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# LEGISLATIVE ASSEMBLY

Thursday 21 February 2013

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

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

## BUSINESS OF THE HOUSE

### Notices of Motions

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

## COMMUNITY RECOGNITION NOTICES

**Question—That the following motions given by the members as indicated pursuant to notice be formally agreed to—proposed.**

### MAITLAND RURAL FIRE SERVICE BRIGADES MEDAL RECIPIENTS

**Ms ROBYN PARKER**—That this House:

- (1) Congratulates the 11 members from the Maitland brigades of the New South Wales Rural Fire Service presented with National Medals and Long Service Medals in October 2012, including: Bruce Dark and Garry See—National Medals with 1st and 2nd Clasps for 43 years service with Bolwarra-Largs Brigade; Robert (Bob) Shorten—National Medal with 1st and 2nd Clasps for 41 years service with Bolwarra-Largs Brigade; Barry Pont—Long Service Medal 3rd Clasp for 40 years of service as a member of Bolwarra-Largs Brigade; Neale Mutton—National Medal 1st Clasp for 34 years service with Bolwarra-Largs Brigade; Graeme Vickers—National Medal and 1st Clasp for 31 years service with the Vacy and Bolwarra-Largs Brigades; Steven Campbell—National Medal and Long Service Medal for 19 years service with Paterson and Bolwarra-Largs Brigades; Steven Searle—National Medal for 17 years service with Bolwarra-Largs Brigade; Stephen Watson—Long Service Medal for 13 years service with the Bishops Bridge Brigade; Ryan Kelly—Long Service Medal for 11 years service with Medowie; Thornton and Bishops Bridge Brigades; and Pierce Miller—Long Service Medal for 10 years service with Bolwarra-Largs Brigade.
- (2) Thanks all the medal recipients for their contribution to the community as members of the NSW Rural Fire Service.

### NSW BIKE WEEK

**Mr JOHN FLOWERS**—That this House:

- (1) Acknowledges that New South Wales Bike Week was held from 15 to 23 September 2012.
- (2) Notes that cycling is a healthy form of exercise taken up by an increasing number of people.
- (3) Notes that Sans Souci Park hosted the "On Ya Bike" Local Riders Day supported by Kogarah and Rockdale City councils on 23 September 2012.

### ARNCLIFFE MEN'S SHED

**Mr JOHN FLOWERS**—That this House:

- (1) Acknowledges that November 2012 marks the first anniversary of the establishment of the Arncliffe Men's Shed.
- (2) Commends the men at the Arncliffe Men's Shed for their community work.
- (3) Wishes the Arncliffe Men's Shed all the best for the future.

### MRS MARGARET SOMERVILLE 100TH BIRTHDAY

**Mr JOHN FLOWERS**—That this House congratulates Mrs Margaret Somerville, of Rockdale, on celebrating her 100th birthday on 24 September 2012.

**MENAI HIGH SCHOOL AGRICULTURAL SHOW TEAM**

**Ms MELANIE GIBBONS**—That this House:

- (1) Congratulates Menai High School's Agricultural Show Team on its success at the 2012 Royal Easter Show.
- (2) Notes that the school's team, consisting of year 9 students, beat teams from 34 schools across New South Wales to come first in the live weight section of the Meat Bird Competition.
- (3) Notes that individual students submitted excellent produce that was awarded first place in many different categories, including in the Dairy Goats, Roses, Orchids and Succulents categories.
- (4) Notes other ribbons were awarded in Merino Fleece Judging and Poultry Showmanship.
- (5) Congratulates all the students from Menai High School who participated in the 2012 Royal Easter Show competitions.

**ST JOSEPH'S CATHOLIC PRIMARY SCHOOL FETE**

**Ms MELANIE GIBBONS**—That this House:

- (1) Congratulates St Joseph's Catholic Primary School, Moorebank, on raising \$13,861 at the school's 2012 fete.
- (2) Notes that the money has been used to acquire shared reading resources and iPads for student use.
- (3) Recognises the efforts of Father Graham and the St Joseph's school community for hosting such a successful school fete.

**AUSTRALIAN MIXED TOUCH FOOTBALL TEAM CAPTAIN KYLIE HILDER**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Kylie Hilder, from Taree, on being named captain of the Australian Mixed Team Touch football side.
- (2) Notes that the Australian team will play in the Trans Tasman series against New Zealand in Auckland in February 2013.
- (3) Notes that Kylie led the Australian team to victory against New Zealand in Mudgee during 2012.
- (4) Notes that Kylie has represented Australia in three World Cups, twice with the open women's team and once with the mixed team, and that on each occasion the Australian team won the World Cup.

**RAGING BULLS BEACH RUGBY TEAM**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates the Raging Bulls side from the Wallamba Bulls Rugby Club who won the first beach rugby competition held in New South Wales.
- (2) Notes that the Raging Bulls entered the competition having never played beach rugby, but won the B grade Plate Championship after playing seven pool games.

**RURAL CRIME INVESTIGATION AWARD RECIPIENT SENIOR CONSTABLE JOHN BROADLEY**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Senior Constable John Broadley from the Manning Great Lakes local area command on receiving the Rural Crime Investigation Award.
- (2) Notes that Constable Broadley has been recognised for his devotion to police work and numerous acts of bravery.
- (3) Notes the pride of Constable Broadley for being part of the task force that captured Australia's most wanted man, Malcolm Naden, in early 2012.

**RETIREMENT OF JIM SINCLAIR**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Jim Sinclair, of Taree, on his retirement after 60 years of continual service for NSW Railways and CountryLink.
- (2) Congratulates Jim Sinclair on his inspiration to others by working at the age of 75.
- (3) Notes his celebratory retirement morning tea was held at Taree Railway Station, and attended by CountryLink executives, colleagues and Jim's family.
- (4) Notes that Jim Sinclair started work at the age of 15 as a shop boy with the Department of Railways at Chullora in Sydney in 1952.

- (5) Notes that through his skills and abilities Jim was promoted on many occasions during his career and became an Engineman Class 5 with full driver status in 1975.
- (6) Notes that Jim transferred to Taree in 1979 and was especially proud of being promoted to Special Class Engineman in 1986.

#### **TRIBUTE TO PAUL MURRAY**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Taree Fire Brigade captain Paul Murray on receiving a special servicemen's honour at Government House in Sydney.
- (2) Notes that only one hundred members of the army, navy, air force and emergency services in New South Wales received invitations to the event and that Paul was the only invitee from regional New South Wales.
- (3) Notes that Her Excellency, the Governor, thanked Paul and fellow invitees for their dedication and efforts.
- (4) Recognises that Paul joined the Fire Service in 1984 and has been Taree Fire Brigade captain for four years.

#### **TRIATHLON ALL-AGE WORLD CHAMPION GRANT MELZER**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Grant Melzer of Forster on winning the Triathlon All-Age World Championship in Auckland.
- (2) Notes that Grant won the 18-19 years final consisting of a 1.5 kilometre swim, 40 kilometre bike and 10-kilometre run.
- (3) Notes that Grant now lives and trains at the Australian Institute of Sport in Canberra and hopes to represent Australia in the Olympics.

#### **THE HILLS LOCAL AREA COMMAND MOVEMBER FUNDRAISING**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Commends police officers from The Hills local area command for participating in the 2012 "Movember" campaign, which raises funds and awareness of men's mental health issues.
- (2) Wishes Sergeant Joe Mammone, Senior Constable Paul Harvey, Shane Hewitt and Constables Nathan Kurukchi and Mark Atkinson the very best in their fundraising efforts.

#### **CHERRYBROOK PUBLIC SCHOOL FORTIETH ANNIVERSARY**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates Cherrybrook Public School on celebrating its fortieth anniversary and for its ongoing provision of excellent education to the community.
- (2) Wishes the school many more years of service.

#### **BASKETBALLERS SAM BROCK, PETER KUZMANOVIC AND DAVID HAYMAN**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates basketball players Sam Brock, Peter KuzManovic and David Hayman for being selected to play for a team touring America with coach William Hill.
- (2) Wishes the Castle Hill trio the very best of luck as they prepare to play against a mixture of schools and colleges in order to showcase their skills for a college basketball contract.

#### **WEST PENNANT HILLS CHERRYBROOK CRICKET CLUB**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Thanks former test cricket players Craig McDermott and Corey Collymore for visiting West Pennant Hills Cherrybrook Cricket Club to run a coaching skills clinic for local cricket players.
- (2) Wishes the entire West Pennant Hills Cherrybrook Cricket Club the very best for the cricket season.

#### **GILROY CATHOLIC COLLEGE MUSICAL PRODUCTION**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Wishes students at Gilroy College, in Castle Hill, all the best as they prepare for the opening show of their production of Joseph and the Amazing Technicolour Dream Coat on 28 November 2012.
- (2) Congratulates the more than 120 students and 20 staff from the College, especially drama teacher Jaelithe Wedd, who have been working hard since February to bring this production to fruition.

**CASTLE HILL RSL CLUB**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates the Castle Hill RSL Club on being awarded the 2012 National Spirit of ANZAC Award, in recognition of its outstanding contribution to its members and the community, and for epitomising the traditions on which the RSL and its clubs were founded.
- (2) Continues to support RSL Clubs and the great works that they do in the community.

**RACE FOR GRACE TRIATHLON AND CLAIRE MOXHAM**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Extends to Claire Moxham, of Castle Hill, its best wishes for her participation in the "Race for Grace" triathlon that will involve hundreds of women swimming, cycling and running to raise funds for the Children's Hospital at Westmead's Grace Centre for Newborn Care.
- (2) Commends all carers in the Grace Ward who look after babies born with a congenital problem and require surgery at birth or who are seriously unwell after birth.

**WHITE RIBBON DAY**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Supports the White Ribbon organisation as they seek to raise awareness of violence against women and to end its terrible and unfortunate occurrence in the community.
- (2) Encourages people to participate and get involved in White Ribbon Day on 25 November 2012 to make violence against women a thing of the past.

**ORDER OF AUSTRALIA MEDAL RECIPIENT MICHAEL JARJOURA**

**Mr DOMINIC PERROTTET**—That this House:

- (1) Congratulates Michel Jarjoura on being awarded the Order of Australia for his tireless service to the Lebanese community in New South Wales.
- (2) Commends Michel Jarjoura for his roles in leadership with the Antiochian Orthodox Committee of Sydney and as a former President of the New South Wales Division of the Australian Lebanese Association.
- (3) Commends Michel Jarjoura for his significant contribution to the community, including through the building of a church in Redfern, and his efforts to encourage social cohesion and understanding with interfaith dialogue.
- (4) Acknowledges Michel Jarjoura's success as a migrant businessman.

**AUSTRALIAN ARABIC COMMUNITY AMBASSADOR MS ILHAM HAFEZ**

**Mr TONY ISSA**—That this House:

- (1) Commends Ms Ilham Hafez as an inspiring community ambassador for the Australian Arabic Community, especially through her role as a radio producer and host for 15 years which has seen her reach out and speak on pressing issues facing the community.
- (2) Acknowledges the significant contribution of Ms Ilham Hafez in her role as the DrinkWise ambassador for the Australian Arabic community and as an Advisory Council member for TAFE.
- (3) Commends Ms Ilham Hafez for her continued efforts facilitating and promoting social cohesion and understanding between members of the Lebanese community and the wider community.

**MR FOUAD ASHWAH COMMUNITY SERVICE**

**Mr TONY ISSA**—That this House:

- (1) Recognises Mr Fouad Ashwah's tireless commitment to serve and provide advice to members of the community.
- (2) Acknowledges Mr Fouad Ashwah's dedication and efforts as an active volunteer.

**TS SHOALHAVEN TWENTIETH ANNIVERSARY**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates TS *Shoalhaven* on celebrating its twentieth anniversary.
- (2) Acknowledges the continued work of Lieutenant John Huisman ANC, Commanding Officer of TS *Shoalhaven*.
- (3) Acknowledges the involvement of the Royal Australian Navy and congratulates all participants in the TS *Shoalhaven* over the past 20 years.



**SUSSEX INLET RSL SUB BRANCH SIXTIETH ANNIVERSARY**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates the Sussex Inlet RSL Sub Branch on celebrating its sixtieth anniversary.
- (2) Acknowledges the continued work of the sub branch's executive, including president Alan Beasley, secretary Harry Back and treasurer David Lewis.

**SIR JOSEPH BANKS HIGH SCHOOL MENTORING, MASCULINITY AND MATESHIP PROGRAM**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates students of Sir Joseph Banks High School participating in the Mentoring, Masculinity and Mateship [MMM] Program.
- (2) Notes the work students undertake throughout the community and congratulates their efforts.
- (3) Congratulates the hardworking staff at Sir Joseph Banks High School who run the MMM Program.

**SIR JOSEPH BANKS HIGH SCHOOL FEMININITY, ACCEPTANCE AND MENTORING PROGRAM**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates students of Sir Joseph Banks High School participating in the Femininity, Acceptance and Mentoring [FAM] Program.
- (2) Notes the work students undertake with other school communities and congratulates their efforts.
- (3) Congratulates the hardworking staff at Sir Joseph Banks High School who run the FAM Program.

**ULLADULLA HIGH SCHOOL TEACHING STAFF**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates 16 teachers at Ulladulla High School who have been awarded Australian College of Educators Recognition Certificates, including Darren Stephen, Sonja Skagen, Kim Waters, Fiona Williams, John Woodland, Jason Wilson, Anthony De Giovanni, Joshua Westerway, Lorraine Dixon, Sarah Watson, Narrell, Murdoch, Jose Gonzales, Toni Williams, Andrew Lake, Karen Bulbert and principal Tracy Provost.
- (2) Notes that all staff members were nominated by students at Ulladulla High School.

**NATIONAL SES WEEK**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Notes that National State Emergency Service [SES] Week was held between 12 and 18 November 2012.
- (2) Extends appreciation to South Coast SES volunteers for their continued work across the Shoalhaven.
- (3) Acknowledges the hard work of Shoalhaven SES City Controller Ian Borrowdale.
- (4) Acknowledges the hard work of Ulladulla Unit Controller Ms Angela Batey.

**SHOALHAVEN STATE EMERGENCY SERVICE**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Notes that on 18 October 2012 Shoalhaven State Emergency Service [SES] volunteers were acknowledged in a ceremony commemorating their service.
- (2) Notes that Nowra Unit Controller, Mark Kielly, and Unit Training Coordinator, Wes McPherson, received a letter of appreciation from the SES Commissioner.
- (3) Notes that Operations Officer, David Pym, and Shoalhaven City Controller, Ian Borrowdale, received a Commendation for Service from the Commissioner.

**SHOALHAVEN STATE EMERGENCY SERVICE LIFE MEMBER BILL CURTIN**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Notes that on 18 October 2012 Shoalhaven State Emergency Service volunteer Mr Bill Curtin was acknowledged with life membership for 43 years of service to the organisation.
- (2) Congratulates Mr Curtin on his recognition and extends its appreciation for his continued service to the South Coast community.

**EMMA GEELAN AWARD RECIPIENT MRS VIOLET LORD**

**Mrs SHELLEY HANCOCK**—That this House:

- (1) Congratulates Mrs Violet Lord on being presented with the Emma Geelan Award for her outstanding contribution to the Red Cross breakfast program at Nowra East Public School.
- (2) Notes that Mrs Lord has spent 40 years contributing to the "Good Starts Breakfast Club" at Nowra East Public School providing breakfast to around 60 students.
- (3) Acknowledges the outstanding contribution Mrs Lord has made to the South Coast community.

**BANKSTOWN COMMUNITY RESOURCE GROUP**

**Ms TANIA MIHAILUK**—That this House:

- (1) Notes that Bankstown Community Resource Group [BCRG] held its annual general meeting on 30 October 2012.
- (2) Congratulates the executive on a successful year and wishes them every success in their ongoing leadership of this important organisation.
- (3) Praises BCRG on the services they provide to children and families and people experiencing social and economic disadvantage.

**SYDNEY MID WEST AND SYDNEY OUTER WEST/BLUE MOUNTAINS VOLUNTEER OF THE YEAR AWARDS**

**Ms TANIA MIHAILUK**—That this House:

- (1) Congratulates all of the volunteers recognised at the 2012 Sydney Mid West and Sydney Outer West/Blue Mountains Volunteer of the Year Awards.
- (2) Acknowledges the hard work of the Centre for Volunteering and Cumberland Prospect Volunteer Support Services in organising the event.
- (3) Congratulates Bankstown residents Norman Dawes, Ahemad El Hajj and Glenda Rawlinson on their nomination as 2012 Sydney Mid West Volunteer of the Year.
- (4) Congratulates Frank Davies on his nomination for 2012 Sydney Mid West Volunteer of the Year, as well as being named 2012 Sydney Mid West Senior Volunteer of the Year for the second time.
- (5) Congratulates Bankstown resident Ziad El Daoud for being nominated for Mid West Volunteer of the Year and for receiving an individual Highly Commended Award for his dedication to volunteering, in particular for his work with the 5th Bankstown ICPSA Scout Group.

**2MFM MUSLIM COMMUNITY RADIO**

**Ms TANIA MIHAILUK**—That this House:

- (1) Notes that Muslim Community Radio [2MFM] is a multicultural and multilingual Islamic radio station.
- (2) Notes that 2MFM is one of the most popular community radio stations in Sydney with an average 60,000 listeners per month.
- (3) Notes that 2MFM successfully held its annual corporate dinner on 11 November 2012.
- (4) Commends 2MFM on the service that it has provided to the Islamic community of New South Wales since its first broadcast in 1995.

**REMEMBRANCE DAY**

**Ms TANIA MIHAILUK**—That this House:

- (1) Notes that Remembrance Day commemorates the end of hostilities on the Western Front in World War I.
- (2) Notes that this year was the ninety-fourth anniversary of Remembrance Day.
- (3) Commemorates the sacrifices made by over 60,000 Australian men who lost their lives and the 156,000 who were casualties or taken as prisoners of war during the conflict.
- (4) Commemorates the sacrifices of all Australian servicemen and women since World War I.
- (5) Acknowledges the Returned Services League of Australia Bankstown Sub-branch on its service held at the Court House Reserve.

**VIETNAM VETERANS REMEMBRANCE DAY**

**Ms TANIA MIHAILUK**—That this House:

- (1) Commemorates the 521 Australian Servicemen who sacrificed their lives during the Vietnam War.
- (2) Acknowledges the NSW Chapter of the Vietnamese Community in Australia and the Vietnam Veterans Association of Australia who this year launched a Commemorative Plaque listing the names of the 521 Servicemen.

**COOLABURROO NEIGHBOURHOOD CENTRE INTERGENERATIONAL SHOWCASE**

**Ms TANIA MIHAILUK**—That this House:

- (1) Notes that the Coolaburroo Neighbourhood Centre is a not-for-profit community organisation which provides services in the Bankstown community.
- (2) Notes that the cultural and intergenerational showcase was held on 16 November 2012.
- (3) Congratulates the organisers, the management committee, the staff and the volunteers on a successful and entertaining evening.

**ST PAUL'S ANGLICAN CHURCH, BANKSTOWN, CENTENARY**

**Ms TANIA MIHAILUK**—That this House:

- (1) Congratulates St Paul's Anglican Church on celebrating its centenary on 11 November 2012.
- (2) Notes that Archbishop Dr Peter Jensen spoke at the service, which was attended by a large congregation.
- (3) Congratulates Archdeacon Geoff Huard on his spiritual leadership of the St Paul's congregation.

**WORD TRAVELS INTERNATIONAL PERFORMING WRITERS ASSOCIATION**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the Word Travels International Performing Writers Association is based in the electorate of Coogee.
- (2) Notes that the Association recently received \$25,000 in funding from Arts NSW under the 2013 Annual Funding Program.
- (3) Commends the work of the Association in organising literacy events for libraries, schools, festivals, private companies and cultural institutions.

**CANCER COUNCIL INFORMATION CENTRE**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the Cancer Council Information Centre was officially opened at the Prince of Wales Hospital on 19 November 2012.
- (2) Notes that the Centre is exclusively staffed by volunteers from the Cancer Council.
- (3) Commends the volunteers for the immense contribution to the well-being of cancer patients, and their tireless dedication to duties.

**WHITE RIBBON DAY**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that White Ribbon Day is to be held on 23 November 2012.
- (2) Notes that the White Ribbon Walk will be held on 23 November 2012, and that participants will walk from High Cross Park, Randwick to Coogee Beach.
- (3) Notes the valuable contribution the White Ribbon events make to increasing awareness of, and preventing, violence against women.
- (4)

**NSW SCIENTIST OF THE YEAR AWARDS**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the New South Wales Scientist of the Year Awards were held on 14 November 2012.
- (2) Notes that five of the award winners are employed at the University of New South Wales.

- (3) Congratulates Professor Matthew England and Professor Chris Tinney for winning the award for Excellence in Mathematics, Earth Sciences, Chemistry and Physics.
- (4) Congratulates Dr Angela Moles and Associate Professor Emma Johnston for winning the award for Excellence in Biological Sciences (Plant, Agriculture and Environment).
- (5) Congratulates Scientia Professor Andrew Dzurak for winning the award for Excellence in Engineering and Information and Communications Technologies.

#### **LUMINOCITY EXHIBITION**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the University of New South Wales (UNSW) Faculty of Built Environment held its LuminoCITY exhibition from 15 to 22 November 2012.
- (2) Notes that LuminoCITY was a week of events and exhibitions detailing the work of the faculty's students, staff and affiliates.
- (3) Notes that the exhibition represents the largest multi-disciplinary design exhibition of its kind in Australia, with over 500 students presenting their final year projects.
- (4) Commends the UNSW Faculty of Built Environment for continuing to provide a world-class education in design, construction and management.

#### **DON'T DIS MY ABILITY AMBASSADOR JESSICA TATTERSALL**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that Jessica Tattersall of Randwick is a 2012 ambassador for the New South Wales Government's "Don't DIS my ABILITY" campaign.
- (2) Congratulates Jessica for taking on the role of ambassador and commends her work in advocating for people with a disability.

#### **JEWISH HOUSE CRISIS CENTRE**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the Jewish House Crisis Centre will hold its annual fundraiser on 28 November 2012.
- (2) Notes that the Jewish House Crisis Centre is Sydney's only such centre east of Surry Hills.
- (3) Commends the invaluable service Jewish House provides to those in need.
- (4) Wishes Jewish House well for its annual fundraiser.

#### **WAVERLEY LIBRARY AWARD FOR LITERATURE**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the Waverley Library's annual "Nib" award for literature will be presented on 28 November 2012.
- (2) Notes that the award's shortlisted finalists for 2012 include: Robin de Crespigny; Jane Gleeson-White; Kate Grenville; Adrian Hyland; Fiona Harari and Danielle Wood.
- (3) Congratulates the finalists on their works and their nomination.
- (4) Notes that 2012 is the eleventh edition of the award which attracts entries from all over Australia.
- (5) Notes that a previous winner of the award is Andrew Tink, the former Member for Eastwood from 1988-1999 and Member for Epping from 1999-2007.
- (6) Commends Waverley Council and Waverley Library for promoting literature through this award.

#### **EASTERN BEACHES LOCAL AREA COMMAND BLUE AND WHITE BALL**

**Mr BRUCE NOTLEY-SMITH**—That this House:

- (1) Notes that the Police Eastern Beaches Local Area Command Blue and White Ball was held on 17 November 2012.
- (2) Notes that the NSW Police Force is celebrating its 150th year in 2012.
- (3) Commends the Eastern Beaches local area command for its tireless work in keeping the community safe.

**JIM MONTAGUE CIVIC SERVICE**

**Mr ROBERT FUROLO**—That this House:

- (1) Congratulates Jim Montague on celebrating his thirtieth anniversary as the General Manager of Canterbury City Council.
- (2) Notes that his service was recognised with the Public Service Medal awarded in 2006.
- (3) Notes that Jim Montague is one of the longest continually serving general managers in New South Wales.
- (4) Acknowledges his leadership, dedication and commitment to the community, which includes construction of the Morris lemma Indoor Sports Centre in Riverwood, as well as the establishment of an Independent Hearing and Assessment Panel for Development Applications.
- (5) Thanks Jim Montague for his exemplary public service to the people of the City of Canterbury and local government in New South Wales.

**VOLUNTEER VINCENT BREEN**

**Mr ROBERT FUROLO**—That this House:

- (1) Notes Vincent Breen's tireless volunteer work on behalf of the Hibernian Friendly Society, St Joseph's branch at Riverwood.
- (2) Acknowledges Vincent Breen's achievements in raising funds for scholarships to support the children of families attending Catholic high schools.
- (3) Notes Vincent Breen's volunteer work at St Joseph's Catholic Church, Riverwood, and St Joseph's Primary School, Riverwood.

**CANTERBURY CITY COMMUNITY CENTRE FORTIETH ANNIVERSARY**

**Mr ROBERT FUROLO**—That this House:

- (1) Congratulates the Canterbury City Community Centre, known locally as the 4Cs, on celebrating its fortieth anniversary.
- (2) Notes the significant contribution made by the 4Cs to the lives of residents in the community.
- (3) Notes the work of the current President, Margaret McInroy, the Vice President Neta Yallop and all members of the Board.
- (4) Notes the significant contribution made by the previous President, Ted Yallop who passed away in 2011.
- (5) Thanks the Centre's many volunteers, who have worked at the Centre during the 40 years, for their tireless efforts.

**PROFESSOR ETHESHAM ABDI CANCER RESEARCH**

**Mr GEOFF PROVEST**—That this House:

- (1) Recognises the ongoing commitment made by Professor Abdi to offer regional patients a level of cancer treatment comparable with that provided in metropolitan centres.
- (2) Commends Professor Abdi on his introduction of clinical trials, with which he aims to provide regional cancer sufferers with new drugs and treatments.
- (3) Recognises the efforts of the five cancer survivors who have set up "In the Company of Angels", a cooperative run exclusively to raise funds for Professor Abdi's research.

**NORTH COAST MARINE RESCUE UNITS**

**Mr GEOFF PROVEST**—That this House:

- (1) Recognises the efforts of the sixty volunteers from Point Danger, Brunswick, Ballina, Evans Head, Iluka-Yamba and Wooli Marine Rescue units who took part in the Marine Rescue NSW cross-border Search and Rescue Exercise on 17 November 2012.
- (2) Acknowledges the commitment made by specialist volunteers, through trainings and simulated search exercises, to hone their rescue team marine search skills and to strengthening their rescue capability.

**BILAMBIL SPORTS CLUB**

**Mr GEOFF PROVEST**—That this House:

- (1) Recognises that the Bilambil Sports Club provides an invaluable service to the communities of Bilambil, Bilambil Heights and Terranora, by offering a family oriented facility for the public.
- (2) Commends the club on its commitment to community endeavours, by providing a home for the Bilambil Senior and Junior Touch, Terranora Senior and Junior Cricket Club, Border United Soccer Club, Bilambil Social Golf Club, and the Bilambil Bluers Musicians.

**NARRABEEN LAGOON PATHWAY PROJECT AND JIM SOMERVILLE**

**Mr ROB STOKES**—That this House:

- (1) Recognises the determined efforts of Narrabeen resident, Mr Jim Somerville, AM, in seeing his vision of a multi-use pathway surrounding Narrabeen Lagoon become a reality.
- (2) Congratulates Mr Somerville on his tenacity over many years in ensuring the project proceeded despite various obstacles and challenges.
- (3) Commends Mr Somerville on his vision to better enable the community to access and appreciate the incredible natural beauty and importance of Narrabeen Lagoon.
- (4) Notes that Mr Somerville's recent publication on the pathway's history provides a terrific example of grassroots community activism and the rewards of perseverance.

**STREET MISSION VOLUNTEER OF THE YEAR JUNE DIBBS**

**Mr ROB STOKES**—That this House:

- (1) Congratulates Mona Vale resident, Mrs June Dibbs, on her voluntary work with the northern beaches charity, Street Mission.
- (2) Notes Mrs Dibbs was recently named as Street Mission's Volunteer of the Year for her outstanding efforts helping to assist some of the northern beaches' most disadvantaged residents.
- (3) Notes the important work Street Mission undertakes on the northern beaches, particularly through its community and street cafes.
- (4) Thanks all of Street Mission's volunteers for their selfless commitment towards others in need.

**HANNAH TRETHEWY NEW SOUTH WALES UNDER 15 GIRLS CRICKET TEAM SELECTION**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates Hannah Trethewy on her selection to the New South Wales under 15 years team to compete at the Cricket Australia National Championships in Sydney.
- (2) Notes that Hannah plays for the Camden Cricket Club.
- (3) Acknowledges that Hannah is a wonderful ambassador for her team, club and the community.
- (4) Wishes Hannah and the team every success for the championships and cricket careers.

**CAMDEN RUGBY CLUB RIDEAID PROJECT**

**Mr CHRIS PATTERSON**—That this House:

- (1) Acknowledges the Camden Rugby Club players travelling to Cambodia to build a classroom, as part of a program run by RideAid.
- (2) Notes that RideAid is a non-profit organisation providing grass-roots projects in local communities in Cambodia.
- (3) Wishes the group every success for their trip.

**DRAGON BOAT RACING TEAM MEMBER LYNNE BARRAS**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates Lynne Barras on competing at the International Dragon Boat Competition in Hong Kong.
- (2) Notes that Lynne was part of the team that won gold and silver medals at the international competition.
- (3) Acknowledges that the team was made up of breast cancer survivors.
- (4) Wishes Lynne all the best for her future endeavours.

**COBBITTY AND CAMDEN WEST VOLUNTEER FIREFIGHTERS**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates the Cobbitty and Camden West volunteer firefighters who competed in the World Fire Fighter Games, winning gold in the dragon boat race, bronze in the bucket brigade and an individual gold medal in the bocce.
- (2) Acknowledges Ben and Sue Hackett, Chris Bowser and Owen McCague from Cobbitty and Sandy Ballesteros from Camden West who participated in the games.
- (3) Notes that the individual medal was won by Sue Hackett.
- (4) Acknowledges the important work Rural Fire Service volunteers do in the community, and thank them for their service.

**C3 CHURCH MOUNT ANNAN CHARITY BIKE RIDE**

**Mr CHRIS PATTERSON**—That this House:

- (1) Acknowledges that Andrew Firtho, Kenn Hedges, Sebastian Olivos, Terry Diomis and Antoni Mikac from C3 Church Mount Annan, will ride 600 kilometres in five days to raise money for cancer research.
- (2) Notes that this is the third year the C3 team have participated in the ride.
- (3) Recognises these men as wonderful role models for the church and the community.

**KELLY McLAREN FUNDRAISING ACTIVITIES**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates Kelly McLaren on her efforts to make a difference to the lives of cancer patients in the community, by running a beauty-athon to raise money for the Macarthur Cancer Therapy Centre.
- (2) Acknowledges that Kelly McLaren is a cancer survivor.
- (3) Wishes Kelly McLaren every success for her future health and ambitions in life.

**GUNNERS SOCCER CLUB**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates the Gunners Soccer Club under 18 years team on winning the Champion of Champions Cup.
- (2) Notes that the Gunners are only the second team from the Macarthur region to achieve consecutive Champion of Champions Cup wins.
- (3) Notes that the team is coached by John Rawes.
- (4) Wishes the Gunners all the very best in defending the title in the 2013 season.

**SOCCER PLAYERS TAYLOR McDONALD, COREY SARCIA AND FRANKIE JERETIC**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates Taylor McDonald, Corey Sarcia and Frankie Jeretic, who play for New South Wales Youth Premier League soccer clubs, on their selection to tour England.
- (2) Acknowledges that this opportunity will see the boys train with, play against and have trials with the English Premier League teams.
- (3) Note that Taylor, Corey and Frankie played their junior soccer at Narellan Rangers.
- (4) Wish Taylor, Corey and Frankie every success on their future soccer careers.

**SOCCER PLAYER ALANA CRICHLLOW**

**Mr CHRIS PATTERSON**—That this House:

- (1) Congratulates Alana Crichlow on receiving the joint runner-up in the Southern Districts Soccer Football Association most valuable player awards.
- (2) Acknowledges that Alana Crichlow has played for Bringelly Sports Soccer Club for 10 years.
- (3) Wishes Alana Crichlow all the best on her future endeavours.

**LOLA WIGG HAIR CAFE**

**Mr GREG APLIN**—That this House congratulates Lola Wigg Hair Café, of Albury, on its success at the 2012 Albury Wodonga Chamber Business Awards, winning awards in a number of categories including: most outstanding business; best small business; excellence in marketing, and; excellence in staff development.

**ALBURY WODONGA HEALTH AWARD RECIPIENT HELEN MARTIN**

**Mr GREG APLIN**—That this House:

- (1) Recognises Helen Martin for her outstanding contribution to the health service and hospital patients as a volunteer with the "Pink Lady" group over the past 42 years.
- (2) Congratulates Helen Martin on receiving an award of recognition from Albury Wodonga Health.

**RETIREMENT OF JAN ALCOTT**

**Mr GREG APLIN**—That this House:

- (1) Recognises the dedicated work of Jan Alcott as office secretary for the Murray Darling Association over the past 22 years.
- (2) Wishes Jan Alcott all the best in her retirement.

**JINDERA NEW TOWN AWARD**

**Mr GREG APLIN**—That this House:

- (1) Congratulates the Jindera community on winning the inaugural "New Town Award" in the 2012 Tidy Towns—Sustainable Communities Awards.
- (2) Recognises the many hours of volunteer work undertaken by the Jindera community.

**SOCIAL ENTREPRENEUR OF THE YEAR MAURA LUXFORD**

**Mr ANDREW STONER**—That this House:

- (1) Congratulates Maura Luxford, of Kempsey, on being named the Social Entrepreneur of the Year at the 2012 School for Social Entrepreneurs graduation ceremony held in Sydney.
- (2) Notes that Maura Luxford embarked on a mission to educate adolescents about melanoma after her daughter Hannah was diagnosed with melanoma at 19 and died 12 months later.
- (3) Notes that Maura developed the "ride4acure" Hannah Rose Melanoma Research Fund and has made an outstanding contribution to melanoma awareness and shown incredible strength and determination during an extremely difficult time.
- (4) Notes that in March 2013 Maura will launch her "Mela-What?" e-learning resource for high schools explaining the science around melanoma and UV radiation and providing prevention information in a youth-friendly way.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST CLIFFORD GREY**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Clifford Grey, from Raymond Terrace, has made to the community through his volunteering efforts.
- (2) Acknowledges his involvement with community transport, the Raymond Terrace Baptists Church and the Raymond Terrace Senior Citizens Centre.
- (3) Thanks Clifford Grey for his volunteering efforts in the community and congratulates him for being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST ELIZABETH MAGILL RICHARDS**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Elizabeth Magill Richards, from Soldiers Point, has made to the community through her volunteering efforts.
- (2) Acknowledges her involvement with the Soldiers Point Public School as a passionate and determined fundraiser.
- (3) Thanks Elizabeth for her volunteering efforts in the community and congratulates her on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.



**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST KATE MILFORD**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Kate Milford, from Tea Gardens, has made to the community through her volunteering efforts.
- (2) Acknowledges her valued commitment to Lions International, the Hunter Prelude Early Intervention Centre and the Tea Gardens Hawks Nest Mixed Probus Club.
- (3) Thanks Kate Milford for her volunteering efforts in the community and congratulates her on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST NOELA HICKEY**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Noela Hickey, from Hawks Nest, has made to the community through her volunteering efforts.
- (2) Acknowledges her valued commitment as a volunteer with the Tea Gardens Clinic Bus for 20 years.
- (3) Thanks Noela Hickey for her volunteering efforts in the community and congratulates her on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST ROBERT MARKEY**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Robert Markey, from Raymond Terrace, has made to the community through his volunteering efforts.
- (2) Acknowledges his involvement with the Thou Walla Centre in Raymond Terrace.
- (3) Thanks Robert Markey for his volunteering efforts in the community and congratulates him on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST ROSS LATIMER**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Ross Latimer, from Raymond Terrace, has made to the community through his volunteering efforts.
- (2) Acknowledges his involvement with the Raymond Terrace Senior Citizens Centre and the Hunter Region Botanic Gardens.
- (3) Thanks Mr Latimer for his volunteering efforts in the community and congratulates him on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST STEPHEN HOWELL**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Stephen Howell, from Hawks Nest, has made to the community through his volunteering efforts.
- (2) Acknowledges his dedicated involvement with the Tea Gardens Hawks Nest Surf Life Saving Club in a variety of roles and with Maitland rugby union teams.
- (3) Thanks Stephen Howell for his volunteering efforts in the community and congratulates him on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**PORT STEPHENS VOLUNTEER OF THE YEAR AWARDS FINALIST WILMA McNEIL**

**Mr CRAIG BAUMANN**—That this House:

- (1) Notes the valuable contribution that Wilma McNeil, from Raymond Terrace, has made to the community through her volunteering efforts.
- (2) Acknowledges her involvement with the St John's Anglican Church in Raymond Terrace for 50 years, as well as a long association with Probus clubs.
- (3) Thanks Mrs McNeil for her volunteering efforts in the community and congratulates her on being a finalist in the 2012 Port Stephens Volunteer of the Year Awards.

**TRIBUTE TO TED SPRINGETT, OAM**

**Ms PRU GOWARD**—That this House:

- (1) Notes that Ted Springett, OAM, late of Bowral, was one of the Southern Highlands best known community leaders through his business and philanthropic ventures.
- (2) Sends its sincere condolences to the family of Ted Springett, OAM, during this difficult time.

**VOLUNTEER JEAN MARY McPHEE**

**Mr CHARLES CASUSCELLI**—That this House:

- (1) Acknowledges the efforts of Jean Mary McPhee, of Strathfield, who has dedicated herself to countless hours of volunteer work throughout her life, and in particular the assistance she has given to the Police in the Flemington local area command.
- (2) Congratulates Jean Mary McPhee on receiving the "Senior: Highly Recommended Volunteer of the Year – Inner West" Award.
- (3) Acknowledges the work done by many other volunteers in the Strathfield electorate.

**WELLINGTON RED CROSS**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates the Wellington Red Cross on being awarded the Margaret Waddell NSE country branches Achievement Cup.
- (2) Thanks Wellington Red Cross President Bev Hutchinson, its members and volunteers for their invaluable fundraising and community service work, which led to the award.
- (3) Recognises that the Red Cross helps many people in the Wellington area and in the wider Australian and international community.

**NEW SOUTH WALES PRIMARY SCHOOLS SPORTS ASSOCIATION LIFE MEMBER JEFF WILLIAMSON**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates the deputy principal of Cudgegong Valley Public School, in Mudgee, on being awarded life membership of the New South Wales Primary Schools Sports Association (PSSA).
- (2) Notes that the award recognises Mr Williamson's contribution to school sport for more than 30 years.
- (3) Recognises that Mr Williamson's has been the New South Wales PSSA Convenor for the past 12 years and during this time has also coached the PSSA's hockey team to six state carnival successes.

**APPRENTICE/TRAINEE OF THE YEAR MADELINE ROSSER**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates Madeline Rosser, of Molong, on being named Apprentice/Trainee of the Year at the Cabonne Council Daroo Awards.
- (2) Notes that Madeline Rosser is employed at the Molong and District Pre-school.
- (3) Recognises the important role of pre-school staff in preparing children for their kindergarten and school years.

**MUDGEVIEW CLUB MEMBER JAN McLEHOSE**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates Mudgee VIEW Club member, Jan McLehose, on receiving a 25 years member's badge.
- (2) Recognises Jan McLehose's valuable contribution to the Mudgee View Club.

