

ARMIDALE AIR SERVICES .....	23953
ASSENT TO BILLS.....	23960
AUDITOR-GENERAL'S REPORTS .....	23971
AUSTRALIAN WOMEN AND CHILDRENS RESEARCH FOUNDATION.....	23956
BALLINA RACECOURSE .....	23947
BROKEN HILL DRUG ACTION .....	24007
BUSHFIRE SEASON .....	23962
BUSINESS OF THE HOUSE .....	23946, 23961, 23974
CABRAMATTA MOON FESTIVAL .....	24006
CAMDEN ROTARY RELAY FOR LIFE.....	23959
CONCEPT PAINTS .....	24008
CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY .....	23974
CROWN LANDS AMENDMENT (MULTIPLE LAND USE) BILL 2013.....	23995
DEATH OF ALLAN PETER WALSH, A FORMER MEMBER FOR MAITLAND.....	23960
DEATH OF GODFREY "RUSTY" PRIEST .....	23953
DEATH OF MICHAEL JOHN MAHER, A FORMER MEMBER FOR DRUMMOYNE .....	23960
DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES.....	23965, 23968
EARLY CHILDHOOD EDUCATION.....	23949
ELECTORAL DISTRICT OF MIRANDA .....	23960
FIREARMS AND CRIMINAL GROUPS LEGISLATION AMENDMENT BILL 2013.....	24010
GAME AND FERAL ANIMAL CONTROL AMENDMENT BILL 2013 .....	23981
HEXHAM SWAMP .....	23947
HIGHER SCHOOL CERTIFICATE EXAMINATIONS .....	23969
INDEPENDENT COMMISSION AGAINST CORRUPTION .....	23971
JOINT STANDING COMMITTEE ON ROAD SAFETY .....	23971
LEGISLATION REVIEW COMMITTEE.....	23972
MINING-AFFECTED COMMUNITIES PROJECTS .....	23964
MONA VALE ROAD UPGRADE .....	24009
MOUNTAIN RIDGE WINES.....	23954
NORMANHURST WEST PUBLIC SCHOOL.....	23950
NSW CARERS AWARDS NOMINEE MR BRIAN ATTARD.....	24009
OMBUDSMAN.....	23971
PALLIATIVE CARE .....	23958
PETITIONS.....	23972
PRIVATE MEMBERS' STATEMENTS .....	23946, 24006
PROFESSOR BENSOUSSAN INTERNATIONAL AWARD RECIPIENT .....	23946
PUBLIC ACCOUNTS COMMITTEE.....	23972
QUESTION TIME .....	23961
REGIONAL YOUTH PARLIAMENT .....	23960
ROYAL NATIONAL PARK WORLD HERITAGE LISTING .....	23970
SPRINGWOOD SPORTS BOWLING CLUB.....	23955
ST GEORGE AND SUTHERLAND HOSPITALS.....	23967
ST GEORGE HOSPITAL PERITONECTOMY SURGERY .....	23961, 23963
SUTHERLAND SHIRE COUNCIL .....	23970
TAMWORTH VIEW CLUBS .....	23948
TRIBUTE TO RON BRUNS .....	23952
TRINITY GRAMMAR SCHOOL .....	23957
WATER SAFETY.....	23950
WYONG HOSPITAL DISCHARGE POLICY.....	23951



# LEGISLATIVE ASSEMBLY

Tuesday 15 October 2013

---

**The Speaker (The Hon. Shelley Elizabeth Hancock)** took the chair at 12 noon.

**The Speaker** read the Prayer and acknowledgement of country.

## BUSINESS OF THE HOUSE

### Notices of Motions

**General Business Notices of Motions (General Notices) given.**

## PRIVATE MEMBERS' STATEMENTS

---

### PROFESSOR BENSOUSSAN INTERNATIONAL AWARD RECIPIENT

**Mr BRYAN DOYLE** (Campbelltown) [12.08 p.m.]: It gives me great pleasure to share with the House a story of great inspiration not only to the people of Campbelltown and the University of Western Sydney Campbelltown campus but also to all of New South Wales and Australia. On 29 June Professor Alan Bensoussan, Director, National Institute of Complementary Medicine, was awarded the International Award for Contribution to Chinese Medicine in recognition of his contribution to the research of traditional Chinese medicine. This is the only international prize in Chinese medicine awarded by the Chinese Government. Professor Bensoussan has put the University of Western Sydney Campbelltown campus on the international map. In his role as Director of the Centre for Complementary Medicine Research, Professor Bensoussan has been credited with making the University of Western Sydney Australia's premier research centre for the safety, efficacy and use of complementary medicine, which includes traditional or alternative methods and the use of vitamin, mineral, herbal, aromatherapy and homeopathic products.

In recognition of this award, and at the request of the Chinese Consul General, the University of Western Sydney held an event on Friday 27 September 2013 to celebrate Professor Bensoussan's research career at the university. I was honoured to give the keynote address in the presence of His Excellency, the Consul General of the People's Republic of China, Li Huaxin; Dr He Fuxiang, Science Consul of the People's Republic of China; Professor Peter Shergold, University of Western Sydney Chancellor; Professor Jan Reid, University of Western Sydney Vice-Chancellor; and my good friend Pat Farmer, former Federal member for Macarthur, who was my inspiration to run for Parliament. I spoke about how Professor Bensoussan and the University of Western Sydney had brought inspiration and encouragement to the people of Campbelltown. The Campbelltown campus of the University of Western Sydney is the home of the National Institute for Complementary Medicine. I was proud to represent Barry O'Farrell, Premier and Minister for Western Sydney, and Jillian Skinner, Minister for Health, at this prestigious event.

As a long-term resident of Campbelltown I know the benefits the university brings to our local area. It is truly one of the opals of the south-west and the Macarthur region. It is wonderful that the National Institute for Complementary Medicine is excelling in achieving national and international recognition for the quality of its research on traditional Chinese medicine and other complementary medicines. I am impressed by the incredible and formidable research focus of the team in delivering tangible benefits for the people of Australia, improving the evidence base of complementary medicines, building linkages between Australia and China and encouraging the development of appropriate governance and incentives to grow a robust complementary medicine industry in Australia. Professor Jan Reid noted that many Australians, including me, are increasingly turning to complementary medicines as part of their health care, particularly for chronic medical conditions where existing treatment may be unavailable, expensive or have significant side-effects.

Professor Bensoussan has demonstrated that certain complementary medicines may be not only effective but also cost-effective; indeed, in some cases also save costs. It is not surprising the traditional Chinese medicine which has been practised for thousands of years may bring benefits to our own health and wellbeing. It

was wonderful to speak to Professor Alan Bensoussan and to see the Consul General of the People's Republic of China present him with this prestigious international award. The occasion was inspiring also for those medical students studying under the guidance of the professor and for the University of Western Sydney. Health care involves not only research but also good facilities. I was pleased to note the \$139 million expansion of Campbelltown Hospital that is currently underway, in part due to it being a teaching hospital that has a medical faculty at the University of Western Sydney. Campbelltown is the opal of the south-west and one of the treasures of New South Wales. I was pleased that Professor Bensoussan and the university received due recognition.

### **HEXHAM SWAMP**

**Ms SONIA HORNER** (Wallsend) [12.13 p.m.]: For tens of thousands of years before European settlement the estuaries and wetlands of Hexham swamp were a healthy hunting ground for the original inhabitants of the land: the Pambalong peoples of the Awabakal and Worimi nations. The Aboriginal people's name for this land is "Burralinban". As we know, they lived in harmony with the land, developing a sustainable way of life that supported them for millennia. Unfortunately in 1968 the Government of the day was more short-sighted. Seeking to improve agricultural productivity in the region, the Government introduced a flood mitigation scheme. Areas were drained and the occasional floods that rejuvenated the estuary and wetlands were curtailed with floodgates. Measures taken as a result of this scheme drastically damaged Hexham swamp and completely altered the ecology of the area. This was an act done with the best of intentions but over the past 45 years we have learned much about these areas and how best to manage, protect and make use of them in a sustainable fashion.

The wetlands are located 10 kilometres from inner city Newcastle and cover almost 2,000 hectares. They are the largest and most diverse wetlands in the Hunter and one of the largest in the State. The construction of the floodgates at Ironbark Creek in 1970 was a major factor in the degradation. As a result, the number of migratory waders and waterbird species visiting the swamp declined severely, with a similar decline in stocks of fish and prawns as nursery areas were lost. By the 1990s community support galvanised the Government of the day into action. Since 1998 the previous New South Wales Labor Government and the present Government have invested over \$3 million—an investment matched by the former Federal Labor Government—towards restoring Hexham swamp to some semblance of its natural state. In 2006 the significant planning and research undertaken into this vital effort was completed and the Department of Planning and Infrastructure approved the plan.

Operating under the auspices of the Hunter-Central Rivers Catchment Management Authority and proceeding at a slow and steady pace, those involved in the project have taken all necessary precautions to ensure that inundation of the degraded swampland causes no damage to nearby property and poses no risks to local residents. On 25 July 2013, together with many caring community members, I was pleased to attend the opening of one of the last two floodgates at Ironbark Creek. From its inception in 2006 to the opening of the last two floodgates this winter, the project has enjoyed a great deal of success. The opening of the last two floodgates will see 700 hectares of land inundated by tidal waters. The saltwater marshes will return and with them will come a more diverse ecosystem. The simple reeds that have grown over the last decades will be replaced and both fish and birds will return. Our wonderful community deserves credit for its foresight and continued efforts to improve our local ecosystem. I thank also the various government departments and agencies at both the State and Federal level that have invested time, energy and capital into this important and worthy work.

### **BALLINA RACECOURSE**

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.18 p.m.]: Recently I attended the running of the 2013 Ballina Cup. This is not only a great social day for the town of Ballina and surrounds but also a significant event on the New South Wales racing calendar. Like many towns in New South Wales the racetrack at Ballina has an important place in local history, hosting meetings for more than 120 years. Money has been made and lost and still the racetrack is an important gathering place for locals who use events like the Ballina Cup to dress up and catch up. Like many country race clubs the Ballina Jockey Club has found the going tough in recent years, with wet weather forcing the cancellation of 18 of its last 35 meetings. Naturally this has had a big impact on the finances of the club. I was pleased to be able to announce recently on Ballina Cup Day that all creditors to the club, totalling around \$200,000, will be paid out thanks to Racing NSW, and that Racing NSW will fund a multimillion dollar upgrade of Ballina racetrack to make it an all-weather track. When the new all-weather track is constructed, race meetings will no longer have to be cancelled at the last minute, with consequent loss of revenue.

Improvements will also include a major upgrade to the horse racing and training facility at the Ballina track. This will involve the complete reconstruction of the racecourse. The current course will be stripped and rebuilt from the base up and a new turf track, incorporating the latest technology, will be laid. The last time major work was undertaken on the racetrack was approximately 20 years ago and unfortunately in more recent years it has struggled to cope with the rain. The upgrade of the racecourse will take approximately 12 months and when completed will mean the track will be virtually weatherproof. The Ballina Jockey Club, which has a new board chaired by successful Bangalow businessman Greg Nash, is now preparing a master plan for the redevelopment of the racecourse and this is expected to be finalised in November. This is great news for the club, which is a wonderful community asset and one that makes a substantial contribution to the local economy. The club injects approximately \$25 million a year into the region and the new Ballina Jockey Club is hoping this will increase when the improvements to the course are completed.

Training facilities will also be improved and will cater for 250 to 300 horses. This is a significant expansion from the current situation of 85 horses. Ballina Jockey Club is confident that the improvements to Ballina racecourse will see an increase in work for local trainers as well as an influx of horses from other parts of New South Wales and Queensland. One of the great advantages the Ballina track has over other facilities is its proximity to other racecourses. It is accessible to Brisbane, Toowoomba and the Gold Coast to the north, and Grafton and Coffs Harbour to the south. An increase in the number of horses based in Ballina will have positive benefits for suppliers of feed and other services to the racing industry as well as providing more local jobs. There is still strong local support for the racing industry, despite the fact that the weather has caused difficult times in recent years. On Friday 13 September 2013 the Ballina Cup attracted approximately 4,000 people who enjoyed a sensational afternoon of racing and socialising. Around noon the town shut down for the half-day public holiday and the bookies were busy at the track all afternoon. It was a great day and it seemed that everyone who attended had a good time. Racing NSW sees a bright future for the Ballina Jockey Club and I am looking forward to the completion of the master plan for the redevelopment of the Ballina racecourse, which will signal the start of physical improvements to the track.

In the early days of racing in the northern rivers region the Ballina Jockey Club used to pay for horses to be transported by paddle steamer from Sydney to Ballina to compete in the Ballina Cup. The racing industry has a long history in the Ballina electorate. The support of Racing NSW for the Ballina Jockey Club is not only appreciated but also will ensure that it will continue to contribute to the social and economic fabric of the region for many years to come. I single out Greg Nash, the new chairman of the Ballina Jockey Club, and his small committee for special mention. Greg Nash has taken on this new task with enthusiasm and gusto. He is determined to turn things around for the Ballina Jockey Club. I understand he is working voluntarily, without financial reward. His leadership for putting the new arrangements in place and his sense of community benefit have been outstanding. I take this opportunity to thank all past chairs and committees of the Ballina Jockey Club. A great racecourse has been developed over the years, which has given many people in my electorate and beyond much pleasure.

### **TAMWORTH VIEW CLUBS**

**Mr KEVIN ANDERSON** (Tamworth) [12.23 p.m.]: On Saturday 12 October I was officially invited to open the Tamworth Peel Evening VIEW Club flower show and cooking competition, which was held at Loomberah Public Hall. Ella and Sam, my two children, accompanied me to that event. I encourage everyone in our region to attend the flower show and cooking competition. The acronym "VIEW" stands for Voice, Interests and Education of Women. Tamworth has two VIEW clubs—Tamworth Peel Evening VIEW Club and Tamworth Evening VIEW Club. These ladies are passionate about actively supporting their communities and chosen charities. The funds that are raised from holding different events are channelled to a number of students supported by the Learning for Life program run by the Smith Family. Two of those students are from the Tamworth electorate.

The Tamworth Evening VIEW Club has held a number of events, including a *Great Gatsby* evening and the Tamworth Sing Australia choir. Education has the power to change lives and to break the cycle of disadvantage, and it can improve young people's chances and create a better economic future for them. Research shows that it is important for children to be engaged at school and to stay until year 12 or its equivalent. Sadly, not every child has that opportunity. The Smith Family can provide that opportunity but it needs backers. It has the excellent support of VIEW clubs across Australia, which perform a magnificent job. As this is a beautiful time of year for flowers, some magnificent roses were on show in addition to outstanding items from the cooking competition. In the junior competition there were six Anzac biscuits, decorated patty cakes and packet mixes of all varieties—I tried them all. In the adult competition there were chocolate cakes, jam-filled sponge

cakes, a banana cake in a loaf tin with lemon icing, an orange cake and six plain scones. I note that members' mouths are starting to water at the mention of these magnificent cakes. Category six was any cake cooked by a man. The cake that was submitted was simply outstanding.

Sadly, I did not have an opportunity to submit an entry this year but I will certainly be submitting an entry next year. I will be using the ripe bananas that are to be found in the fruit bowl on the table at home every now and then as I have been told that they make the best banana cake. My sincere and humble thanks go to all those community service organisations that continue to provide opportunities for those who are less fortunate. I thank the Tamworth Peel Evening VIEW Club and the Tamworth Evening VIEW Club for their continued support for the Learning for Life program run by the Smith Family. Society owes them a great deal for providing opportunities to those who are less fortunate. They have my full support. I look forward to submitting a banana cake at next year's flower show and cooking competition.

### EARLY CHILDHOOD EDUCATION

**Mr ROBERT FUROLO** (Lakemba) [12.28 p.m.]: I have spoken regularly in this place about the important role that education, in particular early education, plays in addressing social disadvantage. Today I once again highlight the urgent need for reform of funding for preschools and early education in my community and in many other highly disadvantaged communities. Recently I met with the manager of one of the local community-based preschools in my electorate. People are extremely concerned about the O'Farrell Government's changes to funding for community preschool centres and its impact on parents. Changes introduced by this Government will mean that the parents of three-year-old children will no longer receive access to the critical early education benefits that a preschool provides.

It disappoints me that this issue does not concern all members and that many members have not challenged the Minister to put more resources into supporting young families, in particular the disadvantaged. Frankly, the matter of early education, primary and high school education and tertiary education should be the highest priority of this Government and every government. Giving the children of families across the State access to a better future through education should be above politics. The O'Farrell Government should not be putting financial barriers in the way of families who want their children to commence their preschool education. The evidence of the importance of education to families, children and society more broadly is irrefutable. This Government has access to the facts: its own departments have undertaken considerable research on this issue and material supporting this view has been published. The research report of the New South Wales Department of Community Services entitled "Prevention and early intervention update—trends in recent research: Literature Review" found:

... of all single strategy interventions, high quality child care was the most effective in improving child outcomes and providing children with a chance to start school on a more equal footing with their more advantaged peers.

It also found that the positive effects of a preschool year were larger and longer lasting for children from disadvantaged backgrounds. When referring to the O'Farrell Government's decision to cut funding for three-year-old children at community-based preschools, the report from the Department of Community Services states:

... the greatest academic benefit, usually measured by maths and reading, was derived if children started centre-based care at two to three years rather than older or younger ages.

It also reported two years of preschool is considered to provide more benefits for children than just one year of preschool. But if helping children of disadvantaged families and putting them on an equal footing with more affluent families is not good enough reason for this Government to do the right thing, the following research may be useful. A report that measures the financial benefits to the State of funding early education makes it very clear. The study titled "The economics of investing in universal preschool education in California" provides a cost benefit analysis that places the argument beyond doubt. The report examined the expected direct costs and benefits for the public sector and society as a whole of implementing a high-quality universal preschool program in California and other potential indirect economic and non-economic benefits.

The report found for every dollar invested in early education the return to the State is \$3.33. The benefits to society of children receiving a universal preschool program include improved educational performance, improved child welfare, reduction in juvenile crime and higher earnings by program participants. The families of the Lakemba electorate, and many other communities across New South Wales, depend on this Government to make the right decision for their future. Cutting funding for three-year-olds to attend preschool is not the right decision. It is not the right decision for the children, their families or for society more broadly.

It does not help them and there is evidence that shows the net benefit to the State of investing in early education. I call on the O'Farrell Government to reverse its decision and reinstate funding for three-year-olds at preschools.

## **NORMANHURST WEST PUBLIC SCHOOL**

### **WATER SAFETY**

**Mr MATT KEAN** (Hornsby) [12.33 p.m.]: I am delighted to acknowledge the presence of the students of Normanhurst West Public School in the gallery. It is one of the greatest public schools in all of New South Wales. They put me through my paces with a Q&A style grilling; I think they may have been watching it last night. I hope that their experience today in Parliament House will see some, if not many, of the students enter public service in the future. I acknowledge the teachers at Normanhurst West Public School. My friend, Greg McLaren, does a great job as principal and is ably supported by dedicated and passionate educators. Their amazing contribution to this school makes it the wonderful institution that it is and I thank them. I also acknowledge the school captains, Hayden Tumech and Chloe Moltzen. I was delighted to meet them at Parliament House at the young leader's forum earlier this year. They do a tremendous job representing their school and are a great example for the whole school community to follow.

Today I will talk about an issue that affects not just the Hornsby community but residents across New South Wales. I inform the House of the tragic death of one of my Westleigh constituents. He died in the surf on 15 September this year. The man is yet to be named. Unfortunately, his story is not unique and many people will lose their lives at the beach this year. This man's distressing death is a timely reminder for our community that we must remain ever vigilant while visiting our beaches and waterways this upcoming summer. Late last month signified the start of the surf lifesaving patrol season along the New South Wales coastline. I remind parents of young children, visiting tourists and regular beach goers alike to remain aware of their surroundings and changing surf conditions. For years now, the State Government and local councils have run safety awareness campaigns for our beaches asking beach goers to swim between the flags. I reiterate the Government's key message to swim between the flags as it helps save hundreds of lives every summer and also protects the most vulnerable swimmers.

The Hornsby electorate has one beach and one of Sydney's most popular waterways, the Hawkesbury River. This river is a haven for boating enthusiasts and fishermen from across Sydney's north. I remind river visitors that they are not immune from danger and should be properly prepared before accessing the Hawkesbury River. Just last week a father and his two daughters had a lucky escape on the Hawkesbury when their boat capsized. Fortunately both young girls were wearing lifejackets. All three were rescued when a passing boat stopped and dragged them aboard. In this case police said the boat owner had taken all the appropriate precautions but a malfunctioning seat bracket caused the boat to flip. This is a timely reminder for boat owners to follow the NSW Maritime Boating Handbook and have certified lifejackets, a compass and a flare aboard in case of emergency. Our new Minister for Sport and Recreation, Gabrielle Upton, will be well aware of the important and critically vital role surf life saving clubs play in our community. The organisation has just reached an all-time record high number of members with 76,922 lifesavers now serving in a variety of different roles across New South Wales beaches.

My Liberal Party colleagues—the member for Manly, Mike Baird; the member for Cronulla, Mark Speakman; the member for Coogee, Bruce Notley-Smith; and the member for Wakehurst, Brad Hazzard—all have electorates on our coastline that are popular destinations for summer beach visitors. They will all be aware that New South Wales's coastal drowning statistics remain dangerously high with 48 deaths in the last summer season. To combat this Surf Life Saving New South Wales is urging beach goers to swim at patrolled locations and take advantage of the highly skilled lifeguards and volunteers who patrol our beaches. This year our lifesavers will once again spend in excess of 670,000 hours of voluntary service patrolling our beaches. They are remarkable people doing a remarkable job protecting the community from harm's way. It is an enormous contribution we should all be thankful for as these brave men and women continue to help create a safer swimming environment.

The surf lifesaving initiative has been alive and well on our beaches for well over 100 years. The selfless commitment and bravery of our lifesavers allows our Government to promote a safe beach culture which is considered one of the best in the world. This summer's volunteer patrol season will continue daily on all patrolled beaches until 27 April 2014. It promises to be a warm summer with many beach visitors and I wish each and every surf lifesaver the best of luck for the many challenges ahead. I remind the students of Normanhurst West Public School that this summer will be a particularly hot and dry summer that will have a

tremendous impact on the risk of bushfire. The Hornsby Shire is known as the bushland shire and has the ever present threat of bushfire on our doorstep. I encourage all residents of the Hornsby shire to do what they can to mitigate against this very high bushfire risk and take all precautions necessary.

**Mr DONALD PAGE** (Ballina—Minister for Local Government, and Minister for the North Coast) [12.38 p.m.]: I commend the member for Hornsby for drawing the House's attention to the dangers of drowning, whether it is in the surf, river or a backyard pool. I also support his appreciation of the Surf Life Saving Association of New South Wales. As the Minister for Local Government, and Minister for the North Coast, with responsibility for swimming pool legislation in this State, I inform the House that unfortunately, on average, we lose six or seven toddlers each year in backyard pool drownings. Of equal importance are the 30 to 40 incidents of water immersion that in almost every case result in toddlers acquiring permanent brain damage.

We have a responsibility as pool owners in this State to ensure that proper supervision occurs and barriers around pools are in place to prevent those deaths and incidents of brain damage. I take this opportunity to remind all pool owners in New South Wales that they have until 29 October to register their backyard pool. By registering they will be acknowledging that their pool complies with the barrier requirements; the gate will self-close and the barriers are appropriate. All those residents with pools have two weeks to register their pools and fines are associated with not registering a pool. I thank the member for Hornsby for his contribution and remind people to register their swimming pools.

### WYONG HOSPITAL DISCHARGE POLICY

**Mr GREG PIPER** (Lake Macquarie) [12.39 p.m.]: I raise a matter of concern to people in my electorate regarding elderly patients being discharged from Wyong Hospital at night without safe and reasonable means of getting home. Unfortunately, this is an all too common scenario, as the number of letters and calls about the issue to my office and the local media attest. Access to Wyong Hospital is not straightforward and easy from southern Lake Macquarie if you do not have private transport. A typical journey by public transport involves three separate trips each way: a bus or taxi from their home to Morisset train station, a train to Wyong and then a second bus trip from Wyong train station to the hospital. The distances involved are not inconsiderable and the journey can be particularly trying for patients who are elderly or mobility-impaired. It is not unheard of for local residents to spend six hours travelling for an appointment of less than one hour at the hospital. This issue prompted the formation of the South Lake Macquarie Public Transport Action Group, which is lobbying for a direct bus service between Morisset and Wyong Hospital. I have made a number of representations on its behalf. I understand that this group's proposal has been rejected and it is feeling very frustrated with the Government.

Lake Macquarie Community Transport provides a service one day a week for elderly or financially disadvantaged patients travelling from the area to Wyong Hospital. This does not assist those who need to go to hospital on the other six days of the week or those who are discharged after hours—the particular issue I will address today. My office has received a number of complaints about elderly patients without private transport who have been discharged from Wyong Hospital at night and left to make their own way home. This is despite the existence of a clear protocol for the safe discharge of elderly patients, which states that they should not be released from hospital in those circumstances. The Minister for Health outlined that protocol in a letter to me last October. The letter clearly stated that elderly patients should not be discharged from the hospital between 8.00 p.m. and 6.00 a.m. unless they have someone to care for them overnight and "appropriate safe transport home is available through either a family member or friend".

In late June a letter from a reader expressing concern about a neighbour who had been discharged from Wyong Hospital at night with no means of getting home appeared in the *Lakes Mail*. In response, I wrote to the newspaper to alert readers to the existence of the protocol and to emphasise their right to remain at the hospital until morning if they do not have private transport home. Since then I have been told of several instances of unsafe or inappropriate discharge from the hospital. In July I wrote again to the Minister to alert her to an incident involving a 94-year-old Bonnells Bay resident who was transported to Wyong Hospital by ambulance after a fall, which resulted in her suffering a broken nose and severe facial bruising. The woman, who is vision-impaired, was discharged two days later and told she would be transported to Wyong railway station, from where she could make her own way home. Fortunately, Southlake Community Carers, a local organisation, arranged for its bus to pick her up and take her home. However, once home she had no-one to care for her, which contravenes the hospital's protocol for safe discharge.

In September the Minister agreed it was neither appropriate nor in accordance with protocol for a staff member to have suggested the patient make her own way home on public transport. While I appreciate the

Minister's response and subsequent actions undertaken by the local health district to apologise and arrange post-treatment care, this incident points to a continued breakdown in communication between hospital management and staff in regard to the correct protocol for ensuring safe discharge in these circumstances. Another incident involved Janet Finley, a retiree from Bonnells Bay. She was taken to Wyong Hospital in May with a suspected cardiac problem. After tests and spending many hours in the emergency department waiting area, Janet was told at 2.30 a.m. that she could go home. When she informed staff she was alone it was suggested she should ring a taxi, which she did because she had no other safe option of getting home. Ms Finley arrived home to an empty house around 3.00 a.m. and paid a \$99 taxi fare.

These incidents highlight the inadequacy of public transport links between the Southlake area and Wyong Hospital, and an apparent lack of awareness among some hospital staff of the correct procedures for safe discharge of elderly patients who do not have private transport available. Indeed, they highlight the inadequacy of public health services in the area generally and the ongoing failure of Hunter New England Health to provide suitable services locally to obviate the need to access Wyong Hospital. I, along with residents, continue to lose faith that the health authorities have any intention of addressing the deficiency in services for this area. However, I hope the Minister will intervene to address these concerns.

### TRIBUTE TO RON BRUNS

**Mr CHRIS HOLSTEIN** (Gosford) [12.44 p.m.]: I inform the House about Mr Ron Bruns, the proud owner of Bremen Patisserie in West Street, Umina. Ron comes from Bremen near Hamburg in northern Germany, where he married Helga and had a son. I will recount a little of his story, which is typical of the story of many European migrants to our shores. Ron comes from a family of bakers going back several generations and, as tradition dictated, in 1968 started his apprenticeship and subsequently qualified as a pastrycook. In 1983, having been inspired by his father-in-law, Ron, with Helga and their son, left Germany to come to Australia. He was sponsored by Pierre Charkos, who at that time ran a French cooking school in Lane Cove. Obviously the Australian way of life agreed with them because Ron and Helga soon had two daughters as well.

Ron worked at a number of bakeries but was bitten by the desire to own a small business. So in 1990 he bought the West Street Cake Shop at Umina and immediately changed its name to Bremen Patisserie. He then began to ply his trade on the beautiful Central Coast. I can inform members that the locals were concerned when the West Street Cake Shop, renowned for its traditional Aussie meat pies, suddenly became a patisserie. Ron soon grasped the idea of the good Aussie meat pie and began producing a range of unique selections. In 2000 Ron met with then Prime Minister John Howard at the national awards for the Great Aussie Pie Competition. What a meeting that turned out to be. The then Prime Minister took an interest in the pie maker from Umina and engaged him in discussion. He told Ron about the small business background of his parents. He said that small businesses were the pillar of the Australian economy and that one day Ron could win the national title. Ron said his conversation with John Howard made him feel a valued Australian and inspired him to greater endeavours to produce the best-ever Aussie meat pie.

In subsequent years Ron won a host of medals at the Great Aussie Pie Competition. Coincidentally that competition has been running for about 24 years, which is about the same time Bremen Patisserie has been at Umina. In 2004 Ron won the overall winner award for the first time. In 2011 Bremen Patisserie had seven entries in the competition and won three gold, two silver and two bronze medals. In 2012 it had eight entries and won three gold, two silver and three bronze medals. This year it had 10 entries in the 2013 Great Aussie Pie Competition, which was held at Fine Food Australia, Sydney Exhibition Centre, from 9 September to 12 September, and won three gold, three silver and four bronze medals. But the icing on the cake was being awarded the supreme award for its seafood marinara pie. This was the second time Bremen Patisserie had been the overall winner. It is rumoured that Ron's seafood marinara pie is the Lord Mayor of Sydney's pie of choice when she frequently visits the beautiful Central Coast.

