opposite did not do. We are doing it but, unfortunately, we are 10 years behind the eight ball because of the former Labor Government's lack of responsibility to the people of Dubbo and western New South Wales and its abject failure to make decisions for our communities. There is no doubt that the prevention and treatment of cancer is a priority at the State and the national level. One in two men and one in three women will be diagnosed with a form of cancer during their lifetime.

It is well recognised that the cancer journey for patients can be difficult and stressful. We all know that a cancer diagnosis has a massive impact on family and friends. I speak from a position of understanding because I have seen it have a massive impact on my friends and family. Planning for radiotherapy service development in New South Wales has been strategically undertaken since the early 1990s. As we have heard, the placement of the linear accelerators in Orange rather than Dubbo was part of a strategic decision by the former Labor Government. Our communities understand why that decision was taken and we have supported the provision of housing at the CareWest facility. But one factor that was not taken into account in the strategic decision shames members opposite.

As a medical practitioner, the member for Macquarie Fields should know that the referral patterns come from western New South Wales to Dubbo and then to Sydney. There is no referral pattern from western New South Wales to Dubbo and then to Orange. Despite that, we welcome the establishment of the facility in Orange. It is a lot closer than Sydney and creates an opportunity for the local community. The second linear accelerator increases the capacity of the facility. In addition, when we upgrade the infrastructure of Dubbo hospital to accommodate a linear accelerator we will have the opportunity to include that in the strategic vision and planning for future radiotherapy services. I thank the Foran family for bringing this petition to the House.

Discussion concluded.

The DEPUTY-SPEAKER (Mr Thomas George): Order! It being after 4.00 p.m., the House will now consider Government business.

HEAVY VEHICLE (ADOPTION OF NATIONAL LAW) AMENDMENT BILL 2013

Second Reading

Debate resumed from 28 August 2013.

Mr DARYL MAGUIRE (Wagga Wagga) [4.09 p.m.]: I am delighted to join other members in debating the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013, which has been long anticipated. Australia and nations throughout the world rely on the transport industry for the delivery of goods and services. Mr Deputy-Speaker, you and I know there would not be one item, commodity or service that has not been carried by the trucking industry or the heavy vehicle industry. For sheer geographical reasons, a country as vast as Australia relies heavily on the trucking industry. While rail lines stretch to points on the

compass in Australia, for many reasons, including the sparseness of population and vast distances in our great country, the infrastructure we had hoped would have extended rail transportation routes has not occurred. This bill will amend the Heavy Vehicle National Law Act 2012 and adopt the national law.

Under the former Labor Government I was a member of the Staysafe committee, which conducted many inquiries including one concerning the heavy vehicle industry. The committee adopted a bipartisan approach, with the aim of introducing reforms and changes that would improve road safety, save lives and increase efficiency. The committee was at that time chaired by Mr Paul Gibson, the former member for Blacktown, who was responsible for a number of initiatives that were adopted by the New South Wales Government. Under the former Greiner Government, the current Leader of the House also served as a chairman of Staysafe. The Staysafe inquiries revealed that each State had different legislation applying to the trucking industry with the result that a Victorian interstate trucking operator travelling through New South Wales to Queensland would be in breach of rules applying in New South Wales, such as those relating to weight, vehicle construction and load restrictions, registration and driver hours.

This bill will facilitate the adoption of a national law that is set out in the schedules to the bill and enforcement, which includes making provision for savings and transitional matters. It will also make modifications to the national law regulations in their application to New South Wales to preserve existing registration laws relating to heavy vehicles pending the anticipated commencement of national registration under the national law in 2015. It also will make modifications to the national law, Heavy Vehicle (Fatigue Management) National Regulation and Heavy Vehicle (Vehicle Standards) National Regulation in their application to New South Wales to preserve the operation of certain existing local productivity initiatives and enforcement provisions. It will set out the terms of the proposed Heavy Vehicle (Adoption of National Law) Regulation 2013, which will be taken to be a regulation made under the Heavy Vehicle (Adoption of National Law) Act 2013, and make consequential and other related amendments to the road transport legislation and certain other legislation.

The bill sets out clearly and in detail the changes that relate to the heavy vehicle industry. I understand that through cooperation between State roads Ministers and the former Federal Labor Government reforms were worked through in meetings of the Council of Australian Governments. Credit is due to those who were involved in formulation of the legislative framework. The Staysafe committee called for similar reforms. When the committee examined driver fatigue and load restrictions, Staysafe called for national uniform regulation. In recognition of heavy vehicles being used as the primary mode of transport in this country, the Liberal-Nationals Government under Premier O'Farrell has introduced a number of other reforms to make the trucking industry more efficient. For example, 17 bridges that had been long neglected and financially underresourced by the previous State administration will be rebuilt to increase efficiency.

Through this bill and other bills that will be introduced by the Minister for Roads and Ports, heavy vehicle operators engaged in the transportation industry will be able to traverse the eastern seaboard States without contravening Victorian, New South Wales or Queensland legislation and will allow them to carry greater loads. Those reforms will increase productivity and employment, which is what the New South Wales Government is all about. We are dealing with an industry that has long been championing change that will be addressed by legislation introduced by the Minister for Roads and Ports. Ten years ago there were some cowboys in the trucking industry and, to the great credit of the industry's peak organisations, they have been weeded out. We do not want cowboys on our roads. The national law will benefit our State through uniformity, compliance and agreement. There is nothing that facilitates efficiency more than Ministers coming together at the Council of Australian Governments and agreeing on road safety reforms and the introduction of reform legislation, such as the Heavy Vehicle (Adoption of National Law) Act, to reduce the costs of doing business.

Trucking companies employ thousands of people. Individuals operate as sole traders and own perhaps just one truck and several trailers or just one truck and a trailer. They feed their families and make a contribution to this State and Australia through their work ethic in a very difficult and costly industry. The cost of fuel, vehicle parts and registration fees impacts upon viability. When I consider the effect of the proposed carbon tax on diesel fuel after a certain period, I know it would impact upon the cost of goods including groceries and everyday commodities. Supermarkets and outlets throughout the country, even in Bourke and Alice Springs, would have had to pay that insidious tax and the increased costs would have had to be passed on to consumers. This legislation has been welcomed by peak trucking bodies who have worked cooperatively with the Minister for Roads and Ports, who is probably the best Minister for Roads New South Wales has had in a very long time.

The Minister for Roads and Ports is very well regarded by peak industry bodies because he listens and is prepared to make changes. Load limit changes, which had been championed by the industry, needed to be

made and other initiatives needed to be introduced. The creation of customer service centres, which also had been championed for a long time, is an attempt by this Government to remove impediments to doing business and to deliver services more efficiently for the people of the State. The Minister for Roads and Ports has introduced legislation that addresses modern technological equipment that is used by farmers. Farm machinery is larger, longer and heavier than it was previously. Regulations needed to be amended so that farmers could get on with their job, unhindered by government, Roads and Maritime Services and others penalising farmers for non-compliance. This is good legislation. I congratulate the Minister for Roads and Ports on his initiative.

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

GRAFFITI CONTROL AMENDMENT BILL 2013

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

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [4.19 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Graffiti Control Amendment Bill 2013. The purpose of the bill is to make amendments to the Graffiti Control Act 2008 to implement a number of recommendations made by the statutory review of the Act to improve its operation. In 2008 Parliament passed the Graffiti Control Act with a view to consolidating a number of aspects of graffiti law, including graffiti offences, regulation of graffiti implements and providing additional sanctions for graffiti offenders. In addition to consolidating the law, the Act was also intended to meet the goals of extending offences relating to graffiti implements, improving the collection of statistics on graffiti and implementing a regime of community clean-up work for graffiti offenders.

As members will recall, the Government made a number of amendments to the Graffiti Control Act in 2012. Those amendments were part of the Government's election promise to tackle graffiti in the community. The amendments included requiring that young offenders be brought before a court and strengthening the court's capacity to make community clean-up orders. Section 23 of the Act required that it be the subject of a statutory review after three years in operation. That review has now been completed by my department. The review sought to determine whether the policy objectives of the Graffiti Control Act remain valid, and whether its terms are appropriate for achieving its objectives. I note that the review did not consider the amendments to the Act made in 2012. The review found that, while some objectives of the Act are being met, its primary objective of having all graffiti offences dealt with under a single Act is not being achieved adequately.

The review found that, despite Parliament's intention that graffiti offences should be charged under the Graffiti Control Act 2008, this was not always reflected in practice. Charges for graffiti offences are still frequently being brought under section 195 of the Crimes Act 1900, which is the offence of destroying or damaging property, rather than the Graffiti Control Act 2008. As a result, the review noted that courts hearing graffiti charges regularly do not have access to the community clean-up provisions set out in the Act because these are not available for matters charged under section 195 of the Crimes Act. The review also noted concerns about the responsiveness of the existing offence provisions in the Act to emerging forms of graffiti. The review recommended reform of the graffiti offences in the Act to address those concerns and to encourage the charging of graffiti offences under the Act. It also recommended improvements to the community clean-up scheme set out in the Act.

This bill supports the Government's commitment to reduce graffiti vandalism and to ensure that graffiti offences are charged appropriately. The bill implements the legislative recommendations of the statutory review. The bill does not create any new significant categories of criminality. It restructures and simplifies existing offences in the Act. This will enable accurate statistics on graffiti offending to be collected so that future graffiti policies can be based on evidence rather than perceptions about the level of graffiti vandalism in New South Wales. The amendments are also intended to ensure that all forms of graffiti, now and in the future, can be charged under this Act. I will now outline each of the amendments in turn. Item [1] of schedule 1 to the bill contains new section 4, which creates a new two-tiered offence of marking premises or property, including a basic offence and an aggravated version. This provision will consolidate and remake the existing offences of marking graffiti and damaging or defacing property contained in sections 4 and 6 of the Act.

The basic offence prohibits a person from intentionally marking any premises or property unless the person has the consent of the occupier or owner, or has a reasonable excuse for doing so, proof of which lies on the person. The maximum penalty will be a fine of four penalty units, which is \$440. This is the same maximum penalty applicable to the basic marking premises offence currently contained in the Act. The basic marking offence is currently found in section 6 of the Act. The remade offence removes the requirement that the marking be made within public view. The statutory review recommended that this element be removed because the real criminality of marking offences is the lack of consent of the owner or occupier, not the public nature of the mark. It is necessary to note that the removal of the public view requirement may result in graffiti done in private premises, for example by a tenant, being an offence under the Graffiti Control Act 2008. This type of offending can already be prosecuted under section 195 of the Crimes Act, so this is not criminalising behaviour that is not already criminal. If the damage is graffiti, then it should be charged under the Graffiti Control Act as intended by Parliament when the Act was passed.

The remade offence in new section 4 also removes the requirement that the marking be made by chalk, paint or any other material. This was also a recommendation of the statutory review, which noted that the existing provisions may not be flexible enough to capture new forms of graffiti that emerge. The intent of this new section is to capture and punish graffiti offences regardless of how the marking is made and regardless of whether it can be seen by the general public. New section 4 (2) creates the aggravated marking offence, which is made out where a person has committed the basic marking offence either by using a graffiti implement or by marking in such a way that the mark is not readily removable by wiping or use of water or detergent. The maximum penalty will be 20 penalty units, being a fine of \$2,200 or 12 months imprisonment. This is equivalent to the existing maximum penalty for the offence of damaging or defacing property in the Act, which is being remade as the aggravated offence.

The aggravated offence recognises that markings that are not readily removable or that are made by graffiti implements are serious. The circumstances of aggravation are alternative to each other; therefore, it will be sufficient to prove that either is present, not both. This amendment will mean that the offence covers new graffiti techniques such as acid etching, which does not use a graffiti implement but results in a mark that cannot be easily removed. There will be some overlap between the offending behaviour that the marking offences in new section 4 capture and that captured by section 195 of the Crimes Act, as is the case with the current provisions. However, the offences have been made deliberately broad so that graffiti offences can be charged appropriately under the Act. The proposed offences are also flexible enough to capture new graffiti techniques.

New section 4 (4) includes the existing restraint on imposing a term of imprisonment. That provision provides that a court cannot sentence a person to imprisonment unless it is satisfied that the person has committed a number of graffiti offences or offences involving possession of a graffiti implement so as to be a serious and persistent offender and likely to commit such an offence again. The proposed new section 4 will ensure that graffiti offences are flexible enough to respond to new methods of marking graffiti and should encourage police to charge under the Graffiti Control Act in appropriate circumstances.

Item [4] of the bill contains proposed section 6 which creates a stand-alone offence of posting bills. It stipulates that a person must not intentionally affix a placard or paper on any premises in public view unless the person has the consent of the owner or occupier. The maximum penalty for this offence will be four penalty units. This offence is presently contained in section 6 of the Act, which also includes the simple offence of marking premises. However, as the marking offence is being moved to section 4, section 6 is being redrafted as a stand-alone provision. This amendment will also reflect the different conduct involved in the respective offending behaviour. Schedule 2 to the bill makes a consequential amendment to clause 61 of the Passenger Transport Regulation 2007, which contains an offence related to billposting and other offending conduct on railway premises and property. The bill will remove the billposting elements of the offence in the Passenger Transport Regulation as that is now covered by the billposting offence in proposed section 6.

Items [2], [3], [5], [6], [11] and [12] of the bill make consequential amendments to sections 5, 8B and 13B of the Act to reflect the reformed offence provision. Items [7] and [8] of the bill make amendments to section 9B to clarify matters relating to the imposition of community clean-up work. New subsection 9B (1A) clarifies that a court may make a community clean-up order on the application of the prosecutor, offender or on its own motion. New subsection 9B (5) clarifies that such an order may be made before or at the time the fine is imposed for the graffiti offence or at any time after the fine has been imposed but before the fine has been fully paid. These amendments will encourage courts to turn their mind to the community clean-up order provisions when dealing with graffiti offenders without limiting the discretion of the court to make an order or not. Item [9] contains new subsections 9G (3) and (4) which impose a limit on the number of hours of

community clean-up work that can be imposed by community clean-up orders. For adult offenders the maximum number of hours is 300 hours in any one community clean-up order and for child offenders the maximum number of hours is 100. Child offenders are able to complete their community clean-up orders concurrently with other clean-up orders.

The amendments to section 9G are being made to bring the provisions into line with limitations on community clean-up orders in the Fines Act 1996. The statutory review found that without those limitations the Graffiti Control Act currently applies more harshly to those who have not defaulted on fines or who seek to engage early in community clean-up than the Fines Act 1996 does to fine defaulters. The amendments ensure that those who pay their fines or engage early in community clean-up are not treated to potentially more onerous outcomes than fine defaulters. Item [10] amends the Act to allow the regulations to provide for procedural matters relating to applications for community clean-up orders. These amendments, combined with the restructure of the offence provisions, are designed to increase the number of community clean-up orders imposed under the Act. They confirm a strong commitment by this Government to address graffiti and make sure young offenders understand that there are consequences to their actions.

Item [13] amends section 23 to provide that a further review of the Act is to be undertaken as soon as possible after 10 December 2015. This is three years after the commencement date of the 2012 reforms passed by the Government and will ensure that the impact of those reforms as well as the others contained in this bill can be assessed by the review. A statutory review in three years will examine whether the policy objectives of the Act remain valid and that the provisions are effective in tackling graffiti in the community. The amendments in this bill amend the graffiti offences in the Graffiti Control Act to ensure they are flexible and responsive to all forms of graffiti in our community. They should encourage prosecuting authorities to use these provisions to charge graffiti offences and further strengthen the ability of a court to make community clean-up orders. Further, the amendments will improve the collection of accurate statistics on the incidence of graffiti in our community and the penalties imposed on graffiti offenders. The bill demonstrates the Government's commitment to effectively combating graffiti in our local communities. I commend the bill to the House.