**CGU ORANGE OUTSTANDING BUSINESS AWARDS**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates Bill Dunlop of GB Auto Electrics on winning the award for training Apprentices and Trainees at the 2012 CGU Outstanding Business Awards.
- (2) Recognises the importance of apprentices in the workforce and in employers ensuring that they receive valuable post-school education.

**OUTSTANDING TRADIE AWARD RECIPIENT DARREN RICHES**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates Darren Riches on receiving the People's Choice Award for Outstanding Tradie at the 2012 CGU Orange Outstanding Business Awards.
- (2) Notes that Darren Riches is the store manager at a prominent motor vehicle mechanical workshop in Orange.
- (3) Wishes Darren Riches further success in his career.

**OUTSTANDING CUSTOMER SERVICE AWARD RECIPIENT CRAIG MURPHY**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates Craig Murphy on receiving the People's Choice Award for Outstanding Customer Service at the 2012 CGU Orange Outstanding Business Awards.
- (2) Notes that Craig Murphy operates a helicopter charter service, whose services range from charters, to express freight delivery, aerial photography and scenic tours and other services.
- (3) Wishes Craig Murphy continued success with his business.

**DEPARTMENT STORE SANTA GEORGE WILLOUGHBY**

**Mr ANDREW GEE**—That this House:

- (1) Congratulates George Willoughby on playing the role of Santa for 10 years at a department store in Orange.
- (2) Notes that in this role Mr Willoughby listens to children's Christmas wishes.
- (3) Thanks Mr Willoughby for all the joy that he has brought to children in this role.

**CHALMERS ROAD SCHOOL**

**Mr CHARLES CASUSCELLI**—That this House:

- (1) Commends principal Wendy Milburn and the staff of Strathfield Chalmers Road School for providing a quality education to mentally disabled youth.
- (2) Acknowledges that the school has raised \$25,000 to improve the transportation services of its disabled students, and that the school has developed strong community spirit in Strathfield.

**CRICKETERS CHELSEA BOWER AND JESMOND AND BEN EVANS**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates cricketers Jesmond and Ben Evans from Lambton High School, and Chelsea Bower, from Callaghan College, for their strong performances for the Hunter during the 2012 New South Wales carnivals.
- (2) Notes that each cricketer won a place in the Combined High Schools Firsts' team for the New South Wales All School Championships.

**FOOTBALLER HAYLEY CRAWFORD**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates 28-year-old former Matilda, Hayley Crawford, on returning to the Jets this year as a key player and skipper as well as being an assistant coach.
- (2) Notes that Hayley Crawford has taken on the female scholarship position, created by Northern New South Wales Football, with the national women's competition side.
- (3) Wishes Hayley and the W-League all the best for the future.

**UNIVERSITY OF NEWCASTLE CHAMBER CHOIR**

**MS SONIA HORNER**— That this House:

- (1) Commends globally known composer, conductor and lecturer, Dr Philip Matthias, and his prize-winning Newcastle Chamber Choir on its continued success in the World Choir Games.
- (2) Notes that the choir placed sixth at the last world choir games where 370 world class choirs competed.
- (3) Congratulates Dr Matthias and the choir for also winning the 2012 National Eisteddfod in Canberra.
- (4) Wishes Dr Matthias and his prestigious choir all the best in their future music endeavours.

**NEWCASTLE JETS FOOTBALL TEAM**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates the Newcastle Jets football team on defeating the Sydney FC 3-2 in a thrilling match at the Sydney Football Stadium on 20 October 2012.
- (2) Notes that the Jets began the game with a confidence that was absent in their season opener against Adelaide United.
- (3) Wishes the Newcastle Jets all the best in the 2012-13 season.

**HUNTER TOUCH FOOTBALL DEVELOPMENT SQUAD SELECTIONS**

**Ms SONIA HORNER**—That this House:

- (1) Congratulates the following athletes on being selected for the 2012-13 Hunter touch development squads: Joshua Caruso from Belmont; Jack Flanagan from Hamilton North; Sam Morgan from Macquarie Hills; Amelia Hughes from New Lambton; Rachel Jeffs from Valentine; Layne Morgan from Macquarie Hills; Jessica Potts from Valentine; Natasha Robards from Lambton; Hannah Simons from Charlestown; and Brittany Treacy from West Wallsend.
- (2) Congratulates Beau Newell from the Wallsend Touch Association who has taken on the role of the academy's touch program co-ordinator.

**HUNTER WALK OF PRIDE FOR MENTAL ILLNESS**

**Ms SONIA HORNER**—That this House:

- (1) Notes that on 20 October 2012, proud family members and friends of people with mental illness took part in a march to raise awareness of the role they play in caring for their loved ones.
- (2) Recognises that the walk brings together members of the community, including politicians, service providers, families and people living with a mental illness, as well as those who care for them.
- (3) Thanks all those involved in the walk for their selfless contribution to improving mental health in the community.

**AUSTRALIAN TRANSPLANT GAMES**

**Ms SONIA HORNER**—That this House:

- (1) Notes that the official opening of the Australian Transplant Games took place in Newcastle on 30 September 2012, and was celebrated with a parade of participants and cars along the Newcastle foreshore to Nobby's Beach.
- (2) Acknowledges 11-year-old Adam Welsh for participating in cycling, swimming, ten-pin bowling and athletics at the games.
- (3) Notes that Adam was a one year old when he suffered kidney failure and his father, Peter, donated a kidney.
- (4) Acknowledges Col Granter, owner of one the cars involved in the procession, for giving Adam a trial run in his prestige 1928 Dodge.
- (5) Wishes Adam all the best in his future endeavours.

**NATIONAL CARERS WEEK**

**Ms SONIA HORNER**—That this House:

- (1) Notes that Carers Week took place between 14-20 October 2012.
- (2) Commends unpaid family and friends for their ongoing commitment and support to those that they care for.
- (3) Thanks carers for their selfless contribution to the Hunter community.

**TRIBUTE TO AUDREY MYRDEN**

**Mr MICHAEL BAIRD**—That this House:

- (1) Notes that it is almost a year since the Manly community lost one of its local heroes, Audrey Myrden.
- (2) Acknowledges her incredible and inspiring fight against cancer.
- (3) Reminds Barry and the children that Audrey will not be forgotten and will remain an inspiration to all.

**TRIBUTE TO KEVIN JOHNSON**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates the Minimbah Rural Fire Brigade on dedicating a garden in memory of the late Kevin Johnson, who was an active and dedicated member.
- (2) Notes that Mr Johnson's widow, Verena, unveiled a plaque at a ceremony at the Minimbah Fire station.
- (3) Notes that Mr Johnson's joined the Brigade in 1986 shortly after moving to the Minimbah area from Sydney.
- (4) Notes that Mr Johnson received the National Medal and a long service award in honour of his twenty years of service to the rural fire service.
- (5) Notes that Mr Johnson is remembered by his former colleagues for his dedication, camaraderie, sense of humour, bush poetry and generosity.

**MANNING VALLEY UNDER 13 GIRLS INDOOR HOCKEY TEAM**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates the members and coaches of the Manning Valley girls under 13 years Indoor Hockey team that won the division two NSW State Championship in Tamworth.
- (2) Notes that Manning defeated Sydney by six goals to two in the final which was played before a large and supportive crowd that featured the only two undefeated sides in the championship.
- (3) Notes that the Manning team had only been able to train on turf leading up to the championships and, despite that disadvantage, scored 31 goals to 9 against during the competition.

**MORGAN COLEMAN NEW SOUTH WALES UNDER 13 GIRLS INDOOR HOCKEY TEAM SELECTION**

**Mr STEPHEN BROMHEAD**—That this House:

- (1) Congratulates Morgan Coleman on being her selection in the New South Wales under13s girls Indoor Hockey side.
- (2) Notes that Morgan is a member of the Manning under 13s girls Indoor Hockey team that won the 2012 division two New South Wales championship in Tamworth.

**Question put and resolved in the affirmative.**

**Community recognition notices agreed to.**

**NEWCASTLE RAIL LINE**

**Ms SONIA HORNERY** (Wallsend) [10.12 a.m.]: I move:

That this House:

- (1) notes that there is no evidence to support the proposition that the removal of the rail line in Newcastle will rejuvenate the city, when research indicates that it would have the opposite effect;
- (2) notes research shows the removal of the rail line will be detrimental as Hunter region commuters will be badly disadvantaged without direct rail services to Newcastle station;
- (3) notes that Professor Peter Newman has advised against preferring road transport over rail; and
- (4) urges the Minister for Transport to keep the line and support utilisation of public transport in the Hunter.

It is important to begin with this point: Newcastle is more than Hunter Street. Its borders extend beyond the limits of the central business district and Honeysuckle. Newcastle is about the Hunter. Those who live in the outer suburbs deserve the same attention as their inner-city counterparts. They also deserve equal State funding and equal consideration of improvements to their infrastructure. I draw to the attention of the House the transport studies conducted by eminent Professor Peter Newman. His studies reveal a concerning fact. His argument is that we are focusing more on road transport rather than rail. Certainly, in the Hunter, that is the case. In a nutshell, Professor Newman's research highlights Hunter citizens' belief that the State Government's transport priorities are wrong; that not funding public transport is to the detriment of our society. I agree with Professor Newman.

I am sure the member for Maitland and Minister for the Environment, and Minister for Heritage will agree that funding better public transport is a priority. It is a must. Maitland to Newcastle peak hour trains daily

are crowded with Hunter citizens. Maitland citizens rely on an efficient, reliable and frequent rail service to get to work, to recreate, to attend the courthouse, to visit medical specialists and to go to the beach. The member for Maitland and Minister for the Environment, and Minister for Heritage also would be aware that the Maitland city councillors, who are mindful of their community's needs, recently formalised their opposition to the cutting of the rail line from Wickham to Newcastle station by moving a motion to that effect. Unfortunately the silence of the member for Maitland and Minister for the Environment, and Minister for Heritage on this issue is deafening.

On 3 December 2012 when the member for Maitland and Minister for the Environment, and Minister for Heritage was repeatedly questioned on 2HD about her support for the rail line to the city, she dinged out and dodged giving an answer. It is funny: I remember listening to the radio and thinking, "Is the member putting the needs of the community first, or surrendering to more senior Ministers in the Liberal Government who are intent, for inexplicable reasons, upon spending hundreds of millions of dollars ripping up the rail line?" I question the State Government's judgement for constantly considering chaotic commuter ideas rather than sustainable transport for now and for future generations, which only public transport guarantees. With regard to the argument that ripping up the rail line provides a catalyst for Newcastle revitalisation, a plethora of researchers of note argue the opposite. Today the *Newcastle Herald* prominently headlines a visit to the Hunter by a Western Australian land-based transport planner, James McIntosh. The *Newcastle Herald* states:

Newcastle's inner city property values will most probably plummet if the rail line is removed ... that removing the rail line would make the city's future growth largely dependent on car travel ...

Mr McIntosh said Perth's integrated metropolitan transport system had resulted in the consolidation of commercial and residential buildings across the city ...

"What you see is accessibility [to public transport] being monetised into economic and financial benefits."

What are the benefits of ripping up the rail line? Maitland passengers who are destined for Central may have to change their train three times if the truncation occurs at Broadmeadow; hundreds more cars will add to the gridlock around Stewart Avenue; and the elderly and those with prams or goods when traversing from train interchanges will have to wait for buses. More benefits? Unlimited funding for the rail removal will be eating up the whole of the Hunter infrastructure funds budget and there will be no money for other worthy Hunter projects; there will be disincentives for Hunter passengers from Fassifern and Cardiff to catch the train to the city; and car commuters will be broke from paying Newcastle City Council car parking fees. Remember that the Hunter and Maitland are the fastest-growing regions in New South Wales, with populations expected to boom.

I take this opportunity to ask the Minister who is responsible—although no-one is sure who that is because it appears that the Minister for Transport has passed the buck on this transport debacle so I will pose this question to the Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW—how much will the rail removal cost the Hunter? Where will the truncation be? How many more buses are required to replace trains? How much will the buses cost? What additional car parking will be built? What incentives are there to attract people to public transport in the Hunter? What Hunter projects will be scrapped to make way for funding the rail's removal? For those who argue that the community wants the rail line ripped out, I ask: Why are members of our community daily expressing their angst in the *Maitland Mercury* and the *Newcastle Herald*? I quote some articles demonstrating community apprehension:

The value proposition put by Government to taxpayers comes down to paying up to \$505 million, just to add significant journey time and exacerbate gridlock, when all the benefits of revitalisation can be achieved better with rail services intact and in particular with light rail running on the existing tracks. Alan Squires 10 Jan 13.

Any money that may be available would have been better spent on any of the following: the Newcastle link Road, Adamstown rail underpass; Stewart Avenue overpass; Glendale Interchange, and South Link from Teralba Colliery. Garry Zimmerman Jan 13.

Garry Zimmerman gets it right on all points. Planning and Infrastructure Minister Hazzard has not, that I can see, tabled one technical, financial or social reason for ripping out the rail from Newcastle to Wickham, and has shown no tangible benefits. Gary Foster, 7 Jan 13.

Today's *Newcastle Herald* article neatly sums up Hunter concerns. It quotes Mr McIntosh as saying:

Regardless of whether rail is important to the people of Newcastle today, it is certainly going to be if the population of Newcastle doubles, it is going to be critical in the future because Newcastle will die under a sea of cars and the costs of providing that infrastructure.

**Mr TIM OWEN** (Newcastle) [10.19 a.m.]: Well, well, well, here we are with the do-nothing politicians from the do-nothing political party. It is unbelievable. An examination of any of the independent studies for the Hunter region will show that in each case the vast majority of Hunter residents support removal of heavy rail and replacing it with a rapid transport system. Every independent study that has been done shows that.

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

**Mr TIM OWEN:** The protest that took place on Tuesday was supposed to involve the vast majority of Hunter residents expressing their anger about the Government curtailing heavy rail and replacing it with a better transport system that suited the urban design of Newcastle. Only 80 people turned up to that rally. Last night the member for Wallsend referred to what Mr James McIntosh said in his big briefing in Newcastle and suggested that it would ruin property prices in Newcastle. Only seven people turned up to that meeting. What a great show that was. I doorknocked the vast majority of people in Newcastle and they told me that they want this to happen.

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

**Mr TIM OWEN:** That is the way it is and that is why I am on this side of the House. For the benefit of those opposite, let me reveal what this Government is doing. This Government is involved in the urban renewal of Newcastle. It is changing the face of Newcastle after 20 years of pathetic neglect by those opposite. I will start at one end of Newcastle and move to the other end. After all the fanfare of the previous Labor Government, the GPT Group—which had promised to do this and that—stopped and walked out the shop. I made a promise to get it back and to ensure that it invested a large amount of money in the urbanisation of Newcastle. This Government brought Landcom, urban development representatives and the GPT Group to the table. The urbanisation of Newcastle will be one of the best redevelopments in the history of any harbourside city in this country.

Let me move further down the line. The new legal precinct was given priority in the forward estimates. Despite all the big talk from Labor, nothing would have eventuated as a result of its \$94 million commitment to Newcastle. Let me move further down the line to the University of Newcastle. Those opposite promised the world but did absolutely nothing. This Government has committed \$25 million to bring the law and business faculties of the University of Newcastle into town. Moving further to the west end, this Government will build one of the best transport interchanges with retail and residential that will be seen on the east coast of this country. It will be magnificent. There will be eight new access points across the rail line to open Newcastle to the harbour, which also will be magnificent. Dr Steffen Lehmann, the United Nations Educational, Scientific and Cultural Organisation Chair on Sustainable Urban Development for Asia and the Pacific, from the University of Newcastle, had this to say:

The major urban regeneration development (the Honeysuckle development) was started in 1992—

By the Greiner Government, I might add—

with the NSW State Government's "Building Better Cities" program, and today it is almost completed. It has redeveloped 50 hectares of derelict land and buildings along Newcastle Harbour, adjacent to the city centre.

Despite many attempts, the "Honeysuckle" precinct remains an isolated fragment cut-off from the historical city centre by the railway corridor, only weakly connected to the existing city through overpass footbridges, which have never worked well—

And they never will. Dr Lehmann continues:

There is now increasing pressure for an overall urban vision, removal of the railway line, and to deliver a robust framework for future large development investments ...

That development investment is needed and required in Newcastle. This Government is addressing that need. Let us compare what this Government is doing with what the former Labor Government did over the past two decades. It did only four things: it replaced a two-lane bridge with a two-lane bridge which was useful and most successful. The former member for Newcastle, Jodi Mackay, bought a post office, paid twice the price that a developer had promised to pay and had no intention of doing anything with it—it was an election ploy. She paid \$3 million or \$3½ million for something that was worth nowhere near that amount. She knocked down an old rambling hotel and promised that the Labor Government would bring government departments into Newcastle, but she had no intention of doing anything like that. The final thing that she did was to put up a tent at Dyke Point, which was wonderful. That was Labor's pathetic commitment to the city of Newcastle over the past two decades.

This Government has stepped up to the plate and it will deliver urban change in the city, despite the fact that those opposite and the people to whom they are pandering—the loony Left and The Greens in Newcastle—are in the majority. I respect people's opinions. I have talked endlessly to those who want the rail line to remain. I have explained what this Government is doing. This is about a rapid public transport system operating out of a well-designed interchange that will take commuters further around the city of Newcastle than they have ever been. This public transport system is designed to suit the new urban development of the city of Newcastle. This Government is committing hundreds of millions of dollars to the city.

**Mr John Robertson:** How many?

**Mr TIM OWEN:** Hundreds of millions of dollars.

**Mr John Robertson:** Where are they in the budget?

**Mr TIM OWEN:** They will be there. The Leader of the Opposition should talk to the urban developers who are investing huge amounts of money. These redevelopments in Newcastle, which have never been seen before, will make Newcastle one of the most wonderful harbour cities in the world. The people of New South Wales and the people of the Hunter can thank this Government for doing that.

**Mr CLAYTON BARR** (Cessnock) [10.25 a.m.]: It is with pleasure that I speak in debate on the motion moved by the member for Wallsend. Members need to take into account a number of things. First, the member for Upper Hunter and the member for Maitland, who are not in the Chamber, are well known for lending their support to the maintenance of the rail line into Newcastle. Clearly they have lost the support of their party. Members also would be aware that the member for Newcastle has fudged the figures. I have been listening for some time to the member for Newcastle rattling on about this issue. When he first talked about it he spoke about doorknocking half of the city of Newcastle. He then spoke about doorknocking 60 per cent of the city and said that during the campaign he had doorknocked 70 per cent of the city. About three months ago he said on radio that he had doorknocked more than 80 per cent of his electorate during the campaign. However, today he told this Chamber that during the campaign he doorknocked the entire city of Newcastle. I do not know which of those figures is accurate but I know a number of people who live in Newcastle who have never seen his face on their doorstep. Somewhere between that range—50 per cent rather than 100 per cent—would be closer to the truth.

I brought with me into the Chamber today reports from 2006, 2010 and 2012 relating to the revitalisation of Newcastle city centre. However, the titles of all those reports, which are the same, relate to urban renewal, people and places and economic activity. But the one thing that has changed in the most recent report is that all those things rely on the removal of the rail line, which makes the previous reports total furphies. Those reports state that economic activity and the renewal of the city centre rely on the rail line being there. Two of the reports that I have with me are entitled "Hunter Street Revitalisation: Final Strategic Framework"—members should familiarise themselves with that one—and "Revitalising Newcastle City Centre Plan: Civic Improvement Plan", which is another report that members should read. The experts who put together these reports—one of which recommends that the rail line remain and one of which recommends that the rail line be removed—are the same people. At times I had to read the two reports side by side to ensure they had not been plagiarised. Basically those expert, independent reports are the same with the exception of the recommendation removing or retain the rail line. Even the mapping is the same.

**Mr Ryan Park:** It's not!

**The SPEAKER:** Order! The member for Keira will come to order. I would prefer not to have to remove the member from the House when he is about to speak.

**Mr CLAYTON BARR:** To the credit of the member for Newcastle he introduced the concept of a justice precinct at the university—a great initiative introduced and funded by the former Labor Government that will revitalise the Newcastle strategy. All those initiatives were based on the fact that a rail line would exist to move people around. I will refer now to the justice precinct. Only 25 parks were allocated to the justice precinct based on the fact that there would be a rail line to connect people to that precinct. Now that rail line is going to go. Let us talk about the fact that the city centre is getting an extra 6,000 dwellings and 10,000 jobs. How are those people going to get in and out of the city centre? Let us talk about the fact that there are going to be eight line crossings. This is all in these reports, regardless of whether the rail line remains. The member for Newcastle does himself an enormous disservice in speaking on this issue with such flagrant disregard for the facts and figures. We must keep the rail line.



**Mr CRAIG BAUMANN** (Port Stephens—Parliamentary Secretary) [10.28 a.m.]: I thank the member for Wallsend for seeking precedence to move this motion as it gives me an opportunity to remind the people of New South Wales of the utter incompetence of the previous Tripodi-Obeid Government. As the sole Liberal member between Terrigal and the Queensland border upon my election in 2007, I was acutely aware of how badly the people of the Hunter were treated in 12 successive years of Labor. When I was elected to this place New South Wales was in drought. I remember Premier Morris Iemma—I am sure the Treasurer does too—announcing that the unused rail tunnels under Hyde Park would be used to store harvested stormwater. Not a bad idea, we thought at the time. A few weeks later Morris announced the North West Metro: a rail line to show the dynamism and energy of his Government. Millions of dollars were spent on glossy brochures describing a fast train from Windsor to Sydney. So fast, in fact, that it did not have time to stop for passengers—which is just as well because the Sydney terminus comprised the same tunnels that he planned to flood.

For 16 years the Labor Government created virtual infrastructure—virtual rail lines, dams and a CBD Metro wasting \$500 million. It became experts in virtual infrastructure; why build something when you can announce it over and over again? Newcastle infrastructure was no different. The member for Newcastle mentioned the Tourle Street Bridge. The Labor Government spent \$50 million to build a two-lane bridge, which was obsolete the day it opened. Any casual observer could see that the Newcastle rail line was an anachronism in the State's second-largest city. It created a Berlin wall between the city and the beautiful harbour, it stifled development, it broke the hearts of those business owners who tried to keep the city centre functioning and it broke the spirit of investors who tried to revitalise the city centre. When the GPT Group came to town in 2009, it had big plans for Newcastle but no-one in the previous Labor Government listened. In April 2010 the *Newcastle Herald* reported:

GPT warns it will drop Newcastle city development over inaction on Newcastle rail line.

GPT had spent \$100 million and planned on spending another \$500 million. The article went on to report:

GPT has always said its retail precinct plan was contingent to removal of the rail line, a view supported by the Hunter Development Corporation's Renewal Report last year.

"Without a clear sign of being able to move forward with the project, it is becoming increasingly difficult for us to continue to carry the costs associated with our landholding in the CBD," Mr Cameron, the GPT CEO, said.

"To justify GPT investing a further \$500 million into our proposed mixed use development, we need certainty around the infrastructure investment from Government."

The article continued:

Newcastle Lord Mayor John Tate said Newcastle City Council was prepared to offer The GPT Group a rate freeze of up to \$250,000 if it helped the development giant continue.

The former Labor Government did nothing. It had prepared a scoping study but refused to release it. When we finally saw it we knew why: It was 423 pages of pure pap—an incredible report. The indicated cost was \$284 million, but contingencies added \$220 million. Someone said, "Let's add a safety margin", and in this case it was 78 per cent. The people of Newcastle realised that the Labor Government generally and the then Minister for Transport specifically had no interest whatsoever in doing anything to save their dying city. Who was the Minister? It was the Macquarie Street version of Eddie the Eagle: our very own Opposition leader, the member for Blacktown. The Labor Party continues to treat the people they represent as mushrooms. Two years ago the Coalition won the seats of Maitland, Newcastle, Charlestown and Swansea. We are about to win the Federal seats of Shortland and Newcastle. I thank the member for Wallsend for bringing on this debate. It gives me the opportunity once again to show the faith that we on this side of the House have in the renewal of Newcastle.

**Ms ANNA WATSON** (Shellharbour) [10.32 a.m.]: I have to shake my head at the lot opposite; their comments are very entertaining, especially the sad effort from the member for Newcastle—one time Tim, as the Leader of the Opposition calls him. I support the motion of the member for Wallsend. There is simply no evidence to support the proposition that the removal of the Newcastle rail line will rejuvenate the city when the research clearly indicates that it would have the opposite effect.

**The SPEAKER:** Order! The member for Newcastle has had his opportunity to speak in the debate.

**Ms ANNA WATSON:** In fact, the research shows that removing the rail line will be detrimental because Hunter region commuters will be badly disadvantaged without direct rail services to Newcastle station. Those opposite should read the reports that the member for Cessnock discussed earlier. Joan Dawson, President of Save Our Rail, said:

It is important for the communities currently enjoying the benefits of direct rail transport to Newcastle to realise that their business prospects will suffer if the decision to close rail services at Wickham is put into effect. This also needs to be seriously considered by Newcastle City Council—

which I believe has rejected the proposal—

which brings customers [into the city].

It is unbelievable; clearly this Government is drunk with power. It has an out-of-touch, out-of-control transport Minister making ad hoc decisions without any community consultation. Those opposite call statements such as "This is what we're going to do" consultation. Things just do not work that way. The New South Wales Opposition condemns the O'Farrell Government over this decision to cut the Newcastle rail line at Wickham. This is a mean and spiteful decision; a below-the-belt blow delivered to the community in a cowardly fashion. No doubt this move will result in hardship for many people, with time added to every journey into Newcastle due to the inconvenience and difficulty of having to scramble off a train and onto a bus. More traffic chaos and parking problems will result, without mentioning how the disabled, the elderly and mothers with babies will cope struggling with prams and wheelchairs getting off trains and onto buses. This is an ill-thought out proposal.

Previously, it was highlighted that the New South Wales Government needs to give reasons for its ill-conceived decision. I remind Government members of the promises they are breaking. First, they promised to restore accountability and transparency to government and give the community a say in decisions affecting their lives. This was stated by Barry O'Farrell in his introduction in NSW 2021. Secondly, they promised to improve customer experience with transport services. This was goal No. 9 of NSW 2021. Thirdly, they said that listening to customers will help to determine how they make services more attractive and improve their experience. Fourthly, they said that regional transport plans will be developed with local communities and integrated with land use plans so that transport services and infrastructure are provided when and where they are needed. That was No. 6 in the Draft NSW Long Term Transport Master Plan. Fifthly, they promised to put the customer first—that is a novel idea. It was proposed by the transport Minister, Gladys Berejiklian. Sixthly, they promised to increase the share of commuter trips made by public transport to and from Newcastle central business district during peak hours to 20 per cent by 2016. That was goal No. 8 in NSW 2021.

**Mr Tim Owen:** Have you ever been to the Hunter?

**Ms ANNA WATSON:** I spent a lot of time in the Hunter. The next broken promise is that use of the Hunter Infrastructure Fund would be determined by the people of the Hunter. There we have it: seven broken promises. [*Time expired.*]

**Mr ANDREW CORNWELL** (Charlestown) [10.36 a.m.]: I am absolutely aghast that first grade is sitting on the bench opposite and in this debate they send out the reserve grade. I thought this issue was more important than that. The Newcastle rail line debate is emblematic of Labor's failure to support the Hunter. It failed to make the decision because it was too hard. It failed to support the then member for Newcastle, Jodi McKay, in her efforts to revitalise the city. As a consequence, Labor was punished in 2011. Labor has allowed this issue to become an icon of its benign neglect of our region.

**The SPEAKER:** Order! There is too much audible conversation coming from Government members.

**Mr ANDREW CORNWELL:** The public overwhelmingly wants this to happen. The Leader of the Opposition in opposing this proposal is backing the wrong horse. A private survey carried out by the Hunter Valley Research Foundation in November 2008 found that approximately 69 per cent of those surveyed supported removing the heavy rail line. A second survey conducted in 2009 commissioned by the then Minister for the Hunter, Jodi McKay, revealed the same result—69 per cent of those surveyed supported the removal of the heavy rail and construction of an interchange at Wickham. Of the people surveyed, those who visited the central business district more than once a week were the most supportive, with 75 per cent in favour of a Wickham interchange whilst—surprise, surprise—those people who never visited the central business district were the least supportive. Of those people surveyed who catch the train to the central business district—in other words, those who will face change—the results were split 50:50. I want my constituents to have the opportunity to catch world-class public transport to a thriving city rather than Third World public transport to a ghetto.

As the member for Newcastle stated previously, Dr Steffan Lehmann, chair of the United Nations Educational, Scientific and Cultural Organization, Sustainable Urban Development for Asia and the Pacific, has spoken strongly in favour of the removal of the rail line as a part of the urban revitalisation of Newcastle. We must accept that the central business district has changed. People do not catch a train to the central business district to go shopping at Nock and Kirby, Wynns, Johns or David Jones—which, thanks to Labor's neglect, closed in 2010. Dr Lehmann points to cities such as Hamburg, Rotterdam, Genoa, Vancouver and Barcelona as examples of cities that have been reconnected with their harbours through the removal of barriers such as rail lines. This is not a public transport issue; it is an urban design issue. This decision will potentially unlock \$1 billion worth of investment in our city. We deserve better than the status quo.

As things stand, if I take visitors for a tour of the Sydney central business district I need to be selective of the route in order to showcase the best that our city has to offer. If I were to drive down Hunter Street it would not create a good impression of our city. Does the Leader of the Opposition think this is good enough for the people of New South Wales? Does the member for Wallsend think this is good enough for the people of New South Wales? The Government believes the people of New South Wales deserve better. It is now investing millions of dollars in this project, which is an enormous vote of confidence in the region. I heard the Glendale interchange mentioned during the debate. I will quote from a letter sent in 2010 by the member for Wallsend to the transport ministry concerning Fix Our City. The member states:

The Glendale road rail interchange has been a commitment by the Labor State Government since the year 2000 and a number of letters from the transport ministry to the Wallsend electrical office demonstrate that commitment.

Commitment is not a letter from a ministry to an electoral office; commitment is dollars. This Government has delivered dollars for the central business district of Newcastle. This Government has delivered dollars for the Glendale interchange. This Government has committed \$15 million to those projects, which has unlocked \$32 million in investment. This Government has committed \$14 million to Cardiff railway station. This Government is committed to delivering for the region, and it will do so. I plead with the Opposition to change its political tack. Members opposite are on the wrong horse; they need to support this decision.

**Mr GREG PIPER** (Lake Macquarie) [10.40 a.m.], by leave: I support the broad concept outlined in the motion moved by the member for Wallsend, which expresses concern about the value of the decision to remove the heavy rail line to Newcastle station. I will bring a little respect and decorum to the debate because I wish to acknowledge the good work the Government has done, in that it is seeking to make a decision. I grant that that is the case. I also acknowledge the failure of ad hoc decisions made by previous governments with regard to the Newcastle central business district that resulted in a great waste of public assets and funds that were available and could have gone into urban renewal.

In my view the Newcastle heavy rail line has not been a major player in the decline of the fortune of the Newcastle central business district. I, too, have a long history with and knowledge of the Newcastle central business district. I lived near the Newcastle city border at Kahibah and was raised at Charlestown, where I spent my formative years. The Newcastle central business district was the place people went to for goods and services, and recreation. Certainly that is no longer the case. The fact of the matter is that times have changed; we have moved on. Newcastle has a magnificent future ahead of it but its assets base has been neglected.

Opportunities have not been seized by successive councils, and Newcastle City Council must bear a large part of the responsibility for the slow decline of the Newcastle central business district. Other decisions have also impacted on the central business district, including the decision made under the Building Better Cities initiative. That initiative attempted to stimulate and grow the city artificially. That was never going to work because the growth was not organic; it was speculative and did not deliver for the people. My concern is that this decision will not deliver in the long term. I appreciate that it is important in the short term and members opposite indicate that they have made a decision. People are weary of the debate. An increasing number of people are saying "Bring it on" because they want a decision made.

That attitude is due to the failure to make a decision over many years. But will this decision serve the community and the growth needs of Newcastle over 25, 50 or 100 years? I tend to doubt that it will. I am not sentimental about heavy rail. If there is a better vision I will embrace it, but I do not see one at this stage. Light rail needs to be integrated. Members speak about doing this but they have not articulated their vision. It is of great concern to me. We need to take the opportunity to improve public transport in Merewether and at the junction to Adamstown. There are also areas outside Newcastle that need improvement. People need a reason to

return to the Newcastle central business district. I am concerned about this issue. There is no clearly articulated vision but, once again, a great deal of taxpayer money is being spent on the Newcastle central business district with no prospect of a definite outcome.

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [10.44 a.m.], by leave: This debate is about a significant issue. Three cities in this State need to be transformed. The Government is working on Sydney and on Wollongong, but Newcastle was ignored for many years by the former Labor Government. Newcastle has vast opportunities; it could be so much more than it is. It is, of course, a wonderful place to work and to live, but it should be so much more. I recollect that when the Coalition came to government one of the first questions posed to me was: What can you do differently from the former Labor Government? The essential issue was: Are you going to do anything, because Labor did nothing? The Government embarked on an exercise of talking to local members, talking to the community and talking broadly across business groups to establish whether any factors could be a catalyst for the renewal and revitalisation of Newcastle.

Following consultation and discussion, the Government has made a decision. That is most important—a decision has been made. The former Labor Government made no decision. On one of my trips to Newcastle I visited a coffee shop and restaurant in the Honeysuckle area. There I ran into a former senior Labor Minister. I told him that I was up there to consider again how to revitalise Newcastle—that is what I had been doing that morning and what I would be doing that afternoon. He jokingly said, "Nothing will happen. We looked at this 20 years ago and we did absolutely nothing when we were in government." That is not what this Government is about; this Government is about making decisions. In the past few weeks the Leader of the Opposition has embarked on a few silly, juvenile escapades. It is disappointing because I think the Leader of the Opposition is capable of better.

The Leader of the Opposition visited the area for a so-called train ride, taking a few people with him. That is okay; those folks are entitled to their views. I met with them as well and heard their views. The Leader of the Opposition announced ceremoniously, "It is only 5.3 kilometres into Newcastle". He has obviously never walked the distance let alone had anybody drive it to get an odometer reading. It is actually 2.3 kilometres. He got double trouble, double distance and, unfortunately, half the response in the Labor years. This Government has a strategy to revitalise Newcastle, which certainly involves cutting the heavy rail line at Wickham. That means it will not continue to Civic and it will not continue to Newcastle.

However, there will be opportunities to bring business, new development, housing and excitement to Newcastle. That is needed. We need a can-do culture for the people of Newcastle. At the same time the residents of Lake Macquarie and Maitland are being well looked after because we are making sure that there will be a first-class interchange at Wickham with far more transport options. People will be able to go to Wickham and take buses to all parts of Newcastle. We are now consulting. Two sessions were held yesterday at the Concert Hall. I encourage the community to get on board and work with us to achieve grand things for Newcastle.

**Mr RYAN PARK** (Keira) [10.48 a.m.], by leave: I support my Hunter colleagues, not merely my Newcastle colleagues who are meant to be representing the region. That is what Opposition members do but it is not what Government members do. When I last looked Newcastle did not represent the whole of the Hunter, but who is missing from the Chamber? A couple of members are missing. Newcastle is a major hub in the Hunter, a very important region in New South Wales, so one would think all those members who represent electorates in the area would be in the Chamber. One would think the member for Upper Hunter would be present. It is reasonable to expect him to be in the Chamber when this motion is being debated.

We will make allowances for one member, but one would think surely the member for Maitland would be in the Chamber for this debate. Yet she is also not here. What has happened in Newcastle and in the Hunter? Tragically, the member for Maitland has been rolled for the thirty-fifth time this year. It started before she was sworn in when her department was given to the Premier. That is always a nice way to start one's swearing-in process! There was then the very well-handled Orica affair—one of her most sensational moments! The Orica affair will go down as one of the most well-handled challenges—

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I draw to the attention of the member for Keira that his comments have nothing to do with the leave of the motion. He should return to the leave of the motion.

**Mr RYAN PARK:** One would have thought the member for Maitland would be in the Chamber. She has been at the heart of many of the Hunter's most important moments.

**Mrs Roza Sage:** Point of order: My point of order is relevance. The member for Keira is clearly not being relevant to the motion. I ask that you bring him back to the leave of the motion.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I uphold the point of order. I have asked the member for Keira to return to the leave of the motion. This is not an opportunity for him to abuse Standing Order 73.

**Mr RYAN PARK:** When debating a motion on the rail line through Newcastle and whether it should be removed, I would have thought all local Government members would be present. It is obvious why they are not—they do not all agree with the motion. This is a second-rate solution for a city and a region that deserve more. If I were a Hunter resident I would not appreciate the fact that two Government members representing the area were not present for this important debate.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I am tempted to seek leave and speak in this debate as I was born and raised in Newcastle. I know the history of the rail line and I support the Government.

**Ms SONIA HORNERY** (Wallsend) [10.53 a.m.], in reply: I thank members representing the electorates of Newcastle, Cessnock, Port Stephens, Shellharbour, Charlestown, Lake Macquarie, Wakehurst and Keira for their contributions to this debate. There has been a recurring theme today, particularly from Government members, while other issues have not been raised. Paragraph (2) of the motion relates to commuters, yet Government members did not refer to them at all. Does the Government care that commuters are concerned that the rail line is being ripped out? Any member representing that area should be concerned about commuters. We then had an ancient history lesson from the Government.

The Government loves to take credit for the achievements of the former Labor Government. The courthouse was purchased through the hard work of the former member for Newcastle, Jodi McKay, but they did not give her credit for that. The member for Charlestown always takes credit for the hard work that the former member for Charlestown and I did regarding Cardiff railway. We gained the funding for that project a year earlier, but he does not acknowledge that. The member for Newcastle also referred to the post office. He now wants to palm off the post office to local government. He thinks local government should buy the post office and put it to some other use. Perhaps he could do something with that beautiful building right now.

I turn now to the members missing in action. Where is the member for Maitland and the member for Upper Hunter? Are they embarrassed? Perhaps they do not want to come to the House because they know their constituents expect them to support retaining the rail line? All councillors on Maitland City Council and Lake Macquarie City Council want the rail line retained. Opposition members made some terrific points. The member for Shellharbour referred to the broken promises of the Coalition Government. The member for Charlestown gave us a history lesson and said that the public transport system in Newcastle is Third World. It is shameful to suggest that connected rail services in Newcastle are Third World. What does the Government consider to be Third World—overcrowded, unconnected buses out of the city and too many cars? Does the member for Charlestown consider that to be Third World? I do not think it is.

**Mr Andrew Cornwell:** Why didn't you do anything about it?

**Ms SONIA HORNERY:** I thank the member for his constant interjections but he will not deter me from my arguments and my quest for better public transport not just in Newcastle but also for the whole of the Hunter. It is important to remember that we are talking about the Hunter, not just a few square blocks in the inner city to appease a bunch of developers. This is about the commuters, this is about the community, and the fact that not one Liberal member of Government mentioned the commuters shows that commuters do not rate in their equation. Those opposite do not care about the commuters.

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

**The House divided.**

**Ayes, 23**

Mr Barr  
Ms Burney  
Ms Burton  
Mr Daley  
Mr Furolo  
Mr Greenwich  
Ms Hay  
Mr Hoenig

Ms Hornery  
Dr McDonald  
Ms Mihailuk  
Mr Park  
Mr Parker  
Mrs Perry  
Mr Piper  
Mr Rees

Mr Robertson  
Ms Tebbutt  
Mr Torbay  
Ms Watson  
Mr Zangari  
*Tellers,*  
Mr Amery  
Mr Lalich

**Noes, 62**

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

**Question resolved in the negative.**

**Motion negatived.**

### **HUNTER PUBLIC TRANSPORT FARES**

**Ms SONIA HORNERY** (Wallsend) [11.12 a.m.]: I move:

That this House notes:

- (1) public transport fares for Hunter commuters will increase by up to 6.3 per cent; and
- (2) higher fares will cause commuters to reconsider using public transport and potentially lead to an increase in CO<sub>2</sub> emissions and traffic congestion.

