

ADMINISTRATION OF THE GOVERNMENT OF THE STATE	18382
ASSENT TO BILLS	18383
BLUE MOUNTAINS DISABILITY SERVICES CHALLENGE AWARDS	18378
BUSINESS OF THE HOUSE	18368, 18383, 18396
CAMDEN ELECTORATE HIGHER SCHOOL CERTIFICATE ACHIEVEMENTS	18375
CANTERBURY LOCAL WOMAN OF THE YEAR JACQUIE CHEETHAM	18428
CITYRAIL FARES	18388
CITYRAIL SERVICES	18385
COMMUNITY SERVICES REFORMS	18392
CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY	18396
DAVIDSON ELECTORATE PUBLISHED AUTHORS	18374
DEFENCE RESERVES SUPPORTIVE EMPLOYER PROGRAM	18370
FORMER MEMBER FOR CLARENCE	18393
GOULBURN SESQUICENTENARY	18377
ILLAWARRA MULTICULTURAL COMMUNITY GROUPS	18426
IMAGINATIONS CHURCH	18381
LEBANESE COMMUNITY IN NEW SOUTH WALES	18379
LEGISLATION REVIEW COMMITTEE	18395
LOCAL COURT AMENDMENT (COMPANY TITLE HOME UNIT DISPUTES) BILL 2013	18420
MARINE ESTATE MANAGEMENT	18393
MARRICKVILLE ELECTORATE SCHOOLS	18371
MOTOR VEHICLE REPAIR INDUSTRY	18380
MYALL LAKES ELECTORATE EVENTS	18376
NEWCASTLE URBAN RENEWAL STRATEGY	18429
NORTHPARKES MINES OPEN DAY	18427
OMBUDSMAN	18395
ORGANISED CRIME	18384
PETITIONS	18395
PRINCE OF WALES HOSPITAL WARD CLOSURE	18391
PRIVATE MEMBERS' STATEMENTS	18368, 18426
QUESTION TIME	18383
RAIL TRANSPORT STRATEGY	18383
ROCKDALE LOCAL WOMAN OF THE YEAR MARGARET TURNBULL	18378
RURAL AND REMOTE AREA PSYCHOLOGISTS PROJECT	18373
SMALL BUSINESS COMMISSIONER BILL 2012	18402
SNOWY HYDRO LIMITED CHIEF EXECUTIVE OFFICER	18372
SOCIAL MEDIA	18369
STATE ECONOMY	18389
STATE INFRASTRUCTURE	18398
SYDNEY HARBOUR NATIONAL LANDSCAPE	18370
TEA GARDENS FIRE STATION	18430
WYMAH FERRY	18368
YOUNG DRIVER ROAD SAFETY	18387

LEGISLATIVE ASSEMBLY

Tuesday 12 March 2013

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

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

WYMAH FERRY

Mr GREG APLIN (Albury) [12.05 p.m.]: After more than 65 years of service the historic Wymah ferry on the Murray River east of Albury has been retired. But that is not the end of the story. Under the previous Government it seemed certain that the ferry crossing was doomed. However, many of us fought to retain the service and the campaign more than paid off. Indeed, the new ferry being constructed in Port Macquarie has a load capacity three times that of the old one, is four metres longer and will now carry three cars instead of just two. But this is not just a story about routine public transport problems and solutions. It is, indeed, a touching tale of rebirth. We are so used to seeing history settle in the mud and disappear that we might miss those rare cases when one of our Australian traditions is saved from the scrapheap, remodelled and relaunched to a life of genuine usefulness. The truth here is that the Wymah ferry service, when investigated properly, turned out not merely to be tolerated as a public transport anachronism but to be worthy of improvement and of increased investment in its future.

The economic strength of modern Australia was built on the ability to cross permanent and occasional waterways and to use them as roads. This ferry crossing dates back to the 1860s, when it was established by Baker Vincent to take customers to his pub—of course. In 1906 Hume shire took over its management and, as councils do, imposed a toll—foot passengers or bicycles, twopence; horses and carts, sixpence; and goats, threepence, but sheep just a halfpenny. Clearly, goats were more trouble on a boat than sheep. The toll was abolished just two years later. This is a tale of ups and downs. In 1921 the ferry sank. A new ferry was constructed in 1924 and went to work. By 1935 the Department of Main Roads had taken over and built another ferry. In an admirable feat of government planning, the old ferry was first sunk and then sold to a farmer who used the timber for fencing. In 2003, continuing its historic pattern, the Wymah ferry sank yet again. Restoration followed and faithful service continued to the present day.

When I returned from Tumbarumba last week I crossed the Murray at the picturesque Jingellic Bridge and followed the river around the hills, with their green forests and pastures of yellowed, dry grasses. I looked for the road sign to tell me of the ferry crossing and drove down to the water's edge, using the intercom to summon the ferry from the New South Wales side. Soon the boat arrived and dropped its gangplank. The gate was opened and I drove on board and we headed out onto the water. It is only a six-minute trip on the old ferry, but I had the time to get out of my car and stretch my legs. Leaning on the handrail I looked up to the hills and over the water, enjoying a quiet moment aboard this age-old form of transport. Too soon I was back in the car and on my way again, heading past the ferry master's house and leaving behind me the ferry master, Michael Fabik of Wymah, who has operated the ferry service since June 2009.

The new and improved service is scheduled to begin in the next few weeks, after a major review identified a number of troubles affecting its viability. These included gaps in operating hours, poor customer understanding of those operating hours, signage that was either difficult to read or placed in inappropriate locations, difficulties communicating directly with the ferry operator and limited capacity of the ferry's structure to carry heavier vehicles or cars towing caravans.

Community concerns have been heeded. As a result of the investigation, the new contract to run the ferry service incorporates an obligation to provide a continuous operation between opening and closing times and it ensures there will be regular performance reviews. Signage is being upgraded and there is improved communication with the ferry operators on both the New South Wales and Victorian sides. Processes will be developed for using the ferry during emergencies. The gate on the Victorian side of Lake Hume has been removed and the new ferry can now take heavier trucks and caravans. The operation of a Wymah ferry is jointly funded by the New South Wales and Victorian governments under the Murray River Crossings Agreement. Only two ferries remain on the Murray. The other survivor is the Speewa ferry, which can be found near Swan Hill.

Although Roads and Maritime Services ferries are identified by number, I am keen to see the Wymah ferry bear a name worthy of its history and role. Accordingly, I have launched a competition in conjunction with Roads and Maritime Services inviting interested community members to propose a suitable name. All submissions should include a 50-word explanation of their suggested name. Names must meet the Geographical Names Board criteria and Roads and Maritime Services guidelines, while also being appropriate to the physical, historical or cultural character of Wymah. Entries for this competition need to be submitted by 5 April. I hope the competition will gain publicity, therefore driving customers to the ferries so that more people of New South Wales and Victoria can enjoy the free historic river crossing for themselves.

SOCIAL MEDIA

Mr RON HOENIG (Heffron) [12.10 p.m.]: On 3 March 2013 the *Sunday Telegraph*, in a so-called exclusive by Taylor Auerbach, published an article entitled, "MP's son in Facebook racist rant". Taylor Auerbach is a school friend of my eldest 22-year-old son from Mount Sinai College in Maroubra—they have been friends since they were four years old. Taylor Auerbach, together with a number of former school friends, has kept in touch with my son since school and, at times, they communicate with each other via social media. My eldest son, thinking he was communicating privately—although in my view inappropriately—with his friends, one of those friends being Taylor Auerbach, and published his remarks. It goes without saying that none of his other friends' inappropriate remarks were published because they are not children of members of Parliament. My eldest son has been counselled. Comments of that nature, even in jest, are not acceptable. Both my sons have been warned in the past about being careful of what they place on social networking sites, even though they might believe it to be a private communication. It is not; nothing is totally private.

I have cross-examined police officers about private communications that they have had on social media that have been obtained by criminals. Taylor Auerbach should understand that "ratting out your mate" to try to get a personal advantage for yourself is not the Australian way. It is certainly not the Jewish way and not the values he was taught at Mount Sinai College. It goes without saying that he and my son are no longer "friends". Members of Parliament know that when they seek public office they will be subject to criticism in the popular press and from other avenues, including their political opponents. Being criticised is part of our job. However, the children of members of Parliament, even adult children, do not sign up for that. This place can be tough, but attacks on our families have always been out of bounds.

Those articles were followed up by the same tabloid with criticism of me that was substantially inaccurate, asserting falsely that I was, and I quote, "forced" to make a disclosure on a parliamentary return when the slightest inquiry would have revealed that it was completely voluntary. There were some other comments I allegedly made at an Australian Labor Party branch meeting that were portrayed as some type of revelation. Again, a quick check would show that my views have been published openly and repeatedly for some time, have been consistent with legal principles and views shared by many in the judiciary and the legal profession. When I signed up for public office I acknowledge that I also signed up for that type of criticism. But being criticised will not deter me from doing what I consider to be right along with standing up for principle, even when it is not popular to do so. I have done this for most of my working life as a public defender whilst representing people charged with the most heinous of crimes, and I have also done so as a mayor. I do not intend to stop now.

A free press is the cornerstone of democracy. The profession of journalism is essential to hold the three arms of government to account. It is more important now, as the shadows of falling circulation and advertising revenues loom large, and with journalists losing their jobs. But the role of a free press is not to fight to increase circulation and revenues by adopting more and more techniques of an irresponsible popular press. Sex and scandal sell only in the short term. The responsibility of a journalist is a grave one. The only real protection society has is that the published reports of journalists are respected and trusted and that their profession is constantly enhanced. Public interest requires adherence to ethical standards. Taylor Auerbach needs a lesson in ethics.

Whilst my eldest son has learnt his lesson, all young people and young adults should also learn from his experience. There are no private communications on social networking sites, even if you intend it to be so. Future employment and career prospects may well be hindered, as future employers may access private comments made years earlier. In this modern electronic era, it is not just the children of members of Parliament who should be cautioned: everybody should be.

SYDNEY HARBOUR NATIONAL LANDSCAPE

Mr ANTHONY ROBERTS (Lane Cove—Minister for Fair Trading) [12.15 p.m.]: The pride I take in the communities I am fortunate to represent is well known, as is my pride in the geographical and environmental beauty of my electorate of Lane Cove. For this reason I recognise the launch of the Sydney Harbour National Landscape, which took place last month and includes part of my electorate. The Sydney Harbour National Landscape took its cue from the Sydney Harbour and Coastal Walking Network, which was launched by Premier Barry O'Farrell in 2011 and is a first in Sydney's history. This network arose out of a partnership between a number of State agencies, councils and an experienced group of walkers called the Walking Volunteers. It includes a continuous 275-kilometre walking route on or near Sydney's foreshores, covering the area of the landscape that is of national significance. Maps and information can be easily located online.

The foreshore areas of my electorate of Lane Cove lie within both the Sydney Harbour National Landscape and the Sydney Harbour and Coastal Walk. There is a wonderful walk from Greenwich Wharf on the Lane Cove River to Woolwich Wharf in the historic Hunters Hill municipality. There is another along Parramatta River from Huntleys Point Wharf to Kissing Point Wharf. One can also walk both sides of the Lane Cove River into Lane Cove National Park, including along the Great North Walk. Whatever path you choose, these are great areas of natural beauty with historic significance.

The Sydney Harbour National Landscape came into being thanks to the hard work of two of my constituents, Mr Philip Jenkyn and Mr Graham Spindler, who have played a vital role in making this initiative a reality for the people of New South Wales. Philip Jenkyn, OAM, is both a member of the Sydney Harbour National Landscape steering committee and a prominent member of the Walking Volunteers as well as being a former alderman for Hunters Hill Council. Likewise, Graham Spindler is a prominent member of the Walking Volunteers. These two gentlemen, working in concert with other like-minded individuals, formed a small group of experienced and dedicated walkers who were largely responsible for developing the Sydney Harbour and Coastal Walking Network. Through their outstanding efforts, and with the support of the New South Wales Government, we have witnessed further development in the form of a Sydney Harbour National Landscape initiative.

This initiative marked the completion of a selection stage in the National Landscapes Program, which is an important partnership between tourism and conservation as well as being an investment in the sustainable future of our community. The Sydney Harbour National Landscape is one of 16 chosen in Australia that highlight the nation's most significant natural, cultural and spiritual places. The beauty of Sydney Harbour, with its many bays and river systems in addition to our rugged coastline and beaches, makes Sydney an incredible place to live and to visit. I encourage all members to visit the Lane Cove electorate so that they too can experience the beautiful natural environment that we are blessed to have on our doorstep. Getting out into our national parks, walking the foreshore tracks or swimming at the beach not only sets the spirits soaring but also keeps us fit, healthy and happy. I commend Mr Jenkyn and Mr Spindler for their hard work and dedication to building a stronger community. I ask all those in this place to join me in congratulating them on their selfless endeavours.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.20 p.m.]: I thank the member for Lane Cove, and Minister for Fair Trading for drawing the House's attention to the launch of the Sydney Harbour National Landscape and the Sydney Harbour and Coastal Walking Network. I commend both Mr Jenkyn and Mr Spindler for their leadership in bringing these two projects to fruition. On behalf of the Government, I congratulate them on their leadership.