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

ROYAL COMMISSIONS AND OMBUDSMAN LEGISLATION AMENDMENT BILL 2013

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

HEAVY VEHICLE (ADOPTION OF NATIONAL LAW) AMENDMENT BILL 2013

Second Reading

Debate resumed from an earlier hour.

Mr RYAN PARK (Keira) [4.36 p.m.]: The Opposition will support the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013. I shall outline a number of concerns and the process by which we came to the conclusion to support the bill. This bill is part of a national set of laws designed to improve heavy vehicle regulation in this country, which we have supported consistently and will continue to do so. However, after I reviewed the original legislation and discussed it with industry stakeholders a number of concerns were raised. I understand that amendments will be proposed but, specifically, the concerns with the Government's first crack at this legislation were that it would be outside national guidelines. None of us—certainly industry—would be keen to support that. I take this opportunity to thank industry representatives, particularly Grant Johnson and Geoff Crouch from NatRoad Ltd, who provided me with in-depth advice and discussed with me some of their concerns.

Their concerns related to a number of aspects of the bill. The first relates to the issue of fatigue management. The industry does not want a different set of rules for New South Wales as proposed in the initial legislation. It prefers a return to a more consistent approach as agreed to in August 2011 by the States and Territories and, of course, the Prime Minister regarding the Council of Australian Governments reforms. The second aspect about which industry representatives were concerned related to prosecutions and the ability for the State to continue to be involved in a prosecution regime. Both issues seem to be addressed more efficiently with the proposed amendments I saw this morning. I thank the Minister's office, Roads and Maritime Services and Transport for NSW for the briefings, and particularly Dimmi for her assistance.

This is another example where legislation such as this needs to be handled more effectively and more efficiently. We should not have a situation where legislation such as this, which should be as consistent as possible with national regulation and legislation, is subject to Government amendments at the eleventh hour. That is not the way legislation should be handled. Having worked on the other side of the Chamber, I know it is not a fantastic experience to introduce amendments to one's own legislation. We too would have preferred that not to have happened, but we felt that the current form of the bill went too far outside the agreements reached at the national level. Through industry lobbying and advocacy, we have been able to talk with representatives from the Minister's office and the department to have some changes made. From the outset, I thank the representatives from the Minister's office and the department for entering into an appropriate and good-spirited dialogue about these issues. I would have preferred to have got it right before the original bill was introduced. We could have had more detailed consultation beforehand with industry and with the heavy vehicle regulator about the concerns for New South Wales.

Concerns have been raised about some aspects of the bill. I have received advice through the Minister's office that Parliamentary Counsel and legal counsel of the various government agencies support the need to make amendments to and impose conditions on the advance fatigue management that is to be introduced in this bill. These amendments will give the Minister for Roads the ability to put sanctions or conditions on any operator applying for advance fatigue management. This means that if the Minister of the day sees a situation in which an operator is not doing the right thing, or there are suspicions about an operator not doing the right thing through various intelligence that has been received, he or she can impose restrictions on the operators to complete the proposed 15½ hours of advance fatigue management under the national scheme.

Originally I had some concerns because it was putting them outside the national scheme. However, I have sought further advice and the amendments to be moved by the Government will address this issue. I have sought advice from the National Heavy Vehicle Regulator who has assured me—through advice provided by the Minister's office—that he is more comfortable with the amendments that the Government is going to propose; that explicit mention of the advance fatigue management hours will be removed and the New South Wales Minister will be allowed to apply conditions, if necessary, to an advance fatigue management accreditation approved by the National Heavy Vehicle Regulator. The regulator believes this will help achieve a more consistent national approach, which is what we all want to see.

I seek a couple of clarifications from the Minister about a separate power of prosecution, which is not onerous. The advice specifically provided by various legal counsel and Parliamentary Counsel is that this provision is needed. I think it is important for transparency. We will not be opposing the legislation, but this provision is important from that perspective. I also seek a sunset clause or formal review period for this legislation to ensure that as the National Heavy Vehicle Regulator becomes a fully functioning agency and regulatory body with experts in fatigue management the bill aligns with what is occurring nationally. Therefore, I would be encouraged to receive an agreement from the Minister to have a sunset clause or a review period so that a discussion about the legislation can take place at the Standing Council on Transport and Infrastructure or the Ministerial Council.

I note and understand that New South Wales has some issues concerning fatigue because it is a considerable through-freight State. In discussions with representatives at the Minister's office and from my own reading, I am informed that New South Wales is moving approximately 65 per cent of freight, which is quite considerable. The Minister for Western New South Wales is at the table and knows better than most about the movement of freight over large distances, which always brings a concern about fatigue. Having lived in an area with a large port and freight corridor, I understand how important and sensitive the issue of fatigue is.

The Opposition does not oppose the bill, but I ask the Minister to look at the issues I have raised. I hope that we have better consultation with industry next time to avoid this situation. Since taking over the shadow Minister's role, I have said that I am more than willing to operate in a bipartisan way to support legislation that is for the greater good, but it needs to be done in a sensible and orderly manner. I thank the Minister's office and Roads and Maritime Services for taking the time to discuss this legislation with a number of members of the Opposition. I thank my colleagues in the other place the Hon. Mick Veitch and the Hon. Penny Sharpe for their input and advice on this legislation. It is important legislation that we need to get right. I understand the Government is introducing amendments and I look forward to seeing those.

Mr KEVIN ANDERSON (Tamworth) [4.48 p.m.]: I support the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013. I note the conditional support of the member for Keira and thank him for his contribution. I am sure the Minister will be able to answer a few of his queries and I hope that now I may be

able to sort out a few of the amendments as well. This bill affirms the New South Wales Government's commitment to working with State and Territory colleagues to cut red tape and reduce the regulatory burden on the heavy vehicle industry. Introduction of the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 will allow the National Heavy Vehicle Regulator to begin applying a more consistent set of rules for heavy vehicle drivers operating across participating State and Territory borders.

The bill builds upon the first Act, which was passed in May, and together they will mean that New South Wales will have all the necessary legislation in place for the commencement of the national regulator. It is further evidence of the commitment of New South Wales to national reforms and comes on top of the more than \$10 million in funding New South Wales has provided to support the establishment and first year of operations of the national regulator. I suspect that this is the largest funding contribution of any State in the country. I also note New South Wales, as a jurisdiction, has delivered and commenced the National Rail Safety Regulator, the National Maritime Regulator and Release 1 on the National Heavy Vehicle Regulator on time. The commitment of the New South Wales Government to national transport reforms has been demonstrated time and again.

One of the key elements of this reform, however, is the acknowledgment that across States, differences in local conditions and industry requirements mean that the retention of some local variations is necessary to ensure best-practice regulation. All States and Territories—not just New South Wales—have slight differences from the national law. To this end, the New South Wales Government has been working closely with the national regulator and the heavy vehicle industry to ensure that the key productivity and safety initiatives in place will be retained in New South Wales following the passage of the Heavy Vehicle National Law.

For industry, this means the retention of important productivity initiatives including the work diary exemption for primary producers operating within 160 kilometres of their farm base. The new Livestock Loading Scheme—which allows an extra one tonne floating mass for livestock carriers—will also be retained by New South Wales. The Minister for Roads and Ports, the Hon. Duncan Gay, has been working closely with councils in country areas to identify regional and local roads suitable for the scheme and has announced the extension of the NSW Livestock Loading Scheme to 15 more local council areas. That scheme is making a world of difference to farmers and processors across New South Wales. It is another example of reform that has been needed for many years that has been delivered by a Liberal-Nationals Government. The 15 most recent councils are the Bogan Shire, Bathurst Regional, Cabonne, Dubbo City, Gilgandra Shire, Goulburn Mulwaree, Gundagai, Greater Taree, Lismore City, Narrabri Shire, Parkes Shire, Port Macquarie, Hastings, Richmond Valley, Wentworth Shire and Yass Valley.

The positioning of New South Wales on the eastern seaboard makes our roads the most frequently trafficked by interstate heavy vehicle transport. For this reason New South Wales has traditionally led the country in safety initiatives and regulatory infrastructure. As a compelling case in point, approximately one-third of fatigued truck drivers involved in casualty crashes in New South Wales are interstate operators. Of the interstate drivers of heavy articulated trucks involved in fatal crashes, nearly half were Queenslanders, while Victorians accounted for 40 per cent. Furthermore, 26 per cent of single vehicle casualty crashes—which usually indicate speeding or fatigue issues—involve interstate drivers. That is why, in conjunction with the NSW Police Force, we have the largest, best equipped and most active heavy vehicle inspection force in the country.

For instance, we have more than 300 vehicle inspectors within Roads and Maritime Services alone—285 of whom work at the front line on our roads and highways. That is why we spend more than \$70 million each year on heavy vehicle enforcement and compliance—the largest annual funding commitment of any State in the country. The Government's efforts in this vital area of road safety increase and become more targeted each day. Since November 2011 the New South Wales Government has conducted 78 days of heavy vehicle enforcement and compliance, including four targeted and sustained campaigns in and around Australia's second largest container terminal at Port Botany and numerous campaigns on our major highways, notably the Hume and, increasingly, the Newell.

In 2012-13 we inspected more than two million heavy vehicles, intercepted more than 206,000 heavy vehicles and identified more than 36,000 defects. As the "through State" we must remain ever watchful. Truck drivers caught speeding in New South Wales will face the full force of the law. In some cases their truck will be grounded on the spot. The people and the Government of New South Wales have zero tolerance for transport operators who tamper with speed limiters. Just last week, the drivers of three Victorian registered B-double trucks were caught driving at speeds in excess of 120 kilometres per hour on the Newell Highway in central western New South Wales. All were carrying fresh produce southbound on the heavily used Brisbane to Melbourne freight route. Under new road safety laws introduced by the O'Farrell Government last year, trucks caught speeding at or above 115 kilometres per hour are grounded. This was largely in response to the horrific

crash at Menangle on the Hume Highway involving a B-double truck that claimed the lives of three members of the Logan family. While all the normal speeding and demerit point offences apply if truck drivers travel above 100 kilometres per hour, if detected at or above 115 kilometres per hour, drivers will now also bear the brunt of a full speed limiter inspection, which can lead to fines in excess of \$16,000, as well as the heavy costs of downtime and significant repair bills.

The New South Wales Government also has zero tolerance for companies and their directors further up the supply chain who impose unrealistic and dangerous delivery schedules on transport operators and, by extension, their drivers. Unrealistic delivery schedules and timetables lead directly to speeding trucks and fatigued drivers. This in turn can lead to dangerous drug use on the road. Amphetamines help to keep drivers awake for longer periods, while cannabis helps them to come down from the high. Over time, drivers on drugs can suffer from serious sleep apnoea problems and long-term addiction. As a clear indication that our campaigns are having a positive effect, in February this year the Minister for Roads and Ports, the Hon. Duncan Gay, and the Minister for Police and Emergency Services, the Hon. Michael Gallacher, announced a 79 per cent reduction in the past year in the number of trucks detected speeding at more than 105 kilometres per hour. Our point-to-point heavy vehicle monitoring system is also the most sophisticated and extensive in the country, helping to identify, track and capture speeding trucks at 21 major lengths of road across the State. Three more lengths are planned in the future.

The New South Wales Government is also tough on monitoring and managing heavy vehicle fatigue issues via 27 Safe-T-Cam cameras located at 24 sites across New South Wales. Our State also led the pilot of electronic work diaries as a potential alternative to the written work diaries that are currently the key tool for implementing heavy vehicle driver fatigue rules. The pilot found that the electronic diaries are feasible from technical, operational and regulatory perspectives and have the potential to generate safety and productivity benefits. In May this year the Standing Council on Transport and Infrastructure [SCOTI] agreed that an approach to national adoption of the electronic diaries be developed by the National Heavy Vehicle Regulator and the National Transport Commission for consideration by the council later this year. The Government agrees and supports national heavy vehicle reforms but we must also protect the people and roads of this great State.

New South Wales participation in the reform of heavy vehicle regulation has always been on the basis that safety standards would not be compromised. For this reason, New South Wales will be retaining some important initiatives that are currently in place to ensure that the nation-leading safety standards upheld in New South Wales will continue under the Heavy Vehicle National Law. These measures, including the retention of a 90 kilometre per hour speed limit for all road trains operating inside New South Wales borders and the ongoing requirement for the fitting of vehicle monitoring devices, will ensure that heavy vehicle drivers and the community generally will remain safe on New South Wales roads. I foreshadow that the Government will move an amendment to the original bill in order to allow the Minister for Roads and Ports to issue conditions on any advanced fatigue management accreditation while further in-field testing is conducted on a new national scheme for managing fatigue in the industry. This approach will balance safety with productivity and flexibility. New South Wales has always supported the concept of developing the risk classification scheme to manage fatigue for accredited operators, however this has been on the condition of sound evidence that it effectively manages fatigue.

That is why New South Wales has advocated for a pilot that would allow testing in actual transport operations about how different risk parameters interact with other factors and what types of suitable countermeasures are needed to ensure safe fatigue levels. New South Wales wants to be at the forefront of trialling this new approach and is looking forward to working closely with the National Heavy Vehicle Regulator and industry to finalise the best, most flexible and safest scheme possible. We recognise, however, that industry concern has been raised regarding the current provisions for fatigue in the New South Wales bill. Industry is concerned that New South Wales will be slightly out of step with other States on the eastern seaboard—notably Victoria and Queensland. In turn, this could potentially lead to some timetabling and scheduling issues as transport operators travel between States. I commend the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 to the House.

Mr KEVIN HUMPHRIES (Barwon—Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales) [4.58 p.m.]: I will continue on from the speech of the member for Tamworth. As the member said, I foreshadow that the Government will be moving an amendment to the Heavy Vehicle (Adoption of National Law) Amendment Bill to align it closer with national fatigue provisions. This will provide New South Wales some added assurance, given our increased fatigue-risk exposure as the nation's "through State". More specifically, the New South Wales law will no longer explicitly mention any

outer limit hours. Instead, the New South Wales Minister for Roads and Ports will be able to apply conditions if considered necessary to an Advanced Fatigue Management [AFM] accreditation approved by the national regulator. Members may ask why the New South Wales Minister for Roads and Ports should be allowed to apply conditions around future fatigue accreditation. Put simply, some transport operators look shiny on the surface but are ordinary when you scratch the surface. For example, some operators have been known to doctor their work diaries. This is where local knowledge and experience are so crucial to maintaining heavy vehicle safety.

We should not forget that Roads and Maritime Services [RMS] vehicle inspectors and police have been working together for years on joint enforcement and compliance operations. Over the years they have developed a unique set of skills and knowledge. In comparison, the national regulator has only just been established. The Minister for Roads and Ports has instructed New South Wales transport officials to be ready to assist the national regulator to develop the detailed business rules, policies and procedures regarding the operation of the Risk Classification Scheme [RCS] in pilot form in New South Wales. The onus is now on the regulator to come forward with the planning on how to meet the requirement of the Standing Council on Transport and Infrastructure [SCOTI] for a post-implementation surveillance review. Let there be no doubt that the responsible Minister is listening to industry about the importance of productivity, flexibility and safety. That is why New South Wales is handling the transition from the old fatigue scheme to the new scheme in a considered, systematic and methodical way.

I understand there has also been industry concern that the New South Wales bill creates a separate power of prosecution for New South Wales. Concern around this clause is based on a misinterpretation of its intent. The policy rationale for the clause is that it is simply a machinery provision required for law enforcement and mirrors a provision contained in the Victorian application law and therefore should have no impact on the ability of the national regulator to achieve consistency. In fact, this particular provision was included in the first New South Wales adoption bill, which has been in the public domain since May 2013, and no concern has previously been raised by either industry or the regulator. The inclusion of such a provision is considered necessary because it provides a clear and certain statutory framework for not only New South Wales but also the national regulator itself. Without it, there would be far too great an opportunity for a defendant to challenge the basis on which a prosecution had been commenced regardless of the facts of the case.