We cannot deny the facts: Hunter commuters are increasingly abandoning public transport. Official figures reveal that passenger trips on our train lines between Broadmeadow and Gosford have decreased by 500,000 stations—from 5.7 million tickets sold in 2001 to 5.1 million trips recorded last year. Transport for NSW said ticket sales on major bus and train routes in the Hunter have declined drastically despite a 10-per-cent growth in the region's population. Newcastle buses have experienced dwindling use, with boarding numbers decreasing from 5.6 per cent in the 2007-08 financial year to 5.1 million tickets sold three years later. Why are Hunter locals choosing to stray from public transport? How can we increase public transport patronage on our lines? The answer to the latter question is certainly not to increase public transport fares as repeatedly mandated by the O'Farrell Government since the beginning of 2011.

During 2011 the cost of public transport fares increased by an average of 5.4 per cent. That was a blatant slap in the face to local commuters, who are noticeably struggling with the cost of living. In addition, Newcastle bus fares increased by between 5.1 per cent and 6.3 per cent. A single adult fare on the Stockton ferry increased from \$2.30 to \$2.40. Weekly rail tickets increased by between \$1 and \$3, meaning that the average weekly fare has forced local commuters to pay an additional \$156 a year for the same service without any improvements whatsoever. If that is not bad enough, prices increased further last month by a significant 2.44 per cent. The price of weekly train tickets escalated by \$1 and the price of single train tickets increased by 20¢ from January. Commuters should not be forced to suffer additional costs for rail services that show no sign of improvement. The O'Farrell Government is out of touch with families who endure day-to-day financial pressures that those opposite simply cannot comprehend.

Increased fares will result in commuters reconsidering using public transport, which has implications for all involved. A surge in commuters using private transport rather than buses and trains will lead to escalating

levels of carbon dioxide emissions and growing levels of traffic congestion. This will be hazardous to the environment and problematic for drivers, who are already experiencing severe traffic congestion across the State and in Newcastle city. Where is the incentive to use public transport that operates irregularly? Where is the incentive to commute on buses and trains that are less comfortable than private vehicles? Public transport advocate Darrell Harris said that fares and services need to be more competitive to entice Hunter locals to use buses and trains. I could not agree more because the convenience of using an available car at your every whim may certainly override the thought of using an irregular service that is excessively priced. We must encourage commuters to use public transport rather than implement additional barriers. In fact on 29 November 2011 the Minister for Transport said in the *Sydney Morning Herald*:

Globally we are seeing the resurgence of public transport because of its positive economic and social benefits.

The use of public transport should be heavily encouraged and public transport invested in without shifting the brunt of the costs onto consumers. Rather embarrassingly for New South Wales, in October last year global accountancy firm PricewaterhouseCoopers found that Sydney was the fourth-worst major city in the world for transport and infrastructure. In terms of operation and coverage Sydney was placed only ahead of Los Angeles, Sao Paulo and Johannesburg. That is hardly a statistic worth boasting about. Significantly Sydney was rated the most expensive city for transport, with fares costing more than in any other of the world's largest and influential cities.

Fares are highly priced, yet the O'Farrell Government insists on increasing fares year after year for the same mundane service. In addition to our public transport services being overpriced and inconsistent, countless reports indicate that safety on trains is now compromised due to cuts in funding and staff. The removal of 450 jobs is no doubt linked to the rise in commuter crimes that have resulted in trains being plastered in graffiti and trashed to the extent that they are being removed from the network. Why would our constituents consider using public transport over private means when they know full well that vandalism and unsocial behaviour have escalated? Increased public transport fares certainly will not encourage patronage on services that are riddled with crime.

We cannot continue to increase train fares while offering services that are below par in comparison to global standards. Families are struggling while the Government boosts its coffers with higher fares. The O'Farrell Government states repeatedly that it is trying to enhance public transport in New South Wales, but the evidence clearly suggests otherwise. This Government must provide much-needed funds and encourage public transport use without shifting these costs onto commuters, given that ticket costs are already inflated compared to fares in other cities. To alleviate traffic congestion and cost-of-living pressure, and for the sake of our environment, we must ensure that public transport is accessible to everyone.

**Mr ANDREW CORNWELL** (Charlestown) [11.18 a.m.]: The Government has consistently made it clear that it will not increase fares on government-regulated services by greater than the cost of living unless there are customer service improvements. In 2013 the Government made a decision to increase fares only in line with the consumer price index. In January MyZone fares increased by 2.44 per cent in line with changes in the cost of living, before rounding, to meet the cash-handling requirements of ticket vending machines. That increase was less than the increases that were allowed under the maximum fare determinations made by the Independent Pricing and Regulatory Tribunal [IPART], which allowed weighted average increases of up to 4.8 per cent for ferry services and 3.6 per cent for rail services in its 2012 fare reviews.

This Government believes that fares should increase only in line with the cost of living unless there are customer service improvements. For bus services in greater Sydney, the Independent Pricing and Regulatory Tribunal determines individual maximum fares, but the fares set by the Government are below the maximum fares determined by the tribunal. This means that the Government has kept all single ticket fare increases to the minimum practical increment with adult MyZone single tickets increasing by 20¢ for rail and ferries and 10¢ for bus. The Government made no change to the price of the pensioner excursion ticket or the Family Funday Sunday tickets.

This Government is delivering better transport outcomes for the people of the Hunter. The New South Wales Long Term Transport Master Plan, which was released in December last year, ensures we are ready to meet the challenges of the future—not just in Sydney but also in our regional towns and in our local communities. The transport master plan brings together land use planning with transport planning. It integrates planning for freight and passenger movements and all modes of transport—road, rail, bus, ferries, light rail, cycling and walking. The transport master plan outlines more than 25 short- and medium-term actions to improve transport outcomes specifically for the Hunter region.

The New South Wales Government has established a \$350-million Hunter Infrastructure and Investment Fund, which is overseen by an independent board with a mandate to invest in Hunter infrastructure projects, including transport infrastructure in the region. The fund will respond directly to the needs and priorities of the Hunter community. Transport projects that will be funded under the Hunter Infrastructure and Investment Fund include: Glendale; Lemon Tree Passage Road; Main Road 301, which is the road between Dungog and Raymond Terrace; Hunter Wine Region Roads; and Cardiff Main Street. In April 2012, the Minister for Transport announced a new Transport Access Program, which will deliver accessible, modern, secure and integrated transport infrastructure where it is needed most. The New South Wales Government is investing more than \$770 million over four years to build key facilities and to undertake much-needed upgrade works at stations and interchanges.

The first projects to be undertaken as part of this program will result in improvements at more than 50 locations across Sydney, the Illawarra and the Hunter. As part of the transport access program, a major upgrade of Cardiff station, including new lifts, improved ramps, new station buildings and closed-circuit television, is underway. Other transport access program projects are underway at Greta station, Hamilton station, Scone station and Singleton station. This Government is also improving bus services in the Hunter region. During the 2011-12 financial year, 23 new buses were added to the Newcastle bus fleet. By the end of the current financial year, a further 10 new buses are expected to join the Newcastle bus fleet. These projects show that this Government is delivering better transport outcomes for the people of the Hunter. We are planning for the future of our transport system, and we are delivering a better transport system for customers today.

**Mr CLAYTON BARR** (Cessnock) [11.23 a.m.]: I support the motion moved by the member for Wallsend and thank her for bringing this matter to the attention of the House. I will commence my contribution to this debate by dispelling the whole concept about what the Independent Pricing and Regulatory Tribunal does and does not do and what the Independent Pricing and Regulatory Tribunal does and does not take responsibility for, and discuss the role of the New South Wales Government in that decision-making process. I refer to the document titled, "CityRail and Metropolitan and Outer Metropolitan Bus Services: Prices and Services Transport—Report 2011 Final Report December 2011" and a statement in the introduction by the Independent Pricing and Regulatory Tribunal. I emphasise that the document I am quoting from is from the Independent Pricing and Regulatory Tribunal. It clearly shows the exact relationship between the New South Wales Government and the Independent Pricing and Regulatory Tribunal's price setting. The document states:

**1.2 Train and bus fares will increase by around an average of 5.4% in 2012**

Transport for NSW—

I emphasise that Transport for NSW is a government body—

wrote to IPART to advise that the NSW Government resolved to increase fares for CityRail and metropolitan and outer metropolitan bus services in 2012.

I again emphasise that Transport for NSW is the Government's own body. The document further states:

Transport for NSW applied a 5.55% increase to current ticket prices ...

Transport for NSW advised that that weighted increase, on average, would be 5.4 per cent but could range between 4.7 per cent and 6.1 per cent. It seems that the Independent Pricing and Regulatory Tribunal's price setting might not be as independent as Government members would like the public of New South Wales to believe. The second part of the motion moved by the member for Wallsend states that higher fares will cause commuters to reconsider using public transport, and potentially lead to an increase in carbon dioxide emissions and traffic congestion. Some of my constituents, particularly those who live around the West Wallsend, Cameron Park and Edgeworth areas, are not necessarily well off, do not necessarily have access to private transport and rely almost entirely on public transport for their access to and mobility around the Hunter area. They are the people who can least afford a price hit of 5 per cent when the rate of the Consumer Price Index cited frequently in this House by the Government is approximately 2.5 per cent.

The Government uses that figure when it suits it to justify the 2.5 per cent wage cap that has been placed on public sector wages, but in the Government's submission to the Independent Pricing and Regulatory Tribunal, the Government recognised 5.5 per cent as more in line with the Consumer Price Index and as justification for increasing the price of fares. The people I represent in the Cessnock electorate, who live in the suburbs of Edgeworth, Cameron Park and West Wallsend and who rely on public transport, did not receive a 5.5 per cent increase in their wages or in the benefits they receive from any government, but they were hit with a 5.5 per cent increase in the price of the public transport upon which they rely so heavily. It is important that those facts be stated in this House. I thank the member for Wallsend for moving the motion so that the matter could be brought before the House, the record could be cleared, and the mistruths dispelled.



**Mr GARRY EDWARDS** (Swansea) [11.27 a.m.]: I thank the member for Wallsend for moving the motion. However, sadly for her, for 16 years she was suffocated by a somewhat do-nothing venal mob who formerly occupied the Government benches and who loosely referred to themselves as a government. Prior to the 2011 State election the Coalition made it clear that public transport fares would increase only in line with the Consumer Price Index until there were demonstrable improvements in customer service. Since its election two years ago, this Government has stood by that commitment—in contrast to the previous Government. Labor's track record on public transport fare increases was appalling.

Public transport fares increased 59.8 per cent during the 16 years in which the Labor Party was in government, whereas the Consumer Price Index for the same period was only 37.1 per cent. The former Labor Government charged higher prices at the same time as services were being slashed. Labor slashed 416 daily train services, but kept increasing fares. In 2013, the Coalition Government increased fares in line with increases in the cost of living. In its 2012 fare review, the Independent Pricing and Regulatory Tribunal allowed weighted average increases of up to 4.8 per cent for ferry fares and 3.6 per cent increases for rail, but the Government decided not to increase fares by those percentages. The Minister for Transport commented:

While we are working hard to provide more public transport for customers and improve the quality of the customer journey, we have decided that the fare increases proposed by IPART are not warranted at this time.

That mirrored the decision taken in 2012. On 6 January 2013 MyZone fares went up by only 2.44 per cent—in line with changes in the cost of living—and were rounded to meet the cash handling requirements of ticket vending machines. Importantly, there was no increase to the \$2.50 pensioner excursion or Family Funday Sunday ticket fares. The Government is delivering a public transport system that people want to use. We are undertaking a long-term transformation of our rail network. We are fixing the trains and providing customers with the service standard that they deserve. We are breaking up RailCorp and creating two new specialist organisations to service the different needs of Sydney and intercity-regional train customers. We are creating a specialist cleaning unit to attack graffiti and rubbish on dirty trains and stations. In December last year the New South Wales Long-Term Transport Master Plan was released which means that for the first time New South Wales has a clear direction for transport for the next 20 years.

The Transport Master Plan brings together land-use planning and transport planning. It integrates planning for freight and passenger movements and all modes of transport—road, rail, bus, ferries, light rail, cycling and walking. The Transport Master Plan actions for the Hunter in the short term include delivering the Newcastle inner bypass, Newcastle Link Road and Newcastle Road corridor improvements through the Growth Centre Roads Program; strengthening bus operations in the region's major centres, as well as connections between those centres through network and timetable reviews; progressively implementing strategic bus corridors to provide high-quality bus services that reflect demand and land use change; improving all rail services between Newcastle and Sydney through Sydney's rail future, the development of the Country Passenger Rail Services Strategy and the creation of NSW Trains; completing the Hunter Expressway, providing a new east-west connection between Newcastle and the growing Lower Hunter; upgrading the link between the F3 Freeway, the Hunter Expressway interchange and Broadmeadow in Newcastle; providing \$15 million to support Lake Macquarie City Council to deliver improved road connections at Glendale, improving access to the Stockland retail centre—*[Time expired.]*

**Ms SONIA HORNER** (Wallsend) [11.31 a.m.], in reply: I thank the member for Charlestown, the member for Cessnock and the member for Swansea for their contributions to debate on the motion which has as its subject public transport fares and increases, and incentives for public transport users. Unfortunately, again, commuters have not been mentioned by Government members. In two notices of motions of note relating to public transport the word "commuter" is not mentioned once. It is sad that we are not talking about the needs of the people we represent—the workers and the battlers. Those are the people that I have always tried to represent and that other Opposition members are trying to represent.

The member for Charlestown talked about fare increases being linked with benefits to commuters and said that the Government is delivering better transport options for people in the Hunter. I wonder how he came to that conclusion. Will it be delivering better transport options by removing the rail line? He also talked about a \$350 million Hunter Infrastructure Fund responding to the needs of the community. We know that the cost of ripping up the rail line is ever-increasing but we do not know by how much. We do not know what that will entail because we have not been given any of the details. However, we know that it will cost more than \$550 million. If the Hunter Infrastructure Fund comprises \$350 million, that leaves no room for any other projects in the Hunter. The member for Charlestown talked about a transport access program for cars in Hamilton, a program on which his predecessor worked very hard and that was budgeted for by the previous Labor Government.

It is important for the Government to improve our bus services. Just this week I asked the Government a question about bus services. I also introduced a notice of motion that requests the Government to undertake a comprehensive bus review in Newcastle. Since the last review over five years ago times have changed. Bus companies, both public and private, recognise the need to change bus corridors, improve the frequency and cost of services, and introduce incentives to encourage people to get on buses and out of their cars. I have made that statement on a number of occasions in the past. I want people in the Hunter to have a reason to not drive to the city. I want them to have a reason to get on a bus, or preferably a train. I am afraid that at this point the Government is not giving people the incentive to do that.

Earlier the member for Cessnock said that while the Independent Pricing and Regulatory Tribunal increase is in line with the Transport for NSW increase of 5.5 per cent—or anywhere between 4.7 per cent and 6.1 per cent—pay rises have been limited to 2.5 per cent. People in working-class areas who catch buses received a 2.5 per cent pay rise but they are paying 5.5 per cent more for their buses. That does not make sense. Unfortunately, this morning the member for Swansea gave us ancient history lesson No. 5. I like ancient history but we need to talk about the future. Anyone in government talks about the future. Since becoming a member of Parliament I have been writing to the government of the day about a direct bus service from Minmi to Newcastle for people living in the growing suburbs of Blue Gum Hills. I am still awaiting an improvement to that service. Nevertheless, I will still move motions and question this Government about that. Where are the so-called improvements in commuter services in the Hunter? The Government is limiting the giving of that information when that is what the community would like to know.

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

**The House divided.**

**Ayes, 21**

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

**Noes, 61**

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

**Question resolved in the negative.**

**Motion negatived.**

**NSW PLANNING SYSTEM REVIEW**

**Mr JOHN SIDOTI** (Drummoyne) [11.47 a.m.]: I move:

That this House:

- (1) notes the importance of the planning review instigated by the Minister for Planning;
- (2) commends the Government for its wide reaching consultation with the community and stakeholders; and
- (3) notes the widespread support for the Government's decision to abolish Part 3A of the Environmental Planning and Assessment Act 1979.

This Government is responding to the people of New South Wales who, at the last election, voted overwhelmingly to get rid of a government whereby planning seemed to be determined by one's presence at fundraisers as opposed to merit or strategy. The Minister set out immediately to devise a system focused on public interest; a system that put the people and their choices front and centre on planning decisions for the future. The green paper responds to the efforts of the Hon. Tim Moore and the Hon. Ron Dyer. While the Environmental Planning and Assessment Act 1979 was an innovative document, over the past 30-odd years it has been the subject of 150 amendments, resulting in the system becoming more complex and litigious. The Act also focused on process rather than outcome.

The aim is to make this State the premier State with which to do business, to enable sustainable growth and make our cities liveable but, of course, and most importantly, to do so in a fashion that reflects community expectation. The blueprint for change revolves around a number of things: community participation, strategic focus, a streamlined approval system and the provision of infrastructure. The major shift with community participation is to engage and make communities part of the process. Strategic focus means a move towards evidence-based strategic planning, the key to which is engaging stakeholders. Streamlined approvals are a shift where decisions are fast and transparent and co-complying development is maximised. I shall detail my concerns on that later.

Finally, the provision of infrastructure will mean a genuine integration of planning that supports growth and investment in infrastructure that will be funded and delivered to accommodate genuine strategic planning, not just spot rezonings. I commend the Government for its wide-ranging consultation with the community and, more importantly, with stakeholders. The submissions received from community individuals, local government businesses and industrial organisations are to be commended. I believe some 600 submissions responded to the issues paper, which was released in late 2011. The very detail in the submissions cemented the need for significant reform. Some feedback included lack of confidence in the current system, complexity, costs, delays and—surprise, surprise!—the perception of lack of transparency, of which the current Independent Commission Against Corruption inquiry is only further evidence. Some councillors and opponents of government will argue that we are taking planning powers away from local government. That is false. Strategic planning at all levels will be evidence-based and prepared collaboratively with local councils and with strong community participation.

A large part will concern integrating infrastructure with the planning process. It is no good developing cities without highways or public transport options. I note the widespread support for this Government's decision to abolish part 3A of the Environmental Planning and Assessment Act. I know in the Drummoyne electorate there was a saturation of a high-density development approved under the part 3A legislation provisions in the Rhodes area in my electorate. The Labor Party, led by the council at both a State and a local level, failed the community by failing to deliver services such as community halls, open space, meeting places and schools for the increasing number of children in that electorate. I am proud to be part of a government that will shortly deliver two new schools for the Drummoyne electorate. I thank the Minister for Education and the Premier.

I find amusing the fact that the previous Government rode roughshod over communities. I was interested in a letter I received from the general manager and the mayor of my council requesting that a 450-unit development application, which was lodged as an application of State significance, not be accepted. The council and the Government that rode roughshod over the community are now complaining about hardship. The council argues that it has no role in the process, which sounds familiar. I believe that council has been in consultation for the past 10 years. Local politics has again reared its ugly head. For a long time council was in favour of this proposal and established consultation workshops, but the local council election stifled progress.

In my view community members must be involved in all decision-making and local politics should not form a part of any development applications. A number of councils around Sydney have independent hearing and assessment panels which I am given to understand work well: Their decisions, which are made by professionals, are based on merit and on planning, and no politics enters into any development application decisions. I am horrified by the development applications that have been approved in my council area under delegated authority. They are supposed to comply substantially with the law but loopholes are used when it does comply substantially so they can then take on the delegations and approve it. One such development was a storey above the regulated height limit. I have seen complying developments in which three-storey homes are approved when the State environmental planning policy only allows two-storey homes. Adjoining residents bear the brunt of non-compliance.

**Ms Linda Burney:** Whereabouts, Drummoyne and Canada Bay?

**Mr JOHN SIDOTI:** I have a number of examples. If the member is interested and she wants to talk the talk I am happy to supply these examples to her. By and large this is a complicated area. I commend the Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW for the new planning system for New South Wales. I know that the Minister will not shy away from the hard decisions that have to be made. I know that he will devise a system that provides more housing, strategic-based planning, transparency and community engagement.

[Interruption]

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! The member for Heffron has the call.

**Ms Linda Burney:** He actually knows what he is talking about.

**Mr Gareth Ward:** Unlike you.

**Mr RON HOENIG (Heffron)** [11.54 a.m.]: If the member for Kiama listens he might learn something about planning. The time that he spent as a member of the council obviously did not educate him. I remind the member for Drummoyne that when he reflects on councils in his electorate relatively recently the mayor of Canada Bay and the mayor of Burwood were overwhelmingly elected by the popular vote of the people and have a mandate for the views that they espouse. I oppose the motion. I support the abolition of the disastrous part 3A provision of the Environmental Planning and Assessment Act. That disastrous provision culminated in poor planning decisions emanating from this House ever since the enactment of the Environmental Planning and Assessment Act in 1979.

I said in my inaugural speech that the Environmental Planning and Assessment Act was the finest piece of environmental planning legislation in the history of the Commonwealth, but this Parliament has continually fiddled with its provisions. After the part 3A provisions the community finally lost faith in the executive Government being able to handle properly any planning in this State. This Government does not have clean hands in relation to the part 3A provisions. Despite its announcement to do away with those provisions, a number of them have been continued.

One particularly disgraceful application relates to the East Lakes shopping centre development. In 2010 a concept plan was submitted to the NSW Planning Assessment Commission—referred to it by the Minister's predecessor. The NSW Planning Assessment Commission rejected the concept plan but the application was received by the department, processed and advertised. I suspect that the processes that led to this disgraceful application being received have nothing to do with the current Minister for Planning. A few days after I was elected as a member of Parliament I spoke to the Minister for Planning and asked him to investigate what I considered to be an untoward process. Pending applications such as this should not be permitted to proceed under this disgraceful part 3A provision.

However, the planning review and the green paper that were released are nothing more than a rerun of the Askin days of the 1960s. If members opposite think I am going too far, they have rocks in their heads if they believe that creating a variety of zones where there will be no development control and allowing the market to dictate what can be built will be a solution to New South Wales's planning woes. As buildings are erected next to residential areas, with no level of control because proposals involve market-driven development—which is the philosophical view of those opposite—the people will start screaming in protest. This Government says that it understands the planning concepts but it invented such things as urban activation precincts with a view to increasing residential developments two weeks after it made citywide municipal plans.

If the Government is really concerned about stakeholder involvement in developments and community input, why are tenders being called for the redevelopment of Darling Harbour without the submission of any development applications, the advertising of any concept plans or any other input? With respect to planning reviews, Government members should note that even the green paper refers to the objects of the new legislation. They will be identical to the objects of the Environmental Planning and Assessment Act. That Act makes provision for regional plans, subregional plans and local environmental plans.

When that legislation was enacted it provided for designated development and enabled the State to grant approvals in respect of matters that were of State significance. A Commission of Inquiry Act was established so that the government of the day could have independent commissioners consider applications and refer them back to the Minister. However, as a result of continual criticism, over a period of some years Ministers, councils and councillors have abdicated their most fundamental decisions, their planning decisions and their development control provisions, for fear that they will be accused of accepting political donations, that the media will criticise their decisions or because the odd corrupt person has made a poor decision—and it is only the odd person among the thousands and thousands of development applications that are granted.

The member for Kiama and the member for Drummoyne would be aware that once something is approved it is there for 100 years. The only people who should be making decisions that affect communities and the State for that period are elected officials, because at least they are accountable to other people. We should not throw the baby out with the bathwater. We should not give up the decision-making role on behalf of the people of this State at the instigation of the Property Council of Australia and developers just because they have been urging it for decades or because of political fear. Ultimately, it is only Parliament or elected councillors who must live with the consequences of their decisions on behalf of the community because at the end of the day they are answerable for them.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [12.01 p.m.]: It gives me great pleasure to speak on this motion as the New South Wales Government intends to create a planning system to deal with the land use challenges of today and into the future. A new legislated Act for planning will focus on the public interest and put people at the heart of planning decisions, providing residents with the opportunity to participate on behalf of development proposed within their community. The planning system under the previous Government in New South Wales became complex, causing unnecessary delays while at the same time increasing costs to development, which in turn were passed on to the price of new homes, impacting heavily on young families hoping to get into the real estate market.

This system had, in part, contributed to New South Wales having the lowest housing completion rates in almost 50 years. By putting a greater focus on the importance of investing in early infrastructure through the Housing Acceleration Fund, which encourages housing development, the New South Wales Government has already provided the opportunity for 13,000 new homes to be built in western Sydney on behalf of almost 40,000 residents. Interestingly, according to the Housing Industry Association housing in Sydney is now the most affordable since 2002. The great Australian dream of home ownership is still recognised as the single most important wealth creator for families, and giving families the opportunity to purchase an affordable home is a fundamental aspect of responsible governance. Australian Bureau of Statistics figures show that New South Wales was the only State to experience increased housing approvals last financial year, up 20 per cent on the previous year.

The Environmental Planning and Assessment Act 1979 has been a strong and robust instrument of land use planning. But it was written more than 30 years ago and has been amended continually over three decades. It needs updating to reflect the ability of governments to deal with the challenges of an increasing population and the services that are required to support that growth. That is why under the stewardship of the Minister for Planning and Infrastructure, the Hon. Brad Hazzard, the O'Farrell Government is creating an entirely new and innovative planning system. We released a green paper outlining our vision for a future planning system. It was built on a two-volume report undertaken by an independent panel consisting of Tim Moore and Ron Dyer—both former members of this Parliament of different political persuasions—who worked as a bipartisan partnership reviewing the planning system. That commenced immediately after our election in March 2011.

We propose to significantly strengthen consultation when we set the planning ground rules for our neighbourhoods, cities and regions. This will differ from the current system, which is focused on consultation when individual development applications are lodged. By this time, many of the key decisions guiding how development will happen have already been made. A public participation charter will guarantee community engagement. Public participation has been a legislative requirement of authorities dealing with development

applications for some time. However, it is not the amount of participation that is required but, importantly, the quality of participation. Rather than just paying lip-service to a large group of concerned residents and fulfilling the obligations of the legislation regarding consultation, participation must be meaningful and provide participants with the necessary information and the ability to ensure that their concerns are both heard and addressed. The greater the degree of quality community participation, the better the outcomes achieved for all stakeholders.

The New South Wales Government supports taking politics out of planning decision-making and is encouraging councils to appoint independent experts to decide development applications. The changes in the green paper are far reaching but the Government considers that they are needed to restore confidence in the planning system. The 800 community submissions that were received in response to the green paper came from 1,200 planning practitioners and 330 community members who attended 22 workshops held in 10 regions. Sydney is the gateway to both New South Wales and Australia. It is an area incredibly unique in both its natural beauty and built design, which is steeped in heritage on the one hand and vibrantly new on the other. It requires nothing less than the best planning possible to ensure that our State remains one of the most sought-after areas in the world, and our Government is focused on delivering nothing less.

**Mr JAMIE PARKER** (Balmain) [12.05 p.m.]: First, I acknowledge the member for Drummoyne for bringing forward this motion. It is clear that there is significant support for the Government in abolishing part 3A. However, much more work still needs to be done. As the member for Heffron stated, the Environmental Planning and Assessment Act—innovative and forward-thinking legislation—has been systematically dismantled over the years. The former Labor Government ripped the Act apart to ensure that development could proceed but this merely led to development paralysis and the community losing confidence not only in members of Parliament but also in the process of planning approvals in New South Wales. When it came to developer donations there was a strong perception that one bought the result one wanted. We saw the development industry and government working in lock step to deliver inappropriate development in many situations, development that in the long run did not serve the community, the environment or the economy.

I shall not go through our significant concerns about the green paper but I note that many recommendations from the Moore-Dyer inquiry were not reflected in the green paper, particularly recommendation No. 6, which refers to ecological sustainability as the priority approach that must be adopted. That is not reflected in any clear way in the green paper. A whole range of recommendations need much more emphasis in the green paper and we will work to ensure that the Government does its best to support this approach. I raise two brief points. First, I do not think anyone has any opposition to independent hearing and assessment panels [IHAP] but accountability rests with the elected representative. One stands or falls on the capacity to be an elected representative.

If councils want to develop independent hearing and assessment panels, I encourage and recommend that approach. That can be a positive step in many situations but councils that wish to retain the right to examine particular development applications should have that democratic right because councils, unlike bureaucrats, can be kicked out and people know that they are accountable. The second point is that I believe private certification is a shambles; it is a disgrace. I draw attention to a recent decision of the Building Professionals Board. If the Minister wants to do something, he should put the boot into that board. In the time remaining I will outline an incident to the House. Leichardt Municipal Council contacted a certifier to ask whether something complied. Did it comply? Would it be certified?

The certifier responded that it "appeared to be in compliance, based on the information". Appeared to be? He should get out a ruler and measure it. A complaint was made to the Building Professionals Board questioning whether the response "appeared to be in compliance" was sufficient. The Building Professionals Board said, "It's okay. Complaint dismissed". So when anyone is having something built next door to them all the certifier has to say is, "Well, it appears to comply", and, according to the Building Professionals Board, that is good enough. Councils used to run that process of certification but Labor privatised it. The Government should seriously consider this issue because the Building Professionals Board is not a sufficient deterrent.

It is hopeless trying to get certifications with a range of private certifiers who, frankly, do not even respond a lot of the time to residents or councils. Those powers should be addressed. It is clear that development has been humiliated by the former Government when it comes to a professional independent process. This Government should do more, particularly in relation to part 3A. A development occurred in my area that we believe should have gone back to the community. I conclude by saying that the Premier's words that development should be brought back to the community should be agreed to and implemented by the Government for the benefit of all.

**Mr GARETH WARD** (Kiama) [12.09 p.m.]: What a difference a by-election makes in the electorate of Heffron. Do members remember the attitude of the former member for Heffron in relation to part 3A? With Kristina Keneally it was out with the pen and tick, tick, tick. I am delighted to see the new member for Heffron, who knows something about local government and planning, and I was delighted to hear his excellent contribution in this House today. I am also delighted to see the member for Toongabbie in the Chamber. He clamped down on the rorts that were occurring by abolishing developer donations in New South Wales in a partial attempt to clean up donations in this State, and what happened to him? The right wing of the Labor Party came along and rolled him out the door because he was trying to do the right thing by the people of New South Wales.

The former Government was not interested in doing the right thing and abolishing developer donations. A great example of that was Calderwood, in my electorate, where a 4,800-lot housing development was proposed by Lend Lease. Under Kristina Keneally it was given life as a part 3A development. When I asked for the matter to be dealt with by the Planning Assessment Commission the former Government said it would not happen because it would not meet any of the criteria. I said at the time, when Tony Kelly became the Minister for Planning, that there were donations from Lend Lease to Labor. But he said, no, this Liberal candidate did not know what he was talking about.

I published and produced copies of the Election Funding Authority's records to show that those donations existed, after which, in an embarrassing public backdown, the Minister referred this matter to the Planning Assessment Commission. Under Labor it was government by quid pro quo, and part 3A was an opportunity to funnel funds from developers—from their mates—into their coffers in order to seek re-election. It was an example of how dysfunctional the Labor Party became in its dying days in office and the manner in which it used that process to get developments through to mates, contrary to the consistent planning interests of New South Wales. When the Environmental Planning and Assessment Act was drafted in 1979 it was a very good Act.

**Mr Ron Hoenig:** It still would be.

**Mr GARETH WARD:** The member for Heffron says it still would be, and he is right—the Act had good provisions to encourage community consultation and consistent planning. But over the years governments of various persuasions sought to pick apart that Act and at the end of the former Government's term we were left with a complete mishmash that did not work for local communities and provided inconsistent planning. One only needs to look at the Affordable Rental Housing State Environmental Planning Policy—gifted by those who sit opposite—which ignored local councils and demolished planning conditions. One could have sprung up next door several buildings twice the size, bulk and scale of what a private developer would be allowed. I am very pleased that the member for Drummoyne has brought forward this excellent motion today because the Parliament should ensure that we put people at the centre of the planning process and have strong community consultation.

When the Premier was Leader of the Opposition he made it very clear that this was one of the five planks on which he stood, and I commend him for doing that. The Minister for Planning has released the green paper and The Greens have been appallingly misleading about its contents. There is a return to putting people at the centre of the planning system but The Greens tend to try to convince people that that is not the case. The white paper, the exposure draft, will certainly be released and I look forward to seeing that detail. I also reflect on the issue of private certifiers. I hope all members of this House will work together to clean up the process because the certification system allows people to stamp or approve plans different from those that were lodged originally and neighbours do not necessarily get the assurances they need. The system has been used inappropriately, and the practice has been allowed to continue. I commend the motion to the House.

**Mr JOHN SIDOTI** (Drummoyne) [12.13 p.m.], in reply: I take this opportunity to thank the member for Heffron, the member for Hawkesbury, the member for Balmain and the member for Kiama for their contributions on this motion. The member for Heffron spoke about part 3A and said it was a disgraceful piece of legislation. It is always great when Opposition members agree with us—on occasion. He also compared the green paper to the Askin era. I probably would not agree with him about that. The member for Hawkesbury added valuable input in the discussion, particularly in relation to families in his electorate and the cost of housing due to the complexity of the system we have inherited. He also said that the Environmental Planning and Assessment Act had served us well but that we should move with the times.

The member for Balmain also brought a number of issues to the table, particularly regarding donations and the perception of buying development applications. He also spoke about ecological sustainability. I am glad

that he agrees with the independent hearing and assessment panels. He also referred to the problems encountered by the private certification system. The member for Kiama, who has a wealth of experience in local government and who always contributes so well to these discussions, made some valuable points, particularly about developer donations and the views of the former member for Heffron and the current member.

Earlier I ran out of time before I had outlined my concerns in relation to the complying development and certification system. I have been in consultation with the City of Canada Bay Council and I invited a submission from it to outline some of the problems we have been having at both local and State levels with the current system. I am grateful that I received quite a substantial document from the council, and I agree with everything in it. One problem has been with the Building Professional Board's complaints system. The system should be simplified. If a complaint could be completed online it would be quicker, easier and more efficient for all parties involved. The form could then be tailored to ask specific questions in order to cull any complaints that have no substance.

We believe also that penalties should be increased for certifiers who are found to have issued construction certificates without ensuring that all conditions of development consent have been satisfied, where complying development certificates are issued in contravention of the State environmental planning policy and where complaints from neighbours regarding non-compliance with conditions are not followed up. There should be a penalty infringement notice system, as per the current system, for applicants and builders. The function of approving construction certificates and complying development certificates should be separated from the building inspection role and the inspection role should be the sole domain of local government. That would facilitate a role for both private certification and councils, it would provide greater certainty and comfort for the community and applicants utilising their services, and it would ensure that the occupation certificates are not issued until all outstanding matters are complied with.

Private certifiers should be required by law to publish all their fees and charges on their websites and other documents, as councils are required to do. Enforcement of unauthorised work should be the sole domain of councils, and a fee structure and penalty system should be introduced into current and any future planning legislation to facilitate this and to enable councils to recover their costs in carrying out this responsibility. If the accreditation of any certifier is cancelled by the Building Professionals Board that information should be provided to all councils. I thank all members for their contributions to the debate.

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

**The House divided.**

**Ayes, 63**

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



**Noes, 20**

Mr Barr  
Ms Burney  
Ms Burton  
Mr Daley  
Mr Furolo  
Ms Hay  
Mr Hoenig

Ms Hornery  
Mr Lynch  
Dr McDonald  
Ms Mihailuk  
Mr Park  
Mrs Perry  
Mr Rees

Mr Robertson  
Ms Tebbutt  
Ms Watson  
Mr Zangari  
*Tellers,*  
Mr Amery  
Mr Lalich

**Question resolved in the affirmative.**

**Motion agreed to.**

**CANTERBURY BOYS HIGH SCHOOL STUDENTS' ACHIEVEMENTS**

**Ms LINDA BURNEY** (Canterbury) [12.29 p.m.]: I move:

That this House:

- (1) congratulates Akshay Sharma of Canterbury Boys High School who achieved the top Higher School Certificate result in 2011 with an Australian Tertiary Admission Rank of 95.75;
- (2) acknowledges his recognition on the Higher School Certificate honour roll;
- (3) notes that he wants to study psychology at university; and
- (4) congratulates him on his achievement and wishes him every success in his tertiary studies and future.

I congratulate Akshay Sharma, on being awarded the top Higher School Certificate result in 2011 of 95.75, and on his other achievements described in my motion. Although this motion has been on the *Business Paper* for some time, I congratulate Akshay on his Higher School Certificate score and on achieving the highest Australian Tertiary Admission Rank [ATAR] of the school in 2011. My congratulations also go to Michael Davey and Joel Lofong for their inclusion on the honour roll that year. Last year's results were equally impressive with students proceeding to study in fields as diverse as engineering, commerce, fine arts, law, business, and advanced science. Of last year's graduating students, more than 40 per cent have gone on to study at universities, TAFE or other training colleges. For some at the Canterbury Boys High School, just being awarded the Higher School Certificate is a big achievement.

I particularly acknowledge the boys who are the first in their family to achieve the Higher School Certificate or who have come to Australia as refugees. Some of those young men have been in Australia for less than five years. For the students of the school to score high achievements in the Higher School Certificate in 2011 and 2012 is testament to the school, the young men and to their teachers. I am very proud that the Canterbury Boys High is in the electorate of Canterbury, which I have the honour to represent. Canterbury Boys High School is one of those schools that lift our spirits. The young men who attend the school are from approximately 45 different cultural backgrounds, and often contend with very challenging and difficult circumstances. The school engenders a culture of no bullying, respect, understanding and celebration of diversity. It is also a school that encourages excellence not only in academic achievement but also in the sporting arena, and it encourages students to be good citizens, which is probably the most uplifting part of the school.

The school's rich cultural diversity has been celebrated by the teachers and students. I congratulate the school on encouraging the boys to take pride in their identity. Many members who are present in the Chamber would recognise in their electorates, particularly those who represent electorates with very high cultural diversity, that achievement really is about respecting and celebrating each and every individual student as well as their cultural identities and the communities from which they come. I know that the Canterbury Boys High School also strives to create a supportive environment in which students can learn to be independent and take responsibility for their own advancement. That was so evident when I attended the school's presentation function recently.

There are a couple of people I would like to acknowledge other than Akshay and other students. Leslee Mitton, the school's former principal retired recently. Leslee was at the Canterbury Boys High School for

6½ years. She worked tirelessly and was completely committed to the school. She was absolutely adored by the students and staff of the school. I know that the school community is missing Leslee deeply since her retirement last year. The new acting principal, David Hill, has very big shoes to fill, but I am sure he will do a great job. Marianne Brewster, another teacher at the school, retired after 22 years at the school. I came to know Leslee and Marianne during the many visits I made to the school.

One of my favourite annual electorate events is attending the Prefects Investiture at the Canterbury Boys High School. For the first time, sadly I missed it this year, but I sincerely congratulate those who were elected: the Co-Captains for 2012-13 are Tiago Martins and Phillip Ta; the Vice-Captains are Faris Taleb-Hawcher and Tony Zhen; the Senior Prefects are Ishmael Ilagan and Pierre Liu; and Miguel Ribeiro is Sports Captain. I also make the point that the pursuits undertaken by students of the school after completing their Higher School Certificate are as diverse as the students themselves. Many of the graduating students have enrolled at a university. For example, Karim Bizri, who achieved a band 5 in Mathematics, Chemistry and Physics, is enrolled in electrical engineering at the University of Sydney; Shahbaz Jamal, who was School Captain in 2012, is enrolled in law and business at the University of Technology; Bobby Kumar is enrolled in commerce-arts at the University of Sydney; and a number of former students of the school—Andrew Ro, Darren She and Louis Slim—are enrolled in various degree courses at the University of Western Sydney.