DEFENCE RESERVES SUPPORTIVE EMPLOYER PROGRAM

Mr KEVIN ANDERSON (Tamworth) [12.21 p.m.]: I inform the House about the New England and Central North Committee, and Tamworth and District Chamber of Commerce and Industry's Supportive Employer Campaign, and the great work by Glen Jones, regional chairman, in driving this initiative. The Defence Reserves Support Council promotes employers of Defence reservists to become informed on Defence Reserves

issues and promote their support through a program called the Supportive Employer Program. Across Australia the Defence Reserves Support Council has State and regional committees whose members engage with local employers and reservists to enhance those relationships and promote programs such as the Supportive Employer Program to ensure that reservists are freely available for training, operational deployment or for support tasks domestically, such as those we saw recently when floods and fires impacted on our communities. The Defence Reserves Support Council members' role in the background enhances Defence's capability by ensuring that Defence reservists can be employed with the confidence that their employers and their community support Defence and that they can return to their place of work with their jobs or their educational arrangements in place.

The regional Defence Reserves Support Council committee in my electorate has, in concert with the Tamworth and District Chamber of Commerce and Industry, embraced the Supportive Employer Program in a most innovative approach that has sparked the support of the Tamworth Regional Council. Together, they created and executed a successful campaign over two short months, with almost 300 employers—the majority of those in our district—signing on as supportive employers. The city seeks to be declared Australia's first official Defence Reserves city. Such foresight and innovation has become the hallmark of Tamworth, which was the first city to have electric streetlights. Tamworth's businesses and council have worked together to create a national presence through the award-winning country music festival, construction of the Australian Livestock and Equine Centre, and the Tamworth Regional Entertainment and Conference Centre—to name just a few achievements that occur when businesses and government at all levels work together with a common goal.

Such a public statement of the community's support for Defence no doubt is the reason that the Defence Basic Flight Training School and students enjoy a welcoming and hospitable relationship with the people of Tamworth. They play a vital role in our community, and I look forward to continuing to do what we can to welcome them. The Basic Flight Training School is situated at the Tamworth Regional Airport, which is the jewel in the crown of our transport network. It houses QantasLink, which employs up to 80 people. Our redeveloped Tamworth airport, QantasLink—which is increasing the number of daily flights to Sydney—the soon-to-be constructed lounge and other private operators continue to strive to make our regional airport well known throughout Australia. Coupled with that, the Defence Basic Flight Training School is continuing to train pilots and engineers, who are so valuable to our industry.

Tamworth has much to offer the air industry. We will continue to promote it to one and all through its leading aircraft maintenance engineers who are trained locally in conjunction with the New England Institute of TAFE Tamworth campus. In that respect we pay tribute to Paul Callaghan, Director of the New England Institute of TAFE; John Michael, who was the driving force behind the project; and others who continue to push air industry training across a number of faculties and ABI schools—which is the old Australian Pacific Aeronautical College in Tamworth—shining a light on what can be achieved in regional New South Wales. The Defence Reserves Support Council program is important to the Tamworth region. Others can look at what we are doing in the Tamworth electorate in trying to get the city declared Australia's first official Defence Reserves city.

MARRICKVILLE ELECTORATE SCHOOLS

Ms CARMEL TEBBUTT (Marrickville) [12.26 p.m.]: I acknowledge the good work in schools and the TAFE college in my electorate. As always, I have been incredibly impressed with the leadership of our local school principals, the hard work and dedication of the teachers and staff, and the support and commitment shown by parents and friends at recent events I have attended. The Taverners Hill Infants School biennial fete included the opening of the playground redevelopment funded through a Community Building Partnership grant. This school provides a caring and creative environment for its students on a tiny site just one block from Parramatta Road. The school seems a million miles from the hustle and bustle of its inner west location, with principal, Ms Jacki Gardiner, working hard to ensure that the school lives up to its motto, "The country school in the city". With only 80 students, the school has an energetic and supportive parents group, and is well known and loved in the local community.

This was obvious at the school fete, which had amazing stalls selling everything from second-hand books to beautiful handicrafts, great things to eat, decent coffee—as would be expected in the inner west—and student performances. It was a great day and a crowd turned up to support the school. The new playground works were impressive. The upgrade utilised the space along the two main fence lines. Parents were actively involved in designing the playground, wanting a space that supported creative play. It was a beautiful and quirky result with a fairy garden, toadstools and a loose fort structure, which is absolutely appropriate for the infants school students. I congratulate Ms Kelly Stephens, president of the Taverners Hill Infants School Parents and Citizens Association, on her hard work in making the day such a success.

I also attended an open day for a great project at Marrickville High School, known as the Diversity Cafe Barista Project. This project is a partnership between the Marrickville Intensive English Centre and the Metro Migrant Resource Centre. The Marrickville Intensive English Centre at Marrickville High School prepares newly arrived students to Australia through intensive English studies in all areas of the curriculum. The Diversity coffee shop allows students in the 15- to 17-year age group to gain accreditation in Barista work, practise their skills and improve their chances of gaining employment. Some students are unaccompanied minors who are trying to live on their own, study and support themselves. The satisfaction they gain from being part of this project was wonderful to see. The aim is for the cafe to operate making coffee for teachers and students before school and at lunchtime. I wish them every success with this project. I take this opportunity also to welcome the new principal of Marrickville High School, Ms Arety Dussaklis, who held a well-attended breakfast last week to introduce herself to the local community.

I also attended the opening night of the Design Centre Enmore's annual jewellery exhibition at the Danks Street Depot gallery. The work of these TAFE students from the Diploma and Advanced Diploma of Jewellery and Object Design, was truly incredible, showcasing their talent, creativity and dedication. There was an atmosphere of excitement and anticipation as proud parents and friends packed the gallery to see the students' work. It even included a member of this House who attended as a parent. The exhibition was called Mine, referring both to the feelings of the maker who identifies with the object they create and to the owner who ultimately purchases the object. The exhibition also referenced the process of extraction of raw materials used in the manufacture of jewellery and objects. The pieces exhibited included delicate jewellery pieces through to larger-scale objects, such as egg cups, toast racks, candle holders, bowls and teapots.

The Design Centre Enmore is a real jewel of the Sydney Institute of TAFE. It has a great reputation and its places are sought after by students across Sydney. It offers a wide variety of design disciplines on the one campus, it is the only place to study the TAFE Diploma and Advanced Diploma of Jewellery and Object Design, and it is the first TAFE college to offer bachelor degrees. A ceremony will take place today in Parliament House at which three of my constituents will graduate. I congratulate Alexandra Marie Laughlan, who will receive a Bachelor of Design (Interior Design); Christian Palmieri, who will receive a Bachelor of 3D Art and Animation; and Daniel Banda, who will receive an Associate Degree of 3D Art and Animation. These events are great examples and showcase the diversity of my electorate with its mix of many newly arrived migrants and refugees, artists and designers and young families. I congratulate the teachers, staff, students and their parents who have been involved in these events.

SNOWY HYDRO LIMITED CHIEF EXECUTIVE OFFICER

Mr JOHN BARILARO (Monaro) [12.31 p.m.]: The announcement by the chairman of the board of Snowy Hydro that the board will be commencing a process to replace the chief executive officer of 14 years, Mr Terry Charlton, has taken me as the local member by complete surprise. Neither I nor any of the community leaders were given an indication by the board that consideration was being given to a change of leadership in the company. This is uncharacteristic and not what I have come to expect from Snowy Hydro. I trust that this is not an indication of where the board is seeking to take the company. The board's lack of consultation with key community leaders on such an important matter gives me reason to be greatly concerned that it has not given serious consideration to the enormous impact that its decision will have on both the staff of Snowy Hydro and the people of my electorate. Given Snowy Hydro's outstanding financial performance to date, its proven commitment to local communities and its ability to continue to meet its obligations to all stakeholders, I remain unconvinced of the need for change.

Be that as it may, I place on the record today my clear expectations as a community representative about how the board of Snowy Hydro should handle the transition from its chief executive officer of 14 years to a new chief executive officer. Snowy Hydro is a business unlike any other with its significant community and stakeholder responsibilities and expectations, and Terry Charlton has demonstrated a full and clear understanding of this aspect of the company's operations. It is critical that the new chief executive officer is afforded as much time as is necessary to ensure that he or she fully appreciates the unique place that the Snowy Mountains Scheme holds in the hearts of many Australians, the many responsibilities that Snowy Hydro has to its local communities and stakeholders, including its important and critical support for the Snowy Hydro Southcare Helicopter and the new Cooma Universities Centre, and the many facilities that the company provides for tourists and fishers to access the lakes of the Snowy Mountains. In addition, Snowy Hydro must also be a profitable electricity generation company. I believe it is essential that any new chief executive officer has as much time as is necessary to go through a handover process during which Terry Charlton will demonstrate the accountabilities and responsibilities that Snowy Hydro has to its local communities.

Terry Charlton has demonstrated over the past 14 years that he is not only an exceptional business leader but also an outstanding champion of the region in which the company operates. He has fully appreciated that the success of the business is intertwined with the success of local communities and that those communities benefit directly and indirectly as a result of the success of the company. Terry has demonstrated this over a long period and anything less than a demonstrated, ongoing commitment to this by the new chief executive officer before Terry's departure will cause great concern among the many communities that benefit from Snowy Hydro's operations.

As the local member, I want to ensure that my constituents are given the opportunity to understand, to be familiar with and to develop trust in the new chief executive officer before Terry departs. Anything less than the commitment and support shown to the region and its communities by Terry Charlton will cause significant community and stakeholder concern. To allay those concerns, I urge the board of Snowy Hydro to retain Terry in the position until the end of this year not only to facilitate a smooth transition for the business and its employees but also to ensure that this change does not adversely impact on the communities of the Snowy Mountains. I also ask that the new chief executive officer either come from the region or live in the region, as Terry did, so that he or she truly understands the local communities. I also have many questions which must be answered and which I will put on the public record. There are many questions about a manipulated process, integrity and possible political interference.

The decision and the processes that led to it must be thoroughly reviewed. The chairman of Snowy Hydro must explain in detail to my community all the facts surrounding this decision. For the sake of transparency, and to ensure that the Treasurer and the New South Wales Government are not being misled, I urge the Treasurer to pursue vigorously any claims made about the decision and to seek answers to those questions. I would also like answers to the following questions: Does the Treasurer have full confidence that the board has properly assessed all risks at this time and is following a proper and professional process? Has the board given an assurance to the Treasurer, and has the Treasurer formed the view, that we will not discover in the future that as a result of what appears to be a hasty process we have left Snowy Hydro vulnerable? Can the chairman of Snowy Hydro and the Treasurer assure Parliament and my community that this timing has not been determined or influenced by local political considerations, perhaps by the local Labor Federal member, the Federal Government or others acting in their interests?

I would also like the chairman of Snowy Hydro to explain why the decision has been made so hastily, especially when I understand from community leaders that the chief executive officer was considering retiring later this year. These are legitimate questions and they require thorough consideration. More importantly, my community deserves honest answers—nothing more and nothing less. After the events of the past few weeks, I must admit that my confidence in the chairman and the board of Snowy Hydro has been seriously tested. I accept that the board is independent and that the Treasurer is the New South Wales shareholder Minister representing the Government. However, we are only custodians on behalf of its shareholders—that is, the mums, dads and children of this great State and great country, and their interests must come first.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.36 p.m.]: As the former shadow Minister for Land and Water Conservation for eight years in this State I had a lot to do with Terry Charlton as the chief executive officer of Snowy Hydro. I have nothing but the highest regard for him as a person and for the way in which he operates. I did not know until the member for Monaro made his private member's statement that Terry will no longer be the chief executive officer. I take this opportunity, without knowing what has happened and why, to express appreciation on behalf of the Government of New South Wales for the wonderful service that he has given to Snowy Hydro.

RURAL AND REMOTE AREA PSYCHOLOGISTS PROJECT

Mr RICHARD TORBAY (Northern Tablelands) [12.37 p.m.]: Every member of Parliament who represents the rural and remote areas of this State knows how hard it is to attract health professionals and, once they are on the ground, to retain them. This applies particularly to psychologists, especially those in single-person practices, who are presented with the whole gamut of mental health issues with little access to colleagues and professional networks to assist and advise them. To address these difficulties directly, a one-year pilot mentoring and support program was developed and funded by the New South Wales Psychologists Registration Board. With initial funding of \$250,000, the Rural and Remote Psychologists Program was implemented in New South Wales in 2010-11 by a team of psychologists from the Hunter New England Local Health District. A follow-up grant of \$150,000 enabled the project to continue for a further 18 months.

This highly successful program has assisted about 150 psychologists by offering a range of support services, including direct one-on-one mentoring through pairings within and beyond the project, teleconferencing, peer supervision, workshops, web-based learning, and a social media tool to enhance group cohesion and facilitate peer networking and support. Participants were able to maintain their accreditation without incurring the prohibitive costs of travel to access the 10 hours of supervision and 30 hours of professional development required each year. Its effectiveness was confirmed by an Excellence in Program Delivery Award, presented at the 2012 New South Wales Mental Health Matters Awards, as well as by its inclusion in the Services for Australian Rural and Remote Allied Health Conference in Launceston and the Australian Psychological Society Annual Conference in Perth in September 2012.