The key instrument to ensure nationally consistent regulatory activities is the services agreement. There is nothing in the New South Wales bill or in the intention of how to exercise the functions in the bill which would result in New South Wales agencies taking a completely independent approach. New South Wales remains committed to establishing the national regulator and to creating as seamless a regulatory environment for industry as possible. Therefore, New South Wales intends to abide by the terms of the service agreement, which is currently being finalised with the regulator, to ensure a nationally consistent approach that is led by the regulator. The passage of this bill will allow for the benefits of a safe and efficient new national regulator to be realised within New South Wales.

When the Heavy Vehicle (Adoption of National Law) Amendment Bill was put forward, the particular clause that appealed to me was the one to preserve the operation of certain existing local productivity initiatives. This is a seamless approach to heavy vehicle management right across this country, particularly across the east coast. This was not going to happen under a Labor government in New South Wales. This amendment has taken too long to achieve, and without the support and direction of the current Minister for Roads and Ports, the Hon. Duncan Gay, this would not have been achieved. The Minister has consulted with the community and with industry. I was a part of those consultations in Moree in the north-west region of the State. The Minister has been a part of the national agreement. There are also amendments that will reflect regional outcomes of efficiency.

This country runs on rubber; it does not run on steel. For primary producers and most freight contractors, a third of their costs go on transport. The dearest place to do business in Australia under the previous Labor Government was in New South Wales. Indeed, many of our businesses were moving interstate. Our transport companies were moving interstate and other businesses were offshoring into South-East Asia largely because of two issues: the increase in freight costs—including charges, registrations and the inability to run heavy vehicle mass loads on our roads—and the carbon tax. Labor governments at both the Federal and State level had earmarked the transport industry, particularly through the carbon tax. Labor wanted to pull back on the diesel rebate, particularly for primary producers. That was one of the policies of The Greens and of Labor up until the election last weekend. We have signed up to a national agreement that will get freight moving and will make our businesses more viable.

The incentives that the Minister has provided in relation to stamp duty, particularly for the construction of new trailers, means that New South Wales is now more competitive than Queensland. Our workplace insurance schemes are now more competitive—there has been a 28 per cent reduction in the cost of insurance schemes such as WorkCover. That will make our industry more competitive again. Many of our freight and transport operators who moved to Queensland and South Australia because it was cheaper to do business are now starting to come back to New South Wales. Not only are they starting to come back; we are now able to move more freight. I commend the Minister on behalf of our rural producers for the heavy mass limit concessions that he has been able to work in with local councils, particularly on the Newell Highway and further west. That has been a boon for our stock transport operators. They can now carry between seven and nine additional cattle on some of those long hauls. That will make our producers more efficient and revitalise the abattoir industry in New South Wales. Many of those operators were moving interstate because it was cheaper to get product to places like south-east Queensland.

The Government has committed to improved infrastructure, particularly for the "last mile and the first mile" of a journey. There is the WestConnex motorway into Sydney to get our container transport off the wharf and out of the city in a more timely manner without double handling, the Bridges for the Bush Program out in country areas, and a \$100 million program that will take out the pinch points. It is all about efficiency, productivity and getting this State moving again. There are 4,500 trucks a day running between Brisbane, Melbourne and South Australia, and they pass through places like Moree. The Federal Government and the Minister for Roads and Ports in New South Wales have committed to a \$30 million injection to complete the bypass of Moree to take that freight traffic out of the town, and that will reduce travel time on the Newell Highway. In addition, there is \$20 million to be spent across the electorates of Dubbo and Barwon to increase the number of passing lanes.

Most of the accidents involving heavy vehicles on the Newell Highway and other highways are related not so much to driver fatigue but rather driver frustration, that is, poor infrastructure and increased volumes of traffic leading to greater driver frustration. On the 100 kilometre stretch between Narrabri and Moree we will have three new passing lanes, and there will be additional passing lanes between Dubbo, Forbes and Parkes. This Government is about building better infrastructure; it is about working with industry; and it is about working with our communities to make sure that we can get this State moving again. I commend the bill to the House.

Mr TONY ISSA (Granville) [5.08 p.m.]: As a former heavy vehicle driver, I understand why the Heavy Vehicle (Adoption of National Law) Amendment Bill is important for all drivers in our State. It gives me great pleasure today to support this legislation. It brings New South Wales into line with other States to establish a single national heavy vehicle regulator to streamline safety and access regulations for vehicles over 4.5 tonnes. This legislation will also ensure that the current standards that apply in New South Wales are maintained and strengthened. In 2009 the Council of Australian Governments [COAG] agreed to appoint a single national regulator for heavy vehicles. This agreement also applied to rail safety and marine safety. Laws for heavy vehicles are the last of these areas to receive attention in this State. These reforms aim to improve productivity and safety and reduce compliance burdens for business and workers to make it easier to operate across borders. Laws regarding heavy vehicles will ensure a safer and more productive industry.

The Minister for Roads and Ports pointed out that the bill marks the New South Wales Government's strong commitment to the national reforms and to establishing the National Heavy Vehicle Regulator in New South Wales. This commitment has been backed up by a financial pledge. The Government has provided more than \$5 million to the national project office to develop and establish the national regulator and in 2014 an amount of \$5.2 million will be set aside to assist the regulator in its first year of operation. This is the largest funding contribution made by any State and I am pleased that the Government is in a position to provide that financial support. The provisions in this legislation will allow for more seamless operation and will reduce costs. Currently, the industry has faced a model that lacks coherence and makes it difficult for the operators to do business. It is also faced with logistical difficulties for drivers. For example, because they must comply with different regulations in each State and Territory, they need to receive access approvals from each State and Territory. This involves extra cost, red tape and confusion.

Queensland has already passed laws governing the Heavy Vehicle National Law. The national law includes provisions to create a national regulator and give that regulator the authority to perform all regulatory functions for Australia's heavy vehicle industry, with the exception of administering a national heavy vehicle driver licence and the transport of dangerous goods laws. It is expected that the regulator will be responsible for the administration of the new laws on matters such as registration, mass and loading, fatigue management,

vehicle standards and compliance and enforcement. Like other national reforms such as that applying to health practitioners, it means that a single host jurisdiction—in this case Queensland—passes the law with other States participating in that national law in their jurisdictions.

The national regulator will enable owners and operators to conduct heavy vehicle business with governments at one place. The one-stop shop will allow registration renewals and the issuing of access permits to be coordinated through a single point of contact, thereby cutting down on unnecessary costs and time for operators. The regulator will facilitate negotiations with asset owners across jurisdiction borders and local governments to ensure that a single permit with a simplified set of operating instructions for all participating jurisdictions is issued. I am pleased that two media releases were published in support of these amendments before the Minister introduced this bill to the House. Such measures allow the people of New South Wales to consult on these issues as well as make them aware of what the Government is doing to help the community. I commend the bill to the House.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [5.12 p.m.]: I support the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 which, as its name implies, will amend the Heavy Vehicle (Adoption of National Law) Act 2013. In 2008 the Council of Australian Governments agreed to implement regulation and competition reforms under the National Partnership Agreement to Deliver a Seamless National Economy. The national partnership covers 36 separate reforms, comprising 27 deregulation priorities, eight areas of competition reform, and a reform to regulation-making and review processes. The national partnership aims to reduce costs incurred by business in complying with unnecessary and inconsistent regulation across State jurisdictions, enhance Australia's long-term growth, improve workforce participation and labour mobility and expand Australia's productive capacity over the medium term through competition reform to enable stronger economic growth.

The National Partnership Agreement to Deliver a Seamless National Economy identified heavy vehicle regulatory reform as a priority. In 2009 the Commonwealth, States and Territories agreed to establish national systems for heavy vehicles, rail safety and commercial vessel safety aimed at improving safety and reducing costs and regulatory burden for Australian transport companies as well as reducing costs of export and trade. In February 2010 the Commonwealth, States and Territories agreed that national legislation regulating all vehicles weighing more than 4.5 tonnes and establishing a National Heavy Vehicle Regulator would be established under legislation of the Queensland Parliament with each State and Territory passing enabling legislation to give effect to the legislation as passed in the Queensland Parliament.

The Intergovernmental Agreement on Heavy Vehicle Regulatory Reform was made in August 2011. It sets out the principles and processes to implement the decision of the Commonwealth, States and Territories to deliver a national heavy vehicle regulatory system for vehicles weighing more than 4.5 tonnes. The National Heavy Vehicle Regulator and the Heavy Vehicle National Law which supports it are the final piece in creating a harmonised national system of transport regulation that has been underway for many years. The bill delivers on this State's commitment under the intergovernmental agreement to adopt the Heavy Vehicle National Law. The O'Farrell Government has pursued this reform vigorously. New South Wales has provided more than \$5 million to the national project office to complete project work to build the regulator. Additionally, New South Wales has provided \$5.2 million to the recently established regulator to assist in funding its first year of full operations in 2013-14.

The bill adopts the Heavy Vehicle National Law as the law that regulates heavy vehicles in New South Wales, while Queensland is the host of the Heavy Vehicle National Law. It creates the National Heavy Vehicle Regulator and describes its functions, powers and objectives. The main function of the regulator is to achieve the objective of the Heavy Vehicle National Law, which includes: promoting public safety; managing the impact of heavy vehicles on the environment, road infrastructure and public amenity; promoting industry productivity and efficiency in the road transport of goods and passengers by heavy vehicles including buses; and encouraging and promoting productive, efficient, innovative and safe business practices.

To achieve those objectives, the national law prescribes vehicle standards, mass and dimension limits, load restraint requirements, speeding compliance and fatigue management requirements. It also imposes duties and obligations on operators, drivers and other persons whose activities may influence whether the vehicles or drivers comply with requirements in relation to the standards, mass, dimension, loading and speed of heavy vehicles, and fatigue. The law includes measures to allow improved access to roads in some circumstances and provides for accreditation schemes for best practice. It also provides for the national registration of heavy vehicles, but this function has been deferred until the creation of a national registration scheme sometime in 2015.

When the Heavy Vehicle National Law commences, the same law will regulate heavy vehicles in every jurisdiction except Western Australia. The need for reform arises in two areas. The first is long haul or long distance road transport. The Government understands that there is a need to enhance road freight productivity. This State relies heavily on road, rail, sea and air freight. That freight is worth about \$58 billion per year and those industries employ half a million people. New South Wales carries more than 60 per cent of Australia's national road freight task. As a result of the national law that the Government is supporting, a truck will now be able to travel from the top of Queensland through New South Wales and down to Victoria under the same Heavy Vehicle National Law. Over time this will lead to a reduction in red tape and the abolition of unnecessary and confusing cross-border rules.

The second reason for the importance of these national reforms relates to cross-border difficulties in rural and regional hubs such as Albury in the south and the Tweed in the north. In those areas people do not confine their lives and businesses to one side of the border. They want red tape reduction and harmonisation and uniformity across borders. The New South Wales Government has a solid record on road safety for heavy vehicles. There are nearly 300 heavy vehicle inspectors within Roads and Maritime Service alone and we spend more than \$70 million each year on heavy vehicle enforcement and compliance, which is more than any other State. The Government introduced new safety rules last year to ground trucks that are caught speeding at or above 115 kilometres an hour.

There is also zero tolerance for companies and directors who are further up the supply chain and who impose dangerous delivery schedules on drivers which can lead to speeding trucks and fatigued drivers, as well as perhaps dangerous drug use on the road. We know that our campaigns are having a positive effect. Earlier this year the Minister for Roads and Ports and the Minister for Police and Emergency Services announced a 79 per cent reduction in the past year in the number of trucks detected speeding at more than 105 kilometres an hour. We have the most sophisticated and extensive point-to-point heavy vehicle monitoring system in the country. We are tough on monitoring and managing heavy vehicle fatigue issues through 27 Safe-T-Cams located at 24 sites across New South Wales. We have led the pilot of electronic work diaries as a potential alternative to the written work diaries that currently are the key tool for implementing heavy vehicle driver fatigue rules. The New South Wales Government has a solid record in road safety reforms for the heavy vehicle industry.

Although harmonisation, uniformity and the reduction of red tape are desirable objectives, we recognise that because New South Wales has a unique position as the geographic "through State" for the eastern seaboard of Australia and our road network carries 60 per cent or more of the national road freight task, there is a need for local variance. While the Heavy Vehicle National Law will be adopted in large measure, there will be some differences between the national law enacted in New South Wales and the legislation of other States. The current provision that holds operators accountable for non-compliant speed limiters will be maintained. There will be retention of the 90 kilometres an hour speed limit for all road trains operating inside New South Wales borders. The fitting of vehicle monitoring devices to heavy vehicles, including buses and coaches, also is being retained. The bill retains a number of demerit point penalties pertaining to trucks that have defective brakes, steering and seating or that are fitted with dangerous bull bars.

As well as preserving the special safety features I have mentioned, there will also be industry exemptions to enhance New South Wales productivity. They include a provision stating that time spent in the driver's seat of the vehicle while its engine is running and during certain personal activities will count as rest time if certain conditions are met, and provisions exempting a person who is an officer or a member of staff of an emergency service as well as certain bus operators and private hire vehicles from some speed compliance and fatigue management requirements. The Livestock Loading Scheme will be retained and the work diary exemption for primary producers operating within 160 kilometres of their farm base also will be retained.

The bill is an essential part of establishing a national seamless economy and maintaining safety, while at the same time reducing needless red tape. The New South Wales bill is the final component of a nationally harmonised system of transport regulation. There will be only one rule book, by and large, with which road transport operators will need to comply, thereby reducing red tape for operators, drivers and customers. Lines on a map will not hamper the productivity of New South Wales. The O'Farrell Government is committed to reducing red tape across the board in New South Wales. This bill is an affirmation of that commitment. I commend the bill to the House.

Mr THOMAS GEORGE (Lismore—The Deputy-Speaker) [5.22 p.m.]: I join in the debate on the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013. The objects of the bill are:

to amend the Heavy Vehicle (Adoption of National Law) Act 2013:

- (i) to make further provision to facilitate the adoption of the Heavy Vehicle National Law set out in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland (the **National Law**) as a law of New South Wales and its enforcement (including by making provision for savings and transitional matters), and
- (ii) to make modifications to the National Law in its application to New South Wales to preserve existing registration laws for heavy vehicles pending the anticipated commencement of national registration under the National Law in 2015, and
- (iii) to make modifications to the National Law, Heavy Vehicle (Fatigue Management) National Regulation and Heavy Vehicle (Vehicle Standards) National Regulation in their application to New South Wales to preserve the operation of certain existing local productivity initiatives and enforcement provisions, and

to set out the terms of the proposed Heavy Vehicle (Adoption of National Law) Regulation 2013, which will be taken to be a Regulation made under the Heavy Vehicle (Adoption of National Law) Act 2013, and

to make consequential and other related amendments to the road transport legislation and certain other legislation.

The bill builds upon the Act that was passed last May. After the passing of this bill New South Wales will have all the necessary legislation in place for commencement of the National Heavy Vehicle Regulator. This legislation is further evidence of New South Wales's commitment to national reforms and comes on top of more than \$10 million in funding that New South Wales has provided to support the establishment and the first year of operations of the National Heavy Vehicle Regulator.

The members who have preceded me in this debate have highlighted most of the purposes of the bill. My contribution to debate will be to reinforce that the current New South Wales provision regarding the power to commence proceedings mirrors exactly a provision in the Victorian bill. Its intention is to make prosecutions more secure under the national law rather than as an independent power for New South Wales agencies. Given that two States, New South Wales and Victoria, thought it was necessary during the drafting process to include such a provision, there may be a case to include something similar in other States' application of the law or to amend the national law. New South Wales will commit to raising the issue at the next Standing Council on Transport and Infrastructure [SCOTI] so that a national position can be finalised. It is important for the national law to be accepted Australia-wide, and I hope that passing this legislation will achieve that.