Some students have enrolled at TAFE—for example, Tevita Mahe is enrolled at Ultimo TAFE—and some are attending private colleges, such as Zeesan Hoque, who is at the Macleay College, and others have undertaken employment, such as Tyrone Byrne, who is an apprentice chef. All of those young men are great examples of the young people of Canterbury. I know that what I have said will ring true with many members in the Chamber. I again congratulate Akshay Shama on his 2011 achievements as well as all the young men who graduated from the Canterbury Boys High School in 2012. They hold high and with great distinction the name of the school. As the member for Canterbury, I am very proud of them.

**Mr ANDREW ROHAN** (Smithfield) [12.36 p.m.]: I thank the member for Canterbury for moving the motion to acknowledge the achievements of Akshay Sharma. To speak about someone I have not met before, such as Akshay Sharma, is not always an easy task as intimate knowledge is necessary to make an informed judgement. However, it should be noted that Akshay really is not so different from other students who recently sat for examinations and achieved excellent Higher School Certificate results in schools in my electorate of Smithfield and other culturally diverse adjoining electorates. Akshay has qualities like many of the 70,000-plus students who sat for the Higher School Certificate last year: desiring to work hard to achieve their own goals and targets; being prepared to sacrifice their own entertainment time in favour of more learning; and committing themselves for the next phase of their lives by moving into higher tertiary education.

Last year New South Wales had more than 70,000 students enrolled in at least one Higher School Certificate course. Students sat through 117 different examination papers with the first examinations being English as a Second Language [ESL] and English Standard and Advanced, and the last being Design and Technology, Latin Extension and Visual Arts. As members know, examinations are the culmination of much hard work by students and their teachers but, more importantly, by their parents and carers over many years. Many students spend hours studying and many parents spend extra money on tutoring to ensure that their children get the best opportunity to succeed in the Higher School Certificate examinations.

Recently I attended the annual prize-giving presentation at Patrician Brothers' College, Fairfield, where some of the highest achievers of the college were acknowledged for their brilliant performance in the recent Higher School Certificate. Earlier this month in my electorate of Smithfield, the Vietnamese Lunar New Year Festival held at the Fairfield Showground, which was organised by the Vietnamese Community in Australia, New South Wales Chapter, recognised approximately 25 students for their high achievements. They all achieved an Australian Tertiary Admission Rank [ATAR] of more than 99. A young man, Damien Le, topped the State by achieving 99.95.

I am proud to say that three schools in my electorate of Smithfield, in the suburbs of Bossley Park, Merrylands and St Johns Park, have students who were recognised at the 2012 Higher School Certificate First in Course presentation held in Sydney on Tuesday 18 December. First course students have achieved two things: they have come first in that particular Higher School Certificate course and their result is in the top band. I will acknowledge them individually: Erin Laksa from Cerdon College for achieving first in course in personal development, health and physical education; Michelle Mulet from Bossley Park High school for her achievement in Spanish extension; and Ian Lauv from St Johns Park High School for his achievement in retail

services examination. These young people have shown that with hard work, dedication and commitment they can be the best. I see them as the future leaders of this State and nation, in whatever career they choose after the Higher School Certificate. [*Extension of time agreed to.*]

Acknowledgement must also go to the school principals and staff, the parents and the community for the support they give to these students. I have no doubt that the students achieved these results in their own right, but that support and encouragement were there at the most crucial moments. As the President of the Board of Studies NSW, Tom Alegounarias, said, the Higher School Certificate is a quality credential that is recognised by tertiary education providers and employers worldwide. The Higher School Certificate has become a tool and an essential part of the path students have to go through to achieve their future academic aspirations. Clearly the Higher School Certificate forms the basis for many students who want to move on immediately to university or TAFE, or other forms of tertiary education.

Such credentials are recognised not just across the State or the country, but also around the world. They are considered as a reflection of the ability of the person to achieve higher levels of academic learning. If the Higher School Certificate were a person I would describe it as someone who likes to consider all the options so that person can make informed choices then apply himself or herself with ongoing diligence to optimise what works and adjust what could be better so that continual improvement is the norm. The high regard with which the Higher School Certificate is held is embodied in the positive attitude found throughout the Board of Studies as it delivers a quality credential each and every year. Students were sent their Higher School Certificate results in January this year and they now have to decide what path to choose—further their tertiary qualification, a trade, or a vocational course.

Regardless of a student's goals, regardless of whether the student tops the State, undertaking the Higher School Certificate has given each student the skills and experience that will serve that student well in his or her life beyond school. But I remind many young people that while the results are important, they are much more than just their Higher School Certificate marks. There are many pathways to success, and doing well in the Higher School Certificate is just one of those opportunities. My hope is that students do not see the Higher School Certificate as an end point, but rather use it as a springboard to their life experiences as an adult. My sincere best wishes to all the 2012 Higher School Certificates students. I wish them well as they are about to embark on the next stage of their lives.

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

**Motion agreed to.**

### **LOCAL GOVERNMENT REFORM**

**Mr JOHN SIDOTI** (Drummoyne) [12.44 p.m.]: I move:

That this House notes:

- (1) local government reform is needed as soon as possible;
- (2) the role of and the specific responsibilities of local government; and
- (3) the need to review the complying development laws.

There is no doubt that local government needs reform. Local government needs to know its area of responsibility and, hence, be equipped with the right tools. This is the level of government closest to the people. Indeed, across the State some great councils are doing great things, but increasing numbers of councils are struggling. In the past councils were always service providers, but in recent years they have become very commercial, in many cases to the detriment of ratepayers. I have been a mayor in a small council area and it seems to me there is an obsession that every council has to have its own pools, its own libraries and its own facilities within its own borders, without having to travel 100 metres across the border to use a facility in an adjoining electorate. There is this sense of identity that everything has to be within their borders. There is an opportunity to improve local government, as we are doing in planning. The reform of local government should do a number of things.

**Mr Ron Hoenig:** Amalgamation.

**Mr JOHN SIDOTI:** I am glad the member brought that subject up. It depends totally on the levels of change required in local government. My belief is that counsellors and mayors should be remunerated and

should be employed on a full-time basis. That comes with added transparency and accountability attached to it. Greater emphasis should be put on first-time councillors undertaking courses to familiarise themselves properly with budgets.

**Mr Ron Hoenig:** Telling them what to do?

**Mr JOHN SIDOTI:** The member for Heffron might want to listen to this one—the role between the mayor and the general manager, and the role of the elected body renewing his contract is a serious issue. Often the general manager is put under immense pressure to do what the mayor wants, often at the expense of his own expertise, knowing he needs the support of the mayor to renew his contract. The first thing that should be cut is the umbilical cord between the two, as we see more and more breakdowns in councils across Sydney between mayors and general managers. Councils are undertaking many more services which, in many cases, they are not remunerated for, or services well beyond what council should be providing. I welcome the Local Government Act review and, indeed, the planning review. I believe they are closely connected. Some great strides are being made by the Minister for Local Government with changes already to the code of conduct in the Act.

The third part of my motion deals with the complying development laws. Whilst this is predominantly in an area of planning I think it is tied heavily with local government. The need to review complying development laws will be a crucial aspect of the planning review as it is for local councils, which are enshrined within the role of enforcing non-compliances. While complying development principles may work in many new estates, they certainly are not working in my electorate, which is a built-up, established area. I have been in consultation with my local council and a number of residents who have been impacted by the effects of developments that were lodged as complying developments but that were far from compliant. The State environmental planning policy exempting complying development codes was introduced in 2009. As time has gone on the policy has expanded to include a wider range of developments, including two-storey houses. This seems to be the problem I am encountering most with the construction of new dwellings in my electorate of Drummoyne.

Council reviews all privately certified complying development certificates to determine whether a section 94A contribution is applicable and whether such contributions have been paid. Council also gathers data on complying development certificates as required by the Department of Planning and Infrastructure for its annual local development and monitoring data report. This is important. As a result of the data, council has become increasingly concerned that private certifiers are issuing complying development certificates that do not satisfy the numeric criteria contained within the State environment planning policy for a variety of reasons, but predominantly for two-storey dwellings.

I forwarded a number of examples to the Department of Planning, which I am more than happy to forward to the Minister. Council has raised concerns, with which I totally agree, regarding the building professional board responding to some consultation sessions with council and private certifiers. The feedback, with which I totally agree also, deals with the lack of appropriate enforcement action by private certifiers as they deem unauthorised works to be separate to the certification process. When certifiers take action, council finds consistently that their processes are inadequate. Many notices of intention to issue an order served on applicants are legally inadequate and, therefore, are not binding, resulting in council having to reissue those notices.

We are finding also a lack of action resulting in council expending resources to take action regarding unauthorised works. Previously, council was able to exercise greater control of such works during the certification and inspection process for construction and complying development certificates. Private certifiers also are issuing interim and final occupation certificates on sites known to have unauthorised works. We are finding that private certifiers lack concern in ensuring general compliance with conditions of development consent, particularly in response to complaints by residents of neighbouring properties. Also, the fear has been raised that some private certifiers have established working relationships with developers, resulting in what is perceived to be an expectation by developers that those private certifiers will issue certificates despite non-compliance. [*Time expired.*]

**Mr RON HOENIG** (Heffron) [12.51 p.m.]: Local government review is urgently needed. If so, why? Can anybody indicate why? Has there been something wrong, for example, if one were to look at the administration of Burwood council when the member for Drummoyne represented Burwood as its mayor with such distinction? The answer is no. Was there anything wrong with Kiama when the member for Kiama represented his community? The answer is no. How much is Professor Sansom, Jude Munro and everybody

being paid for a local government review and what is the purpose? We do not need to pay these policy wonks to do a review. I would be content for the member for Drummoyne and the member for Kiama to do the review, or the member for Canterbury, because they would know more. I say that with great seriousness.

**Mr John Sidoti:** We'll do it for half price.

**Mr RON HOENIG:** You can do it for your parliamentary salary. What else do you do? The member for Drummoyne and the member for Kiama were local government practitioners; they know what is right and wrong from their particular perspective as representatives of the people. Of course, behind all this really is a continuation of the "get Clover legislation". It must drive the Government crazy that Clover Moore is the Lord Mayor of Sydney. In the history of this House, the Lord Mayor of Sydney always ultimately has been replaced through some intervention by Executive Government or legislation when it has not suited. I very much suspect the former Government would have done that if it had the opportunity. The reality is that an amalgamation agenda is at hand: discussion has been had between those opposite and the Executive Government. Liberal Party mayors have indicated that they know it is coming and are unhappy about it. We all know that is the ultimate outcome of the review.

A deal has been done with Keith Rhoades from the Local Government Association to go quiet on any of these particular reviews. The member for Kiama, in his wisdom when he was in local government, warned me about dealing with people like Keith Rhoades. The member for Kiama was right because Keith Rhoades has scurried away from The Greens and other independents and done a deal with the Tories on amalgamation under the pretext of local government reform. We all know it is coming. The question is whether the Government is being up-front about it. The Coalition came to government promising no forced amalgamations and said that it was not its intention. If the Government cannot adhere to that promise, it should at least indicate the reasons why. Major local government reform for the century was undertaken over a 10-year period and shepherded through this Parliament by the Hon. Gerry Peacocke, who did a terrific job with Ernie Page supporting him.

**Mr Gareth Ward:** What about the 1993 Act?

**Mr RON HOENIG:** I am talking about the 1993 Act. It was a superb piece of legislation. It got some things wrong, some of which are the very things about which the member for Drummoyne spoke and to which I indicated my opposition: contracting general managers. The provisions of section 224 would create confusion between the function and role of general managers and mayors when the executive power of the mayor was removed and given to the council. I and others have been shown to be right on a variety of things, which need only to be fixed. The Local Government Act has been brought into disrepute on the very thing that brought the Environmental Planning and Assessment Act into disrepute, that is, governments of the day—unfortunately, that includes governments led by the Labor Party, of which I am a member—making uninformed decisions led by bureaucrats in the Department of Local Government, who, as I have said, have never seen an angry man who has caused a particular problem.

The way things work in this State is that having a good run announcing news in the print media is called reform. Why did the Government rush through a code of conduct on 24 December without being subject to scrutiny? Why did the Minister announce today new powers to boost council performance when a local government review is underway? This Government is bringing local government into disrepute, which is no different from any previous government. A number of things can be remedied in the Local Government Act and in the functioning of local government, but it will never happen until governments, this Government included, understand that councillors and mayors are elected democratically and are accountable to the community. In September last year the people voted for councillors and they expect them to manage the community.

It is unrealistic and ridiculous to suggest that somehow or other rules or regulations need to be put in place over and above the obligations on those who, effectively, are volunteers—for example, above what is expected of us as members of this House. It is ridiculous also to limit council revenue-raising power by rate pegging. In the 40 seconds I have remaining I put on the record that the Percy Allen report, which talks about financial sustainability, is an advocacy document prepared by the Local Government Association to justify the abolition of rate pegging. That document has not been examined carefully and is being utilised to give effect to a government amalgamation proposal centred around the Lord Mayor of Sydney and the eastern suburbs, St George, Sutherland, Kiama and Shellharbour council areas and parts of Wollongong. Maps do exist; it is about time some council members asked for them. [*Time expired.*]

**Mr GARETH WARD** (Kiama) [12.58 p.m.]: I acknowledge in the gallery my good friend Councillor Mark Way and his partner Eva, as well as Jack Atwood from my office. Mark is a great example of a fine local

government representative, something about which the member for Heffron should have known when he became involved in local council. I listened intently to the comments of my friend the member for Heffron, Lord Hoenig, who, of course, presided over Botany Bay with one member wards. He turned it into a principality so that opposition was never allowed. They completely trashed the democratic process, yet he seeks to lecture us on amalgamations.

The only amalgamation that happened in this State was under the former Government: it involved Drummoyne and Concord. The member for Heffron has the effrontery to come into the House and lecture the Government about amalgamations. Yes, the Government is trying to improve local government by asking experts about how we can improve the processes. You only have to look at Wollongong council to see how expert those opposite were at rorting the system when they were in control. Wollongong and Shellharbour councils were sacked because those opposite had a majority on the council and used it for their own benefit, not the benefit of ratepayers. This Government will talk about local government financing and issues such as the member for Drummoyne spoke of: complying developments and private certifications.

Why, members must ask, are those opposite so afraid of the debate on amalgamations? The member for Heffron referred to the efficiencies of the regional council groups in country New South Wales. Economies of scale are now being achieved with cooperative library services and bulk purchasing of council equipment, including playground equipment. Let us turn to the Greens councils in Sydney such as Leichhardt council. It spent \$23 million on a boycotts, divestments and sanctions campaign against Israel. If it has time to spend that sort of money it should be amalgamated with the former council of the member for Balmain, which he ran into the ground.

**Mr Jamie Parker:** Point of order: Leichhardt council moved no such motion and no money was spent. I suggest Standing Order 129 and the member should be brought back to the leave of the debate.

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

**Mr GARETH WARD:** I withdraw the comment; it was Marrickville Council but it was controlled by friends of the member for Balmain. [*Time expired.*]

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

## **PUBLIC ACCOUNTS COMMITTEE**

### **Report: The Economics of Energy Generation**

**Debate resumed from 22 November 2012.**

**Mr JAMIE PARKER** (Balmain) [1.02 p.m.]: I appreciate the opportunity to make a comment regarding the Public Accounts Committee report entitled "The Economics of Energy Generation". I acknowledge the work of the committee members and in particular the chair of the committee, whom I have had the pleasure of discussing this matter with. I appreciate the engagement and intelligence of the members who have worked on this project. As I like to be positive in a place with so much negativity, I congratulate the committee on pushing for changes to be made to the electricity market in relation to demand side options.

**Mr John Williams:** Say it again; we still don't believe you.

**Mr JAMIE PARKER:** I am saying positive things. Those opposite will want to be quiet. It is very important. These measures are part of the solution in controlling peak demand for electricity and the associated issues of overinvestment in distribution and network infrastructure. I am sure all members would agree it is critical in terms of keeping power bills down. Managing demand side options is important. I turn to the positive way in which the report addresses the matter of electricity privatisation. The Greens do not support the privatisation of electricity. The Greens believe that keeping power infrastructure in public hands means that coal-fired power stations can be closed down at minimum cost and can be replaced, where appropriate, with thermal, solar and wind options.

Many energy options were discussed. One of the options discussed was carbon capture and storage. We know that money for this could be better spent on renewable energy projects. It is an expensive stop gap. While

I understand that the committee looked at a raft of different issues, that is one issue I draw to the attention of the House. The Greens do not believe that is a positive move for the future. The Greens' position on coal seam gas and nuclear power is well known. Even if we replaced all coal with gas for New South Wales industry that would only reduce our emissions from 63 million tonnes per year to 32 million tonnes per year. The money should be invested in renewable energy.

The most cost-effective form of energy at the moment is wind power, with solar fast catching up. It is mentioned in the body of the report but the committee does not address the draft wind energy guidelines, which The Greens view as problematic. There is \$11 million of investment ready and waiting to go. Wind energy is the most cost-effective renewable energy resource and it will play a crucial role in the transition, which must happen, to 100 per cent renewable energy. The draft guidelines have a range of unrealistic restrictions. The Greens believe that those restrictions should be reviewed by the Government and lifted. We are looking at around 4,000 jobs being created with wind generation, and there is the opportunity to save 17 million tonnes of carbon dioxide from the State's greenhouse gas output if those recommendations are taken on.

There is a concern about the Cobbora coalmine. We know that it will require \$3.4 billion from the public purse over its lifetime to make it viable. The committee did recommend the Government sell or lease the yet to be built coalmine. That is something that the Government needs to seriously consider. Are we going to hand over billions of dollars in subsidies based on a shonky decision? Carbon emissions from the energy generation of coal conservatively cost between \$2.4 billion and \$6.9 billion per year in health and other costs. Coal receives massive Federal subsidies. Billions of dollars of taxpayers' money is invested in infrastructure such as rail and road to support the coal industry. If coal had to stand on its own merits it would fail when compared with solar moving forward in the next decades. I thank the committee for its investigation of this matter and I acknowledge the hard work done by all of those involved, including the secretariat. I look forward to an ongoing discussion on the issues.

**Dr GEOFF LEE** (Parramatta) [1.06 p.m.]: As a member of the Public Accounts Committee I wish to comment on the report entitled "The Economics of Energy Generation". There is no greater concern for the people of Western Sydney and in the electorate of Parramatta than the cost of electricity, not just in relation to their personal bills but for their businesses to remain competitive. The good news from that report is that the State does have enough power and energy. It is a matter of how we choose to exploit that energy. One matter I took away from the extensive and comprehensive study is that there is no easy solution to what we are doing. It requires a mix of different types of energy, as determined by a range of factors. One is market costs and forces and another is the 2020 target of renewable energy that was agreed to by the Council of Australian Governments.

I make the personal comment that New South Wales has a significant amount of coal, enabling it to produce some of the cheapest electricity in Australia, if not the world. It is up to the people and their will and their appetite to pay extra if we choose to go down the path of renewable energy. It makes economic sense to exploit the coal and to have the cheapest power available. I commend the newDemocracy Foundation and all those that contributed to the inquiry. I commend the chair, Mr Jonathan O'Dea, other members of the committee and the secretariat for their hard work.

**Mr BART BASSETT** (Londonderry) [1.08 p.m.]: As a member of the committee I thank the community members who were involved in the production of the report entitled "The Economics of Energy Generation". Whilst The Greens talk about renewable energy, we also know that they believe in the fairies at the bottom of the garden here on earth. I am curious as to whether those fairies exist in the parallel universe that The Greens reside in, because to suggest that we are going to stop generation of energy using coal is ridiculous. The State needs an economic mix. The community is very concerned about the escalating cost of energy, what created that increase in the cost of energy and whether it was the gold plating of the network. We know that the community want to go home at night, turn that switch, have the power come through, the lights come on, cook dinner, have a good lifestyle and be able to afford their electricity bills.

The Government has put in place measures that will make that a known figure for families in the future. Energy prices will not continue to escalate. In particular, I thank the chairman of the committee, who put forward the idea of using newDemocracy, going out and consulting the community. It was a unique way to consult the community. I thank those members of the public who were willing to contribute five Saturdays to look more closely at what was involved in energy distribution and energy generation. They remained open-minded to the different views put forward on how the industry can achieve that, from wind farms to gas. Unlike The Greens, there were no heads in the sand and people were willing to talk about nuclear energy. I am very pleased with the committee's report, which will assist with future energy generation in New South Wales.

**Mr JOHN WILLIAMS** (Murray-Darling) [1.10 p.m.]: I speak on the report as a member of the Public Accounts Committee. There is no doubt that the report was timely as the biggest issue facing consumers today is rising electricity prices, not only within New South Wales but also across the nation and the world. The Greens have taken a simplistic view on what they would like to see happen. However, society is more sophisticated and people want the lights to work at the flick of a switch; they do not want to live in a cave and burn candles, which may be The Greens' alternative proposition.

It became clear to me from evidence to the committee by the providers of renewable energy that much of what has been done with renewables has been created primarily by the Federal Government subsidy. This was largely what attracted those companies to make their investment. This will no doubt be a challenge in relation to ongoing sources of energy in the future. The providers of renewable energy were clear about what they might do in the future. They said they could dismantle what was there and leave no mess behind. That does not give me any encouragement for the future. If wind generation is the future those generators need to be stand-alone generators: they need to operate within the revenue base provided by that generation and be maintained for the future. Unfortunately no-one in the alternative party has come to grips with those issues. I thank the committee secretariat for its great work in supporting the committee with this report.

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

**Report noted.**

#### **COMMITTEE ON ENVIRONMENT AND REGULATION**

##### **Report: Inquiry into the Regulation of Domestic Wastewater**

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

**Mr CHRIS PATTERSON** (Camden) [1.13 p.m.]: Today I speak on the report of the Committee on Environment and Regulation that was tabled on 21 November 2012. The Inquiry into the Regulation of Domestic Wastewater was initiated in October 2011 and was prompted by ongoing concerns in three key areas: poor standards of installation and maintenance of domestic wastewater systems; the impact of faulty domestic wastewater systems on human health, the environment and the horticulture and aquaculture industries; and the need to improve current regulatory arrangements including updating current regulations and guidelines, accreditation of industry professionals and expanding powers of local government authorities to regulate domestic wastewater systems.

When on-site domestic wastewater systems work well they provide a very safe and effective method of decontaminating wastewater and returning the treated effluent to the land. With proper maintenance and use these systems perform critical functions in protecting public health and the environment. However, when the systems fail there are risks of serious ill health for people and environmental and economic consequences. The committee received evidence that the oyster industry in particular is vulnerable to the risks of faulty wastewater systems. The report highlights the impacts of faulty wastewater systems on the oyster industry through a number of case studies. The committee recognises that the State's oyster farmers must bear the cost of monitoring for contaminants caused by activities that they have no control over, and they must also bear the consequences of contamination events. In New South Wales we have been fortunate not to have experienced the severe contamination events that have caused widespread disease outbreaks seen elsewhere in the world. However, the committee found that there is room for improvement in a number of areas and has made 18 recommendations in the report.

The committee heard that poor installation and/or maintenance of domestic wastewater systems was of widespread concern. The committee has made recommendations to develop formal licensing systems for the installation and maintenance of on-site wastewater systems, including appropriate training courses, accreditation processes and performance audits. Throughout the inquiry the committee heard of the risks of contaminated water entering the soil and waterways. The consequences of contamination include outbreaks of disease such as hepatitis A, E. coli, algal blooms caused by excess nutrients in waterways, contamination of crops and oysters, and the economic damage caused by closure of waterways and oyster estuaries. The committee supports the work of the New South Wales Shellfish Quality Assurance Program in monitoring for contaminants and encourages liaison between the oyster industry and the New South Wales Food Authority.



Some people in the community misunderstand the risks of using effluent on crops as a form of fertiliser. The committee recommends that information be made available for local government authorities to distribute regarding the environmental and health risks associated with applying untreated effluent to food crops. The current guidelines that help local government authorities to oversee the management of domestic wastewater systems were developed over 15 years ago. The committee has made three recommendations to update the guidelines to reflect developments and improvements in on-site domestic wastewater technology. The committee has also made recommendations that local government authorities be given the power to compel the owners of faulty systems to clean up and prevent further contamination. I believe that the recommendations made in this report, if implemented, will minimise the incidence of domestic wastewater systems failing, mitigate the impacts when they do and ensure an appropriate regulatory infrastructure exists to prevent recurrence.

In closing, I thank those who took part in the inquiry. The committee was grateful to hear the views of a wide range of people, including local government authorities, representatives of the oyster industry, industry associations, academics, consultants and industry professionals. All of these stakeholders made a significant contribution to the inquiry. I sincerely thank Fiona Stalgis, Jane Christie and Geoff Green, who are staff at Camden Council in my electorate. Through my years on the council I have come to know and respect them. All the local government representatives were outstanding: that was a hallmark of their approach.

Those working in the local government field are clearly very passionate and dedicated to finding better outcomes for their local government areas. I sincerely thank my fellow committee members for their contribution—and four of the five members are present in the Chamber. This is a bipartisan committee and members worked well together. I thank the member for Mulgoa, the member for Lismore, who is in the chair, the member for Balmain and the member for Marrickville, who is unable to be present for this debate. I thank also the committee staff: Jason Ardit, Jenny Whight, Jacqui Isles, Rachel Simpson, Meike Bowyer and former staff member Vicky Buchbach for their support. I thank the committee members for working so well together and thank them for their input.

**Mr JAMIE PARKER** (Balmain) [1.19 p.m.]: I acknowledge the work of the chair of the committee, the committee members and all the staff involved. I support the 18 recommendations of the committee and I echo the comments of the chair. Members of the committee worked very well together and we grew to respect each other and our different points of view. It was a very positive process. We know the impact domestic wastewater has on our estuaries and farming communities, particularly oyster farmers, and we know that inappropriate management, maintenance and installation can have economic and environmental impacts that need to be addressed. I was very impressed with the quality of the submissions from local government, from experts and from a very wide range of groups that committed significant time to our committee. In reply we have committed to them recommendations which, in my view, if implemented can make a significant difference to our community.

One issue I considered very important was the role the Government can play in empowering local government to compel clean-ups. There are loopholes and there are problems with the way that domestic wastewater issues are managed, maintained and implemented. The committee has come up with positive recommendations. I encourage the chair of the committee to follow them up with the Minister—I am sure the other committee members will do this—to ensure that these changes are implemented. I conclude by thanking the Deputy-Speaker, who was a member of the committee, the member for Mulgoa, the member for Camden and the member for Marrickville. I find these committees very worthwhile. Their work improves the economic quality as well as the environmental and social quality of the lives of citizens of New South Wales. I support the committee's recommendations and commend them to the House.

**Mrs TANYA DAVIES** (Mulgoa) [1.21 p.m.]: I speak on the report of the Committee on Environment and Regulation, which was tabled in this place on 21 November 2012. I place on record my personal thanks to all my fellow committee members, particularly our very courageous chair, the member for Camden, who brought this important matter to the attention of the Government through this report. I also thank the member for Lismore, the member for Balmain and the member for Marrickville. I put on record my personal thanks to the committee staff for their incredible professionalism, expertise and guidance to the committee. They were brilliant in the entire process.

The inquiry into the regulation of domestic wastewater was initiated in October 2011 and was prompted by ongoing concerns in three specific areas: poor standards of installation and ongoing maintenance of domestic wastewater systems; the impact of faulty domestic wastewater systems on human health, the

environment and the horticultural and aquacultural industries; and the need to improve current regulatory arrangements, including updating current regulations and guidelines, the accreditation of industry professionals, expanding the powers of local government, and other like matters. While the committee was exploring these various concerns a wide range of issues and challenges were raised and discussed. I draw the attention of the House to one issue in particular: the installation and maintenance of domestic wastewater systems.

The committee heard that poor installation and the ongoing maintenance of domestic wastewater systems were of widespread concern. The committee has made recommendations to develop formal licensing systems for the installation and ongoing maintenance of these wastewater systems, including appropriate training courses, accreditation processes and performance audits. As the chair of the committee in his earlier contribution went through the recommendations in great detail I do not wish to repeat them, but I endorse his comments. Many small farms and industries operate in my part-rural electorate in western Sydney—from market gardens to chicken and egg producers—and the regulation of domestic wastewater is very important to those farmers and small producers.

I thank all those who took part in the inquiry—the various stakeholders from local government, representatives from the oyster industry, academics, consultants and industry professionals. I also personally thank representatives from Penrith City Council who participated in the inquiry, particularly Mr Anthony Price, who provided a very important insight into the challenges faced by local government in monitoring all the domestic wastewater systems with the current pressures on local council resources. I place on record my personal thanks to Mr Price for his attendance at the inquiry and for his support. I commend all the committee's recommendations to the Minister and to the House.

**The DEPUTY-SPEAKER (Mr Thomas George):** With the indulgence of the House I take this opportunity to extend my personal thanks to all the organisations and individuals who provided submissions, evidence and information to the Committee on Environment and Regulation. I place on record my appreciation and thanks to the chair of the committee, the member for Camden, and to my fellow committee members—the member for Mulgoa, the member for Marrickville and the member for Balmain. They put considerable time and energy into a very hardworking committee that was well led by the chairman. I also recognise and thank the committee staff for their hard work, support and guidance during the inquiry.

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

**Report noted.**

#### **STANDING ORDERS AND PROCEDURE COMMITTEE**

##### **Report: Amendments to Standing and Sessional Orders**

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

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

#### **COMMITTEE ON TRANSPORT AND INFRASTRUCTURE**

##### **Report: Utilisation of Rail Corridors**

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

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

*[The Deputy-Speaker (Mr Thomas George) left the chair at 1.28 p.m. The House resumed at 2.15 p.m.]*

#### **BUSINESS OF THE HOUSE**

##### **Notices of Motions**

**Government Business Notices of Motions (for Bills) given.**

**QUESTION TIME**

*[Question time commenced at 2.18 p.m.]*

**SYDNEY WATER DIVIDENDS**

**Mr JOHN ROBERTSON:** My question is directed to the Premier. Given that it is reported in Sydney Water's statement of corporate intent that it plans to increase water usage by nine billion litres over the next three years, how much will the Government receive in higher dividend payments?

**Mr BARRY O'FARRELL:** It is a bit like the poacher turned gamekeeper when we want to talk about dividends. For instance, people in this State suffered a 60 per cent increase in electricity prices over five years whilst members opposite were in office.

**Mr Chris Hartcher:** And he was energy Minister.

**Mr BARRY O'FARRELL:** And whilst the member for Blacktown was the Minister for Energy—not that I need the advice of the Minister for Resources on the matter. I can recount the member for Blacktown's ministerial curriculum vitae quite well, and I might have to. The point is that today Sydney Water has said what it has been doing for the past couple of years. I have just been handed an envelope for the Leader of the Opposition—

**Dr Andrew McDonald:** Point of order: The Premier should show more respect to the Parliament. He is clearly using a prop.

**The SPEAKER:** Order! There is no point of order.

**Dr Andrew McDonald:** It is clearly a point of order.

**The SPEAKER:** Order! There is no point of order. The member for Macquarie Fields will resume his seat.

**Mr BARRY O'FARRELL:** The Leader of the House gave me an envelope; I realised it was addressed to the Leader of the Opposition. I tried to hand it to him but snow and ski magazines fell out.

**Mr Michael Daley:** Point of order: Madam Speaker, notwithstanding the last point of order, you have ruled many times that the use of props is not to be encouraged or permitted.

**The SPEAKER:** Order! I thank the member for Maroubra for his assistance. I will clarify my ruling in relation to the use of props. The Premier had not used those magazines as a prop when I ruled there was no point of order; they had fallen out of an envelope. However, the Premier is now using them as props and I ask him to return to the leave of the question.

**Mr BARRY O'FARRELL:** Madam Speaker is absolutely right to draw my attention back to the question and away from matters snow and ski because some of those magazines are for skiing holidays and we know that the Leader of the Opposition does not pay for his skiing holidays.

**Dr Andrew McDonald:** Point of order—

**The SPEAKER:** I have asked the Premier to return to the leave of the question. Is this the same point of order?

**Dr Andrew McDonald:** No, it is a new point of order. It is Standing Order 73, which provides that imputations of improper motives and personal reflections are unparliamentary.

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

**Mr BARRY O'FARRELL:** I might take a point of order because I did not ascribe any improper motives, but if the member for Macquarie Fields knows anything about that trip, perhaps he should volunteer that information to the House. This morning the chief executive officer of Sydney Water said that in 2010-11—and who was in Government then? It was the ski team opposite.

**Ms Cherie Burton:** And how old are you?

**Mr BARRY O'FARRELL:** I do not look as old as the member for Kogarah does. Sydney Water began to wind back its incentive schemes for people to preserve water, such as the rainwater tank rebate. I think there has to be a stage in life in a whole range of areas—

**Mr Guy Zangari:** When you grow up.

**Mr BARRY O'FARRELL:** The member for Fairfield should try that.

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

**The SPEAKER:** Order! I call the member for Kiama and the member for Oatley to order. I cannot hear the point of order.

**Mr John Robertson:** My point of order relates to dividends from a statement of corporate intent that was signed by the Premier less than three months ago. The question is very specific.

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

**Mr John Robertson:** My point of order relates to Standing Order 129, relevance. The question is about dividends as a result of the projected increase in the statement of corporate intent that the Premier signed less than three months ago.

**The SPEAKER:** Order! I uphold the point of order. I ask the Premier to return to the leave of the question.

**Mr BARRY O'FARRELL:** I hope the Leader of the Opposition will ask for a two-minute extension for me because, unlike the Leader of the Opposition when he was the Minister for Energy, this Government does not believe that broader consumers should have to pay for incentives from which they do not receive any benefit. The \$400 million Solar Bonus Scheme that is being paid for by all electricity users has had costs blow out to more than \$1.5 billion.

**Mr John Robertson:** Point of order: My point of order is that the Premier is now flouting your rule in relation to relevance, Madam Speaker.

**The SPEAKER:** I do not believe the Premier is flouting my ruling.

**Mr John Robertson:** The question relates to water, not electricity.

**The SPEAKER:** Order! The Premier is making a point that is relevant to the question asked by the Leader of the Opposition. There is no point of order.

**Mr BARRY O'FARRELL:** I applaud the fact that Sydney Water, having done so well in encouraging people to conserve water by putting in place rainwater tank rebates, is now saying that that should become part and parcel of our society without costly incentives, such as those provided by the former Government. Sydney Water's dividend policy is exactly the same as it was under Labor. Projected dividends from Sydney Water under this Government are \$18 million lower this financial year than those Labor sought to reap over a similar period. [*Time expired.*]

#### **MOUNT PENNY AND DOYLES CREEK COAL EXPLORATION LICENCES**

**Mr ANDREW GEE:** My question is directed to the Premier. What is the latest information on the mining licences that currently are the subject of investigations by the Independent Commission Against Corruption?

**Mr BARRY O'FARRELL:** I thank the member for Orange for his question, which goes to an issue that is of concern not only to each member of the House but also all people across the State who have been following what has been happening at the Independent Commission Against Corruption. As this House is aware, an application for an open-cut coalmine at Mount Penny was lodged by Cascade Coal with the Department of

Planning and Infrastructure in December 2010. An application was made under the former Labor Government's discredited part 3A regime. Cascade submitted a draft environmental assessment to the Department of Planning and Infrastructure for review on 30 August 2011. Last year the Department of Planning and Infrastructure advised the applicant that there were elements of the environmental assessment that were inadequate. To date, Cascade Coal has not submitted a revised environmental assessment to the department and the development application has not progressed.

As is publicly known, I wrote the Commissioner of the Independent Commission Against Corruption, David Ipp, regarding the commission's current investigation concerning mining exploration licences. I indicated the New South Wales Government would welcome any recommendation that the Independent Commission Against Corruption sought fit to provide with respect to its investigations known as Operation Jasper and Operation Acacia. Late yesterday afternoon a reply from Commissioner Ipp was received by my office. I received and read the material late last night. I have sought Commissioner Ipp's permission to release his letter and the attachments he sent to me. I am pleased that he has agreed. I seek leave to table that material.

**Leave granted.**

**Documents tabled.**

At the outset I make it clear that Commissioner Ipp makes no recommendation about the suspension or cancellation of any lease in his material. Commissioner Ipp's letter focuses on the application of the issue of public interest to the Government's decision on the Mount Penny exploration licence and the development application. Following receipt of Commissioner Ipp's letter, Cabinet met before question time and has agreed, firstly, that for the purpose of the Mount Penny major project application, public interest will be interpreted as including but not being limited to consideration of matters raised in evidence before the Independent Commission Against Corruption, and those matters include allegations of corrupt conduct associated with granting an exploration licence. Secondly, Cabinet agreed that it would consider the most suitable immediate administrative or legislative mechanism to achieve that outcome. Thirdly, Cabinet agreed to consider whether legislative change was required to protect the public interest in ensuring probity and propriety in future grants of mining and exploration and project application approvals.

The scale and breadth of the allegations heard at the Independent Commission Against Corruption have shocked us all. Let me make very clear that I will do all I can to protect the interests of New South Wales taxpayers. I will do everything I can to restore integrity in government—integrity that was so profoundly destroyed by the former Labor Government. The revelations, the evidence and the material presented to the Independent Commission Against Corruption to date have been extraordinary. They have cast a shadow over public administration in New South Wales. They have stained the reputation of all those who have toiled honestly and hard in this Parliament over the past 157 years of its history. Restoring that trust and integrity was part of a message that the people of New South Wales sent almost two years ago when they elected the New South Wales Liberals and Nationals in such large numbers.

My Government has worked hard in that regard, and I will do so for every moment that I continue to occupy the office of Premier of this State in relation to matters such as the ban on lobbyists' success fees, and introducing Australia's toughest political donation laws by restricting donations to individuals, not companies or people who are not on the electoral roll or overseas citizens. The action I have announced today is in line with that undertaking. My message to people who act corruptly in New South Wales is simple and clear: You do so at your peril; you will be exposed; you will face the consequences. We have an incredibly strong corruption watchdog in New South Wales under the great leadership of Commissioner David Ipp. We await the findings and recommendations from the current Independent Commission Against Corruption inquiry, which are expected in July, but nobody should underestimate my determination to ensure that anyone found corrupt should face the full force of the law.

#### **WINERIES CELLAR DOOR SUBSIDY**

**Mr CLAYTON BARR:** My question is directed to the Minister for Tourism, Major Events, Hospitality and Racing. Will the Government reinstate the \$3.5 million cellar door subsidy for wineries in New South Wales, given the fact that its removal is having devastating impacts on the Hunter Valley wine and tourism industries, with some vineyards already being forced to cut local jobs?

**Mr GEORGE SOURIS:** I understand the question and the importance of it for Hunter Valley wineries. The member seeks to reinstate or reimburse a Federal tax. If the member is at all serious about this issue, he should make representations to the Federal Government to drop the wine equalisation tax, which is what he is talking about—an obligation he is trying to impose upon New South Wales to reimburse.

## NORTH COAST FLOODS

**Mr CHRISTOPHER GULAPTIS:** My question is addressed to the Deputy Premier. How is the Government preparing communities on the North Coast for the upcoming predicted severe weather events?