Despite its success, the program is now at risk. Because of new legislation, the Psychology Council of New South Wales, which replaced the New South Wales Psychologists Registration Board, is not able to fund the program. The Rural and Remote Psychologists Program needs \$500,000 over three years to survive. That is a relatively small amount, given the results that are achieved. The program is subsisting on a \$5,000 grant from the Country Women's Association that is being used to keep a network blog operating. Psychologists in rural and remote areas will again face the prohibitive costs of travel to remain accredited and it is widely feared that many of them will move to larger centres.

A recognised benefit of the program has been the assistance and support it has provided to new psychologists in rural areas. It is well established that mentoring and support are the most valuable means of assisting them, preventing burnout and developing their confidence and capacity to manage in a difficult environment. Extensive research has indicated that the incidence of many mental health issues is statistically higher in rural areas than in metropolitan areas. Access to and availability of services is more limited and suicide rates are higher, particularly in males living in rural areas. Psychologists practising in rural locations have limited access to psychiatrists and specialist units and so must do more of it themselves. This means higher work rates and hence the need for greater skills and support. I quote directly from a letter I received from a psychologist in a small rural town who states her concerns as follows:

As a sole practitioner in a small rural town in your electorate ... I have been consistently impressed by the quality of the RRAPP [Rural and Remote Area Psychologist Project] service to rurally based psychologists and the value it affords. I have been working in this town for over 23 years. Should I leave there will be no replacement. To continue work as a psychologist I must maintain my national credentials as a psychologist by meeting standards of professional training and clinical supervision. This necessitates a substantial amount of time and expenditure. Being part of the RRAPP program has assisted me greatly in these obligations while supplying the level of support from peers and organisations which would otherwise be unavailable.

She further states:

This program was extremely cost effective and allows small communities to be supported by local psychologists rather than people having to travel, which many can't for the lack of transport or financial reasons or rely on drive-in or fly-in mental health services which may not have the connection and understanding in the local community.

Approaches have been made to a variety of private and public sources for sponsorship and support of the RRAPP. Whitehaven Mines has pledged \$25,000 over three years to support psychologists in towns where they operate. The CWA's [Country Women's Association] \$5,000 will soon run out and whilst I understand the pressures that remain on Government I urge the Government to step in and support this important initiative by providing the \$500,000 over three years to retain this valuable and low cost program, which is delivering such excellent results in rural and remote New South Wales.

DAVIDSON ELECTORATE PUBLISHED AUTHORS

Mr JONATHAN O'DEA (Davidson) [12.42 p.m.]: Today I pay tribute to two recently published authors in my electorate of Davidson. Stuart Pepper lives in St Ives with his wife and three small children and provides consulting advice to small- to medium-size businesses. He also teaches a small business course at the Hornsby Ku-Ring-Gai Community College. It was against this backdrop that Stuart co-authored a book aimed at helping improve the business management capabilities of those without the benefit of formal business management training. The book which is titled *It's a Jungle Out There - Unlocking the secrets of starting and growing a successful business* was borne out of frustration with the inability of existing literature to help business owners genuinely make a difference in how they operate. It helps business owners and managers maximise the chances of succeeding, encouraging and challenging the reader with penetrating insights and pointed anecdotes. Reflecting its title, *It's a Jungle Out There*, the book uses animals as a vehicle to help the reader understand the concepts of business formation and growth and helps make the book simple, easy to read and, above all, engaging. Last month it was my pleasure to formally accept a copy of the book on behalf of the New South Wales Parliamentary Library.

The second book is by Michael Hambrook of Roseville, who has brought together an extraordinary collection of personal stories of spying, escaping and surviving war aptly titled *On the Front Line*. The stories include firsthand accounts of common soldiers, prisoners of war, slaves in German work camps, war administrators, undercover spies and ordinary citizens who have witnessed historical events as they happened. One of these amazing stories is told by another of my constituents, Paul Couvret of Belrose, who was the subject of my third private member's statement in 2007 following his naming by the *Manly Daily* as one of the top 100 contributors to the local area in the preceding 100 years. Paul Couvret was put to work in the dockyards of Nagasaki after being captured by the Japanese in World War II. At 11.00 a.m. on 9 August 1945 Paul was working beneath the hull of a ship in dry dock when the second atomic bomb was dropped on Japan. He describes a blinding flash of light that lit up the sky and every corner of the dry dock. He writes:

After that there was a moment of complete silence, but a silence that lasted only long enough for all of us down in the dry dock to realise that something had just occurred that was completely beyond our comprehension. Seconds later the blast of the explosion arrived. It was preceded by a wave of heat that swirled down, into and around all of us, a heat we could feel even though we were 10 metres or so below ground level.

He continues:

The debris was massive and became an avalanche of rubble hurtling towards us, crashing down into the dock. The noise got louder and louder as more and more debris arrived. Individual pieces were bouncing off the walls and ricocheting in all directions, causing panic amongst prisoners and guards alike. There was only one place to hide, beneath the keels of the ships we were building.

The author of *On the Front Line*, Michael Hambrook, spent World War II in England before moving to Southern Rhodesia in 1947. During the 1960s and 1970s he served in a Rhodesian police antiterrorist unit and he was private secretary to the Rhodesian Minister for Commerce and Industry at the time of the Rhodesian Government's 1965 Unilateral Declaration of Independence. Perhaps not surprisingly one of the stories recounted to Michael and included in his book is entitled, "The Last Days of Rhodesia". Each story in the book helps preserve personal histories as well as reminding us of our collective history.

On the Front Line is an astounding collection of stories, which I commend Michael Hambrook for gathering together and publishing in a well presented, easy to read, hard-bound book. I look forward to presenting copies of the book to various local community groups in commemoration of Anzac Day this year. I commend both Stuart Pepper and Michael Hambrook for two outstanding literary works. One looks at our past and the stories of individuals, which contribute to our collective history, while the other looks to the future and at ways of overcoming challenges that face many in the business world. Both books make a valuable contribution either to where we have come from or where we may be heading.

CAMDEN ELECTORATE HIGHER SCHOOL CERTIFICATE ACHIEVEMENTS

Mr CHRIS PATTERSON (Camden) [12.47 p.m.]: Today I will inform members of the 2012 Higher School Certificate high achievers in my electorate. Each year Camden Council recognises its Higher School Certificate high achievers through a mayoral reception to acknowledge the wonderful effort of the young men and women and all the hard work they put in to achieve their outstanding success. I am proud to say that these awards were first introduced in 2007, when I was mayor, to acknowledge Camden's 2006 Higher School Certificate higher achievers. The then director of schools, Gary Waldon, had a passion for teaching and recognised the hard work put in by students. He approached me to institute official recognition of the results and the hard work put in by students.

At the time Gary acknowledged how proud the families, school communities and wider community were of these outstanding students so it is only fitting that they be recognised accordingly. Gary took leave in 2007 to have routine knee reconstruction and whilst in hospital caught an infection. Tragically, he passed away the next month. Gary never saw firsthand the mayoral reception in 2007 recognising the outstanding achievements of the 2006 class. I am pleased to say that this ceremony has continued and tomorrow night the following outstanding Higher School Certificate high achievers will be recognised by Camden Council at a reception hosted by Mayor Lara Symkowiak.

The students from Macarthur Anglican School are: Ansley Bell, Amy Borg, Mark Borojevic, Analiese Buchtman, Heyland Cheung, Micah Dibella, Amit Dogra, Arlene Dowling, Kirsty Dwyer, Rebecca Elliott, BIANCA FURCHTMANN, Alexandra Gawthorne, Daniel Gray, Liam Harley, Sarah Hawkins, Sarah Head, Jack Hung, Daniel Ingram, Aleksandra Jez, Dionysios Klonis, Jessica Lawless, Rebecca Leahy, Kai Lee, Katie Legge, Shannen Lillis, Keegan Lovell, Ashleigh Mamo, Stephanie Mantzouridis, Alexandra Mariotto, Jessica Matthews, Brittany McCroary, Lauren McCulloch, Benjamin McKenzie, Isabel Mellor, Kieran Monger, Elizabeth Morgan, David Morgan, Molly Morphew, Reid Morrison, Bryce O'Neil, Katie Parker, Ashlee Perich, Michael Piscineri, Samuel Playford, Kathryn Rankin, April Ranson, Roseanna Raymond, Michael Ridgwell,

Elizabeth Ruff, Elliott Russell, Amy Santas, James Sawyer, Joshua Sawyer, Jessica Sharpe, Jayden Sierra, Maddison Smith, Nicole Smith, Hamish Urquhart, Lousie Shepherd Walker, Joshua Watson and Anna-Maria Wosik.

The high achievers from Magdalene Catholic High School are: Kimberley Borg, Rachel Brown, Tabitha Brown, Daniel Colley, Isabella Coluccio, Daniel Conte, Nicholas Dahler, Oliver Enriquez, Robert Gorringer, Luana Harris, Laura Jones, Joshua Kenny, Zaccariah Knobel, Brooke Lawrence, Hannah McLaren, Jordan Peruzzi, Kieren Ross, Corinne Rugolo, Patrick Sanda, Nicole Sandrone, Matthew Serone, Alexandria Stone, Melissa Smith, Annelise Sutherland, William Thackeray, Brianna Warren, Analise Vella, Georgia White and Laura Zanatta. The high achievers from Camden High School are: Lachlan Beveridge, Chelsea Mares, Elizabeth Mason, Tayla May, Scott McGregor, Daniel McKittrick, Caitlin Reilly, Holly Taylor and Mikayla Terrill-Coxall.

The high achievers at Elizabeth Macarthur High School were Jarred Chlopicki, Tamara Fox, Emma Johnson, Alicia Mackay, Royce McIntyre, Aiden Paul and Brady Turner. The high achievers at Mount Annan High School were Nashmia Adnan, Jeremy Austin, Brittany Burfield, Ruby Challita, Christopher Cozma, Jacob Crane, Tiarna Dombroski, Thomas Fryer, Meri Galoyan, Kristen Hasiuk, Amy Hawker, Kelly Hobson, Bonnie Hollands, Melanie Keegan, Nicholas Korn, Jack Mulquiny, Kristen Osborne, Maria Rasul, Bronson Sayasane and Karen Smith. The high achievers at Mount Annan Christian College include Annelise Bagley, Pamela Broadstock, Tiarne Cassel, James Cazzy, Daniel Eves, Charlotte Dabb, Susanna Hatava, Amy Janse Van Rensburg, Christopher Laul, Olivia Liew, Charity Luquingan, Erick Mattos-Araujo, Caleb McMurray, Brittany Middlebrook, Jessica Norman, Elizabeth Ridgway, Madison Schwizler, Ayrensha Singh, Kate Smith, Eliora Velasco, Grace Taotua and Nicole Vella.

Finally, the high achievers at Elderslie High School were Kabir Bhalla, Mitchell Christie, Danielle Douglas, Olivia Hansell, Jordan Hollis, Suzanna Moschetti, Jacob McDonald, Orla Ni Chaoimh, Lousie Phillips, Anthony Nixon, Elizabeth Ralston, Julia Russell, Rebecca Smith, Sarah Smith, Alicia Sullivan and Sarah Tretheway. It is remarkable that so many young adults in the Camden area were high achievers. I reiterate the words spoken by Gary Warden. Families, peers, school communities and members of the wider community are proud of these young adults. They have demonstrated their commitment to study and they have the skills and the drive that are required to achieve these results. They are an inspiration to all those who follow in their footsteps. I have every confidence that these young men and women will succeed in their chosen path, whatever that might be. We are lucky to have all these fine young people living in the Camden community. I thank all the dedicated teaching staff for their efforts at our wonderful schools.

MYALL LAKES ELECTORATE EVENTS

Mr STEPHEN BROMHEAD (Myall Lakes) [12.52 p.m.]: I refer to two seniors events that were held in Forster last Tuesday and two seniors events that were held in Taree in the Myall Lakes electorate last Wednesday. For the first time seniors concerts that are normally held in Sydney were moved to regional New South Wales. I congratulate the Minister for Ageing, and Minister for Disability Services on his foresight and thank him for the compassion and care that he has shown. He realised that everything does not begin and end in the metropolitan area and that concerts could be held also in regional areas. Many people in regional areas who could not travel to the city to attend concerts were given an opportunity to stage concerts in their areas. Those concerts were an outstanding success.

Entertainment was provided by many well-known professional entertainers, for example, Wayne Cornell, the original lead singer for the Delltones; Joey Perrone from Young Talent Time who won national and international entertainment awards; Dave Burke, an international comedian who played first-grade rugby league for Halifax in England at the age of 17 years; and Lucky Starr. More than 2,000 seniors attended these concerts which cost just a fraction of what it might have cost to stage them in the city. It was rewarding to see the happy smiles on the faces of seniors from retirement villages and nursing homes who attended the morning session and who appreciated the quality of the performances. They are crying out for that type of entertainment and it was great to bring it to regional New South Wales.

I inform those members representing electorates in regional New South Wales that the Myall Lakes electorate is hoping to stage these events again next year. I am sure that the Minister for Family and Community Services, who is in the Chamber, would like similar concerts to be held in the Goulburn electorate. We might even be able to persuade the Attorney General, who is in the Chamber, to sing at next year's events. I thank Great Lakes Council for providing accommodation for the artists and I thank Club Forster and Club Taree for

providing the venues at no cost. I thank staff members Alison Gonsalves and Gary Hoson who worked hard to ensure the smooth running of events and I also thank volunteer Arthur Chapman who attended all the shows. I commend the Minister and hope that he will agree to fund these concerts in 2014.