I mention in particular that the new Livestock Loading Scheme, which allows an extra one tonne floating mass for livestock carriers, also will be retained by New South Wales. On 4 September the new Livestock Loading Scheme in this State was extended when the Minister for Roads and Ports announced the extension of the New South Wales Livestock Loading Scheme to 15 additional local council areas. The Minister said that the New South Wales Government had worked closely with councils in country areas to identify regional and local roads that would be suitable for the scheme. He said that the scheme makes a world of difference to farmers and processes across New South Wales and that it is another example of much-needed reform. He also stated that it has taken a Liberal-Nationals Government to deliver it. I congratulate the Minister for Roads and Ports because I well remember before I was elected to Parliament visiting a number of Ministers at Parliament House or at Governor Macquarie Tower to have the New South Wales rules addressed. For many years people involved in the livestock and meat industry were penalised under the rules that operated in this State. I would not even try to guess the amount of money that the rules have cost the industry.

Over many years the penalties would have amounted to millions of dollars and would have severely disadvantaged livestock and meat operators involved in the movement of livestock and meat in competition with interstate counterparts. The Minister for Roads and Ports, following numerous representations made to him while he was the shadow Minister, realised the significance of the issue and shouldered the burden of responsibility for doing something about it. I acknowledge the contribution to this important reform made by the Minister for Local Government because this legislation will affect local government areas. I also acknowledge the contribution made by the Minister for Western New South Wales and the Minister for Police and Emergency Services to resolving the issues. It has taken a team of Ministers working closely together to introduce this legislation and lay the basis for the operation of the national law. The New South Wales Government introduced the Livestock Loading Scheme to increase freight productivity and protect jobs in the New South Wales meat and livestock industry. Under the scheme, livestock carriers that are fitted with certified road-friendly suspension may operate at increased mass limits compared to the limits that apply in other States.

The scheme includes a driver training program to address industry concern that rollover crashes in the livestock transport industry are over-represented compared to other road freight. I am delighted to acknowledge the Minister's advice that, to date, more than 450 drivers have undertaken the course. To further help livestock carriers and their customers take advantage of the extension to the scheme's approved routes, an interactive map has been made available on the Roads and Maritime Services website. The Government knows there is more work to be done to ensure that the scheme continues to offer councils and operators maximum benefit. The Hon. Duncan Gay encouraged all New South Wales local councils to work with industry stakeholders, Transport for NSW, Freight and Regional Development, and Roads and Maritime Services to identify priority livestock transport routes and to expand the scheme where it is safe to do so for all road users. The number of councils that have come on board recently has been noted. I particularly thank Lismore City Council and Richmond Valley Council for their cooperation, along with the other councils, in becoming preferred routes and offering trucks the opportunity to operate.

To give a quick example, containers of processed meat from the Northern Co-operative Meat Company at Casino, which would be shipped around the world, could be filled to only three-quarters of their capacity under the weight limits that were previously in place. Under the new arrangements, the Northern Co-operative Meat Company is now fully loading containers, which are taken by truck to Brisbane and placed onto ships. It has made a difference in container capacity of 25 per cent—all because this Government has taken the concerns of the industry on board, and thanks to the Minister. I publicly register the names of those in the industry who worked with the Minister. I refer to the Livestock and Bulk Carriers Association of New South Wales president, Barney Hayes, and executive director Emma Higginson; the Australian Trucking Association of New South Wales president, Jon Luff, and executive director Jodie Broadbent; NatRoad president Geoff Crouch and chief executive officer Chris Melham; the Australian Logistics Council; and Garry Burrige, the manager of the Northern Co-operative Meat Company, and Brian James, who was the manager before him. I accompanied them on a visit to Parliament on behalf of the meat industry in an attempt to highlight the problems to the government of the day, and they have stuck with this process all the way through.

I personally thank all those industry participants, and I commend them for their patience in working with a very cooperative government. I make particular mention of Andrew Huckle, Deputy Chief of Staff to Minister Gay, who has continued his efforts to bring about this result. He has worked with all industry bodies and with the Government. I thank Andrew and congratulate him on a job well done because I know the industry at large appreciates it. This bill has been a long time coming. Congratulations, Duncan Gay, on a job well done.

Mr CHRISTOPHER GULAPTIS (Clarence) [5.32 p.m.]: It is a pleasure to speak in debate on the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013. This bill is about cutting red tape; it is about safety, productivity and national conformity. I note that members have spoken in detail about the objects of the bill. It is important for me to raise them in the context of the electorate of Clarence. My electorate of Clarence has numerous trucking companies. Geographically, it is an important location: The Pacific Highway runs through the electorate, so it is an important thoroughfare. The amendments proposed in this bill will serve the trucking industry, our residents and our businesses very well.

I have mentioned that this bill is about safety. Each year, in January, a truck drivers memorial service is held in Grafton. It is essentially a condolence service for those truck drivers who have passed away in the line of their employment. I have attended the service on a number of occasions. It is a very sad and sombre affair where families, friends and members of the community gather to recognise those in the trucking industry who have passed away. When I attended the service this year, seven names were added to the wall. The amendments in this bill will, I hope, see fewer names added to this wall—in fact no more names, if that is possible. Safety is an important part of this bill.

The Government is cutting red tape, improving productivity and improving safety. One of the ways it is doing that is by upgrading the Pacific Highway, and the commitment by the new Federal Government to 80 per cent funding for the Pacific Highway to be matched by 20 per cent funding from the State is a very valuable contribution to improving safety on that highway as well as increasing productivity. Another measure being promoted by the O'Farrell-Stoner Government to improve safety and productivity, which is an adjunct to this amending legislation that will improve safety throughout the State, is Bridges for the Bush. I think some \$94 million is being contributed by the State Government to Bridges for the Bush, which will improve safety and productivity. In the electorate of Clarence \$16 million is being spent on upgrading the Sportsman's Creek bridge.

The member for Lismore mentioned the Livestock Loading Scheme. He also talked about the Casino meatworks, which is in the electorate of Clarence. The Casino meatworks employs nearly 1,000 people. It has

been hampered by the fact that there was no national livestock loading scheme. Livestock coming from Queensland had to be unloaded at the border because they were able to load more beasts, and product from Casino meatworks was unable to be fully loaded so there were huge productivity losses. The Minister for Roads and Ports, the Hon. Duncan Gay, should be congratulated on improving productivity and recognising the need to improve safety. The National Heavy Vehicle Regulator will begin applying a more consistent set of rules for heavy vehicle drivers operating throughout the State.

This bill builds upon the first Act, which was passed in May, and it will mean that New South Wales will have all the necessary legislation in place for the commencement of the national regulator. The Government's commitment is clearly shown by the \$10 million in funding that New South Wales has provided to support the establishment and first year of operations of the national regulator. One of the key elements of the reform is the acknowledgement that differences in local conditions and industry requirements across States mean that some local variations should be retained to ensure best-practice regulation. I spoke before about the productivity and safety initiatives that this amendment will allow, and I believe the position of New South Wales in taking such a positive stance in relation to the national regulator will improve our productivity.

New South Wales is a through State and, of course, Clarence is a through electorate, with approximately 150 kilometres of Pacific Highway on which heavy interstate vehicles travel regularly. Literally thousands of trucks traverse that highway. It is vital to have a single national regulator to ensure that our roads and community are safe and that our businesses are productive. As I said, safety is a key issue. Roads and Maritime Services has more than 300 inspectors, of whom 285 work on the front line on our roads and highways. New South Wales spends more than \$70 million annually on heavy vehicle enforcement and compliance—the largest annual funding commitment of any State in the country. In fact, since November 2011 the New South Wales Government has conducted some 78 days of heavy vehicle enforcement and compliance, including four targeted and sustained campaigns in and around the Botany Bay container terminal. In 2012-13 we inspected more than two million heavy vehicles, intercepted more than 206,000 heavy vehicles and identified more than 36,000 defects. As I said earlier, we are the through State and we must maintain an ever-watchful eye.

Anyone speeding in a truck in New South Wales will be caught and will feel the full force of the law. The new laws introduced by the O'Farrell-Stoner Government mean that a truck could be grounded on the spot. New South Wales has zero tolerance for transport operators who tamper with speed limiters. As I have said, under new road safety laws introduced last year by the O'Farrell Government, trucks caught speeding at or above 115 kilometres per hour are grounded. This can lead also to fines in excess of \$16,000. The New South Wales Government also has zero tolerance for companies and their directors further up the supply chain who impose unrealistic and dangerous delivery schedules on transport operators and, by extension, their drivers. This leads to fatigue, drug dependence and accidents on our roads. I have concentrated on the safety aspect because too many people die on our roads and too many families grieve unnecessarily. I believe this amendment will assist in reducing the road toll and will help our communities.

Mr ANDREW ROHAN (Smithfield) [5.42 p.m.]: I support the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 and commend the Minister for Roads and Ports, the Hon. Duncan Gay, for its overdue introduction. The purpose of the bill is to amend the Heavy Vehicle (Adoption of National Law) Act 2013 and make further provision for adopting the Heavy Vehicle National Law in New South Wales. The bill sets out the terms of the Heavy Vehicle (Adoption of National Law) Regulation 2013 and makes the necessary repeals and changes to existing legislation to give effect to the Heavy Vehicle National Law in New South Wales. This bill is historic for the vehicle transport industry as it will regulate heavy vehicles in all jurisdictions except Western Australia. This will mean that truck drivers and operators will be much closer to a single rule book than ever before.

The legislation will reform the industry in two key areas. The first relates to the long distance road transport sector, also known as line haulage, where operators and drivers currently deal with the laws of several States to move a single load across different borders. The second relates to key rural and regional economic hubs at border towns and cities where people conduct business on both sides of a State border and have to deal with different regulations across literally a line on the ground. This bill will cut red tape, improve efficiency and eliminate any kind of impediment to the operations of heavy vehicle movements in New South Wales and in neighbouring States. As the roads Minister, the Hon. Duncan Gay, rightly said:

Truckies shouldn't have to carry a filing cabinet full of different jurisdictional permits and notices in their cab.

This means that drivers of B-doubles and road train trucks do not have to carry half a dozen notices. I believe this will make life easier for truckies, who travel long distances and drive for many hours. Our initiatives to remove impediments will help make running truckies' businesses simpler and I have no doubt this will be welcomed. Further to these reforms, Minister Gay is improving the safety of truck transport on our national road system. For example, modular B-triples are now allowed to operate on approved road train routes throughout the State and into neighbouring States with greater ease to carry goods, food and other loads into towns and cities across State boundaries. Together with these reforms the New South Wales Government is upgrading main roads and other infrastructure to accommodate these trucks.

When these safe and sensible reforms are combined with road upgrades, they will form the platform to support these overall national heavy vehicle reforms. Make no mistake, since March 2011 the O'Farrell Government has helped advance national heavy vehicle reforms like no other New South Wales Government. In the past New South Wales Labor was considered a significant roadblock for change on the eastern seaboard of Australia. Seven New South Wales Labor roads Ministers in five years were a significant factor in stalling the process of harmonising national heavy vehicle road rules, not to mention New South Wales Labor's total indifference to improving road freight productivity. Today, in direct contrast, the O'Farrell Government is considered a leader in national heavy vehicle reforms—an adult Government that understands and appreciates the need to enhance road freight productivity for the sake of State and national economies.

The compelling facts regarding heavy vehicles travelling on our major highways acknowledge the importance of this bill. Interstate drivers of heavy trucks account for one-quarter of all involvements in fatal crashes in New South Wales. Of interstate drivers of heavy trucks involved in fatal crashes, nearly half were Queenslanders, while Victorians accounted for 40 per cent. That is why, in conjunction with our fine colleagues in the New South Wales police, we have the largest, best-equipped and most active heavy vehicle inspection force in the country. If anyone speeds in a truck in New South Wales they will be caught and most probably grounded. New South Wales has zero tolerance for transport operators who tamper with speed limiters. We also have zero tolerance for companies and their directors who impose unrealistic and dangerous delivery schedules on transport operators and, by extension, their drivers. Such unrealistic delivery schedules force drivers to speed and drive for longer hours to meet those demanding schedules, and that contributes to speeding trucks and fatigued drivers. In turn, this can lead drivers to dangerous drug use in order to stay on the road.

To combat such dangerous behaviour, the Minister for Roads and Ports, Duncan Gay, and the police Minister, the Hon. Mike Gallacher, introduced a point-to-point heavy vehicle monitoring system, which is the most sophisticated and extensive in the country. This has led to identifying and capturing speeding trucks on 21 major lengths of road across the State. This has resulted in a 79 per cent reduction in the number of trucks detected speeding in the past year at more than 105 kilometres per hour. As we know, the New South Wales economy is worth approximately \$58 billion each year. It relies heavily on road, rail, sea and air freight and 500,000 employees to run its business. New South Wales is a geographic "through State" that carries more than 60 per cent of Australia's national road freight, which is a staggering figure. This bill will allow trucks to travel from Far North Queensland through New South Wales to Melbourne under the same Heavy Vehicle National Law.

As time progresses, it is planned that reams of red tape will be cut, unnecessary and confusing cross-border rules will be eradicated and road freight productivity will increase substantially. This bill will improve the prosperity of different townships on major highways that carry a huge proportion of the nation's products such as the Hume, Pacific, Princes, Newell and New England highways. Similarly, thousands of ex-gin cotton bales are delivered by road from north-west New South Wales to the ports of Brisbane each year. Thankfully, upon the commencement of the Heavy Vehicle National Law, there will no longer be different legislation in place on either side of the border. Finally, the effective management of fatigue is crucial not only to the heavy vehicle industry but also to all road users as well as the broader community, especially in New South Wales, which is the State where the majority of the nation's freight originates or transits.

In developing the new Heavy Vehicle National Law, a new approach for managing fatigue, known as the risk classification scheme, has been proposed to potentially replace the current advanced fatigue management scheme. The risk classification scheme allows operators to balance their risk. For example, a longer evening rest could permit more work time during the day. New South Wales supports this concept and recognises the productivity benefits it could bring to industry through increased flexibility, notably for rural and regional transport operators such as livestock and grain carriers. This bill is an essential part of the national seamless economy. It will mean that road transport operators will need to comply with only one rule book and that red tape will be cut for transport operators, travellers and customers. It will also mean that lines on a map do not hamper the productivity of New South Wales. I commend the bill to the House.

Mr ADAM MARSHALL (Northern Tablelands) [5.52 p.m.]: It is with great pleasure that I speak in support of the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013. This is an important bill not just for people throughout New South Wales but also in country areas such as the Northern Tablelands, where the New England Highway runs up the middle from north to south, the Gwydir highway runs west to east, and Thunderbolts Way runs from the north-west to the south-east. All those arterial routes carry important freight and produce from farm gates to our plates, but also from metropolitan areas to numerous shops and warehouses in the electorate to provide the goods that country and city people alike require. This is an important bill for everyone in my electorate.

The bill affirms the Government's commitment to working with our State and Territory colleagues to cut red tape and reduce the regulatory burden on the heavy vehicle industry. The introduction of the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 will allow the National Heavy Vehicle Regulator to apply a more consistent set of rules for heavy vehicle drivers operating across participating State and Territory borders. The bill builds upon the first Act that was passed in May this year. Together, they will ensure that New South Wales has all the necessary legislation in place for the commencement of the national regulator. It is further evidence of the State's commitment to national reforms and is in addition to the \$10 million plus in funding that the New South Wales Government has provided to support the establishment and first-year operations of the national regulator. I also note that the New South Wales jurisdiction has delivered and commenced the National Rail Safety Regulator, the National Maritime Regulator and has released legislation on the National Heavy Vehicle Regulator on time. So our commitment to national transport reforms has been demonstrated time and again.