**Mr ANDREW STONER:** Less than a month after the Clarence was devastated by some of the worst floods the community has seen, the Northern Rivers, mid North Coast and Northern Tablelands are bracing for more extreme weather. The Bureau of Meteorology issued a severe weather warning this morning for these areas for damaging winds, heavy rain and damaging surf over the next 48 hours. The State Emergency Service has issued a flood watch for coastal river valleys stretching from the Queensland border to the Hunter and has advised that in preparation for this event around 130 volunteers and six helicopters have been deployed to the area. Communities likely to be affected at this stage include Lismore, Grafton, Bellingen, Coffs Harbour, Woolgoolga, Sawtell and Dorrigo. As the low tracks to the south-west on Friday, heavy rain and damaging winds are expected to extend southwards to central parts of the New South Wales coast.

Unfortunately, due to the saturation from last month's deluge, flooding is likely to be severe and, again, serious impacts are expected on horticulture crops and livestock enterprises. At this time communities are advised to take all regular precautions and prepare immediately, including moving vehicles under cover or away from trees; securing loose items; keeping clear of fallen power lines; not driving, riding or walking through floodwater; keeping clear of creeks and storm drains; and, if trapped by flash flooding, seeking refuge in the highest available place and ringing 000 if needing rescue. Again our farm community is under the pump. Farmers have been advised to move stock to higher ground based on their situation and information from local agencies as it becomes available. This latest severe weather event comes after the widespread flooding on the North Coast that saw the Clarence River peak near eight metres—centimetres short of breaching the levee at Grafton.

The Pacific Highway south of Grafton was closed; thousands of residents were evacuated; and damage to livestock, fencing and other farming equipment as well as to households was severe. In response to these floods the Government opened a recovery centre in Grafton to provide a one-stop shop of services and support, including the police and emergency services disaster welfare team, NSW Housing, Mental Health, Department of Primary Industries, Legal Aid and Centrelink. I had the opportunity of touring this facility with my colleague the member for Clarence at the peak of the emergency and witnessed firsthand the resilience of the local community, some of whom had lost everything. Nevertheless, they were picking themselves up and getting on with their recovery. I know both sides of the House wholeheartedly support the efforts of State and local governments as well as organisations such as the Red Cross and Salvation Army who supported the community during that flood.

We now have another one seemingly on the way. I am told that along with the State Emergency Service and other emergency services, the Department of Primary Industries and support agency staff are on standby to assist primary producers, to act as liaison officers and to attend evacuation centres if required. Efforts are being made to notify all industries and communities of the potential threat. A briefing was provided by the Department of Primary Industries to North Coast members this morning, and preparations are being made to have emergency fodder, aviation support and evacuation points identified. The communities of the North Coast, the mid North Coast, the Northern Tablelands and, as this system tracks southwards, communities in the Myall Lakes region and the Hunter can be assured that the Government will continue to support our regional communities in time of need. We will ensure that advice regarding assistance packages is forthcoming as this weather event continues to unfold.

## AMBULANCE SERVICE EMERGENCY RESPONSE TIME

**Dr ANDREW McDONALD:** My question is directed to the Minister for Health. Given that the Minister said there would be no impact on frontline health services under her \$3 billion budget cuts, why has the Ambulance Service confirmed it is sending crews from distant stations to emergency calls rather than paying local off-duty paramedics overtime—a practice that recently forced an elderly woman with cardiac issues in Dungog to wait 38 minutes for an ambulance crew?

**Mrs JILLIAN SKINNER:** I find it absolutely incongruous that on the day the Federal Government has had to restore funding to Victoria, it has been revealed that the Federal Government is cutting hundreds of millions of dollars of health funding. We have not cut \$3 billion from the budget, as the member for Macquarie Fields well knows. The whole country is in uproar and he has the gall to come forward with such

nonsense. There is no \$3 billion cut to the health budget. In fact, \$2.2 billion efficiency savings will be made over the next four years and all of that money will stay in health. The Health budget has increased by 5.4 per cent this year, to \$17.3 billion. That is a record Health budget, much higher than it ever was under the crowd opposite. Furthermore, we have provided extra funding to improve our decaying hospital stock—\$1 billion on infrastructure right across New South Wales. That support raises expectations and morale. We are getting on with the job of rebuilding hospitals, and I will name just a few of them. Everyone knows about Tamworth, Wagga Wagga, Dubbo and the South Coast, down there at Bega, and everyone knows about the hospitals at Blacktown, Mt Druitt and Nepean.

**Ms Linda Burney:** Point of order: My point of order relates to Standing Order 129; the Minister is not being relevant. She should answer the question, which asked about ambulances, not for a rave from the Minister, which she does every time she stands up.

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

**Mrs JILLIAN SKINNER:** There was a claim that there were \$3 billion worth of budget cuts and I am stating that there were not \$3 billion worth of budget cuts. It is all part of the furphies—frankly, lies—peddled by those opposite. Another great investment we have made is at Campbelltown. I know the members from the Macarthur area have been pleased to be with us to make announcements about that investment. We have also increased the budget for ambulance services. We have a record number of paramedics working in our system and the 2012-13 budget for ambulance services—

**The SPEAKER:** Order! The member for Marrickville and the member for Kogarah will come to order.

**Mrs JILLIAN SKINNER:** The ambulance budget is \$678.9 million, including an increase of \$15.1 million, or 2.3 per cent, over last year's allocation.

**The SPEAKER:** Order! This is not an opportunity for the member for Macquarie Fields to argue.

**Mrs JILLIAN SKINNER:** I am very proud of our paramedics, who provide a wonderful service to patients and their families right across New South Wales. In recent times I have spent some time with paramedics while they have been working; I spent an evening with them, together with a crew from Channel 9, travelling around western Sydney in the electorate of the Leader of the Opposition. They were wonderful.

**The SPEAKER:** Order! I warn Opposition members that if they do not cease their ridiculous interjections, they risk being removed from the Chamber.

**Mrs JILLIAN SKINNER:** Everyone was very grateful for the wonderful work provided by those paramedics. Of course, we went also to Westmead Hospital and others. In country New South Wales the paramedics do a fantastic job moving patients to where they are needed, but more than that by increasingly making sure that patients who can be treated in situ do not have—

**Mr John Robertson:** Point of order: My point of order is relevance. The question was not about how good the paramedics are; we know that already. The question was: Why are crews being sent from further locations to deal with emergency situations.

**The SPEAKER:** Order! There is no point of order. The Minister has answered that question.

**Mrs JILLIAN SKINNER:** There has been no change to the Hunter area regarding where ambulances are sent from.

**Mr John Robertson:** But why did she wait for the 38 minutes?

**Mrs JILLIAN SKINNER:** It is absolute nonsense. I am astonished that the Labor Government would be running down paramedics. We on this side of the House have a great deal of regard for paramedics—

**Dr Andrew McDonald:** That is not what they think, Jillian.

**Mr Barry O'Farrell:** Don't let them confuse you.

**Mrs JILLIAN SKINNER:** They do not. We have a great deal of regard for paramedics in the country and city areas. Over recent years paramedics and the Ambulance Service have received an increase of about 400 in staff numbers. They have never had such support from a government.

**The SPEAKER:** Order! Members will come to order. The interjections of the member for Maroubra are rude and personal—they are over the top.

### COMMONWEALTH HEALTH FUNDING

**Mr JAI ROWELL:** My question is addressed to the Minister for Health, and Minister for Medical Research. What is the Government's position on the Commonwealth's decision to restore \$107 million of health funding to Victoria?

**Mrs JILLIAN SKINNER:** That is a serious question from a serious side of this Chamber. The funding restoration in Victoria—

**The SPEAKER:** Order! Opposition members who do not come to order will find themselves out of the Chamber for the remainder of question time.

**Mrs JILLIAN SKINNER:** —relates to inaccurate population growth projections that all States and Territories, Labor and Liberal, raised last year. In Victoria it has hurt patients terribly—

**Dr Andrew McDonald:** No it hasn't.

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

**Mrs JILLIAN SKINNER:** It has meant that they have had to cut back on services in some hospitals.

**Dr Andrew McDonald:** The trouble is you have no idea.

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

**Mrs JILLIAN SKINNER:** The implication for this State will be profound, especially if we consider not only the loss of those population funds—the strategic project partners [SPPs]—but also the projected loss of national partnership agreements that fund things such as subacute beds, and elective and emergency surgeries. The cumulative loss from the New South Wales health system over a four-year period would be \$1.87 billion. What would that mean for New South Wales? The member for Wollondilly has asked a very good question. The people in his electorate and those in Campbelltown and Camden would have services cut because the Commonwealth had not funded the programs. We would have bed closures, elective surgery cutbacks and emergency departments not being able to cope.

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

**Mrs JILLIAN SKINNER:** That would happen in western Sydney where we have invested all that extra money in building up services and employing more nurses and doctors at Parramatta, Penrith, Londonderry, Mulgoa, Blue Mountains, the Central Coast, the Hunter, Wollongong, Newcastle, St George and in country areas.

**The SPEAKER:** Order! The Minister does not need the assistance of the member for Oatley, the member for Kiama or the member for Monaro.

**Mrs JILLIAN SKINNER:** We spend a great deal of time with these patients by investing our money. A Commonwealth Treasury calculation recast the Australian Bureau of Statistics population growth from 1.5 per cent down to 0.03 per cent. Who would ever believe that the population had grown only 0.03 per cent? In effect, that cuts hundreds of millions of dollars from our health budget over a number of years. It would be disastrous to lose national partnership agreements as they provide money to keep beds open and elective surgeries continuing. I continue to negotiate in good faith and with goodwill with the Commonwealth Minister to ensure those partnerships continue.

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



**Mrs JILLIAN SKINNER:** I am pleased that the Federal Minister is attending—

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

**Mrs JILLIAN SKINNER:** —a national intern summit I am hosting tomorrow in Sydney that will involve all States and Territories and deans from across the country.

**Dr Andrew McDonald:** The one that you knocked me back from.

**The SPEAKER:** Order! I warn the member for Macquarie Fields that this is his last caution.

**Mrs JILLIAN SKINNER:** If you were in government, you would be coming, but you are Opposition.

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

**Mrs JILLIAN SKINNER:** All governments will be represented, as well as deans and others. I will be pleased to talk to the Federal Minister about continuing negotiation to keep that money coming because of its importance in providing service to our patients across New South Wales.

### **TAFE FEES**

**Ms CARMEL TEBBUTT:** My question without notice is directed to the Minister for Education. Can the Minister provide an ironclad guarantee that the Independent Pricing and Regulatory Tribunal—

**The SPEAKER:** Order! Opposition members will come to order and listen to the question.

**Ms CARMEL TEBBUTT:** Can the Minister provide an ironclad guarantee that the Independent Pricing and Regulatory Tribunal review of fees for government-funded vocational education and training will not result in further TAFE fee increases for students?

**Mr ADRIAN PICCOLI:** I appreciate the question. This was a request for an ironclad guarantee—I think they were the exact words. We need to remember that the "I" in the Independent Pricing and Regulatory Tribunal means "independent".

**Ms Cherie Burton:** That's not what you used to say.

**Mr ADRIAN PICCOLI:** No, I do not think I ever suggested it is not independent. The reason we have asked the Independent Pricing and Regulatory Tribunal to assess the fees that should be charged is that it is an independent body. If the Government or the Department of Education and Communities were to do it, we would be accused of somehow rigging it one way or the other. The Government has changed; do not judge us by the standards that those opposite set in government. I refer especially to some evidence before the Independent Commission Against Corruption over the last couple of months. We have engaged an independent organisation to set those fees. We are consulting broadly with TAFE as part of the Department of Education and Communities, and with non-government providers and industry that we obviously support with our training efforts. We are getting independent advice about the best way to increase contestability within vocational education training [VET] in New South Wales. It is offensive to those involved in the Independent Pricing and Regulatory Tribunal to suggest that somehow it is not independent or that it is in some way influenced by the Government.

**Ms Carmel Tebbutt:** I never suggested that.

**Mr ADRIAN PICCOLI:** We will see what the Independent Pricing and Regulatory Tribunal recommends as the fees to be charged. As I have said previously, the key part of increasing contestability with our vocational education training changes is to have a system that is in the best interests of students. This is not about protecting government institutions or TAFE, as much as we need to have a strong TAFE institution in New South Wales. The point of these reforms is to make sure that we spend taxpayer dollars as effectively as possible on behalf of those students. That is what we will achieve by doing this. That is why we have engaged independent people and organisations. We are consulting broadly to make sure we get this policy right.

## LOCAL GOVERNMENT REFORM

**Mr TIM OWEN:** My question is addressed to the Minister for Local Government, and Minister for the North Coast. Can the Minister advise what the Government is doing to protect New South Wales ratepayers against dysfunctional councils?

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

**Mr DONALD PAGE:** I thank the member for Newcastle for his question and acknowledge his keen interest in local government. The New South Wales Government is committed to protecting the interests of all New South Wales residents, including the ratepayers of the 152 councils across the State. Today our Government is taking the responsible and necessary steps to give ratepayers early—I emphasise early—protection when councils become dysfunctional. The Government wants to ensure that when things go wrong, which they do occasionally, it has the power to act, as the people expect, by stepping in to help councils to deal with the crisis and, hopefully, avoid them altogether. This Government has a strong record of restoring democracy to local communities, including Shellharbour and Wollongong.

I am pleased to advise the House that for the first time in 17 years no council in New South Wales is under administration. I reiterate that most councils function well, but from time to time a few councils give the sector a bad name. The early intervention process proposed by the Government when councils become dysfunctional will enable councils to correct their problems early, thereby preventing the need for public inquiries, which usually result in the subsequent dismissal of councils.

These changes will result in stronger powers to gather information from councils, councillors and the general manager to identify the dysfunction that may be occurring. The Government will have new powers to issue a performance improvement order to a council. When this happens councils must take action to improve their performance. If a council fails to improve the New South Wales Government will be able to suspend the council initially for up to three months with a possible extension of a further three months with an interim administrator appointed to improve or restore the proper functioning of the council. This means that the council will retain its local democracy in the council after the improvement and the restoration occurs.

Hopefully this power should never be needed but it should act as a deterrent for local councils to be aware that their communities expect them to be working to provide the core services and represent them at a local level, not to have infighting occurring while residents are waiting for things to be done and services to be delivered. These new powers are designed to ensure that we have an early intervention framework which is, first, flexible to enable different measures to be used to suit different types of dysfunction; second, timely to enable prompt action to be taken when required and avoid drawn-out and expensive processes; and, third, efficient to provide a sufficient deterrent or sanction at an acceptable cost commensurate with the severity and nature of the circumstances of the council.

In relation to costs we know that public inquiries dealing with dysfunction can be long and drawn-out processes that spend taxpayers' money. Members may not be aware that since 2003 there have been 10 public inquiries that have cost the State millions of dollars. Undoubtedly this money could have been better spent on projects that would benefit communities such as the renewal of infrastructure. I believe this initiative from our Government will considerably reduce the need for Ministers to invoke the power to initiate a public inquiry in future. The Government will instead ensure that a council's lack of performance is detected early enough to address matters before they have reached the stage where there is no option but to commence a public inquiry that usually ends in dismissal of the council.

I am glad to announce that these measures are supported by the Local Government and Shires Associations which has told me that it is frustrated by ongoing instances of poor council performance in a limited number of councils that damage the credibility of the local government sector as a whole. The president of the Local Government and Shires Associations, Keith Rhodes, stated on radio this morning when asked for his thoughts on the early intervention process, "We think it is a terrific idea." He further stated, "The LGSA has backed this from the first time the Minister's office raised this idea with us."

This early intervention proposal is consistent also with the recommendations given by the Auditor General in his recent report relating to performance and monitoring of local government in New South Wales. I hope that this is something on which all in the House can agree. These measures will add to the Government's

ability to deal in a timely fashion with those high profile examples of poor performance that the community should not have to put up with. These measures are an important milestone that will improve the efficiency and effectiveness of local government in the New South Wales.

### COAL SEAM GAS REGULATION

**Mr RICHARD TORBAY:** My question is directed to the Minister for Resources and Energy. Given the community concern for the permanent protection of the alluvial flood plains of the New England, what is the Minister doing to protect them from mining and coal seam gas activities? Will the Minister support my request to approach licence holders to halt any coal seam gas activities?

**Mr CHRIS HARTCHER:** I thank the member for Northern Tablelands for his question and acknowledge that he has raised these concerns directly with me, as has the member for Tamworth. The Government is committed to protecting the valuable agricultural and water resources across the alluvial black soil of the Gunnedah Basin which is why this Government enforced tough new renewal conditions on the Gunnedah area Shenhua Watermark and BHP Caroonia licences that prohibit any open cut or long wall mining on or underneath the floodplain and the deep alluvial irrigation aquifers.

I am happy to facilitate discussions between coal seam gas licence holders and the two interested local members, the member for the Northern Tablelands and the member for Tamworth, to seek greater public reassurance around any proposed activities. I note that the Federal member for New England, Mr Tony Windsor, issued a statement last Tuesday claiming that the New South Wales Government had not released the Namoi catchment water study: That statement is nonsense and untruthful. The report was released by the Government in July last year and shows that the collective impacts of mining and gas extraction can be managed without negatively impacting agricultural water use across the region. As Mr Tony Windsor stated:

The Namoi water study is the only independent scientific investigation of the cumulative risks posed by mining projects on the aquifer system.

The study includes a number of extreme hypothetical scenarios that far exceed the resource activity planned in the region. An additional extreme scenario, known as scenario seven, was developed at the request of the stakeholder advisory group, which includes a representative from the office of the Federal member Tony Windsor. Scenario seven and a review of its assumptions will be released imminently and its findings should prove informative. As the Premier advised the House yesterday, the New South Wales Chief Scientist and Engineer is conducting an independent review of all coal seam gas activities, including recent activities in the New England region. The review will provide an evidence-based platform for a better understanding of the size, scope, operations and potential impacts on the industry, including the environment, water management, and health and community safety.

While on the topic of mining in New England, the House may recall that the same Mr Windsor who opposes mining in his area sold his property and homestead to Whitehaven Coal for three times more than the value received by neighbouring properties. Whitehaven paid \$4.6 million for his acreage, over \$12,000 per hectare, far more than other comparable property in the area. Mr Windsor now leases back part of the property rent free. Local sources claim that Mr Windsor's neighbour, who also leases a property from Whitehaven, has been evicted. Yet curiously, Mr Windsor's lease continues.

**Mr John Robertson:** Point of order: My point of order relates to relevance under Standing Order 129. The question related specifically to coal seam gas.

**Mr Andrew Stoner:** Why are you protecting Windsor?

**Mr John Robertson:** Because I know how much you don't like him. The Government's announcement had nothing to do with what is going on with regard to Tony Windsor's property.

**The SPEAKER:** Order! The question was wide ranging. There is no point of order.

**Mr CHRIS HARTCHER:** I note the interest of John Robertson in protecting Mr Tony Windsor. Maybe they went skiing together.

**Mr Paul Lynch:** Point of order: My point of order relates to Standing Order 75. If the Minister wishes to refer to the Leader of the Opposition he must refer to him as the Leader of the Opposition.

**The SPEAKER:** Order! The member is correct. I remind the Minister to refer to the member by his correct title.

**Mr CHRIS HARTCHER:** While the neighbour is to be evicted, curiously Mr Windsor's lease continues. Hopefully there is no substance to suggestions that Mr Windsor influenced this eviction in order to grab the lease over his neighbour's property.

**Mr John Robertson:** Point of order: The question that was asked related to what the Government is doing. The Minister's answer is not relevant to what the Government is doing.

**The SPEAKER:** Order! That is not the text of the question. It asked about community concerns for permanent protection of alluvial floodplains of New England, what the Minister is doing to protect them from mining and whether the Minister will support the member's request. It was a wide-ranging question. The Minister's time has expired.

### PUBLIC SECTOR WAGES POLICY

**Mr MATT KEAN:** My question is addressed to the Treasurer, and Minister for Industrial Relations. How is the Government delivering fair and affordable wages to the public sector?

**Mr MIKE BAIRD:** I thank the member for his question—a sensible member who is interested in responsible government. This is another opportunity to remind the House how the O'Farrell-Stoner Government is driving the economy, improving services and building infrastructure. That is what this Government is all about. Part of that is being responsible and fair with our finances. That is exactly what we did almost two years ago when we introduced the wages policy, a fair policy that was set at the Reserve Bank's rate of inflation of 2.5 per cent. All the other States have that except for Western Australia, which tried to do it but could not. We have been able to do it. When the bill was introduced members opposite said that the sky would fall in. Chicken Little was at its best. It is worth going through what was said. The shadow industrial relations Minister said:

This is a very bad bill; it is wrong and it is disgraceful.

Clayton Barr, the member for Cessnock—I actually like him; I think he is a decent bloke—in speaking about the bill said:

I speak now of honesty and integrity, and those on the other side should be trembling.

I think he was on the wrong side. He should have been on the government benches. The Leader of the Opposition said:

It is an attack. It is radical legislation.

Those were his words. My favourite quote comes from the member for Kogarah. After this bill she said:

Who is going to want to work in NSW?

Since that legislation 250,000 or one-quarter of a million public servants have signed up to the wages policy, despite those comments. They have agreed to the 2.5 per cent wages policy, and that includes 60,000 teachers and 55,000 health employees. Across the public sector they are signing up to it. Indeed, over 9,000 employees have received above 2.5 per cent. They have done that because they found offsets. The wages policy, which is responsible, fair and affordable, is working. The way members opposite were going on was like a song, which reminds me of something. Over the summer break something came under my door. A little piece of information from Sussex Street came under my door which listed the favourite CDs of members opposite.

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

**Mr Paul Lynch:** Point of order: Apart from being an incredibly bad series of jokes this is also not relevant. It is in breach of Standing Order 129.

**The SPEAKER:** Order! I hope the Treasurer will return to the question.

**Mr MIKE BAIRD:** It is an important bill. Not surprisingly the member for Liverpool loves Bobby McFerrin and *Don't Worry Be Happy*—a perfect interjection, just like that. As we consider this bill it is important for us to take responsible action. I had to question that when I saw the favourite song of the Leader of the Opposition.

**Mr Michael Daley:** Point of order: Madam Speaker, only 60 seconds ago you asked the Treasurer to return to the leave of the question.

**The SPEAKER:** Order! I trust the Treasurer will come back to the leave of the question.

**Mr MIKE BAIRD:** The prince of middle management can wait. The Leader of the Opposition absolutely loves Jackson Five's *Frosty the Snowman*.

**Mr Michael Daley:** Point of order: Madam Speaker—

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

**Mr MIKE BAIRD:** It is a great list and we will get to it later. The thing that happened was a change of leadership in the Public Service Association. It is amazing what one sees with fresh leadership. Anne Gardiner as the new leader of the Public Service Association has been very sensible, pragmatic and responsible. I pay tribute to her. [*Extension of time granted.*]

There are lessons to be learned by those opposite relating to the fresh leadership of the Public Service Association. What has the member for Heffron done? He has been a member of Parliament for 182 days but the Leader of the Opposition has not let him ask one question.

**Mr Michael Daley:** Point of order: I could pick any standing order but Standing Order 129 would be at the top of my list. Madam Speaker, I think this is the fifth time that you have asked the Treasurer to come back to the leave of the question.

**The SPEAKER:** Order! The Treasurer has said barely two sentences. I have asked him to return to the leave of the question.

**Mr MIKE BAIRD:** This is about fresh leadership and leadership in the Public Service Association. This is important because the change there has led to responsible decisions. The member for Toongabbie is the fresh leadership; he is Shorten. I think he is the one. It is important to finish on this note. The Public Service Association in its recent public statements said that it regretted the actions it took in striking against our wages policy, which is sensible. At the same time the association said it would not oppose our wages policy while it is law. That is the O'Farrell-Stoner Government taking action to deliver fair and responsible wages for this State and to drive it forward. We are proud of the actions we have taken. We are proud of the actions we have taken to drive this economy forward. While we were doing that we were fair and responsible with our wages which is exactly what is expected by the people of New South Wales.

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

**Mr MIKE BAIRD:** While members opposite are focused on their own turmoil, the O'Farrell-Stoner Government is being responsible, getting on with the job, driving the economy, improving services and building the infrastructure.

**Question time concluded at 3.06 p.m.**

## COMMITTEE ON ECONOMIC DEVELOPMENT

### Government Response

**The Clerk** announced the receipt of the Government response to report 1/55 entitled, "Establishment of special economic zones", received out of session and authorised to be printed on 19 December 2012.

## PETITIONS

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

### Albion Park Aeromedical Services

Petition requesting the retention of aeromedical services at Albion Park, received from **Mr Gareth Ward**.

### **Education Funding**

Petition calling on the Government to stop cuts to education, TAFE and school funding, received from **Mr Richard Amery**.

### **Sydney Electorate Public High School**

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

### **Rooty Hill Railway Station Access**

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

### **Beaumont Park Bus Service**

Petition requesting that the Beaumont Park bus stop be included in the 400, 410 and M41 bus services, received from **Mr Robert Furolo**.

### **Pig-dog Hunting Ban**

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

### **Pet Shops**

Petition opposing the sale of animals in pet shops, 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**.

### **Social Housing Tenants Mental Health Support**

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

### **Container Deposit Levy**

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

### **Epping and Hornsby Rail Infrastructure**

Petition requesting legislative amendment to reduce noise pollution, the construction of a third freight line between Epping and Thornleigh, and improved noise mitigation options in the Epping and Hornsby electorates, received from **Mr Greg Smith**.

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

### **Lake Heights Public School Security Fence**

Petition requesting the installation of a high-security fence around the perimeter of Lake Heights Public School, received from **Ms Noreen Hay**.

### **Education Funding**

Petition calling on the Government to stop cuts to education, TAFE and school funding, received from **Ms Noreen Hay**.

### **Punchbowl Railway Station Easy Access Upgrade**

Petition requesting urgent funding for an easy access upgrade at Punchbowl railway station, received from **Mr Robert Furolo**.

### **Port Kembla Privatisation**

Petition requesting that the Port of Port Kembla remain in public ownership in line with promises made in the lead-up to the 2011 State election, received from **Ms Noreen Hay**.

## **STATUTORY AND OTHER OFFICES REMUNERATION AMENDMENT (JUDICIAL AND OTHER OFFICE HOLDERS) BILL 2013**

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

### **Second Reading**

**Mr MIKE BAIRD** (Manly—Treasurer, and Minister for Industrial Relations) [3.10 p.m.]: I move:

That this bill be now read a second time.

The Government's public sector wages policy is about delivering fair wage increases to the hardworking public sector. It is also about ensuring that the State's budget can be brought under control to facilitate the delivery of infrastructure and services to the State and its people. In recent times judicial salary increases have significantly outpaced those of all other public sector officers. Since 2011, the Industrial Relations Commission and the Statutory and Other Offices Remuneration Tribunal [SOORT] have been required to apply the wages policy to salary determinations for the public service and certain statutory office holders, while an absolute cap of 2.5 per cent applies to increases of remuneration for members of Parliament, mayors and local councillors. Currently, however, the Statutory and Other Offices Remuneration Tribunal is not required to apply the wages policy when it determines the remuneration of judicial officers.

It is appropriate to extend the wages policy to judicial officers who are also paid from the public purse and, therefore, to require the Statutory and Other Offices Remuneration Tribunal to apply the wages policy when it determines the remuneration of judicial officers. The bill will enable this to be done. The bill will amend the Statutory and Other Offices Remuneration Act 1975 to require the Statutory and Other Offices Remuneration Tribunal to give effect to any policy concerning the remuneration of office holders declared by the regulations when making certain determinations under part 3 of the Act regarding the remuneration of judicial and other office holders. A regulation is being prepared to declare the wages policy for this purpose. This will mean that, like public service and statutory office holders, the Statutory and Other Offices Remuneration Tribunal will only be able to award increases in remuneration for a judicial officer that increase certain costs by more than 2.5 per cent per annum, if sufficient savings for the judicial officer have been achieved to offset the increased cost.

The Government supports an independent judiciary, and this bill does not affect their independence. I note that the Statutory and Other Offices Remuneration Tribunal is already required to apply the wages policy to other independent office holders, such as the Ombudsman and the Director of Public Prosecutions. In addition, the bill will maintain existing requirements to ensure that the Statutory and Other Offices Remuneration Tribunal cannot reduce the rate at which remuneration is paid to a judicial officer and cannot make a determination that applies differently to two or more persons holding the same judicial office. Given the pressures on the State's budget, it is fair then to extend the wages policy to judicial officers. It is important that persons paid from the public purse be subject to the wages policy in order to deliver fair wage increases while also ensuring that the State's budget can be brought under control to facilitate the delivery of infrastructure and services. I commend the bill to the House.

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

**TRIBUTE TO ADAM ACHTERSTRAAT**

**Mr MIKE BAIRD** (Manly—Treasurer, and Minister for Industrial Relations) [3.14 p.m.]: Today is the last day here of young Adam Achterstraat, who works with me. He has done an outstanding job. He is an incredible talent and a gentleman. I pay tribute to his work and wish him all the best as he heads to Canberra to help Tony Abbott return some responsible government to Canberra.

**CIVIL AND ADMINISTRATIVE TRIBUNAL BILL 2012****Second Reading****Debate resumed from 20 February 2013.**

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.15 p.m.]: I support the Civil and Administrative Tribunal Bill 2012. The issue of the reorganisation of the various tribunals in New South Wales has been a challenge for the Government and we have looked to the models that have operated in other States in various ways to see how we can best deal with the administration of the various tribunals. Currently, a range of tribunals exists under the regime operating in New South Wales: the Aboriginal and Torres Strait Island Health Practice Tribunal, the Chinese Medicine Tribunal, the Chiropractic Tribunal, the Dental Tribunal, the Medical Radiation Practice Tribunal, the Medical Tribunal, the Nursing and Midwifery Tribunal, the Occupational Therapy Tribunal, the Optometry Tribunal, the Osteopathy Tribunal, the Pharmacy Tribunal, the Physiotherapy Tribunal, the Podiatry Tribunal and the Psychology Tribunal.

It is a major issue for government to get a more coordinated approach to the issue of justice that is administered through these various tribunals. In March 2012 the Legislative Council's Standing Committee on Law and Justice inquiry into opportunities to consolidate the tribunals found that the various stakeholders describe the current tribunal system in New South Wales as complex and bewildering. That comes as no surprise at all. There is obviously a need for tribunals. There is a range of arguments amongst lawyers as to how these tribunals should operate and what the various rights of appeal are, but at the end of the day they perform an essential function within the construct of government.

The Standing Committee on Law and Justice recommended that the New South Wales Government establish a new tribunal, which is what we are doing today, to consolidate the existing tribunals—not in an unconsidered way but to do it where appropriate and where it promotes access to justice, which is the critical issue. The Government considered this recommendation with a range of stakeholders and in response to those consultations announced the establishment of a consolidated Civil and Administrative Tribunal of New South Wales. Victoria has a similar tribunal, referred to as VCAT—the Victorian Civil and Administrative Tribunal. In New South Wales the tribunal will be known as NCAT.

The establishment of the tribunal is part of the O'Farrell Liberal-Nationals Government's commitment to ensuring that there is vastly improved consistency and transparency, and indeed a vast improvement in the quality of tribunal services throughout New South Wales. It is disturbing that over so many years the former Labor Government added to the level of complexity. One good thing Labor governments do is provide jobs for a whole lot of people in a whole lot of different areas but, unfortunately, often to the detriment of taxpayers and common sense. This bill shows that the Government will ensure efficiency in the delivery of justice that is currently available through various tribunals by consolidating it under the umbrella of one tribunal. The tribunal will have a clear and abundant capacity to deliver more streamlined processes and opportunities for justice. The bill does not confer any substantive functions or jurisdiction on the tribunal but later in 2013 the Government will look to add the necessary detail regarding its constitution and functions.

Transitional provisions will be required to repeal or amend the Acts and statutory rules if necessary in order to ensure that jurisdictions are appropriately transferred to the new, more comprehensive and better structured tribunal. This bill is another example of the O'Farrell Government looking to streamline government in the interests of consumers and taxpayers. Transparency, decency and integrity are hallmarks of the O'Farrell Government. The Government is also keen to ensure that consumers get a better deal, and the establishment of this tribunal guarantees a better deal. As I said, in the course of this year we will provide the necessary detail, but I welcome the opportunity to speak in support of the Civil and Administrative Tribunal of New South Wales.



**Mr BRUCE NOTLEY-SMITH** (Coogee) [3.21 p.m.]: I support the Civil and Administrative Tribunal Bill 2012. The bill establishes the governance framework of the Civil and Administrative Tribunal of New South Wales and facilitates the commencement of preparatory work to ensure the tribunal opens for business in January 2014. The current tribunal system in this State is a piecemeal, haphazard labyrinth in dire need of reform. The Attorney General said in his second reading speech that the tribunal will be a one-stop shop for tribunal services. All too often my office is approached by constituents desperately seeking justice but not knowing where to go or how to proceed. Often the intent of a tribunal is to provide a cheaper, simpler and more effective alternative to courts. They are less formal and procedural requirements are less strict.

While it is great that these tribunals exist, the tribunal system in our State is unfortunately not as simple as it could be. Often it takes a great deal of research for someone to determine correctly which tribunal can hear their case. Moreover, there are other issues that complicate matters for those wishing to have their cases heard by tribunals. In its submission to the Legislative Council Standing Committee on Law and Justice inquiry into the consolidation of tribunals, the New South Wales chapter of the Australian Institute of Administrative Law noted that significant adverse consequences flow from the proliferation of tribunals in New South Wales.

The most obvious are that the right of merit review is conferred through a large number of statutes, there are differing time limits in which to challenge decision-making, there is a wide variety of initiating processes, appeal structures vary widely, decision-making is not consistent and is of a variable standard, and the entitlement to request reasons for an administrative decision varies depending on what review mechanism is available. The submission also stated that there are poorly developed information systems to inform citizens of their rights to merit review, there are numerous registries with differing requirements, differing levels of expertise, and differing capacities to provide assistance to persons who wish to access merit review, and that the maintenance of numerous registries is cost ineffective and thus diminishes resources that could be applied more effectively.

These are all issues of significant concern. I submit that many people are disenchanted with the operation of our State's justice system and that the structure of the tribunal system is at the heart of their concerns. I am confident that the Civil and Administrative Tribunal will substantially improve access to justice for citizens of New South Wales, enhance the quality of decision-making, and improve public confidence. The tribunal will have a single website and a single phone number. It will publish simple and easy-to-understand information about its service in multiple languages. Client service standards will now be the same no matter which tribunal service a person uses. People will know what the tribunal is, they will know what it can do, and they will know where to find it. This is worlds apart from our current system and it will significantly improve the confusing network we are subject to now.

The Government has identified 23 tribunals or other bodies that will join the tribunal. These include the Consumer, Trader and Tenancy Tribunal, the Administrative Decisions Tribunal, the Guardianship Tribunal, and various health professional tribunals. Other bodies included are the Local Government Pecuniary Interest and Disciplinary Tribunal, the Aboriginal Land Councils Pecuniary Interest and Disciplinary Tribunal, the various local land boards established under the Crown Lands Act 1989, the Vocational Training Appeal Panel, as well as Charity Referees. The five divisions in the Civil and Administrative Tribunal will be the Consumer and Commercial Division, the Administrative and Equal Opportunity Division, the Occupational and Regulatory Division, the Guardianship Division, and the Victims Support Division. A separate health list has been created under the Occupational and Regulatory Division to reflect provisions in the health practitioner national law.

The tribunal will be far more efficient than the system we have now. Currently each tribunal has its own facilities and its own administrative structure, which leads to unnecessary duplication in a wide range of areas. Training initiatives will be able to be much more easily coordinated for staff, information technology services will be able to be shared and even simple things such as the bulk ordering of stationery will be enabled, all of which will help to save money. Through better use of staff and members the tribunal will address these inefficiencies and provide a much better service.

As a result of the consolidation the tribunal will be far more collaborative. By bringing together a wealth of diverse experience, members will be able to share their knowledge and learn from each other. There will be greater access to professional development opportunities and training, some of which may not have previously been available to employees of smaller tribunals. Consolidation will widen the pool of expertise available so that more cases can be heard and rotation of judges across various jurisdictions can be achieved. The tribunal will preserve the existing skills and expertise held by our tribunals while ensuring that it stays

flexible and informal and that only members with sufficient expertise will be able to hear particular matters. For example, a member who sits in the Consumer and Commercial Division may not necessarily have the qualifications to sit in the Guardianship Division.

I understand that a number of departments and tribunals have shown a willingness to embrace the change that the Civil and Administrative Tribunal represents. This is commendable, given the size of the change required and the logistical challenges it poses. The Government will work with a number of stakeholders to develop and refine the tribunal's procedure to ensure that it efficiently meets the needs of a wide range of people. It will be accessible, it will be transparent and it will deliver fairer, simpler outcomes for the people of New South Wales. I commend the Attorney General for his work in the establishment of this tribunal and I look forward to witnessing the operation of the tribunal next January. I commend the bill to the House.

**Ms MELANIE GIBBONS** (Menai) [3.28 p.m.]: I support the Civil and Administrative Tribunal Bill 2012. This bill substantially reforms the New South Wales tribunal system, and these changes are long overdue. At my electorate office we have had a number of inquiries regarding options of appeal and how to access various tribunals. Many of those inquiries come from individuals who have attempted to find the best avenue but have been overwhelmed or found it difficult to identify where to take their case. I must admit that there have been some instances where finding out which tribunal deals with what—and how to access it—has been less than straightforward. The Attorney General, and Minister for Justice has admitted that our current ad hoc system of tribunals is confusing and often difficult to navigate. Most of the confusion comes from the sheer number of tribunals and other bodies in existence. That is why the Government is proposing an all-encompassing entity that will be known as the New South Wales Civil and Administrative Tribunal [NCAT].

What this tribunal will do is reduce the large number of tribunals operating around the State and bring them under one banner. The Government has identified 23 tribunals or other bodies that will join the New South Wales Civil and Administrative Tribunal. The Civil and Administrative Tribunal will deliver significant benefits for the citizens of New South Wales. Not only will it create a single gateway for tribunal services, but it will be a one-stop shop. It will simplify and consolidate our current system. To improve accessibility, it will have a single website and phone number. Instead of trying to figure out what body should deal with a case, in most cases people will simply approach the Civil and Administrative Tribunal. To reach our ethnically and culturally diverse communities, the Civil and Administrative Tribunal will publish simple and easy-to-understand information in multiple community languages. It will also have a broader geographical reach by taking advantage of existing facilities within the tribunal network.

This is also good news for people in rural and regional communities, who will have greater access to the tribunal. Like other government agencies, the Civil and Administrative Tribunal will have common branding. A recognisable brand will provide greater certainty for consumers because they will know with whom they are dealing. The Civil and Administrative Tribunal will have consistent client service standards. Users will know that they can expect a high level of customer service when they contact the tribunal. Apart from the confusing nature of the existing tribunal network, there are many inefficiencies. For example, each tribunal currently has its own facilities and its own administrative structure, which leads to unnecessary duplication. By consolidating and creating a single standard across the various tribunal processes, we can reduce duplication and streamline previously inefficient processes.

Combining resources will enable skills such as information technology resources and training initiatives to be shared among members. Even simple things like bulk ordering of stationery can be made more efficient under a consolidated tribunal. This Government will ensure that the Civil and Administrative Tribunal will be accountable, independent and transparent. These three values will help to enhance the public's confidence in the tribunal system. As I mentioned a moment ago, consistent training and professional development opportunities will benefit members and staff. This will also encourage collaboration through the shared experience and expertise of members and staff. However, we realise that a one-size-fits-all approach will not work. A lot of planning and thought has gone into this bill and, as we work towards a start date of January 2014, there will be more consultation and investigation. These reforms may be long overdue, but this is not the time to rush things through. This bill is just the first stage of improving our tribunal system.