GOULBURN SESQUICENTENARY

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [12.57 p.m.]: Goulburn, Australia's first inland city, celebrates its sesquicentenary this week. Goulburn, which I proudly call home, has a rich history that stretches back to early colonial times when land grants were made to free settlers such as Hamilton Hume. Situated just east of the peak of the Great Dividing Range where the Wollondilly and Mulwaree rivers meet, its history goes back beyond western settlement. These rivers were a source of fish and native animals for a number of traditional Aboriginal peoples who frequented the area known as Burbong. I acknowledge the traditional owners of the land.

Burbong was opened for settlement around 1820 and Goulburn was named after Henry Goulburn, British Under-Secretary of State for War and the Colonies. In 1833 the town was laid out by surveyor Robert Hoddle. Barely 10 years later there was a courthouse, police barracks, churches, hospital and a post office, surrounded by rolling grazing lands. The township continued to grow and its significance on the road between Sydney and Melbourne was soon acknowledged with the establishment in the town of a Cobb & Co change station and a telegraph station—a logistical advantage that still stands today. A Royal Letters Patent was issued by Queen Victoria to establish the diocese and on 14 March 1863 Goulburn was proclaimed a city. St Saviours Cathedral became the Cathedral Church of the diocese. It is now the seat of the Bishop of Canberra and Goulburn and is soon to be the home of the current bishop—my friend the Right Reverend Stuart Robinson.

A beautiful Edmund Blacket designed cathedral was completed in 1883 which is where the whole city will gather this Thursday morning with distinguished guests including the Governor of New South Wales, Marie Bashir and, I am pleased to say, Premier Barry O'Farrell to celebrate the significance of our first inland city. The nineteenth and early twentieth centuries were a time of tremendous prosperity. The arrival of the railway in 1869 furthered this progress and branch lines were constructed to Cooma, Bombala and Crookwell. The city became a major railway centre with a roundhouse and engine servicing workshops which now house a railway museum with exhibits ranging back to the days of steam. Families established themselves on the surrounding rolling hills on prime grazing land, built grand houses and entertained in great style.

It would be true to say that Goulburn's wealth was built on the back of the merino sheep whose fine fibres dressed the world. Goulburn was home also to a number of bushrangers, including Ben Hall, who were fought off by the stout Faithful brothers. Magnificent colonial-style buildings sprang up across the city—buildings designed by famous Australian architects including James Barnet, Mortimer Lewis, Edmund Blacket, Francis Greenway and E. C. Manfred, who was responsible for many public buildings including the Town Hall, hospital, fire station and many private houses, including my own. The collapse in the wool trade with the advent of synthetic fibres took its toll on the city, and it really did struggle to reinvent itself. It has always been a staging post along the aptly named Hume Highway.

Many Sydneysiders would have stopped to dine at the Paragon Café on their way to Canberra, Albury or Melbourne. Auburn Street became such a busy thoroughfare that it divided the city in two. The construction of a bypass in 1992 allowed the city to come back to life, and now Auburn Street is a vibrant hive of activity. The city is also known for its correctional facility, originating in the early nineteenth century, and with austere Victorian architecture that now houses state-of-the-art facilities, including the super-max wing, opened in 2001. The city is also home to the NSW Police Academy, where police cadets come to complete their training. Over a thousand people are on campus each day: 730 constables have graduated just since last August. These facilities are still amongst the largest employers in the city and attract visitors from around the State.

It would be tempting to solely speak about the economic journey of the city, but the most enduring story is that of the people of Goulburn. The city has a unique community spirit: despite everything, the sense of place is extraordinary. Families can trace their association back generations and ties to the city are strong. The community embraces its past while actively pursuing new ventures for the future economic security of the city. I must acknowledge Councillor Geoff Kettle, the Mayor of Goulburn Mulwaree, for his passionate enthusiasm for Goulburn. It is bidding to become a security hub and for national storage facilities. The city has cultural and sporting facilities that are the dream of other community centres: the Lieder Theatre, the Regional Conservatorium, the Regional Art Gallery, and great sporting grounds, which recently hosted the Bulldogs and Raiders NRL match to large crowds, despite miserable weather. I ask the House to join with me in congratulating Goulburn on its history, and in looking forward to its exciting future.

ROCKDALE LOCAL WOMAN OF THE YEAR MARGARET TURNBULL

Mr JOHN FLOWERS (Rockdale) [1.02 p.m.]: I rise to acknowledge a special individual in my electorate of Rockdale, Mrs Margaret Turnbull. Margaret Turnbull was awarded the Local Woman of the Year Award for the Rockdale Electorate, for community work spanning three decades. I was delighted to present this award to Margaret with the Minister for Family and Community Services, and Minister for Women, the Hon. Pru Goward at my electorate office on 5 February 2013. Margaret Turnbull is an inspiration to her local community and is a worthy recipient of the Local Woman of the Year Award for the electorate of Rockdale.

Margaret and her brother, Barry, were born in Coonamble to parents Henry and Mary Jones, who were both from regional New South Wales. Margaret's father served as a police officer and her mother worked as a nurse. During World War I Margaret's father joined the army and served at Gallipoli and in France. He returned to the police force on his return from the war. Margaret Turnbull trained as a primary school teacher and taught three years prior to meeting her husband, Donald Turnbull, whom she married in September 1934 and with whom she raised two children. Margaret returned to teaching and was offered a position with the Department of Education as a swimming coach and served the community in that capacity for 20 years.

Margaret's husband, Donald, was elected an alderman on Rockdale Council in 1978, and Margaret joined the Mayoress Committee. The Mayoress Committee was established to care for the disadvantaged members of the local community, and while a member for 30 years Margaret dedicated her time voluntarily as minutes secretary and treasurer, as well as assisting with fundraising for various charities, communities and aged care facilities. As a departmental swimming coach Margaret also provided casual relief during the winter months, and during this time she was offered a position with St George school caring for students with multiple disabilities. Margaret became involved by becoming part of an organisation to provide a future for school leavers who have high support needs.

The Work and Leisure Centre for Adults Association [WALCA] opened in 1994, and Margaret became foundation treasurer on the board of management—she still serves in that position. In her capacity as a committee member Margaret trained staff in methods of teaching swimming to the disabled, with attention to health and safety issues. Adults with special needs are assisted by the Work and Leisure Centre for Adults Association, which offers a day program for adults with high support needs. It operates from five sites in Bexley, all within the shopping area. This enables the participants to maintain close contact and interaction with community facilities such as the library, the shopping centre and coffee shops. Currently there are 35 staff members catering for the needs of approximately 50 clients. The Work and Leisure Centre for Adults Association is a not-for-profit organisation.

Clients are supported by Ageing, Disability and Home Care, and this enables them to participate in services offered by the association. The centre has two vans and is able to visit parks, clubs and museums as well as service its swimming program. The association aims to maintain skills already acquired and assist clients to reach their potential in an adult environment. Communication by means other than speech is encouraged to allow for greater integration with the wider community. Currently, the centre has only one individual who can communicate verbally. People such as Margaret Turnbull enrich our communities and add vibrancy to the everyday activities of those with special needs. They make our community a better place in which to live. Margaret currently spends her time as a full-time carer for her husband, Don. I wish them both well.

BLUE MOUNTAINS DISABILITY SERVICES CHALLENGE AWARDS

Mrs ROZA SAGE (Blue Mountains) [1.07 p.m.]: Sometimes in political life you come across an event that really touches your heart. Last week I went to such an event, the Challenge Awards at the Blue Mountains Disability Services, Eloura. At this awards ceremony we celebrated and congratulated eight special people who took on and completed the challenge awards. By way of background, the challenge awards originated in Victoria, and Eloura was the first group to undertake the challenge in New South Wales and only the second in Australia. The challenge awards are modelled on the Duke of Edinburgh Program and are described as a journey of development and discovery for people with a disability aged 25 years and over.

Although our participants did not adhere strictly to the age limits, they all participated as a group. It is structured over four sections: physical recreation, to improve physical and emotional wellbeing; skill, to develop the mind; service, to connect with community; and adventurous journey, to increase confidence in unfamiliar places. It can be achieved over three levels, and individuals can choose their own program of activities. The Eloura candidates achieved level one of the program. What an inspirational and outstanding group of people.

Awards were given to Ryan Burns, Liam Smith, Joshua Sztelma, Cassandra Heron, James Moore, Joshua O'Neil, Vanessa Tuke and Michael Tipper. At the awards dinner parents and friends proudly looked on as we were treated to stories of their children's exploits.

We had a PowerPoint photo presentation showing firsthand the many activities that the group undertook. The day options co-ordinator, Cherry Yates, took us all through the challenge journey, which took place over many months. For the physical recreation aspect the group spent what looked like a very enjoyable, fun filled day at the Penrith YMCA. Some had a go at the rock climbing, and everyone jumped into the foam pit. Every member of the group was encouraged to participate, and every person did participate in what they physically could. They all participated in a yoga class which they all said they thoroughly enjoyed. As part of the skills section the group took on photography: many of their photos were displayed on the walls of the facility. The photos are really first grade and reflected their many and varied interests. Some of them were seriously good.

The group participated in baking cakes, which were taken to Salvation Army men's groups, and they all made Christmas cards for later sale. As to the service section of the challenge, the group helped to sort toys at the Winnalee Out of School Hours Care centre. This explained the photo montage of Vanessa sitting on a floor surrounded by what appeared to be hundreds of Barbie dolls, which she was dressing. The vegetable garden at the Winnalee Neighbourhood Centre also received a helping hand: the challenge group weeded and watered the communal gardens. The group also visited the Katoomba water treatment plant to learn first-hand how drinking water is purified. The group also participated in Operation Christmas Child, which is run by Samaritan's purse—a charity I have also has participated in. The group helped to pick and fill a shoe-sized box to be sent overseas for underprivileged children—for many of them this will be the only present they will ever receive. I am advised by the central office at Blacktown that the group visited was delighted to receive this gift and each group member received their own Christmas Child certificate.

The last—but by all accounts the most enjoyable—activity was the overnight camping trip to Bents Basin. Here the group was challenged to put up a tent and sleep overnight. They organised and cooked their meals on the barbeques provided. The hit of the day seemed to be the archery activity, in which everyone participated. They all want to do it again at another time. They also had turns on a giant swing, which many originally thought was a fearful thing to do. This is a group of inspirational people. For instance, Liam Smith, after much surgery and physiotherapy, has recently been able to walk. With a lot of determination he has achieved his dream of walking after being in a wheelchair for most of his life. To see this group strive, overcome and succeed was a very great pleasure. I am so proud to be the member for Blue Mountains and to have Blue Mountains Disability Services, Eloura, in my electorate.

LEBANESE COMMUNITY IN NEW SOUTH WALES

Mr TONY ISSA (Granville) [1.12 p.m.]: Today I acknowledge the important role of the Lebanese community in New South Wales. A little more than half of the residents in my electorate are foreign born. The majority came from Lebanon. English is the most common language spoken in my electorate of Granville, at 32 per cent, and Arabic is the second most common language, at almost 20 per cent. Historically the Lebanese community has been very active in public life in this State. Indeed, there are six members of the Parliament of New South Wales who are Lebanese or of Lebanese descent: the Hon. John Ajaka, member of the Legislative Council, who represents the Liberal Party in the upper House; the Hon. Shaoquett Moselmane, member of the Legislative Council, who represents the Labor Party in the upper House; Mr Thomas George the National Party member for Lismore; Mr Richard Torbay the Independent member for Northern Tablelands; Mrs Barbara Perry the Labor member for Auburn; and I am the proud Liberal Party member for Granville. Interestingly, the Liberal Party and The Nationals, traditionally the more conservative side of politics, have chosen to install members of the Lebanese community in this Parliament.

In 2001 Professor Marie Bashir, AC, CVO, was appointed Governor of New South Wales. She is the first woman to hold this office. Her Excellency, who is of Lebanese descent, was born in Narrandera, New South Wales, and was educated at Sydney Girls High School. Over the past 13 years she has proved to be a much loved and well respected representative of the Queen in this State. A significant number of other Lebanese people have served in local government, including, Mr George Dan, who was first elected to Randwick council in 1944. Sir Nicholas Shehadie, AC, OBE, husband of Professor Marie Bashir, was Lord Mayor of Sydney from 1973 to 1975. I was the Lord Mayor of Parramatta from 2008 to 2009. I proudly state that my eldest son, Steven Issa, is now the Deputy Lord Mayor of Parramatta—

Mr David Elliott: It is only getting better.

Mr TONY ISSA: He will definitely do better than his father. The current Lord Mayor of Parramatta is Councillor John Chedid. Indeed, there are mayors of Lebanese origin in other metropolitan areas and 36 Lebanese councillors in this State. Mr Anthony Alexander Alam was one of the longest serving members of the Legislative Council of New South Wales. Last week Premier Barry O'Farrell led a week-long delegation to Lebanon to meet with business and religious leaders on a range of issues. I had the privilege of accompanying the Premier on that visit. The trip was successful in furthering ties between New South Wales and Lebanon, demonstrated the high regard in which this Government holds Lebanon and acknowledged the enormous contribution that the Lebanese community makes to this State. The second half of the nineteenth century saw the arrival of the first Lebanese immigrants to Australia. Many chose to make Sydney their home and were successful in helping to create a solid base financially for their families, as well as making a substantial contribution to this city's cultural and religious diversity.