Bremen Patisserie is a family-owned business. It is run by Ron and his family and they employ three additional staff. Ron's reputation has grown. In fact, he is famous for his "Flaming Ron" super-hot chilli meat pie. Personalities such as Peter Garrett of Midnight Oil and pink batts fame, Tony Abbott best-ever Opposition leader fame and now Australian Prime Minister, as well as a host of famous singers, performers, television personalities and politicians have all been to his shop. Ron, his family and team are well-deserving of the accolades. I offer my congratulations to Ron Bruns of Bremen Patisserie and encourage him to keep getting better at the art of making the best-ever Aussie meat pie. Hopefully he will achieve the hat-trick at the national awards in the not too distant future.

### DEATH OF GODFREY "RUSTY" PRIEST

**Mr DAVID ELLIOTT** (Baulkham Hills) [12.49 p.m.]: It is with sadness that I note the passing of the "soldiers' soldier", Godfrey "Rusty" Priest, AM. I am sure all members will join me in mourning the loss of an incredible man and a great Australian. I had a great relationship with Rusty. I represented not only the people of Baulkham Hills but also the Castle Hill RSL Sub-branch at Rusty's funeral, which was held on 2 October. The Castle Hill RSL Sub-branch, which is a very active institution in my electorate, has more than 600 veterans and ex-service personnel. I was joined at the funeral by Major General Warren Glenny, a prominent member of my community. Rusty was an inspiration to many and his loss will be widely felt. His long service to the veterans' community was without parallel. He really was the soldier's champion. Rusty was a credit to the RSL movement and an exemplary New South Wales RSL president from 1993 to 2002. It goes without saying that the RSL fraternity will never be the same without him.

Prior to his service with the RSL, Rusty had a distinguished military career that spanned more than two decades, including admirable service to Australia during the occupation of Japan in the years immediately following the Second World War. In addition to Japan, Rusty served in the artillery, the infantry, combined operations and the Directorate of Artillery. Rusty retired in 1967 having been promoted to Warrant Officer Class 1—a very scary rank indeed. Rusty's commendable military service, coupled with his invaluable leadership of the RSL, made him a truly remarkable individual. I am sure that many members enjoyed the company of Rusty and his good friend Bruce Ruxton, who made great copy for journalists in the 1990s and early 2000s.

Rusty will be long remembered for his steadfast advocacy of veterans and veterans' issues. In particular, he will be remembered for raising the profile of Anzac Day and for his successful campaign to rename the Glebe Island Bridge the Anzac Bridge. As New South Wales State President and National Deputy President of the RSL, Rusty invigorated the RSL movement and promoted the cause of veterans more widely within Australian society than anyone else, and his efforts ensured that the Anzac spirit, Anzac Day and the sacrifice of our veterans became a part of our national psyche. It was therefore only fitting that Rusty Priest was given a State funeral with full military honours at St Mary's Cathedral and the Hyde Park War Memorial on 2 October. The Governor, Her Excellency Professor Marie Bashir, AC, CVO, was in attendance along with Premier Barry O'Farrell and former Chief of the Royal Australian Army, Lieutenant General Ken Gillespie, AC. It was an honour to be able to join the many veterans at St Mary's Cathedral in recognising Rusty's lifetime of service and dedication. Rusty was on the committee established to oppose the 1999 republic referendum and would have been delighted that the Governor attended his funeral.

Rusty was a fierce advocate for veterans and he can never be replaced. He left an indelible mark not only on the veterans' community but also on Australia as a whole. Never before has the service of our veterans been as widely commemorated or celebrated, thanks in part to Rusty's efforts. Rusty joins a list of prominent and great Australians, including former president of the RSL Sir Roden Cutler and Major General W. D. "Digger" James. I had a very undistinguished career as a peacekeeper, but when Rusty was the president we could always rely on the RSL to provide support and comfort not only to us but also to our families at home. It was always wonderful to receive RSL care packages. Rusty will be greatly missed by his many friends both within and outside the veterans' community. I am delighted that his service to the community was recognised by the Premier. Vale Godfrey "Rusty" Priest.

### ARMIDALE AIR SERVICES

**Mr ADAM MARSHALL** (Northern Tablelands) [12.54 p.m.]: I draw the attention of the House to the QantasLink air service operating between Armidale and Sydney. I am doing so not only to give a voice to the many people of the Northern Tablelands who are frustrated about the level of service being provided but also to encourage QantasLink to pull up its socks and to provide a more suitable and a much better service to the people of rural New South Wales, who pay a considerable amount for it. People in rural New South Wales, particularly those in Armidale and other areas in the Northern Tablelands, appreciate the many flights to and from Sydney that enable them to conduct business and to attend important medical appointments. Given the considerable cost of those flights, it is not unreasonable to expect them to be on time more often than they are late, but that is certainly not the experience of air commuters in the New England region.

I commend the contract staff at Armidale Airport and the cabin staff who do a great job catering for passengers and dealing with their concerns. I understand their frustration when situations outside their control cause people to target them to express their anger. Over the past 12 months it has come to my attention that

a number of people in the Northern Tablelands have become more frustrated with the lack of service. That resulted in all QantasLink services being moved to terminal three a few months ago, but that has further reduced service levels and the timeliness of flights. This situation is affecting not only general commuters and people travelling from remote areas to conduct business but also those attending important medical appointments.

Armidale Rural Referral Hospital is a teaching hospital that attracts a number of visiting medical officers and specialists, many of whom fly in from Sydney. In recent times their flights have been seriously delayed and staff at the hospital have had to reschedule their appointments. Many patients must travel for a number of hours and they often need to stay overnight in Armidale to be seen by a specialist. The staff of a medical oncologist on the 9.50 a.m. flight yesterday, which did not arrive until midday, had to cancel and reschedule his first three appointments. Those patients will not be able to see him for many months because of his workload. Of course, if the patients had travelled some distance to Armidale they will now incur the cost of another journey and another night's accommodation. The flight bringing in the only private psychologist who visits Armidale was recently delayed by more than 90 minutes. As a consequence, the doctor's first three patients had their appointments cancelled and they will now have to wait another six months for treatment. Flight delays are impacting not only holidaymakers but also visiting medical specialists and the level of health care they can provide to people in the Armidale and broader Northern Tablelands area.

I have received a great deal of correspondence, including from schoolteacher Jess O'Connell, Parents and Citizens Association State representative Rachael Sowden and the Country Women's Association, about the difficulties they are experiencing because of delayed flights, mechanical failures and the need to bring oxygen tanks from Tamworth. We appreciate the service provided by QantasLink, but I call on it to pull up its socks and to provide the service which country people deserve and for which they certainly pay. I hope that my flight home on Friday will be on time and that after having made this speech I will be allowed to board.

### **MOUNTAIN RIDGE WINES**

**Mr GARETH WARD** (Kiama) [12.59 p.m.]: I acknowledge in the gallery an old university friend of mine, Nik Cubrilovic, and welcome him to Parliament; it is wonderful to have him here today. On Thursday 5 September, I had the great privilege of attending the official opening of Broughton on the Ridge restaurant and function centre. I acknowledge Barry and Monique Starkey, who invited me to what was a tremendous event, and pay tribute to each of the staff: Barry and Monique's sons Luke, Matt, Josh, Adam and Hayden, and Sharon, Tania and Audrey. I also acknowledge their many friends. Barry and Monique moved from the Sutherland shire 12 years ago with their four sons in the hope of giving their children a better life. Still owning a landscape business in Heathcote, Barry had to commute back and forth each day. I acknowledge the member for Heathcote, who is in the chair. I can certainly understand why Barry commuted from Heathcote.

While renting in Foxground, they built a new home on a 15 acre property at Far Meadow, thinking that it would be big enough for them in which to live their dream. In 2002 baby boy number five was born and Barry and Monique decided that if they were going to make a life on the South Coast they needed to sell the business so Barry could be around more, buy a bigger slice of land and make a living off the land. Not knowing what they were going to do, they sold the business in Heathcote and their beautiful new home and purchased the property they are on now. They planned to run beef cattle, cut hay and do farm work on the side. In 2006, after seeing another winery open, Barry and Monique decided that they too would like to pursue this business venture.

In 2007, with the help of all five boys, they planted the vineyard and, with an offer to lease a vineyard that was closing down across the road, they were soon pruning vines and making their first wine. Barry, a builder by trade, built the cellar door and Mountain Ridge Wines opened in 2008. After a few years the winery became a place popular not only with tourists but also with locals. Having children themselves, Barry and Monique understood what it was like to go out with children and they made every effort to make the winery family friendly by having some goats and chooks for children to feed and an old boat and a slide for children to play on. In 2009 they started holding family-friendly band afternoons on the first Sunday of the month, coinciding with the Berry markets, which meant city folk could come for the band afternoons on the Saturday and do the Berry markets on the Sunday. I am sure that is something many members of this House have done.

With the winery becoming well known, it soon became a place for functions and weddings. It was clear that expansion was necessary. After two years of planning, Barry and Monique began building their new restaurant, function and reception centre. I am pleased to report that the first wedding in the new venue was held last month, with many more planned for the months to come. On Thursday 5 September I had the great privilege

of joining the Starkey family to officially cut the ribbon and open this facility. A huge crowd attended to mark this very important milestone for this wonderful Shoalhaven business. I have a number of wineries in my electorate and all of them do a wonderful job of promoting the region and the Shoalhaven in particular.

Whilst I will not acknowledge them all here today, I do enjoy seeing the wineries take part in the Shoalhaven Coast Winter Wine Festival, which occurs every year and is incredibly popular with tourists and businesses. Certainly, food and wine is becoming a niche industry in the Shoalhaven, and it is wonderful to see our local wines being supported and embraced by businesses not only in the Shoalhaven but also in Sydney. For those who have not had the opportunity to try some of our wines and produce, I encourage them to do so. I lament the fact that New Zealand wines continue to flood our market.

**Mr Greg Smith:** Shame!

**Mr GARETH WARD:** I acknowledge the interjection from my friend the Attorney General: shame indeed on those drinking wine from New Zealand. I could not agree more. I hope that people accept the fact that we need to buy local and we need to support our local wineries. I congratulate the Starkey family on their great story of hard work, enterprise, aspiration and family and community involvement. I have spoken before in this House about small business and the commitment of my family to small business. I admire anyone who takes up an opportunity to enter small business. The entrepreneurialism, the aspiration and the attempt to grow something from nothing is to be admired, and that is what the Starkey family has done in this instance. They are great citizens of the Shoalhaven. They are employing people and generating economic activity, and they should be commended for doing so. I hope that the opening of this new venue marks the start of an incredibly successful business and one that residents and tourists alike will continue to enjoy, patronise and benefit from.

### **SPRINGWOOD SPORTS BOWLING CLUB**

**Mrs ROZA SAGE** (Blue Mountains) [1.04 p.m.]: Spring in the Blue Mountains is a busy time, with many community events, exhibitions and of course beautiful open gardens. Several open gardens have been held recently in different areas: the Hazelbrook and Woodford Garden Festival; the open gardens which benefited the Lantern Club in the Yellow Rock area; and the beautiful Leura Gardens Festival last week. In November we will celebrate the Blackheath Rhododendron Festival, which will feature many open gardens. One of the many community events held this spring was an event to mark the seventy-fifth anniversary of Springwood Bowling Club. It was a mammoth achievement. The venue for the celebratory lunch and awards ceremony was packed, with little room to move between tables.

I was privileged to sit next to the guest of honour, Mr Steve Glasson. Those who know anything about lawn bowls will know that Steve is akin to lawn bowls royalty, being Australia's most successful bowler. He has received a Medal of the Order of Australia and has been world singles champion. He now puts his skills to good use by coaching the Australian team. Steve was guest speaker on the day. He regaled us with tales of his achievements and spoke of the many interesting characters in bowling he has been associated with, much to the delight of the attendees. Of course, many of the attendees knew the people Steve was talking about, so that made it even more special. Our master of ceremonies was Bob Hahn, who was part of the organising committee. The committee did a fantastic job organising the event and setting up the dining area. Each guest received an A4 size placemat with a complete list of the men's singles champions from 1938 to 2013.

It is interesting to note that the Springwood emblem—which depicts an Aboriginal with a spear and boomerang, an explorer with a telescope, and a lyrebird and waratah—was designed and painted by another local luminary, Norman Lindsay, who moved to Springwood in the 1920s. Chairman of the Board and President of the Men's Bowling Club, Barri Morland, gave the official welcome. Among the official guests was the President of the Royal New South Wales Bowling Association, Mr Vince Beard, who made a presentation to the club on the occasion of its seventy-fifth anniversary. It was fitting that as part of the proceedings Bob Hahn gave a fascinating insight into the history of the club. At the club's opening Mr Joseph Jackson, a former member of Parliament for the electorate of Nepean from the conservative side of politics, stated:

We people in Springwood are standing on historic ground. We are on the path that Blaxland, Lawson and Wentworth trod in going across the mountains.

The land on which the bowling club stands was once owned by Sir Henry Parkes. The year 1937 was not a good time to start a bowling club as, of course, World War II was raging. Harry Husselbee, with the support of 30 men, organised an interim committee and put a proposal to council for part of the land to be used as a bowling club. It helped that Harry Husselbee was also an alderman with Blue Mountains City Council at the

time and permission was forthcoming. After many fundraisers and much hard work, the clubhouse and two greens were established. The official opening of Springwood Bowling Club for men was held on 5 March 1938, and the women's ceremony was on 25 March 1938. Harry later became president of the club from 1943 to 1946, which was a difficult time financially due to the war.

The club is now located in its third clubhouse since its inception. With the foresight of then chairman Mr Eddie Harris, the new club was opened by Governor Professor Marie Bashir on 25 July 2009. Certain elements of the community opposed a new building because it would destroy the character of Springwood. This new club, which has one of the few function venues in the area, has been embraced by the community and is very well patronised. During the lunch many awards were presented, including awards to Mr Lawrie Dwyer, the current longest serving male bowling member, and Mrs Pat Dawes, the longest serving female member. On behalf of the club Mrs Dawes accepted a seventy-fifth anniversary commemoration keepsake in recognition of Harry's leadership. Other presentations were made for most awarded players: women bowlers Esther Gralton and Kate Koutsoukos and men bowlers John Gerrard and Brian Long. The lunch was a great success. I congratulate the Springwood Bowling Club on its seventy-fifth anniversary.

### AUSTRALIAN WOMEN AND CHILDRENS RESEARCH FOUNDATION

**Mrs TANYA DAVIES** (Mulgoa) [1.09 p.m.]: I recognise the Australian Women and Childrens Research Foundation [OZWAC], a research foundation that seeks to work with universities, area health services, businesses and government to promote improvement in the health and wellbeing of families. The foundation's focus is on the health of women and children, particularly research into the health needs of families in Western Sydney through the Nepean Centre for Perinatal Care run by the University of Sydney. Its website highlights its role as assisting active community participation in the development of healthier lifestyles for all Australians, improving the wellbeing of children in early childhood through the promotion of research and community health education and establishing and encouraging a diverse and vibrant membership base, as well as attracting financial support from business and government to build awareness of the importance of women's and children's health. The foundation was founded in 1998 by Professor Brian Spurrett, the Head of Women and Children's Health at Nepean Hospital. Professor Spurrett saw a need for a research foundation based in Western Sydney.

With the help of Dr Chris Kohlenberg and Mr Greg Allchin, the foundation was able to gather significant community and business support. Voluntary associations such as the Australian Women and Childrens Research Foundation are so vital for our community, and I am proud to be recognising this outstanding foundation in the Parliament today. The Australian Women and Childrens Research Foundation complements the important work that our Government performs in areas such as health by fostering a culture of philanthropy, caring about one's neighbour, and working together to promote a more compassionate and stronger community. The foundation has funded more than 30 research projects through more than \$660,000 in grant contributions. It has funded studies within the University of Sydney clinical schools, including studies relating to the diagnosis and management of early pregnancy problems, the audit and management of serious medical disorders in pregnancy, the management of pregnancies complicated by substance abuse, the prediction of mode of delivery, the identification and management of birth-related pelvic floor damage, and the use of stimulants in attention disorders.

In order to fund research grants, the Australian Women and Childrens Research Foundation regularly holds functions and community events. Together with my husband, Councillor Mark Davies, who was Mayor of Penrith at the time, I had the privilege of attending the OZWAC Family Fun Day on 22 September 2013 where families from all around the Nepean district gathered for a fun-filled and relaxing day. The activities started at 10.00 a.m. with a four kilometre pram push along the Nepean River, led by Channel 7's Mark Ferguson and the Parsey family, whose daughter was the beneficiary of research funded by the foundation when she was born prematurely at 28 weeks. Many local businesses set up stalls to help support the day's fundraising efforts. The day also featured live entertainment, including Brooke Paulley, Jasmine Dicker, Michael Wallace, and Amped, a group of students from the Nepean High School Performing Arts Centre. It was a successful day and I congratulate the organisers on a job well done. I thank the many other businesses that supported the fundraising day, including the *Western Weekender*, our local newspaper; Outback Steakhouse; and Paint Penrith REaD, a program that seeks to improve literacy in children under the age of five.

On 25 October the Australian Women and Childrens Research Foundation will hold a charity golf day at Penrith Golf Club. On 27 October it will hold the Music for Medical Research concert and on 17 May next year its annual charity ball. Such events, generously supported by the local community, will enable the foundation to continue to fund many important research projects at Nepean Hospital. The foundation has also

been able to provide funding for specialist medical equipment at Nepean Hospital, including \$40,000 for a blood gas machine that is used by every newborn at the hospital; \$100,000 for a four-dimensional ultrasound machine; and \$20,000 for a knemometer, which measures a baby's weight when it is too frail to move. The research funded by the foundation has done much to improve clinical care for mothers and their babies, and the foundation will continue to assist in this way.

I congratulate the great work done by the Australian Women and Childrens Research Foundation and its directors, chaired by Lea Hicks, as well as Dr Michael Peek, Brett Kelly, Dr Ralph Nanan, John Capes, Peter Dietz, Bruce Williams, Diane Courtman, Lois McGhee, Dr George Condous, Michelle Banning and Maree Yabsley. I thank them for their ongoing work. Following the successful family fun day, I wish everyone involved a well-deserved rest, or as other communities, particularly in Israel, refer to it, a restful Shabbat. I congratulate everyone involved and look forward to joining them in other fundraising events as the years unfold. I look forward through the foundation's fundraising efforts to the progress of research initiatives at Nepean Hospital and investment in much-needed technology and medical equipment that will further enhance the lives and wellbeing of young babies and their mothers.

### TRINITY GRAMMAR SCHOOL

**Mr CHARLES CASUSCELLI** (Strathfield) [1.14 p.m.]: Yesterday I was delighted to attend the prefects and house captains induction service at Trinity Grammar School and to have the opportunity to meet yet another generation of leaders in one of this State's most wonderful schools. The Summer Hill campus comprises a community within a community. This accomplished school has a long and outstanding history in educating the youth of Sydney, with a student population as diverse as the broader community that calls Sydney home. It is no secret that I admire this school for many reasons, including its Army cadet unit which comprises more than 400 young men and provides opportunities for self-development and the nurturing of leadership potential. As I prepared to make a speech about leadership to the newly appointed house captains and prefects at Trinity, I reflected on the role and influence of our schools in recognising and developing leadership in our young.

Within or bordering the electorate of Strathfield are over 50 schools. It is a marvellous place to live, especially for young families seeking access to some of the best government and non-government schools in our State. I have constituents who have moved to Strathfield for just that reason, and I commend the schools and their leadership teams for developing outstanding reputations in the delivery of educational services to our community. There is little doubt in my mind that schools complement the family environment in the development of leadership in our youth. Some would argue that schools provide the most effective environment for the development of leadership simply because they expose our youth to structures, organisations and processes and to a far more diverse community than just their immediate families and friends. It is for this reason that the opportunities that are gained from being part of a school's student leadership team are far more important than they may at first appear.

As a community we need to applaud the formal selection and recognition of student leaders. We need to celebrate the appointment of the house captains and prefects not just because it provides an invaluable development opportunity but also because it facilitates the development of a school's informal leaders; in fact, it contributes to every student's development. The induction at Trinity Grammar involved all of the school's constituencies: students, teachers and staff. The formal ceremony, which attracted a great number of parents, included a pledge by the house captains and prefects. The pledge was not about leading but rather about serving their school and their community. The principal, Milton Cujes, graciously invited me to address the ceremony on the subject of leadership. I reminded the audience that those placed in authority and leadership are there by the grace of God and all are subordinate to His purpose.

Leadership has always provided me with personal challenges and a great deal of personal satisfaction as I respond to the many opportunities afforded to me by my many diverse roles as a parliamentarian, an Army officer, a father and a community member. The newly inducted young men sitting before me had a singular advantage that I never enjoyed at their age: they had been recognised as leaders within their school community. They have received an affirmation from their teachers and peers about their leadership qualities and that their formal leadership role has begun. I spoke briefly about the difference between effective leaders and great leaders and asked them to think about national leaders of the past such as Winston Churchill, Nelson Mandela, Adolf Hitler, John F. Kennedy, Benito Mussolini, Malala Yousafzai, and Mahatma Gandhi. All of them were outstanding, effective leaders in their ability to get others to follow them in thoughts, deeds and actions. But how many of them were great leaders?

I think great leaders are defined by their motivation and their legacy. What were the motivation and legacy of Adolf Hitler in contrast to the motivation and legacy of Winston Churchill? That was the challenge I put to the new school leadership. What was the motivation and legacy of Malala Yousafzai, the young Pakistani girl shot in the head by the Taliban for fighting for the education of Pakistani girls? My challenge to the young men of Trinity Grammar School was a simple one. I said, "Gentlemen, you have been recognised as leaders. You have an opportunity to further develop your leadership skills. You have an opportunity to serve not only your school but also your community." My challenge to them was: What are you going to do with this opportunity? What will be your legacy to your school and your community? I went on to congratulate the new house captains. In doing so, I also congratulated all the school prefects on their selection and encouraged them to take on the challenges before them. I encourage all schools to focus on and enthusiastically acknowledge the induction of their student leadership teams.

### PALLIATIVE CARE

**Mr JOHN SIDOTI** (Drummoyne) [1.19 p.m.]: It is not news that all of us will die, nor is it news that the population of New South Wales is ageing. I commend the Government's recent announcement of increased palliative care funding across New South Wales. I understand that \$35 million in extra funding will be spent over the next four years to improve access to care and support for people who are dying, their carers and their families. This extra funding is aimed at ensuring that everyone has access to quality palliative care regardless of their economic or social circumstances, geographical location or medical condition, as set out in "The NSW Government's plan to increase access to palliative care 2012-2016."

Aged care and palliative care go hand in hand. Like other areas, the provision of palliative and aged care in the Drummoyne electorate is an increasingly critical issue that requires creative solutions, long-term planning and sustained government and community commitment and support. Census data shows that the population growth in the Drummoyne electorate is significantly higher than the national average. The electorate is predominantly made up of families and it is common to have two or three generations of a family living in close proximity to each other or in neighbouring suburbs.

What do these facts mean for the care of older people and those requiring palliative care? What challenges do they present for government planning over the next 20 to 40 years? I represent a growing electorate that will have to cater for the needs of its constituents and be aware that those who will live longer will have more challenging and serious medical needs. They will include the increasing onset of medical conditions such as dementia, which is currently the third leading cause of death after heart disease and stroke and is also a terminal illness whose sufferers ultimately require palliative care. According to Alzheimer's Australia, about 300,000 people in this country have dementia and that figure is expected to increase to 900,000 by 2050. Deloitte Access Economics projects a 313 per cent increase in dementia prevalence rates in my electorate alone between 2012 and 2050.

Currently, about 10 per cent of all deaths in New South Wales take place in residential aged care facilities. When needed, a palliative approach to care is provided by aged care staff, general practitioners and, in some instances, aged care and palliative care liaison nurses. In Australia over the next three decades the population of these facilities is expected to increase by 70 per cent. In my view, an integrated approach to both aged and palliative care is required. If we are truly committed to improving the quality of aged and palliative care and people's access to it, much needs to be done now to allow us to keep pace with and meet the increasing demand.

Presently, palliative care teams are on site at Concord Hospital and Royal Prince Alfred Hospital and there is an inpatient unit at Canterbury Hospital. Concord Hospital, which is in my electorate, recently received capital funding to develop a 20-bed subacute palliative care inpatient unit to begin to meet the expected increased need of patients in the inner west of Sydney. The New South Wales Government has also provided more funding for community transport in the inner west. While providing important services, these measures will not be anywhere near enough in the future. Furthermore, our hospitals and retirement and nursing homes alone will not be able to meet the increased needs in this area.

Certainly, the \$35 million announced by the Minister for Health is a great start on top of the \$86 million that is already spent annually on palliative care but we need a range of measures to meet these needs. Those measures include starting now to train medical and support staff to allow people to receive appropriate care in their homes and putting in place supported palliative care services in nursing homes to relieve pressure on our hospitals and minimise hospital visits. We also need more nursing homes in local areas

that are close to family and friends and provide respite care when people elect to stay in their homes for longer periods. Of course, we also need changes to planning laws so that, for example, much more disabled parking is provided in local council areas.

We all deserve to grow old with dignity. Our health needs increase with age and, sadly, this includes the need for palliative care. It is the responsibility and duty of all levels of government and all parts of the community to work together to meet these demands. We will have to be committed, generous and, most importantly, prepared for this change in our society. Too often decisions are made only for the short-term bottom line and not for the greater good. At the end of the day, government is not a business. Government must do the things that need to be done for the benefit of all regardless of whether those measures are profitable or popular in the short term. This issue will affect us all.

### **CAMDEN ROTARY RELAY FOR LIFE**

**Mr CHRIS PATTERSON** (Camden) [1.24 p.m.]: The very successful 2013 Camden Rotary Relay For Life was recently held in Camden. With some 1,600 participants and 81 teams, this annual event just keeps growing. The event brings the Camden, Narellan and Wollondilly communities together for one special purpose: to raise funds for the Cancer Council. Many of the participants have a special story of how cancer has affected them either as a survivor or by having a friend or family member affected by cancer. This year the aim was to reach \$200,000. The relay truly exceeded that goal by raising \$225,037.

I thank the hardworking committee, chaired by Rowan Moore and supported by Ross Newport, Bruce Farqueson, Chris Evans, Stephen Humphreys, Alan Redman, Brian Franzman, Tanis Franzman, Cindy Cagney, Nathan Dart, Rob Elliott, Carla Neilsen, Kevyn Moore, Rowan Moore, John Lee, Ralph Rossteuscher, Peter Claxton, Greg Eagles, Aaron Hodges, Hamish Wilson and Carla Neilsen. I also thank board members of Camden Rotary and President Aneek Mollah, Vice President Kevyn Moore, President Elect Rick Wade, Secretary Ross Newport and Treasurer Alan Hamilton. They should be very proud of the success of this year's event. Over the weekend Leah Cassar Performers and Somerset Music Performers kindly provided entertainment and 2MCR provided music during the wee small hours of the morning.

The event would not be possible without the support of the generous sponsors. I thank Camden Hire, Rotary Club of Narellan, Oran Park Town, Gregory Hills, Max and Nola Tegel, Wollondilly Shire Council, TRN, Camden Golf Club, TravelScene Camden, Camden Council, Camden Show Society, *District Reporter*, *Macarthur Chronicle*, *Camden/Narellan Advertiser*, Austral Pharmacist Advice, Specsavers Narellan, The Logistics Department, ADCO Constructions Pty Ltd, Carey Constructions, Country Valley, Sharon's Photography, C91.3 FM, 2MCR 100.3 FM, and I also thank sponsors Rotary Club of Wollondilly North, Bayton, The Crown Hotel, Roy Mammone Developments Pty Ltd, McClintock & Co, Marsdens, Fowler Homes, Commonwealth Bank, Icon Visual Marketing, Macarthur Country Meats, Somerset Music, Hair by Kya, EMOHRUO Financial Services and White Lady Funerals.

The teams who participated included Oran Park Town, Macarthur Anglican School, Camden Local Area Command police, Ian's Wonderful Walkers, Team Gregory Hills, Jeans Dream Team, Burratorang District Soccer Club, Dragon and Tigers Fitness Club, Team Spider, Narellan Rotary, University of Western Sydney Campbelltown, Campbelltown Relay For Life Club, Austral Pharmacist Advice, Team Gayle, Freedom Walkers, Camden Anglican, Camden South Public School, Cummins Chargers, Laps for Life, Sponsorship Fundraising Team, Wonder Walkers, Blooms the Chemist, Camden Council, Mawarra Mums, Macarthur District 4WD Club, Camden Survivors of Breast Cancer, and Franzo's and Friends.

Other teams were Camden Inner Wheel, The Minions, Group 6 Referees Association, Camden Gold Club, Wollondilly North Rotary, Travelscene Camden, Annie's Team, Camden Public School, LBW for Lucy, Redelec Electrical Services, Laps 4 Love, Picton Rotary, 1st Camden South Scouts, The Rockets, Specsavers Narellan, Australian Markets and Fairs, Family Unite, Team Pedro, Somerset Music, Inglis Property Macarthur, AM Services, Akeso Health & Rehab, 1st Narellan Scout Group, Footprints, Magdalene, Curves Narellan, EMAI, Camden CWA and Friends, Schwarz Family Practice, In Loving Memory of Pauline Metcalf and The Coop Group.

Other participating teams were Team Michelle, WEWC Training Team, Mount Hunter Public School, Coopers Troopers, Dynamic Rhythms, Silver Star Fitness, Cancer Crush, University of Western Sydney Aspire Future Leaders, Mrs Rob's Army, Difference, Saztars Walking Stars, Camden Cancer Crusaders, Teenage Mutant Ninja Runners, For Poppy's, Wii Not Fit, Pets at Peace, Onesies and Heroes, Picton High School, Abbey Rose Personal Training—Camden's premier personal trainer—MCHS 2012, YMCA Mount Annan Leisure Centre, Team Macarthur, Jan's Wonderful Walkers, Rotary Club of Camden Team and The Opals.

The fantastic people in these wonderful teams make the relay the success that it is and give the event the spirit that it has. The long list of people I mentioned who were involved in this outstanding community event shows that the Camden Rotary Relay For Life has an extremely positive impact on everyone in our community. I will not go through the list again but I commend all involved. I know that everyone who attended had a wonderful time and I congratulate them on their efforts. I hope that next year's event is bigger and better—although we hope that one day events such as this will no longer be necessary.