A key element of this reform is the acknowledgment that State differences in local conditions and industry requirements mean it is absolutely necessary to retain some local variations to ensure best-practice regulation throughout our State. To be clear on this, all State and Territory regulations differ slightly from the national law and all for very good reasons. To this end, the New South Wales Government has been working closely with the national regulator and the heavy vehicle industry to ensure that key productivity and safety initiatives currently in place are retained in New South Wales following the passage of the Heavy Vehicle National Law. For industry, this means the retention of important productivity initiatives introduced by this Government, including the work diary exemption for primary producers operating within 160 kilometres of their farm base. I recently attended a heavy vehicle forum in Warialda hosted by Gwydir Shire Council where more than a dozen heavy vehicle industry operators were talking about the importance of this initiative. Primary producers too, without such initiatives, would be burdened by further unnecessary paperwork and red tape.

In December 2012 the new Livestock Loading Scheme was introduced and was a huge win for the livestock industry, as was highlighted earlier by the member for Lismore. At that time I was a representative of the local government sector and had the great privilege to help negotiate the scheme with the Hon. Duncan Gay, the Minister for Roads and Ports. It is important to note that earlier this month the Minister announced the extension of the Livestock Loading Scheme to 15 more council areas throughout country New South Wales. This scheme has already made a world of difference to farmers and processors across New South Wales. It is another great example of how we can make productivity gains through sensible reforms for the heavy vehicle sector. Under the Livestock Loading Scheme, livestock carriers that are fitted with certified road-friendly suspension may operate at increased mass limits comparable to those in other States.

The Government considered safeguards that were made part of the reforms and were put in place to ensure that roads worthy of accepting these high-mass vehicles would be opened to protect our road assets and pavements, which are the bread and butter of State governments and local councils. We want to ensure greater efficiency and productivity for livestock carriers, but we also want to ensure that our roads are not torn up at the same time because the net outcome would not be a gain for the people of country New South Wales. Since its introduction in December 2012, the scheme has been incredibly successful. Having been extended earlier this month, the scheme will continue to bring additional benefits to more parts of country New South Wales.

While I am talking about great reforms, I will touch briefly on an announcement made in May this year by the Hon. Duncan Gay, the Minister for Roads and Ports, to improve customer service for truck drivers in New South Wales. The Government is making it easier for 5,000 heavy vehicles to have their annual registration renewal inspection. Several classes of heavy vehicles that were previously required to attend a Roads and Maritime Services heavy vehicle inspection site [HVIS] can now visit heavy vehicle authorised inspection stations [HVAIS]. This reform is yet another example of the Government's sharp focus on improving customer service and convenience for truck and bus operators.

When they needed to have their truck or bus inspected, heavy vehicle operators used to have to access 180 inspection sites across the State; now they will have a choice of approximately 900 heavy vehicle authorised inspection stations, largely in country New South Wales. That is a massive 400 per cent increase on the availability of those facilities. It makes it easier for operators to renew their registration and to have inspections done. Increasing the number of inspection stations will dramatically reduce inspection waiting times. It will also increase their choice of providers who are authorised to inspect heavy vehicles, providing much greater opportunities, more convenience and less red tape for heavy vehicle operators.

I thank the New South Wales Road Freight Industry Council, which includes representatives from the Australian Trucking Association of NSW, NatRoad and the Livestock and Bulk Carriers Association—that vocal organisation that we all love to meet with. The council has helped to encourage, develop and deliver this sensible reform. Many rural and regional Roads and Maritime Services heavy vehicle authorised inspection stations operate on an itinerant basis for only a few months of the year. This reform will mean that those facilities are available throughout the year at a more convenient location in country areas.

The changes apply to two-axle rigid vehicles of more than 12 tonnes gross vehicle mass [GVM] that are less than five years old and truck trailers with a gross vehicle mass of between 4.5 and 9 tonnes. In layman's terms, for example, a small to medium sized delivery truck such as the Fuso Canter or the N-series Isuzu falls within this class of vehicle and is now able to access the heavy vehicle authorised inspection stations, as do many pig and dog trailers. Small buses registered to an individual that are less than or equal to 4.5 tonnes gross vehicle mass with 12 or fewer seats, including the driver, are also included.

This is a common-sense, practical reform that is going to make life easier for truck and bus operators, particularly in country areas and in turn boost productivity in country New South Wales. The Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 has my full support and I hope that it will have the support of everyone in this place. It is a great piece of legislation brought forward by a great Minister in the other place. It continues the New South Wales Government's commitment to supporting heavy vehicle operators, truck operators and bus operators throughout New South Wales by increasing productivity and removing unnecessary red tape.

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

STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION AMENDMENT BILL 2013

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

ABORIGINAL LAND RIGHTS AMENDMENT BILL 2013

Consideration in Detail

Consideration of the Legislative Council amendments.

Schedule of amendments referred to in message of 11 September 2013

- No. 1 Page 2, clause 2 (2), lines 7 and 8. Omit all words on those lines. Insert instead:
- (2) The amendment of section 63, and the repeal of sections 162 (3) and 163, of the *Aboriginal Land Rights Act 1983* by this Act commence on 1 January 2014.
- No. 2 Page 4, Schedule 1 [12], lines 25–30. Omit all words on those lines.
- No. 3 Page 5, Schedule 1 [15]. Insert after line 25:
- (2B) A person may nominate another person to stand for election as a Board member of a Local Aboriginal Land Council if, at the time of the nomination, all of the following apply to the person:
- (a) the person is a voting member of the Council, and
 - (b) he person is not suspended from membership of the Council, and
 - (c) the person has attended at least 2 meetings of the Council in the last 12 months.

No. 4 Page 10, Schedule 1 [40], proposed section 144 (2), lines 5 and 6. Omit "or an officer of a Local Aboriginal Land Council".

No. 5 Page 10, Schedule 1 [40], proposed section 144 (2), line 8. Omit "or officer".

Motion by Mr Mark Speakman, on behalf of Mr Victor Dominello, agreed to:

That the House agree to the Legislative Council amendments.

Legislative Council amendments agreed to.

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

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2013-14

Debate resumed from an earlier hour.

Mr KEVIN ANDERSON (Tamworth) [6.03 p.m.]: The support shown for regional New South Wales in the 2014 State budget is welcomed by the Tamworth electorate particularly the further investment in major projects that the budget delivers. A record \$188 million has been allocated across a variety of projects, services and programs. It was the sort of investment that I was looking for as our region plays a major role in the State's economy and we need to focus on creating jobs, driving the housing sector and building new infrastructure.

I will mention some of the areas that receive significant capital investment in the 2013-14 State budget. Health came out on top with a \$78.7 million investment; roads and bridges, \$33 million; and Education, \$7.7 million. They were the big winners, with new projects announced. The funding that I was looking for in the State budget was delivered, for which I thank the Treasurer, the Hon. Mike Baird. I wanted continued funding support for projects that were already underway. The new key funding announcements that were made during the election were the upgrade of the Parry School for children with special needs; the upgrade of the Oxley Highway; the new Barraba fire station upgrade; two new supported group homes; and upgrades for the Gunnedah and Tamworth courthouses.

The Barraba fire station was a major win for our region. It is an indication of the Government's continued investment in and support of the NSW Fire Brigade and the NSW Rural Fire Service, to make sure that they are fully equipped with the resources, tools and machinery they need to protect us in the event of fire. During the past 24 hours we have seen the need for that support with fires ravaging the countryside and the loss of some housing assets on the outskirts of north-west Sydney. We need to ensure that our emergency services are catered for and I congratulate the Government for its continued support of the upgrade of the Barraba fire station.

Something that flew under the radar during the State budget announcement is the more than \$1 million allocated to upgrade the Gunnedah and Tamworth courthouses. The upgrade will assist the people who visit our local courts. It is important that we keep our courts upgraded. For the Tamworth courthouse, \$900,000 has been allocated for the registry and disability access upgrade and for the Gunnedah courthouse, \$150,000 to carry out minor workplace health and safety compliance work. We need to keep up to date with changes in community demands and expectations, including disability access, and both the Tamworth and Gunnedah courthouses look forward to receiving those facilities and improvements to services. These are great initiatives by the Department of Attorney General and Justice and those people working in and around the courthouse. I thank the Attorney General, the Hon. Greg Smith, for his continued interest in the Tamworth electorate and I welcome that investment of more than \$1 million in the courts, which will bring them in line with community expectations.

There were a number of other developments that came out of the 2013-14 budget. One is the second railway overpass in Gunnedah. This is a \$16 million project that will allow access from one side of Gunnedah to the other. At present, when a coal train or freight train passes through the centre of Gunnedah, the town is cut off. That causes major problems for emergency services and disruption to the running of Gunnedah when vehicles cannot get to the other side of town. The second railway overpass will be a flyover and will replace the New Street railway crossing. I look forward to further consultation with Roads and Maritime Services and thank them for their continued support for and consultation on this project. Once one starts to dig holes and pour concrete, there is no going back. I know that this piece of infrastructure for Gunnedah has been on the books for

some time but it has taken the Minister for Roads and Ports, the Hon. Duncan Gay, with the Bridges for the Bush program to get this off the books and into reality. The core testing by geologists at the site has been completed. I note that the member for Smithfield was a geologist in another life and certainly understands the importance of making sure that a solid foundation is laid before one starts any sort of construction.

We are looking forward to this particular piece of infrastructure being built for Gunnedah. It will allow residents continuous access from one side of the town to the other regardless of any railway activity happening at the time. The Chaffey Dam upgrade is another important project funded in the State budget. It will provide safe and secure water for the city of Tamworth. At the moment Chaffey Dam has a capacity of 60,000 megalitres; we need to increase that capacity to 100,000 megalitres to provide water security into the future. Tamworth is a growing city. Latest figures from the New South Wales Department of Planning and Infrastructure forecast that the populations of both Tamworth and Gunnedah will grow. We need to make sure essential services grow in line with those projections, and water is a key component of that.

The upgrade of Chaffey Dam has been championed for a long time, and we are looking forward to that getting underway hopefully in the next few weeks. The augmentation and safety upgrade will kick that off and provide a permanent and secure water supply for our city. Members may recall that in 2006 the city of Tamworth nearly ran out of water. Chaffey Dam dropped to a level of about 12 or 13 per cent of capacity, and there was some discussion about whether industry would need to close down until the rains came and filled that dam again. Fortunately that did not occur. Certainly that incident prompted the need to make sure that we had a secure water supply 20, 30, 40 and 50 years into the future to allow for the development of our fair city.

The Woodsreef mine rehabilitation also received funding in the budget as part of the Woodsreef task force. Woodsreef is an asbestos mine just outside Barraba which the task force is looking to rehabilitate. This issue has been on the books for many years. I thank the Deputy Premier for his continued consultation on how to rehabilitate that area. There was also funding for the Aboriginal Learning Centre at Tamworth TAFE and upgrades for Split Rock and Lake Keepit. Recently the Minister for Education and I were at Tamworth TAFE looking at the Aboriginal Learning Centre and additional facilities. The Minister and I opened a newly redeveloped section of the TAFE just a few weeks ago. TAFE is at the forefront of training and we need to make sure that it continues to be the leading training organisation for people in New South Wales. TAFE New England has my full support for the changes it is undertaking at the moment to make sure it retains market share and grows into the future with some of the best training facilities and some of the best teaching staff in Australia.

Mr ANDREW ROHAN (Smithfield) [6.12 p.m.]: It gives me great pleasure to participate in this take-note debate. I regard opportunities to speak on the budget as being of the utmost importance. Managing the budget is the most important responsibility a government has. If the State's budget is not in order then not much else can be done. This is the third budget of the Liberals and Nationals Government, a government with a strong mandate to return fiscal responsibility to the operations of this State and to make New South Wales number one again. This year's State budget focuses on delivering the rewards of the tough decisions and reforms undertaken by the New South Wales Liberals and Nationals Government to secure the future of New South Wales, and in particular the electorate of Smithfield. Over the past two years, the New South Wales Liberals and Nationals have been focused on fixing the mess left behind by Labor. By living within our means we have been able to reduce debt, while at the same time investing in those areas where it is most needed.

I offer my support for the Treasurer and the budget that he has brought before the House. I am in agreement with my parliamentary colleagues who have highlighted the difficulty of the task before the Treasurer of ensuring that previous budgets as well as this budget commit to building the future and invest in the growing needs of New South Wales. No-one can deny the difficult task the Treasurer had. Difficult decisions were made. Those on the benches opposite attacked the Government for some of the difficult decisions it made. But those opposite should hang their heads in shame for the 16 years of Labor Government that were marked by economic waste and deficits, which took New South Wales from being "the Premier State" to the bottom of the ladder. The second budget of the Liberals and Nationals Government was about rebuilding New South Wales; improving roads and public transport; investing in health and education across the State, including in my electorate of Smithfield; and reining in Government spending in the context of challenging economic times.

This budget however sets New South Wales apart from governments across the world. Expenses growth has been slowed and spending on infrastructure has been accelerated. Net debt has been reduced. In light of the challenges faced by our Government, it is an extraordinary trifecta. As the Treasurer put it:

We have spent two years fixing the mess, but with this, our third Budget, we turn securely towards the future.

The 2013-14 New South Wales budget delivers what this State needs: responsible spending that enables us to deliver more housing and more infrastructure. Despite a fall in revenue and a reduction in the Federal contribution to New South Wales infrastructure, the budget delivers an increase in infrastructure spending over the next four years compared with the past four years—an extraordinary achievement considering this has all been done while living within our means.

The budget delivers more nurses, more teachers and more police across the State. Despite the challenges, New South Wales is starting to meet its potential under this Government, with the most new jobs created in the country and the fastest growing economy. The budget delivers on our promises and builds a stronger future for the State. The New South Wales Government, under the leadership of Premier Barry O'Farrell and Treasurer Mike Baird, must find ways to build the State's future through responsible spending. This Government has begun rebuilding New South Wales after spending the first two years in Government repairing the damage that was left behind by the former Labor Government.

For my electorate of Smithfield, I welcome the budget's focus on infrastructure to get Western Sydney moving again. The people of Smithfield will see in this budget a focus on building better infrastructure for the services we rely on every day, such as roads, schools, transport and policing. The upgrade of the Polding Street and Smithfield Road intersection will fulfil an important election commitment that I made during the 2011 election campaign. Fairfield City Council was provided with \$500,000 in the last New South Wales budget to begin preliminary work and plans. Since then Fairfield City Council has designed and studied four potential options, and carried out an in-depth community consultation to select a single preferred option. A strong majority of residents—more than 42 per cent of those surveyed—preferred option B, the signalised option, which I completely agreed with. In my opinion, option B provides the greatest safety for drivers; and for me safety is paramount.

The latest news on this intersection upgrade is that Fairfield City Council resolved at its meeting on 11 June 2013 to proceed with the implementation of option B, to reconfigure the intersection and install traffic lights at each entry point. I am pleased that the New South Wales Government, through Roads and Maritime Services, is committed to supporting Fairfield City Council with up to \$3 million budgeted for this project. I look forward to the shovels hitting the ground and to our local residents having a safer intersection to use as soon as possible. The New South Wales Government provided \$400,000 to Fairfield City Council for the installation of traffic lights at the corner of Widemere Road and Reconciliation Drive in Wetherill Park. Members opposite may not appreciate the importance of this piece of infrastructure, but that should not surprise anyone.

It is a fact that the previous Labor Government Minister refused to fund the project and brushed off the responsibility to Fairfield City Council. However, the installation of lights at this corner in Wetherill Park was a matter of life and death for local businesses and the community. Those businesses could not survive at their current location because of the lack of traffic lights to hold back traffic and allow trucks to back into the warehouses. After being elected I appealed to the Minister for Roads and Ports, the Hon. Duncan Gay, to fund the installation of these lights. The Minister visited the site and held a consultation meeting with local residents, businesses and the chamber of commerce. The Minister then granted \$400,000 to Fairfield City Council for the installation of traffic lights at the intersection. I recently had the honour of switching the lights on for the first time. This important piece of infrastructure will improve the traffic flow at the intersection.