Once we have established the Civil and Administrative Tribunal, we can get to work on the other challenges that come with setting up a tribunal of this size. Matters such as practice or procedure will be developed through further consultation to ensure they are set in respect of the needs of stakeholders. Further legislation will be introduced next year after a detailed consultation process has taken place. We have already established a steering committee to coordinate this consultation process and to ensure that the Civil and

Administrative Tribunal is open for business in January 2014. In the near future a reference group comprising various stakeholders will be formed to assist the steering committee during that next stage. This bill also outlines the divisional structure of the Civil and Administrative Tribunal. It will have five divisions: Consumer and Commercial, Administrative and Equal Opportunity, Occupational and Regulatory, Guardianship, and Victims Support. Further divisions will be made to address the special arrangements under the Health Practitioner Regulation National Law.

I am also pleased to see that this bill will allow for other tribunals that are not joining the Civil and Administrative Tribunal at this stage to be absorbed at a later date. Furthermore, there will be five categories of member: president, deputy-president, principal member, senior member and general member. The president will be a Supreme Court justice. This will help to ensure that the tribunal remains independent and free from any influence from the Executive. I understand that there might be some concern with a tribunal of this size that some expertise may be lost. The Government is well aware of the need to preserve the specialist expertise of our current tribunals. However, members will be able to hear particular matters only if they are qualified to do so.

These qualification requirements will be set during further consultation with stakeholders. Additionally, some stakeholders have expressed concerns that the size of the Consumer, Trader and Tenancy Tribunal will overwhelm the Civil and Administrative Tribunal. As the biggest tribunal to come under the Civil and Administrative Tribunal, it is understandable that the Consumer, Trader and Tenancy Tribunal will absorb the majority of the resources. However, the Government is aware of the need to protect the smaller tribunals and preserve existing specialities. We will work closely with stakeholders to make sure that the Civil and Administrative Tribunal delivers high-quality services to all tribunal users, without detriment to any of the smaller tribunals.

Despite its size, the Consumer, Trader and Tenancy Tribunal has a wealth of knowledge and is a good place to start when deciding on new systems. The Consumer, Trader and Tenancy Tribunal already has a strong online presence, which is essential in today's world and will be of great benefit to all tribunals. As mentioned previously, the Civil and Administrative Tribunal will have a single website and phone number, and will be able to provide much inspiration for the development of the new brand. We can also learn from the effective use of social media, such as providing updates on legislative changes and upcoming events through Twitter and Facebook, and using YouTube to post how-to instructional videos in multiple community languages. A strong presence has already been established in the regions, which is very much customer focused. This will also provide some assistance in establishing a similar framework for the Civil and Administrative Tribunal.

We realise the importance of reaching out and connecting with the community. If we are able to learn from existing systems, we will be in a better place for the launch in January 2014. I support any measures that will make it easier and less daunting for members of the general public to access our tribunals. All tribunals will benefit from this reform. Most of all, the people of New South Wales will benefit from this reform. We also have the added advantage of learning from the experience of other States and Territories that already have established consolidated tribunals. In conclusion, I make the point that tribunals perform an invaluable role within our justice system. They allow ordinary individuals to resolve disputes, or to have a review of executive action in a less formal setting than a courtroom. In many cases, they also offer a cheaper and more efficient process.

The Civil and Administrative Tribunal will be a tribunal that meets the needs of a wide range of people. It will be accessible, it will be transparent, and it will deliver fair outcomes for the people of New South Wales. I am pleased to be part of a government that is introducing such an important reform to our justice system. I look forward to seeing the tribunal in action next January. I thank the Attorney General, and Minister for Justice for introducing the legislation. I commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [3.37 p.m.]: I express support on behalf of The Greens for the Civil and Administrative Tribunal Bill 2012 and recognise that a great deal of effort has been applied to its development. The Attorney General recognised the late Hon. Jeff Shaw, QC, a constituent of the Balmain electorate, who was renowned for supporting people at all levels in the community and whose reputation for being committed to justice and equality is very much to his credit. The late Hon. Jeff Shaw recognised the proliferation of tribunals. The Attorney General, who is in the Chamber, as well as his ministerial and departmental staff have obviously worked very hard to prepare this legislation for its introduction. The lists of tribunals that will be consolidated is one of the most incredible that members will ever see—everything from the Chinese Medicine Tribunal of New South Wales, the Dental Tribunal, the Optometry Tribunal, the Pharmacy Tribunal to the Podiatry Tribunal is there. The list includes a whole range of tribunals that will be consolidated. The introduction of this legislation is also a credit to the working committee.

In the final report of the Standing Committee on Law and Justice, "Opportunities to consolidate tribunals in NSW", which was published on 22 March 2012, the committee recognised a range of principles. The report includes a dissenting report by Mr David Shoebridge. I have discussed this with him and I understand that the issues raised in his report have been resolved. The bill will not create any substantive changes to existing administrative appeal rights, but the Attorney General has identified that changes will be pursued in a subsequent bill. I look forward to that. Those detailed provisions should be inserted into the tribunal to establish the appeal structure, the clear process and the specific limit to provide equitable justice for all citizens in New South Wales. As we heard from other members, that applies particularly to people in rural and regional areas.

I will identify a few of the points the committee recommended should guide the consolidation process. One of them is that the consolidation of tribunals must ensure improved access to justice in conjunction with improved efficiencies, particularly in regional areas. That is an important point. Obviously in Balmain, in an inner-city location very close to the central business district, access is relatively easy. However, I note this is something identified by the Legislative Council Standing Committee on Law and Justice as important. Another point it makes is that adequate resources must be allocated. I would appreciate it if the Minister could address this in his reply. Can the Government assure the House that the resources allocated to this tribunal will be sufficient for it to carry out all of its activities in an efficient and effective way? There may also be some savings as a result of this process, and that is something we would appreciate being informed about.

Lessons for other jurisdictions should be considered, as the committee pointed out, and, finally, the nature of the jurisdiction of existing tribunals and whether it is appropriate that their functions be exercised within a broader tribunal has been considered. I will make one other point about the consolidation of the Industrial Relations Commission, which was a point of some discussion. A dissenting report was written about that. The Greens had serious reservations about the proposal to abolish the Industrial Relations Commission and move its jurisdiction to the Civil and Administrative Tribunal, but that matter has been resolved. This is a positive step. It is clear that a lot of work has been done. The Government would be far better off focusing on issues like this than trying to get recreational shooters into national parks or trying to cut the Education budget.

**Mr Gareth Ward:** Hang on, you were going so well.

**Mr JAMIE PARKER:** I did not want to give you a false sense of security. It should be acknowledged that will be a difficult task. As someone who has been involved at the level of a mayor in an organisation, I know that it is not easy to try to turn things around. I acknowledge the efforts of all of those who helped to make this happen. I understand further matters will be discussed and a further bill will be introduced. The Government signalled its intention to introduce a bill that will manage future abolitions and the consultation about the implementation process, appeal mechanisms and so on. That is important. I acknowledge all those who have made a contribution to the bill. I trust it will work effectively. I am sure every member of this House will have people coming to them who are appealing to this body and wanting our support. It is important that we get it right at the outset.

**Mr JOHN FLOWERS** (Rockdale) [3.42 p.m.]: The object of the Civil and Administrative Tribunal Bill 2012 is to establish a Civil and Administrative Tribunal of New South Wales, to be called NCAT, to replace various existing tribunals and to provide for its membership and functions. On its establishment, the Civil and Administrative Tribunal is to replace major tribunals, including the Administrative Decisions Tribunal, the Consumer, Trader and Tenancy Tribunal, the Guardianship Tribunal, and each of the tribunals established under section 165 of the Health Practitioners Regulation National Law (NSW). The Civil and Administrative Tribunal will also replace a number of other lesser-known tribunals, including the Victims Compensation Tribunal, the Local Government Pecuniary Interest and Disciplinary Tribunal, and each local land board constituted under the Crown Lands Act 1989.

The Attorney General, the Minister for Finance and Services and the Minister for Fair Trading referred an inquiry to the Legislative Council Standing Committee on Law and Justice for it to consider opportunities to consolidate tribunals in New South Wales. The committee published its final report in March 2012. The report found that stakeholders described the current tribunal system as complex and bewildering. To reduce this complexity the committee recommended that the Government pursue the establishment of a new tribunal to consolidate existing tribunals where it is appropriate to promote access to justice. This bill is the first stage in the process of abolishing existing tribunals and transferring their functions to the Civil and Administrative Tribunal. The principal focus of the bill is to provide for the establishment of the Civil and Administrative Tribunal.

Substantive functions will be conferred on the Civil and Administrative Tribunal in the second stage of the process of abolishing existing tribunals. The second stage in the process of abolishing existing tribunals, which will occur in 2013, will involve the enactment of legislation to amend the Act to add additional provisions concerning the constitution and functions of the Civil and Administrative Tribunal. The bill provides for the Civil and Administrative Tribunal to be established on 1 January 2014 or, if required, on a later date appointed by proclamation of the Governor. The bill includes provisions that will enable the president of the Civil and Administrative Tribunal and other members to be appointed in anticipation of the establishment of the Civil and Administrative Tribunal. The president, when appointed, will have the function of facilitating the establishment of the Civil and Administrative Tribunal. The bill will also enable the rule committee of the Civil and Administrative Tribunal to be constituted and to exercise its functions before the establishment of the Civil and Administrative Tribunal to develop tribunal rules. I now turn to the provisions of the bill. Division 1 generally provides for the establishment of the Civil and Administrative Tribunal and its membership.

The division permits the president and other members of the Civil and Administrative Tribunal, including division heads, to be appointed before the establishment day to facilitate the process of establishing the Civil and Administrative Tribunal. Provision is also made for the rule committee of the Civil and Administrative Tribunal to be constituted before the establishment day to make tribunal rules in anticipation of the establishment of the Civil and Administrative Tribunal. Division 2 generally provides that the functions of the Civil and Administrative Tribunal are to be allocated and exercised in the following divisions of the tribunal: the Administrative and Equal Opportunity Division, the Consumer and Commercial Division, the Occupational and Regulatory Division, the Guardianship Division, and the Victims Support Division. Division 3 generally sets out the functions of the president, the division heads and other members of the Civil and Administrative Tribunal, including functions that may be exercised by members who are appointed before the establishment day. Division 4 provides for the appointment and functions of a registrar, deputy registrars and other staff to assist the tribunal in the exercise of its functions.

The Civil and Administrative Tribunal will deliver significant benefits for the citizens of New South Wales. The Civil and Administrative Tribunal will be a single gateway for tribunal services. It will be a one-stop shop and will have a single website and phone number. People will not have to think about which tribunal they will have to approach. In most cases it will be the Civil and Administrative Tribunal. The tribunal will reach out to the community. It will publish simple and easy to understand information in multiple community languages by using the range of existing facilities within our tribunal network. It will have a broader geographical reach. The Civil and Administrative Tribunal will have consistent client service standards. Tribunal users will know that they can expect a high level of customer service when they contact the Civil and Administrative Tribunal. Common branding will provide greater certainty for users. They will know what the Civil and Administrative Tribunal does and they will know where to find it.

The existing tribunal network is confusing. It is also inefficient in a number of areas. For example, each tribunal currently has its own facilities and its own administrative structure. This leads to unnecessary duplication. The Civil and Administrative Tribunal will be able to address some of these inefficiencies. The Civil and Administrative Tribunal will be able to make better use of staff and members. It will be able to share information technology resources and coordinate training initiatives for members. Simple things that are easy to overlook can be made more efficient under a consolidated tribunal, such as bulk ordering of stationery. The Civil and Administrative Tribunal will be accountable, it will be independent and it will have transparent processes. It will enhance public confidence in the tribunal system.

Members and staff will benefit from consistent training and professional development. The Civil and Administrative Tribunal will enhance the quality of decision-making in our tribunals and will bring together a wide range of highly skilled and experienced tribunal members and staff. It will be a collaborative environment in which members and staff are encouraged to share their expertise. The Government will consult a wide range of people throughout the tribunal's development. The Government has the advantage of learning from the experiences of other States and Territories that have already established consolidated tribunals. It has the benefit also of drawing on the expertise and knowledge contained within our existing tribunals. Tribunal members and administrators, user groups and professional associations will play a crucial role in making sure that the Civil and Administrative Tribunal delivers superior services to the people of New South Wales. The Government will ensure that the tribunal meets the needs of all its users and that regular updates are delivered so that everybody knows what is happening and gets an opportunity to contribute. I commend the bill to the House.

**Mr GREG SMITH** (Epping—Attorney General, and Minister for Justice) [3.51 p.m.], in reply: I thank the members representing the electorates of Toongabbie, Cronulla, Heffron, Myall Lakes, Fairfield, Davidson,

Cabramatta, Swansea, Bankstown, Wollondilly, Lake Macquarie, Blue Mountains, Camden, Granville, Wakehurst, Coogee, Menai, Balmain and Rockdale for their contributions to the debate. I shall address some particular matters raised by the member for Toongabbie, the member for Bankstown and the member for Balmain. First, the Government recognises that our tribunals could not operate without the dedication and commitment of their staff. The people who work in our tribunals have developed significant expertise in their particular fields, and that expertise will be crucial to the success of the Civil and Administrative Tribunal of New South Wales. However, it is too early to say exactly what staffing component the new tribunal will require.

As a first step, the Government needs to identify its existing resources. Then we will be in a position to develop appropriate registry and corporate structures. We will ensure sufficient staffing. The Government will ensure that tribunal members and administrators are kept up to date during the Civil and Administrative Tribunal development. Consultation will occur and the steering committee will deliver regular updates to tribunals. Second, the Government understands the importance of preserving the specialist expertise of our existing tribunals. As I said in my second reading speech, the Civil and Administrative Tribunal of New South Wales Bill has been designed to make sure that specialist expertise can be maintained.

The divisional structure will ensure that a one-size-fits-all approach is not taken. Each division will have the flexibility it needs to tailor services to meet the needs of its particular users. While the tribunal will have a flexible membership structure, members will not be able to sit and hear matters unless they are qualified to do so. Qualification and other procedural requirements will be developed in consultation with stakeholders. I assure the House that professional representation in professional discipline and guardianship matters will be maintained, as will the role of community members. A range of Ministers will continue to play a key role in deciding appointments.

Third, the Government is aware that the Civil and Administrative Tribunal must have a geographical reach, particularly for the smaller tribunals. The Government will ensure that the Civil and Administrative Tribunal remains accessible. In fact, we will make it an even more accessible forum for the people of New South Wales. This bill establishes the Civil and Administrative Tribunal of New South Wales, and contains certain provisions relating to its membership and functions. The bill is the first step in the process of establishing the tribunal. The Government will introduce further legislation to confer jurisdiction on the tribunal, and to set its practice and procedure. This is important reform for New South Wales. The Civil and Administrative Tribunal will improve access to justice for the citizens of this State and enhance public confidence in our tribunal system. I commend the bill to the House.

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

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Greg Smith agreed to:**

That this bill be now read a third time.

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

## **SMALL BUSINESS COMMISSIONER BILL 2012**

### **Second Reading**

**Debate resumed from 21 November 2012.**

**Mr MICHAEL DALEY** (Maroubra) [3.55 p.m.]: I lead for the Opposition on the Small Business Commissioner Bill 2012. At the outset I state that the Opposition will not oppose the bill. After all, the statutory creation of the Small Business Commissioner was an election commitment by the current Coalition Government. For a subject it professed so long and hard was close to its heart, the Government has been tardy in keeping its election commitment. Before the last election the Coalition promised to create a Small Business

Commissioner to advocate and do other things for small business. The commissioner was appointed in May last year, but since then the Government has neglected to provide any legislative basis for her functions. Despite promising the community an independent advocate for the State's 650,000 small businesses, the Government appointed the Small Business Commissioner not as an independent statutory officer, but as a public servant answerable to the Government. This Government is always about absolute political control and nothing else. On 6 September 2011 the small business Minister promised legislation soon. In March 2012 the answer was that it would be done shortly. It did not happen until June and only after the Hon. Adam Searle in the other place introduced his Small Business Commissioner and Small Business Protection Bill on 23 May 2012.

**Mr David Elliott:** Have you read it?

**Mr MICHAEL DALEY:** Indeed I have and it trumps this bill. After speaking long and hard about it, what actions stand as a credit to this Government regarding small business? It scrapped Small Business September, MicroBiz Week, the Young Entrepreneurs Mentoring Program and the Women in Business Mentoring Program, closed the Parramatta Business centre, shut the regional trade and investment offices in Broken Hill, Tweed Heads, Coffs Harbour and Goulburn, and in the process blamed its own Small Business Commissioner—one Minister stated that the offices were shut down on the recommendation of the Small Business Commissioner. That was refuted in estimates hearings by the commissioner.

Do not blame the Minister or the commissioner; blame Treasury because it is the agency cutting, slashing, burning and reducing services all over the State in every single portfolio. The discussion paper issued by the Government in June last year was very light on detail. The only definite proposal was for the commissioner to offer mediation services and to advocate for small business. A range of other matters were vaguely described and canvassed, but only half-heartedly. During his second reading speech on the Opposition's bill on this subject matter, the Hon. Adam Searle, the shadow Minister, said that if the content of the discussion paper is the best the Government has to offer small business in this State, we should be very concerned. How prophetic those words were.

What the Government is offering in this bill completely fails to provide any legal protection for small business and fails to provide any real mechanism for the Small Business Commissioner to effect or enforce fair treatment for small business by larger businesses or by State government and local government agencies. It is said that imitation is the most sincere form of flattery; if that is so the Hon. Adam Searle has well and truly, in respect of this bill, been flattered by the Government. Of the 34 clauses in the bill before the House, 24 come directly from the Opposition bill drafted by the Hon. Adam Searle and rejected by the Government in the other place. Other provisions cover the same territory but in a more limited form. I do not propose to address them in detail.

After 20 months in office and six months after the Labor Opposition delivered a comprehensive and positive plan the Government presents a disappointing and token effort today in respect of this bill. As the Minister's second reading speech discloses, this bill only provides for the appointment, role and limited function of the Small Business Commissioner—the necessary reporting requirements and consequential ancillary matters to make the position merely functional. The provisions of the bill fulfilling these functions do not require further elaboration, but there are some provisions that do. We do not support the Minister having any control or direction over the Small Business Commissioner, even in the limited form proposed in the bill. The Opposition will be moving amendments in that regard in the other place.

Clause 18 relates to the referral of certain findings. This provision really gives the game away. First, it has a threshold that is way too high before the Small Business Commissioner can be engaged: There have to be anticompetitive practices, they must be engaged in those practices persistently and those practices must be illegal and must affect not only a similar small business but the small business sector generally. Even when the commissioner finds that a person or body has persistently engaged in anticompetitive practices that are in contravention of any law and adversely affect the small business sector, the commissioner cannot take any action to remedy the situation. The commissioner can only refer the matter to the Director General of Finance and Services—so what?

Talk about paying lip-service to the people the Government claims to respect and hold dearest of all, its constituents. This area is covered in Labor's bill in detail at clause 5 paragraph 1 (c). It is more broadly cast so the commissioner can refer any complaint to a government agency or other body if appropriate. Clause 32 is a review of the Act. The Opposition supports the clause, but it is unnecessary. It is plain that if enacted in its current form it will be of limited usefulness to small businesses in this State. I can say quite a deal more about

this bill but I will leave it for the Hon. Adam Searle in the other place; I am sure he will have plenty to say about it. The hypocrisy of this Government in rejecting the Opposition bill in the other place and then introducing a bill in this place copycat style while claiming originality shows what this Government is about—it is always and only ever about the politics and nothing else.

**Mrs ROZA SAGE** (Blue Mountains) [4.03 p.m.]: I am pleased to speak on the Small Business Commissioner Bill 2012. Only the member for Maroubra could put a pall on such a good bill. Having had a small business of my own—my dental surgery—I can well understand the angst of many small businesses when it comes to the time taken and cost involved to comply with all the government regulations, let alone dealing with rents, leases, suppliers and other businesses. Small business represents 96 per cent of all businesses in Australia and is the backbone of the Australian economy. It employs roughly 50 per cent of the New South Wales workforce. Businesses in the Blue Mountains economy that have a turnover of less than \$1 million account for about 85 per cent of all businesses.

Small businesses include the family corner store, the restaurant run by a couple, the many small retail shops and professional businesses—the list goes on. Many small businesses in the Blue Mountains area are family owned and operated bed and breakfast establishments servicing the tourist industry. Often these businesses do not have the resources or finances to deal with major disputes. That is why the position of Small Business Commissioner has been created. This Government recognises the importance of small business, which is why the establishment of the Small Business Commissioner was a key election promise that has now been delivered. This is the first time in the history of New South Wales that we have had a Small Business Commissioner to advocate solely on behalf of and assist this vital part of the economy. Other States already have a Small Business Commissioner supported by legislation that confers an added importance and gives the commissioner appropriate tools to help change behaviour and assist small business.

The object of the bill is to create mechanisms that motivate changes in behaviour to improve the overall operating environment for both small business and government. The office of the commissioner must be seen as an independent advocate for small business so that these businesses have the confidence to use the office knowing that their voice will be heard. The independence of the commissioner is also vital given the commissioner's role in undertaking alternate dispute resolution. As an overview, the object of the bill is to create the Office of Small Business Commissioner and to specify the objectives and functions of that office.

Among the commissioner's objectives will be to deal with issues concerning the small business sector in a neutral and independent manner and to provide a central point of contact for small businesses to make complaints about their commercial dealings with other businesses and their dealings with government agencies. The commissioner's functions include the following: investigating complaints made on behalf of small business, providing low-cost alternative dispute resolution services, making representations or taking actions on behalf of small businesses, requiring any person or government agency to provide such information or answers to questions, and relating to the person's or agency's dealings with small business as the commissioner reasonably requires for the purposes of an investigation under the proposed Act.

Division 1 part 2 sets out in detail the appointment, conditions and remuneration of the Small Business Commissioner. Division 2 specifies the objectives and functions of the commissioner. Division 3 specifies the reports required to be prepared by the commissioner. Part 3 specifies some miscellaneous provisions and schedule 1, the amendment of Acts, provides important information relating to complaints handling, dispute resolution or the investigative and reporting functions of the Office of the Small Business Commissioner to be excluded information for the purposes of the Government Information (Public Access) Act 2009. The Governor may appoint the commissioner on the recommendation of the Minister. One of the important points in the drafting of the bill is that the commissioner may refer to the Director General of the Department of Finance and Services any finding by the commissioner that a person or body had persistently engaged in anticompetitive practices that are in contravention of any law and that adversely affect the small business sector. This provision is seen to be of great importance to the small business sector.

So often in the media there are stories of the predatory practices of big business squeezing and destroying small business competition. The independent voice of the commissioner will give some comfort to small businesses knowing they have a strong advocate. Clause 13 of division 2 specifies the general functions of the commissioner, which include receiving and dealing with complaints made by or on behalf of small businesses investigating complaints, providing low-cost alternative dispute resolution services for small businesses and making representations or taking action on behalf of small businesses, whether at the



commissioner's own initiative or at the request of a small business. By way of example, not long after the Office of Small Business was established by the New South Wales Government I was asked by a friend of the owner of a small cafe restaurant close to my office in Springwood that was in danger of closing whether I could help. This cafe had been in Springwood for longer than I have been in Springwood, which is more than 25 years, albeit the cafe has had a number of different owners. It was an institution in the area and of high reputation.

When I went to see the owner, a young woman, she told me a sad tale of her partner suddenly leaving and leaving unpaid bills in his wake. The landlord had given her an ultimatum to pay the months of unpaid rent or to close. She was very distressed as she really wanted to build the business and was willing to work hard at it. I put her in touch with the Office of the Small Business Commissioner. The adviser and the owner plotted out a course of action and I can happily report that it worked and the cafe is now thriving. The advice that the young woman was given was practical; it cost nothing but it saved a good small business. One of the greatest sources of complaints I hear about with small business is with landlords. The Small Business Commissioner can assist with these sorts of disputes without, in the first instance, resorting to the use of the very costly legal system. I read with interest a letter I received by email yesterday from the Independent Contractors of Australia that highlighted the common-sense approach of the New South Wales Small Business Commissioner Bill 2012. It stated:

What small business people need and want is quality commercial relationships with clients and opportunities to do profitable business. The design, intent and focus of the Small Business Commissioner Bill 2012 is the achievement of good commercial outcomes. We know this because of the experiences of the Victorian Small Business Commissioner.

One should contrast that with the legislation proposed by the Labor Opposition, which is heavily focused on legal enforcement through the creation of rigid codes of conduct and proscriptive definitions. Labor talks about the Small Business Commissioner creating "legal foundation", "legal architecture" and "legal rights" but does not refer to practical on-the-ground assistance. Labor wants to add more red tape and cost to the system. Clearly it is out of touch with the needs and wishes of small business. It is lawyers manufacturing more work for lawyers.

In fact, I would be interested to know how many Opposition members have personal small business experience. I suspect very few, if any. Court action is always very costly and often beyond the reach of most small businesses. It props up the legal system but does not really help small business. We need only look at case studies with the current compulsory third party schemes that are supposed to assist the victim. In one case where the claim took eight years to resolve, the legal, investigative and medical expenses cost \$190,000 while the victim received less than \$30,000. This is the type of thing that would happen under Labor's legislation.

In drafting this bill the commissioner has sought submissions far and wide, with 15 listening tour events across the States and the receipt of written and oral submissions. The commissioner has sought input from those whose lives and businesses are most affected—the small business operators, local councils, local business chambers and industry groups. The Small Business Commissioner has already made a big difference in the lives of many small business operators, as I have already testified. This bill will further enhance the capabilities of the Small Business Commissioner and her office. It will give the commissioner the teeth to advocate and to provide solutions for small business.

The legislative foundation for the office of the Small Business Commissioner has been working very successfully in other jurisdictions and the New South Wales legislative framework provides even stronger support for small business. Not only has the New South Wales Government established the office of the Small Business Commissioner; it has rolled out numerous programs, including Small Biz Connect and the Small Biz Bus, which travels around the State assisting small business owners and operators. Small businesses want these initiatives; they do not want government, especially the Labor Party, to dictate what they should be doing. I commend the bill to the House.

**Mrs LESLIE WILLIAMS** (Port Macquarie) [4.13 p.m.]: Today I make a contribution to debate on the Small Business Commissioner Bill 2012. I support this bill, which was first introduced into the Parliament in November last year. Specifically, the bill will create the position of the Small Business Commissioner and will detail the objectives and the functions of that office. It will establish the legislative framework for the Small Business Commissioner as a statutory officer. As the Minister for Small Business, the Hon. Katrina Hodgkinson, noted in her second reading speech, the introduction of this legislation demonstrates quite clearly that the O'Farrell-Stoner Government is committed to supporting small business across this State.

The bill being debated today is significant for New South Wales because it will mean we will come into line with other States like Victoria, Western Australia and South Australia, all of which have a Small

Business Commissioner as a statutory position. Small businesses across New South Wales will be not only supporting but also applauding the passage of this bill because it will be clear evidence that this Government is delivering on its promise to provide a truly independent voice for the sector. Small business is important to our economy—there are some 680,000 of them across the State representing approximately 96 per cent of all businesses and providing employment for some 50 per cent of the workforce. It makes sense that one would champion for this significant contribution to the economy. Many Government members who now represent their communities in the Parliament were formerly small business owners—the member for Monaro, the member for Myall Lakes and the member for East Hills, to name just a few.

As a small business owner for almost 15 years I understand the need to provide support for these entities and in doing so acknowledge the vital role that they play in our local economies. This is particularly relevant in regional and rural communities where small business makes an irreplaceable contribution to the business landscape by providing a diverse range of services and, just as important, valuable employment opportunities. The introduction of the Small Business Commissioner Bill was preceded by the appointment in 2011 of the first ever Small Business Commissioner in New South Wales, Ms Yasmin King. Ms King also has a small business background and has worked tirelessly since commencing the role of commissioner advocating for small business and improving a broad range of aspects across the sector.

Ms King is already successfully assisting small businesses across the State by providing a central point of contact for small business; facilitating low-cost mediation and alternative dispute resolution services; facilitating and encouraging the fair treatment of small business; and identifying measures to reduce the administrative burden for small business. The functions of the commissioner will include investigating complaints relating to unfair treatment, making representations or taking action on behalf of small business, facilitating the development of codes of practice by industry and, most important, advising the Minister on matters affecting small business.

It is important to emphasise that the New South Wales Small Business Commissioner is independent of government and therefore is able to deal with small business issues in a neutral manner. This is crucial so that small business can have an advocate in a Small Business Commissioner that they can trust and with whom they can liaise confidently, particularly when they seek alternative dispute resolution options. The Coalition made a pre-election commitment to reduce red tape and it is important to achieve this so that small business can grow and prosper. It is pleasing to see that we are getting on with delivering that commitment and of course small businesses are amongst the many stakeholders who are the beneficiaries of reduced red tape.

Anyone who has been in small business will know that navigating through government departments seeking information and advice is no easy task. Having a commissioner dedicated to small business to address some of these administrative burdens is welcome news. We know that the appointment of the Small Business Commissioner has been warmly welcomed by business across the State because it was the cornerstone of the New South Wales Business Chamber's pre-election campaign outlined in the document "10 Big Ideas to Grow NSW". The Chief Executive Officer of the New South Wales Business Chamber, Mr Stephen Cartwright, is encouraging bipartisan support for the bill and I am pleased that is likely to happen. On 21 November last year Mr Cartwright said:

I am very pleased to see such strong support for the role of the Small Business Commissioner and a keen enthusiasm to help the 680,000 small businesses in New South Wales by the New South Wales Government, Opposition and the Greens.

He went on to state:

We believe the New South Wales Government's Small Business Commissioner Bill 2012 is the right bill for the parliament to support and I encourage bipartisan support for the passing of this legislation that empowers the Small Business Commissioner to act on behalf of the small business community.

One of the exciting aspects about the appointment of Ms Yasmin King as the Small Business Commissioner is that she has been prepared to connect with small business right across the State. I assure this House that people living in rural and regional areas are very appreciative of the opportunity to be a part of the development of the Small Business Commissioner legislation. These people know small business so it makes perfect sense to engage and listen to them. Small business people are passionate about what they do and the commissioner can be sure that their advice is genuine and backed by experience and practical knowledge. Listening tours were held in regional areas such as Orange, Bega, Bathurst, Cooma, Lismore, Murwillumbah and Broken Hill. As well as small local businesses attending events, local councils, local business chambers and industry groups took the opportunity to engage.

In October last year the commissioner visited Port Macquarie so local businesses had the opportunity to meet her personally and for her to hear first-hand the many challenges facing small businesses in our region. Ms King used the opportunity also to seek their views about how the New South Wales Government could assist them through the delivery of programs and services. This week the community of Port Macquarie and other mid North Coast towns will host the Small Biz Bus—yesterday in Taree, today in Port Macquarie at the Glasshouse Forecourt in Hay Street and tomorrow in Kempsey. I certainly encourage local small business owners to take the opportunity to visit the Small Biz Bus and to learn about how the Small Business Commissioner can assist them as they work to establish or grow their entities.

In the Port Macquarie electorate small businesses are fortunate to have a range of local organisations advocate on their behalf on various issues. The Camden Haven Chamber of Commerce, currently led by Garry Carpenter, is well known for its strong advocacy for businesses in towns such as Laurieton, Kendall, Kew and Dunbogan. The Camden Haven Chamber of Commerce has worked tirelessly for many years to have a real presence in the community. It is highly regarded for its professionalism and lead role in local events, which has had a positive flow-on effect for local business. For example, the Slice of Haven is now an iconic fixture on the local calendar, as are the monthly Riverwalk Markets, which I frequent often for great coffee, good food and lots of fresh fruit and vegetables.

The Port Macquarie Chamber of Commerce is also a very active organisation. I regularly meet with its members to discuss current issues affecting local small businesses and to hear their views on current State issues. Hayden Oriti was recently appointed president of the Port Macquarie Chamber of Commerce. I congratulate Hayden on his appointment. He will be an effective advocate for small business owners in Port Macquarie. Hayden is supported by a strong executive team and chief executive officer Lisa MacPherson. The chamber continues to work closely with council and me to achieve positive outcomes for local businesses. It also separately operates the Hastings Business Enterprise Network to facilitate learning and growth for small businesses across the Hastings, including Camden Haven, Port Macquarie and Wauchope.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Kiama will resume his seat.

**Mrs LESLIE WILLIAMS:** We are also fortunate to have a number of supportive organisations that specifically focus on assisting small business in the community such as the Micro Business Forum, formerly known as the Home Business Forum. The Hastings Business Women's Network has been in existence for over 10 years and provides a fantastic forum for businesswomen to exchange ideas and information and inspire each other. I am advised that the network now has some 200 members. Clearly this initiative of Kelly Mills, who was the founder in 1999, has been a real success story and I am pleased to have been a member of the organisation for many years. I also congratulate Kelly Lamb, the current president of the Hastings Business Women's Network. She is so energetic and inspiring and has effectively used her leadership role to introduce new initiatives to the network. In closing, I congratulate the Minister on wasting no time in getting the office of the Small Business Commissioner established and on providing the statutory powers under which it will operate. This is a real win for small business. I commend the bill to the House.

**ACTING-SPEAKER (Mr Lee Evans):** Order! I remind members that in accordance with this Parliament's 157 year history, members are to seek the call. Members are not to wander around the Chamber and lollygag whilst other members are speaking.

**Mr NICK LALICH (Cabramatta) [4.23 p.m.]:** I speak in debate on the Small Business Commissioner Bill 2012 which has as its object to create the office of Small Business Commissioner and to specify the role of that office. The commissioner's objectives will be to deal with issues relating to the small business sector in a neutral and independent manner and to provide a central point of contact for small businesses to make complaints about their commercial dealings with other businesses and their dealings with government agencies. The commissioner's functions will include:

- (a) investigating complaints made by or on behalf of small businesses,
- (b) providing low cost alternative dispute resolution services,
- (c) making representations or taking action on behalf of small businesses, and
- (d) requiring any person or government agency to provide such information (or answers to questions) relating to the person's or agency's dealings with small businesses as the commissioner reasonably requires for the purposes of an investigation under the proposed Act.

Small businesses play a very important role in the economy of New South Wales. They are the lifeblood that allows small communities to thrive and survive, and they add life and flavour to suburbs and towns. When small businesses thrive we are in good shape. The constituents in my electorate, particularly those in the Cabramatta central business district, are blessed with a huge variety of small business shops and operators that offer a vast range of products. Small business owners, be they retail, food or administrative, allow Cabramatta to continue to be vibrant and successful. Cabramatta is famous for its pork and chicken rolls and hot bakeries, as well as for its Pho restaurants, which serve beef noodle soup. Combine this with the vibrancy of fresh meat, fish and fruit in the local stores and the suburb is literally bouncing with activity. Small business keeps my electorate alive—the same would apply in most electorates represented in this Chamber. It would be remiss of me not to mention the great work done by President John Medich and the Cabramatta Chamber of Commerce in advocating for and protecting the interests of local small business owners in my electorate.

The bill will establish a Commissioner of Small Business to appropriately handle disputes between small business owners. A process will be put in place that will investigate complaints made by or on behalf of small businesses. The provision of low-cost alternative dispute resolution services will also benefit those businesses that do not have the money or finances to undertake protracted legal action, should a dispute arise. The commissioner also will have the power to make representations on behalf of small business, which hopefully will lead to fairer outcomes for all parties. The bill also relates to government and public sector offices, and provides small businesses with a better way to resolve issues. It is important to protect our small businesses because when they thrive our communities prosper. The establishment of the Small Business Commissioner will result in increased efficiencies and fairer outcomes for all parties involved, should a dispute arise. It will decrease red tape while improving the commercial sector. This will allow our small business operators to keep operating and providing services from local offices, shops and restaurants. The Opposition does not oppose the bill.

**Mr DAVID ELLIOTT** (Baulkham Hills) [4.27 p.m.]: When I listened to the member for Cabramatta sanctimoniously speak about small business I was reminded of that great saying under the former Keating Government: How do you start a small business under Labor? The answer is, you buy a big one. The small business sector is one of the State's most dynamic sources of economic growth and employment. The 680,000 small businesses in New South Wales dominate the economic landscape and provide employment to around 50 per cent of the workforce. There can be little doubt that where the small business sector goes the New South Wales economy follows.

As the parties of small enterprise, it is not surprising that the Liberal and National parties have placed the interests of small business at the top of the Government's agenda. Within a few months of coming to office, the Government illustrated its firm commitment to the interests of small business by appointing Yasmin King as the first Small Business Commissioner in this State. The bill adds to the Government's commitment to small business and is a natural step in the evolution of the office of the Small Business Commissioner. The bill creates a solid legislative framework for the Small Business Commissioner and will give small businesses certainty as to the commissioner's functions and objectives. Importantly, the Small Business Commissioner will be a statutory officer. This will ensure that the commissioner is an independent and autonomous advocate for the interests of small business beyond the influence of the government of the day—something that those opposite failed to do.

It is also to bring New South Wales into alignment with other Australian jurisdictions which also have small business commissioners. It is essential that small businesses are certain that the small business commissioner is serving their interests and not the interests of an external party. Only a genuinely independent small business commissioner will be able to retain the confidence of the small business sector over the long term. I draw the attention of the House to clauses 5 and 9 of the bill, which demonstrate how genuinely independent the small business commissioner will become. Clause 5 clearly outlines that the commissioner will not be subject to the control or direction of the Minister in relation to the commissioner's core functions. Further, clause 9 of the bill provides that the small business commissioner may be removed from office only by the Governor acting on the Minister's recommendation and only for incompetence, incapacity or misbehaviour.

Beyond enshrining the small business commissioner's independence of legislation, the bill clearly outlines the commission's functions, responsibilities and powers. Broadly, the Small Business Commissioner is to be the champion of the interests of small business within the Government, while also providing valuable support to the sector. One of the principal functions of the Small Business Commissioner will be to receive and investigate complaints made by small businesses relating to unfair treatment and unfair practices in

matters that relate to the public interest regarding small business. The commissioner is tasked with conducting such investigations in a neutral, independent and objective manner, which is completely appropriate.

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

## **INVERELL AND GLEN INNES DISTRICT HOSPITALS REDEVELOPMENT**

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

**Mr RICHARD TORBAY** (Northern Tablelands) [4.32 p.m.]: Today I speak in favour of the redevelopment of district hospitals, particularly Inverell and Glen Innes hospitals. Today really belongs to the more than 11,000 people in Inverell, Glen Innes and the Gwydir area, who signed the petition to trigger today's debate. Inverell had two petitions: one from a former local citizen Steven De Gunst—and I am delighted to say that Steven is in the gallery today—which gathered 3,000 signatures, and the petition with more than 11,000 signatures that I have presented to the House

The condition of their hospitals is a heartfelt issue in these communities. History shows that the local people have always given strong support to their hospitals, raising considerable funds for necessary equipment and services. That support has also been accompanied by concern in recent years as the inefficiencies of the ageing hospital infrastructure take their toll on staff, patients and their families. The infrastructure at both the Glen Innes and Inverell hospitals is now at the end of its useful life and the hospitals require major redevelopment. It is an anomaly that district hospitals like these have been ignored in recent rounds of Federal and State funding. The multipurpose service hospitals in smaller communities, the major metropolitan hospitals and the larger rural referral hospitals have fared much better, and I acknowledge both Federal and State governments for that.

Today I am calling on the State Government not only to favourably consider funding to start clinical services plans for the Inverell and Glen Innes hospitals but also to support a discrete category for district hospitals within State and Federal funding models. We want a specific category for district hospitals so they are not continually overlooked. These hospitals were built when distance and relative isolation created greater demands for their services. They have been added onto over the years, creating large sprawling buildings that do not meet the standards of efficiency required by modern medicine, and although staff provide excellent services, they are being asked to perform under extremely trying conditions. This, in turn, makes it more difficult to recruit staff, general practitioner proceduralists, specialists and allied health professionals.