**Private members' statements concluded.**

*[Acting-Speaker (Mr Lee Evans) left the chair at 1.29 p.m. The House resumed at 2.15 p.m.]*

**REGIONAL YOUTH PARLIAMENT**

**The SPEAKER:** I inform the House that from 25 to 28 September 2013 a Regional Youth Parliament was held at the National Parliament of the Solomon Islands. The Regional Youth Parliament involved students from New South Wales and the Solomon Islands. Unfortunately, students from our other twinned Parliament, the autonomous region of Bougainville House of Representatives, were unable to attend due to passport difficulties. I congratulate all participants in the Youth Parliament on their efforts, and acknowledge the fine representatives of New South Wales at the event: Theodora Von Arnim, Jehannah May, Dylan McCuaig-Walton, Kieren Kresevic and Ciara Morris. The students were accompanied by two staff from the Parliament of New South Wales: Education officer Rita Bila and Twinning Project Coordinator Simon Johnston.

I extend my appreciation to the Speaker of the National Parliament of Solomon Islands, Sir Allan Kemakeza; the Clerk of the National Parliament of Solomon Islands, Taeasi Sanga, and her enthusiastic staff; the Director of Procedure of the Bougainville House of Representatives, Peter Topura; and the staff of the Solomon Islands Government, whose organisation and effort made the Youth Parliament a success. I also thank the New South Wales branch of the Commonwealth Parliamentary Association and Virgin Australia, who made the attendance of the New South Wales students possible.

**ASSENT TO BILLS**

Assent to the following bills was reported:

Drugs and Poisons Legislation Amendment (New Psychoactive and Other Substances) Bill 2013  
Heavy Vehicle (Adoption of National Law) Amendment Bill 2013  
Police Integrity Commission and Independent Commission Against Corruption Legislation Amendment (Inspectors) Bill 2013  
Entertainment Industry Bill 2013

**ELECTORAL DISTRICT OF MIRANDA**

**Issue of Writ**

**The SPEAKER:** I advise the House that, in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912, I issued a writ on 20 September 2013 for the election of a member to serve in place of Graham Annesley, resigned, with the following particulars: nomination day, 3 October 2013; polling day, 19 October 2013; and return of writ, 8 November 2013.

**DEATH OF ALLAN PETER WALSH, A FORMER MEMBER FOR MAITLAND**

**The SPEAKER:** It is with regret that I have to inform the House of the death, on 17 September 2013, of Allan Peter Walsh, a former member of the Legislative Assembly, who served as the member for Maitland from 19 September 1981 to 3 May 1991. On behalf of the House, I extend to the family the deep sympathy of the Legislative Assembly in the loss sustained.

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

**DEATH OF MICHAEL JOHN MAHER, A FORMER MEMBER FOR DRUMMOYNE**

**The SPEAKER:** It is with regret that I have to inform the House of the death, on 29 September 2013, of Michael John Maher, a former member of the Legislative Assembly, who served as the member for Drummoyne from 17 November 1973 to 26 January 1982. On behalf of the House, I extend to the family the deep sympathy of the Legislative Assembly in the loss sustained.

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

**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 2.26 p.m.]*

**ST GEORGE HOSPITAL PERITONECTOMY SURGERY**

**Mr JOHN ROBERTSON:** My question is directed to the Minister for Health. Why has the Minister cut the number of peritonectomy surgeries at St George Hospital from 12 to just six per month, leaving patients such as mother Nicole Perko still waiting for life-saving cancer surgery six months after she was told it needed to be performed within four weeks?

**Mrs JILLIAN SKINNER:** I thank the member for his question. I want to set the record straight. Peritonectomy is a complex procedure. It requires much time in the intensive care unit after what can be very extensive surgery. Frequently patients do not have just one surgery—they might have surgery and then be sent to the intensive care unit, have another surgery and go again to the intensive care unit, and it can go on and on. The shadow Minister for Health knows what I am talking about. This is complex surgery. As I have previously stated, it is estimated that there are 72 New South Wales patients requiring that surgery.

Until recently patients were also being accepted from interstate and overseas, but that practice has now stopped. A couple of interstate patients are still on the waiting list because, as they had been offered an opportunity to be placed on the waiting list, we felt that we had an obligation to provide their treatment. For one month 12 procedures were performed, but for a long time now there have been six operations a month. The member opposite can work it out: 12 months by six cases equals the 72 patients from New South Wales.

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

**Mrs JILLIAN SKINNER:** When this matter was previously raised I said that we would attempt to find alternative places to perform this surgery. The surgery was previously performed at St George Private Hospital.

**Dr Andrew McDonald:** It cannot be done.

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

**Mrs JILLIAN SKINNER:** That hospital had rejected such operations being performed there. I know that the shadow Minister is well aware of that. I can assure the member opposite that work has been ongoing to try to find an alternative because the restriction at St George has nothing to do with the budget. I make that clear.

**Mr John Robertson:** That's not true.

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting. He will come to order.

**Mrs JILLIAN SKINNER:** The Leader of the Opposition should explain how he can say that that is not true. It is about—

**The SPEAKER:** Order! I call the Leader of the Opposition to order for the first time. He will cease interjecting.

**Mrs JILLIAN SKINNER:** The professor who does the surgery is not responsible for the budget of the hospital.

**The SPEAKER:** Order! I call the Leader of the Opposition to order for the second time. He will soon be on three calls to order, as will the member for Cessnock.

**Mrs JILLIAN SKINNER:** The budget of this hospital has increased by \$12 million this year. The restriction is in the intensive care unit because these patients require many weeks in that unit. If we were to put all these patients in the intensive care unit there would be no room for trauma patients, no room for Professor Morris's other patients and no room for cardiac patients. There would be no room for other patients to have their treatment at that hospital. We have been trying to find an alternative location for some of these patients to be treated.

I am happy to say that we are working on it and I hope to have a response in the very near future. In the meantime, people would be aware that yesterday I had an on-air conversation with Nicole in which I clarified that she is being constantly contacted by the peritonectomy review team, of which Professor Morris is the chair but which involves a number of clinicians, nurses and others from the hospital. Nicole is contacted constantly to be kept up to date with the progress, et cetera, of her condition. She confirmed to me that for valid reasons she was unable to accept the offer of an operation some weeks ago. She is constantly monitored, as are all of the patients waiting for peritonectomy surgery at this hospital.

I do not make light of this surgery; it is amongst the most complex anyone will ever undertake. People should research it. I am not going to provide all the details of it, but often it can involve the removal of the peritoneal sac and multiple organs in the abdomen, including the colon, gall bladder, ovaries and, as I have heard, even part of the diaphragm. It involves major surgery. It must be understood that this surgery is not done lightly or without knowing that there is clear access to the intensive care unit to monitor and care for these patients.

#### **BUSHFIRE SEASON**

**Mr CRAIG BAUMANN:** My question is addressed to the Premier. What is the Government doing to ensure that New South Wales is prepared for this bushfire season?

**Mr BARRY O'FARRELL:** I thank the member for Port Stephens for his question and, of course, for his ongoing interest in an area that in recent days has been affected by bushfire. We have had an early start to this year's bushfire season and, regrettably, it has cost properties. Yesterday I was with the member for Port Stephens at Salt Ash where approximately 21 properties, including four homes, were lost through fire. Thankfully, no person was seriously injured or lost. On the weekend once again we saw how ferocious fires can be: at Sydney Olympic Park more than 40 cars went up in flames as a result of a grassfire, the cause of which is yet to be determined; homes were threatened at Winston Hills in Sydney's north-west; two homes were destroyed in the Webbs Creek area, near Wisemans Ferry; and I have referred already to properties lost through fires in Port Stephens at Salt Ash and Fingal Bay.

Yesterday I travelled to Salt Ash with the local member to inspect the damage and speak to residents, who, no doubt, face difficult times. As I said yesterday, nothing anybody could say will bring back the property or memories lost from those sheds and homes that were burnt down. As a Government it is our job to equip firefighters with the best possible resources. That is what we are going to do. Today I was joined by the Rural Fire Service Commissioner and the Parliamentary Secretary for Police and Emergency Services at Terrey Hills to welcome the return of "Elvis" to the building: We welcomed the first of the firefighting air-crane helicopters to return to New South Wales. On Thursday "Gypsy Lady" arrived from Greece—it is normally housed in Oregon—in one of those massive Antonov aircraft, was assembled over the weekend and, indeed, was put to use across the north-west of Sydney on Sunday, days ahead of its expected use. A second air-crane, "Ichabod", will begin service next month.

The Erickson air-cranes are able to be refilled in less than 60 seconds. This means they are incredibly effective at extinguishing fires rapidly. In Yass in January I saw, along with the Minister for Primary Industries, the effectiveness of these aircraft. For more than 10 years these aircraft have been a welcome sight in New South Wales skies during the bushfire season and are just one of the tools our firefighters use to battle bushfires. The two air-cranes will be based at Bankstown Airport for deployment across the whole of New South Wales, as we saw earlier this year. In addition to these two air-cranes, the Rural Fire Service has access to more than 100 aircraft to help fight fires. While it is essential to have state-of-the-art equipment available to firefighters, so too is ensuring that authorities do all possible preparation to reduce the risk of bushfires across the State.

We came to office promising to make a priority out of hazard reduction. We set ourselves incredibly ambitious targets and I have to say that we are on track to achieve those goals. Last financial year more than 280,000 hectares of the State was subject to hazard reduction burns, compared with 117,000 in the financial year when we came to office. That represents a 2½ times increase in hazard reduction since we came to power because we understand that prevention is far better than cure. We understand that hazard reduction ahead of a fire season is much better and safer for firefighters, volunteers and others who may have to undertake those activities in the middle of a fire season. As a member whose electorate is surrounded by national parks, I get complaints during winter about smoke from hazard reduction burns. I have to say that, as I suspect other members do, I give short shrift to those who phone up because smoke from hazard reduction burns in winter is far preferable to the smoke and damage caused by bushfires throughout the season.

Not that long ago I stood with the member for Blue Mountains in the lower Blue Mountains after some criticism about what happened in national parks when 90 kilometre wind gusts were behind the efforts of National Parks to undertake hazard reduction burns in the Blue Mountains National Park. I will not criticise them because the more we can ensure hazard reduction, whether in national parks or general property, the better it makes our fire season. [*Extension of time granted.*]

Currently more than 65 fires are burning across New South Wales, more than 25 of which are uncontained. Therefore, it is important for me to say that not just Rural Fire Service volunteers and paid professionals, Fire and Rescue or agencies engaged in hazard reduction, have a responsibility; the community at large has a responsibility. I would not be honouring our Rural Fire Service volunteers if I did not repeat the message the Rural Fire Service Commissioner always provides: all residents in areas likely to be affected by bushfires are urged to go to the Rural Fire Service website to download and complete the bushfire survival plan.

Last night on Channel 7 news we saw some confusion that can occur when people are caught in a fire emergency. That makes it all the more important to ensure that people have their bushfire survival plan downloaded and ready to activate in the event of any emergency. As the Rural Fire Service Commissioner says, planning to make a plan is not a plan. Do not think about it, do it. The Rural Fire Service advises that warm conditions are expected to return on Thursday, meaning again that we have to be prepared. I have said before that New South Wales has the best volunteer firefighters anywhere in the world. They deserve the deepest gratitude of every citizen in this State. They continue to do a great job, but let us hope that in the coming fire season they are not needed as much as they have been in the past.

### ST GEORGE HOSPITAL PERITONECTOMY SURGERY

**Dr ANDREW McDONALD:** My question is directed to the Minister for Health. Nicole Perko, who has been waiting for life-saving peritonectomy surgery since April, has said—

[*Interruption*]

Did I hear someone say it was boring? Someone said it was boring. As I was saying, Nicole Perko said:

I have five little ones. It breaks my heart looking at them now, and knowing that I might not be there to see them growing up.

Why will the Minister not listen to the pleas of patients and reverse her cuts to life-saving surgery?

**Mrs JILLIAN SKINNER:** I am disgusted that the member could play with the life of a patient—

**The SPEAKER:** Order! The Minister has the call.

**Mrs JILLIAN SKINNER:** —and play politics—

**The SPEAKER:** Order! Members who continue to interject will be placed on calls to order.

**Mrs JILLIAN SKINNER:** —with the life of a patient—

**The SPEAKER:** Order! The member for Marrickville will come to order. The member for Keira will come to order. The member for Cessnock will come to order.

**Mrs JILLIAN SKINNER:** —and her children and make this a political game for him. I have indicated already that this is not about budget cuts. That hospital has had its budget increased. The local health district has

a budget of \$1.47 billion, which is a 4.5 per cent increase on last year's budget. Professor Morris indicates that he categorises his patients according to their priority. A clinical review team determines when patients will be treated.

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

**Mrs JILLIAN SKINNER:** As I indicated during an interview with Nicole yesterday, she said that she is in constant contact with the nurse from the peritonectomy team. She had been offered a surgery but, for a very good reason, she was not able to take it up. I assure members opposite that there are no budget cuts. This issue is about a restraint in the intensive care unit because there are not enough beds to accommodate extra procedures.

As I have indicated, by agreement with the clinical council of the hospital, six peritonectomies are performed each month. Those procedures accommodate the capacity of the intensive care unit but it also addresses the 72 patients in New South Wales who have been determined to need a peritonectomy within a year. As I indicated in my previous answer, we have been trying to find an alternative location for Professor Morris to carry out treatment. That search continues, and I will come back to the Parliament when we have an answer. I am hoping that it will be in the very near future.

**The SPEAKER:** Order! I call the member for Canterbury to order for the first time. I remind members that interjections are disorderly at all times.

### MINING-AFFECTED COMMUNITIES PROJECTS

**Mr PAUL TOOLE:** My question is addressed to the Deputy Premier. How is the Government improving infrastructure in mining communities?

**Mr ANDREW STONER:** I thank the member for Bathurst for that good question. The Liberal-Nationals Government came to office a little over 2½ years ago with a strong policy platform to rebuild infrastructure in New South Wales and to govern for the entire State. It is putting the regions at the front and centre of government. I am delighted to say that our Resources for Regions program achieves both those aims. This is the State's first-ever program that shares some of the wealth derived from mining activities with its communities, thereby recognising the impacts of mining upon those communities and assisting local government areas with the cost of infrastructure. The reaction to this program has been fantastic. It is no wonder, because for 16 long years there was nothing of the sort from those opposite when it came to the prosperity associated with the mining industry in New South Wales.

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

**Mr ANDREW STONER:** In fact, we now know from various revelations that the Labor Party regarded wealth received from mining activities as a personal plaything to be bestowed upon its members and its mates. Shame on them. Members on this side of the House are concerned with ensuring that the State's economy prospers, including the mining industry, and sharing the benefits with communities.

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

**Mr ANDREW STONER:** We know that a policy of sorts in relation to mining has emanated from the other side. In fact, I think I hear a quack. It sounded like a duck. No, it was a lame duck.

**The SPEAKER:** Order! Members will come to order.

**Mr ANDREW STONER:** Now I see vultures circling. While I am tempted to share the policy of the Leader of the Opposition in relation to this State's coalmining industry, I will not do so because we want him to retain his position. Last week I was delighted again to visit Singleton with the member for Upper Hunter to announce a \$41.9 million instalment, which is the first instalment of \$120 million under Resources for Regions in the 2013-14 financial year.

**The SPEAKER:** Order! The member for Cessnock will come to order. He will not seek to correct the Minister.

**Mr ANDREW STONER:** Of the \$41.9 million, \$9 million is for a central business district renewal project in Singleton, which includes improved traffic flows. John Martin, the Singleton mayor, said it was a fantastic announcement, while Lindy Hyam, the general manager, said it was an exciting day for the Singleton community. In Muswellbrook, \$7.6 million has been allocated for a road safety improvement project, including an over-dimension vehicle bypass and industrial services centre road network. Muswellbrook Shire Council also welcomed this announcement as an important boost to the economic infrastructure of Upper Hunter communities. Cobar received \$7.8 million to replace its wastewater treatment plant that was constructed in 1965. Mayor Lillian Brady said that she was over the moon and delighted with the New South Wales Government, which is doing something for the Cobar shire—adding that the Labor Party had done absolutely nothing for that shire.

Lithgow, which is in the electorate of the member for Bathurst, was allocated \$3.5 million for the redevelopment of Black Bridge at Wallerawang, which is used frequently by mining vehicles. Mayor Maree Statham welcomed the funding, saying that it would provide tremendous benefits for people living in the Lithgow area. The Mid Western local government area also benefitted, with \$9.5 million allocated to upgrade Ulan Road, which, again, is used extensively by the mining industry. Mayor Des Kennedy said that he was delighted with the announcement and extremely grateful for the Government's generosity. I should talk about Wollongong. [*Extension of time granted.*]

**The SPEAKER:** Order! I remind members to seek an extension before the time allocated for the Minister's answer has expired. If members do not seek the call I will not grant a two-minute extension. Government members will come to order. The Deputy Premier does not require their assistance.

**Mr ANDREW STONER:** I am grateful for the opportunity to provide additional information, as I am sure the member for Wollongong would like to hear about the money that we are putting into the Wollongong local government area, which includes \$4.5 million to upgrade the Cordeaux Road and bridge. I am still waiting for a positive response from those in the Wollongong area. Another exciting announcement is the opening of round two of the Resources for Regions project for the balance of 2013-14. This involves \$78.1 million to be allocated to assist those communities that are affected by the impacts of the mining industry. Submissions for the eight eligible local government areas—Cobar, Lithgow, Mid Western, Muswellbrook, Newcastle, Narrabri, Singleton and Wollongong—close on 11 November.

The reaction from local government has been terrific. The Minerals Council of Australia said that the New South Wales Government and the Deputy Premier are to be commended for putting money on the ground in our regional mining communities that contribute so much to the New South Wales economy. The reaction all round is very positive, apart from those opposite, who continue to whinge and whine about this program. It is no wonder when Mick Veitch, the Opposition spokesman, said:

... one of the mistakes Labor made at the last election was not having a Resources For Regions policy.

#### **DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES**

**Mrs BARBARA PERRY:** My question is directed to the Minister for Family and Community Services.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. The member for Auburn will be heard in silence.

**Mrs BARBARA PERRY:** Marilyn Chilvers, head of front-line resource management, told a parliamentary inquiry yesterday that the Minister for Family and Community Services was briefed in March on the reduction in caseworker numbers. Why has the Minister continued to say since then that there were "over 2,000 community services caseworkers in New South Wales, as there have been for a number of years"?

**Ms PRU GOWARD:** I cannot think how many times I have answered exactly that question.

**Mr Michael Daley:** None.

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

**Ms PRU GOWARD:** If that is the Opposition leadership team's idea of a good question then one can see why they are in trouble.

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

**Ms PRU GOWARD:** This is a leadership team that says it is not important how many children caseworkers see.

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

**Ms PRU GOWARD:** This is a leadership team that says transparency does not change anything. We are publishing caseworker numbers for the first time in this State's history. Then we have the Opposition Leader, the former head of Unions NSW, saying, after 56 questions in this place, that it is too difficult to understand; it is too complicated. This genius on the one hand is lecturing the Government on ministerial propriety, and on the other hand has failed to report a \$3 million bribe.

**Ms Linda Burney:** Point of order—

**The SPEAKER:** Order! Members will come to order. I need to hear the member's point of order.

**Ms Linda Burney:** My point of order relates to Standing Order 129. This is all very entertaining but the Minister should answer the question.

**The SPEAKER:** Order! There is no point of order. The Minister is being relevant to the question asked.

**Ms PRU GOWARD:** I have answered the question so many times that those opposite cannot understand the answer. The Leader of the Opposition has agreed that he does not understand the answer; he has said that it is too complex. One cannot undo the chains. Even Moses Obeid—no paragon of virtue he—found it necessary to give the member for Blacktown a lesson in propriety. No wonder his colleagues are not happy—the Punch and Judy show gets more farcical each day. Those opposite ask questions about caseworker numbers and then say that publishing the data online will not change anything. Why did you ask 56 questions—now 57?

**Dr Andrew McDonald:** Because you have not answered one.

**The SPEAKER:** Order! The member for Macquarie Fields will come to order. I call the member for Cessnock to order for the second time.

**Ms PRU GOWARD:** Why do those opposite say, "I don't see how putting things online is going to do anything to keep children safer in New South Wales?" and then ask another question about them?

**Mr Richard Amery:** Point of order: Standing Order 130 states that a Minister should not debate the question that was asked. The Minister is taking us on a merry-go-round of portfolios—

**The SPEAKER:** Order! There is no point of order. The member for Mount Druitt will resume his seat. The Minister is being relevant to the question asked.

**Ms PRU GOWARD:** We have published caseworker data online for the first time for everyone to see, including our caseworkers. As I have said, I have answered more than 56 questions and yesterday departmental executives answered questions for hours in another place. Yet those opposite continue to tie themselves in knots over material they do not understand. One day they want to know about caseworker information and the next day they do not. Out there it is about transparency. On Labor's watch caseworkers were seeing fewer children at risk of significant harm.

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

**Ms PRU GOWARD:** But that is all changing under the O'Farrell Government. We are fixing a vacancy issue that even Steve Turner of the Public Service Association said this morning existed in 2007. I have said many times that back in March I instructed the director general to fill all budgeted caseworker positions—I did write that because it has been tabled.

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

**Ms PRU GOWARD:** It took the Opposition several days to actually read the letter, but it was tabled.

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

**Ms PRU GOWARD:** I agree that a 10 per cent vacancy rate is too high. I have always made it clear to the director general that filling vacancies is his top priority. Our caseworkers need to see more children, and they are: 28 per cent versus 21 per cent under the failed former Minister. That is over 5,000 more children at risk of significant harm receiving a face-to-face assessment than in 2010.

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

**Ms PRU GOWARD:** On a recent visit to Armidale I had the pleasure of meeting with both Community Services and non-government caseworkers. Adam Marshall, our new member for Armidale, was also present. We were both incredibly impressed with the efforts that Armidale is making. Caseworkers are proudly reporting that they are seeing many more children than the State average. They are achieving outcomes for the children and the families they are working with, and I thank them publicly for that. They are helping us improve the lives of at-risk children and delivering on necessary reforms. That would not be easy. The Opposition inevitably opposes them, but it is worth the fight because children's lives are more important.

### ST GEORGE AND SUTHERLAND HOSPITALS

**Mr MARK SPEAKMAN:** My question is addressed to the Minister for Health, and Minister for Medical Research. How is the Government working to improve healthcare delivery at St George and Sutherland hospitals?

**Mrs JILLIAN SKINNER:** I commend the member for Cronulla for his interest in health services in the St George and Sutherland areas. I thank also members representing the electorates of Menai, Heathcote, Rockdale and Oatley who joined the Premier and me last Thursday for the announcement of \$1.2 million in funding to commence the planning process for the upgrade of both St George and Sutherland hospitals—upgrades prioritised by the South Eastern Sydney Local Health District. Pleasingly, after great representation by the member for Cronulla and others to get on with the job of planning these upgrades, the O'Farrell Government has been able to find the funding. Indeed, under our devolving model the board, clinicians and clinical councils will determine what needs to be done.

At Sutherland Hospital we are planning for up to 60 new inpatient beds and refurbishment of the emergency department. Judging from my visits to Sutherland Hospital, I can inform the House that the staff and the medical council staff are wonderful. Indeed, morale at that hospital is better now than it has ever been before. The member for Menai is nodding in agreement. When we visited the hospital before the last election the staff were depressed; they did not think anyone was listening. We have listened and responded by allocating this money to get on with the job of planning for the next stage of upgrades. I thank also the member for Oatley and the member for Rockdale for their representations on behalf of St George Hospital. As members well know, some \$39 million has been allocated to build a major emergency department at the hospital.

The next stage of planning will be for the redevelopment of the "hot" floors—that is, operating theatres; intensive care unit, which is one of the hospital's limiting capacities; high-dependency unit; and cardiac unit, as well as extra ward space. It is about giving the people of the shire the services they should have been provided with during the 16 years of the former Government. Indeed, they have been sadly neglected. As the Premier said at the announcement, the proper planning for this project will be done and the costs assessed; the funding will then follow. Indeed, the Premier is confident that the funds will begin to flow before the next election, provided the scoping work is done. This demonstrates clearly that the Government has got investing in health infrastructure right. For years Labor made promises about it but never delivered for hospitals including Dubbo, Parkes, Forbes, Wagga Wagga, Tamworth, Bega, the city—

**Ms Gladys Berejiklian:** It is a long list.

**Mrs JILLIAN SKINNER:** It is a long list, and includes Blacktown, Mount Druitt and Campbelltown. I am pleased that the O'Farrell Government is now able to add Sutherland and St George hospitals to that list. I also inform members that I recently attended the announcement of the winning tenderer for building the

Sutherland Hospital car park—a commitment we made before the last election. In particular, the staff at the hospital will be very pleased about the 300 extra parking spaces, which will take the total number of car park spaces at that hospital to 1,000. I thank all members who have made representations on behalf of their constituents.

#### **DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES**

**Ms LINDA BURNEY:** I direct my question to the Minister for Family and Community Services.

**The SPEAKER:** Order! Government members will come to order. I cannot hear the member's question.

**Ms LINDA BURNEY:** Given that the Minister's senior bureaucrats have confirmed that she knew about critical caseworker shortages, will the Minister appear before the upper House inquiry and finally explain why she has repeatedly misled Parliament and the public over the protection of vulnerable children in New South Wales?

**Ms PRU GOWARD:** After asking me now 57 questions in this Chamber, those opposite are asking me questions about asking me questions. Maybe those opposite are suggesting, like the Leader of the Opposition again suggested on radio, that the answers are too complicated and too confusing.

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

**Ms PRU GOWARD:** The Leader of the Opposition was talking on radio just yesterday about playing games with numbers. It is not this side of the House that is playing with numbers; it is some of his colleagues on the backbench.

**The SPEAKER:** Order! The member for Murray-Darling will come to order.

**Ms PRU GOWARD:** Clearly, he has exhausted the patience of his colleagues and they are doing their own counting. The Deputy Leader of the Opposition and her Punch and Judy friend are very lucky because their parliamentary ranks are so small they can count their colleagues on the fingers of two hands.

**The SPEAKER:** Order! Members will come to order.

**Ms PRU GOWARD:** They will not need them all of course because the member for Toongabbie and the member for Maroubra will not be voting for them. The only request I make—and I have answered all these questions before—

**Ms Linda Burney:** No, you have not.

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

**Ms PRU GOWARD:** You might not understand them, but that is not the point.

**The SPEAKER:** Order! I call the member for Canterbury to order for the third time. I warn the member that the next time she interjects she will be removed from the Chamber for the remainder of the day.

**Ms PRU GOWARD:** To my parliamentary colleagues opposite, I say just one thing: Please keep these two in their jobs; they are doing such a great job for us.

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

**Ms PRU GOWARD:** The Leader of the Opposition did a great job when he got himself referred to the Independent Commission Against Corruption. That was a masterful stroke.

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

**Ms PRU GOWARD:** Of course, I should not be too harsh; maybe his problem is that he cannot count—and he cannot count to three million either. I front up here every sitting day and answer questions when and as asked.

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

**Ms PRU GOWARD:** There have been more than 56 questions on these issues. I will continue to do so, day in and day out, and I will not be lectured by the failed former Minister and the morally bankrupt Labor Party.

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

### HIGHER SCHOOL CERTIFICATE EXAMINATIONS

**Mr JOHN BARILARO:** My question is addressed to the Minister for Education.

**The SPEAKER:** Order! Members will come to order. The member for Monaro will be heard in silence.

**Mr JOHN BARILARO:** How is the Government assisting students undertaking the Higher School Certificate examinations [HSC] that commenced yesterday?

**Mr ADRIAN PICCOLI:** I thank the member for Monaro for his question and I wish all students not only in his electorate but in all electorates across New South Wales all the very best as they continue with their Higher School Certificate examinations over the next three or four weeks. This year a record number of students will sit for the Higher School Certificate in New South Wales—more than 75,000 students, of whom over 68,000 will be eligible for the full Higher School Certificate. This is the highest number ever recorded and it goes a long way towards meeting the target set by the New South Wales Government in its 2021 plan to have more students finishing year 12. Students who stay on at school have more opportunities to access permanent employment and further study. The completion of year 12 or equivalent will lead students to a more productive life and provide benefits to them and to our economy.

The Higher School Certificate examinations are a massive logistical exercise. I particularly acknowledge the Board of Studies and the work it does. There are 117 different exam papers and more than 750 exam centres across New South Wales. Students will read from a staggering 14 million printed pages of questions and submit answers in two million writing booklets. The Higher School Certificate is a credential of international standing, as we all know, recognised throughout the world as an indicator of quality education amongst the world's best. I think we would all be proud to learn that, as well as being held in New South Wales schools, a number of schools in Pacific and Asian countries have students sitting the Higher School Certificate examinations this year, including schools in Hong Kong, Singapore, Malaysia and Papua New Guinea.

The Higher School Certificate is not just about written examinations. Many subjects also have statewide examinations in performance or practical areas, such as music, visual arts, design and technology, and more than 30 different languages. In all subjects, students' marks also reflect their results in school assessments undertaken throughout year 12. While all students study English for the Higher School Certificate, there is a wide range of other options for students to choose from, reflecting the diversity of opportunities that students have in schools in New South Wales. It is pleasing to note that more than 50,000 students are studying Higher School Certificate courses in mathematics and more than 30,000 are studying one or more courses in science. This year enrolments have continued to grow in most of our science courses, including the core subjects of biology, chemistry and physics. There are also nearly 25,000 students studying vocational education and training [VET] courses.

The Higher School Certificate represents the culmination of 13 years of schooling for our students and their parents. It also reflects the tremendous investment that our teachers make by giving their time, expertise and support to our Higher School Certificate students. I take this opportunity to thank teachers, school principals and those who support schools for the assistance they give to students during what can be a very stressful period. I particularly acknowledge the parents of Higher School Certificate students. I know that a number of members of Parliament have children doing the Higher School Certificate this year, including the member for Auburn, the member for Vacluse, the Hon. Mike Gallacher in the upper House and the member of the Riverstone. My kids are a long way from doing the Higher School Certificate but I have seen my nieces and nephews sit it—my nephew is doing the Higher School Certificate this year—and I know that it is very much a joint undertaking between children and their parents.