The second important infrastructure project is the Erskine Park Link Road, which is now officially open. In contrast to its attitude towards the traffic lights on the corner of Widemere Road in Wetherill Park, the previous Government recognised the importance of the Erskine Park Link Road and promised \$80 million for its delivery. Unfortunately for the people of my electorate, the promise never amounted to anything more than words. It took the Liberal-Nationals Government to fund the \$55 million construction of the Erskine Park Link Road, which is crucial for the development of Western Sydney and will provide a major boost to investment, jobs and infrastructure in the area.

When building started in 2012, the Premier made a commitment to the local community that the progress of the project would be regularly monitored. More than 3 kilometres long and two lanes each way, the Erskine Park Link Road stretches between Lenore Lane in Erskine Park and Old Wallgrove Road in Eastern Creek. The Erskine Park Link Road aims to redirect trucks from residential streets to the M7 and M4 to significantly reduce traffic on local roads and provide a commuter link from Western Sydney to the M7. The Erskine Park Link Road project was completed within the budget and time constraints. I recently had the honour of accompanying the Premier and the Minister for Roads and Ports to the opening of the project.

I put on record that I am proud to be part of a government that listens to the community. Soon after my election I was visited by members of the Fairfield Hospital voluntary committee of community representatives. They brought to my attention that Fairfield Hospital was lacking essential equipment and asked for my assistance. The previous Government tried to starve Fairfield Hospital of resources—I believe because it wanted to eventually close it down. Thankfully, the Liberal-Nationals Government has a different view. I started by organising meetings with the acting general manager of the hospital, the local area health service director and, finally, the Minister for Health, the Hon. Jillian Skinner. Today I can report that Fairfield Hospital has a new permanent general manager after a string of acting general managers. As a result of more than \$1 million in additional funding, Fairfield Hospital now has more nurses than ever, two new X-ray machines and 104 new computerised electric-powered beds.

The upgrade of the Fairfield Transport Interchange has begun. The project is aimed at providing safe and easy access to public transport for local residents in and around Fairfield and is forecast to be completed in early 2014. This will provide improved bus shelters for passengers, a kiss and ride zone for commuters being dropped off and new crossings for pedestrian, commuter and vehicle safety at Fairfield train station. The plan also includes development of more car parking spaces near the corner of Wilga Street and Dale Street and an upgrade of closed-circuit television cameras for the safety of passengers. Although the Fairfield interchange is outside the Smithfield electorate, many residents from my electorate will regularly use the facility because Fairfield is our closest train station.

Once again I thank the New South Wales Government for giving Smithfield its fair share of the Community Building Partnership grants in the last budget. They are used by local community groups, councils and individuals to fund important infrastructure which is used by the community. In particular I thank the Treasurer, the Hon. Mike Baird, for visiting the Parks Community Network in my electorate to announce that it will receive \$62,790 from the Government to complete an upgrade of its offices. The Parks Community Network was one of the successful applicants in the Community Building Partnership grants program. The network has 54 volunteers and works with a number of groups in the local community. It provides information as well as no interest loans for low-income earners under the No Interest Loan Scheme [NILS], a youth drop-in service and emergency relief to some of the most vulnerable in our community. Smithfield also will benefit from government funding from the Responsible Gambling Fund. An amount of \$119,742 will go to Mission Australia Aboriginal Specific Service across Western Sydney and in particular to Fairfield and Liverpool.

An amount of \$6 million is allocated for the Western Sydney Parklands. The funds will be invested in parkland facilities including constructing a new sealed multipurpose track, car parking, and a mountain bike course. Funds will also be put towards parkland environmental and conservation programs and general development of the parklands to improve visitor experience. The Western Sydney Parklands is one of the jewels of my electorate. With copious amounts of land and many utilities and facilities, it is one of the best locations to host picnics or outdoor get-togethers. The parklands are utilised by many families and communities and have been the scene of many joyous memories. The parklands are also used by schools and organisations for physical activity and by fundraisers from other electorates.

The parklands are used by a large number of people in south-west Sydney and have many facilities which are in need of upgrading. This is why the Western Sydney Parklands Trust will receive \$3.7 million from this budget. That money will be spent on major works of conservation and to upgrade the dairy and Pimelea picnic grounds at Horsley Park, which will allow the community to continue to use these modern facilities. An amount of \$3 million has been allocated to the infrastructure development on Old Wallgrove Road between the M7 Motorway and Erskine Park Link Road. This is additional to the Erskine Park Link Road construction that I mentioned earlier. A new Transport, Engineering and Technology Centre to be developed at Wetherill Park TAFE will be a focal point for training in Western Sydney. I was honoured that the Minister for Education, the Hon Adrian Piccoli, visited the site of the new centre to announce that the TAFE will receive an \$8 million grant to assist with building the centre, which is expected to be ready for use in 2016. In fact, the design phase of the facility has already begun.

Through funds allocated in the 2013-14 budget the centre will be created through the redevelopment and refurbishment of existing facilities at Wetherill Park TAFE. Once completed, the new Transport, Engineering and Technology Centre will be an industry training hub for south-west Sydney. New facilities will include e-learning and video technology that will link with other workplaces to maximise simulated real-life scenarios. The facility will be designed to meet the needs of the rapidly growing transport and logistics sector in the region. It is predicted that more than 2,000 students will benefit when the project is completed. TAFE NSW South West Sydney Institute relieving director Terri Connellan said in the *Fairfield Champion* that it was a huge

boost to the region which would provide both training and career opportunities for people in the region and beyond. I know the community will reap the benefits of this centre being included in the State budget. It is good news for the Smithfield electorate.

The New South Wales Government is committed to spending a total of \$59.7 billion on infrastructure over the next four years to deliver for communities across our State, including a record \$14.6 billion for infrastructure and services in public transport and roads. By managing our finances responsibly, the New South Wales 2013-14 budget commits a record \$18 billion to Health and \$13.95 billion to Education. Despite the financial challenges facing the State, this budget shows that the New South Wales Government is delivering on its promises to improve services for the people of New South Wales, invest in critical infrastructure across New South Wales, and protect vulnerable people. This budget also expands on the Building the State package announced in last year's budget to further boost housing across New South Wales, by delivering more than \$300 million for priority infrastructure for new housing and extending the State's generous first home buyers scheme for a further two years.

In other parts of the budget, the O'Farrell Government announced a new commuter car park for Canley Vale train station as part of the \$148 million Transport Access Program. While the commuter car park at Canley Vale train station will not be in my electorate, it is important to my constituents who drive to Canley Vale station to catch the train to work. This car park was promised by the Liberal Party at the last State election. Although we did not win the seat of Cabramatta, we have delivered on our promise. At the time the member for Cabramatta did not support the idea of a commuter car park in Canley Vale but he did not waste any time after the announcement in going to Canley Vale with the media to claim victory. The culture of deceit in the Labor Party does not end with the member for Cabramatta. The member for Fairfield is as guilty as his counterpart in Cabramatta. Why does he whinge when the Government is providing great projects for the people of Smithfield, Fairfield and Cabramatta?

I reiterate my support for the Treasurer and this budget. The Treasurer has produced a budget that will bring this State back from the dark days of the past 16 years into a brighter fiscal position. I have listened carefully to the contribution of Opposition members to this debate. Oh boy, do they hate that this Government has cut spending. It is clear that Opposition members are addicted to spending—at least of other people's money. They think any problem can be solved by throwing money at it. It is clear that Opposition members have no sense of fiscal responsibility. The people of New South Wales had a government that was addicted to spending—a government that spent, spent, spent. [*Extension of time agreed to.*]

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

[*Acting-Speaker (Mr Lee Evans) left the chair at 6.33 p.m. The House resumed at 7.00 p.m.*]

PRIVATE MEMBERS' STATEMENTS

STRATHFIELD TRIANGLE

Mr CHARLES CASUSCELLI (Strathfield) [7.00 p.m.]: Strathfield Triangle is not like the Bermuda Triangle—not unless members opposite are still in power, but thankfully for my electorate they are not. Instead we have Barry the Builder and Gladys the Renovator. The Strathfield Triangle is defined by three railway stations: its eastern apex is Strathfield and its other corners are North Strathfield and Flemington. Its centre is within walking distance of three railway stations and most residents are within walking distance of two railway stations. The M4 and Parramatta Road and a number of other major arterial roads converge or form a boundary to this unique area.

The Strathfield Triangle is strategically located approximately halfway between the Sydney central business district and the Parramatta central business district on Sydney's major transport corridor—the western transport corridor that comprises the M4, Parramatta Road and the western railway line. Barry the Builder has committed to the construction of WestConnex, which will improve the amenity of the area, enhance the quality of life for its residents and increase opportunities for local businesses. WestConnex will greatly improve the connectivity of the Strathfield Triangle with the rest of Sydney, directly and indirectly. It is obvious that residents of the triangle will be able to jump onto WestConnex for a much enhanced trip to the airport or the

eastern and southern suburbs of Sydney. Less obvious is that removing much through-traffic from those major arterial roads servicing the triangle means that road-based public transport will become more reliable and faster. More people using public transport means fewer cars on our roads.

To improve public transport in the triangle, Gladys the Renovator announced on 30 August that Flemington railway station will receive a major upgrade to make it more accessible for customers. This upgrade will make a real difference for local public transport customers and local businesses who have been calling for it for a long time. After 16 long years residents had given up on calling on the former Government to upgrade the station. I am pleased that the New South Wales Government recognises the importance of Flemington railway station not only to the local residents and businesses but also to the substantial numbers of visitors to Sydney Markets. Strathfield Council has thrown its full support behind the project and will do what it can to make the upgrade happen as soon as possible. The council will look at opportunities to improve the amenity and safety of the area surrounding the railway station concurrent with the station upgrade.

Sydney Markets are increasingly becoming a retail destination and are generating public transport demand, especially on weekends. The board of Sydney Markets has indicated a desire to work with the Government to exploit any opportunities provided by the station upgrade. Discussions have been held to address commuter car parking and potentially integrating the station with any proposals for improvement on the Sydney Markets site. The general manager told me that the council would be keen to pursue renaming Flemington as "Sydney Markets" in recognition of the markets' contribution to our city and the local economy. I am not sure what the Minister would think of such a proposal, but it deserves some consideration. The upgrade will substantially improve public transport servicing the entire Strathfield Triangle.

Other initiatives that will contribute to improvement of the Strathfield Triangle include the transfer of land occupied by Arnott's Australia within the Bakehouse Quarter at Homebush from the Crown to Strathfield Council. The council will develop the site as a green recreational space for the enjoyment of residents and visitors alike. This green space will support the substantial development being proposed for the Strathfield Triangle. It will form the western border of the Bakehouse Quarter and connect the proposed Columbia Lane development on the southern side of Parramatta Road with Allen Street Reserve, forming a continuous green corridor supporting both passive and active recreational activities. The proposed Columbia Lane development is typical of a number of major developments within the Strathfield Triangle that are in various stages of planning or gaining approval. These proposed developments are required to support major investments in transport and roads.

I support development along transport corridors because I am convinced it is the only way to exploit the capabilities of public transport. If we want world-class public transport and less congested cities and if we want to save our suburbs from high-density development then we must have that development in appropriate areas. The most appropriate area for high-density development is along transport corridors, and more specifically within walking distance of railway stations. My preference is to have contemporary development within the Strathfield Triangle taking the form of tall, skinny, elegant buildings that return some of the building footprint to community use. I like to see sky between buildings and I want fast-moving shadows. I oppose development that results in short, fat, ugly buildings that take up almost an entire site because of a preoccupation with limiting building heights to the exclusion of achieving substantial community benefits. I have kept the best until last. A Strathfield town centre development plan that includes a major bus-rail interchange in support of the Strathfield Triangle will soon be presented to the broader community. Watch this space.

JOHN THE BAPTIST BONNYRIGG PARISH FIESTA

Mr GUY ZANGARI (Fairfield) [7.05 p.m.]: On Sunday 8 September 2013, John the Baptist Parish Bonnyrigg Heights held the parish fiesta. The fiesta has become a proud tradition of the parish community over the past three years. It was well attended by parishioners and people from other faiths and communities. The day commenced early for the fiesta committee members and international food stall sponsors working behind the scenes to prepare the central courtyard of the John the Baptist Primary School. The sound system—which was provided by David Aulsbrook—the international food stalls and the barbeques were ready to go at the conclusion of the 10.00 a.m. mass.

After mass, statues of Saint John the Baptist and the Madonna were brought to the centre of the school courtyard. Father Michael McLean and Father Epeli Qimaqima led this most sacred religious procession to the schoolyard and followed with an opening prayer and blessing for the success of the fiesta. While it was a fiesta

and fair, there was still a major focus on Catholic spirituality. The success of the fiesta would not have been possible without the generous support of the Saint John the Baptist multicultural community. It is evident that John the Baptist, Bonnyrigg Heights, is a welcoming place for all. An extra touch of multicultural authenticity was the dressing up and decorating of the international food stalls. The decorations added to the atmosphere and it was pleasing to see the high level of creativity going into each stall. It has become a tradition that each fiesta acknowledges the best dressed international food stalls. This year's best decorated stalls were the Dutch and Italian stalls. However, the following international food stalls are also to be congratulated on their presentation and decorations: Assyrian, Filipino, East Timorese, Mauritian, Indian, Maltese, Laotian, Thai, Vietnamese, Tongan and Croatian.

The fiesta was not only about food, it was also a showcase of the talent that is present within the parish. Local parishioners Kayla and Chloe Piscopo kicked off the entertainment singing recent chart-topping hit songs. Stephanie and Samantha followed with a wonderful duet and solo pieces. Samantha and Stephanie play an integral part in the parish's choir network. The Step Up Academy of the Arts at Wakeley performed marvellous dance routines, with the River Plate Argentine group dancing to traditional Argentinian songs. A jazz dance was provided by the IC Academy. Comparsa Yauguru, the Uruguayan drumming and dance group, performed their electrifying rhythm and drums routine, accompanied by dazzling Uruguayan dancers.

The culmination of the afternoon's performances came from the Tongan Youth Group. The youth group is based at All Saints, Liverpool, although several of its members hail from the John the Baptist parish. The youth group performed traditional Tongan dances and songs. Also present was Patricia Gatehau, who won first place in the Mounties Got Talent quest. Vili Langi and the boys performed a wonderful rendition of *Blurred Lines*, which brought the house down. The final performance of the day came from the Tongan Brass Band. The Tongan Brass Band was a crowd favourite. The brass band is made up of members from the Tongan and islander communities and welcomes members of all faiths. As the brass band finished playing, Father Michael passed the hat around the crowd to support the group to buy instruments and uniforms.

The fiesta had something for everyone, as was clear from the variety of stalls. Children had the chance to buy from the show bag stall. This was a favourite in the Zangari household. Children and adults braved the giant slide, the fast-paced cups and saucers, the storm chairs and the jumping castle. Beautifully decorated cupcakes and soaps made from natural ingredients were a favourite with mums and dads. The Autism Advisory and Support Service group was present selling gifts, the proceeds of which will help support families of children with autism. Other stalls included cosmetics, lollies, getting fit and Italian gingerbread—and no fiesta would be complete without a photo booth. Mr Herman Pinto and the fiesta committee members ran the successful chocolate wheel, and special thanks go to all sponsors for their generous support of prizes for the wheel. The Antioch Youth Group also provided much-needed help on the day to the committee. The Antioch Youth Group aims to build a Christian community via its structured program. It is a parish-based ministry of youth to the youth. All in all, congratulations to the entire John the Baptist community on hosting and participating in the successful 2013 parish fiesta.