In the 1880s Lebanese people settled in the Redfern area. In 1909 six Lebanese businessmen: J. G. Malouf, George Dan, Stanton Melick, Anthony and Simon Coorey and Nasser Abdullah were recognised for their good citizenship and support of charitable works in a Jubilee booklet published by the Redfern Municipal Council. They are still well known in the Lebanese community and the Sydney business and cultural scene. In the intervening years Redfern became the central location of Lebanese-owned wholesaling and warehousing operations. This dominance only declined in the last two decades of the twentieth century. Indeed, in 1982 the predominance of Lebanese businesses in Redfern prompted Ian Burnley from the School of Geography at the University of New South Wales to observe that it was "the longest continuously occupied ethnic residential settlement in any Australian city". I am proud to stand in this Chamber first and foremost as an Australian but also as Lebanese. I am proud of the contribution my people have made to the growth of this State. I thank the Parliament and the people of the electorate of Granville for the opportunity to serve my community.

MOTOR VEHICLE REPAIR INDUSTRY

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [1.17 p.m.]: Today I advise the House of an important issue raised by various business people in the Hawkesbury area who are involved in the motor vehicle repair industry. As I have advised the House previously, I have a background and qualifications in the vehicle repair industry, particularly in the heavy vehicle repair industry. I remain a staunch advocate of the industry, especially in relation to the various Acts that deal with improvements to the safety of motor vehicles that are repaired and returned to our roads. Last week many small independent motor vehicle repair businesses located across the Sydney metropolitan area met with the Motor Traders Association of NSW at Auburn to discuss these matters.

The member for Bankstown and I attended that meeting to listen to the concerns of the industry. I was particularly concerned to learn of a dangerous anomaly in insurance practices in relation to the repair of damaged motor vehicles. Currently many insurance policies offer the choice for individuals to choose their own motor vehicle repairer following an accident. Indeed, it is a section under the code of conduct that specifically deals with the rights of an individual to choose their preferred repairer. However, this policy section appears to have been disregarded by certain insurance companies.

I have been advised that if a customer seeks to have their vehicle assessed at one of the various insurance arms of Suncorp Insurance that customer is informed that if he or she wishes to choose their own vehicle repairer they will have to seek their own quotes and then wait for up to three weeks or more to have their vehicles repaired. It should be noted that 30 insurance companies are now owned by Suncorp Bank, including AAMI Insurance, Australian Alliance Insurance, Australian Pensioners Insurance, Apia, Bingle, Comprehensive Travel Insurance, GIO Insurance, Guardian Trust, L. J. Hooker Insurance, New Zealand Commercial Insurance, RACT Insurance, Shannons Car Insurance, Suncorp Insurance, Suncorp-Metway and Vero. Turning customers away when they are driving a damaged vehicle is a direct contravention of section 4.2 of the Motor Vehicle Insurance and Repair Industry Code of Conduct, which is mandated by the New South Wales Fair Trading Act. It states:

4.2 Insurers

In their dealings with Repairers in relation to repair work, Insurers will:

...

- (f) not knowingly ask claimants to drive unsafe motor vehicles for the purposes of obtaining alternative estimates.

I advise the House that this action by an insurance company is nothing more than a ploy to encourage an individual to have their car repaired at the insurance company's preferred smash repairer. This action places the driver of a defective vehicle and every other driver on the road at risk of serious injury if a crash were to occur while a person is driving a vehicle known to be damaged. To add weight to my previous comment, customers of these insurance companies are also advised that if they send their vehicles to either Capital S.M.A.R.T Repairs or Q Plus repairs to the vehicle will commence immediately.

Upon closer inspection of this matter, I have discovered that Suncorp Insurance, which is owned by Suncorp Bank, now also owns a large number of its own motor vehicle repair outlets known, coincidentally, as Capital Smart Repair and Q Plus. This appears to be a major conflict of interest because the insurance company now owns the actual motor vehicle repair businesses. I have taken the liberty of writing to the Minister for Fair Trading and advising him of what I believe is a very dangerous precedent. It also brings into question whether the appropriate inspections are being undertaken following the completion of the repairs to the vehicles, as it appears vehicles are being repaired to a price rather than a standard.

I have also been informed by the Motor Traders Association of New South Wales that infringement notices have been issued by NSW Fair Trading to one such Capital S.M.A.R.T Repairs shop—owned by Suncorp Insurance—due to unlicensed employees carrying out smash repair work. As I previously stated, I am qualified to work in this industry and can inform the House that qualification can only be obtained after years of undertaking an appropriate apprenticeship and then obtaining a trade certificate in the motor vehicle repair industry. Without this qualification it is illegal to undertake any work on any motor vehicle. I hereby table my trade certificate qualifications for the benefit of the House.

I have also been advised that one of the subsidiaries of Suncorp, namely, AAMI, has an extremely high rate of rectification work. Rectification work is work that is required following the repair to a vehicle because the vehicle is still not in a roadworthy condition—for example, because of the failure to remove and replace damaged chassis rails, which, if the vehicle were to be involved in another accident following an inappropriate repair, could result in fatalities of the driver and passengers, given that the structure of the vehicle has been completely compromised. Evidence to support this statement has been obtained by the Roads and Maritime Services—formerly the Roads and Traffic Authority—Crashlab in Huntingwood, where the Motor Traders Association of New South Wales took a reregistered repairable write-off to be subjected to an applicable Australasian New Car Assessment Program test. The results of the test showed that an accident would have resulted in both of the front seat occupants suffering fatal injuries due to the poor repairs to the chassis rail.

The motor vehicle repair industry is seeking the support of the New South Wales Government to ensure that customers who are insured and are seeking to have their vehicles repaired have the choice of their own vehicle repairer and that their safety is not placed in jeopardy when they are turned away by insurance companies and advised to obtain their own quotes for repair. The safety of not only the driver is placed at great risk by driving a defective vehicle but also members of the general public who could become the innocent victims of a dangerous accident caused by a vehicle that should not be on the road. As I have stated, I have raised this matter with the Minister for Fair Trading and he has advised me that he is currently investigating these issues through the Motor Vehicle Industry Advisory Council. I will be happy to provide any information and support available to the council in order to rectify these problems on behalf of the motor vehicle repair industry. This is an extremely important matter and I will be more than happy to support amending or enforcing any legislation that is required to ensure the people of New South Wales are protected from these dangerous insurance practices and that the safety of the public is not placed at risk.

IMAGINATIONS CHURCH

Mrs TANYA DAVIES (Mulgoa) [1.22 p.m.]: Today I inform the House of the life-changing missions and humanitarian work that ImagineNations Church in Orchard Hills is bringing to our world. ImagineNations Church is just that—imagining nations with modern health care, clean water, education, young girls free from the sex trade industry and nations hearing and receiving the gospel of Jesus Christ. ImagineNations [IN] Church is a growing congregation located in the western suburbs of Sydney. The congregation is filled with ordinary, hardworking people from all socioeconomic backgrounds: the struggling and the wealthy, the young and the old. But while these people may be called ordinary they are performing amazing, good deeds as they serve an extraordinary God.

The heart and passion of ImagineNations Church is to see non-Christians all over the world become totally committed followers of the Lord Jesus Christ. Through the leadership of pastors Jack and Carol Hanes,

who have served in Australia for the past 24 years, the church is able to support a variety of missions and humanitarian projects locally and around the world. ImagineNations Church recently held its annual missions conference, which reflected on its contribution last year and set the vision for 2013. The following is just a snapshot of the church's achievements. In 2012 \$931,446 was given by the church's congregations in Sydney, Darwin and Phoenix. All over the world 1,299 churches were planted, with 1,104 planted in India, through partners Kitbok, and 98 in Biju Thampy.

The Gordon Gibbs Children's Home supported 75 children, the majority of whom are orphans or children whose parents can no longer care for them. All their needs are met, including education. In Indonesia, through ImagineNations Church's partner Paulus Wiratno's organisation Discipleship Maker, 97 churches were planted. In Cambodia 14 wells were built through partnership with New Life Fellowship in Phnom Penh. The water situation in Cambodia is desperate: some approximations suggest that 75 per cent of all deaths in the country are water related. These wells make a huge difference to the community in health and education, financially and in many other areas.

In Burundi ImagineNations Church, with its partner Sister Connection, has funded the construction of 25 homes for widows. These homes provide protection, a lift out of poverty and a fresh start for these women. In Somalia, through the church's partner organisation International Aid Services, ImagineNations Church currently supports more than 600 children being educated in the church's school, which is located in a refugee camp outside of Mogadishu. In the Democratic Republic of the Congo, with partner Dr Sosthene Biranghe, ImagineNations Church has fully supported the work of the hospital in Bukavu, providing surgeries, maternity care, medicinal care and health training. Last year the church helped more than 100 people every month, and with the financial support of NLC and Joyce Meyer Ministries a sonogram machine was purchased to help identify problems in pregnant women. Last year alone 1,122 people were helped.

In Vietnam the church's partners Paul and Deb Hilton's organisation AOG World Relief provided one minor operation, such as eye surgery, each month. Locally, Westcare serves the local community through food and voucher assistance and by providing services in the juvenile justice centre and do-it-yourself classes in the Emu Plains transitional centres. Allyson Parker and team—Steve Hunter, Shane De Silva and Simon Austin—are helping to share the gospel with children and youth in our local primary and high schools. The Ropes Crossing extension service is led by Mark and Sarah Gee and their team, and they continue to reach out to the community of Ropes Crossing.

The vision for 2013 is to help people in at least 10 countries around the world. ImagineNations Church will continue to support works in India, Indonesia, Vietnam, the Democratic Republic of the Congo, Cambodia, Somalia and Burundi as well as Westcare's work in Ropes Crossing. The church will also start new work in Lebanon with Pastor Chady El Aouad, providing accommodation for 10 students from across the Middle East in Lebanon while they are trained to be church planters in that region. In China, through the church's partnership with Brother Timothy in the Surge project, the church has the opportunity to support 10 church planters in the underground church of China.

In Kenya, Africa, a small church plant will begin this year. In India the final legal requirements are almost complete for the establishment of the Thomas F. Messer Mercy Home, which will see girls rescued off the streets and cared for in the home. I acknowledge that this life-changing work would not be carried out if it were not for the generosity and the devotion of the congregation of ImagineNations Church and the leadership of pastors Jack and Carol Hanes. I commend ImagineNations Church and I encourage them to keep going, to keep dreaming and to keep giving.

Private members' statements concluded.

[Acting-Speaker (Mr John Barilaro) left the chair at 1.27 p.m. The House resumed at 2.15 p.m.]

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The SPEAKER: I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR
Governor

Office of the Governor
Sydney, 28 February 2013

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Assembly that she re-assumed the administration of the government of the State on Thursday 28 February 2013.

ASSENT TO BILLS

Assent to the following bills was reported:

Courts and Other Legislation Further Amendment Bill 2013
Civil and Administrative Tribunal Bill 2013
Property, Stock and Business Agents Amendment Bill 2013

BUSINESS OF THE HOUSE**Notices of Motions**

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.23 p.m.]

RAIL TRANSPORT STRATEGY

Mr JOHN ROBERTSON: My question is directed to the Minister for Transport. Given this morning's delays across the rail network, which resulted in tens of thousands of commuters being inconvenienced, will she now apologise for her failure to fix the trains?

The SPEAKER: Order! Government members will come to order. The Minister has the call.

Ms GLADYS BEREJIKLIAN: I begin by apologising to our customers who were travelling on the Northern Line this morning for the inconvenience caused. I agree that services simply need to improve. I am the first to admit that we inherited an archaic system. Experts estimate that the New South Wales rail network is about 20 years behind best practice.

The SPEAKER: Order! Members will cease interjecting.

Ms GLADYS BEREJIKLIAN: I am also the first to admit that customers deserve better. That is why last year I detailed our Fixing the Trains Strategy, which defines what the Government needs to do to turn an archaic system into a modern system. It also puts the customer at the heart of service delivery—something that Labor members forgot when they were in government.

Mr John Robertson: Tell that to the customers.

Ms GLADYS BEREJIKLIAN: The Leader of the Opposition asked the question, so he should keep quiet and listen.

Ms Linda Burney: She is a bit touchy.

Ms GLADYS BEREJIKLIAN: The member for Canterbury is the touchy one. I am not touchy. I also want to assure our customers that every single spare dollar I have been allocated will go back into the system to improve the current network. While outlining some of the proposals, especially in relation to maintenance and customer service, I will present some facts. Melbourne has approximately eight major maintenance depots. Guess how many we have in New South Wales? Nearly 130, and that demonstrates that, when it comes to maintenance, we are approximately 30 years behind other modern organisations. The Government is ensuring that when it comes to matters such as maintenance we consolidate our efforts to ensure that we give customers quicker responses when incidents occur and that we fix the system we inherited. Let us not forget that when the Leader of the Opposition, John Robertson, was the Minister for Transport, all he did was slash services. Did he make one single reform to improve train services? No. Did he do one single thing to give customers value for money in relation to fares? No.

Mr John Robertson: Point of order: My point of order relates to Standing Order 129, relevance. I was the transport Minister for 10 months but this Minister has been the Minister for Transport for two years and has done nothing.

The SPEAKER: Order! There is no point of order. There are far too many interjections. Members who continue to interject will be placed on calls to order and removed from the Chamber. The Minister has the call.