Parents play an absolutely critical role in supporting their children in the Higher School Certificate examinations during what is a very stressful period. Parents help them to study, to remain motivated and to put

in those extra hours that will make all the difference. It is very much a joint undertaking between parents and their student children, and I acknowledge and thank those parents for their hard work. Everything we do in education is geared towards student performance. The reforms that we have undertaken in New South Wales—starting with the Gonski reforms signed up to by the Premier earlier this year—will lead to better performances in the Higher School Certificate, together with the Local Schools, Local Decisions reforms that empower principals to give unique students in their schools the best opportunities possible. Through our Great Teaching, Inspired Learning initiative we are making sure that we have the highest-quality teachers possible standing at the front of every classroom. That is how we will get the best results in the Higher School Certificate, not only this year but every year into the future. I congratulate the students and teachers of New South Wales on their work in preparing for the examinations, and I wish all Higher School Certificate students this year the very best.

**The SPEAKER:** Order! Government members will come to order. I call the member for Murray-Darling to order for the first time.

### SUTHERLAND SHIRE COUNCIL

**Mr RON HOENIG:** My question is directed to the Minister for Local Government. Will the Minister cause an inquiry to be held or has he made an inquiry into Sutherland Shire Council following the referral of allegations that developers and fundraisers have been given special treatment and/or favourable consideration of development applications or rezonings by the Liberal Party controlled council?

**Mr DONALD PAGE:** I thank the member for Heffron for his question and I wish him well in his leadership bid. I can advise the House that the Division of Local Government is currently engaged in an investigation in relation to certain allegations about certain councillors in Sutherland Shire Council. I indicate to anyone who has any information in relation to those allegations to make that information available to the Division of Local Government as soon as possible while the investigation is current. Because the investigation is current, it is obviously not appropriate for me to make any comments on it. I also indicate to any member of the public in the Sutherland area or elsewhere who has any allegation, information or evidence involving potential corruption to refer those matters to the Independent Commission Against Corruption as soon as possible.

Some allegations have also been made in relation to code of conduct matters at Sutherland council. People who are concerned about those issues should refer them to the general manager so that the general manager can arrange an independent assessment of the conduct as per the Local Government Act. The answer to the question by the member for Heffron is that the Division of Local Government is currently engaged in an investigation into those matters. I will report to the House as soon as I get the results of those investigations. In the meantime, it is not appropriate to comment.

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

### ROYAL NATIONAL PARK WORLD HERITAGE LISTING

**Mr LEE EVANS:** My question is addressed to the Minister for the Environment, and Minister for Heritage. What action is the Government taking towards progressing the World Heritage nomination for the Royal National Park?

**Ms ROBYN PARKER:** Last week the member for Heathcote joined me, the member for Cronulla, the member for Menai and our Liberal candidate for Miranda, Brett Thomas—who it is hoped will be joining us here next week—along with the new Federal Minister for the Environment, Greg Hunt, as we met with community members to discuss the potential World Heritage listing of the Royal National Park. The Royal National Park—Australia's first national park—has been a national park for more than 140 years. Last year it attracted more than four million visitors. It contains a broad diversity of environments and heritage, which includes European heritage such as the magnificent Audley Dance Hall and Aboriginal cultural heritage such as rock carvings by the Dharawal people. Whether people are whale watching from the coastal parts or just enjoying time by the waterways, the park is magnificent and deserves a place on the world stage.

I congratulate local members on their spirited representation. A couple of months ago they and local community members who have done an enormous amount of work to put together a World Heritage listing proposal came to see me. We have taken a collaborative approach with the Federal Government and worked together on this process for some time. It has taken at least a couple of years to tick the boxes necessary for

World Heritage listing. The First National Park Committee and the Sutherland Environment Centre have worked enormously hard. Dr Geoffrey Mosley recently prepared a thoroughly researched book on the Royal National Park and Bob Walshe and Bob Crombie—the two Bobs—along with a bunch of enthusiastic environmentalists have worked on this for some time.

The Royal National Park along with Heathcote National Park and the Garawarra State Conservation Area make up a beautiful part of the landscape that I am sure members have enjoyed over the years. It is deserving of World Heritage listing. Federal Minister Greg Hunt was excited by the proposal and we have agreed to work collaboratively. We want to see our first national park on the world stage. Next year we will host the World Parks Congress. It is held only once every 10 years, so we are lucky to have managed to get the event over Queensland and Victoria. We are delighted to be hosting in New South Wales about 5,000 of the world's experts in protected areas. We want to showcase the Royal National Park and our other national parks surrounding Sydney, in the Blue Mountains and further afield. The World Parks Congress is a wonderful opportunity and we are hopeful that by the time the event is held we will have made some advances towards placing the Royal National Park on the World Heritage List.

**Question time concluded at 3.15 p.m.**

## OMBUDSMAN

### Report

**Mr Greg Smith** tabled the report entitled "Report under Section 242 (3C) of the Law Enforcement (Powers and Responsibilities) Act 2002—Criminal Search Warrants—for the period ending 7 August 2013", dated September 2013.

## INDEPENDENT COMMISSION AGAINST CORRUPTION

### Reports

**The Speaker** announced the receipt, pursuant to section 78 of the Independent Commission Against Corruption Act 1988, of the following reports, received out of session and authorised to be printed on 26 September 2013:

- (1) "Investigation into Allegations of Corrupt Conduct in the Provision of Security Products and Services by Suppliers, Installers and Consultants", dated September 2013.
- (2) "Investigation into the Possession and Supply of Steroids and Other Matters Involving a Corrective Services NSW Corrections Officer", dated September 2013.

## AUDITOR-GENERAL'S REPORTS

**The Clerk** announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the following performance audit reports:

- (1) "Government Advertising 2012-13: Department of Premier and Cabinet, Ministry of Health—Cancer Institute NSW, Transport for NSW—Rail Corporation NSW", dated September 2013, received out of session and authorised to be printed on 23 September 2013.
- (2) "Management of casual teachers: Department of Education and Communities", dated October 2013, received out of session and authorised to be printed on 3 October 2013.

## JOINT STANDING COMMITTEE ON ROAD SAFETY

### Government Response to Report

**The Clerk** announced the receipt of the Government's response to report No. 2/55 entitled, "Report on Driver and Road User Distraction", received out of session and authorised to be printed on 4 October 2013.

**LEGISLATION REVIEW COMMITTEE****Report**

**Mr Stephen Bromhead**, as Chair, tabled the report of the Legislation Review Committee entitled, "Legislation Review Digest No. 45/55", dated 15 October 2013, together with minutes of the committee meeting regarding Legislation Review Committee digests Nos 43/55 and 44/55, dated 10 September and 17 September 2013.

**Report ordered to be printed on motion by Mr Stephen Bromhead.**

**PUBLIC ACCOUNTS COMMITTEE****Inquiry**

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

**PETITIONS**

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

**Muswellbrook District Hospital**

Petition requesting funding for and construction of a new hospital for Muswellbrook, received from **Mr George Souris**.

**Callan Park**

Petition calling on the Government to implement the Callan Park master plan and establish the Callan Park and Broughton Hall Trust, received from **Mr Jamie Parker**.

**Coal Seam Gas Mining**

Petition calling for a royal commission inquiry into the impacts of coal seam gas mining, a moratorium on coal seam gas mining and a ban on the extraction technique known as hydraulic fracturing, received from **Mr Jamie Parker**.

**Walsh Bay Precinct Public Transport**

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

**Companion Animals**

Petition requesting that companion animals be allowed to travel on all public transport, received from **Mr Alex Greenwich**.

**Slaughterhouses Monitoring**

Petition requesting that the Government make CCTV compulsory in New South Wales slaughterhouses, received from **Mr Clayton Barr**.

**Pet Shops**

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

**Pig-dog Hunting Ban**

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

### **Duck Hunting**

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

### **Inner-city Social Housing**

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

### **Container Deposit Levy**

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

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

#### **Marrickville Bowling and Recreation Club**

Petition requesting support for a grant application to restore Marrickville Bowling and Recreation Club's iconic roof, received from **Ms Carmel Tebbutt**.

#### **St George Public Hospital**

Petition requesting increased funding for St George Public Hospital, received from **Mr Mike Baird**.

#### **Family School Enrolment**

Petition requesting the right of children in a family to attend school together and be part of the same school community, received from **Mr Jamie Parker**.

#### **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**.

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

The Hon. Jillian Skinner—Muswellbrook District Hospital Aged Care Facility—lodged 13 August 2013 (Mr George Souris).

The Hon. Adrian Piccoli—Yanco Agricultural High School—lodged 12 September 2013 (Ms Carmel Tebbutt).

The Hon. Duncan Gay—Ulan Road and Cope Road Upgrade—lodged 20 August 2013 (Mr Andrew Gee).

The Hon. Chris Hartcher—Coal Seam Gas Mining—lodged 22 August 2013 (Mr Jai Rowell).

The Hon. Chris Hartcher—Drayton South Coal Project—lodged 27 August 2013 (Mr George Souris).

The Hon. Chris Hartcher—Mid North Coast Water Catchments—lodged 29 August 2013 (Mr Andrew Stoner).

The Hon. Katrina Hodgkinson—Labelling of Free-range Eggs—lodged 22 August 2013 (Mr Jamie Parker).

The Hon. Robyn Parker—Container Deposit Levy—lodged 10 September 2013 (Mr Alex Greenwich).

The Hon. John Ajaka—Young People in Residential Aged Care—lodged 29 August 2013 (Mr Andrew Constance).

**BUSINESS OF THE HOUSE****Business Lapsed**

**General Business Notices of Motions (General Notices) Nos 2552 to 2555 and 2557 to 2573 lapsed pursuant to Standing Order 105 (3).**

**CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY****Member for Blacktown and Currawong**

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [3.20 p.m.]: My motion, which should be accorded priority, is in the following terms:

That this House condemns the Leader of the Opposition for his failure of judgement and honesty in not reporting a \$3 million bribe offer, despite repeated opportunities to do so.

This motion should be accorded priority because the confession by the Leader of the Opposition that he was offered a multimillion dollar bribe over his sale of Currawong Beach raises a number of questions that would be serious for any member of the House. However, for a member who is a formal officer holder and who seeks the highest political office in New South Wales, these questions go straight to his suitability for office. This motion deserves priority because the Leader of the Opposition should tell the people why he did not consider a multimillion dollar bribe to be a matter worth disclosing to a probity auditor appointed by Unions NSW to answer questions about the propriety of the Currawong deal. This motion deserves priority because the Leader of the Opposition should tell the people why he did not disclose the bribe when questioned directly as a Government Minister in Parliament in 2009 about his dealings with Michael McGurk over Currawong.

This motion deserves priority because the Leader of the Opposition should tell the people why he did not disclose the bribe when he made a personal explanation in this place about his role in the Currawong Beach deal in 2011. This motion deserves priority because the Leader of the Opposition should tell the people why he did not consider a multimillion dollar bribe to be a matter worth disclosing to the NSW Police Force or the Independent Commission Against Corruption when it was investigating the circumstances surrounding the Currawong deal. This motion deserves priority because the Leader of the Opposition should explain why he did not tell New South Wales police that Michael McGurk offered him a \$3 million bribe over Currawong Beach even after the bloke was shot dead in his driveway. This motion deserves priority because the belated confession by the Leader of the Opposition that he was offered a multimillion dollar bribe over his attempted sale of Currawong Beach raises serious questions about his suitability as an alternative premier.

Why, for example, did he not immediately exclude the McGurk bid from the tender process? Was there anyone else in the meeting where he was offered the bribe, and if not why not? Who has he spoken to about the bribe? He has told the media there were others. Who are they and what advice did they provide? What else does he know about Currawong and what else is he not telling? It is difficult to conceive of a matter that should have greater priority in this Parliament today. The word "parliament" literally means "to speak". This is an opportunity for the Leader of the Opposition to tell us exactly what he knows in relation to Currawong. What else has not been told to the people and to the Parliament of New South Wales?

**Peritonectomy Surgery**

**Dr ANDREW McDONALD** (Macquarie Fields) [3.23 p.m.]: Today members of Parliament have a choice to accord priority to a motion that is all about politics or a motion that is about a mother.

**The SPEAKER:** Order! Government members who continue to interject will be removed from the Chamber.

**Dr ANDREW McDONALD:** I note the interjections and the groans from those opposite. They do not want to listen to the case of a mother of five children who wants to know when she will receive her life-saving surgery. Nicole Perko has told us that we should ask these questions and she said that she will be reading the *Hansard* of today's debate. It is with her permission that we are bringing up her case. She wants the Parliament of New South Wales to answer one question: Why is she waiting many months for vital surgery that her surgeon says should be done within four weeks to save her life?

This question was first asked on 15 August 2012. I asked the Minister what she was going to do about peritonectomies 14 months ago, well before Nicole was even diagnosed. Her answer then was that she would look at doing something about it. In fact the Government was looking at trying to do something about it 14 months ago but 14 months later the answer is the same. Patients on the waiting list still wait far outside the recommended time frames. For that reason only 7 per cent of doctors surveyed by the Australian Medical Association said that things in the health system had improved since the election of the O'Farrell Government.

All those opposite know that because they visit hospitals. Every day everyone in those hospitals—every health worker—says that things are more difficult now than they were two years ago. Government members can deny that all they like but those are the facts. Nicole Perko is waiting for life-saving surgery for only one reason: the Minister's refusal for the past 14 months to address this issue. She says it has nothing to do with budget issues but that is not true. This problem can be solved with a mixture of budget and political will. This is complex, life-saving surgery but it is a problem that the people of New South Wales expect the Minister to address. Nicole said:

I have five little ones. It breaks my heart looking at them now, and knowing that I might not be there to see them growing up; to see my beautiful one-year-old Evie's wedding.

I've written a number of times to the Health Minister. Still they can't give me a straight answer on why there's such a delay—and how they're allowing people to wait until they face death on this surgery waiting list.

This is a chance for every member to put his or her priorities on the public record—politics or patient care for a mother of five children. This issue would win a conscience vote.

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

**The House divided.**

**Ayes, 66**

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

**Noes, 23**

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

**Question resolved in the affirmative.**

**MEMBER FOR BLACKTOWN AND CURRAWONG****Motion Accorded Priority**

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [3.33 p.m.]: I move:

That this House condemns the Leader of the Opposition for his failure of judgement and honesty in not reporting a \$3 million bribe offer, despite repeated opportunities to do so.

As anyone who has followed the dubious twists and turns surrounding Currawong Beach in my community of Pittwater would know, this issue has stunk from day one and it has continually thrown up unanswered questions. It is an issue that causes the Leader of the Opposition to go white in his seat whenever it is mentioned. The Premier once asked me, "Why does the Leader of the Opposition change colour whenever Currawong is uttered?"

**The DEPUTY-SPEAKER (Mr Thomas George)**: Order! I remind members that calls to order during question time still apply.

**Mr ROB STOKES**: The Leader of the Opposition is the one common denominator that continues to emerge as the details of this increasingly odd saga are slowly brought to light. The question that the people of New South Wales want answered is the one surrounding the involvement of the Leader of the Opposition in the Currawong Beach deal. They want to know why this multimillion dollar bribe was never declared to authorities. They want to know whether they can have confidence in the honesty and integrity of the Leader of the Opposition and whether, as an alternative premier, he is fit to hold that post.

The Leader of the Opposition himself said—and I quote from his media release in June 2011—"It does not get more serious than bribery when it comes to the conduct of public officials." These are his own standards and he appears to have failed them miserably. Not only has he been offered a bribe but also he has kept quiet about it for the almost five years that he has served as a member of this Parliament. It appears as though the Leader of the Opposition not only has refused to disclose the offer to the New South Wales police, the Unions NSW independent probity auditors, the Independent Commission Against Corruption, the New South Wales Parliament or the New South Wales Cabinet during his time as a Minister of the Crown but also is continuing to remain tight-lipped on what involvement he had in the Currawong sale process and how the eventual sale to property developers, Eco Villages, transpired.

One of the big questions that continues to emerge is why an offer for more than twice the amount that was ultimately accepted was refused by the Leader of the Opposition when he was the head of Unions NSW. We know that in 2007 Unions NSW offered to sell Currawong to Eco Villages for \$15 million—half of what was offered by slain businessman Michael McGurk. The repeated line from the Leader of the Opposition is that the lesser bid was accepted because it was unconditional. However, what does not make sense is why the eventual sale price paid to Unions NSW by Eco Villages was only \$11 million. What happened to the offer being unconditional? Why was the \$30 million knocked back and only \$11 million eventually received for union members? As I said at the time, either John Robertson is very bad at business or there is something he is not telling us. For whatever reason, the Leader of the Opposition has now decided to let the long-suffering cat out of the bag. He now needs to let it speak.

In the past weeks he said that he would be happy to answer any questions the people have about this matter. We now need answers to those questions. We need to know specifically things such as: What was his relationship with the directors of Eco Villages throughout the sale process? What role did his position as co-director of Get On Board with the directors of Eco Villages have on the outcome of the final sale process? What role did the Obeid family play in his negotiations with Michael McGurk? Who else was privy to his discussions with Michael McGurk and the Obeid family surrounding Currawong? And was the offer of the bribe itself ever disclosed to the directors of Eco Villages? This deal raises more and more questions and the belated confession by the Leader of the Opposition that he was offered a multimillion dollar bribe raises more and more questions. The public of New South Wales, and certainly the people of Pittwater who I represent, have a right to know the answers. Ultimately, the truth will emerge. I call on the Leader of the Opposition to finally announce everything he knows, but is not telling, about Currawong.

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [3.38 p.m.]: Today members of the O'Farrell Government predictably decided that they would scrape the bottom of the political barrel. This motion has been moved because I terminated an inappropriate conversation with a person I barely knew; I rejected,

point blank, an offer for a business deal that was not done; and I set someone straight that no grubby deal, under any circumstances, was going to be given any consideration. This is the most pathetic try-on that has ever been seen in this place. What it highlights is the fact that the Government's priorities are all wrong. This Government does everything it can to distract the public from the real issues that confront their day-to-day lives: child protection and a Minister for Family and Community Services who has continued to mislead this Parliament about caseworker numbers.

**Mr Brad Hazzard:** Point of order: This debate is about an alleged \$3 million bribe and has nothing to do with anything else. I ask the Leader of the Opposition to stick to the ambit of the debate.

**Mr JOHN ROBERTSON:** To the point of order: This motion talks about honesty. I am talking about honesty and priorities.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The Leader of the Opposition will return to the leave of the motion.

**Mr JOHN ROBERTSON:** The motion is about honesty. The fact is that this Government continues to act dishonestly to distract people from what is going on. This motion simply is a stunt from a Government that wants to distract the public from the fact that \$3 billion is missing from the Health budget; \$3 billion that denies people—

**Mr Brad Hazzard:** Point of order: This debate is about a missing \$3 million bribe. It has nothing to do with Health or Community Services. I ask that the member be brought back to the leave of the debate.

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

That this House condemns the Leader of the Opposition for his failure of judgement and honesty in not reporting a \$3 million bribe offer, despite repeated opportunities to do so.

The Leader of the Opposition will return to the leave of the motion.

**Mr JOHN ROBERTSON:** This motion is about honesty and a Government that lacks all honesty and looks for distractions to its honesty. If Government members want to discuss honesty, why is the Premier protecting the Minister for Family and Community Services from fronting up and answering questions? Why is the Treasurer being protected from attending an upper House inquiry about appointing his mates to boards? Why is the Minister for Transport being denied the opportunity to explain why she is allocating hundreds of thousands of dollars in contracts? Let us cut to the chase. I will repeat exactly what I have said previously and publicly about the reported story. This story is about an offer that I rejected from a man I barely knew and a business deal that I did not engage in. I regarded the offer as totally inappropriate. At the end of the day, I will not know how serious this man was because of the way I dealt with it. But I know that this individual was left in no doubt as to my position and that my integrity was not for sale under any circumstances.

I immediately rejected the offer outright. I made it clear that it was completely unacceptable, and I considered that to be the end of the matter. I have acted with the highest of integrity in dealing with this matter and at all times in my dealings in my career. Despite the cheap shots and the grubby tactics from those opposite, the one thing I can tell this House is that I and the Opposition will not be distracted from holding those opposite to account for their completely misguided priorities and on wasting the Parliament's time with this motion instead of dealing with issues that matter, such as health, education, transport, family and community services, and protecting the most vulnerable in our community. Government members can pull all these stunts, but all it shows is that they are sad cases and their priorities are wrong. [*Time expired.*]

**Mr JONATHAN O'DEA (Davidson)** [3.43 p.m.]: We know that the Leader of the Opposition, John Robertson, received a \$3 million bribe offer as the union boss from murdered standover man Michael McGurk and that he failed to report it to the police or other authorities. The question still not answered today is why on earth did he not report it? He may have breached the Crimes Act by concealing a serious indictable offence. However, I will not speculate as to possible Independent Commission Against Corruption investigations. Having admitted to receiving an offer of a huge bribe, which we accept that he did not accept, why did he then encourage Mr McGurk, a criminal, to lodge a tender bid for Currawong?

**Mr Michael Daley:** Who says he did?

**Mr JONATHAN O'DEA:** He said he did. He said to "Go and put in the bid". He encouraged him to put in a bid. It appears that he did not even tell his deputy, now the head of Unions NSW, Mark Lennon, about the attempted bribe until after negotiations for the sale of Currawong to Eco Villages Australia had been finalised. Even Moses Obeid had said that Mr Robertson should have immediately thrown Mr McGurk straight out of the Currawong bid process. Who was in the room with him when the bribe was offered? The Leader of the Opposition's appalling and ongoing lack of judgement is compounded by his subsequent claim to have acted, as quoted in the *Daily Telegraph*, with the utmost integrity and by his statement in the *Australian*, "I don't resile from how I dealt with this matter." It appears that the Leader of the Opposition continues to live in a delusional state. Surely Labor members cannot agree with him, or do they want to go down with the captain and his ship? The Leader of the Opposition needs to make it clear, albeit belatedly, that he made a mistake in failing to report a \$3 million bribe and apologise.

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

**Mr JONATHAN O'DEA:** If he does not, then those opposite should join the Government, the popular media and, in fact, the public to send him an overdue wake-up call. I expect at least that the Independents and The Greens will have the sense to do so. Some members of Parliament within Labor's floundering rump may not want to roll Robertson before next Saturday's Miranda poll. Surely, there are other members with better judgement and higher standards who will stand up and be counted. Otherwise, the people of Miranda will send a message that this is unacceptable behaviour. An Australian public sector anti-corruption conference is being held next month in Sydney under the theme "Vision, Vigilance and Action." I suggest the Leader of the Opposition attend and learn something. [*Time expired.*]

**Mr MICHAEL DALEY (Maroubra)** [3.46 p.m.]: Government members certainly sent in the heavy hitters today! What they did not count on was the Leader of the Opposition doing what the Minister for Family and Community Services refuses to do: stand up, face the music, front up and explain. Government members did not count on him standing up, explaining and answering the question they put to him. This motion is a new, tawdry low. The motion contains the word "honesty." In all print and electronic media reporting of this issue in the past week, no-one has called into question the honesty of the Leader of the Opposition. No evidence and no suggestion exist that he took a bribe. It took the member for Pittwater—no surprise—to move this motion because he is the only one on that side of the House not under a cloud.

**Mr Jonathan O'Dea:** Point of order: I take personal offence on behalf of my colleagues and ask for that statement to be withdrawn.

**Mr MICHAEL DALEY:** To the point of order: Government members have set a record. I am withdrawing nothing.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! Will the member for Maroubra withdraw those comments?

**Mr MICHAEL DALEY:** I am withdrawing nothing. Those opposite have set a record: For such a young Government, the list of improprieties now outnumbers their number of members of Parliament.

**Mr John Barilaro:** Point of order—

**Mr Robert Furolo:** Put up or shut up.

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

**Mr John Barilaro:** I too take offence at that comment. I ask that the member withdraw it.

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

**Mr MICHAEL DALEY:** This motion is nothing more than a smokescreen. If the member for Pittwater says that "parliament" means literally to speak, then why does the Premier not force the Minister for Family and Community Services to speak before the committee? This motion is a smokescreen to hide this Government's emerging theme: a small group of Liberal Party insiders with the assistance of Ministers sharing

in the spoils of government. The Minister for Transport shovelling cash at Conrad Capital; the billion-dollar boy, the Treasurer, committing a billion-dollar blunder. Chum Darvall, Roger Massy-Greene, mates of and donors to the Liberal Party are now all handsome beneficiaries.

**Mr Greg Smith:** Point of order: The comments of the member for Maroubra have no relevance to this debate, which is about an offer of a bribe of \$3 million to the Leader of the Opposition.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is no point of order. The member's time has expired.

**Mr Michael Daley:** I seek an extension of time.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! That is not permitted under the standing orders.

**Mr Michael Daley:** You love to play fair! You pick a fight and then you won't fight it.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Maroubra will resume his seat.

**Mr Andrew Fraser:** Rob, you stay out of it.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I call the member for Coffs Harbour to order for the first time. I remind the member for Canterbury that she is on three calls to order.

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [3.51 p.m.], in reply: In this motion, which relates to the Leader of the Opposition's belated confession that several years ago he was offered a multimillion dollar bribe on the sale of the Currawong Beach site, I have raised the opportunity for the Leader of the Opposition to answer a series of questions—a series of questions he has chosen not to answer.

**Mr Michael Daley:** Point of order: This is about the fourth or fifth time that the member for Pittwater has sought to have the Leader of the Opposition answer questions. The motion does not seek further information.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is no point of order. The member for Maroubra will resume his seat. I place the member for Maroubra on three calls to order.

**Mr ROB STOKES:** I am using this opportunity to ask those questions because the Leader of the Opposition is on the public record saying that he would be happy to answer any questions that the public may have in relation to this matter. On behalf of the public, I have put those questions in this forum and the Leader of the Opposition has chosen not to answer any of those questions. In fact, he has used this debate to raise counter allegations and to deflect the reasonable questions that have been asked about those matters he shone a light on. I have been in this place for 6½ years and during that time I have never seen anything that has raised real suspicions in my mind and in the minds of those in the community—

**Ms Linda Burney:** Point of order: My point of order is relevance.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The remarks of the member for Pittwater are relevant to the motion. The member for Canterbury will resume her seat.

**Ms Linda Burney:** The motion does not talk about questions. The motion is very clearly about—

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Canterbury is on three calls to order. I direct the member for Canterbury to remove herself from the Chamber for a period of three hours.

*[Pursuant to sessional order the member for Canterbury left the Chamber at 3.54 p.m.]*

**Mr ROB STOKES:** It is clear to every member in this House that not only have the reasonable questions I have asked remained unanswered but the members opposite are doing everything they can to sit me down.

**Mr Paul Lynch:** Point of order: My point of order relates to Standing Order 59. In addressing the House the member for Pittwater has tediously repeated that he has asked questions. That is all he has done.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Pittwater is replying to points that were raised in debate.

**Mr Paul Lynch:** Tedious repetition is in breach of the standing orders.

**Mr ROB STOKES:** The member for Liverpool may call these questions tedious and repetitive, but they will continue to be asked until the public of New South Wales receives some answers. It has long been believed that there has been a bad smell around the Currawong deal. The confessions of the Leader of the Opposition have revealed there is some truth to those beliefs. We need to get to the bottom of this. [*Time expired.*]

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

**The House divided.**

**Ayes, 65**

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

**Noes, 19**

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

**Question resolved in the affirmative.**

**Motion agreed to.**

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

**GAME AND FERAL ANIMAL CONTROL AMENDMENT BILL 2013****Second Reading****Debate resumed from 11 September 2013.**

**Mr RICHARD AMERY** (Mount Druitt) [4.05 p.m.]: I lead for the Opposition in debate on the Game and Feral Animal Control Amendment Bill 2013. The Opposition opposes the bill, in particular the abolition of the Game Council NSW. This matter will be addressed by the shadow Minister for Resources and Primary Industries, the Hon. Steve Whan, in the other place, who I understand is also undertaking negotiations about possible amendments to the bill. The object of the bill is to amend the Game and Feral Animal Control Act 2002, the principal Act, and other Acts and instruments as follows:

- (a) to abolish the Game Council of New South Wales,
- (b) to transfer to the head of the Department responsible to the Minister (the Regulatory Authority) the licensing, enforcement and other regulatory functions of the Game Council under the Principal Act,
- (c) to establish a Game and Pest Management Advisory Board to represent the interests of licensed game hunters in matters arising under the Principal Act and to provide advice to the Minister and the Regulatory Authority in relation to game and feral animal control and other matters,
- (d) To make other miscellaneous and consequential amendments.

As I have indicated, the Opposition does not support the abolition of the Game Council NSW because it amounts to a betrayal of trust with the shooters and their political and industry representatives. Whilst some of the regulatory functions of the Game Council that have been highlighted may justify some amendments to the Act and changes to Game Council practice, they certainly do not warrant the abolition of that statutory body. The Government has tied itself in knots over shooting and its relationship with the Shooters and Fishers Party and its constituency. I will be particularly interested to hear the contributions of The Nationals and rural Liberal Party members in this debate. Comments made by other members of those parties appear in *Hansard* when this bill was first introduced more than 10 years ago, and the Government has gone against its own public comments.

Members will recall that the current Minister for the Environment and the Premier when in opposition talked about not allowing shooting in national parks. Indeed, there was public outcry when the announcement was made to the contrary and the Government started to get the wobbles. The end result is that the Government is sending a confusing message about its relationship with the shooting constituency. By contrast, the former Labor Government, whilst disagreeing with many aspects of the Shooters and Fishers Party policy, negotiated and resolved many of those differences. The original bill was introduced into this Parliament after an exposure bill had been released and representations received from not only the Shooters and Fishers Party, shooters, and shooting associations but also from the Rural Lands Protection Board, as it was then known, the NSW Farmers Association and the like. I was the Minister who proudly introduced the original legislation after many months of negotiation and public scrutiny. The end result was a bill that I believe could have been very workable.