This year the ceiling of the kitchen at Inverell hospital partially collapsed and the kitchen had to be closed because of problems with a leaking air-conditioning unit. The previous year the air conditioning at the hospital failed altogether during the heat of summer and that caused considerable discomfort to patients and staff during the wait for it to be replaced. Patching up these old buildings and adding on services is expensive, and although these upgrades are welcome they do not overcome the fundamental issue that the infrastructure itself is not up to scratch.

Since I became the member for Northern Tablelands the Inverell hospital has added much-needed renal dialysis services for local people who had previously had to travel long distances to Tamworth or Armidale three days a week to access this treatment. It has made an immeasurable difference for patients and their families and there are now calls for the four-chair unit to be upgraded to six chairs and to operate six days a week. That would accommodate patients from Glen Innes—who hope to have their own unit in a redevelopment of the hospital—who now have to travel the longer distance to Armidale.

Last year Hunter New England Area Health Service worked with hospital staff, medicos, community health and the local community and its leaders to compile network service plans as a preliminary to the clinical services plans for redevelopment of the hospitals that I am calling for today. The network service plans outline the demographics of how health services are currently delivered, the shortcomings and the emerging issues with infrastructure that has reached the end of its useful life. One of the most urgent issues is the ageing of the local population, which will place much more pressure on health services as older people, with their failing health and chronic disease issues, are greater users of the system.

Inverell hospital has 58 beds and Glen Innes hospital has 37 beds. Inverell has two operating theatres, a five-chair day surgery clinic and a high observation area but no intensive care unit. An Armidale surgeon visits

once a month for general surgery as the town lost its only general surgeon some years ago and there has not been a replacement. A range of surgical services is offered. Glen Innes hospital has two operating theatres but only one is used by general practitioner proceduralists, who deliver a smaller range of services. More day surgery, ambulatory care services, an expansion of telemedicine, and a hub and spoke model centred in Armidale and providing more outreach services is seen as the way of the future for these hospitals.

There is a need for more connected, accessible and consolidated health facilities to create the efficiencies required to deliver these services. I acknowledge the backlog in regional health and both infrastructure and workforce issues that the Minister inherited when she came to office, and I know there is a lot of pressure for funding. However, for district hospitals that have missed out on funding and require attention, a good start to remedy the situation would be to redevelop Glen Innes and Inverell hospitals and bring them up to standard.

**Mr KEVIN HUMPHRIES** (Barwon—Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales) [4.37 p.m.]: These 10,000 signatures to the New South Wales Parliament from the people of the Northern Tablelands, and specifically the communities of Glen Innes and Inverell, are a demonstration of strong community support for their local health services. The Hunter New England Local Health District has completed local planning exercises for Inverell and Glen Innes health services that reviewed the role, range and delineation of current services provided by hospital and community health services.

Extensive consultation was undertaken with stakeholders in Inverell, Glen Innes and surrounding areas. In Inverell, stakeholders included staff employed by Hunter New England Local Health District at the hospital and community health; local general practitioners; the Ambulance Service of NSW; aged care providers; Aboriginal community groups; the mayor, councillors and senior staff from Inverell Shire Council; local health committees; the hospital auxiliary; "Operation: Operating Room"—a local community fundraising body; and police and education representatives.

In Glen Innes, stakeholders included staff employed by the local health district at the hospital and community health; local general practitioners; members of the local health committees; the mayor, councillors and senior staff of Glen Innes Severn Council; community representatives; and members of the hospital auxiliary. The outcomes of the consultations and analysis of the literature, policy context, population profile and service and activity data identified key issues, gaps and opportunities to ensure the delivery of quality and safe health services in Inverell and Glen Innes into the future.

Stakeholder consultation highlighted the increasing numbers of older people and increasing levels of chronic disease as key health issues for local communities. The overall population of Inverell and Glen Innes is projected to decrease over the next 10 years, but the proportion of older people between 65 and 84 years is expected to increase. Older people are the greatest consumers of health services. However, older people with chronic disease are best managed by community-based models of service delivery. While much focus is on acute services, most health care in Glen Innes and Inverell is delivered in the community. Clear insights from the planning exercises indicated a need for greater access to general practitioner services and primary care. It is important to note that many general practices are established as independent businesses. It should also be noted that under the national health care reforms the responsibility for primary care, general practitioner services and after-hours general practitioner care lies with the recently established Medicare Locals.

The Medicare Locals will need to work much more closely with local communities and organisations, such as the Rural Doctors Network, on the recruitment and retention of general practitioners to support these much-needed services. The role of local public hospitals is to provide emergency and critical care, surgery and related services. In regional and rural towns in particular there is a growing importance for organisations such as the Medicare Locals and the Rural Doctors Network to work more closely with government and non-government providers to help ensure that the primary care needs of residents are met, while taking care not to duplicate services.

Other key insights and recommendations from the planning exercises included consideration be given to enhancing community-based and ambulatory care services—in other words, non-urgent, day only services—to better meet increasing demand. Linkages between primary health care services and emergency departments should be improved to ensure that available community-based ambulatory care services are optimally and appropriately used. Inverell and Glen Innes health services will continue to work with rural referral and tertiary hospitals to ensure that residents have access to quality and safe health services, as well as efficient and timely transfers back to Inverell and Glen Innes for appropriate ongoing care.

Inverell and Glen Innes health services will work towards introducing new models of care to enhance access to health services, including through Telehealth and outreach specialty clinics. To make the best use of existing resources, Inverell and Glen Innes health services will work with other health providers to enhance and coordinate service provision and reduce duplication. The recommendations focus on models of care, service redesign and other strategies to improve services and service delivery. Recruitment and retention of staff was a key issue for both health services. Inverell and Glen Innes health services are working to support and retain quality, skilled staff to sustain and maintain the delivery of services to residents.

To best use existing staff resources, Inverell and Glen Innes health services will work with other health providers to coordinate service provision and reduce duplication. As I previously mentioned, the recent introduction of Medicare Locals also needs to be considered in the future delivery of health services for the residents of both communities. The Hunter New England Local Health District is working with the Medicare Locals to review overall service provision in the communities and the need for improved facilities at Inverell and Glen Innes health services, and has committed to pursue funding for staged upgrades of facilities. Site master plans for Inverell and Glen Innes health services focus on supporting ambulatory models of care, as well as primary and community health, acute services and inpatient units. I commend the people of the Northern Tablelands for their ongoing interest in their local health services.

**Dr ANDREW McDONALD** (Macquarie Fields) [4.42 p.m.]: After that contribution it is time for some plain speaking. Steve de Gunst said it all to me: he said the reason he collected 3,000 signatures, and the reason there are 11,000 signatures on the petition, is that his town is losing too many people. We know that people in western New South Wales live five years fewer than those who live in areas of Sydney, and one major reason for that is lack of access to modern services. What we heard from the Government is that it is someone else's problem, it is all too hard and not much can be done. The Minister said that there are no current plans for full redevelopment of Inverell and Glen Innes health services. Members opposite know full well that that is not true.

Glen Innes is perfect for a multipurpose service—37 beds are obsolescent. It would be a brilliant multipurpose service. Inverell could be designed as a new district general hospital with 50 beds. There is nothing to prevent these hospitals from being built, other than money. The Government should admit that, rather than use complex words such as "ambulatory care". Ambulatory care is fine but unless it is backed up with inpatient care it cannot possibly do its job properly, as members opposite know. There is a lot the Government can do. The first thing it can do is extend the nursing ratios in both Inverell and Glen Innes to the ratios available in city hospitals. It can be done. It requires simply a ministerial signature. It could be done by 5 o'clock this evening if necessary. The nurses at Glen Innes and Inverell already do much more than their city cousins because of a lack of infrastructure. That could be done tonight, and I hope members opposite can give that commitment.

The second problem is that there are not enough general practitioners in town. Glen Innes and Inverell are both short of four general practitioners. Both train large numbers of registrars, none of whom comes back to Glen Innes and Inverell. Why go to Glen Innes and Inverell and die young, as some general practitioners do, when one can work in western Sydney, which also has a shortage of general practitioners? There needs to be some form of incentive for the registrars trained in Glen Innes and Inverell to stay in those towns. Members opposite must stop playing the blame game and put an end to the too-hard pile. The people of Glen Innes and Inverell need to see some progress. Some of that can be done tonight by simply changing the nursing ratios and supporting the medical staff who are there. The most simple thing would be to increase renal dialysis services in Inverell and allow adequate dental care in Glen Innes. That could be done with increased funding. And it could be done tonight if the Government had the will to do something. I commend Steve de Gunst for his petition and I congratulate him.

**Mr KEVIN ANDERSON** (Tamworth) [4.45 p.m.]: I will provide some information to the debate. I congratulate the hardworking member for Northern Tablelands, who has been a strong advocate for health services in the Northern Tablelands over many years. It is a pleasure to join him in the debate relating to Glen Innes and Inverell. Extensive consultation with Hunter New England Local Health District staff and key community stakeholders was undertaken in the planning exercises to identify key service issues and opportunities to sustain and maintain quality and safe health services in Inverell and Glen Innes. The local planning exercises also reviewed the literature, policy context and population profile in health service and activity data.

Inverell hospital provides health services to residents of the Inverell local government area and some residents from the Guyra local government area, in particular from Tingha. Community health services provide

services to residents of Inverell and Guyra local government areas and Bundarra in the Uralla local government area. Hospital services provided include acute medical, surgical, day surgery, palliative care, maternity, paediatric, renal dialysis and emergency services. Community-based services are provided by Inverell community health services. For residents of the local government area who require admission to hospital, 74 per cent are able to be admitted and treated locally at Inverell hospital. It is situated 130 kilometres from Armidale hospital and 215 kilometres from Tamworth hospital, which is the major rural referral centre.

Glen Innes hospital provides health services to residents in the local area. It provides services including acute medical, surgical, maternity and emergency services. Community health services are provided as part of the tablelands community health services. For residents of that local government area who require admission to hospital, 56 per cent are able to be admitted and treated locally at Glen Innes hospital. Glen Innes is 98 kilometres from Armidale hospital. Community health and the hospitals deliver community-based and ambulatory care services to Inverell and Glen Innes, including community nursing, palliative care, cardiac rehabilitation, immunisation, audiometry, women's health, speech pathology, aged care assessment, psychology, podiatry, social work, physiotherapy and occupation therapy.

The local planning exercises recommended that Inverell and Glen Innes health services continue to work with rural referral and tertiary hospitals to ensure that Inverell and Glen Innes residents have access to quality and safe health services, as well as have a timely return to Inverell and Glen Innes hospitals for appropriate ongoing care. Again I congratulate the member for Northern Tablelands on his ongoing interest in health services in the New England area, and Hunter New England Local Health District and the NSW Ministry of Health are continuing to look at ways to improve services and health outcomes for the people of Glen Innes and surrounding areas. I congratulate the people of the New England and Northern Tablelands on their ongoing interest in providing the best possible care closer to home, which is the mantra of the New South Wales Government.

**Discussion concluded.**

## **PRIVATE MEMBERS' STATEMENTS**

### **TUMBATREK 2013**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Premier, and Minister for Western Sydney) [4.49 p.m.]: On 9 February I was delighted to join a number of Federal and State members of Parliament and members of the community for Tumbatrek 2013. Tumbatrek was initiated by former Deputy Prime Minister of Australia Tim Fischer, who joined us on the Friday evening. Tumbatrek was created in an effort to publicise the great tourism potential and opportunities in southern New South Wales but it went into abeyance when Mr Fischer left Federal Parliament to serve with great skill as our Ambassador to the Holy See. The event has now been taken up by the new member for Riverina, Michael McCormack.

On the day I joined Mr McCormack, the member for Albury, Greg Aplin, and the National Party deputy leader in the Senate, Senator Nigel Scullion, along with the Mayor of Tumbarumba Shire, Ian Chaffey, the Mayor of Wagga Wagga, Rod Kendall, and many members of the local Tumbarumba, Wagga Wagga and southern New South Wales communities. It was a great opportunity for me as Premier to have discussions with many people ranging from teachers at Tumbarumba High School to the two mayors about local issues, including the Mannus Dam issue that the Minister for Primary Industries had managed to fix the day before I got there. It was particularly pleasing to walk with members of the local Tumbarumba Rotary Club, as well as some of the students from Tumbarumba High School.

The local Rotary club has put together a program called Tumbarumba to Kokoda [T2K] and the young students whom I met on the day were wearing Abuari T-shirts. I am now the proud owner of an Abuari T-shirt, which I will wear. Abuari is a village on the Kokoda Track near Eora Creek that I remember well from my visit in 2008. For the past number of years year 11 and year 12 students have been given the opportunity to walk the Kokoda Track thanks to support from the local Rotary club and their own fundraising endeavours. It is a great initiative by the Rotary club and a life-changing experience for those students who have completed it.

On Saturday during Tumbatrek we managed to walk nine kilometres, starting in the Bogandyera Nature Reserve and ending up at Henry Angel Trackhead. We travelled the Hume and Hovell Track, which was re-opened for the 1988 Bicentenary of Australia. It is the original path along which Hamilton Hume and



William Hovell travelled in November and December 1824 as they explored some of the country at the request of Sir Thomas Brisbane who was then the Governor of New South Wales. It took Hume and Hovell 11 weeks to get from Appin to Corio Bay at Port Phillip. They were so keen to get back from Victoria to New South Wales that the return journey took only four weeks. Their journey was an historic part of the opening up of this great country and I must say that our walk along part of the Hume and Hovell Track on the day was fantastic. We walked alongside Tumbarumba and Burra Creek and saw some of the old gold workings and tunnels and where I think dynamite was used for only the second time in this country. It was simply extraordinary, as was visiting the area where what we know today as the Snowy Mountains were first recorded by Europeans.

I thank the organisers and Michael McCormack and his team. I also thank Tumbarumba Shire Council and Mayor "Chaff", who has only been in the district since 1961 and is almost regarded as a local. In particular, I thank his staff for their efforts as well. I also thank the member for Wagga Wagga, who not only represented me at a function in Sydney on the day that I was walking but also provided a marvellous alternative taxi service from Wagga Wagga to Tumbarumba the previous evening. I thank Tim Fischer for having the idea to showcase parts of the State, particularly that area. I also recommend Tumbatrek 2014 to my parliamentary colleagues. I intend to go back and do it again. I also commend to anyone who might stumble across this private member's statement the great virtues of regional New South Wales. I encourage them to explore and enjoy our great natural landscape, see some of our wonderful history and support local communities such as Tumbarumba by staying in their motels, eating in their restaurants and shopping in their shops. This State is great across its full 800,000 square kilometres. New South Wales extends beyond Newcastle, Sydney and Wollongong and, I encourage people to give it a go.

#### **HALABJA MASSACRE TWENTY-FIFTH ANNIVERSARY**

**Mr PAUL LYNCH** (Liverpool) [4.54 p.m.]: I draw to the attention of the House a matter of considerable interest and concern for many of my constituents. Next month will be the twenty-fifth anniversary of the attack on a town called Halabja by Saddam Hussein's forces using chemical weapons largely supplied to that army by Western countries. The attack occurred on 16 March 1988. This horrific incident is being commemorated by the Kurdistan Regional Government [KRG]. This attack is of course notorious and known by many people around the world. It is of particular interest in my electorate because of the estimated several thousand people who live in the Liverpool region that have come to this land from what is now the area of the Kurdistan Regional Government. The area is also known as Northern Iraq.

Certainly many Kurdish residents of Liverpool have discussed with me what occurred at Halabja. I note in particular Ms Tagva Zandy, who has drawn my attention to the commemoration that will occur to mark the twenty-fifth anniversary of these killings. Additionally, the office of the official diplomatic representative in Australia of the Kurdistan Regional Government, Mr Haval Syan, is situated diagonally opposite my own at the intersection of Northumberland and Moore Streets, Liverpool, and the flag of the Kurdistan Regional Government flies proudly over the building.

Halabja was once a thriving city. It is near the Iranian border and during the latter part of the Iran-Iraq War it was on the front line. It was occupied by Iranian and pro-Iranian troops and on the morning of 16 March 1988 Iraqi troops launched conventional military attacks on the town. However, at about 3.00 p.m. Iraqi jets commenced dropping chemical weapons that reportedly left a smell of sweet apples. Within minutes of exposure 5,000 non-combatant men, women and children were killed and 7,000 were injured. Human Rights Watch has categorised the killings as an act of genocide. This was part of Operation Anfal. The word "anfal" means "booty". It was revenge for the town and its inhabitants allegedly collaborating with the Iranians. The gas included one made from a hydrogen cyanide compound developed with the help of a German company.

At the time the Central Intelligence Agency in Washington sent a briefing note to United States embassies in the Middle East saying that the gas might have been dropped by Iranians. The Central Intelligence Agency was still supporting Iraq against Iran at that stage. In his book *The Great War for Civilisation* journalist Robert Fisk notes that prior to this Saddam Hussein had used similar weapons on Iranians that killed very large numbers of people. Those instances were similarly downplayed by Western governments because Hussein was their then ally against Iran. After Halabja the elder President Bush increased United States government subsidies to Iraq to buy United States farm products as well as some material that could be potentially used for chemical and biological weapons, not to mention helicopters.

In a sad irony Kurdish writer Abdulwahad Talabani notes the history of the region. In 1920 the then British Secretary of State, Winston Churchill, advised that Kurds and Afghans should be bombed using

chemical weapons. Al Anfal was run by Hussein's relative Ali Hasan Majid, who was known as Chemical Ali originally to Kurds and then more broadly. In the overall Al Anfal campaign he conceded to at least 100,000 disappearances. The campaign started in February 1988. Kurdish sources say that between February and August up to 4,000 villages were burned or bulldozed. Kurdish sources indicate 182,000 disappearances. Fear remained long after the gassing. The people were worried about contamination of the soil, food and water.

Survivors described Al Anfal as "the worst operation against the Kurds in the twentieth century". One Kurd noted that Saddam retaliated against Kurds for fighting with Iran to capture Halabja and said, "Saddam's revenge is based on a tribal mentality: Take three eyes for every eye". Many Kurds and their friends were horrified by the lack of Western response to the atrocity at Halabja. That attitude has now changed in the West because, I suppose, it suits the politics to change it. Kurdish poet Riza Colpan wrote in the poem *Mourning in Black*:

As the poisoned wind ended all life  
the world remained blind and deaf  
Even God appeared not to witness the death  
The believers mourned in black  
Oh pity me, pity me!  
Five thousand Kurds were martyred  
After that smog submerged the town  
wounded hearts could not find a cure  
Elsewhere, the wild aggressive enemy  
hunted the Kurdish people,  
burning their homes, trees and crops  
The forest and fields mourned in black.

In another line that has stayed with me the poet wrote, "As Halabja turned into Hiroshima". There are ongoing consequences from the use of chemical weapons. There are long-term illnesses, birth defects, miscarriages, infertility, paralysis, neurological defects and cancers among surviving generations. Soil damage, contaminated water supply and a spoiled food supply are ongoing problems. The resilience of the Kurdish people is still seen, however, in their efforts in the Kurdistan Regional Government area and in places such as Liverpool. The Halabja Massacre, sometimes also known as Bloody Friday, is regarded as history's largest chemical weapons attack against a civilian populated area. These events should not be forgotten. They certainly cannot be forgotten by many of my constituents.

### CENTRAL WEST BUSHFIRES

**Mr KEVIN HUMPHRIES** (Barwon—Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales) [4.59 p.m.]: I praise the courage, resolve and professionalism of the firefighters and emergency services personnel in my electorate of Barwon. In January this year, one of the most fearsome and destructive fires the State had seen in almost a decade tore through Coonabarabran and the surrounding region. The toll was horrific. More than 54,000 hectares were burnt out, resulting in the loss of over 50 homes, 100 farm outbuildings, agricultural machinery, livestock and some infrastructure at the Siding Spring Observatory and the Warrumbungle National Park. I am thankful that there was no loss of life. That was due mainly to the hard work and dedication shown by the emergency services and many of the townspeople who risked their lives to ensure that their families, friends and neighbours were evacuated to safety.

It is true that the worst in nature often brings out the best in us. When it quickly became apparent that the fire bearing down on the Coonabarabran township was no ordinary blaze but a catastrophic inferno capable of causing widespread loss of life and property, a large number of Rural Fire Service volunteers immediately heeded the call and sprang into action. It is because of these men and women that we are not counting the cost of this catastrophe in lives lost. We should not use the term "hero" too lightly because it can diminish its meaning when we speak of real heroes such as these men and women. They are people whose considerations are for those around them and not for themselves. I am referring to people such as Rural Fire Service Captain Bob Fenwick who was out protecting the lives and homes of others at the same time as his wife, Jeanette, was evacuating their home, which was ultimately destroyed in the blaze. Bob's dedication to the job at hand epitomises the sacrifices made by firefighters on a daily basis. His story is just one of the many courageous and selfless acts carried out by people involved in containing these blazes.

Soon after the fires were contained, a recovery centre was established and the former commander of the Western Division of the NSW Police Force, Steve Bradshaw, was appointed Recovery Coordinator to manage recovery efforts in the Warrumbungle Shire. Mr Bradshaw has been joined by a strong team of volunteers from a number of local community organisations and residents wanting to lend a hand to their friends and neighbours.

I visited the recovery centre during the disaster together with the Prime Minister and the Federal member for Parkes, Mark Coulton. We were briefed on the disaster and given the opportunity to meet people such as the Fenwicks as well as many other volunteers, residents and emergency services personnel. The manner in which all levels of government and all arms of emergency services cooperated was exceptional. I am proud of each and every person who worked tirelessly to overcome what could have been a genuine tragedy.

The people of Coonabarabran are under no illusions that the recovery process will be quick and easy. However, the long process to get the town back on its feet has begun in earnest. BlazeAid has set up camp in Coonabarabran and started work on repairing fencing that was damaged or destroyed in the fire. It is estimated that it will take nine months to restore the many kilometres of fencing that is in need of repair or replacement. Residents in the Coonamble, Gilgandra and Warrumbungle local government areas are able to access Australian Government recovery payments of \$1,000 per adult and \$400 per child. The Premier has written to the Prime Minister requesting that primary producers in all affected areas be eligible for category C assistance grants of \$15,000 to help them get back on their feet. This weekend the Premier will be hosting a barbecue for volunteers, emergency services personnel, local government employees and residents affected by the fires. I will be joining my colleague the Minister for Police and Emergency Services in saying thank you to all those who were involved.

### TRIBUTE TO ANNIE JONES

**Mr BRUCE NOTLEY-SMITH** (Coogee) [5.03 p.m.]: No member would question the importance of a good education. Many of us sit in this chamber today because of the dedication and talent of those who taught us in our formative years. Many members will recall a favourite teacher, one who inspired us to reach beyond our grasp, who took time out of class to assist their students, a teacher who could make even the most mundane subject an exciting and positive experience. There are many teachers in our education system who take time to go further than others are prepared to go, in the service of their students.

One such teacher is Annie Jones. Annie is the Principal of Kensington Public School in my electorate of Coogee. Sadly, for my community at least, Annie is retiring on 12 March after 22 years of service to Kensington Public School and a total of 50 years of service to the New South Wales Department of Education. Annie has moulded Kensington Public School into a very successful local school, providing a well-rounded education to all her students. Her achievements as principal are wide and varied, and her dedication to her students is unrivalled.

Annie started her career as a teacher 50 years ago when, at just 16 years of age, she joined the Department of Education. After two years of teacher training she was given her first permanent appointment in Beecroft. Over the next 25 years she moved around the State, from New England and the North Coast to Sydney's inner city and finally to the eastern suburbs. One of Annie's first appointments was at Eungai Creek, where she lobbied hard for the first Disadvantaged Schools Program grant so that she could provide a Gifted and Talented Program at that school. Many students from Eungai Creek, despite its being a small school in a small town on the mid North Coast, went on to achieve much success. One student has published a novel, another won a gold medal at the International Chemistry Olympiad, another went on to win awards with the Sydney Theatre Company and yet another has forged a very successful career in the finance industry.

Annie's greatest achievement is taking Kensington Public to where it is today. Kensington Public has 400 students and 74 per cent of them come from language backgrounds other than English. With more than 40 nationalities at the school, Annie is passionate about celebrating its diversity. There is no racism because the children understand and celebrate cultural diversity. Every year the school celebrates Harmony Day as well as holding a Multicultural Day. This cultural diversity extends into the classroom too, with all students at Kensington Public learning a second language. Kensington Public is also looking to create greater ties with Asia. The school employs two teachers of Mandarin and approximately 60 per cent of students study that language. Kensington Public is also the only primary school in Sydney with a Confucius Classroom and the school has also cemented ties with a sister school in China's Sichuan Province.

The school has started a program for healthy eating and recently tendered out the operation of the canteen in order to find the healthiest options for students. Annie tells me that there have been almost no suspensions from the school in 15 years—an amazing result. I am told that the only peer pressure you will find in the playground at Kensington Public is the kids pressuring each other into being on their best behaviour, rather than breaking the rules. Annie Jones has made great strides in expanding the curriculum available at the school. All students at Kensington Public participate in chess and debating and learn to play a musical instrument. The

children attend a half-hour philosophy lesson each week and they are encouraged to apply that philosophical instruction in their everyday lives. All senior students at the school learn Shakespeare for Beginners. I am proud to report that Annie's focus on the schooling experience as a whole is reaping great rewards in the classroom.

Kensington Public consistently outperforms the State average results in every area of the National Assessment Program—Literacy and Numeracy [NAPLAN]. One in five graduating students is accepted into selective high schools. That is not bad for a school that does not pick and choose its enrolment but draws students from the local area. I found it most interesting when Annie told me that, whilst many people complain about a crowded curriculum and the ever-increasing workload we put on our teachers, her vast experience has taught her ways to manage it. What better attitude could we expect of a school principal? Annie Jones is a leader who is eager, not just to fulfil the exacting requirements imposed on someone in her role, but an innovator who is constantly searching for and finding new ways to achieve the very best outcomes for her students. Members will agree that she has done an outstanding job. It gives me great pleasure to be able to commend, celebrate and thank one of my electorate's—and one of this State's—great educators. I am envious of those students who have been blessed to have Annie Jones as their teacher over the past 50 years. She will be missed by everybody at Kensington Public School and I wish her all the best in her well-deserved retirement.

### VIETNAMESE TET FESTIVAL

**Mr NICK LALICH** (Cabramatta) [5.08 p.m.]: On 2 February 2013 I attended the Tet Festival, which is the annual celebration of the lunar new year by the Vietnamese Community in Australia. This year we celebrated the Year of the Snake. I was joined at the Tet Festival by the Prime Minister, Julia Gillard; the Minister for Tertiary Education, Skills, Science and Research, Chris Bowen; the Minister for Justice and Home Affairs, Jason Clare; the Federal member for Fowler, Chris Hayes; and the Federal Leader of the Opposition, Mr Tony Abbott. The New South Wales Parliament was very well represented at the festival by the Premier, Barry O'Farrell, and the Leader of the Opposition, John Robertson, who graced the Fairfield Showground with their presence. My parliamentary colleagues the member for Bankstown, Tania Mihailuk; the member for Auburn, Barbara Perry; the member for Fairfield, Guy Zangari; and the member for Smithfield, Andrew Rohan, were also in attendance. I acknowledge also the presence of Superintendent Wayne Murray, who is the Commander of the Cabramatta Local Area Command.

The calibre of the festival's guests speaks volumes for the importance and significance of the lunar new year and the Vietnamese Tet Festival. It was a wet and dreary day at the Fairfield Showground on the afternoon of 2 February. However, the sheer might of spirit and enthusiasm from the crowd, who braved the rain to see their Prime Minister wish them "Chúc mừng năm mới", and the thousands of people who attended made a fitting display of the determination and willpower that the Vietnamese-Australian community has shown to be part of its DNA. From humble beginnings—many of our Vietnamese-Australian friends came to this land by boat as refugees to flee persecution and pursue freedom—they found freedom here in our great country. They have enriched Sydney by making our city their home. I am very proud to have made so many great friends in the Vietnamese-Australian community during my public life over the past two decades.

There are many temples in my electorate—for example, the Phước Huệ Temple at Wetherill Park and the Vien Giac Tie Temple—and many more churches and places of worship that do a fantastic job of providing the community with belief and faith. Numerous community organisations look after their community day in and day out, such as the Vietnamese Community in Australia and the Vietnamese Mutual Support Association, which is led by my very good friends Dien Khien Nguyen, and Tac Sang Din, who is affectionately known as Mr Sang. The many others who assist those associations to function also deserve our gratitude.

The Tet Festival really is a highlight of our local community's calendar. Local businesses, organisations and many food outlets hosted stalls and got right into the new year spirit. The rain did not weary those who were hungry that night. Thousands of local community members trudged around in the mud, but they were determined not to let the weather dampen their spirit or their lunar new year celebrations. I mention the Vietnamese boy scout troop, which had a magnificent display of bonsai plants for viewing and for sale. As I said, the local eateries had stalls open, as did many cultural and religious groups. I was told by many visitors to the Tet Festival that the fried banana was to die for.

It was an evening to celebrate the Lunar New Year, but more than that it was an evening to celebrate the freedom attained by so many Vietnamese Australians and the great contributions that they continue to make to our society. I wish the entire community a tremendously successful and happy Year of the Snake. This year it is the Year of the Water Snake, which is a friendly snake. I wish good health, good luck, prosperity and

happiness to my colleagues in this House and to the entire Vietnamese-Australian community in New South Wales. I congratulate the Vietnamese Community in Australia on another successful event. I congratulate the association's president, Mr Thanh Nguyen, and my good friend Mr Tri Vo on the great Tet Festival for 2013. I wish everybody a happy new year—Chúc mừng năm mới!

### **TOUCHED BY OLIVIA FOUNDATION**

#### **RYDE LUNAR NEW YEAR FESTIVAL**

**Mr VICTOR DOMINELLO** (Ryde—Minister for Citizenship and Communities, and Minister for Aboriginal Affairs) [5.13 p.m.]: The Ryde community is alive and well. More than two years ago my attention was drawn to Livvi's Place, which was a proposal for an all-inclusive playground at Yamble Reserve on Quarry Road, Ryde. The project was in memory of Olivia Perkins, whose parents, John and Justine, are the founders of the Touched By Olivia Foundation, which is focused on improving the health and happiness of Australian children. On Sunday 3 February the dream became a reality with more than 1,500 people in attendance at the unveiling of this joint community effort. The joy on the faces of the children present was priceless, and the sense of having established such an incredible fun and engaging space for children of all ages by the sponsors, parents, carers, teachers, the Mayor of the City of Ryde, councillors and staff was described as profoundly satisfying by all involved.

For their contribution to the projects I specifically mention my colleague Mr Andrew Constance, the Minister for Ageing, and Minister for Disability Services, my Federal Parliament colleague John Alexander, Ryde city councillors Artin Etmetdjian and Roy Maggio, Mitch Corn, Iwan Sunito, Fiona Morrison, Jeff Kerr, Liz Read, Ian Andrews, Hamish Putt, Dan Stace, Jay Laga'aia, Jo Blackmore, James Rosenwax, Judy Lewis, Renata Cooper, Kaylar Michaelian, Lance Brooks, Ingrid Hazelspring, Tony Abboud, Craig Wiseman, Robbie Pattinson, Lindy Stuart, Touched By Olivia founders, John and Justine Perkins, and the unstoppable Rebecca Ho, who is the chief executive officer of the foundation. The design of the park is quite remarkable and really has something to offer everyone. There are swings and sandpits, audible and visual activities, and areas in which to relax as well as areas in which to run. Included is a large, connected families-and-barbecue area that brings the community together with state-of-the-art facilities. I am confident that this playground will serve as a significant asset to our existing community and play a role in creating and strengthening future communities.

In further community news, Ryde recently celebrated the Lunar New Year festival with its annual cooking competition and celebrations in Eastwood. Each year this celebration attracts hundreds of locals, who join in the festivities and engage with the traditions of the Lunar New Year. This event is a prime example of the close-knit community that Ryde has to offer. Such a fantastic event would not be possible without the input of many committed individuals. The Ryde Lunar New Year Committee members include Hugh Lee, OAM, Councillor Justin Li, Trina Mosley, Andy Lau, Brad Chan, Caroline Xu, David Kwon, Derek McCarthy, Gavin Mussone, Liz Kim, Norman Li, Ricky Lui and Julie Lui, Roseanna Gallo, Tony Tang, Vic Tagg, Vivien Lor, Wendy Au, Wilson Fu and WoonKil Choi. I thank them all personally for their contributions.

The Lunar New Year celebrations also extend beyond the cultural hub of Eastwood and into our school communities. Recently I attended the Denistone East Public School's special Lunar New Year assembly and was incredibly impressed by the enthusiasm of the students who sang, danced and acted as part of the school's celebrations. Their lion dance was particularly enjoyed by all those who attended. In conclusion, it is worth noting that in order for a community to thrive it requires leaders. Ryde is fortunate to have an abundance of strong community leaders. High-calibre leadership also is evident in Ryde's schools. The West Ryde Public School recently presented its newly elected school leaders to the school community. I was fortunate to have been invited to attend the ceremony and to have presented William Tu, Angela Deegan, Jason Ahn, Anthea Xu-Louie and house leaders Deniz Albayrak, Haydyn Ryland-Adair, Avanees Kalidasan, Duncan Irving, Aneli Higham, Joanna Sams, Andres Roque, Sarah Lynch, Jonah Tan, Aidan Emeleus, Alex Whitney, Jack Baker, Karin Tan, Adelle Thomas, Bhavya Mamidyala and Lucy Truong with leadership badges.

I was equally impressed by students Ashwini Sith-Nantha, Ben Hayes, Chloe Edwards, Daniel Gillespie, Kate Egan, Ghanesh Sureshkuma, Niki Verrall and Jack Curd, who are leaders I met at the Denistone East Public School's lunar assembly. This unique blend of leadership, spirit and determination is shared among a diverse range of Ryde's population. It is irrefutable evidence that the community is alive and well in Ryde. I pay particular tribute to all community leaders who contribute greatly to Ryde's social fabric. Ryde is a wonderfully diverse multicultural community. Without community leaders the social adhesion that brings everyone together would not exist.

### TRIBUTE TO MAX PARKER

**Mr GLENN BROOKES** (East Hills) [5.17 p.m.]: It is with great sadness as well as admiration that I make this private member's statement regarding my mate, the late Councillor Max Parker. Max was first elected to the Bankstown City Council in 1983. He created history in Bankstown as it was the first time that a father and son had served as councillors. Max went on to represent the people of South Ward for 29 years until retiring in September last year. In 2004 history was repeated with Max's son, Scott Parker, following in his father's and grandfather's footsteps. Scott served on the council with Max. Councillor Scott Parker took his father's place and was re-elected to the council in last year's election.

Max served as the mayor on two occasions, first in 1985 when he was elected to complete his father's term as mayor after his passing and again for the 1994-95 term. Max also served as the deputy mayor for the 1991-92 term. Max lived in the city of Bankstown and the electorate of East Hills all his life and strongly believed in a fair go for everyone. He worked hard to ensure that council worked together for the benefit of all the community. During Max's time on council he was a representative on many committees, including lengthy service on the Bankstown traffic committee. He was passionate about many things in the community, including starting the Revesby Blue Light Disco, one of the few surviving Blue Light discos today, with 25 years history. He was also passionate about aged care, libraries and improving community facilities.

On leaving school Max trained as a butcher, but eventually joined his father in the family's local business, Parker Footwear, in 1974. The Parker Footwear store serviced the entire community and if you knew Max, you would remember him perched on his green box in the store ready to have a yarn. Max served in the Army Reserve for 21 years. He was also the President of the Revesby Heights Ex-Servicemen's Memorial Club—"hero's hill" as it is known to the locals—where you would often see Max having a beer and trying to fix the world. It was Max who ensured that our Anzac Day services would thrive. They were well attended, so much so that he would invite international visitors from Papua New Guinea, the fuzzy wuzzies, who always wore full traditional costume.

I consider myself very lucky to have served two terms on council with Max and will forever be indebted to him for all he taught me about local government and politics in general—to treat everyone equally and not worry about what political sway they had. Max told me when I was first elected to remain the same man he knew and to stay true to my roots. Max was a witty, likeable character who called a spade a spade. His cheeky smile will be missed by all. Our thoughts are with his wife, Jan, his son, Councillor Scott Parker, and the whole Parker family. The community is missing you, Max. You were a truly remarkable and caring man who lived for his community and always put them first.

### MAGDALENE CATHOLIC HIGH SCHOOL AND ST GREGORY'S COLLEGE CAMPBELLTOWN

**Mr CHRIS PATTERSON** (Camden) [5.22 p.m.]: Today I acknowledge and congratulate two fantastic schools within my electorate, Magdalene Catholic High School and St Gregory's College, Campbelltown. I had the privilege of attending both schools' assemblies to recognise their 2012 Higher School Certificate high achievers. Both Magdalene Catholic High School and St Gregory's College are wonderful schools in the Macarthur area that provide a rich and nurturing Catholic educational environment for young men and women to grow into well-rounded young adults. The single most enjoyable part of being a member of this House is the visits that I make to schools. The young adults I get to meet offer inspiration, and to see their achievements, whether they be on the sporting field, success in the classroom or in the pursuit of excellence in the many other fields that are offered, is something that I am extremely proud of, as are the students, parents, school community and wider community.

Magdalene was established in 1999 and is currently led by Principal John Lo Cascio. John and his staff are highly dedicated and extremely well regarded. The educational support and pastoral care provided to Magdalene's students to reach their full potential is evident every time I attend the school and is reflected in their Higher School Certificate results every year. St Gregory's College, established in 1926 and led by headmaster Damien Millar, has a long and proud history of offering an enriching environment for young men from our local community and afar to grow and to learn. The high standard of education at the college allows its students to achieve excellent results every year. Damien, the brothers and the staff at St Gregory's are held in the same high regard and esteem as their Magdalene counterparts.

I congratulate Magdalene's Dux, Melissa Smith, who had an Australian Tertiary Admission Rank [ATAR] of 97.95. I also congratulate Nicholas Dahler, 93.35, Rachel Brown, 94.35, Annelise Sutherland,

96.75, Oliver Enriquez, 93.95, Thomas Vella, 93.25, Tabitha Brown, 91.70, William Thackeray, 90.30 and Alexandria Stone, 90.15. I congratulate also the students from Magdalene who received band six results in one or more subjects: Kimberley Borg, Isabella Coluccio, Zaccariah Knobel, Corinne Rugolo, Laura Jones, Daniel Colley, Brooke Lawrence, Brianna Warren, Robert Gorringer, Joshua Kenny, Jordan Peruzzi, Patrick Sanda, Nicole Sandrone, Matthew Serone, Daniel Conte, Luana Harris, Kieren Ross, Georgia White, Hannah McLaren, Analise Vella and Laura Zanatta.

I congratulate St Gregory's Dux, James Horton, with an ATAR of 98.05. I also congratulate Alexander Craze, 96.90, Miguel Gilarte, 94.50, Thomas Brown, 96.60, Ivan Franich, 94.40, Timothy Wray 95.40, Lewis Field, 93.70—who placed fourth in the State in information processes and technology and whose industrial technology timber project was nominated for the prestigious IndTech exhibition—Jonathan Pacchiarotta, 95.35, Michael Stambouli, 92.80, James Graham, 95.00, Ryan Watts, 92.80, Joshua Hughes, 94.95, Christopher Varrica, 90.30 and Stephen Harris, 94.75.