Ms GLADYS BEREJIKLIAN: The Leader of the Opposition is touchy because, instead of fixing the trains, he was doing the numbers to get the seat of Blacktown.

Mr Barry O'Farrell: Who with?

Ms GLADYS BEREJIKLIAN: Exactly—who was helping him do the numbers? I am pleased to say that whereas the Opposition cut rail services when in government, this Government has put back 100 rail services. When we won government, guess how many middle managers were in RailCorp?

Mr Barry O'Farrell: A thousand? Two thousand?

Ms GLADYS BEREJIKLIAN: There were more than 4,000 middle managers in RailCorp, but guess how many front-line workers there were? There were fewer than 2,000—only approximately 1,800. RailCorp during Labor's term in government had more than two and a half times as many middle managers than there were front-line workers. The former Labor Government not only put resources into middle managers and cut front-line services but also asked commuters to dig deeper into their pockets and pay more. During the term of the former Labor Government, the Consumer Price Index increased by approximately 37 per cent, but guess how much Labor increased fares by?

Mr Andrew Fraser: How much?

Ms GLADYS BEREJIKLIAN: More than 60 per cent. Under Labor's transport model, commuters had less reliability, fewer services and more middle managers. And who was asked to pay the price of Labor's incompetence? The customer.

The SPEAKER: Order! The member for Wollongong will cease interjecting.

Ms GLADYS BEREJIKLIAN: We have a lot to do to get the rail network where it should be, but I am pleased with the reforms we are making.

The SPEAKER: Order! I call the Leader of the Opposition to order.

Ms GLADYS BEREJIKLIAN: I assure customers that under this Government customers always will be first and last in every decision we make.

The SPEAKER: Order! There is far too much audible conversation in the Chamber. Members will come to order. I remind members of my previous ruling: Members who continue to interject will be removed from the Chamber.

ORGANISED CRIME

Mr BRYAN DOYLE: My question is directed to the Premier. What is the New South Wales Government doing to crack down on organised crime?

Mr BARRY O'FARRELL: I thank the member for Campbelltown for his question and also for his service before coming to this place as a member of the NSW Police Force. I acknowledge students from St Luke's Grammar School in the gallery and the great work their principal, Jan Robinson, does for student education on the northern beaches. This is not a question about last night's *Four Corners* program. Today New South Wales police conducted one of the biggest firearm and drug operations in the history of this State. Raids occurred across Sydney, the Illawarra and the Hunter involving around 350 officers. Those raids resulted in 19 arrests, including that of the national president of Hells Angels and the vice-presidents of the Rebels and other high-ranking members of outlaw motorcycle gangs. Around 30 people will be charged with a raft of serious offences, some carrying sentences of life imprisonment.

The New South Wales Crime Commission has issued two restraining orders on assets as a result of today's raids. Police seized firearms and other weapons, including a machine gun and a hand grenade. This is the result of terrific work by New South Wales police in targeting organised crime, drug supply and illegal

weapons. It is a further demonstration of the confidence that the community can have in the professionalism and expertise of the NSW Police Force and the State's Crime Commission. One of the priorities set by my Government coming to office was to ensure that the Police Force and the Crime Commission work closely together to target outlaw motorcycle gangs to try to bust these organised crime gangs.

Mr John Robertson: There are no outlaw gangs; you will not outlaw them.

Mr BARRY O'FARRELL: Your gang was Eddie Obeid. We are talking about real outlaw motorcycle gangs—

Mr John Robertson: You have not outlawed a single gang.

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

Mr BARRY O'FARRELL: We backed this up with legislation in 2012, as well as appointing a new crime commissioner and two new assistant crime commissioners to further enhance the relationship with the Police Force. Today indicates that results are being achieved. I congratulate the Crime Commission and the NSW Police Force on their superb work, and I particularly congratulate Commissioner Scipione, who leads our men and women in blue. As Commissioner Scipione said today, "When you take out a group of this size and importance, it is going to have a significant impact." He also made the point that there is no finishing line when it comes to these characters. The work of the NSW Police Force continues with the same zeal and effort tomorrow as it did today and as it has done since that force was formed.

I am proud that the New South Wales Liberal-Nationals Government has given police the resources and powers they need, including recruiting and training 300 additional police since we came to office. It is also why we have introduced tough new consorting laws and why we are closely watching what is expected on Thursday to be the High Court's decision about Queensland's anti-gang laws. As we have made clear, we will consult with police following the High Court handing down its decision to see whether any amendments to our legislation will be required. We are determined to get it right. We have consistently argued that we need a national approach to the problem of outlaw motorcycle gangs. I raised this with the Prime Minister as far back as July 2011, and I know the police Minister and the Attorney General have also raised it at their ministerial council meetings.

I am pleased that the Federal Government has finally focused on the issue of gang crime and, if it is genuine, I look forward to cooperating with it. We need to fill in the gaps that exist between national action and State legislation. The first priority of the Federal Government ought to be to stop the importation of illegal drugs and weapons across our borders. The fact that the police seized a hand grenade and a machine gun in today's raid, as well as a Glock pistol yesterday that was linked to an illegal importation from Germany last year, could provide no better evidence of Australia's porous borders. When the Howard Government left office, more than 60 per cent of air cargo was inspected. That has fallen now to less than 10 per cent. Inspections of sea cargo have also been reduced. Canberra's custom cuts must end. Julia Gillard ought to tackle this issue and fill the legislative gaps in the battle against outlaw motorcycle gangs.

But there are no gaps when it comes to powers around the proceeds of crime. As I said today, the New South Wales Crime Commission has issued two restraining orders on assets. New South Wales is acknowledged as having the most comprehensive and successful asset laws in the country. They are the very powers that could have been used as part of today's raids. I am more than happy to work with the Prime Minister when it comes to filling the gaps when it is in the best interests of New South Wales, but I am not interested in claytons exercises, claytons measures to introduce laws that already exist and are in use simply to try to enhance the reputation of the Federal Government that is quickly leaving office.

CITYRAIL SERVICES

Ms LINDA BURNEY: My question is directed to the Minister for Transport. Given that there have been seven major incidents on the CityRail network in the last six weeks, when can commuters expect to see improvements in the reliability of the rail network?

Ms GLADYS BEREJIKLIAN: I thank the member for her question and urge her leader to acknowledge that RailCorp needs reform. I urge her leader to back our reforms to fix the trains for our customers. This is what the Leader of the Opposition had to say on radio 2UE in February last year—

Mr Michael Daley: Point of order: My point of order is under Standing Order 129. It is not about our leader; it is about the Minister's inaction.

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

Ms GLADYS BEREJIKLIAN: The Leader of The Opposition said on the record—

Mr John Robertson: Read the whole quote.

Ms GLADYS BEREJIKLIAN: I will read the whole quote, but I say from the outset that since day one we on this side of the House have acknowledged that customers deserve better on the rail network. The Leader of the Opposition said nearly a year after he was a failed transport Minister, "RailCorp is an organisation that delivers services to the people of the city and delivers them effectively." So, while he was Minister for Transport—

Ms Linda Burney: Point of order: My point of order is under Standing Order 129. The question was about when we can expect to see the Minister improve the reliability—

The SPEAKER: Order! I heard the question. The Minister is being relevant to the question asked. There is no point of order. The member for Canterbury will resume her seat.

Ms GLADYS BEREJIKLIAN: After he had been transport Minister and after he had been Leader of the Opposition for 12 months he could not even accept that customers were doing it tough on the rail network. I ask those on the other side: Instead of wasting \$500 million on the failed CBD-Rozelle Metro, why did they not put that money into improving the system?

Mr Guy Zangari: Point of order—

The SPEAKER: Order! I hope this is not the same point of order. I have already ruled that neither of the previous points of order were valid.

Mr Guy Zangari: It is relevance under Standing Order 129.

The SPEAKER: Order! It is not a different point of order. I understand why the member has taken a point of order. However, there is no point of order. The Minister is being relevant to the question asked.

Ms GLADYS BEREJIKLIAN: I want to ask those opposite: Instead of wasting \$500 million on the CBD Metro, why did they not put that money into improving the network? Rather than slashing services, why did they not increase services? Since we have been in government we have already reinstated more than 100 rail services. Why did they not bother rewriting the rail timetable from scratch—as we are doing?

The SPEAKER: Order! There are far too many interjections from Opposition members. The member for Wollongong and the member for Canterbury will come to order.

Ms GLADYS BEREJIKLIAN: They interject because they are embarrassed by their record.

Mr John Robertson: Point of order—

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

Mr John Robertson: It is under Standing Order 129, relevance. The question was specifically about when commuters can expect an improvement in reliability on the rail network.

The SPEAKER: Order! The Leader of the Opposition will resume his seat. I understand what the member is trying to do. The Minister has been relevant throughout her answer. The Minister has the call.

Ms GLADYS BEREJIKLIAN: Since we have been in government we have brought back 100 rail services. Since we have been in government we have got on with the job of building the North West and South West rail links. Since we have been in government we have made sure that we have introduced customer

improvements, whether through customer information or other initiatives. I come back to the point: Why did those opposite allow hundreds of millions of dollars to be wasted on failed projects when they should have invested that money into providing better services? They should have spent that money on improving the network. The legacy of those opposite was more middle managers. Their legacy was slashing services. Their legacy was RailCorp costing more than \$10 million a day and customers getting nothing for it. Their legacy was fares going out by more than 60 per cent—

Dr Andrew McDonald: Point of order: My point of order relates to Standing Order 59, tedious repetition.

The SPEAKER: Order! The member for Macquarie Fields will resume his seat. He is a silly man. The Minister has the call.

Ms GLADYS BEREJIKLIAN: I am still trying to look for the one thing he may have done when he was Minister for Transport, but it sure was not improving services. He was too busy focused on becoming the Leader of the Opposition and the member for Blacktown. He did nothing for the customer.

YOUNG DRIVER ROAD SAFETY

Mr GREG APLIN: My question is addressed to the Deputy Premier. What is the Government doing to make our roads safer for younger drivers?

The SPEAKER: Order! The member for Albury has asked an important question. Members will come to order. I am sure all members are interested in this subject. The Deputy Premier has the call.

Mr Nathan Rees: Captain Greedy; there he is.

Mr ANDREW STONER: I thank the member for his question. Is the member for Toongabbie still back-peddalling about Eddie and his association with Eddie? Keep going. Let's talk about the member for Toongabbie and Eddie, and the job he had under his leadership.

[Interruption]

The SPEAKER: Order! The member for Toongabbie will put his cash in his pocket. I call the member for Toongabbie to order. I call the member for Keira to order.

Mr Nathan Rees: This bloke is your Peter Slipper.

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

Mr ANDREW STONER: Does the member for Toongabbie want to talk about money and the money Eddie made under his leadership. I know the member for Toongabbie is not interested in road safety and young drivers, but we are on this side of the House. That is why today my colleague the Minister for Roads and Ports in the other place announced timely reform with the creation of our State's first safer driver course. We know that, for example, a 17-year-old driver with a P1 licence is four times more likely to be involved in a fatal crash than is a driver over 26 years of age. Despite making up only 15 per cent of all drivers, young drivers represent around 36 per cent of annual road fatalities. That is why we need change and why we on this side of the House have introduced timely reform.

Young drivers will now be offered the chance to learn more about road safety and reduce their logbook hours at the same time. Learners who take part in a new safer driver course and who also have lessons from a professional driving instructor will be able to reduce their compulsory supervised driver hours from 120 to 80. The safer driver course will involve theoretical and practical coaching to deal with different road conditions, including understanding factors beyond a driver's control, and to help identify risks on the road. The course will help young drivers who struggle to log 120 hours behind the wheel while on their L-plates and at the same time address safety issues they face when they graduate to their P plates. This is a different approach to conventional driver training, which focuses more on the mechanics of driving and road rules.

Importantly, the course has been developed by the best in the State, including the Centre for Road Safety, Roads and Maritime Services, the NSW Police Force, road safety researchers and education specialists.

In addition, it has been supported by an advisory panel of industry and community representatives, including the NRMA, driver training associations and community-based road safety education providers. I am happy to say that the course will be available from July this year when it will be rolled out gradually to communities based on uptake and availability of service providers. The good news for young people is that the cost of the course will be capped at an affordable price for each participant and the additional cost of delivering the course will be covered by the Community Road Safety Fund—another very good initiative of this Government.

While those opposite were happy to use driver infringements and speed cameras as cash cows, we have established the Community Road Safety Fund to ensure that infringement revenue directly finances road safety initiatives, including the safer driver course. Also, under changes announced today, from 1 July learner drivers will be able to travel up to 90 kilometres per hour instead of 80 kilometres per hour, giving them supervised driving experience at higher speeds on designated roads in preparation for their graduation to P-plates. This follows a recommendation by the Auditor-General to review learner speed limits. I am pleased to say that these changes represent the biggest reforms to the learner-driver system in many years. They will go a long way to better prepare our younger drivers for the risks they face on our roads. I commend these initiatives to the House.

CITYRAIL FARES

Mr RICHARD AMERY: My question is directed to the Minister for Transport. Given the Minister said that train fares would not increase above inflation unless services improved, why have fares increased by more than 10 per cent for commuters in western Sydney, which is costing them some \$204 extra each year?