As a result of the then Labor Government's dual concerns about endangered species and the damage done to the landscape by feral animals—as outlined in my speeches to the House at that time—then Premier Bob Carr announced in 1998 that the Labor Government would establish a Game Council to represent all interests, and those interests were spelt out for all to see. The advisory council that is part of this bill is very vague. The Minister referred to it as having expertise, knowledge and so on but there is no indication of who its members will be. Will its membership include someone nominated by the NSW Farmers Association? It might, but there is nothing in the legislation to suggest that it will. Will it include someone nominated by the Sporting Shooters Association of Australia or the various other shooting clubs and organisations around New South Wales? The bill is very vague on this point. One suspects that the advisory council will be full of yes-men and yes-women, who will simply do the Government's bidding—unlike the Game Council of New South Wales, which contained a cross-section of representatives, as set out in legislation introduced by the former Government.

As to having representation from all interest groups, the policy of the former Government was to allow the expansion of private shooting on Crown land. That was the specific goal of our particular legislation. But it stopped short of allowing private shooters access to national parks. We opposed that at the time and the issue was non-negotiable when we spoke to representatives of the Shooters Party and the Sporting Shooters

Association of Australia in the lead-up to the introduction of the original bill. We continue to oppose that policy in opposition. However, the current Government's exact position on shooting in national parks is unclear—it seems to depend on what contentious legislation the Government is trying to get through the Legislative Council. As I say, the Government is certainly infected with the wobbles.

Government members have highlighted the fact that the former Labor Government allowed shooting in State forests and used that to attack our current opposition to shooters having access to national parks. That completely misrepresents the situation: In government we allowed shooting in State forests but disallowed shooting in national parks. There was nothing wrong with our position in government and there is nothing wrong with our position in opposition. The argument made by those opposite is too silly to spend much time on. Government members talked about allowing shooting in State forests and in national parks as if they are one and the same. State forests are effectively plantations or reserves and there is not the same level of public and family access to them as occurs with national parks. Connecting these two areas in the argument advanced by the Government is not only silly but also ignorant. Of course, we all know the motive behind that argument.

The Government has moved from a position of not allowing shooting in national parks to allowing shooting in national parks. The Government has got itself into a tangle and the Game Council of New South Wales is the casualty of the resulting mess. As a way of smoothing over this whole debate, the Government has come up with the proposition that the Game Council be abolished. I am surprised by that; I always believed Coalition members who represent rural electorates supported the Game Council. From time to time they profess to have some affinity and some sort of relationship with the shooters in this State—whether they be members of a political party, a sporting shooters association or various gun clubs or just recreational shooters or hunters in rural communities.

I will declare an interest in this debate: I am a licensed shooter. I have a shooter's licence and I own a number of registered firearms. I have never felt that to be inconsistent with Labor's position on this issue, either in government or in opposition. I enjoy a bit of recreational or target shooting. Therefore, as a Labor member I am extremely surprised that the substantial number of rural backbenchers in this Government would allow the abolition of the Game Council to proceed—and this is not an amending bill. I recognise that the Dunn review of the Game Council revealed some real concerns about a conflict between its regulatory role and its promotional and educational roles. I am not saying that the original legislation brought before Parliament was perfect. We recognise that the Game Council took roles away from established government departments. It was a representative statutory body funded by fees and so on—although it received government funding in the initial phase—so there was always going to be some resistance to it from the bureaucracy.

Before the Game Council was established—at the time I was a Minister with a number of rural-based portfolios—no government department held close to its heart the views and the attitudes of people who wanted to use firearms for recreational hunting. The police were involved in the regulation of licences and the registration of firearms and the like. The Department of Agriculture and what were then the rural lands protections boards always took an interest in feral animal control and so on. But no government department appreciated the role of individual shooters. Therefore, when the Shooters Party under the leadership of the Hon. John Tingle started lobbying for the creation of a game council—a statutory body that would take these areas away from the management of government departments—the Labor Government listened to him and to the constituency who supported him. He was a most responsible member of the Game Council.

In my Parliament House office I have a photograph on the wall taken at the Game Council official launch. The Hon. Robert Brown, who is a member of the upper House; Roy Smith, who has since passed away; John Tingle and others were very much a part of the establishment of the Game Council. It came about as a result of a working relationship with a fraternity that would not have identified with the Labor Party. I think it is a great tribute to John Tingle, as the parliamentary representative of the Shooters Party in those days, and Roy Smith, who was then head of the Sporting Shooters Association of Australia, that there was such a cooperative approach. This Government has got in a tangle over the shooting in national parks issue. We are receiving confusing messages. The Government finally walked away from a number of arrangements—of course after getting contentious legislation through the Legislative Council. It made false promises to the Shooters and Fishers Party to get its members' votes and, having secured them, then reneged on the whole process and betrayed those members. This bill before the House is part of that betrayal.

The establishment of the Game and Pest Management Advisory Board is a way of throwing some small change to the shooting fraternity. I ask that fraternity to consider what this legislation is about. The Minister will approve the appointment to that board of people who he or she feels have some expertise in the area. The bill is

very vague on that point. The opposition has been asking: Who will those people be? Will they be members appointed or recommended by the NSW Farmers Association, the feral animal control groups, the pest boards, the Shooters and Fishers Party or the Sporting Shooters Association of Australia? Who will they be? We understand why people in the shooting fraternity are concerned. We suspect that those who are appointed as representatives will do the government's bidding, which is very disappointing. This is a flimsy piece of legislation that should be rejected. At this stage I do not know what amendments may be flagged by the Hon. Steve Whan in the Legislative Council, but I understand that negotiations are underway with crossbenchers and other interested parties.

I believe the establishment of the Game Council was a great, innovative move by the former Government. As I said, I was the Minister who had carriage of the proposal but it was suggested by a then very new political party, the Shooters Party, which at that time was led by a well-respected man, the Hon. John Tingle. He negotiated with the then Government and came up with the proposal that we needed some form of statutory authority to begin to get some control, management, promotion and funding for this aspect of shooting and feral animal control, particularly on Crown lands. All legislation that comes through this House is debated periodically, reviewed and amended. The chair of the Legislation Review Committee, who is in the Chamber, will attest to that. But deciding on the kneejerk reaction of abolishing the Game Council without doing a bit of hard work is deplorable. I condemn the Government for taking the easy way out and going back on its word to the political operatives in the Legislative Council and their constituency, the Sporting Shooters Association and all those who supported the concept of the Game Council.

Private shooters were to have access to State forests but that has now been suspended. Heaven knows whether the Government will reinstate it or what the situation will be. Of course, if the suspension of access to State forests by the Government includes access to national parks then the Opposition and I believe the majority of residents in New South Wales will oppose such a move. It is disappointing that the Game Council is not allowed to continue to operate. I am disappointed that Coalition members who represent rural electorates, whether they be Liberal or National, did not stand up and fight harder to retain this worthwhile entity while recognising that some amendments to its operations and regulatory role were needed. I oppose the bill.

**Mr GREG APLIN** (Albury) [4.22 p.m.]: I support the Game and Feral Animal Control Amendment Bill 2013. One evening, just around dusk, I was driving in the north of my electorate on my way to a function in Tumbarumba shire. As I turned a corner, there in the middle of the road, barely visible, was a stag deer—its massive antlers shining in the half light. The stag was in no hurry to let me pass. It was an unexpected meeting in a remote area but it was no fault of the deer. Years ago some farmers found that their stocks of deer were unprofitable and they let them move into the forests and bushland, where they became wild and made their home. They now wander onto roads and private property. Similarly, it is the fault of people, not the animals, that domestic cats and dogs are let loose in forests and parks, where they adopt predatory, wild behaviour. We can add to the list foxes, pigs and even in some cases ducks, which appear to have a great interest in rice crops. Some of the stakeholders in this debate are—literally at times—a wild bunch.

Since last year I have been working with residents in the north of my electorate to represent them in seeking answers about hunting and shooting in State forests. Some of these people live in properties that adjoin those areas. Their concerns include issues of personal safety, safety of livestock, difficulties obtaining clear maps identifying areas that are open and closed to hunting, and generally poor communication by the Game Council. The report by Steve Dunn entitled, "Governance Review of the Game Council of NSW", submitted on 14 June 2013, makes for interesting reading. The review concluded that the Game Council had been:

... taking governance risks not normally associated with government bodies. They have prioritised resources into operational activities and neglected internal governance systems.

Specifically, the Game Council was found to be lacking: an overarching governance framework; a strategic planning framework; the skills, tools and resources to ensure effective compliance with its regulatory framework; an internal regulatory compliance program; an enterprise-wide risk management framework, and more. Mr Dunn determined:

The Game Council has not been able to resolve the inherent conflict of interest associated with its functions to both represent the interests of hunters, and to regulate their activities.

Accordingly, the review concludes with these no-nonsense words:

The risks to government associated with these governance deficiencies should be regarded as unacceptable.

That brings me to the bill. The Game and Feral Animal Control Amendment Bill 2013 is brief and has just three tasks. The first of these tasks is to abolish the Game Council NSW. The council and its committee of management are dissolved by schedule 4. The schedule goes on to minimise disruption of services to the people of New South Wales by providing for staff, hunting licences, approved hunting clubs or organisations, and inspectors to transition to the new regulatory authority. The second task of the bill is to transfer the licensing, enforcement and other regulatory functions of the Game Council to the department head, who is responsible to the Minister.

Third, under part 2 the bill establishes a Game and Pest Management Advisory Board. The aim of this new board is to represent the interests of licensed game hunters in matters arising under the legislation in this area. The board will also function to provide advice to the Minister and the regulatory authority in relation to game and feral animal control, among other matters. Those other matters include priorities for expenditure on research and advice on educational courses relating to game hunting. It will be important for the people of my electorate, including affected residents and hunters, to follow the ongoing development of these aspects and, in particular, to see that useful research projects get underway and that appropriate educational resources and courses are provided. The bill must be viewed in context too.

For example, in recent months the Government has added two new parks to the national park estate. In all, nine new reserves have been added in the course of the first two years of this Government, including three national parks. The most recent parks were chosen for the value they present as natural ecosystems that are significantly underrepresented in the overall system of parks and reserves. As the *Tumbarumba Times* noted, I have been acting "as a 'go between' for the Maragle residents and others in the electorate who have petitioned against shooting in both forests and national parks". I have long been involved in representing the disparate views and needs of the groups who use our national parks, State forests and reserves. Residents have a right to be heard in this place when they express fears about hunting in their neighbourhood. Recreational hunters have been able to access licences to hunt in declared State forests and Crown land areas.

While my door has been open to all stakeholders in this debate, safety holds a dominant place at the centre of my work on these issues on behalf of the residents of the Albury electorate. Access by different groups to public resources such as parks and reserves is competitive; but safety should not be compromised by management solution. Several residents took the opportunity to bring their concerns straight to the Premier while he was out in the bush for this year's Tumba Trek. I express my thanks to the Premier for making time to hear these concerns directly from people who love spending time in the State forests and national parks of my electorate. This was a case of bringing democracy to the people where they live and in the midst of their activities. There will be an impact in my electorate. Motel and hotel operators and cabin and caravan park operators may lose guests and revenue, which can be critical for those who provide accommodation in remote areas. If the purpose for making a visit is removed, the viability of the tourism industry in that location is damaged.

Of course, shooting and bushwalking are often polar opposites on the tourism spectrum. One of the most sobering of outdoor experiences is walking through the bush and hearing the crack of a rifle firing. These are recreational pursuits that require distance and management. Hunters and accommodation providers have expressed concern at the speed with which some recent Government actions have taken place. Some people arrived in Tumbarumba to go deer hunting in the forests on the day that the changes were announced. Last July the *Tumbarumba Times* reported concerns of Maragle Valley residents who expressed relief at the news that the Game Council was being disbanded and reported that they "have had a number of anxious moments in recent weeks with shots being fired in the area at seemingly random targets." As one resident couple said to me last month:

The members of the Maragle Community wish to thank you and the minister for your courteous correspondence and diligent attention to our concerns with regard to the unregulated hunting in the state forests in our area. At last, after seven years, peace has returned to the valley and farmers and their families are feeling safe again.

In July the Minister announced the disbanding of the Game Council and announced that feral animal shooters will be allowed into selected national parks from October, in a trial program. In essence, a number of concerns remain: shooting may ultimately be permitted in 75 national parks, the continued problem of feral animals, and the types of hunters encountered in the forests. As one Tumbarumba writer put it to me, "Three years ago the type of hunter became more aggressive and less proficient." In another letter from a Tooma farmer, dated July last year, the writer complained:

Hunters trespass by climbing the deer fence into the property. We have had many deer shot and shots close to the homestead area ... but my main concern is that the hunters are frustrated because there are so few deer in the designated hunting area, and many are prepared to trespass onto private land in order to get a kill. For some repeat offenders this has almost become a habit and to challenge them involves risk.

In preparation for this bill there has been a risk assessment process and the gathering of expert advice. Campaigners from a number of groups and perspectives have made their views known. The Minister has said that the National Parks and Wildlife Service is to regulate and manage the new program. The program comes with 14 additional regional staff and \$2 million in funding. National parks and forests—State owned and privately owned—have ongoing pest control issues. The Minister noted that about 40 per cent of all threatened species in our national parks are imperilled by feral pests. Programs have been in place for the culling of feral animals using baiting, trapping and shooting. More than 54,000 pest animals were removed from New South Wales parks by the National Parks and Wildlife Service in 2012. One controversial aspect of the proposed program is that, in addition to National Parks and Wildlife Service shooters, additional volunteer shooters may be brought in to assist with pest control. [*Extension of time agreed to.*]

A professional wild dog trapper working in the Tumbarumba area has spoken out about the use of volunteer shooters. From his perspective as an experienced contractor, he is concerned that those who have not studied the patterns of wild dogs in parks will interfere with long-term strategies that are based upon an understanding of how wild dogs operate and travel across their territories. When it comes to wild dogs, this hunter-trapper said that it is rare to see one within shooting range, let alone to kill and then verify that result by finding the animal's body. These are all aspects of proper management of a culling program. There should be a basis for confirming its effectiveness. That hunter-trapper believes trapping is a more appropriate tactic for removing wild dogs from bushland and wilderness areas. Shooting has the potential, he says, to disturb the normal travelling patterns of dogs. Ineffective or inappropriate shooting would risk herding wild dogs into farmland and private forests. Farmers, graziers and private landholders may pay the price.

The Minister has promised that the volunteer shooters will be held to a high standard equivalent to that which applies to government staff shooters. They will operate only under the control and direction of parks staff. Initially only 12 parks or reserves will be incorporated in the new shooting and pest control program. The program will be reviewed before any extension to other parks. Importantly, the new program will not be activated in any wilderness, World Heritage or metropolitan area. There will be no shooting during school holiday periods. Public notice of a feral pest control operation will begin at least four weeks in advance, with final notification given to neighbours and the public a minimum of 48 hours before shooting begins. Affected park areas will be closed to the public on the days of shooting operations. Road closures and appropriate signage will be used as further strategies to separate the pest control processes from other users of these parks and reserves. The origins of this bill are well known. Hunting in parks and reserves will always be controversial, and shooting in national parks and State forests—so beloved for their peace and natural beauty—is arguably a dangerous mix.

The various interests of stakeholders—whether sports hunters, bushwalkers, tourists, farmers, graziers or those implementing a government-approved cull of feral animals—are all entitled to have a say. It falls to government to manage and control the clash of ideas and ideologies. The fact that this is not easy, particularly when issues become emotional, is no excuse to throw up one's hands and do nothing. What is clear is that no one gets everything they might want. And that is a healthy sign that real efforts have been made to facilitate a genuine, fresh approach to the difficult underlying issues. Today, through the Game and Feral Animal Control Amendment Bill 2013, a new process and program will commence. In concluding, I thank all those hunters, tourism operators and residents who came to me with their concerns about the management of feral pests and the pursuit of hunting in our parks and forests. I appreciate the many phone calls of support that I have received for getting involved in matters of great importance to so many in my electorate, particularly in the Tumbarumba area. I commend the bill to the House.

**Mr ALEX GREENWICH** (Sydney) [4.34 p.m.]: I welcome the move to abolish the Game Council; however, there is widespread disappointment in the Game and Feral Animal Control Amendment Bill 2013. Recreational hunting on public land is a major concern for many of my constituents. People who live in the inner city care about the natural environment of all of New South Wales. They visit national parks and are concerned about declining biodiversity in New South Wales, which has impacts for the whole State and the whole globe. They are also concerned about the pain and suffering of animals in our care. Under the bill, licensing, hunter education, and compliance and enforcement functions will be transferred from the Game Council to the Department of Primary Industries. This is in response to serious findings of inherent conflicts of interest between the Game Council's roles as the hunters' regulator and the hunters' representative, and of its lack of proper governance, strategic planning, and compliance and risk-management frameworks.

It was always bad policy to fund and set up a body of recreational hunters to control and regulate hunting on public land. But the bill establishes a new board to provide advice to the Minister on game and feral

animal control and hunting on public land which many are concerned will enable hunters to continue to dictate how and when hunting can occur on public land in this State—essentially doing the same thing as the Game Council but under a different umbrella. The Game and Pest Management Advisory Board will have eight ministerial appointees with regional representation, and expertise, skills and knowledge in pest management, wildlife, veterinary science, hunting, education and community engagement. Game hunters' interests will be represented on the board but it is not clear whether animal welfare advocates, environmental organisations and scientists who specialise in feral animal populations will have a position.

It is a well-known fact that ad hoc killing of feral animals has no impact on overall populations. In fact, it can do harm if gun shots disperse animals into other areas, where they create new problems and are harder to control. Their removal can also make way for other feral animals of the same or different species. Game hunting on public land never involved the development of a strategic program in consultation with environmentalists, scientists and wildlife experts, in which hunting would target only specific animals at specific times in specific places. Supporters of recreational hunting who say it is about conservation and reducing the population of introduced species need to question why not one single environmental conservation organisation supports the Game and Feral Animal Control Act and why each considers it damaging to the natural environment. It is time governments stopped pretending that recreational hunting helps in any way. It has no effect on introduced animal populations, and without that effect it is merely a government-subsidised blood sport.

Recreational hunting has drained funds from coordinated and strategic pest management and eradication programs. As well, it has drained funds from research and expansion of humane strategies such as fertility control and trap, desex and release programs. I welcome the Government's commitments in July to restrict hunting in national parks to a three-year trial in 12 national parks, within which all pest control programs, including hunting, will be under the control, management and terms of the National Parks and Wildlife Service. But the Game and Feral Animal Control Amendment Bill 2013 should legislate these changes to give the community an assurance that promises will not be withdrawn without the scrutiny of Parliament should the Government seek to make another deal with the Shooters and Fishers Party. There is no reason not to legislate this trial. The bill should also have made hunting in State forests subject to the same restrictions, with experts having control and management of a trial that is scientifically assessed. Instead, the bill will restore recreational hunting in State forests, where it will recommence on an ad hoc, unsupervised basis.

The Government should conduct a comprehensive review of the Game and Feral Animal Control Act to assess whether it has been effective. Citing numbers of animals killed is not a measure of success. We need peer reviewed scientific data on population changes over time measured against controlled areas. The Act should not include native birds and should not treat animals that are serious pests, such as deer, as game. Deer are often illegally released into the wild by hunters in order to ensure populations are maintained for game hunting. The Game and Feral Animal Control Amendment Bill 2013 is a lost opportunity. It is my hope that we will see changes to hunting in national parks retained after the three-year trial and expanded into State forests.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [4.39 p.m.]: I speak in support of the Game and Feral Animal Control Amendment Bill 2013 and commend the Minister for bringing the bill before the House. For many years in the electorate of Myall Lakes feral animals have been a cyclical problem. For 20 years I lived next to a State forest and access to my property was through the State forest. I have seen the ravages of wild dogs on calves and I have seen what foxes do to chickens, lambs and goats. Throughout my electorate, at places such as Coomba Park, there are problems with feral deer which have caused serious road accidents.

The Myall Lakes National Park bounds the Pacific Highway south of Bulahdelah. I recall a fatal accident where a car collided with a feral horse that came out of the Myall Lakes National Park. The uniformed police who attended the accident found that both persons in the front of the car were deceased due to the impact of the horse coming through the windscreen and killing them. The officer who described the scene to me said that as the police were attempting to extract the bodies from the car he inspected the back of the car and noticed amongst the gore the two eyes of a child in the back seat with horse entrails hanging over him. The problem of feral animals is huge in regional New South Wales.

It is interesting that the member for Mount Druitt led for Labor on this issue. He referred to the issue as a silly one. When a member talks about there being public access to national parks but not to State parks or State forests, it demonstrates his ignorance. It shows that city members—such as the member for Sydney—have no idea about what is happening in regional and country New South Wales. That is why Government members represent those areas—they understand what is going on. State forests are open. As was the case for me, for many country properties the only access is through a State forest. State forests are open to people walking,

picking flowers, holding barbecues or looking for butterflies. They are tourist routes and they contain walking trails. The Farquhar Park in the Manning Entrance State Park is open to fishermen, people wishing to hold barbecues, beachgoers, boaters and many others.

It is rubbish for members to say that only national parks are open for public use and that they are the only place where it is safe to walk. For years, with the use of firearms, up to 22,000 feral animals have been culled in State parks and State forests. It has been The Nationals policy for more than 20 years that State forests, State parks and national parks should be open to feral animal control through the use of firearms. It is nothing new; no deals are done with anyone; it is The Nationals policy. As a member of the National Party Central Council I remember discussing that issue with the Sporting Shooters Association of NSW in about 1990. It has been on The Nationals agenda for a long time. I am proud to be able to say that this is a good thing for regional New South Wales, and the people in my electorate understand and support that.

This bill aims to restore public confidence in the regulation of hunting and to provide for more effective use of hunting and pest management strategies. We are speaking about strategies—plural. This is not the only strategy; it is part of the suite of measures to keep feral animals under control. Other measures, such as trapping, baiting and the like, are also part of the measures that are needed. The bill implements this strategy by giving effect to the primary recommendations of the 2012 review into the governance arrangements of the Game Council conducted by Mr Steve Dunn. The review found that the Game Council lacks a proper framework for governance, strategic planning, internal regulatory compliance, enterprise-wide risk management and policy. It also found that an inherent conflict of interest is associated with the Game Council's function to represent the interests of hunters and its role as a hunting regulator.

In listening to the member for Mount Druitt one would think there was no problem with the Game Council but this independent report found that there were a number of issues. That is why the member's beloved legislation, which he brought before the House some years ago, has been wiped. Although it may have been a wonderful thing when first introduced, over the 16 years of Labor—when the hands were not on the tiller—the Labor Party had no idea what was going on. When the review was conducted we decided to abolish the Game Council because of the issues raised in that independent report.

The proposed Act will abolish the Game Council and the Committee of Management established under the principal Act and instead provide for licensing, enforcement and other regulatory functions to be undertaken by the Director General of the Department of Trade and Investment. In her second reading speech the Minister advised that these amendments aim to address the governance issues identified by the review. The proposed Act also establishes a Game and Pest Management Advisory Board—to consist of eight members appointed by the Minister—which will represent the interests of hunters. It will also provide advice to the Minister on game and feral animal control and matters such as hunter education and research expenditure.

In her second reading speech the Minister also advised that advisory board members will be appointed on merit. The board will include representatives of regional New South Wales, and members will be required to have expertise, skills and knowledge in pest management, wildlife, veterinary science, hunting, education and community engagement. In this way the proposed Act aims to ensure that the board delivers balanced, evidence-based advice on pest animal control, which properly represents the interests of all stakeholders in pest and animal management. There is nothing new in the Minister making appointments to a board; there are many areas of government in New South Wales where that is done. The Government is attempting to get a cross-section of expertise to fill the positions on the board to best represent the community and stakeholders.

The object of the bill is to amend the Game and Feral Animal Control Act 2002 and other Acts and instruments as follows: to abolish the Game Council NSW; to transfer to the head of the department responsible to the Minister—the Regulatory Authority—functions of the Game Council under the principal Act; to establish a Game and Pest Management Advisory Board to represent the interests of licensed game hunters in matters arising under the principal Act; and to provide advice to the Minister and the Regulatory Authority in relation to game and feral animal control and other matters.

The board will represent the interests of licensed game hunters in matters under the Act; it will provide advice to the Minister and the regulatory authority on game and feral animal control; provide advice on expenditure priorities for research in relation to funding held in the new Game and Pest Management Trust Fund; and provide advice to the Minister or the Regulatory Authority on educational courses relating to game hunting. The board members must, together, have expertise, skill and knowledge in the areas already outlined.

A Game and Pest Management Trust Fund into which licence fees will be deposited will be used to carry out research into game and feral animal control, to fund the cost of enforcing compliance in relation to game hunting, and to fund the cost of the board.

The bill includes an amendment that will allow the Regulatory Authority to have responsibility for regulating the killing of native game birds for sustainable agricultural purposes through the issue of native game bird management licences next year. The Regulatory Authority must consult with the Office of Environment and Heritage in relation to matters concerning native game bird management. This bill proposes a new framework to regulate, control and supervise hunting in New South Wales in order to protect the people of New South Wales, not only from hunters but also from feral animals. It will also protect the environment from the ravages of feral animals while providing safety in those areas. I commend the Game and Feral Animal Control Amendment Bill 2013 to the House.

**Mr CLAYTON BARR** (Cessnock) [4.49 p.m.]: From the outset, I indicate that the Opposition will oppose the Game and Feral Animal Control Amendment Bill 2013 for good reason. I note also that Labor shares the concern about the real conflict between the regulatory and promotional functions of the Game Council and believes that those functions require separation. On that point the Dunn report stated:

Despite lots of hard work and well-meaning effort by councillors and staff, and the ad-hoc support of the other government agencies, the Game Council has become further and further isolated from mainstream government administration.

The Game Council had problems. In a recent conversation on an unrelated issue a local police officer said to me that a problem is something that has a solution. The problems within the Game Council had solutions that should have been explored. I say that because of the historic legislative genesis of the Game Council, and because of the purpose and intent of the council in its representations.. This bill is being introduced in the most unfortunate of circumstances: it is being introduced as a political convenience. This bill is not introduced from a bigger and broader picture, a well thought-out and well-considered position or from a certain directional drive or determination that we need to go to a certain place at a certain time. This is a bill of political convenience or, I should say, inconvenience.

Prior to the election the then Opposition and its leader—now the Government and the Premier—said there would be no shooting in national parks. Now that same person, the current Premier, in this Chamber openly admitted that he had to agree to shooting in national parks to get other legislation passed. Prior to that admission, the Minister for the Environment also said in this Chamber that in absolutely no way, nowhere and no how would shooting occur in national parks—while the Premier was doing deals to make sure shooting would be allowed. The recent budget announced an increase in funding for the Game Council. Indeed, legislation in this House up to the introduction of the Local Land Services Act 2013 continued to refer to the Game Council. What then happened was an unfortunate falling out of a relationship, a backtracking or reneging on deals—I believe "skunking" was the term used by the Shooters and Fishers Party.

This skunking on deals because of a falling out or difference of opinion indicates how much one can trust this Coalition Government. The Game Council was then abolished. This bill is not part of a well thought out, well schemed, driven and determined destination; it results from an unfortunate relationship. The most unfortunate aspect of it all is that tens of thousands of lawful, law-abiding, licensed shooters—good citizens in our State—will be affected most significantly by no longer having the opportunity to choose representatives as their voice in conversations with any government—this Coalition Government or a future Labor government. That is the greatest tragedy of all. Nationals members are elected into this place for many reasons that can be explained only by those who vote for them. I guess one reason is to represent those who live in New South Wales regional electorates. Nationals members know the significance of licensed and lawful shooting and that those shooters need representation.

This Game and Feral Animal Control Amendment Bill 2013 does not guarantee that representation; in fact, it walks away from it. I would have hoped that The Nationals members of the joint party of this Coalition Government would have stood firm on something, somewhere, at some time along the line, but again they have walked away from those who, by and large, are members of their constituency. Indeed, I have 3,260 registered licensed firearm owners in my electorate and I represent their needs today. The members of The Nationals who debate this bill in this House and in the other place also represent the needs of their party. The Game Council had some problems, but at the commencement of my contribution I said that problems have solutions. If one gets a flat tyre on one's car, one does not get rid of the car—one fixes the problem. Undoubtedly, you can find cowboys and loose license holders in all endeavours: in the racing industry some people act well outside the rules of that sport.

**Mr Ray Williams:** Shame!

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I am sure the member's comments are restricted to Cessnock.

**Mr CLAYTON BARR:** Few members in this Chamber could honestly say that at some point in time they have not stepped outside the rules and laws of this land pertaining to driving a car. Indeed, some people within the Game Council should have been held to account for their actions and activities—some who acted well outside the rules and regulations that governed them and their responsibilities. But those problems had solutions. We did not need to throw out the Game Council, a body that has represented the law-abiding and good citizens of our State who need representation. Of course, the conflict between the regulatory and promotional functions of the council needed to be addressed. We would have supported legislation that addressed that problem and potentially separated those issues.

Outcomes could have been addressed within existing legislation, but the unfortunate reality of this piece of legislation is that it is not about a genuine need for the shooting industry, control of feral animals or a drive and determination towards an end goal. This bill is simply for political convenience. My final point is one I continue to make about this concept of shooting in national parks. We on this side of the Chamber listened to Government members sing merry about the need to control feral animals in our national parks by shooting them. We heard them talk about a particularly good breeding season in recent years. If it is good to shoot an animal in one national park, then surely it is good to shoot them in all. We cannot have one without the other. I am happy to support shooting in national parks when Ku-ring-gai is at the top of the list. Until that time, the Labor Party opposes shooting in national parks. We support shooting in State forests because they are working entities. The Opposition opposes this bill.

**Mr KEVIN ANDERSON (Tamworth) [4.59 p.m.]:** With amusement we heard the member for Cessnock say he wanted shooting in every national park in New South Wales. That is quite an extraordinary statement and one that will be remembered in time. I support the Game and Feral Animal Control Amendment Bill 2013. Pest animals such as foxes, goats and feral pigs have the potential to cause significant damage to the New South Wales environment and economy. The western side of the Tamworth electorate currently suffers an enormous problem with feral pigs and the eastern side has a significant wild dog problem as sheep farmers suffer heavy losses with dogs coming from the high country and mutilating sheep.