ROTARY CLUB OF TAREE

Mr STEPHEN BROMHEAD (Myall Lakes) [7.10 p.m.]: I inform the House of my recent attendance at the Rotary Club of Taree seventy-sixth annual changeover dinner at Club Taree. I congratulate the Rotary Club of Taree on the wonderful work it has done over the past 12 months in raising funds for a number of local charities. It also has been at the forefront in pushing for closed-circuit television surveillance cameras in the Taree central business district. I congratulate the outgoing board of directors of Taree Rotary Club, that is, president, Howard Whitelaw; immediate past president, David Fisher; president-elect, Joy McCaffrey; secretary, Joy McCaffrey; treasurer, Phil Streatfeild; club administration, Mark Drury; vocational service, Father Keith Dean-Jones; international foundation, Ian Dyball; special projects and community services, Ken Patterson; new generations, Elizabeth Kempers; and membership, Leonie Melder. The outgoing board did a wonderful job over the past 12 months.

The master of ceremonies at the changeover dinner was Laurie Easter. He is very much involved with the Air Cadets in the Manning Valley and, as a former police officer, I had the privilege of serving with him in the Police Force for many years. He did an absolutely fantastic job as the master of ceremonies. Also present was the District Governor, Brian Beesley, who constantly visits Rotary clubs throughout the district, from the coast to well inland. I congratulate the incoming board of directors and wish them all the best. They are: president, Joy McCaffrey; immediate past president, Howard Whitelaw; president-elect, Laurie Easter; secretary, David Fisher; treasurer, Phil Streatfeild; club administration, Mark Drury; vocational service, Tim Deverell; international

foundation, Kevin Sharp; community services, Laurie Easter; youth services, Leonie Melder; and membership and public relations, Ashley Cleaver. I know that they will continue fighting for closed-circuit television surveillance cameras to be installed in Taree, as well as many other community projects.

The first service club was the Rotary Club of Chicago, which was formed on 23 February 1905 by Paul Harris. These days no higher honour can be bestowed upon a Rotarian than the Paul Harris scholarship. The Rotary name was derived from the early practice of rotating meetings among member offices. The first Rotary club in Australia was formed in Melbourne on 21 April 1921. The second Rotary club formed in Australia and the first in New South Wales was the Rotary Club of Sydney in 1921. The Rotary Club of Taree met for the first time on 21 April 1937. It was presented with its charter in September the same year and had its seventy-fifth anniversary in April 2012. It has been an outstanding organisation for many years in the Taree community and has provided support to many projects, such as, bowel scan campaigns, parks maintenance and raising money for the local hospital and many local charities. Without organisations like Rotary, Taree and other regional areas would not be the vital communities they are. Governments cannot fulfil every need of local communities, and service clubs often fill the gaps. I congratulate the Rotary Club of Taree.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.15 p.m.]: I thank the member for Myall Lakes for speaking about the great work that the Rotary Club of Taree has done for his community. We are fortunate in this State to have so many service organisations providing benefits to their communities. The support they provide is extraordinary, whether it is helping hospitals or families or undertaking projects such as the installation of closed-circuit television surveillance cameras. I also commend the member for Myall Lakes for his involvement only a fortnight ago in organising a Lions Club dinner at Parliament House. At that dinner \$45,000 was raised, which will go to a valuable cause. I thank the member for being a strong advocate for service organisations across the State.

ILLAWARRA HEALTH SERVICES

Ms NOREEN HAY (Wollongong) [7.16 p.m.]: I wish to enlighten my colleagues on the current state of health services in the Illawarra and demonstrate the clear contempt that this Government has for the people in my community when it comes to their health needs. I recently sought to have a motion accorded priority which noted the extreme pressure that nurses, doctors and allied health workers across the Illawarra are under due to the O'Farrell Government's \$3 billion funding cuts to the Health budget; recognised that patients in the Illawarra are now facing major delays in surgery and medical care because of these funding cuts; and called on all members of Parliament to fight for the full reinstatement of funding to the Health budget. Of course, the motion was not given priority. Instead, priority was given to the Government's motion so that Government members could pat themselves on the back following the recent Federal election—important stuff.

As I said at the beginning of my speech, I joined the Leader of the Opposition, John Robertson, when he visited my electorate as part of his visits to hospitals across the State to hear firsthand the problems and pressures that health service workers are facing. At Bulli and Wollongong hospitals we met with nurses, health service workers and cleaners. They all had sad stories to tell. The nurses told us that because of funding cuts they were working overtime and double shifts and performing cleaning duties rather than looking after patients. The cleaners told us they had lost shift work. Patients were having their surgery cancelled three or four times due to a lack of intensive care unit beds and some were unable to have their surgery for months. Mental health nurses were not able to accommodate people because of the lack of beds and emergency department staff were struggling to address trolley block. Paramedics were stuck with patients who were waiting in hallways for hours because of a lack of beds. Quite frankly, the list was long and dire.

It is offensive to the people of Wollongong and the Illawarra, in fact, the whole State, that this Government tries to defend these goings-on following its pre-election commitments. I have recently been contacted by a lady in my electorate who was beside herself. She told me her surgery had been cancelled on the scheduled day for a third time. She has repeatedly been prepped and taken to the theatre only to find no intensive care unit bed is available and she is turned away. That patient told me about the repeated cost of getting to the hospital, the fasting and the stress and trauma, only to have her surgery cancelled. I also heard of an elderly woman who cannot get her dialysis treatment because the health service will not deliver it in the method her cardiologist says she must receive it. I have example after example of people coming to my office to tell me about failing to receive treatment from a hospital or health service due to budget cuts. A further insult to the people in my electorate of Wollongong and across the Illawarra was this statement:

We make no apologies for removing non-front-line employees from the health service ...

Apparently the Government calls the following essential positions bureaucrats: physiotherapists, speech therapists, occupational therapists, psychologists, social workers, cleaners, kitchen staff, maintenance officers, health service managers, radiographers, hospital scientists, administrative staff and clinical equipment sterilisers. Patients, nurses and doctors rely on clean wards, sterile surgery equipment and patient files that are up to date and easily accessible. They need allied health staff to help with admission, recovery and ongoing therapy and assistance. For the Government to be so ignorant and dismissive of the workings of hospitals is a clear example of just how out of touch the Liberal Coalition is when it comes to health. The Government should apologise for putting patients' health at risk by slashing \$3 billion from the Health budget. The Government should apologise for putting patients' lives at risk by cutting jobs that it incorrectly deems as non-front line positions.

Government members talked of cranes in the Illawarra, but those cranes will not help patients and hospital staff. No amount of cranes will keep wards clean, patient files updated and meals prepared. I will continue to hold this Government to account for its pre-election commitments to the people of Wollongong and I will continue to call for adequate funding and staffing so that the New South Wales health system provides the first-class treatment my community deserves. The cranes employed on the \$83 million expansion of Wollongong Hospital were budgeted for under the previous Labor Government.

Mr Paul Toole: And they did nothing.

Ms NOREEN HAY: Those cranes are part of the process. That was budgeted money. The member for Bathurst should research what it means to have money in the budget for an expansion. Before he speaks and does his usual number, he should remember the patients who are affected by these decisions and who are suffering as a consequence of the cuts to the health system. His defence of the cuts is desperate stuff.

RANDWICK CITY COUNCIL BUSINESS AWARDS

Mr BRUCE NOTLEY-SMITH (Coogee) [7.21 p.m.]: Today I recognise and commend the recipients of the Randwick City Council Business Awards for 2013. Small businesses are more important than ever as the key to a healthy economy, especially in today's economic climate. Small businesses in the Coogee electorate foster a sense of community that is often lost in the larger cities of Australia. I know from my own experience as a small business owner that the risks and rigours of running a small business are not well understood by most people. Recently the very best of these businesses in Coogee were recognised at the 2013 Randwick City Council Business Awards. Setting the standard in real estate services, Laing and Simmons in Kingsford won in the real estate category. In the Coogee electorate, home prices continue to rise out of sight, but Laing and Simmons remains a competitive choice for its customers.

While the population continues to grow in Coogee, the community holds jealously to its intimate village feel. Daryl's Gourmet Meats, a trusted butcher, has been in operation for more than 40 years. This business exhibits a passion for the art of butchery and premium quality of product that is rarely found today. In operation for more than 25 years, Janina Florist was recognised for its excellence in floral arrangements. The store, owned by Janina and Bob Andrzejewski, has been family owned and operated since 1987. In the bakery category, The Sweet Spot Patisserie was awarded for its excellence in pastries and cakes. It delivers the highest quality of pastry. In the general retail business category, 7th Heaven Wholefoods earned accolades for its holistic approach. Owner Eva Gitterle founded 7th Heaven Wholefoods on the principle that diet is paramount to health, after her daughter suffered from pains. Eva was able to address her daughter's condition through a change in diet, and since then she has committed to sharing her knowledge with customers.

As many members know, I have a bit of a reputation in my electorate for taking in stray bunnies and cats. So I am very pleased to recognise the Randwick Council City Business of the Year, Struggletown Veterinary Hospital, which leads in the care of pets. Struggletown's principal veterinarian, Simon Roberts, is completely committed to the care of his patients and their owners, even enlisting the help of his wife, Sarah, who runs puppy classes at the veterinary clinic. Excelling in childcare services and education, Platinum Pre School again won the childcare services category. I have known the owners, Jo O'Brien and Nichola McLean, for years, and I know that their dedication to providing a nurturing and educational environment for young children is unparalleled. Crowne Plaza Hotel at Coogee Beach won in the best accommodation category. With its excellence in customer service, premium amenities and incomparable beach views, it is truly an asset to our community for locals and visitors alike.

As many are aware, the service of coffee is a craft in Sydney, and the X74 Café Restaurant has secured loyal customers. It won the café category for serving coffee of the highest standard. Coogee Legion Ex-Services

Club was selected in the pub and club category. Founded in 1945, immediately following World War II, the Coogee Legion Ex-Services Club is now open to the entire community, fostering comradeship between neighbours. Flavour of North India won in the takeaway category. It has been operating for more than 15 years. It is testament to its fare that Flavour of North India has been highly regarded for many years. DeNavi's in Clovelly prevailed in the fruit and vegetables category. Owners Michael and Mary-Anne DeNavi visit the Flemington markets daily to find the freshest produce. It is through the sheer dedication to the quality of their produce that they have excelled. Massage by the Sea succeeded in winning the health category. This outstanding alternative care facility, which was launched in 1998, provides much-needed healing to the community.

Many of the businesses I have mentioned have been operating for decades, building a vast customer base, but it is essential to recognise new businesses that continue to revitalise the local economic community. Winning the new business category was Clearview Wellness Centre in Coogee, which focuses on a holistic experience. The health sanctuary was founded by Heather Levy, who travelled the world and brought knowledge of her craft to Clearview Wellness Centre. Randwick City Council Business Awards nominees and winners are just a small part of the lifeblood of our economy. They are indicative of the great entrepreneurial spirit that is alive and well in the Coogee electorate. Congratulations to all the award winners and nominees for your commitment, hard work and contribution to our community. I commend you on a job well done.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.26 p.m.]: I thank the member for Coogee for speaking about the valuable contribution that small business makes to New South Wales and also the contribution of small businesses to his community of Coogee. All members in this House are fortunate to have a diverse range of small businesses in our electorates. We realise that these small businesses form the backbone of our communities. Although many employ only a small number of staff, they generate a great deal of wealth in the community. The Government recognises the valuable contribution that small businesses make in our electorates. The Minister for Fair Trading has introduced reform to this area through the appointment of the NSW Small Business Commissioner. We are about opening up dialogue—something that was neglected for a long time under Labor. The Small Biz Bus service is a mobile information service for small business, and one of the buses has been located in regional communities. This type of program shows the commitment from this side of the House to small business, just as the member for Coogee has shown commitment to small business in his electorate.

BIG RIVER MILK

Mr CHRISTOPHER GULAPTIS (Clarence) [7.27 p.m.]: It is my great pleasure to inform the House of the wonderful initiative by Southgate dairy farmers Rod and Jo Madden to bottle their own milk and distribute it to the local market in the Clarence Valley. Within the next week or so Clarence Valley residents can enjoy fresh milk from one of their local dairies. This is a good news story whereby the Maddens, who own a small dairy farm at Southgate, have said enough is enough. They have had enough of the big corporates controlling their business and they have had enough of recent setbacks. Successive flooding over the past few years has severely reduced their production. Their big shed was lost in a fire and they are suffering from a deregulated industry that has allowed the farm gate price of milk to fall below production cost. Milk is cheaper than bottled water. How can that be fair and reasonable?

The Maddens have had to endure spiralling electricity costs and increased production costs, which have made their dairying operation unviable. But instead of giving up they said that enough was enough and decided to take firm control of their future and to reinvest in their business. They believe in their business and in the dairy industry. They believe in the quality product they produce and in the ability of their community to recognise good quality local produce. So they decided to build their own bottling plant and to deliver milk direct to the market. They have invested over \$800,000 and a lot of blood, sweat and sleepless nights to build their new bottling plant. Their motto is "What the cow gives us we give you."

Local businesses have overwhelmingly supported Big River Milk. My supermarket in Maclean, owned by locals Bob and Judy Little, will be stocking Big River milk. I understand that Causley Fresh and Kitchen Fusion Grafton also will be stocking Big River milk. The Maddens plan to offer home delivery service next year, just like in the good old days when the milko delivered fresh milk to one's door. The flagship of the Big River Milk range is its pasteurised-only milk. It brought memories back for me of the good old days when milk came in bottles and the cream floated to the top—a basic physics law that Federal Labor forgot when making Kevin Rudd its leader. I can attest to the quality of Big River Milk because the Maddens gave me a bottle of their pasteurised-only milk to sample. It was delicious. My staff and I sampled it chilled with cookies for our afternoon tea. It was exactly how milk should taste: fresh, creamy and straight from the cow in a glass bottle.

The product lines will include strawberry-, chocolate- and caramel-flavoured milks, as well as full-cream and skim milk, all homogenised and pasteurised on the farm. The Maddens will not attempt to compete price-wise with supermarkets; instead, they will be offering the best possible quality product and taste to a niche market. A 750 millilitre glass bottle will have a recommended retail price of around \$2.50, with the one-litre plastic bottle being priced similarly and the two-litre plastic bottle retailing at about \$4. The Maddens have shown enormous courage to back themselves and their industry during difficult times. Their Big River Milk venture has created a further three jobs in the Clarence Valley and provided residents with a high-quality local milk product. The Maddens are inspirational and true industry leaders. On behalf of the House I congratulate them on their wonderful initiative and on bringing pride back into the dairy industry in the Clarence Valley.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.32 p.m.]: I thank the member for Clarence for speaking about this business in his electorate. This shows the Clarence community the calibre of its local member—someone not only proud of his local businesses but also proud of those businesses that go that extra mile to ensure they survive, reinvest and provide further employment for their communities. Big River Milk epitomises that pride. Undoubtedly, that business will face huge struggles, perhaps with the big corporate companies, but its owners made a big commitment to reinvest. Importantly, we have a quality local product created in the Clarence electorate. This is a great story and I thank the member for Clarence, who has been a strong advocate for small business in his community, for sharing that story with the House.

BRISBANE WATER LOCAL AREA COMMAND

Mr CHRIS HOLSTEIN (Gosford) [7.33 p.m.]: This evening I advise the House of a unique initiative of the Brisbane Water Local Area Command. Undoubtedly, discussions were had about the return of police officers from work-related injuries as they are a valuable resource in any command. Superintendent Danny Sullivan established a Property Crime Unit in the Brisbane Water Local Area Command headed by two returning officers: Detective Senior Constables Paul Hill and Richard Brest. Together these gentlemen have over 60 years' experience and have been working closely with our local crime prevention officers, Senior Constables Rachel Scott and Corrina Hassett, along with our local area command legend and crime coordinator, Detective Senior Sergeant Vivienne Crawford.