Ms GLADYS BEREJIKLIAN: I place on the record that members on this side of the House promised we would not increase fares unless there were considerable improvements to the system. That is exactly what we have committed to. We have not increased fares above inflation, which is what we committed to. It must be very embarrassing for those opposite to have to accept that they increased fares by 60 per cent when they were in government. It is interesting to note that barely had I become the Minister for Transport and put my feet under the desk when I started receiving letters from those opposite about how I should fix RailCorp. I started getting correspondence about what each member wanted in their electorates. One would have thought that considering their leader was the Minister for Transport they would not have needed to write to me.

Ms Carmel Tebbutt: Point of order: My point of order is under Standing Order 129, relevance. The question was about train fares. The Minister is clearly straying from the subject. I ask that she be drawn back to the subject.

The SPEAKER: Order! I was not listening closely, but I trust that the Minister will return to the leave of the question.

Ms GLADYS BEREJIKLIAN: Those opposite do not want to acknowledge it, but each and every one of them within weeks and months of my becoming the Minister for Transport wrote to me about the problems in RailCorp and what we needed to do to fix them. Whether it was the member for Cabramatta, the member for Canterbury—

Dr Andrew McDonald: Point of order: My point of order is under Standing Order 129, relevance. The question was about rail fares and the 10 per cent increase, not about representations from members to the Minister.

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

Ms GLADYS BEREJIKLIAN: I could go through the full list of correspondence I received. I urge those opposite to back the reforms we are implementing because they will improve the life of our long-suffering commuters. Those opposite have the nerve to ask me a question about fares when they put up fares and slashed services, which they thought was fair for commuters. Commuters deserve better. I reiterate that on this side of the House we are reforming RailCorp substantially—it is once-in-a-generation reform. As I have advised members, from 1 July RailCorp will no longer exist. Two new rail operators will service the people of New South Wales: Sydney Trains and NSW Trains.

Ms Linda Burney: Point of order: My point of order is under Standing Order 129, relevance. The Minister is not answering the question. When is the Minister going to take some responsibility?

The SPEAKER: Order! I have no power to compel the Minister to answer a question specifically. There is no point of order.

Ms Linda Burney: You have been the Minister for 2½ years now. It is your responsibility. You can wave as much as you like.

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

Ms Linda Burney: It is your responsibility.

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

Ms GLADYS BEREJIKLIAN: As I said, this Government is embarking on a once-in-a-generation reform of rail services. I urge Opposition members to support these reforms—customers want them and deserve them. All of our constituents deserve to know that things are going to get better. I say to the failed transport Minister and the failed deputy director general of the Ministry of Transport: Where you failed this Government will deliver. I say to them: Instead of asking petty useless questions in Parliament you should be backing our reforms. I acknowledge that commuters are doing it tough. I also acknowledge that we have been working to improve the public transport system—a system that this Government inherited from those opposite—to take it out of the Dark Ages and turn it into a modern system so that everyone in New South Wales can enjoy reliable, efficient and safe services.

STATE ECONOMY

Mr GARETH WARD: My question is directed to the Treasurer and Minister for Industrial Relations. Will the Treasurer update the House on how the New South Wales economy is performing relative to the other States in the nation?

Mr MIKE BAIRD: I thank the member for his question and for his interest in responsible Government delivering for the people and for the community. I do acknowledge St Luke's Grammar School, the teachers, Reece Miller, and the year 10 commerce class in the public gallery. Welcome to Parliament. It is another day and it is another opportunity to tell members what the O'Farrell Government is doing for the State. It is simple: It is driving the economy, improving services and building the infrastructure this State deserves. We know that for more than a decade New South Wales lagged behind the rest of the country. It is important to note that New South Wales is starting to outperform just about every other State. Last week the Australian Bureau of Statistics State Final Demand figures—and I know those opposite were pouring over them—showed that New South Wales economic growth is the second-highest in the nation. I know those opposite did not notice that. Since April last year New South Wales has maintained its position.

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

Mr MIKE BAIRD: Those opposite do not like good news. Since April last year New South Wales has maintained its position as the strongest growing economy of all non-mining States in Australia. That is good news. Those statistics show, and I am sure Opposition members picked it up, that while the O'Farrell Government is moving forward all the Labor States had negative growth. That is what you come to expect when Labor is left in charge. Despite the difficult economic conditions this State faces—it has been tough and we will see statistics going forward that reflect tough times—New South Wales is performing well. But it will take time because, as the transport Minister clearly articulated today, this Government inherited a mess from Labor.

The SPEAKER: Order! The member for Maroubra, the member for Canterbury and the member for Mount Druitt will come to order.

Mr MIKE BAIRD: It is important that members understand the difference between the former Labor Government and the O'Farrell-Stoner Government.

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

Mr MIKE BAIRD: I heard the Premier mention honesty.

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

Mr MIKE BAIRD: Let us look at the statistics. Under the O'Farrell-Stoner Government there has been economic growth but under Labor the State had the lowest economic growth of all the States for a decade. Under the O'Farrell Government we have the second strongest economy in the country.

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

Mr MIKE BAIRD: On average over the last five years of the former Labor Government the State unemployment rate was 0.4 per cent higher than was the national average. The difference under the O'Farrell Government is that New South Wales has the second-lowest unemployment rate in the country. The other thing I should point out is that I noticed something missing last week—

Ms Linda Burney: Point of order: That \$1 billion, mate.

The SPEAKER: Order! There is no point of order. I call the member for Canterbury to order for the second time.

Mr MIKE BAIRD: I will tell members what was missing. An article in the *Blacktown Advocate* states that Prime Minister Julia Gillard "crisscrossed Blacktown" on Monday. The Prime Minister went to all the landmarks, back and forth—

Mr Ron Hoenig: Point of order—

The SPEAKER: Order! The member for Murray-Darling will remain silent. I cannot hear the member for Heffron.

Mr Ron Hoenig: That is not remotely relevant to the state of the New South Wales economy.

The SPEAKER: Order! The Treasurer has only just strayed from the leave of the question. I ask him to return to the leave of the question. The point of order is upheld.

Mr MIKE BAIRD: The songs listed on the CD *What About Me* by Moving Pictures, from the member for Heffron—

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

Mr MIKE BAIRD: Bearing in mind the Prime Minister was in Blacktown—I am not sure whose electorate that is—there was only one thing missing: pictures of the Leader of the Opposition; there were no pictures of the Leader of the Opposition

Mr Ron Hoenig: Point of order: The Treasurer is blatantly ignoring your ruling. I ask that you insist that the Treasurer return to the leave of the question.

The SPEAKER: Order! I insist that the Treasurer return to the leave of the question. I remind the member for Toongabbie and the member for Keira of my previous ruling. If they continue to interject, they will be removed from the Chamber.

[Extension of time granted.]

Mr MIKE BAIRD: I am talking about demand, and there did not seem to be much demand for the Leader of the Opposition. The Government is defending him. When the Prime Minister visits a member's electorate that member should be involved; that is only fair. The O'Farrell-Stoner Government has delivered economic growth, decreased unemployment and boosted business confidence. For the last five years of the Labor Government this State experienced the lowest business confidence in the nation. This State is now well above the national average in terms of business confidence. If there is a change of Government in Canberra following the next election, there will be a further boost to business confidence—it will go to the stars. While Labor was in government this State experienced the lowest level of dwelling growth in 50 years, but thanks to the Minister for Planning and Infrastructure dwelling approvals are up 50 per cent on what they were five years ago.

Action is being taken by the O'Farrell Government. It is a compelling story that under Labor New South Wales was at the bottom of the pack but under the O'Farrell-Stoner Government it is moving towards the

top of the pack. The O'Farrell-Stoner Government is proud to be making decisions in the interests of the people of New South Wales, supporting jobs, supporting growth, supporting investments and supporting housing—that is what responsible governments do. This Government is proud of its record and it will continue to drive the economy of New South Wales, to improve services and to build the infrastructure that those opposite spoke about but that this Government is delivering.

PRINCE OF WALES HOSPITAL WARD CLOSURE

Mr MICHAEL DALEY: My question is to the Minister for Health. She will not find the answer in her folder. Given that the Minister told *7News* that people should be rejoicing and congratulating her on her management of the health system, how does she explain that doctors on the Prince of Wales Medical Staff Council took the unprecedented step of condemning the funding cuts that have forced them to close a ward and 26 beds?

Mrs JILLIAN SKINNER: I do not need my folder because I can give the member the answer. He is absolutely wrong. That is not what the Medical Staff Council has done. I was delighted to be at the Prince of Wales Hospital yesterday where I met with the Medical Staff Council and discussed coding with them. I have agreed that the clinical council of the district would work with them and the ministry to provide them with additional assistance on coding. I was thrilled to be at the hospital with my colleagues the member for Vaucluse and the member for Coogee to announce a \$2 million upgrade to the emergency department of that hospital. That is effectively a \$2 million reward for the wonderful work that doctors and nurses are doing in that emergency department. Unlike when those opposite were in government, the emergency department is now up to 64 per cent—

Dr Andrew McDonald: Point of order: The Minister is misleading the House. The figures are considerably worse than they were when we were in Government. I ask her to withdraw that comment.

The SPEAKER: Order! There is no standing order in relation to misleading the House. There is no point of order.

Mrs JILLIAN SKINNER: In fact, our National Emergency Access Target performance is up to 64 per cent. It was nowhere near that when Labor was in office.

The SPEAKER: The member for Macquarie Fields will cease arguing.

Mrs JILLIAN SKINNER: Triage times are up. Every single triage category in the emergency department met benchmarks. Why? It is because of the fabulous work of Dr Michael Golding, head of the emergency department, and Liz Ryan, the Nurse Unit Manager. I was very pleased to announce this money because it will provide a fast-track area for that hospital: nine extra recliner treatment spaces that will completely modernise a very dingy and dark part of that hospital. Labor members should hang their heads in shame that they left that area unrenovated. This Government has also included funding to upgrade the central console from which doctors and nurses work, called the flight deck in many cases. As Dr Golding told us, he is intending to bring the doctors outside that space so that they can—

Mr Michael Daley: Point of order: My point of order is under Standing Order 129, relevance. The question was about—

The SPEAKER: The Minister has been answering the question.

Mr Michael Daley: —the Medical Staff Council deploring this closure. The Minister's response has been to say it did not happen. I have a copy of the resolution.

The SPEAKER: Order! The Minister has answered the question. The member for Maroubra will resume his seat.

Mr Michael Daley: I can table a copy of the resolution, if you like, Madam Speaker.

The SPEAKER: Order! The member for Maroubra will resume his seat. There is no point of order. The Minister has answered the question. It may not be the answer the member wanted.

Mrs JILLIAN SKINNER: Indeed. I have seen the resolution. There is absolutely no resolution that talks about the Minister or the Government, none whatsoever. I met with the Medical Staff Council yesterday, as I said. I was joined by my deputy chief of staff, by the chief executive and by floor doctors, and we resolved to work with the clinical council to provide additional support for them on coding and understanding—

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

Mrs JILLIAN SKINNER: —the costing of the new funding formula, introduced under the Council of Australian Governments and signed up by the former Labor Government. That is happening, and I am very happy to report that that is an accurate assessment—

Mr Michael Daley: Point of order: Madam Speaker, I have a copy of the resolution. It does use language like "deplore".

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

Mr Michael Daley: I seek leave to table the resolution.

Leave not granted.

The SPEAKER: Order! The member for Maroubra will resume his seat.

Mr Michael Daley: There is a copy, Minister.

Mrs JILLIAN SKINNER: I have seen it. Nowhere in this document does it talk about the Government or the Minister. It does talk about the local health district, but not the Government or the Minister. I met with those doctors yesterday.

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

Mrs JILLIAN SKINNER: I also met, as I said, with others in the hospital, particularly from the emergency department. I am very pleased to be able to go there and say to them, "Reward for excellent work". The doctors and nurses have achieved enormous benefits and improvements for patients in that hospital. There are many others who are working very hard to provide excellent care for patients throughout the health system. The South Eastern Sydney Local Health District has received extra money, as has every one of the local health districts, including South Western Sydney Local Health District—\$77 million up on the budget from last year. Pre-empting the member's urgency motion, he is wrong, wrong, wrong. In fact, his information is wrong about our discussions yesterday at the hospital.

The SPEAKER: Order! Before I take the next question, I remind members that several of them are already on two calls to order and one is on three calls to order. If a member does not hear me say he or she is on a call to order, that is not my problem. Members will be removed from the Chamber if they continue to interject.

COMMUNITY SERVICES REFORMS

Mr CHRIS HOLSTEIN: My question is directed to the Minister for Family and Community Services, and Minister for Women. What is the Government doing to improve services and lives for vulnerable children and young people in New South Wales?

Ms PRU GOWARD: It was a pleasure to be with the member for Gosford last month to celebrate the great achievements in his electorate and on the Central Coast. In opposition, the Coalition committed to increased transparency and accountability, and that is what we are delivering in government. Of course, as we saw on *Four Corners* last night, the former Labor Government was frightened of transparency and accountability; it was much more interested in itself. We were elected to deliver change and reform, and to boost transparency and accountability, to drive improved services and lives. That is why the Government now publishes the child death annual reports, which analyse the deaths of children known to Community Services, and how Community Services in particular is learning to improve services and lives. Labor never did this.