To the west of the electorate, thousands of pigs are causing enormous damage to crops across the Liverpool Plains. As a result, I am heading up a local feral pig task force that plans to continue to drive down feral pig numbers on the Liverpool Plains through a targeted and coordinated approach. Recently, I chaired the second meeting of the Liverpool Plains feral pig task force in Gunnedah, which reported that draft pig control groups were being formed to combat the devastation caused by pigs. It is pleasing to know that a number of agencies are working together on this task force, such as NSW Farmers, local landholders, Namoi Catchment Management Authority, Gunnedah Shire Council, the NSW Department of Primary Industries and the National Parks and Wildlife Service. The lead agency is the Livestock Health and Pest Authority. I congratulate Andrew Mulligan from the Central North Livestock Health and Pest Authority on his collaborative approach and on the great work he has done to get on top of this problem.

Feral pig numbers have reached critical levels on the Liverpool Plains where they are damaging crops and spreading disease. This task force is to come up with a strategic coordinated approach to control numbers in those areas. There are some 2,800 landholders in Liverpool Plains. The challenge is to get those landholders to work together for the common goal of driving down pig numbers. If a landholder does not participate in an eradication program the area will become a haven for all feral animals such as pigs, dogs, goats and foxes. Discussions are being held at a local level about the methods to eradicate feral pigs, whether it be trapping, poisoning or a control plan that will be developed for an individual group, which may include shooting. The local control plans are being implemented in a number of areas across the Liverpool Plains. Our commitment to driving down feral pig numbers includes allowing landholders to access pig traps and the free provision of 1080 poison to mix with their grain, as well as pindone training.

Some of the task forces that have been formed have seen landholders attend meetings and work together with Livestock Health and Pest Authority rangers. In our area, those task forces include Premer, Mullaley, Goolhi, Tambar Springs, Nombi, Bundella, Spring Ridge, Pine Ridge, Breeza, Blackville, Willow Tree, Boggabri, Kelvin, Carroll and Curlewis. I thank the Livestock Health and Pest Authority rangers who are doing a sensational job to get on top of the feral animal numbers. We will look at the

results and work on a cohesive coordinated, strategic and targeted approach to drive down numbers and then we will look further afield into New South Wales. I again thank all the agencies I have mentioned for working together.

There must be a mix in feral animal control. Hunting is one of a suite of mitigation measures used in New South Wales to control pest animal populations. Over the past financial year figures from the Game Council estimated that more than 20,000 animals were eradicated by licensed hunters on public land. On Friday we watched a video of professional shooters in helicopters take control of wild pigs that were running on the Liverpool Plains. Not one bullet was wasted. There would have been 50 shots and every shot accounted for the death of a wild animal. The strategic coordinated and targeted approach is dedicated to hunting these pigs. Quite often it is the only way that they can be controlled. The strategic coordinated and targeted approach is one way in which we believe we can control feral animal numbers.

The Game and Feral Animal Control Act 2002 is the principal Act that regulates hunting in this State. Under this Act recreational hunters are permitted to hunt certain pest animals, described under the Act as "game animals". The Act provides for hunting activity to be conducted in a responsible and orderly manner on both public and privately owned land. The Act establishes a licensing and compliance regime for recreational hunting and provides for education and research into game and feral animal control, which is similar to what we have been talking about. Monitoring the tracks of feral animals—where they are going and what they are doing—in State and national parks and on private property will enable us to gather important data which will inform those people who are creating plans to best control feral pigs, dogs and other animals. There could even be a 120-day cycle for pigs. There is no point in waiting for sows to give birth. Some recreational hunters might knock off the smaller wild pigs but, as they are born, they too become part of the problem. There must be a targeted approach to looking at the 120-day cycle.

To date the functions provided under the Game and Feral Animal Control Act 2002 have all been carried out by the Game Council, the statutory body which also represented the interests of recreational hunters in matters provided under the Act. However, the recent "Governance Review of the Game Council of NSW", undertaken by Mr Steve Dunn, has shown that there are concerns with how the Game Council has performed its functions in line with the standards expected by the Government and the community. The Dunn report, completed in June this year, found that the council had expanded its role beyond its statutory functions and that it had modified its objects to focus on the concept of conservation hunting. Mr Dunn's findings suggest that it is appropriate that functional responsibilities and advisory responsibilities should be separated under the Act.

Therefore, the bill before the House today provides for a new regulatory authority to carry out licensing and other functions under the Act. Advice on matters arising under the Act will be provided to the Government by a new Game and Pest Management Advisory Board. The Dunn report clearly said that the council had expanded its role beyond statutory functions and to date the Opposition has agreed with that. Yet it is opposing this bill purely because it believes there is no solution. This is the solution. For this reason, the bill before the House provides for a new regulatory authority to carry out licensing and other functions under the Act. The bill will do this by transferring the regulatory functions under the Act to the Director General of the Department of Trade and Investment. It will also abolish the 18 member Game Council and replace it with an eight member skills-based Game and Pest Management Advisory Board. As we know, pest animals do not respect boundaries and their populations can spread and cause destruction across all lands.

I am actively working with a number of groups in my electorate of Tamworth to drive down numbers and to rid our region of feral animals and pests that cause damage to our agricultural economy. A coordinated and consistent approach is necessary to protect our environment, community and economy from the destructive impact of pest animals. As I have highlighted, the local feral pig task force is doing just that. The proper management of pest animals is critical to protect our environment and our primary industries. The reforms before the House today will help to ensure that hunting activities are undertaken effectively, efficiently and responsibly, and in accordance with the objects of the Game and Feral Animal Control Act 2002. I commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [5.09 p.m.]: I speak in debate on behalf of The Greens on the Game and Feral Animal Control Amendment Bill 2013. It is apparent from the tenor of debate this afternoon that we are all concerned about the impact of feral animals on our environment, flora and fauna and agricultural industry, as well as the risk they pose to drivers of vehicles and so on. The Greens agree with the member for Tamworth when he said that the way to effectively deal with feral animals is not by allowing recreational hunters to shoot up national parks for a weekend but by taking a strategic multiagency approach. I agree with

the member for Tamworth that shooting by well-trained professionals—which is humane and effective—is one such option. The Greens consider that untrained recreational hunters in national parks do not contribute to the mix in an effective way and that is why we argued against the Government's original proposal for recreational hunters in national parks.

The Game and Feral Animal Control Amendment Bill 2013 provides for the abolition of the Game Council as well as the creation of a new hunter-dominated board to advise the Government. The new scheme retains the concept of "game" and would allow the continuation of recreational hunting on public land such as State forests, although the Minister has advised that these may need to be re-declared or other steps may need to be taken. The bill implements the recommendations of the Dunn review of the Game Council. Indeed, the Dunn review noted matters that The Greens have been saying for a long time. As members well know, the Game Council was set up as a result of a political deal in order to curry favour with the Shooters and Fishers Party—which is why I suspect Labor is supporting the Game Council today. But now the hopeless incompetence and the overreaching and shambolic nature of the Game Council have been revealed in all their glory in this report.

It is no longer tenable for the O'Farrell Government, which needs favour from the Shooters and Fishers Party, to maintain the Game Council. Indeed, the duties tasked to an organisation such as the Game Council are very important. The Greens have long campaigned for the abolition of the pro-gun, pro-hunting Game Council in New South Wales and the Government should be complimented for taking the step to abolish it. Since its inauspicious start, it has been shown time and again that the Game Council was incapable of effectively and humanely managing feral control. The Greens have long supported the O'Farrell Government's disbanding of the Game Council, which we see as a very positive move. However, The Greens have a number of concerns about the scheme that is proposed in its place, and I suspect amendments will be moved in the other place on this issue.

The Premier promised that under the new scheme the protections for the public would be the strongest in the country, but this bill fails to deliver on that promise. For example, there is no requirement that amateur hunters on any public land are to be professionally supervised. The Government's own risk assessment showed that hunting in national parks put the safety of national park rangers and the public at risk of injury or death. The Greens are concerned that the newly created advisory board risks repeating past failures of the Game Council by it being dominated by hunters. It would be appropriate to have, for example, an explicit inclusion on the board of members with expertise in animal welfare and firearms safety experts. The Greens take the humane treatment of animals very seriously.

It is critical to decouple the idea that feral animal control and recreational hunting achieve the same aim; they do not. The Greens are strongly supportive of a multiagency approach and engaging a range of private and public landholders—which may involve professional shooters—to manage feral pest populations. Importantly, the significant impact of feral animals on our environment, flora and fauna and agricultural industry needs to be recognised and tackled. Some members have referred to research into effective pest management control. Indeed, there has been some good research, but much more needs to be done. I call on the Government to continue its investment in and support for more research in this area because it will reap significant dividends in environmental and agricultural impacts.

While the abolition of the failed Game Council is a very strong positive, it should not be replaced with a government department that has the same pro-hunter agenda. In my introductory comments I referred to the concept of "game" animals and the ongoing promotion of amateur hunting, despite the fact that it unnecessarily diverts attention from more professional and effective methods of feral animal control. The community has made it very clear that it opposes unsupervised amateur hunting in our State forests and national parks. It is important for the Government to look at the suite of measures involved in feral and pest animal control. I conclude by recognising the important positive step taken by the Government in the abolition of the Game Council.

To this end, I acknowledge the role played by those in the various ministerial offices and departments who have helped to make this happen. I also thank those behind the Dunn report, including Mr Dunn. It is critical to look at the evidence and what works in feral pest management when developing better solutions as to how we manage our agriculture and flora and fauna. This bill leads in a positive direction but The Greens still have concerns. However, I place on record The Greens' positive view of the abolition of the Game Council and the need to intently focus on what are known to be effective ways of dealing with pests—namely, a multiagency approach and engaging a range of private and public landholders to achieve the best possible solution for our community and environment.

**Mr GREG PIPER** (Lake Macquarie) [5.17 p.m.]: I make a brief contribution to the debate on the Game and Feral Animal Control Amendment Bill 2013 and I state at the outset that I support the bill. I am sure the Minister will reconsider her position as a consequence of the strong support by the member for Balmain for the major thrust of the bill. I agree with those comments. For many years I have been concerned about the operation of the Game Council NSW. Despite the comments of those opposite, the Game Council was politically expedient for the government of the day, just as this bill has very clear political pragmatism. I appreciate that, and I am sure Government members do also. The Premier has spoken about the position in the upper House and the power wielded by the Shooters and Fishers Party which brought about shooting in national parks at a pace and in a manner that was not as desirable as the Government may have liked at the time. No doubt there was concern about the timing and irony of certain revelations about the activities of members of the Game Council which brought about the need for a review.

I appreciate the Government's courage to appoint Mr Steve Dunn to undertake that review. On reading the findings of the Dunn report, the Government could not ignore the situation. I believe that the Government, the Minister and certainly the Premier have rightly taken an opportunity to reset the bar and to retract perhaps some of the reach extended by the Shooters and Fishers Party in the other place. I have many friends who are recreational shooters. They have expressed concerns to me initially and were not supportive of the more recent changes that were brought about to allow feral animal control in national parks by amateur shooters. They were very concerned that if something went wrong the hard-fought wins and the confidence the public had developed in amateur hunters generally could be lost. It is ironic that some of those problems have come about because of the actions of the heads of the Game Council NSW.

Regardless of all those matters and recognising that the Government needs to take a pragmatic approach in this case, I support the bill. I do not think it should be seen as precluding the opportunity to look at other options. The feral animal problem is significant across New South Wales and, particularly as we go into drought, the impacts of feral animals will be exacerbated as conditions become tougher and there is greater competition for food. All these matters need to be taken into account in order to develop a better strategic framework for the control of feral animals—in conjunction, I would hope, with the Commonwealth Government because many feral animals cannot be controlled by measures applied only by the State. While there are matters that need to be addressed, overall I support the bill. It resets the bar and gives the Government an opportunity to improve the management of feral animals in the future. I support the bill.

**Ms KATRINA HODGKINSON** (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.22 p.m.], in reply: I thank all members for their contributions to the debate on the Game and Feral Animal Control Amendment Bill 2013. The Game and Feral Animal Control Act 2002 provides for responsible and orderly hunting of game animals on private and public lands. The bill before the House will promote this objective. The damage caused by pest animals is a serious concern in New South Wales, costing the New South Wales economy \$70 million each year. The reduction of game and feral animals is important to our agricultural sector and to the economy of this State. Hunting can make an important contribution to the control of our pest animal populations, and figures provided by the Game Council NSW estimate that over 20,000 pest animals were eradicated on public lands by recreational hunters during the last financial year.

The Government is committed to restoring confidence in the regulation of hunting in New South Wales. The bill therefore strengthens the framework under which services relating to public and hunter safety, licensing, education and enforcement will be delivered. In the recent "Governance Review of the Game Council of NSW", Mr Steve Dunn found that over the past 10 years the Game Council has taken a number of governance risks which undermined the effective regulation of hunting in New South Wales. The shortcomings identified by Mr Dunn are significant and serious. Mr Dunn has said that the Game Council lacks adequate governance frameworks for strategic planning, internal regulatory compliance, enterprise-wide risk management and policy development. Most importantly, Mr Dunn's review has found that there is an inherent conflict between the role of the Game Council as an advocate for the interests of hunters and its role as a hunting regulator. The review has made recommendations to address this conflict, and the Government has acted to give effect to those recommendations.

Consistent with the primary recommendation from the "Governance Review of the Game Council of NSW", the bill will abolish the Game Council and establish an eight-member, skills-based Game and Pest Management Advisory Board. The bill will also transfer responsibility for licensing, compliance and hunter education under the Game and Feral Animal Control Act 2002 to a new regulatory authority: the Director

General of the New South Wales Department of Trade and Investment. In practice, it is envisaged that these services will be provided by the New South Wales Department of Primary Industries. By separating the hunter advocacy and hunter regulation functions under the Act, the bill will address the key governance issue identified in the Dunn review. This fundamental reform to the way that hunting is regulated in New South Wales will result in better management of introduced pest animals and more robust and effective oversight of hunting.

The bill will achieve this reform, firstly, by transferring responsibility for the licensing, hunter education and compliance services under the Game and Feral Animal Control Act 2002 to a new regulatory authority, the Director General of the Department of Trade and Investment. This will make it possible for these services to be delivered by the Department of Primary Industries—an agency that has existing expertise in all relevant areas. Relocation of functional responsibility for licensing, hunter education and compliance services to the Department of Primary Industries will allow for increased accountability and transparency in relation to service delivery. Improved opportunities for cross-agency cooperation will allow the development of more effective programs, increasing hunter and public safety and resulting in better pest control outcomes.

The amendments introduced by the bill will also allow hunting to be better integrated into the Government's broader pest management programs. This will mean that the department is better placed to use hunting as a pest management tool, which in turn will help reduce the impact of invasive species on our environment, our economy and our primary industries. The other key element of the reforms introduced by the bill is the creation of the Game and Pest Management Advisory Board. This board will consist of members with the expertise to provide robust, evidence-based advice to the Government on matters such as pest control, hunter education and expenditure priorities. The advisory board also retains the important function of representing the interests of hunters in relation to matters arising under the Act. The new advisory board established by the bill will include representatives of regional New South Wales. The bill also provides that the advisory board members must together have expertise, skills or knowledge in the areas of pest management, wildlife, veterinary science, hunting, education and community engagement.

The amendments will introduce a more effective, transparent and accountable framework for the regulation of hunting in New South Wales. The bill will allow for the involvement of hunters in more effective pest animal management programs—programs which reduce the impact of pest animals on the New South Wales economy. In relation to the issue raised by the member for Mount Druitt, I have detailed the membership of the Game and Pest Management Advisory Board and the Government is intent on improving the governance of game hunting procedures in New South Wales. In relation to the issues raised by the member for Sydney, animal welfare issues are dealt with under the Prevention of Cruelty to Animals Act and game hunting is one of the numerous tools to be used in effective pest management. As to the issue raised by the member for Albury, under these amendments the regulation and compliance functions will be the responsibility of the new regulatory authority—which is expected to bring compliance into line with all other New South Wales government procedures.

In relation to the issue raised by the member for Myall Lakes, the bill aims to improve the control of feral animals across New South Wales; which is, as he says, an important issue. In relation to the issue raised by the member for Cessnock, the clear intent of the bill is to improve on the governance, transparency and accountability issues found in the Dunn report. In relation to the issue raised by the member for Tamworth, I am pleased that the Liverpool Plains Feral Pig Taskforce is going so well. It is the nil tenure approach that the Government and this bill seek to support. Regarding the comments made by the member for Balmain, this bill finds the right balance between the need to control feral animals and using the services of recreational hunters in an improved governance framework.

In relation to the comments by the member for Lake Macquarie, I agree that the Government could not ignore the situation outlined in the Dunn report. The Government has acted with this bill to reframe arrangements to provide confidence in recreational hunting. I thank the member for his support. The Game and Feral Animal Control Amendment Bill 2013 contains important reforms which strengthen the regulatory framework for hunting and will help to ensure that hunting activities are carried out safely, responsibly and effectively. I commend the bill to the House.

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

**The House divided.**

**Ayes, 64**

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

**Noes, 19**

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

**Question resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

**Third Reading**

**Motion by Ms Katrina Hodgkinson agreed to:**

That this bill be now read a third time.

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

**BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders: Divisions and Quorums**

**Motion by Mr BRAD HAZZARD agreed to:**

That standing and sessional orders be suspended at this sitting to provide that from 6.00 p.m. until the rising of the House no divisions or quorums be called.

**CROWN LANDS AMENDMENT (MULTIPLE LAND USE) BILL 2013****Second Reading****Debate resumed from 12 September 2013.**

**Ms CARMEL TEBBUTT** (Marrickville) [5.40 p.m.]: I lead for the Opposition in debate on the Crown Lands Amendment (Multiple Land Use) Bill 2013. According to the Minister's second reading speech, the primary purpose of the bill is to restore the multiple use principle contained in the Crown Lands Act and to ensure the legal validity of all secondary tenures affected by the New South Wales Court of Appeal decision known as the Goomallee claim. In accordance with the Crown Lands Act 1989, Crown reserves have been reserved for a specific or primary purpose but have commonly been managed to accommodate a wide range of public and private purposes. These tenures permit activities as diverse as mining, grazing and farming, marinas, telecommunications towers, sporting clubs and tourist parks. The case *Minister Administering the Crown Lands Act 1989 v New South Wales Aboriginal Land Council 2012*—called Goomallee—has called the process of these secondary use tenures into question. The court found that a grazing licence granted over a parcel of Crown land reserved for the purpose of public recreation was unlawful—that being that the purpose of the licence was not for the same purpose as the reserve.

As I said, I lead for the Opposition in debate on this bill. I will make some comments about the bill but my colleague in the other place—the shadow Minister—I am sure will talk at greater length about the Opposition's concerns with regard to the bill. The Opposition will not support the Crown Lands Amendment (Multiple Land Use) Bill 2013 because, although we understand the need to rectify the uncertainty that tenure holders face with regard to the potential invalidity of their leases, our concern is that this bill goes too far and that it overreaches. For these reasons, the Opposition will not support the bill. A number of stakeholders have raised concerns about the bill with the Opposition. They have expressed the view that the bill goes much further than is necessary to deal with the issues that arise from the Goomallee claim. Environmental groups, for example, have raised with the Opposition their concern that the Crown lands review is currently underway and this bill is pre-empting the outcome of that process.

As the Minister outlined in his second reading speech, there are some 35,000 Crown reserves in the State, and these contain much of the State's natural and cultural heritage and open space. The concern is that this bill will entrench uses that may be inappropriate for future environmental management regimes that may be proposed by the Crown lands review. They believe it would be better to wait for the Crown lands review before moving forward with legislation such as this. The New South Wales Aboriginal Land Council has raised some more significant concerns with the bill. It believes the mechanisms proposed in respect of tenures issued in the future are not justified by the circumstances and that they inappropriately institutionalise flawed Crown land management practices. The Aboriginal Land Council is also concerned that it was not consulted properly about the amendments. It would prefer that the Government sit down and talk with the council about changes that it wishes to make. There is a range of other areas of concern that the Aboriginal Land Council has raised—in particular, its concern about the concept of "material harm", which the bill introduces.

The bill introduces a new test for the granting of licences—referred to as "secondary interests" in the bill—over reserved Crown land, being that the Minister must be of the opinion that the use or occupation of the Crown reserve pursuant to the secondary interest would not be likely to materially harm its use or occupation for the reserve purposes. This increases the Minister's power to grant secondary interests over reserved land. This is a much lower test than that recognised in the Goomallee case, where the use under the secondary interest must further, or be ancillary to, the reserve purpose. The Aboriginal Land Council is concerned—and this is a concern that the Opposition shares—that this is a very subjective test, because it requires only that the Minister hold the opinion, which means that grounds for review of the Minister's decision would be very limited. It also stands in contrast to the current approach to the granting of licences in section 34A of the Crown Lands Act. We are also concerned that the safeguards are not adequate to ensure that invalid licences that cause material harm to Crown reserves are not validated. There is no clear indication of what "material harm" would mean or what the test would be. That, again, is something that we would like the Minister to respond to when he replies to the debate in the House.

The bill also introduces a new notification process, whereby a person must give the Minister notice of an alleged invalid secondary interest six months before the validity of a licence et cetera can be questioned in court. This will apply to any future appeal, regardless of whether the land claim was lodged before 12 November 2012. Again, we have concerns—the land council has raised these issues as well—that this may

interfere in the judicial process by preventing a court from determining a real legal precedent until the notification process has been served. The Aboriginal Land Council raised a further issue: It wants to see the protection of Aboriginal land claims provided by the bill extend to the date of assent rather than 12 November 2012. These are issues of some significant concern to stakeholders, and to the Opposition. While, as I said at the outset, there is an acceptance among stakeholders that there is a need to rectify the uncertainty that tenure holders face with regard to the potential invalidity of their leases, the concern is that this bill goes too far and overreaches. For those reasons the Opposition will not support the bill.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [5.47 p.m.]: It gives me great pleasure to support the Crown Lands Amendment (Multiple Land Use) Bill 2013. At the outset, I am concerned that the Opposition has indicated that it will not support the bill. The member for Marrickville said that the Opposition has spoken with various stakeholders. I indicate clearly that the stakeholders I have spoken to want this bill introduced and the matters defined. It is a common-sense bill that will give some clarity, stability and certainty to thousands of communities across this State. The Opposition says that it has spoken to stakeholder groups but there are potential problems because it is threatening camping groups; showgrounds, where shows are held every year; and places for livestock. It is also threatening the sites of public hospitals. It is creating great uncertainty in this State, where Crown land is used for so many different types of activities.

On this side of the House we are making sure that we remove uncertainty. We have worked with and consulted our communities. That is what Government members have done. We have made sure that we are giving opportunities back to communities so that they are able to participate in the changes that are required. This bill does that: It provides certainty to communities, businesses and land councils who rightfully and lawfully use Crown land. Crown land is important for economic and social reasons, and we need to make sure that it is protected and its use maximised. Crown land constitutes about half the land in New South Wales. Crown land is allocated for use as national parks; State forests; schools; hospitals; sporting, camping and recreational areas; and areas that are managed and protected for their environmental importance.

Members opposite spoke about telecommunications towers. If, in the future, there is no or limited access to telecommunications towers members opposite may face a problem when their constituents discover that they do not have telecommunications because Labor failed to support this common-sense bill. Crown land can be used in a number of other ways, from leasing for commercial or agricultural purposes to land development and sale. The bill states that there are around 35,000 Crown reserves in New South Wales. It is consistent with the multiple use principle that more than 8,000 secondary tenures have been issued by the New South Wales Government over Crown reserves in this State for community and commercial purposes. Without these amendments, up to 90 per cent of those tenures could be challenged because they are for purposes that are not in furtherance of or incidental to the primary purpose of the reserve. These multiple use tenures cover up to 12 million hectares and generate nearly \$10 million in annual rents.

Crown lands provide New South Wales' oldest and most diverse systems of natural, cultural and open space. Many of the State's town squares and local parks are built on Crown land. Many of the State's significant heritage sites, buildings, community halls, nature reserves, coastal lands, waterway corridors, sportsgrounds, racetracks, showgrounds, caravan parks, camping areas, travelling stock routes, rest areas, walking tracks, commons, community and government infrastructure, and facilities are built on Crown land. We are fortunate to have regional offices that ensure the Crown reserves are managed responsibly and that natural resources, such as water, flora, fauna and scenic beauty, are conserved while still encouraging public use and enjoyment of the land.

A key priority of the Government is to ensure that more and more people enjoy our parks and sporting and recreational facilities. The Government is committed to maintaining and improving reserves and facilities on these public lands. This commitment is backed by the Government's annual funding program—the Public Reserves Management Fund. Crown reserves are a wonderful resource for the people of New South Wales. They are a focal point for smaller communities to come together. The Crown Lands Amendment (Multiple Land Use) Bill 2013 amends the Crown Lands Act 1989 to ensure the legal validity of interests such as leases, licences and permits that have been granted over reserve Crown land. The Crown land estate plays an important role in supporting the New South Wales economy and is used for all kinds of community and business activities.

Crown reserves are used for both public and private purposes. Consistent with this multiple use principle, thousands of tenures have been issued over the years for community and commercial purposes. Over time, tenures have been granted for multiple use or uses secondary to the primary purpose of Crown reserves. The Goomallee decision found that, if Crown land is reserved for a public purpose and a lease, licence or permit

is granted over that land for an inconsistent purpose, the tenure will be invalid. The court's decision potentially undermines thousands of community and commercial tenancies. This bill provides certainty for all land users and continuity in activities across the Crown land estate. Our communities rely on these types of activities. In my electorate there are many showgrounds that host shows every year—wonderful events that bring the community together.

The men's shed at Oberon is located on a Crown reserve. If we do not deal with this issue, they are the types of activities that will be threatened. We must ensure that this bill is passed so that such activities can continue. The bill provides certainty to grazing licences over public recreation reserves, travelling stock routes, cemeteries and showgrounds. The people engaged in those activities are the managers of this land, they assist with weed and pest control on the land and it is imperative that we continue to support them. This is a common-sense bill that is essential to the lawful and effective administration of Crown land. It is imperative that the House supports the Crown Lands Amendment (Multiple Land Use) Bill 2013. The New South Wales Liberal-Nationals Government is committed to strengthening our communities and ensuring that they can continue to use the Crown land they were given in the past for the activities in which they wish to engage in the future.

**Mr KEVIN ANDERSON** (Tamworth) [5.56 p.m.]: I support the Crown Lands Amendment (Multiple Land Use) Bill 2013. In late 2012, the court case *Minister Administering the Crown Lands Act 1989 v New South Wales Aboriginal Land Council, (Goomallee Claim)* [2012], NSWCA 358 found that, if Crown land is reserved for a public purpose and a lease, licence or permit—secondary tenure—is granted over that land for an inconsistent purpose, the tenure will be invalid. The court found that if the secondary tenure had not been granted for the very same purpose as the reserve, or had not been granted for a purpose that is in furtherance of or incidental to that of the reserve, then it will not have been legally granted and therefore will be invalid. As a consequence, the majority of Crown land tenures granted over reservations on Crown land are now subject to challenges based on this decision, which is causing great confusion.

The Crown Lands Amendment (Multiple Land Use) Bill 2013 amends the Crown Lands Act 1989 to ensure that both existing and future secondary tenures over Crown reservations are valid, provided they are not causing or likely to cause material harm to the primary purpose of the reserve. This will provide certainty for all land users and continuity in activities across the Crown lands estate. This supports the important multiple use principle in Crown lands Acts on Crown land that should be used for multiple community and economic purposes. Many thousands of community and commercial tenancies are potentially undermined by the court's decision. For example, many facilities in the Tamworth electorate such as Country Women's Association halls, Meals on Wheels kitchens, men's sheds, preschools, libraries, council chambers, community centres and tourist information centres are located on reserves for public recreation and other purposes. Emergency services facilities, regional fire services facilities, marine rescue headquarters and other similar organisations are also located on such reserves.

Many thousands of grazing licences have been issued over public recreation reserves. Travelling stock routes are used increasingly as the big dry takes a further grip on New South Wales. In the Tamworth electorate travelling stock routes are used heavily, with thousands of cattle grazing along the Kamilaroi Highway. Cemeteries and showgrounds that have been allocated land for environmental protection purposes, as a way to manage weeds, may be challenged. There are also mobile phone tower sites located on reserves that are now regarded as community service essentials. That use was not anticipated when the Act was created in 1989 and may also be undermined by the court's decision. The bill is retrospective. The Government has carefully considered this retrospective approach and believes it is the appropriate course of action in the circumstances. No other suitable administrative solutions are available. For example, if the purposes of every Crown reserve were expanded to include those of all existing secondary tenures it would validate only future tenures and not remedy the legal invalidity of thousands of secondary tenures during all the years they have operated.

Additionally, the Minister would have to publish thousands of gazettal notices adding new purposes to all affected reserves, and would have to revoke and reissue all 7,000 secondary leases, licences and permits of the Crown estate, plus numerous tenancies issued by another 1,100 reserve trusts. Not only would this impose significant financial and resource costs on government—estimated to require a team of public servants several years to complete at a minimum cost of \$4 million for Crown-issued tenancies alone—but also it would entail unnecessary uncertainty and economic disruption for thousands of communities and businesses across the State. That would be an unacceptable outcome. For those reasons, the most efficient and least destructive means of remedying this problem is to make the bill retrospective.