I congratulate also the students from St Gregory's who received a high achievement in a particular area: Benjamin Hughes, whose *Viva Voca* was nominated for the prestigious On Stage program, and Simon McFadyen and Thomas Soccio, who were nominated for the prestigious IndTech exhibition. I commend all of the abovementioned students and Magdalene Catholic High School and St Gregory's College for these tremendous and well-deserved results. The people of Macarthur are extremely proud to have two wonderful schools of St Gregory's College and Magdalene's calibre. It is a credit to the principals and all staff involved at both schools, and the students who attend the schools.

### ROADSIDE TRAILER ADVERTISING

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [5.27 p.m.]: This evening I raise the issue of roadside trailer advertising in my community of Pittwater. It is an issue of increasing frustration for many residents in my community. I thank Stuart Matthews from Avalon for raising this specifically with me, and others who have spoken to me about it. It is an issue that I understand local councils and Roads and Maritime Services are becoming particularly familiar with. These advertising trailers, many of which are purposely constructed to comply with parking regulations, are increasing in number and are often found in potentially dangerous areas alongside high-traffic corridors or in connector roads. Given that the sole objective of these trailers is to attract the attention of drivers, it is alarming to see them appearing along our local roads, particularly in areas where driver concentration is essential.

I have noted one or two websites that advertise these trailers. One of them says there is research to suggest that 98 per cent of drivers notice the trailers as they pass them, which is precisely the reason they are a potential danger because of driver distraction. Other advertising makes it clear that these trailers are constructed solely for the purpose of advertising. One website says, "Buy it, park it, advertise it." Another promises that it can supply people with a purpose-built trailer with sides flat and ready for signage. It is purely for advertising. In the Pittwater community we have started seeing these advertising trailers appearing in increasing numbers along Barrenjoey Road, particularly around the Bilgola Bends, and along Mona Vale Road and Pittwater Road and occasionally the Wakehurst Parkway. Someone puts a trailer at a particular location and someone else thinks it is a terrific idea and follows suit and it continues until there is an ad hoc and unsightly mess.

It results in something similar to the ad hoc car yards we often see set up along main roads on the weekends—but the difference with advertising trailers is that they can stay in the same place for months or for years. The message from my community, and I imagine the message being conveyed to other members in this place, is that tighter restrictions should be explored to help counter this use of public space for private profit. Motorists already have enough to concentrate on whilst driving—including the increasing number of official warning and instructional signs on our roads—without being hounded with advertising. Whilst there will always be non-official signs along our roads, such as those associated with shopfronts, purposely placing advertising trailers in potentially dangerous areas is a step too far. I understand councils are fielding increasing numbers of complaints about this issue, and that in many circumstances they are restricted in their actions. This is particularly the case when trailers have been positioned correctly in relation to the flow of traffic, meet specific size limits and do not defy parking restrictions.

Councils can play an important role when this is not the case, when trailers are not parked close and parallel to give the biggest side-on view to traffic. All too often we are seeing these advertising trailers being parked at dangerous and protruding angles—obviously to ensure that the information they are displaying can be seen by passing traffic. This is clearly the time for councils to step in and I would strongly encourage them to do

so. We must also keep in mind that whilst many of these trailers are being placed in built-up areas, and often taking up sought-after parking spaces, many of them are being positioned on verges and in unkerbed areas where you would not generally park a vehicle. In Pittwater, for example, the beautiful natural corridor around the Bilgola Bends would not be somewhere you would routinely stop unless you had broken down. Local councils obviously cannot erect no parking signs in every location on every road—we already have too many signs—and it is unreasonable to introduce measures that may disadvantage motorists who are parking temporarily, not for free advertising purposes. Clearly, a more universal and practical approach to this issue must be explored.

This is not so much a black-and-white case about whether these trailers are being parked illegally, rather it is a broader issue about the safety of motorists and whether we want our road shoulders and parking lanes to be converted into permanent advertising opportunities. Businesses are effectively taking advantage of an opportunity to gain free advertising exposure on public spaces—and many would not blame them. I do not blame them for doing this. However, the problem is that it is an opportunity that everyone appears to be joining in on, and it is making sections of road within our communities look farcical. Many residents have told me that they would not mind so much if they came across one of these advertising trailers every so often—but this obviously is not the case, and as they have started to multiply so too has the level of frustration throughout the community.

I strongly encourage Roads and Maritime Services, as well as this Parliament's Staysafe committee, to explore this issue closely and investigate universal approaches that could be introduced to help restrict and regulate this activity, particularly where they could be seen to be distracting drivers, and better assist local councils with their enforcement efforts. This is not about stopping private businesses from finding opportunistic places to advertise—it is simply about acknowledging that this trend towards mobile trailer advertising has taken off without clear restrictions in place, and that in many areas it is simply unsafe to have the verges of our roads lined with distracting advertisements.

#### **FLINDERS RAILWAY STATION**

**Ms ANNA WATSON** (Shellharbour) [5.32 p.m.]: I will give the House an update on the construction of a new train station in my electorate. The new Flinders station has been earmarked for construction for many years. The need for the station was first identified in 2001. It was to be built as the suburb from which it draws much of its population developed with new housing. In early February 2011, the former Labor Government announced that the new station would be brought on line and built within three years. The Flinders station attracted bipartisan political support, but only after the then Coalition Opposition had to be dragged kicking and screaming to support it just weeks before the March 2011 election. In the end, I was pleased with the then Opposition's reluctant support because I could see that regardless of which party won the election, the new Flinders station would be built.

Although the new Coalition Government made a big announcement that the Flinders station would be built last year, it laid out a timetable of key objectives that have not been met. Indeed, only after I placed questions in writing to the Minister for Transport late last year was it revealed that the original timetable laid out by this Government would not be met. In fact, the construction schedule has been delayed by nearly 12 months. Planning documents that the Government promised with much publicity would be made publicly available in the middle of last year have only just been released. This followed a rather embarrassing moment for the member for Kiama when the Minister announced the planned construction upgrade of the Waterfall station. I have cautioned Waterfall commuters to maintain a vigilant check on the promises of the Government—

**Mr Gareth Ward:** Point of order: Guidelines in relation to private members' statements provide that members cannot talk about matters outside their electorates. Shell Cove is in my electorate. The member for Shellharbour should be called to order.

**Ms ANNA WATSON:** I am giving a history lesson here. This has historical value. Even though the member for Kiama—

**Mr Gareth Ward:** It is not going to be Flinders; it is going to be Shell Cove.

**ACTING-SPEAKER (Mr John Barilaro):** Order! The member for Shellharbour may continue.

**Ms ANNA WATSON:** I have cautioned Waterfall commuters to maintain a vigilant check on the promises the Government has made because the timetable announced for Flinders station was never met. As part of



the media management to divert attention from the Waterfall upgrade, the Government allowed the member for Kiama to announce that Flinders station would now be known as Shell Cove station when it was completed in 2014. This announcement made to the *Illawarra Mercury* last Saturday has caused considerable anger among the Flinders community. There has been absolutely no consultation with the local community about the proposed name change of the Flinders station to Shell Cove. The complete arrogance of the Government and, I am sad to say, the member for Kiama, has been astounding. Nobody has been consulted on this proposed change of name. Shellharbour City Council knew nothing of the proposal. The Flinders community in my electorate knew nothing of this proposal. I have asked a series of questions in writing of the Minister for Transport which have been published in the *Questions and Answers* paper. I shall be most interested in the answers I receive.

I understand, following advice from the independent New South Wales Parliamentary Library, that the Government, through the announcement by the member for Kiama, is in breach of the Geographical Names Act 1966. Under the Act, the Government is required to give notice of its proposal to name or rename a public facility. It is required to seek public submissions within a certain period of time. This has not occurred. These submissions must be considered prior to any imposition of name or alteration of name. Indeed, the Act contains—and this is most important—a special clause that recognises a name of a place for a period of two years if that name has been used in official government documents. Apart from the arrogance of the way this matter has been handled by the Government, I am opposed to the proposed renaming of Flinders station to Shell Cove for another important reason—history—Australia's early settler history.

The suburb of Flinders was named by Shellharbour City Council after the distinguished navigator Matthew Flinders. Indeed, Bass Point, not very far from Flinders, was named after George Bass. Bass Point has recently received heritage recognition. Bass Point is currently located, as the member for Kiama rightly points out, in the electorate of Kiama. Yet the member for Kiama seeks to trash the recognition of George Bass's explorer compatriot, Matthew Flinders, by proposing without any consultation to rename a new station to be built in the very suburb named after him. Not so long ago in the lead-up to Australia Day, the member for Kiama issued—

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member's time has expired.

**Ms ANNA WATSON:** I seek an extension of time.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member must seek an extension of time by leave. Is leave granted?

**Leave not granted.**

**Ms Anna Watson:** You do not want to know the truth, my friends.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! The member for Shellharbour will resume her seat. The member for Shellharbour will be removed from the Chamber and her comments stricken from the record if she continues with that type of behaviour.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [5.38 p.m.]: Clearly the member for Shellharbour was speaking outside the realms of her own electorate. I ask you—

**Ms Anna Watson:** Actually, I was not.

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

**Ms Anna Watson:** Point of order: I was not speaking about matters outside my electorate.

**ACTING-SPEAKER (Mr Gareth Ward):** Order! That is not a point of order. The member will resume her seat.

**Ms Anna Watson:** I have had many concerns, consultations and emails from—

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

**ACTING-SPEAKER (Mr Gareth Ward):** I ask that the clocks be restarted, given that the Parliamentary Secretary was rudely interrupted.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [5.39 p.m.]: The previous speaker was raising issues outside the realms of her electorate. All members should familiarise themselves with the standing orders. Private members' statements must pertain to members' electorates. As the previous speaker noted, she had asked questions and she had received answers. I ask that she familiarise herself with those answers and if she does not understand those answers, perhaps she could ask another learned colleague on her side of the House to explain them to her.

**ACTING-SPEAKER (Mr Gareth Ward):** I rule accordingly on the excellent points made by the Parliamentary Secretary. It is outside the policy of private members' statements for speakers when giving a private member's statement to talk about issues outside of their electorates. Clearly, that was the case with the previous speech.

### **WAGGA WAGGA ELECTORATE EVENTS**

**Mr DARYL MAGUIRE** (Wagga Wagga) [5.40 p.m.]: I bring to the attention of the House a number of events that occurred in the electorate of Wagga Wagga on Tuesday 12 March and Wednesday 13 March. They relate to the disability sector. I was delighted to welcome the Minister for Ageing and Disability Services to Wagga Wagga to officiate at the opening of Kurrajong Waratah Group House in Olearia Place. Kurrajong Waratah Group House was a vision of the families and the management of Kurrajong to accommodate people with disabilities in group accommodation. The Minister and I attended with 150 people on that day, along with the residents of Olearia Place. The Minister unveiled a plaque. The community should be commended for the fundraising effort that brought this project to fruition. It cost \$600,000 for this third accommodation house to be opened. The money was raised by members of the community. I pay tribute to those people who gave their time to raise those funds.

We also visited Valmar Support Services. The Minister commissioned a new Meals on Wheels kitchen to which the Government contributed \$30,000. Valmar Support Services is a wonderful organisation that provides support to people with disabilities and provides meals on wheels five days a week to people throughout the Tumut-Batlow area. We met with employees, support staff and family. The Valmar Support Service is a great credit to the Tumut community. Earlier we attended a book launch on the history of Valmar at which Mrs Brown was present. She is the lady who started Valmar. Both the Minister and I had a great day. We also visited IDEAS, another organisation that works for the disability sector in Tumut. We met with staff who are planning to hold a function in Newcastle.

The next day we attended The Leisure Company, which provides services and support for people with disabilities and offers different programs. Some of the clients of The Leisure Company participate in work programs. Three days a week they come to work in my office. They collect the mail and papers and run errands: tasks that give life experiences to disabled people. I and my staff are delighted to participate in this program. Other offices in this building also have people who make an enormous contribution to our workplace. The Minister opened the new extensions to The Leisure Company, which spent \$500,000 on renovations to the building it acquired a number of years ago. The community raised in excess of \$250,000. The Minister also put forward \$250,000. The building has been transformed to almost double its previous size. It has been upgraded from front to back and top to bottom with new roofing, offices and kitchen. Previously The Leisure Company rented accommodation.

Like all non-government organisations, The Leisure Company struggled from week to week to pay its way. When I met with Libby Clohessy, I suggested that money was needed to buy the building. The community and the board of The Leisure Company arranged the funding and bought the building, and that has culminated in the renovation and the transformation of The Leisure Company. We attended a number of events at which a number of buildings were opened. I place on record my sincere appreciation to the Minister for giving up two days of his time to be in our community to listen to the challenges that families and carers have in the disability sector. His remarks were warmly welcomed, particularly the way in which the National Disability Insurance Scheme has been embraced. It will create great futures for people with disabilities. I thank the Minister for his time and effort.

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [5.45 p.m.]: I endorse the comments by the member for Wagga Wagga. He mentioned the outstanding work on behalf of the community by the

member for Bega, the Minister for Ageing and Disability Services. I voice my support for the Minister. He has also contributed to an important service in my community called Hear the Children. He found important funding for this service, which provides support for children who have hearing and learning difficulties. The member for Wagga Wagga has declared how important the \$250,000 funding is to his electorate. One of the greatest achievements of the O'Farrell Government is that it will inject \$3.1 billion into the National Disability Insurance Scheme. That has been accomplished through the outstanding work of the Minister for Ageing and Disability Services. He should be commended.

### **CRONULLA ELECTORATE INFRASTRUCTURE**

**Mr MARK SPEAKMAN** (Cronulla) [5.46 p.m.]: I update the House on New South Wales road initiatives in the electorate of Cronulla. The New South Wales Government is proceeding with installing a long-awaited central safety barrier on Captain Cook Bridge. In December 2011, Roads and Maritime Services installed a 250-metre long, low-height central concrete barrier along Rocky Point Road between Fontainebleau Street and the entry into St George Sailing Club in Sans Souci, and a 130-metre long central wire rope barrier on Taren Point Road, Taren Point, along the grassed median on the southern approach to the bridge to improve road safety. The second and final stage of work involves the installation of a 560-metre long safety barrier on the median of Captain Cook Bridge in an effort to improve road safety and reduce the likelihood of head-on crashes.

Roads and Maritime Services will install a steel barrier along the centre of the bridge deck, which will adjoin the existing barriers on both approaches to the bridge. This \$1.1 million project is fully funded by the New South Wales Government. The installation is expected to commence on Sunday 3 March 2013. It will take approximately 10 weeks to complete, weather permitting. The work will be undertaken at night. The section of road adjoining the work area will be partially closed during this work. Secondly, Roads and Maritime Services is completing pedestrian fencing along the Kingsway between Croydon Street and Elouera Road, Cronulla. Between 2006 and 2011, one fatality and four crashes involving pedestrians occurred when pedestrians crossed The Kingsway between Abel Place and Croydon Street instead of using existing pedestrian crossings at the traffic lights. The new fencing directs pedestrians to existing crossings for their safety, without the loss of any kerbside parking along the Kingsway.

Thirdly, work is continuing on the widening of Captain Cook Drive to four lanes between Woollooware Road and Elouera Road, partly funded by the New South Wales Government. Fourthly, as part of the New South Wales Government's pinch point program, Roads and Maritime Services has now finished community consultation on ways to improve traffic flows on Taren Point Road. A final decision is expected to be announced shortly. The measures are aimed at reducing delays and improving safety, particularly during the peak periods, for motorists northbound and southbound on Taren Point Road, westbound on Toorak Avenue, eastbound on Holt Road, and westbound on Parraweena Road. Fifthly, Roads and Maritime Services recently announced changes to the traffic lights at the intersection of Box Road and Port Hacking Road to introduce a right-turn phase for cars heading east on Box Road. Many Sylvania Waters residents have complained about the rat run that Belgrave Esplanade has become. Hopefully the new right-turn phase will reduce the rat run, by making it easier to turn into Port Hacking Road from Box Road. I have asked Sutherland Shire Council, the body with responsibility for the road, to look at ways to calm traffic and improve safety on Belgrave Esplanade.

### **COAL SEAM GAS REGULATION**

**Mr JAI ROWELL** (Wollondilly) [5.50 p.m.]: Earlier this week the Premier said:

The New South Wales Government has listened and acted on CSG.

These words signal a stronger stance from this Government about coal seam gas [CSG] in New South Wales. The Premier has led the charge to get tougher on this industry because that is what the people want. The residents of Wollondilly and, indeed, across this State want greater certainty that their homes will not be subjected to underground mining, that their schools will not have a gas well 20 metres across the road—unlike under Labor's regime—and that the land we have earmarked for residential growth will feature homes, not drilling rigs. Wollondilly has a number of coal seam gas projects operating under licences issued by the former Labor Government. These projects have caused considerable concern for local residents and I have been inundated with correspondence requesting the Government to take action on future applications in sensitive areas. I firmly believe that I was elected to this place to listen to the concerns of the residents I represent and

make informed decisions on their behalf. That is why I have met with action groups, gas companies and concerned mums and dads who simply want to protect their largest asset—family homes—against an industry that is still emerging.

After lengthy local consultation I formed my personal views on various aspects of coal seam gas and voiced these views directly with the relevant Ministers and the Premier. I have spoken on coal seam gas and the need for greater caution and scrutiny many times previously. For this reason I am delighted to speak today about an announcement that addresses many of the concerns I have raised. The Federal member for Macarthur, Russell Matheson, and my fellow colleagues Chris Patterson, the member for Camden, and Bryan Doyle, the member for Campbelltown, and I formed a united front on this matter some time ago. The new measures will make suburbs, country towns and other urban areas a no-go zone for coal seam gas. This means that plans to expand in south-west Sydney and in my electorate of Wollondilly will be subjected to these new measures found in the bill. First, the Government will designate the Environment Protection Authority [EPA] as the lead environmental regulator for coal seam gas. Currently, responsibilities for approving and regulating coal seam gas activities are spread across numerous New South Wales agencies.

The Environment Protection Authority will be responsible for compliance and enforcement of environmental and health conditions, and will be allowed to enforce conditions imposed under the Petroleum Act and the Planning Act. A senior Environment Protection Authority official reporting directly to the chair and chief executive officer will be responsible for coal seam gas. Secondly, we will establish the Office of Coal Seam Gas within the Department of Trade and Investment, Regional Infrastructure and Services to be responsible for the administration and regulation of non-environmental factors, such as occupational health and safety issues. The office will work closely with the land and water commissioner. Thirdly, an independent review will be carried out by the Chief Scientist and Engineer. That review will be commissioned to provide independent advice regarding coal seam gas activities in New South Wales, with a focus on human health and the environment. The Chief Scientist will provide a preliminary report to the Premier and Minister for Resources and Energy by July 2013 and will include a comprehensive study of industry compliance, involving site visits and well inspections.

The review will identify gaps in the identification and management of risk arising from coal seam gas exploration, assessment and production, particularly as they relate to human health, the environment and water catchments, which are continuing issues in my electorate. The review will identify best practice in relation to managing coal seam gas in close proximity to residential properties and urban areas, and consider appropriate ways to manage the interface between residences and coal seam gas activity. It will inspect and monitor current drilling activities. We will provide for exclusion zones. The previous New South Wales Labor Government introduced planning guidelines that recommend coal seam gas wells be separated five to 10 metres from residences and eight to 20 metres from sensitive uses, such as schools, hospitals and aged care facilities.

The New South Wales Government will amend the State environmental planning policy to prohibit coal seam gas exploration and production activity within two kilometres—surface and subsurface—of residential areas and future residential growth areas. These new measures are a strong stance on coal seam gas and I am glad that the Premier has taken the lead in allaying the concerns of the community with these new announcements. These new measures I have detailed are additional to other policies we have introduced already: the Aquifer Interference Policy and the Strategic Regional Land Use Policy. Previously I have spoken in this place about concerns with various applications of coal seam gas. I do not apologise for doing so. That is my job. I am proud to be part of a Government that actually listened to the people of Wollondilly and the greater Macarthur region. No doubt those opposite will scream their blanket condemnation. The simple fact of the matter is that they got us into this mess and we are the ones who will get us out of it. All the applications about which people are concerned in the electorates of Wollondilly, Camden and Campbelltown were issued by the former Labor Government. We will get on with the job of fixing their mess.

#### **MCDONALD COLLEGE**

**Mr JOHN SIDOTI** (Drummoyne) [5.55 p.m.]: On 14 February 2012 I made a private member's statement regarding McDonald College. My statement followed the publication of an article in the *Sun-Herald* on 12 February 2012. Since then I have conducted further investigation into the matter and have had the benefit of receiving additional information. It is now clear from my inquiries that my statement was made in error and that no wrongdoing occurred on the part of the college, its board, the Markham family and the Markham Corporation Pty Limited. I extend my sincere apologies to them. In the main, the *Sun-Herald* article and my statement addressed a real estate transaction involving the college and Markham Corporation Pty Limited.

Markham Corporation Pty Limited was invited by the college to financially and philanthropically assist the college in restructuring its real estate holding. In particular, I note that the basis of the land value came from an independent valuation, which was checked by the college's independent chairman using a reputable third party valuer to ensure the transaction was at arm's length. I am now totally satisfied that there was no wrongdoing, fraud or dishonesty on the part of the college, its board, the Markham family or Markham Corporation Pty Limited. I also note that the transaction was accurately described in the *Australian Financial Review* on 9 February 2012.

Further, I note that Minister Piccoli has completed an audit of the college. Consequently, the college has received its compliance certificate in accordance with the Education Act. In addition, on 8 May 2012, Minister Roberts, in a private member's statement, praised and endorsed the efforts and work undertaken by Mrs Markham and her family since the inception of the McDonald College, and Attorney General Smith reinforced those remarks. My investigation shows that Markham Corporation Pty Limited was merely endeavouring to assist the college as it and the Markham family have done for many years. Certainly, there was no attempt to take advantage of the college. It now appears that the *Sun-Herald* article of 12 February 2012 omitted a number of important facts. McDonald College is the legacy of its emeritus principal and founder, Mrs Margaret Markham. Mrs Markham has put her life's work into the college and her significant contribution to education and the performing arts should be commended, along with the generous support of her husband, Geoffrey Markham, and their family.

### YASS HIGH SCHOOL

**Ms KATRINA HODGKINSON** (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.58 p.m.]: In the early morning hours of Saturday 28 November a fire broke out in the Industrial Arts block at Yass High School, completely destroying the old weatherboard building. I commend Captain Allan Carey and his crew from NSW Fire and Rescue for their prompt and efficient response, and the efforts of local Rural Fire Service [RFS] brigades and the State Emergency Service [SES] who supported the firefighting efforts. That morning I met with school principal Sandra Hiscock at the scene of the fire. Obviously, it was a scene of devastation. We consoled each other and I telephoned the hardworking Minister for Education, the Hon. Adrian Piccoli. His response was heartening: He said that repairs had become the number one priority for his department. I thank the Minister for his commitment and also for making himself available to meet with principal Hiscock and me this week in Sydney.

This fire came as a significant shock to the Yass community. Yass High School enjoys a great reputation locally. The school received many offers of support from the local community after the fire. Unfortunately, it occurred just before the school year had finished. Industrial Arts is a popular subject and the major works of many students were destroyed. It was a very sad occasion. While safety inspections were underway and services were being restored, lessons were relocated to Yass Baptist Church, Yass TAFE, Yass Public School, Yass Memorial Hall, Valmar Support Services and Berinba Public School. Yass Rotary deserves special mention because it is in the process of building a five-bay, three-door shed with full services for use by automotive and agricultural classes and as a temporary industrial arts storage facility.

Rotary is donating the materials and the work is being undertaken by many local tradespeople who are freely giving their time and skills. Yass Earthmoving did the excavation work and Essential Energy will connect the power free of charge as part of its apprenticeship training program. Parent volunteers have assisted with administrative tasks and staff gave up some of their Christmas holidays to help with preparations for the first term this year. I must also mention the Yass quilters who put together presentation quilt panels made by students to thank their temporary hosts while the school was closed. I was also pleased to be able to assist to ensure the reconnection of the electricity supply through discussions with Essential Energy's local manager on the Saturday of the fire.

While the fire has been a shock to the community, it also provides the New South Wales Government with an excellent opportunity. Based on Australian Bureau of Statistics census data, the population of the Yass Valley will increase by 35 per cent by 2031, to about 23,000. Yass High School was initially constructed to accommodate 250 students and it now has close to 500 students. In addition, more than 200 secondary students commute to schools in the Australian Capital Territory each day. Many of them no doubt are affected by the less than flattering comparison between the facilities at Yass High School and some of Canberra's secondary schools. To accommodate its large enrolment Yass High School had 11 demountable classrooms before the fire. It now has about 17 as a result of the fire and more are to be delivered. Some of these demountable classrooms are 30 years old, require constant maintenance and cannot be used in adverse weather.

Last year Yass High School lost the right to teach the commercial cookery course that had been taught for many years, because the kitchen facilities were assessed as being inadequate to meet the course criteria. In 2012 the school had two junior food classes, five year 9/10 classes and two senior hospitality classes. One year 8 cooking class had to be held in the sewing room for the whole year because of the demand on the teaching kitchen. The school's sporting equipment is stored in a shipping container, a head teacher and the careers teacher use library study rooms as offices, and administrative facilities are cramped and unsuitable.

To replace Yass High School facilities to their level before the fire will cost \$5 million, but a significant upgrade of the school's facilities is well overdue. To replace the former single-storey industrial arts block with a two-storey industrial arts and classroom block, upgrading the facilities to trade training level and improving the administrative layout of the school, would cost about \$9.5 million. Yass High School has been fortunate in obtaining Federal funding of \$1 million to assist with replacing the trade training facilities, but that still leaves a shortfall of \$3.6 million.

Members are all too aware of the budget situation that was inherited by the Coalition Government. It will be very difficult to allocate the funding necessary to upgrade Yass High School given that situation. However, it is a small amount compared to the cost of completing the necessary upgrade in a few years time. Budget offsets would be made available by reducing the number of students using the School Student Transport Scheme to travel the 80 kilometres to Canberra schools should they choose to relocate to Yass High School as a result of the upgrade. It is this proposal that Principal Hiscock and I placed before the Minister for Education earlier this week. I acknowledge the extreme budget difficulties with which the Minister must deal, but I am sure he will do all in his power to provide the necessary funds and act in the best interests of the future of the community, including the parents and citizens association, the teachers and, most importantly, the students.

#### **MARS FOODS AUSTRALIA**

**Mr CHRIS HOLSTEIN** (Gosford) [6.03 p.m.]: A couple of weeks ago I was invited to visit and tour a manufacturing plant of one of the biggest and most well-known companies on the Central Coast—in fact, it is world renowned—which employs nearly 350 locals. Of course, I refer to the Mars Foods Australia Central Coast facility. The tour was conducted by the general manager, Mr Shaid Shah, and the plant manager, Mr Wayne Smedley. I was delighted to have the opportunity to acknowledge the twenty-first anniversary of the opening of the operation in 1992. The company produces more than 500 products for some of the country's best known brands, including Masterfoods, Dolmio, Uncle Ben's and Kan Tong. It manufactures and markets its products at its headquarters on the Central Coast and exports them to New Zealand and the Asia-Pacific region and supplies the food services and industrial sectors domestically.

The company is privately owned by the United States based Mars family and has a strong reputation for its business values throughout the world. It operates in seventy-three countries and its facilities are located in regions rather than cities. It has a strong commitment to the Central Coast of New South Wales and to the local community. The company is renowned for being a family-oriented company that believes in investing in the communities in which it operates, keeping its manufacturing in Australia, supporting local goods and services providers whenever possible and raising funding for local and national charities. That is based on its fundamental belief that to endure it must deliver mutual benefits for its business and its stakeholders. Too often we as a country, or at least certain political parties, take great delight in bashing business—which is, after all, the backbone of our economy, especially small to medium-sized businesses—and questioning the motives of big businesses. We fail to recognise the good employers who engage with the communities in which they exist. My contribution today is my way of recognising such an employer in my region, Mars Foods Australia.

Mars Foods also helps local charities such as St Vincent de Paul Wyong and the well-known Coast Shelter, which provides outreach for the homeless in Gosford. Mars Foods has been the shirt sponsor of the very successful Central Coast Mariners for nine years. The club is one of the poorest clubs in financial terms, but it constantly punches well above its weight. Anyone who has been to Bluetongue Central Coast Stadium at Gosford would have been delighted by the aerobatics display of the inflatable flying sauce bottles. There is no discrimination: there is tomato sauce and barbeque sauce.

**Mr Mark Coure:** What about Worcestershire sauce?

**Mr CHRIS HOLSTEIN:** No, definitely not. The Mars Foods factory has a wonderful family feel to it, and it is still a family business at heart with nearly half the workforce enjoying being employed with the company for 10 years or more. In fact, more than 40 employees have been at the factory since the first year of

operation 21 years ago, including their plant manager, Wayne Smedley. Each year approximately seven million Australian households buy a Mars Foods product. The company is also actively reducing the salt and sodium content across its portfolio of products in line with its commitment to Department of Health and Aging salt reduction targets and to meet National Heart Foundation criteria. In the past two years it has reduced its wastewater output at the Central Coast site by 50 per cent and its operational carbon dioxide emissions by 2,000 tonnes a year, which is a reduction of almost 50 per cent. It also has many projects in place to reduce waste sent to landfill by up to 10 tonnes. I am delighted to congratulate Mars Foods on its twenty-first anniversary and trust that it continues to increase its employment on the Central Coast—and all the signs are that it will—and that it continues to engage with the community on an ongoing basis—again, I believe it will. I wish Mars Foods continued success in its endeavours.

### **BLACKTOWN LOCAL ENVIRONMENTAL PLAN**

**Mr RICHARD AMERY** (Mount Druitt) [6.07 p.m.]: I received a letter dated 23 January 2013 from the general manager of Blacktown City Council advising of the release of a draft local environmental plan that would be exhibited from 23 January until 19 April. The council has written to all residents advising them about the plan for the city. The detail provided in the letter indicates that the plan will allow more high-rise development—or as it is termed in the document "high-density" housing—near rail and transport corridors. It also provides for medium-density housing and identifies areas that will be left for low-density housing, heritage, roads and so on. I do not intend to address all the issues raised with me by a number of residents during this private member's statement. However, I advise the Minister for Planning and Infrastructure and Blacktown City Council that there appears to be increasing concern among the many residents who will be affected by these zones because of poor communication and the confusing wording in the correspondence from the council. That is the obvious first impression of the many residents who have spoken to me in shopping centres and in my office.

The next issue relates to the double standards that appear to apply to people in medium density housing. For example, council plans allow a combination of low and medium density housing in areas that are regarded as new release areas. However, as one resident point out, in established areas the proposed medium density housing would prevent residents from knocking down their existing buildings and building a similar house on the same block, or knocking down their old homes and building, for example, a duplex. The end result would be to allow for the overdevelopment of some streets with one kind of development without the benefit of a mix of housing types which in the fullness of time will be allowed in some of the new release areas. I intend to speak to local residents and write to council about that issue and I will raise it in the House on another occasion.

Another major area of concern raised by residents is that they have been told their homes are to be zoned open space. Residents are alarmed as this will impact on property values, they will be unable to sell their homes and council is not bound to buy their homes. In Rooty Hill, Westminster Street and Sherbrook Street on the north side of the railway line, and in Barker Street and Catherine Crescent on the southern side of the railway line the open space identified in the proposed plan will only expand the existing open space alongside affected homes. Residents question the need for such a zoning in light of the fact that substantial areas of open space already exist alongside their properties. This scenario is repeated in many other parts of my electorate and, I am told, in other parts of Blacktown.

Depending on how council responds to residents' concerns, it might be necessary to extend the time that has been allowed for submissions past the announced date of 19 April. I understand that once the draft plan is finished its exhibition period and submissions will be considered by council. Council will adopt the plan as amended and it will go to the Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW to be signed off. Once council sends the Minister the local environmental plan I will be asking him to take into consideration the outstanding concerns of residents—my constituents—to which council has not responded satisfactorily.

This week I received a letter from Ed Husic, the Federal member for Chifley. Mr Husic sent me a copy of a letter sent to the mayor of Blacktown advising him of a number of similar concerns raised by constituents. Mr Husic suggested that perhaps the time allowed for submissions should be extended, if necessary, and that council convene a number of public meetings to get more information out to the community. This is a big issue in every electorate and more particularly in the Mount Druitt electorate where letters are being distributed.

## DIGITAL TECHNOLOGY ENTERPRISES

**Mr ALEX GREENWICH** (Sydney) [6.12 p.m.]: The digital revolution is changing the way we do business and creating a new economy based on ideas, intelligence and innovation. We need to foster innovation to help this economy grow and become an information communication technology leader. Earlier this month I toured 66 Oxford Street, Darlinghurst, where co-worker spaces are emerging under the City of Sydney creative and cultural spaces program. Today I visited and spoke at Cowork in Wynyard Park, which was full of local freelancers and entrepreneurs. To help rejuvenate Oxford Street the council leases its empty office and retail spaces below market rates for creative activity. Oxford Street now supports a range of creative organisations, including object design, web design, architecture, transmedia, film, visual arts, contemporary performance, contemporary music, social enterprise, literature and animation.

The first space I visited, Fishburners, focuses on tech start-ups like web development, including online ticketing, video transmission and social media. Start-ups are new companies in the development and market research phase. Fishburners provides basic necessities such as internet, desk space, printing, a boardroom, and a breakout room. Start-ups pay rent and get access to the thriving community. Fishburners has occupied 66 Oxford Street since 2011 and has a space in Ultimo. It is the largest tech co-working space in Australia, representing over 100 tech start-ups. I visited Homework, which, unlike Fishburners, is a curated working space. It has an organic approach to finding start-ups and entrepreneurs. I met someone with a design business, someone starting a new magazine, and a book writer who assists organisations in global movements. An entrepreneur from San Francisco and another from Melbourne moved there to join the community.

I visited the Sydney Writers' Room, where a group of young writers made two-minute short news comedy films for ABC2 called *The Roast*. They made films on practically no budget but success got them funding for a 10-minute daily program and they are moving to a more appropriate studio. They will keep the space and bring in other writers. Platform72 is an artist run space and the shopfront where local artists sell their work in a permanent retail space. They do not take commission and provide space for exhibitions. Like other creative retail spaces on Oxford Street, Platform72 had a successful Christmas season, with shoppers taking advantage of the diverse range of products. Co-worker spaces drive innovation with new companies feeding off each other and sharing ideas, which is invaluable at the early business phase. Communities and mini consortia develop and help build confidence and investment. One of the start-up business entrepreneurs I met referred to what is happening on Oxford Street as "a renaissance for the tech world."

The biggest barrier to advancing start-ups is affordable rental space. Getting a business started requires keeping the cash-flow low. All entrepreneurs to whom I spoke expressed the importance of low rent to their business. Angel investors are investors who take risks and are strong drivers in Silicon Valley in the United States but who are less common in Australia. With Sydney's property market so high it is difficult for entrepreneurs to make their business sustainable in the early phase when there is no financial investor. But, even with financial investment, co-working spaces provide community support to help get businesses off the ground. Co-working spaces also help the local economy. Instead of working from home, Oxford Street creates a hub for innovators who activate the street and businesses. I understand wholefoods eatery Iku reported a 400 per cent increase in its business as a result. There are more people on the street in the day in contrast with Oxford Street's night-time activity. This is encouraging new businesses at a time when traditional high street shopping is struggling, particularly on Oxford Street.

While the City of Sydney is providing space on Oxford Street, and soon William Street, for creative initiatives, private property owners also need to get on board. The extra business created improves the local commercial and retail rental market. Innovation brings business opportunity, employment and investment. Government also has an important role to play. Silicon Valley has links to government support in research and development: Oracle began with work for the Central Intelligence Agency, Intel sold output to the Pentagon, and Sergey Brin developed Google while working on a government-university grant. We do not want government interference but government can directly and indirectly support research and development.

The Victorian Government understands the value of start-ups and has developed the technology development voucher program to help emerging businesses develop, establish commercial feasibility and design and test products. I call on the State Government to embrace the changing economy and to work to support start-ups so that Sydney and New South Wales can become an international hub for innovation and compete on a global scale. Supporting my proposed select committee into the digital economy would help to facilitate this.



## HAWKESBURY ELECTORATE COMMUNITY AWARDS

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [6.17 p.m.]: I advise members of the wonderful events that occurred in the Hawkesbury on Australia Day 2013. Patriotism is alive and well. My wife and I commenced the day just before 8.00 a.m. at Kellyville Rotary Park, where a flag-raising ceremony was held by the Kellyville Rotary Club, ably assisted by the Kellyville Rural Fire Service. I had the opportunity to touch base with friends such as Don Langdon from the Rouse Hill Rural Fire Service and acknowledge the loss of Alan Pearce, a member of the Kellyville Rural Fire Service. I was privileged to attend Alan's funeral over the Christmas period. Alan had served in various capacities with the Kellyville Rural Fire Service for over 60 years. He will be missed by all in the community. I extend my condolences to his family

I travelled from Kellyville to the Kenthurst Rotary Park where once again a flag-raising ceremony was held by the Kenthurst Rotary Club, which does a marvellous job in that area. That park, which is adorned with Australian memorabilia, was developed by Paul Rapp. Twelve years ago he developed that park and put together a broad and fascinating collection. It was quite extraordinary to see all the different aspects of Australian heritage that adorn the park. We were all so impressed by the work of Paul Rapp, a member of Kenthurst Rotary, that on Australia Day this year I had the great privilege of presenting him with the Premier's community service award.

I travelled from Kenthurst to Annangrove Park where the Annangrove Progress Association holds a phenomenal Australia Day flag-raising ceremony. It hosts a family day for all families in the area until 3.00 p.m. on the day I commend Caroline Miller, Peter Dougison, Jack and Irene Oliver and all the members of that association for this great community event on Australia Day. At the invitation of the Mayor of Hawkesbury, Councillor Kim Ford, I travelled to the Richmond Club in Richmond to attend a community service award presentation that was attended by many hundreds of people. Some worthwhile community members received an award at that outstanding event.

I then travelled to one of my favourite places in the Hawkesbury—none other than the historic Australiana Pioneer Village, which has been brought back to life by some able and committed community members. I commend them for their tireless work in bringing back to life a unique and historic area in the Hawkesbury electorate. In years to come the Australiana Pioneer Village will become a major tourist attraction in that area. The Australiana Pioneer Village comprises a large number of buildings that were donated to the McLachlan family many years ago. The site fell into neglect until it was supported by Hawkesbury council and friends of the Australiana Pioneer Village. On Australia Day many hundreds of people attended the site. I was privileged to be accompanied by Chris McLachlan, the grandson of the man who originally built this venue. We spent an hour travelling around looking at the buildings that have been brought back to life, for example, a police station from Riverstone and schoolhouses and churches. The village contains original historic Australian memorabilia that has been beautifully restored. Volunteers dress up in period costumes and horse and car rides are provided. It is worthwhile visiting a blacksmith who is working in that area.

The day would not have been complete without the Hession Road street party—the area in which I grew up and to which I am always invited. This year it was hosted by my former neighbours, Brian and Fay Hargreaves, who put on a wonderful display. Dozens of residents attended the Australia Day barbecue at the Hargreaves home. I was then privileged to attend Government House, Parramatta, at the invitation of the member for Parramatta, where we spent a splendid night in good company. That wonderful evening was hosted by the member for Parramatta together with Amanda Rose. We enjoyed the fireworks and the celebrations ended at 10 o'clock. It was long and wonderful day. Patriotism is alive and well, not only in the electorate of Hawkesbury but right across western Sydney.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 6.22 p.m. until  
Tuesday 26 February 2013 at 12 noon.**

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