The Property Crime Unit was established to address a range of issues within the area command. Superintendent Danny Sullivan says that tackling crime is about three things: the victims, the offenders and the locations. Danny puts it succinctly when he says, "It's about the slicing and dicing." The team asks three questions: Who do you need to help? Who do you need to chase? Where do you need to be as a police officer? The proof of the pudding is in the eating, as last financial year's results show that this Property Crime Unit has succeeded with officers returning from work-related injuries. This successful unit is a template for other local area commands. I shall refer to some statistics achieved by the unit. Break and enter dwelling offences within the local area command are down 10.7 per cent; stealing from dwellings is down 4.7 per cent; break and enter non-dwellings, that is, businesses, is down 24.8 per cent; malicious damage—an issue in nearly every community—is down 4.1 per cent; stolen vehicles is down a remarkable 19.7 per cent; stealing from motor vehicles is down 19.4 per cent; and stealing from retail outlets, stores, is down 14.5 per cent.

This initiative taken up by Superintendent Sullivan is unique and is being looked at by other commands quite simply because of its results. As I said before, the proof of the pudding is in the eating. I commend to the House the officers who returned from work-related injuries, Detective Senior Constables Paul Hill and Richard Brest, for the amount of work they have undertaken and the experience they brought to the unit. I commend also the work done by our crime prevention officers and our crime coordinator at the Brisbane Water Local Area Command. The initiative taken on board by the superintendent is bearing fruit and having a massive benefit across our area in reducing crime. I commend these police officers to the House. They are a fine example of officers within our community who are doing a tremendous job. As I stated earlier, the proof is there because these officers are achieving great results. I commend them to the House.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.38 p.m.]: I thank the member for Gosford for raising this important issue. He has been a strong advocate for police across New South Wales, but particularly for his electorate of Gosford. He has serious concerns about community safety. He has raised on numerous occasions the importance of ensuring that our police are resourced to do the job that we expect of them. I point out that the Minister for Police and Emergency Services also has done a terrific job in this area. The operational capacity of police in this State sits at around 95 per cent, which is above our target of 90 per cent and that percentage has remained stable over the past 12 months. I point out also that under Labor,

70 police officers were leaving the force every month and now only about 40 are leaving. Seventy-seven out of 80 commands are at over 90 per cent capacity. They are great results and I thank the member for Gosford for raising this issue in the House.

CENTRAL WEST SCHOOL STUDENTS BOOK PUBLICATIONS

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.39 p.m.]: It gives me great pleasure to make a private member's statement on an important issue. Students from Meadow Flat Public School have launched a book about a local threatened butterfly. A purple copper butterfly, which is currently threatened, inhabits the local government areas of Lithgow, Bathurst and Oberon and a group of children from Meadow Flat Public School carried out a lot of research into this butterfly. It is important to note that these children can now enter high school and say that as part of their list of achievements they are recognised as published authors.

Students from years 3 to 6 at Meadow Flat Public School wrote a book about the purple copper butterfly, which was published by the Central West Catchment Management Authority. The children presented me with their book, *The Purple Copper Butterfly*, outside my office about a week ago. Their publication coincided with Threatened Species Day, which was recognised around Australia. The students were very entertaining; they went to the local radio station that day and spoke about threatened species. I note that they were talking about politicians, directly referring to the upcoming Federal election but in particular referring to the Australian Labor Party.

The book has been circulated to schools throughout the Central West of New South Wales as a part of the EnviroStories Program. The children's efforts were to raise awareness of threatened species, particularly the butterfly. Meadow Flat Public School principal, Michael Wood, is also to be commended for the terrific work he has done in engaging his students to complete this research. This all began with a video teleconference with staff from Taronga Western Plains Zoo when the students were able to learn about the importance of endangered species both locally and internationally. The principal stated that his school has always had a very strong environmental focus, and through this project the children were able to broaden their understanding of environmental factors.

The project also gave the children a great opportunity to learn about endangered species across a number of key learning areas. The children's learning was certainly brought to life. To see them take on this project with such enthusiasm was very pleasing to me as a former schoolteacher and I know that the parents and teachers were very excited about the project. I congratulate Central West Catchment Management Authority education officer Liz Davis who said that this was one of 210 entries submitted for publication from schools in the Central West and Lachlan catchment management areas. It gave the children a greater understanding of their local area and of the issues that our natural resources are facing today. Five books were published from catchment management areas. In my area, in addition to *The Purple Copper Butterfly*, *Bushy the Squirrel Glider* by Sophie Cox from The Scots School, Bathurst, and *Jimmy the Jacky Dragon* by Timothy Porter and Eli Carter from Cathedral School, Bathurst, were also published. These books have been published online and I encourage members to go online and have a look at these wonderful stories.

I will share with members a bit of information about the purple copper butterfly. It has a wingspan of 20 to 30 millimetres, its scientific name is *paralucia spinifera* and the upper sides of the butterfly's wings are copper coloured and display a purple, blue and green iridescence. It is found at 35 locations, all within my three local government areas. Its life cycle has an interesting relationship with the ant and it emerges in August and November every year. I am sure the children will remember this day for a long time and they will share these books with their families and friends. I congratulate the schools and everyone who has been involved in ensuring that these books have been published.

Ms ROBYN PARKER (Maitland—Minister for the Environment, and Minister for Heritage) [7.44 p.m.]: It is a delight to respond to such an enthusiastic speech from a former schoolteacher, the member for Bathurst, on an issue in which we are very much engaged. The students at Meadow Flat Public School certainly should be proud of themselves. As Minister for the Environment and as the Minister with responsibility for Taronga Western Plains Zoo, I am delighted to see this collaboration with the students and the catchment management authority and I am delighted that the students are learning so much. Today I have learnt a lot about the purple copper butterfly. These books, which were published as part of the EnviroStories Program, will go on to educate many people. Those schools and all the students should be proud of their efforts. It is a great initiative. I congratulate them all and I thank the member for Bathurst for bringing this matter to our attention today.

Private members' statements concluded.

"RACISM. IT STOPS WITH ME" CAMPAIGN

Matter of Public Importance

Mr GUY ZANGARI (Fairfield) [7.47 p.m.]: I have the privilege of introducing today's matter of public importance—the "Racism. It Stops With Me" campaign. As shadow Minister for Citizenship and Communities I am amazed at how individuals from all walks of life rise out of the pack, take an issue so systemic to our community and make it their personal mission to become the beacon for change. Maitland City Council, supported by the *Maitland Mercury*, is an example of our community's spirit to bring about change for the better. Maitland City Council took the brave decision to join the "Racism. It Stops With Me" campaign after a local resident of eight years, who fled the civil war in Sudan, found her car graffitied with racial slurs in June this year. Actions such as that have no place in Maitland, in New South Wales or anywhere in Australia. "Racism. It Stops With Me" is a campaign that has been developed through a partnership led by the Australian Human Rights Commission. It is part of the National Anti-Racism Strategy, which challenges individuals and organisations to take up its message and proactively help to put an end to racism.

Racism often lurks in the shadows of any vibrant multicultural community looking for any opportunity to rear its ugly head. The wonderfully diverse community that we have in New South Wales is no different. According to the Australian Bureau of Statistics, more than 7,300,000 people live in New South Wales. According to the 2011 census, more than a quarter of the people living in New South Wales were born overseas. Close to 20 per cent—that is, almost one in five of us—identify as being from a non-English speaking background. The people of New South Wales hail from over 140 different countries. To us multiculturalism is not a by-word; it is a way of life not just in our cities and our urban centres but also, increasingly, in rural and regional New South Wales. For instance, in Griffith in regional New South Wales, more than 14 per cent of the population hail from a non-English speaking background.

As a community we take pride in our multicultural heritage. From all walks of life we like nothing better than to celebrate festivals that showcase the unique features of the different cultures that have shaped New South Wales, especially when it comes to our food. However at times, a fear of what we do not understand, particularly of people who are different, gets the better of us and we choose to allow those differences to dictate our actions towards others. Indeed, to give in to a negative focus on our differences is the easy thing to do and some would argue that it is innate to the human condition. That is why the "Racism. It Stops With Me" campaign is so powerful. It takes a positive and empowering approach to a side of our community that is negative and dark. The campaign does not chide individuals. Instead, it challenges every member of the community to rise up and be a better person.

It is a grassroots campaign that reminds every resident that the answer to stopping racism rests with each one of us. Our homes, our schools, our workplaces and our communities are places where the message against racism should be heard. The force of the message lies in its simplicity because it reaches out to everyone. Many more councils in regional New South Wales and our urban centres need to follow the example of Maitland City Council and join in the "Racism. It Stops With Me" campaign. Further, many local organisations should follow the lead of the *Maitland Mercury* and take up the fight against racism in the community. As representatives of the community we should join to congratulate Maitland City Council and the *Maitland Mercury* on taking up the fight against racism and empowering others to do the same.

Ms ROBYN PARKER (Maitland—Minister for the Environment, and Minister for Heritage) [7.52 p.m.]: I am delighted to speak in the discussion on this matter of public importance. In June of this year the "Racism. It Stops With Me In Maitland" campaign was launched following a cowardly and offensive racial attack on a family who had been established in Maitland for eight years. It is important to understand that this is not a current that is running through Maitland. It was a disgusting act. I want others to understand that the people of Maitland are welcoming and warm in respect of their support for people from a range of cultures. This campaign builds on something we all should believe in. It builds on the Australian Human Rights Commission anti-racism campaign, "Racism. It Stops With Me".

On 17 June this year, the *Maitland Mercury* reported that Butheina Kuku and her family had been the victims of repeated acts of violent vandalism since their move to Metford. In June their car was graffitied with racial slurs when it was parked outside their house. I commend the *Maitland Mercury* and Liz Tickner, its editor, who has been the voice for our community in exposing this despicable crime. The *Maitland Mercury*, in partnership with Maitland City Council, has helped promote the anti-racism campaign, with great success.

I have seen the "Racism. It Stops With Me In Maitland" posters—like this one—proudly displayed in businesses around the city. It spells out in red letters that we abhor racism. "It stops with me" means that it is up to all of us individually. Racism is disgusting wherever and whenever it occurs.

Maitland is a diverse place, with 20 per cent of the community having one or both parents born overseas. Our community has welcomed people from other countries and, most recently, people arriving from Sudan. One of the highlights of the Maitland calendar is our citizenship ceremony on Australia Day that celebrates new Australian citizens who are enthusiastically welcomed by many in our community. They burst with pride at having many people witness the ceremony. Last year the inaugural River Lights Festival was held, which also celebrates cultural diversity in our community. It is hoped the festival will be bigger and better this year. There is no place for racism in our community. I am proud to support that Maitland initiative as well as this campaign.

This year we saw examples of racism in the Australian Football League Indigenous round when we were once again forced to consider the broader problem of racism in our community following the high-profile incident involving Adam Goodes from the Sydney Swans. That was an indication of the message that adults should pass on to young people because our children mirror our behaviour. It is important that we get the message across to everyone. The incident highlighted the importance of being good role models for the next generation. My mother used to say to me, "If it is to be, it is up to me." That is what this campaign is about: It is about me, as an individual, and all of us.

Racism against people who come to Australia has no place in our community. Following the incident in Metford, Butheina said, "Why are people doing this? We never hurt anyone. I have just been sick and crying. Last night none of our kids wanted to eat dinner. They just went to their rooms. They are all scared." They are scared even though they have come from a country in which they have seen and heard enough violence. The perpetrators of this sickening incident and those who remain silent in the face of such behaviour should be immensely ashamed. This behaviour requires leadership from elected representatives in our schools, sporting clubs, religious organisations and parents to stand up against those people within our community. We must stand as a united voice against any form of racism.

The racism vilification sparked the interest of the Australian Human Rights Commission and it called on Maitland City Council to support its anti-racism campaign. Maitland City Council voted unanimously to support the campaign and I congratulate the councillors on taking a stand. Today I stand in the New South Wales Parliament with great pride as a representative of my community. I congratulate the many leaders who have supported the "Racism. It Stops With Me" campaign. It should stop with all of us. It has no place in Maitland, no place in New South Wales and no place in Australia.

Ms NOREEN HAY (Wollongong) [7.57 p.m.]: I congratulate the member for Fairfield and the member for Maitland on raising this topic in Parliament and making people like me aware of the "Racism. It Stops With Me In Maitland" campaign. I join in the condemnation of what happened to Butheina. I have been made aware that Butheina has lived in Metford for eight years after fleeing war-torn Sudan and it is not the first time that she has been the target of racial slurs. After fleeing a war-torn country, it must have been horrific for her to receive such treatment here. I am pleased to note that John Robertson, the leader of the parliamentary Labor Party, recently visited Butheina in Maitland to show his support and to encourage the Maitland community to get involved in the campaign. I, too, congratulate the Maitland community and the *Maitland Mercury* on this campaign.

As we have heard, the "Racism. It Stops With Me" campaign was developed by the Australian Human Rights Commission in partnership with businesses, local councils, community and sporting organisations across Australia. It is part of the National Anti-Racism Strategy that challenges individuals and organisations to take up its message and proactively help to put an end to racism. Racism is, without doubt, the ugly face of cultural melting pots, particularly in vibrant multicultural communities. My community of Wollongong has people from a broad range of ethnic backgrounds, including those who have come from war-torn countries and from other difficult backgrounds and who have experienced racism. I would like to see Wollongong City Council and the Wollongong community get involved in this campaign as well. I am sure they will, because the people of my electorate are wonderful. I have often experienced their warmth and generosity while representing Wollongong.

Whilst Sydney has become renowned as being one of the great success stories of multiculturalism, regional New South Wales has been the unsung hero. We have heard that about 14.3 per cent of the people of Griffith hail from non-English speaking backgrounds. When I arrived in this country some people thought I was

from a non-English speaking background because my accent was so strong. In Wollongong we take pride in our multicultural heritage. The "Racism. It Stops With Me" campaign is so powerful because it takes a positive and empowering approach to a side of our community that is negative and dark. I congratulate everybody involved in this campaign and encourage its message to be spread throughout the State of New South Wales and Australia. I am happy to be involved in anything that can promote the elimination of racism from our society.

Mr GUY ZANGARI (Fairfield) [8.00 p.m.], in reply: I sincerely thank the member for Maitland and my colleague the member for Wollongong. We are talking about the "Racism. It Stops With Me" campaign in Maitland. One message we take from this matter of public importance is that all members in this Chamber are singing from the same song sheet. It is as simple as that. It is a shame that in communities throughout New South Wales and Australia people are not singing from that song sheet, and that is disappointing. When we think about who we are as Australians, that we have a heritage that is 225 years old, and we have an Indigenous heritage that is 40,000 years old, we are very lucky in this country to have a wonderful Indigenous culture and other wonderful cultures that have come from all parts of the globe.

The member for Maitland put it succinctly when she said she was proud that Maitland City Council and the *Maitland Mercury* had come together to run this campaign. We simply cannot sit in silence and accept such acts perpetrated against anybody. If we put ourselves in the shoes of Butheina and her family and experienced what she experienced, it would be harrowing to come from a war-torn country, land in Australia and think, "I'll be safe here", only to be set upon by people who do not believe in multicultural freedom and our freedoms to practise religion and to celebrate cultural diversity. Those people are cowards, and racism is a cowardly act. We can say that in this Chamber. We should go back to our communities and encourage our local councils and media to jump on board this campaign, to basically say, "It stops with me. It does not go further", and when we see these things happening say, "Hey, that is unAustralian."

What is the Australian notion? To put it simply, it is a notion of a fair go for all. That means that no matter where people come from, they have opportunities. Unfortunately, when people try to drag down other people in the community it stains our notion of a fair go. Once again, I sincerely thank the member for Maitland and the member for Wollongong for their wonderful words. I know they will go back to their communities and champion this great campaign. I note that the member for Maitland has a copy of the "Racism. It Stops With Me" campaign poster. Although it cannot be used as a prop under the standing orders, the member displayed it proudly; no point of order was taken because, as I said, we are singing from the same song sheet. We must be proud of our communities, particularly the people who decide to make Australia their new home.

Discussion concluded.

**The House adjourned, pursuant to standing and sessional orders, at 8.03 p.m. until
Thursday 12 September 2013 at 10.00 a.m.**