That includes the common-sense approach this Government took as a mandate to the people of New South Wales in 2011. That mandate of introducing common sense into the way this Government does business with its communities lays a very solid foundation from which to progress. An exception to the retrospective application of the bill is proposed for Aboriginal land claims in order not to erode existing rights. Special provisions apply to Aboriginal land claims already lodged—about 2,900—to be processed as normal, as if the bill had never been passed. The bill will apply to new land claims lodged from the date of the Court of Appeal decision of 9 November 2012. The bill is essential to the lawful and effective administration of Crown lands and will provide certainty to government, community, business and land councils relating to the lawful use of Crown land, and enable the economic and social value of the Crown estate to be maximised. I commend the bill to the House.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! Before I call the member for Myall Lakes, I acknowledge the presence in the advisers' area of the Hon. Mick Veitch from the other place. Welcome to the workers' Chamber.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [6.02 p.m.]: I support the Crown Lands Amendment (Multiple Land Use) Bill 2013. The bill proposes to amend the Crown Lands Act 1989 to ensure the legal validity of secondary interests in Crown reserves, such as leases, licences and permits. The validity of such interests was called into question by the New South Wales Court of Appeal decision in *Minister Administering the Crown Lands Act 1989 v New South Wales Aboriginal Land Council* 2012 NSWCA. The case involved a claim by the Aboriginal Land Council under the Aboriginal Land Rights Act 1983. That Act allows Aboriginal land councils to make claims over Crown land if the land is not being lawfully used or occupied. The land in question was Crown land reserved for public recreation purposes. The New South Wales Government submitted that the existence of a grazing licence granted over the land was evidence that the land was being lawfully used and occupied. However, the court disagreed and found that the licence was unlawful as it was not for the same purpose as the Crown reserve or in furtherance of or incidental to that purpose.

The effect of the decision is that many secondary use interests in Crown reserves may be legally invalid. The Minister's second reading speech states that more than 8,000 secondary tenures are issued over Crown reserves in New South Wales that generate up to almost \$10 million in annual fees, and that as a result of the court decision there is a good chance that up to 90 per cent of them could be subject to challenge. The object of the bill is to amend the Crown Lands Act as follows:

- (a) to provide that a secondary interest (a lease, licence, permit, easement or right-of-way) can be granted in respect of Crown land that is reserved for a public purpose (a *Crown reserve*) so long as use and occupation of the land under the secondary interest would not be likely to materially harm the use and occupation of the land for the public purpose for which it is reserved,
- (b) to authorise the Minister or a reserve trust to validate the grant of a secondary interest over a Crown reserve by making such changes to the secondary interest as may be necessary to ensure that it was validly granted,
- (c) to require notice to be given to the Minister or a reserve trust before the validity of a secondary interest over a Crown reserve can be challenged in court proceedings.

In New South Wales Crown land constitutes approximately 34 million hectares, or 42 per cent, of the State. Crown land set aside for a public purpose is referred to generally as a Crown reserve, of which New South Wales has approximately 35,000. The Crown Lands Act states that "where appropriate multiple use of Crown land be encouraged." Consistent with the multiple use principle, the New South Wales Government has issued more than 8,000 secondary tenures over Crown reserves in New South Wales for community and commercial purposes. Without the amendments, up to 90 per cent of these tenures could be challenged because they are for purposes that are not in furtherance of or incidental to the primary purposes of the reserve. These multiple use tenures cover up to 12 million hectares and generate nearly \$10 million in annual rent. My electorate has a number of secondary uses for Crown lands. For example, Crowdy Head Surf Club is located just over the northern border in the Port Macquarie electorate but the people of the Manning Valley, which is in my electorate, always claim Crowdy Head as part of their territory.

Crowdy Head, Old Bar, Black Head, Forster, Cape Hawk and Pacific Palms surf clubs have raised great Australian surf lifesaving champions, such as Reen Corbett, who has competed in the Nutri-Grain Ironwoman Series and other events. My electorate also has show society buildings at Bulahdelah, Wingham, Nabic and Taree on Crown reserve land and their continued service could be in jeopardy without these amendments. The member for Marrickville said that the Labor Party has concerns with the legislation. If the Labor Party was truly and genuinely concerned, it would propose amendments. But it has not; it has simply

politicised this matter. It has no genuine concerns; it is all rhetoric. The Opposition has brought nothing before the House. This House and the people of New South Wales can dismiss completely the comments of the member for Marrickville because at the end of the day no credible evidence of those concerns has been forthcoming.

Crown land is important in regional areas. I have spoken of surf clubs, but other community services occupy Crown reserves, such as the Rural Fire Service sheds and depots at Wingham, Taree, Tuncurry, Nabiac, Smiths Lake, Coomba Park, Bulahdelah and other areas. Many Country Women's Association groups hold meetings and raise funds for charities and other worthwhile causes in regional and country communities at halls situated on Crown lands. Meals on Wheels does a fantastic job throughout regional New South Wales—as I am sure it does in the metropolitan area—and its headquarters and meal preparation areas often are located in buildings on Crown reserves. I refer next to men's sheds. The Wingham Men's Shed is located on the Wingham showground site; the Taree Men's Shed is located on Crown land adjacent to the Manning River; the Forster Men's Shed is located in an area next to the Tuncurry waste recycling depot; and the Bulahdelah Men's Shed is located at the rear of the Bulahdelah memorial services hall. They are all located on Crown reserves. Without this amendment, all those men's sheds would be in jeopardy. I refer also to the libraries, to council chambers and to community centres such as Ormsby House in Taree, many of which are located on Crown reserves. Without these amendments those centres would also be in jeopardy.

The Myall Lakes electorate is home to Australia's water wonderland which comprises numerous lakes and the mighty Manning River, with 156 kilometres of waterways to be navigated and the only delta formation in the Southern Hemisphere. Myall Lakes is the greatest place on Earth to live but one of the issues that has to be addressed relates to surf and marine rescue. The marine rescue headquarters at Forster is located on Crown reserve. When that land was designated Crown land hundreds of years ago, marine rescue was not its primary purpose. Today its necessary purpose is marine rescue, which would be placed in jeopardy without these amendments. These amendments are extremely important to bring this legislation into the twenty-first century so that communities have security of tenure and so that the welfare of regional communities in particular is looked after. I commend the bill to the House.

**Mr JOHN SIDOTI** (Drummoyne) [6.12 p.m.]: I support the amendments to the Crown Lands Amendment (Multiple Land Use) Bill 2013 which resulted after an Aboriginal land claim was upheld by the New South Wales Court of Appeal in November 2012. The Goomallee claim raised questions about the validity of secondary land use tenures which is why this bill was introduced. By way of background, the NSW Aboriginal Land Council made a claim over Crown land near Uralla under the Aboriginal Land Rights Act 1983. In 2010 the Minister responsible refused the claim, arguing that the Government had issued a licence to a nearby landholder to use the land under claim for an unrelated private use—in that case grazing. The Armidale Local Aboriginal Land Council appealed the Minister's claim and won the appeal.

The Crown Lands Amendment (Multiple Land Use) Bill seeks to protect the validity of secondary land use tenures across the State. Nearly half of all land in New South Wales is Crown land. It includes State parks, Crown reserves, land that is leased or licensed, minor ports, river entrances, caravan parks and places of cultural and community significance, including the travelling stock routes, which are so valuable to farmers in times of drought, and accounts for 34 million hectares of land or 42 per cent of the State. Historically, much of this land has been granted as tenures with activities including mining, farming, grazing, marinas, telecommunication towers, sporting clubs and tourist parks. All this is within the framework of the Crown Lands Act 1989 with the express provision that the issue of tenures is conditional on the premise that they do not frustrate the primary purpose of the reserve.

I also point out that the issue of tenures over Crown land has enormous economic implications for the economy of the State and must be encouraged. The Goomallee decision places into question the validity of all tenures across the State. It puts into question Crown reserves of up to 12 million hectares in area, which generate \$10 million in rent or lease fees annually. The decision has the potential to open the floodgates to challenge the validity of 90 per cent of these tenures. This would involve 8,000 secondary tenures issued by the New South Wales Government. The range of those tenures is broad and includes preschools, libraries, Country Women's Association halls, Meals on Wheels kitchens, community centres, tourist information centres and State Emergency Services, Rural Fire Service and Marine Rescue facilities. The scope is wide.

In addition, there are thousands of grazing leases over public recreation reserves. Travelling stock routes, cemeteries and showgrounds could also be challenged under the Act unless it is amended. It is essential for the benefit of the State that this bill is enacted to protect all these interests. They have immediate benefits for

the community and are an important part of farming, particularly grazing operations in the State. Grazing plays a vital role in keeping scrub down and reducing fire hazards. It also assists with weed and pest control. None of these activities poses a threat to the primary purpose of the land. This legislation is of significant importance to the State otherwise the current use of millions of acres of land would be under threat.

I will address the question of how this legislation impacts on the Aboriginal Land Rights Act 1983 before I address the specific provisions in the amendments. It was under the Aboriginal Land Rights Act that the Goomallee claim was made. Under that Act Aboriginal land councils are able to make a claim over Crown lands if it is argued that those lands are not being lawfully used or occupied. In the case of Goomallee, the Minister failed to make an adequate case to the Court of Appeal that the grazing licence over the claimed land was in fact his to grant. The court found that although the Government had admitted the existence of a grazing licence it was evidence of non-lawful use and occupation. As a result the court ordered that the land be granted to the Armidale Local Aboriginal Land Council.

The primary provisions of the bill restore clarity to the multiple use principle contained in the Crown Lands Act. It is designed to protect the legal validity of all secondary tenures that have been affected by the decision. Amendments to the legislation include retrospectivity. This decision has been taken because the alternative would have been to add additional purposes to over 8,000 Crown reserves and to revoke and reissue each of the secondary tenures. This procedure would have been time-consuming—taking several years to complete—and would have cost the New South Wales taxpayers \$4 million in expenses. Those individuals and groups with secondary tenure would have had their interests compromised and it would have jeopardised ongoing community and business activity.

All claims under the Aboriginal Land Rights Act that have been made prior to the Goomallee decision will proceed. This means that existing claims will still be determined in line with the Goomallee decision, but those lodged after the decision will not be able to rely on its outcome. How will this be achieved? The bill will validate all existing secondary tenures provided they are not causing, or are likely to cause, harm to the land. To ensure no harm is caused to the land, there are provisions allowing for dispute resolutions, which will require parties to make a submission to the Minister before seeking court intervention. The Minister will be given the authority to place additional conditions on the tenure to prevent harmful activity from occurring. This will guarantee that the land in question is protected and will give those with secondary tenure the responsibility to ensure that activities are not interfering with the land.

Safeguards will be put in place to ensure that those tenures that may be harming the land will be easy to identify. I am confident that these amendments will provide certainty for all land users and ensure the continuity of existing activities. The bill will enable the economic and social value of the Crown estate to be preserved. If Labor was genuine about these concerns it would have moved the amendments to the bill. In many cases, the secondary interests in question were tenures issued by Labor when it was in government. It is politicising what is a straightforward and common sense bill. I commend the bill to the House.

**Mrs ROZA SAGE** (Blue Mountains) [6.18 p.m.]: I make a contribution to debate in support of the Crown Lands Amendment (Multiple Land Use) Bill 2013. Many thousands of community and commercial tenancies are located on Crown land and Crown reserves. Crown land comprises about 34 million hectares or 42 per cent of New South Wales. Seventy per cent of the Blue Mountains electorate is located within national park, which is an area of Crown land. As well, we have many reserves, Rural Fire Service brigade sheds, and much council-managed land, which is either Crown land or Crown reserve. In the distant past many areas of Crown land reserve were allocated uses, with uses changing over the years as the needs of communities have changed.

Until the 2012 court case of *Minister Administering the Crown Lands Act 1989 v New South Wales Aboriginal Land Council*—known as the Goomallee claim—this situation was accepted and unchallenged. I have also spoken to some Aboriginal elders who agreed that it makes sense to give certainty about community facilities already present on Crown land. This bill will not interfere with the land claims process or affect the rights of the NSW Aboriginal Land Council. However, the court found that tenure will be invalid if Crown land is reserved for a public purpose lease, licence or permit—secondary tenure—for an inconsistent purpose; that is, other than that originally designated. This has the potential to impact thousands of community and commercial tenancies and brings to mind the Mount Wilson/Mount Irvine Rural Fire Service in my electorate.

Mount Wilson has a small but vigorous Rural Fire Service that not only fights fires but, importantly, is also first responders to car accidents on the nearby Bells Line of Road. The brigade needs to expand and has large

tracts of land surrounding its premises. Indeed, next to the block on which the brigade is situated is land that was allocated to a school that has long ceased to exist. Together with the Rural Fire Service, I have been in the process of seeking permission to excise this parcel of land and build an extension to the brigade building. Under the current legislation this would be problematic and subject to legal challenge under an Aboriginal land claim.

Another area that could be adversely impacted if these amendments were not to proceed in the Blue Mountains is a now disused golf course at Lawson. It has potential for many and varied uses in an area that lacks community facilities. Indeed, the community and council have been eyeing off this area for the provision of various sporting facilities because the mid-mountains area has a high number of children and young people with very few usable sporting grounds. Large sporting clubs such as Hazelbrook Football Club and Mid-Mountains Netball struggle with adequate year-round grounds. Council has mooted building unit-type housing for the elderly and disadvantaged and other groups have raised the possibility of a large indoor sporting facility. Some of those future uses could be deemed as illegal.

This amendment provides certainty for community and commercial tenancies on Crown land and Crown reserves and, importantly, is applied retrospectively to existing tenures. It ensures that existing and future secondary tenures over Crown reservations are valid, provided they are not causing or are likely to cause material harm to the primary purpose of the reserve. The only way to remedy the legal invalidity of thousands of secondary tenures is to make the provisions retrospective. An exemption to this application of the bill is proposed for Aboriginal land claims. Special provisions will apply to those land claims already lodged, which will be processed as normal. The bill will only apply to new land claims lodged from the date of the court decision—namely, 9 November 2012.

The amendment will restore confidence in the multiple land use principle in the Crown Lands Act. It will provide certainty for the public recreation reserves, mobile phone towers, cemeteries, the Katoomba showground, Rural Fire Service buildings and all council buildings and properties under the care of the Blue Mountains City Council. In the Blue Mountains there are two caravan parks under council custodianship—at Katoomba and Blackheath—and both are on Crown reserves. The Blackheath Glen Tourist Park is a tourism award winning park; it is also in the finals of the NSW Tourism Awards 2013.

The Six Foot Track is another example of the great use of Crown land for community enjoyment in the Blue Mountains. It is classed as recreational Crown land and managed by the Crown lands department. In 1884 this popular walking track was used as a bridle track from Katoomba to the Jenolan Caves, and prior to that it was used as an ancient Aboriginal path across the mountains. Today the 45-kilometre track is used for marathons, charity walks, guided commercial trekking and camping, among other uses. The community wants certainty over these areas. If those opposite were genuine about these concerns why have they not proposed any amendments to the bill? Indeed, in many cases the secondary interests in question were tenures issued under the former Labor Government. Once again those opposite are politicising what should be a straightforward, common sense bill. I commend the bill to the House.

**Mr JOHN WILLIAMS** (Murray-Darling) [6.25 p.m.]: I speak in support of the Crown Lands Amendment (Multiple Land Use) Bill 2013. The amendments in the bill have resulted from an Aboriginal land claim that was upheld in the New South Wales Court of Appeal in November 2012. Fortunately, the Minster was able to argue that the land had been put to public use but the concern was that future claims could be made over existing Crown lands. In my electorate we have a range of land uses, many of which are recreational. For example, there has been a huge investment in the upgrade of stands and the facilities for bookmakers as well as the general maintenance of the Broken Hill Racecourse for the two annual race meetings held there—namely, the St Patrick's Day and Silver City Racing Club race meetings.

There has also been a huge investment in the Broken Hill events centre, which is on Crown land. Indeed, I would estimate community investment and funding by the New South Wales Government to support developments on public land to be in the vicinity of \$1 million. That level of investment needs to be protected, which is what this bill is all about. There are a wide range of uses for these public lands, including Country Women's Association halls, Rural Fire Service facilities and local pony clubs. These lands have always been used for community use and the community has relied on their long-term tenure. I note that many members have successfully obtained Community Building Partnerships funding to assist the clubs that use such facilities. It has been a 50:50 show.

Those organisations have provided 50 per cent in cash or kind and the Government has provided the other 50 per cent. Indeed, when one considers the size of my electorate one realises that a huge investment has

been made in these public lands. The Goomallee claim would have resulted in much nervousness about the future of those clubs in our community. Also in my electorate, particularly in the southern Riverina, there is a huge reliance on travelling stock routes, especially in times of drought. The southern Riverina stock routes are vital to farmers and graziers in the area. It would have a huge impact on the security of those farmers if those stock routes were placed under a land claim threat. In the past the Pastoral Protection Board made a huge investment in travelling stock routes and today Local Land Services are charged with their management.

I am sure that those farmers who have contributed over the years to ensure that those stock routes provide a viable resource for farmers would be very disappointed to think that a land claim by an Aboriginal group could take away that security. In other areas, particularly in western New South Wales, some existing stock routes currently are not in use. Those stock routes traverse particular properties. The owners of those properties would be left despairing if they thought they could have problems accessing those stock routes for grazing and other purposes. Obviously having another landowner adjoining them, through one of the Aboriginal groups, would be of great concern for their viability and the use of these corridors.

The importance of this issue applies to a whole range of users. I think it is just common sense that we really need to allow those people to have peace of mind and security of tenure. Obviously we need to remove the threat of any future claims. This is just common sense. I am absolutely amazed that the Labor Party has come up with these concerns. Other speakers have raised the issue that a lot of the people who currently have tenancy had that tenancy created primarily by a Labor Government, which decided to provide these facilities to worthy organisations. They are worthy organisations. I do not think in any part of my electorate any real commercial benefits have been provided. It has provided benefits to the community and much-needed facilities and the removal of these areas would certainly come at great disadvantage to communities throughout New South Wales. We need to clear up these types of threats which sit over public lands, and what we are doing here today with this amendment does exactly that.

The Labor Party has thrown up this issue and said that it is opposed to this bill. Members of the Labor Party are probably just trying to take the heat off the Leader of the Opposition, Mr Robertson. He knocked back a \$3 million bribe—or at least he said he did. I do not know; it might not have been enough money. When we see the way in which unions work and the example of the training mine in the Hunter we realise that \$3 million really is not enough. If unions cannot crack \$10 million they should not do it. I think that is the rule for the unions. So obviously the Opposition is trying to take the heat off, to spread some sort of furphy and to make it look like this bill is threatening rights. Here we are talking about the rights of the citizens of New South Wales. The Liberals-Nationals Coalition is about protecting those rights. I think all those people who currently have tenure made available to them through the State Government will be absolutely delighted to know that we have put some legislation in place that secures their tenure for the long term. I commend the bill to the House.

**Mr MARK SPEAKMAN** (Cronulla—Parliamentary Secretary) [6.33 p.m.]: I support the Crown Lands Amendment (Multiple Land Use) Bill 2013. The need for this bill arises because of a Court of Appeal decision handed down in November last year which called into question the legal validity of many secondary use tenures over Crown land. In the case *Minister Administering the Crown Lands Act 1989 v New South Wales Aboriginal Land Council* the Court of Appeal found that a grazing licence granted over a parcel of Crown land reserved for the purpose of "public recreation" was unlawful. The court found that the licence was not in furtherance of or incidental to the primary purposes of the reserve. The effect of the court's ruling was to potentially make many secondary use tenures across the State invalid. The ruling undermines the multiple use principle enshrined in the Crown Lands Act which has guided the management and use of Crown reserves for many years.

This bill proposes to amend the Crown Lands Act to provide that a secondary interest—namely, a lease, licence, permit, easement or right of way—can be granted in respect of Crown land that is reserved for a public purpose so long as use and occupation of the land under the secondary interest would not be likely to materially harm the use and occupation of the land for the public purpose for which it is reserved. The bill will also authorise the Minister or a reserve trust to validate the grant of a secondary interest over a Crown reserve by making such changes to the secondary interest as may be necessary to ensure it was validly granted. The bill will also require a notice to be given to the Minister or a reserve trust before the validity of the secondary interest over a Crown reserve can be challenged in court proceedings.

We need this bill to avoid the considerable uncertainty that now arises as a result of the Court of Appeal decision. There is potentially a significant impact from that decision. Here in New South Wales about 42 per cent of the State is Crown land—that is about 34 million hectares. There are about 35,000 Crown

reserves in New South Wales. Consistent with the multiple use principle in section 11 of the Crown Lands Act, over 8,000 secondary tenures have been issued by the New South Wales Government over Crown reserves in New South Wales for community and commercial purposes, including by past Labor governments. Without the amendments up to 90 per cent of these tenures could be challenged because they are for purposes that are in furtherance of or incidental to the primary purpose of the reserve. These multiple use tenures cover up to 12 million hectares in area and generate nearly \$10 million in annual rent.

The bill provides certainty for all land users and continuity in activities across the Crown land estate. Without these amendments, the tenure of many community groups across the State is threatened by the gap now in the legislation. These community groups include surf life saving clubs, rural fire services, the Country Women's Association, men's sheds, preschools, libraries and the like. We in New South Wales rely on these organisations to be a focal point for community life and we cannot afford to have the uncertainty that the Court of Appeal decision represents any longer. This bill is aimed not only at existing tenures—although it is retrospective and I will come back to that—but also at future tenures.

It is significant in my electorate, for example, in the case of the Hungry Point Reserve Trust in South Cronulla, which is a spectacular site of about three hectares. The trust was set up in April this year and is presently preparing a plan of management. It wants to make the best use of that site. But if it cannot grant secondary leases and licences—for example, to a small kiosk or café operation to generate revenue—the whole financial viability of that site is threatened. So it is important to have that certainty and to have these secondary uses retrospectively validated and prospectively endorsed by these amendments. In the case of the Hungry Point Reserve Trust that will enable income to be generated to allow the site to be maintained and enhanced for the local community—for example, by constructing a walkway from the end of the esplanade at South Cronulla around Hungry Point to Darook Park. These types of enhancements will not happen if these amendments do not pass as there is the threat of uncertainty of tenure.

Although it is not directly relevant to the Cronulla electorate, throughout New South Wales these amendments will provide certainty to grazing licences over public recreation reserves, stock routes, cemeteries, showgrounds, et cetera. They will also provide certainty for mobile phone tower sites. The bill proposes a reasonable harm test so that other facilities and services that the community supports can be developed on Crown land as long as they do not substantially disrupt or distract from the reserve's primary purposes. The amendments will be retrospective. As a lawyer, I am generally opposed to retrospective legislation unless it is absolutely necessary—and it is absolutely necessary in this case to avoid revoking and reissuing over 8,000 secondary tenures and to avoid the significant cost and disruption that would be imposed on trust managers, tenure holders and the New South Wales Government without these amendments. Let us be quite clear about this: the amendments are not retrospective in relation to Aboriginal land claims made prior to the Goomallee decision of the Court of Appeal in November 2012. Existing claims will be determined in line with the court's interpretation of the Goomallee claim as if the amendments to be passed by this bill were never made.

The primary purpose of this bill is not to frustrate Aboriginal land claims. The primary purpose is to restore the multiple use principle contained in the Crown Lands Act and to ensure certainty and legal validity for the community groups throughout New South Wales that do a wonderful job for our society. Labor members have said that they have concerns, but if they made any pretence to be a constructive Opposition rather than constant naysayers we would have received amendments. Despite being briefed three weeks ago, there are no amendments from the Opposition. The only conclusion we can come to is that yet again Opposition members are playing politics, creating problems and being negative for the sake of it. If they had genuine concerns they would have proposed amendments. They have had three weeks to come up with amendments and there are none. This is sensible legislation and it is in the interests of the broader community. It is certainly in the interests of my constituents in Cronulla to have certainty in their secondary tenure over Crown lands. Members opposite have raised no coherent points to oppose the bill. They have made no constructive contributions, nor have they proposed any amendments. I support the bill and urge all members to also support it.

**Mr DARYL MAGUIRE** (Wagga Wagga) [6.40 p.m.]: I am delighted to join my colleagues in supporting the Crown Lands Amendment (Multiple Land Use) Bill 2013. Certainty with Crown land leases is important. It is particularly important for community groups that very often act as the custodians of Crown land on behalf of the Government and in whom we vest a great deal of responsibility for the management of those lands. The committees and boards that are vested with the power to administer Crown lands need certainty. Many of the community groups that occupy premises or property owned by government pay for the privilege. They pay because they are expected to administrate and keep the Crown land and any buildings that are attached to it to a reasonable standard. Sometimes the leasing arrangements are quite complex and a number of

organisations often share a piece of property. I can think of many groups in the Wagga Wagga electorate that share the piece of land on which they carry out their operations. They range from art groups to the Country Women's Association, the Rural Fire Service or, indeed, the lapidary club. The Government supports many organisations and, as I said, it is a cooperative arrangement because we then have a tenant who is responsible for the property on the reserve.

One such tenant is Sunflower House. A property that was in disrepair was obtained for a reasonable rent from the former Government and the organisation invested a great deal of money—dare I say, hundreds of thousands of dollars—in the derelict property to bring it up to a habitable standard. The bill is important because it will set out the terms of tenures in clear language. Those things concern people such as the board members of Sunflower House. Sunflower House provides services for people with a mental illness, which is a valuable service, but given their investment they always worry about their tenure and the fact that they have to pay rent set at a commercial rate. The bill will remove any uncertainty in the ongoing operations of clubs and other organisations such as those I have mentioned. Last week an issue was raised with me that may not strictly be within the leave of the bill but I will place it on record because it is important. When landholders lease a piece of land to graze stock they have basically no rights other than to utilise the property. They usually lease an adjoining piece of recreational-type reserve, and people often dump garbage and cause mischief on those blocks. With the advent of four-wheel drives and all-terrain vehicles we are finding more and more that townies, shall we say, drive into the reserve and cause havoc to the environment. They cut locks or cut holes in fences and cause mischief or dump rubbish.

I have written to the Minister and suggested that we look into giving the lessee some kind of authority to pursue the people committing those acts on the land. In other words, whilst it is appropriate that leased Crown reserves become the responsibility of the lessee, it is important to give them the tools they need to deal with regular incursions as an authority, meaning as a pseudo landowner. If people were to enter private property and cause problems the landowner would be able to go to the police and put in place requirements or measures to lock the gates. But I understand that a lessee of a Crown reserve, most of which are travelling reserves, cannot do that. I raise that because it was brought to my attention last week by a landholder. Out of what I suspect is desperation, the landholder wants to purchase the Crown reserve, fence it and secure it from the nuisance people who are tearing the reserve up, dumping rubbish and causing havoc with the grazing stock.

I have listened to this debate carefully. I note the previous speaker's comment that amendments have not been proposed. I point out that consultation has been undertaken on this bill. Members made a number of references to the Aboriginal Land Rights Act and so on. I understand that the New South Wales Aboriginal Land Council has been briefed by the department about the bill on a number of occasions. That is important because we are in partnership with community organisations and land councils play an important role. I respect the role of land councils and our Aboriginal elders and groups who are delivering for our communities. I put on record that consultation has occurred.

The fact that ministerial decisions can be made was another issue that was raised. That is the case, and Sunflower House was acquired as a result of a ministerial decision. The decision had great merit because it combined repairing a derelict building with the need to house a service to provide for people with a mental illness to make them well and get out of the revolving door. I support the decision that was made. To suggest that ministerial decisions are inappropriate is not correct because the Minister has always had that power. The decisions will also be subject to a judicial review process so that, like all decisions, they can be challenged and questioned. I have always said that transparency is important. Indeed, in opposition we talked on many occasions about the importance of transparency. This process has transparency. That should allay the fears of members who have suggested that ministerial decisions may be inappropriate. As I said, ministerial decisions have occurred and they will continue to occur, and they rightfully have judicial review processes attached to them.

One of many concerns about Crown reserves is management. This bill will deal with the 34 million hectares—the 42 per cent of the State—that is Crown reserve. Currently, there are 35,000 reserves in New South Wales. We are getting on with the job of reforming the way things are done, and this legislation introduces an amendment that allows for multiple land use. I understand that decisions have been made by the courts about reserves and leases. From time to time, government brings before this place legislation that will ensure it can get on with its job, lessees and landholders can get on with their job, and community organisations, which depend on security of tenure, can get on with their job. I commend the bill to the House. I congratulate the Minister on listening to the community and bringing about amendments that will offer security of tenure. I thank all the community groups for the work they do.

**Mr JAI ROWELL** (Wollondilly) [6.50 p.m.]: I contribute to the second reading debate on the Crown Lands Amendment (Multiple Land Use) Bill 2013. This bill follows on from the Goomallee case, which identified the need to make alterations to legislation in order to protect thousands of commercial and community tenancies. This bill does more than protect the many thousands of dwellings that reside on many of the 35,000 Crown land reserves across New South Wales; it will ensure that many community groups, sporting clubs and emergency service centres remain open. The New South Wales Liberal-Nationals Government is committed to strengthening our communities. This Government is providing certainty to the community, to businesses and to land councils and enabling the economic and social value of the Crown estate to be maximised.

Communities across New South Wales—including communities in the great Wollondilly and Southern Highlands area—rely on community organisations every day. The premises of those organisations store fire trucks, barbecues, marquees and Meals on Wheels vehicles. They are the focus point of charities and the staging points of philanthropic endeavours. In many instances, the premises are at the heart of the organisations. As noted by the Minister, many of these premises are located on Crown reserves, and without this bill the legality of their occupation may be in doubt. Thus, we run the risk of disenfranchising the community groups we turn to in times of need. This bill is a firm step in the right direction for the communities of New South Wales because it removes uncertainty about the ongoing future operations of these community facilities.

This bill also has an economic component worthy of note. Many of these multiple-use tenures, which cover up to 12 million hectares, generate nearly \$10 million in annual rent. At a time when the State has tightened its belt to live within its means—a concept that is still lost on those opposite—it makes sense to continue to collect millions of dollars each year in rent while ensuring that these vital community services are able to continue with greater certainty. Furthermore, I am sure the House is aware that many small businesses operate under a lease or licence on premises that are on Crown reserves. Such examples include kiosks, cafes and small food vendors that provide customer service to the public, add to the amenity of iconic locations and enhance the local economy. They employ locals and provide a service to the community. Since the Goomallee case, they have had to operate as if the sword of Damocles rested above their heads.

These are all positive reasons for both sides of the House to support this bill. This bill also provides a greater level of confidence for grazing licences in public recreation areas, which assists in weed and pest control. The certainty also extends to the use of mobile phone towers. Importantly, the legislative changes in this instance will be retrospective in order to avoid revoking and reissuing over 8,000 secondary tenures and to avoid significant costs and disruptions being imposed on trust managers, tenure holders and the New South Wales Government. The logic behind this bill is to maximise the use of Crown land for the people of this State, now and for future generations. The bill gives certainty while ensuring that the rights and amenity of the land in use is respected and preserved. It seeks to ensure that the State's resources are maximised through a notion of multi-use and mutual respect.

This amendment is needed because of the uncertainty of Crown land tenures. The current Act permits ministerial decisions on the granting of leases over Crown lands according to the principles in the Crown Lands Act. This power in the current Act is subject to judicial review. The amendment introduces a "material harm" test, which the Minister can apply according to the same principles that are in the Crown Lands Act. This power is also subject to juridical review, and therefore does not represent any increase in power. Labor members are playing politics with this legislation. If they were genuine about the concerns they have raised, they would have proposed amendments. They have not proposed any amendments, despite having been briefed more than three weeks ago. Labor is using this common-sense amendment as a distraction from John Robertson not reporting a bribe over the Currawong sale. They are beating up concerns about a sensible amendment, but they do not suggest any changes.

**Mr Clayton Barr:** Point of order: I refer to standing orders 73 and 76, which relate to relevance and the imputation of a member of the House. The member's comments have nothing to do with the bill.

**ACTING-SPEAKER (Ms Sonia Hornery):** Order! The member for Wollondilly will return to the leave of the bill.

**Mr JAI ROWELL:** I return to the leave of the bill. Many of the secondary interests in question were issued by those opposite when they were in government. There will be significant benefit to New South Wales flowing from the passage of this bill through the House. I urge all members of this place to show their support. I commend the bill to the House.

**Mr JOHN FLOWERS** (Rockdale) [6.56 p.m.]: I make a contribution to this second reading debate on the Crown Lands Amendment (Multiple Land Use) Bill 2013. The amendment bill will provide stability and certainty to thousands of community and commercial tenancies on crown land. The New South Wales Government recognises the important contribution these organisations provide to local communities and local economies. This is a common-sense bill that is essential to the lawful and effective administration of Crown lands. The Coalition is committed to strengthening our communities. This Government is providing certainty to communities, businesses and land councils lawfully using Crown land, and this legislation enables the economic and social value of the Crown estate to be maximised. In New South Wales Crown land comprises approximately 34 million hectares, or 42 per cent of the State. Crown land that has been set aside for public purposes is generally referred to as Crown reserve. There are approximately 35,000 Crown reserves in New South Wales.

The Crown Lands Act states in section 11 (d) that multiple use of Crown land should be encouraged where appropriate. Consistent with the multiple use practice, over 8,000 secondary tenures have been issued by the New South Wales Government over Crown reserves in New South Wales for community and commercial purposes. Without the amendments, up to 90 per cent of these tenures would be challenged because they are for purposes that are not in furtherance of, or incidental to, the primary purposes of the reserve. These multiple-use tenures cover up to 12 million hectares in area and generate nearly \$10 million in annual rent. In late 2012, the Court of Appeal in the *Minister Administering the Crown Lands Act 1989 v New South Wales Aboriginal Land Council*, (Goomallee Claim), found that Crown land is reserved for a public purpose and that if a lease, licence or permit of secondary tenure is granted over that land for an inconsistent purpose the tenure will be invalid.

The court's decision in the Goomallee case potentially undermines many thousands of tenancies. This bill will provide certainty for all land users and continuity in activities across the Crown land estate. It will support the multiple-use principle in the Crown Lands Act that Crown lands should be used for multiple community and economic purposes. It will ensure that both existing and future secondary tenures over Crown reservations are valid provided they are not causing, or likely to cause, material harm to the primary purpose of the reserve. In my electorate of Rockdale we have sporting clubs, the Royal Volunteer Coastal Patrol, the Millennium Centre, restaurants as prominent as the Le Sands Pavilion, sailing clubs, motorboat clubs and rowing clubs. All of these will benefit from this legislation, as they are mostly located on Crown land. Community groups that may also benefit from this legislation are Meals on Wheels kitchens, men's sheds, preschools, libraries, council chambers and community centres. Our communities rely on these organisations every day and their premises are a focal point for community life. The bill removes any uncertainty surrounding the ongoing operations of these community facilities. The object of the bill is to amend the Crown Lands Act 1989.

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

## PRIVATE MEMBERS' STATEMENTS

---

### CABRAMATTA MOON FESTIVAL

**Mr NICK LALICH** (Cabramatta) [7.00 p.m.]: On Sunday 15 September I attended the Cabramatta Moon Festival 2013, a festival held at this time every year in the Cabramatta central business district. This was the fifteenth Moon Festival, and it continues to attract more people each year. This year some 90,000 people were recorded attending this important festival. The vibrant display of Asian culture that was on show at the festival engulfed the town centre. People from all parts of Sydney travelled to Cabramatta to take in the sights and sounds of this fantastic festival.

This year's program was jam-packed with crowd favourites such as noodle eating, prawn peeling and mooncake eating competitions. There were community performances and a lantern parade led by the Moon Goddess. In attendance were children's favourite characters such as Peppa Pig, who was involved in a high-energy routine that was very popular with families; 2010 Master Chef contestant Alvin Quah showed off his prize-winning dishes; and television sensations Kookies n Kream and the Three Wishes also made appearances on the day. The Moon Festival is traditionally seen as a time for families to celebrate and give thanks for the wellbeing of family members, as well as a time to seek love and romance. To this end and to add further colour to the festivities, a shrine featuring a matchmaker and a mascot was erected for those seeking love and a relationship.

At 5.30 p.m. the lantern parade commenced, led by the Australian Chinese Youth Sports Association Lion and Dragon Dancers and followed by the Cabramatta local area police and this year's Moon Goddess. Following the Moon Goddess were children holding lanterns. It was a delight to see the smiles on the children's faces as they walked through the large crowd of people who had come to see the parade. Many legends surround the love story that lies at the heart of the Moon Festival. One story tells of master archer Houyi and his beautiful wife, Chang, who were stripped of their immortality and banished from heaven after Houyi was forced to shoot 10 of the Jade Emperor's sons in order to save the earth from destruction. Houyi's wife, Chang, was miserable about her loss of immortality.

Seeing his wife's distress, Houyi set out on a long and dangerous journey to find the elixir of immortality. After many trials and tribulations, Houyi finally met the Queen Mother of the West, who agreed to give him the Pill of Immortality. She warned Houyi that half the pill was enough to gain immortality. On Houyi's return, he presented the Pill of Immortality to his wife, Chang, who, in her excitement and joy, did not wait for Houyi to explain that only half a pill each was sufficient to become immortal and swallowed the whole pill. Because she had overdosed on the whole pill, Chang started to float into the sky.

Houyi wanted to shoot his beautiful wife, Chang, with his arrow to stop her from ascending into the heavens but because of his great love for her he could not bring himself to shoot her. His beautiful wife continued floating heavenwards until she reached the moon, where she resides to this day. Each year at the equinox, the day that daylight and darkness are equal in length and the moon is at its brightest—the fifteenth day of the ninth lunar month—millions of people across south-east Asia look up at the moon and see the Goddess Chang smiling down upon them. I thank the sponsors of the Moon Festival and Fairfield City Council for the support they gave to the 2013 Cabramatta Moon Festival.

### **BROKEN HILL DRUG ACTION**

**Mr JOHN WILLIAMS** (Murray-Darling) [7.05 p.m.]: I speak this evening about an issue that has now raised its head in Broken Hill. In 1970 I was called up for National Service and joined people from all over the State of New South Wales. At recruit training the Sydney recruits gave us a commentary on drugs. I was scratching my head because I did not understand what drugs were all about. We were dumb country boys who were not up with the latest trends and did not know about drugs such as heroin and speed. It was only when my sister was at the Royal Park facility in Melbourne that I saw firsthand the effects of drugs on young people. If young people were to visit that facility and saw what drugs do to people—the drug-induced psychosis and the long-term effects—they would never consider taking them.

Unfortunately, Broken Hill has caught up with the rest of the world. My office staff rang me about an interview on an ABC radio program. The interview, entitled "Brave Broken Hill mum in fight to save her son", brought my office staff to tears. In the interview, this mother drew attention to the fact that there are no resources for families in crisis in Broken Hill. That is probably because Broken Hill has not previously faced a drug epidemic, but we are certainly facing one now. The mother said in the interview:

My life is a mess ... I almost feel like I am in a movie ...

My biggest concern is that he'll either end up in jail or dead—and as a mum sitting, waiting for that phone call—it's paralysing ...

This isn't my kid, this is not my child, this is something else and it's awful.

The interview continued:

"To take out an AVO against your own child is one of the worst feelings", the woman said, describing how her son had fled home chased by the police.

"I will never lose that image of my child, basically being chased down the street by police. That image is tattooed in my mind forever," she added, fighting back tears.

Fortunately, Broken Hill police are aware of the situation, but it is up to the community to respond to this situation. The Broken Hill *Barrier Daily Truth* recently highlighted an increase in hepatitis C, which has tripled between 2010 and 2012. The newspaper also highlighted the number of syringes dispensed by the Far West Area Health Service—from 31,190 in 2010 to 72,545 in 2013. I have been asked about my thoughts on drug taking. I believe it is a very poor decision that many young people make. That is particularly so with the drug ice. Once young people engage in the use of this product, they can find it impossible to get off the habit.

As legislators, we need to look at the penalties for people in our community who are providing a means for our young people to kill themselves by introducing these drugs to our vulnerable youth. The manufacturers and distributors of these drugs do not face adequate penalties. The penalties are too light; we have to hit them hard. We also have to make young people in our community aware of the long-term effects of drug taking, how it can ruin their life and how many young people in the community are destroyed by the use of drugs. It is a problem across the State. Every member of Parliament faces this problem and it is time we took appropriate action to ensure that the penalties for committing a young person to death are relevant to the crime.

### CONCEPT PAINTS

**Mr BART BASSETT** (Londonderry) [7.10 p.m.]: Recently, with the new Federal Liberal member for Lindsay, Fiona Scott, I was honoured to visit Concept Paints, a local manufacturing company based in St Marys in my electorate that is doing great things. Starting in 1994 with just two employees, brothers Joseph and Tony Kaltoum, Concept Paints is an Aussie small business success story that now has 65 employees across New South Wales, Victoria and Queensland, and a rapidly growing export market to the United States, Canada, New Zealand, Asia, the Pacific Islands, South America and the Middle East. Joe is an industrial chemist and is the managing director, focusing on product development and innovation. Tony drives production and manufacturing to ensure that demands are met on time and are of the highest quality and standards. As any person in business will testify, success does not come easily and requires a lot of very hard work, sweat, equity, drive and innovation. Joe and Tony Kaltoum and their employees have those qualities as well as a commitment to customer service and excellence.

Concept Paints is an Australian family owned and managed business that produces and manufactures high-performance automotive, custom and industrial paints, including a diverse range of ancillary products. The company has embraced technology and innovation, and has invested a lot of time and money in research and development of a new range of eco-friendly products that offer not only a better outcome for the planet but also a high-quality product for their markets and customers. I had a good discussion with Joe, Tony and the management team about the challenges that their business faces in a competitive global economy. Like all small business people, they have taken a risk and put everything on the line to make their business a success—and they are passionate about their business. At present they need certainty from State and Federal governments that they will manage the economy well to give them the assurance they need to take further risks and expand their growing export markets, and be in a position to invest more in technology and product development, which, in turn, will enable them to create more jobs for locals across Western Sydney.

I am pleased that since our election in 2011 the Liberal-Nationals Government has had a strong focus on trade and investment, and on promoting New South Wales businesses to new and growing markets, with Deputy Premier Andrew Stoner, through the new Department of Trade and Investment, doing an excellent job promoting New South Wales. We need to continue this and stay ahead of other States, such as Victoria, that are also aggressively marketing themselves to potential export markets. Currently, the United States is the family company's largest market. During our visit we discussed a new eco-friendly product that it developed to adhere to the strict requirements of the California Clean Air Act. I am told that that Act, in place since 1988, sets the toughest standards in the world and is a benchmark for other jurisdictions, such as New South Wales, and a challenge for companies like Concept Paints. Concept Paints undertook extensive research and developed a new product that removed harmful solvents and replaced them with more environmentally friendly ones. The product is called the No Mix Low-VOC—volatile organic compound.

Like the original No Mix systems, this new low-volatile organic compound system uses techniques to do away with the need to stir tinters into the solution. What is more, the low-volatile organic compound system has a price advantage to most waterborne systems while saving application and drying times—which is important to paint shops. The products look like they are a great innovation that is a win for the environment and also saves businesses' and operators' time and money that can then be reinvested in research and development, new technologies and other areas to improve their business and the end users of their product. Sometimes red tape and bureaucracy can inadvertently work to help businesses, and because of the California Air Resources Board's zealous policing of the Clean Air Act, companies such as Concept Paints came up with a new product that complied with local regulations and was an improvement that has made life easier for businesses.

Joe and Tony raised with me a problem in New South Wales that prevents their business from expanding. One area that could be addressed locally is differing compliance requirements between imported raw materials and finished products. I am told that companies like Concept Paints are disadvantaged because they have to comply with strict requirements regarding the import of raw materials that are not in place for those

importing finished products. The market is very competitive and I am advised that a number of companies use inferior imported products that fail to comply with the strict standards of manufacture in Australia. Compliance requirements need to be reviewed and any clear inconsistencies identified need to be addressed to support our New South Wales and Australia born and manufactured products.

### **NSW CARERS AWARDS NOMINEE MR BRIAN ATTARD**

**Mr GUY ZANGARI** (Fairfield) [7.15 p.m.]: Tonight I honour Mr Brian Attard, one of many people who dedicate their time to caring for others across New South Wales. Mr Attard is a nominee in the 2013 NSW Carers Awards. These awards recognise and celebrate the contributions of carers for the care that they provide not only to individuals but also to the whole community. It is said that the depth and character of a community is determined by how well it looks after those who are unable to look after themselves. The richness of the New South Wales community is shown clearly in that more than one in 10 of us are recognised as carers: mothers, fathers, brothers, sisters, sons, daughters, friends and neighbours who provide unpaid support to someone who needs it—a member of our community who may be suffering from a disability, mental illness, a chronic health condition, dementia or who is elderly. Yesterday, Monday 14 October, I had the privilege of attending the annual carers' awards ceremony at Parliament House. The Hon. John Ajaka acknowledged the nominees for the NSW Carers Awards, presenting them with a certificate to commemorate their nomination.

Of course, Mr Brian Attard of Guildford is one such person. Mr Attard is a father of three. In 1988 his wife died suddenly and he decided to retire from work to look after his son Gary. For more than 43 years Mr Attard has been a full-time carer for Gary, who lives with a series of disabilities. Mr Attard's attitude to his son's predicament is nothing short of inspiring. He does not focus on the negatives but chooses to celebrate the joy his son brings to his and his family's lives. His Guildford home is a proud display of his son's achievements and the life the family leads together. Mr Attard not only provides selfless care for his son and the rest of his family but also finds time to do volunteer work in his community. Mr Attard volunteers in the Holroyd City Council Support and Respite Day Care program. He regularly provides transport for adults with a disability. It is fitting that this week we congratulate Mr Attard on his selflessness and dedication to both his son and his local community.

Carers Week is held from 13 to 19 October and is a national celebration of the selfless people who give up their time to help improve the quality of life for those who, through no fault of their own, cannot do so. Carers Week seeks to promote and support carers and the people for whom they care through effective advocacy, quality programs and community awareness activities. This one week of the year recognises the dedication and work that carers throughout our community perform, day in and day out. As I said earlier, yesterday I had the opportunity to have a quiet cup of tea with Mr Attard and his son Gary. It was amazing to listen to Mr Attard talking and not complaining. He has had it tough over the years, but he remained at that ceremony with a wonderful smile. As I said, that Brian helps others in the same predicament is remarkable. On behalf of this Chamber and the Fairfield electorate, again I congratulate Mr Brian Attard on his nomination for the 2013 NSW Carers Awards.

### **MONA VALE ROAD UPGRADE**

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [7.20 p.m.]: On 1 October a terrible truck accident occurred on Mona Vale Road in my electorate of Pittwater. Having witnessed the immediate aftermath of the accident firsthand, I convey my gratitude and that of the community that I represent to all those heroes who rendered assistance to the motorists and passengers caught up in the conflagration, including the travellers and local residents who dashed to the immediate aid of victims without regard for their own safety. I also thank the emergency services who were on the scene within minutes—the rural fire brigade from Tumbledown Dick and the Fire and Rescue NSW crews from Mona Vale, Mosman, Narrabeen and across the city, who rendered assistance throughout the night, the officers of the NSW Police Force who provided a quick and effective service, as well as the medical professionals who offered assistance to those who were injured. Thank you also to the staff of the adjacent Pittwater RSL Club, who gave support to many of the victims. To those who lost loved ones or suffered injury, I convey my condolences and those of my community.

This crash tragically highlighted the dangers associated with this notorious stretch of road. Since 1996 there have been 211 reported crashes on the section of Mona Vale Road between Manor Road, Ingleside, and Foley Street, Mona Vale. Of these crashes, 76 have involved serious injuries and three have involved multiple fatalities. It is well known that if motorists travel too fast or overtake in the wrong place this road presents serious risks and head-on collisions could occur. In the few weeks before the recent crash there was a

head-on collision that required a medical air evacuation. Like many in my community, I know people who have been involved in serious accidents on this stretch of road. I know someone who was killed on an adjacent road—Cabbage Tree Road, Bayview—which is a similarly notorious road and is often used as rat run to get around the most dangerous stretch of Mona Vale Road.

Therefore, I bring to the attention of this House the need for vital safety improvements to the dangerous eastern section of Mona Vale Road between Manor Road, Ingleside, and Foley Street, Mona Vale, including the westbound climbing lane through the narrow and steep cutting near Boundary Street and the roundabout intersection of Ponderosa Road, Mona Vale Road and Samuel Street. As a matter of urgency, we need to take all necessary steps to identify and rectify the road safety issues on this stretch of Mona Vale Road between Manor Road or Laurel Road, Ingleside, and Foley Street, Mona Vale, as soon as possible. In the longer term, we should prioritise the completion of the planned upgrade of Mona Vale Road all the way from Terrey Hills to Mona Vale. Whilst I appreciate there are many roads across New South Wales that experience significant congestion, face increased traffic pressure or have underlying safety issues, I am not aware of any road in this State that faces all these issues to the extent that Mona Vale Road does. This road truly has the trifecta of serious problems: road safety, increasing congestion and increasing usage in the future.

I sincerely thank the Hon. Duncan Gay, the Minister for Roads and Ports, in the other place for starting the ball rolling on the upgrade of Mona Vale Road within six weeks of achieving government after many years of inaction by those opposite. I note that detailed planning for the upgrade of the section of Mona Vale Road from McCarrs Creek Road, Terrey Hills, to Powderworks Road, Ingleside, is now well underway. Following a visit in December last year to the very section of Mona Vale Road on which this crash occurred, the Minister provided funds to investigate possible routes for upgrades and safety improvements to the eastern section of the roadway. I note these investigations concluded that there is no efficient, quick or inexpensive solution to increasing the safety of Mona Vale Road, and that the only effective longer-term solution is to bite the bullet and upgrade the entire road as soon as practicable.

My community understands that there is no quick fix and that the upgrade will take some time. Nevertheless, the accident two weeks ago makes it manifestly clear that action is needed and that the planning work must start now. The recent crash has highlighted the need for safety improvements while planning for permanent upgrades takes place. I know that the Minister is committed to making improvements to Mona Vale Road, and I thank him for his service in this difficult portfolio. There may well have been a number of reasons for the terrible crash two weeks ago and a series of inquiries must now take place, including investigations by Roads and Maritime Services, the police and the Coroner. Mona Vale Road is a dangerous road in urgent need of improvement.

**Private members' statements concluded.**

## **FIREARMS AND CRIMINAL GROUPS LEGISLATION AMENDMENT BILL 2013**

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

### **MENTAL HEALTH MONTH**

#### **Matter of Public Importance**

**Mrs TANYA DAVIES** (Mulgoa) [7.26 p.m.]: I am pleased to speak on Mental Health Month, which is occurring in October. Mental health is a state of wellbeing in which individuals can manage with the normal stresses of life, work productively and are also able to make a contribution to their community. On the other hand, mental illness describes a number of diagnosable disorders that can significantly interfere with a person's cognitive, emotional or social abilities. An individual's ability to relate with their family, friends, workmates or the broader community can be affected by their mental health. It can cause significant distress and disability and can lead to isolation of, and discrimination against, those affected. People with a mental health disorder may also not be able to participate fully in the labour force. This has individual impacts in respect of the person's income, social participation and self-esteem as well as wider economic impacts. The annual cost of mental illness in Australia has been estimated at \$20 billion, which includes the cost of loss of productivity and labour force participation.

This October communities across New South Wales have come together to acknowledge those amongst us whose lives have been touched by mental illness and to encourage us to take a stand against the stigma that

surrounds mental illness. During Mental Health Month, mental health services and community organisations are holding events throughout the State to create awareness, reduce stigma and promote the positive things that we can all do to improve our mental health, as well as support friends and family who may be suffering from mental illness. One of the biggest barriers to the recovery of mental health is the stigma associated with it. The theme for Mental Health Month this year, "Kindness: little acts, big impacts!", aims to encourage people to embrace the relationships and activities that give their lives purpose and meaning. This theme reminds us all of the fundamental role that kindness and generosity play in a person's overall mental health and wellbeing, whether they are givers or receivers of an act of kindness.

Even the smallest act of kindness, such as a smile, can make a difference to our health and wellbeing and to that of those around us. It can bring us closer and strengthen the relationships we have with family and friends. It can encourage people to reach out to one another and talk about mental health. By doing so it will help to break down the stigma and discrimination that people with mental illness face every day. Talking about mental illness is one of the most simple and effective ways in which we can all help to end the stigma and discrimination that surrounds mental health. Often just a few small words can make a big difference; in some cases, a life-saving difference. One in five people will experience a mental illness at some point in their lives, yet people are often reluctant to acknowledge there is a problem, which only serves to worsen the stigma and stops people from seeking help early on. One of the most important challenges that we all face is to lift the cloud of stigma that prevents people from seeking help when they are in trouble. I encourage everybody to take a stand against stigma this October and every day of the year. Initiatives such as Mental Health Month allow us to shine a spotlight on the work of those who are at the forefront of the mental health system and the huge amount of work being done in New South Wales.

The individuals and organisations who work day in and day out to improve understanding, create awareness, and provide services for the general mental health of our community are truly remarkable people. The work they do makes a real difference in improving the lives of people who experience mental illness. On behalf of the New South Wales Government, I thank them for their efforts. I congratulate the Mental Health Association NSW on its advocacy, organisation and support of Mental Health Month. It does a fantastic job promoting the month every year to ensure that communities across New South Wales get involved in the wide range of activities on offer. It is interesting to note that the Mental Health Association NSW is Australia's oldest mental health advocacy organisation. It was established in 1932 and celebrated its eightieth birthday last year. Although it has been around for 80 years, the issues of mental illness and mental health remain pertinent and relevant to our communities today.

**Mrs BARBARA PERRY** (Auburn) [7.31 p.m.]: Mental Health Month NSW is a useful reminder for us to think about our mental health and that of those around us. In times gone by mental health was considered a taboo subject—to some extent it still is. It was discussed behind closed doors for fear of what others would say. Fortunately, times have changed and Australians are becoming more comfortable about discussing mental health issues, just as they discuss other aspects of their health. This change in attitude is due largely to successful public education initiatives by State and Federal governments and the tireless efforts of advocates for mental health. I take this opportunity to acknowledge the non-government organisations in this space, in particular Mental Health Association NSW.

This year's theme of Mental Health Month NSW is "Kindness: little acts, big impacts!". This promotes the idea that kindness to ourselves and to others is beneficial to the health and wellbeing of all. It encourages us to practice self-compassion and to accept that everyone has different strengths and weaknesses. It is about being kind to others because people may face challenges that we are not aware of. It is also good for our wellbeing. Too often we are exposed to commentary that is far from kind. We hear it when a radio announcer makes a jibe about a cricketer's recent test performance or a glossy magazine comments on the fluctuating dress size of a popular starlet. We overhear it on the train when someone is speaking unkindly to a friend or family member on the phone. Indeed, at some time we have all been guilty of poor judgement and delivering a random, seemingly throwaway line that hurt someone.

It is important to remember that everyone faces challenges that are not known to others. That single comment could be the one that tips a friend or family member over the edge. Unbeknownst to you and that person's family, they may have been on the precipice for some time and just needed one last reason to slide into a dark place. This propensity to communicate unkindly is nowhere more prolific than in the world of social media. Smart phones are the must-have item for anyone aged 12 years and over. It is their window to the wider world. When I was a teenager the only way to communicate with my friends was in the playground or by talking on the landline in the kitchen, where everyone could hear my conversations. Today's youths are texting, tweeting, kicking, gaming, blogging and Facebooking 24/7. Forget phone calls; they are old hat.

Like anything that is new and unknown, there is always fear and loathing from the older generation. While these new forms of technology have many positive aspects, unfortunately the link between social media and mental health issues among our young people is very real. Social media gives individuals the opportunity to write things they would not normally say face to face. With a simple touch of the send button, the recipient's mind can be sent into a tailspin. This is cyberbullying at its worst: individuals using digital media and texting to communicate false, embarrassing or hostile information about another person. It can be done at any hour of the day by people you know, and sometimes by people you do not know. It can leave you feeling unsafe and alone. It is the most common online risk for all teens and is generally a peer-to-peer phenomenon.

In Australia about one in 10 teenagers has experienced some sort of bullying using technology. Cyberbullying can cause profound psychosocial outcomes, including depression, anxiety, severe isolation and, tragically, suicide. Coupled with this, social media and websites often project unrealistic expectations of image and poor role models for young people. The NetGirls project, which surveyed 1,096 girls in the United Kingdom aged between 12 and 16 years, set out to investigate the role of media in the self-image of adolescent girls. The researchers were interested to find how adolescent girls were spending their free time and how different activities related to how they felt about themselves and their bodies.

The findings demonstrated a worrying correlation between excessive media use, particularly social media and the internet, and lower self-esteem, body esteem and sense of identity and higher depression. Forty per cent of girls were dissatisfied with their bodies and half were terrified of gaining weight. The development of an eating disorder is about much more than a person's sense of body image; it often relates to traumatic issues in their past. During this month we need to examine the impact that social media is having on young people's self-image and how we should challenge that, which is really a role for government. But I encourage everyone to take time out and to make an effort to reconsider our work and lifestyle balance, and of course be kind to each other.

**Mr MATT KEAN** (Hornsby) [7.36 p.m.]: It is with pleasure that I speak to this matter of public importance. The issue of mental health is very close to my heart. My family has been directly affected by mental health, but my story is not unique. My mum suffered a mental illness when I was growing up. This year 3.2 million will suffer a mental illness. Indeed, one in four adult Australians will suffer a mental illness at some stage during their life. The chances are that if you have not suffered a mental illness yourself, you will know someone who has. One of the challenges we face is that we know very little about mental illness. We are not taught how to treat mental illness or how to deal with it. If someone came to me now with a broken arm or bloody nose, I would know what advice to give them—I would send them to a medical practitioner. But if someone came to me suffering symptoms of schizophrenia, anxiety or depression, I am not sure that I, or my colleagues, would know how to deal with that.

We have come a long way in talking about mental health. Gone are the days when people suffering mental illness were institutionalised, but there is still a long way to go. The biggest thing we can do to improve mental health is to break down the stigma that exists across the country, and we can do that by having a simple conversation. We need to let people know that there is a way through no matter how dark, helpless, hopeless or ashamed they may be feeling. We need to encourage people to talk about mental health in the same way as we talk about physical health. We should encourage people to get help that potentially may save their lives.

Mental illness is the leading cause of suicide in this country. Suicide is the largest killer of males aged under 44 and females under 34. Every death through suicide is a national disgrace. I have said that in this House before and I will continue to say it until the problem is fixed. We need to do more to address this national disgrace. I, like others, have a dream. My dream is that we will invest the same resources and community awareness in mental health as we do in physical health. I will continue to contribute in this House to every discussion of a matter of public importance and to every community forum that I attend to advocate that my dream become a reality. It is not just a problem for those in this House; it is everyone's problem. No longer can we have the "us and them" situation in mental health. The Government and community have a responsibility to bring about that change.

**Mrs TANYA DAVIES** (Mulgoa) [7.39 p.m.], in reply: I thank the member for Auburn and the member for Hornsby for their deeply felt contributions to the discussion of this matter of public importance. It is important to remember that only a handful of years ago the statistics indicated that 45 per cent of 7.3 million Australians aged between 16 and 85 years reported they would have met the criteria for a diagnosis of a mental disorder at some point in their lives. That is extraordinary. It is hard to comprehend that almost half of our population has at some time felt they have experienced a mental illness at some point in their lives. Mental

illness is indiscriminate. Just like the common cold, mental illness can affect anyone and everyone across our community. It is not beholden to socio or demographic boundaries. Celebrities, political leaders, sportsmen and sportswomen, businessmen and businesswomen, volunteers, children, and mums and dads—including new mums getting used to their first baby—can at some stage experience mental illness. It is important to realise that it is our responsibility to help all those who are suffering such an illness. We tend to focus on physical health and fitness. We teach people what foods they should eat and we encourage them to live balanced lifestyles.

However, it is important also to take responsibility for our mental health. Hence Mental Health Month is dedicated to focusing community attention on mental health. We must take the time to determine how we are feeling and coping, but we must also be considerate of the needs of others. Mental Health Month reminds us of the importance of simple acts of kindness. We must accept and appreciate kindness when it comes our way and we should not refuse it. We should do kind things for others and be kind to ourselves by looking after our health. It is important to renew our minds, spirits and bodies by accepting and appreciating kindness when it comes our way. We must look out for others as well as ourselves. The theme of Mental Health Month can be summed up as doing unto others as we would like them to do unto us. I thank members for their contributions to debate on this matter of public importance. I encourage all those either listening to this debate or reading these words to take this opportunity during Mental Health Month to consider themselves and others and to live a better lifestyle.

**Discussion concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.42 p.m. until  
Wednesday 16 October 2013 at 10.00 a.m.**

---