Second, we now publish information about social housing waiting times, including by local government area, so that applicants for the first time can make informed decisions, instead of being in the dark, as they were for 15 or 20 years. Labor never did this either. And, as promised before the election, the

O'Farrell Government now publishes *Women in NSW*, a yearly statistical report on women in this State. Again, Labor never did this. Today, I announce further action to boost transparency. I am pleased to announce that we will now be publishing information about caseworker numbers in our State's child protection system; that is, both Community Services caseworkers and those working with our valued non-government partners.

Undoubtedly, with the legacy of poor administration left to us, this is a challenging task, but it is a vital one. I have also instructed my director general that the improved departmental systems in reporting that will be required to carry out this request must be externally validated, such as by the NSW Ombudsman or the Auditor-General. I certainly look forward to their advice. These are independent oversight agencies whose many reports are critical of Labor's performance and administrative failures over 16 years. I have told the department that I expect publication of caseworker numbers to commence this year. Caseworker numbers, as I have said in this House repeatedly, go up and down all the time; they always have, they did under Labor, and they always will. But it is important that we all have clarity on what they are, so that it no longer is a source of continual unrest and lies from the Opposition and the Public Service Association.

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

Ms PRU GOWARD: Caseworker numbers will change. They will change as we work better and more closely with our non-government partners to improve services and lives, such as through the transfer of out-of-home care and early intervention services to the non-government sector, as recommended by Justice Wood in 2008 and, again, never done by the former Labor Government. New South Wales Labor in government degraded public administration and wonderful public servants in this State because they and their union mates were much more interested in helping themselves, instead of serving the people of this State, delivering improved services and making our State number one.

FORMER MEMBER FOR CLARENCE

Mr PAUL LYNCH: My question without notice is to the Attorney General. Given British member of Parliament Chris Huhne has been jailed for lying over a speeding fine, and advice from retired Supreme Court judge Greg James as to the former member for Clarence Steve Cansdell's criminal liability about his own speeding fine, will the Attorney General ask the Director of Public Prosecutions to reopen the investigation into Mr Cansdell?

Mr GREG SMITH: I thank the member for his question. The matter was investigated by the NSW Police Force and was then referred to the Commonwealth Director of Public Prosecutions for appropriate action following advice from the NSW Director of Public Prosecutions. They are both independent. They are both people who are not politicised, both people who do not want to be politicised, and they are both people who we are not going to try to politicise. The decision to refer the matter to Commonwealth authorities was made entirely by the NSW Police Force, without direction from the Government. The Commonwealth Director of Public Prosecutions has concluded that there is not a reasonable prospect of conviction and has decided not to proceed with the matter. All the proper processes have been followed, without interference from the Government. If the member wants to send Mr James' advice to those Directors of Public Prosecutions, he is entitled to do that. He is a freelance counsel who has a view. And the answer is no.

Mr Michael Daley: Point of order—

The SPEAKER: Order! The Attorney General has concluded his answer.

MARINE ESTATE MANAGEMENT

Mr STEPHEN BROMHEAD: My question is direct to the Minister for Primary Industries, and Minister for Small Business. What is the Government's response to the independent scientific audit of marine parks in New South Wales?

Ms KATRINA HODGKINSON: I thank the hardworking member for Myall Lakes for his question and commend him for his interest in the important topic of the management of the New South Wales marine estate. The New South Wales Government's vision is for a clean, safe, healthy and productive marine estate that can be enjoyed, valued and sustainably managed now and into the future. Years of political meddling and decisions based on poor or incomplete science by the previous Labor Government undermined the credibility of

marine parks and our fishing industries. The Government supports the intent of the recommendations of the independent scientific audit, chaired by Professor Robert Beeton, for a broader management context underpinned by independent advice.

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

Ms KATRINA HODGKINSON: As such, the State Liberal-Nationals Government is taking a new approach to managing the entire New South Wales marine estate, including coastal waters, estuaries and beaches, which will allow threat and risk assessments to be undertaken. We are delivering on our election commitment for a common-sense marine parks policy based on science, not politics. We must find the right balance between conservation of the marine environment and providing recreational, tourism and other commercial opportunities—and it must not, and should not, be based on short-term, politically expeditious deals, as occurred under those opposite.

Two new advisory bodies are being established to drive these important reforms: the Marine Estate Management Authority, chaired by Dr Wendy Craik, AM; and the Marine Estate Expert Knowledge Panel, headed by Dr Andrew Stoeckel. Dr Craik has made an outstanding contribution to Australian public policy across a wide range of areas. She is currently a part-time commissioner with the Productivity Commission, is the former head of the Murray-Darling Basin Commission, the National Competition Council and the National Farmers' Federation, and among many other past roles was executive officer of the Great Barrier Reef Marine Park Authority. Dr Stoeckel is a visiting fellow of the Australian National University, was founding chairman of the Centre for International Economics and is a past head of the Australian Bureau of Agricultural and Resource Economics.

Undisputedly, the O'Farrell-Stoner Government has selected two absolutely outstanding individuals to lead both the Marine Estate Management Authority and the Marine Estate Expert Knowledge Panel. Together, I believe they will help us take the management of the marine estate into a new era. The new authority will replace the existing Marine Parks Authority and the Marine Parks Advisory Council and represents true interagency collaboration, with other members including the heads of departments that have key responsibilities for managing various aspects of the marine estate. The authority will be informed by the work of the Marine Estate Expert Knowledge Panel and will provide independent advice across ecology, economics and social sciences—a true triple bottom line approach and a fresh approach to the marine estate. The audit identified that information was "truly lacking" and poorly understood in some areas—for example, the zoning of ocean beaches.

One of the first tasks on the agenda is the Marine Estate Expert Knowledge Panel will undertake a six-month assessment of recreational fishing access to ocean beaches and headlands in the marine park sanctuary. Associated with this, and effective immediately—and thanks to the strong advocacy of a number of members in this Chamber, particularly the member for Bega and the member for Maitland, as well as the member for Myall Lakes, the member for Coffs Harbour, the member for Port Stephens and members of Parliament representing the Central Coast and the South Coast; members with electorates up and down our coastline have been representing their communities in relation to recreational fishing on beaches—there will be an amnesty on compliance relating to recreational line fishing from ocean beaches and headlands in sanctuary zones, with the exception of a site within Batemans Marine Park, Burrewarra Point at Guerilla Bay, for the protection of threatened species.

There are more than one million fishers in New South Wales. Families want to be able to throw in a line off the beach with their kids or grandkids. All other recreational fishing restrictions, including bag and size limits, will apply and the amnesty will be in place until the assessment is complete. In addition, the New South Wales Government remains committed to the moratorium on declaring new marine parks, pending advice from the new Marine Estate Expert Knowledge Panel. The New South Wales Government is undertaking a challenging reform agenda, and targeted community input will be critical to the success of these changes. [*Extension of time granted.*]

We must ensure that we protect our unique marine life, sustain our marine resources and provide regional communities with a secure future. The Government is taking this unique opportunity to focus on delivering tangible results across the New South Wales marine estate. The Minister for the Environment and I will continue to have concurrent sign-off in relation to changes involving the marine estate, recommended by the Marine Estate Management Authority on advice from the independent panel. Unlike those opposite, the New

South Wales Government is taking a balanced approach to this very important issue. Decisions surrounding the management of the New South Wales marine estate will be based on science and in the long-term interests of the community, marine ecosystems and the economy, adopting a true triple bottom line approach.

Question time concluded at 3.15 p.m.

OMBUDSMAN

Report

The Speaker announced the receipt, pursuant to section 169 of the Police Act 1990, of the report of the NSW Ombudsman entitled, "Ombudsman monitoring of the police investigation into the death of Roberto Laudisio-Curti", dated February 2013.

Ordered to be printed.

LEGISLATION REVIEW COMMITTEE

Report

Mr Stephen Bromhead, as Chair, tabled the report of the Legislation Review Committee entitled, "Legislation Review Digest No. 32/55", dated 12 March 2013, together with the minutes of the committee meeting regarding Legislation Review Digest No. 31/55, dated 26 February 2013.

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

PETITIONS

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

Palliative Care Services

Petition requesting the provision of sufficient palliative care services to meet existing and anticipated future demands for such services in all areas of the State and in all types of institutions and places where such services are required and the provision of additional funds to support training of palliative care workers, received from **Mr Adrian Piccoli**.

Education Funding

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

Undergrounding Aerial Cables

Petition calling for aerial cables to be buried underground, received from **Mr Alex Greenwich**.

Pets on Public Transport

Petition requesting that pets be allowed on public transport, received from **Mr Alex Greenwich**.

Walsh Bay Precinct Public Transport

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

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**.

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**.

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

Sydney Electorate Public High School

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

Newcastle Show Public Holiday

Petition calling on the Government to gazette a public holiday on Newcastle Region Show Day 2013, received from **Mr Richard Amery**.

BUSINESS OF THE HOUSE

Lapsing of General Business

The SPEAKER: I wish to advise the House about the application of the new sessional order regarding the lapsing of General Business. The sessional order provides that General Business Notices of Motions and Orders of the Day not commenced or completed six months from the date given shall lapse. Accordingly, all General Business Notices of Motions given before 12 September 2012 have lapsed. Members are reminded that they may give a new notice in relation to any notice that has lapsed. With the leave of the House, I propose that the General Business Orders of the Day (for Bills) already on the *Business Paper*—the Environmental Planning and Assessment Amendment (Demolition Orders) Bill 2012 and the Retail Leases Amendment (Mediation) Bill 2012—shall remain for determination by the House, or shall lapse 12 months from the date that notice was given.

I advise the House that, in accordance with Standing Order 105 (3), General Business Notice of Motion (for Bills) No. 1, Crimes Amendment (Law Reform Commission—Complicity) Bill 2012, and General Business Notices of Motions (General Notices) Nos 968 to 974, 997 to 1006, 1021 to 1023, 1087 to 1093, 1128 to 1151, 1195 to 1205, 1268, 1269, 1295 to 1300, 1346 to 1356, 1373 to 1375, 1423 to 1436, 1446 to 1451, 1486 to 1493, 1519 to 1526, 1561 to 1564, 1599 to 1606, 1643 to 1655, 1696 to 1706, 1729 to 1742, 1766 to 1769, 1789 to 1803, 1841 to 1845, 1870 to 1882, 1907 to 1917, 1937 to 1939, 1962 to 1969, 2008 to 2014, 2036 to 2063, 2175 to 2195, 2197 to 2199, 2306 to 2355 and 2337 to 2349, have lapsed.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

State Infrastructure

Mr DOMINIC PERROTTET (Castle Hill) [3.19 p.m.]: The motion that I seek to be accorded priority states:

That this House:

- (1) notes that in 16 years the Labor Government promised 12 new rail lines, yet delivered only half of one rail line for double the forecast cost;

- (2) notes that the Leader of the Opposition and his party oppose the North West Rail Link and the CBD light rail;
- (3) notes that the Federal Government opposes the WestConnex project; and
- (4) calls on the New South Wales Opposition and the Federal Government to stop impeding infrastructure construction in New South Wales.

By arguing that this motion be accorded priority the Government is doing a service to members on the other side of the House. That is because with every day that passes, with every farcical infrastructure announcement by the Opposition and the Federal Government, and with every marginal seat where the Labor circus rolls into town, the Labor Party steps closer to oblivion. Members on this side of the House are here to help. We appreciate that for good governance and a strong, functioning democracy we require an opposition, regardless of how bad that opposition is. I note that the Opposition has made a litany of poor infrastructure announcements. Only the other day I was told by one of my constituents that a Penny Sharpe had come to the Castle Hill electorate.

I was not aware of who Penny Sharpe was. I googled her name and can inform the House that she is the shadow Minister for Transport. But, to her credit, she visited my electorate and announced that if the Labor Opposition were in government it would build the North West Rail Link completely differently. She is absolutely right—it would not build it at all, just as it did not build it during 16 years in government. At the Federal level, Labor believes a strong infrastructure announcement is the Prime Minister saying that she will support the WestConnex project and commit \$1 billion only on the basis of conditions that will cost us an extra \$8 billion. They must have had a very late night at the Rooty Hill RSL to come up with that. This motion should be accorded priority: We need to save Labor because it will not save itself.

Health Funding

Dr ANDREW McDONALD (Macquarie Fields) [3.22 p.m.]: This motion deserves priority because the Government needs to face up to the health needs of 700,000 people in south-west Sydney. As Minister Skinner said when she was discussing the \$7 million worth of cuts to health funding in south-west Sydney on Channel 7 television on Tuesday 5 March, "You should be rejoicing, you should be saying congratulations."

[Interruption]

The cheering of members opposite says it all. They are wilfully blind to the needs of south-west Sydney. As the Minister for Health says, health funding does increase; however, there is not one objective observer in Australia who believes the increase in funding will meet demand. The objective evidence is clear: Patients are waiting longer for emergency care and for surgery in New South Wales than in any other State in Australia and longer now than at any time in the history of New South Wales. The labour expense cap funding decrease is \$1.3 million for Campbelltown, \$3.2 million for Liverpool and \$165,000 for Camden. This is a ball and chain on improving health care, and health workers are already feeling the pinch. They are not employing doctors, paramedics, cleaners, ward clerks, radiographers or physiotherapists. The patients are suffering and even the nurses have said that this is all spin. Brett Holmes said:

When you take \$3bn out then you have to say some level of services must be cut. This will have an impact on the ability to deliver services to patients in New South Wales.

This is the worst possible time to cut health services. The National Emergency Access Target figures in last week's Australian hospital statistics paint a stark picture of a health system going backwards. The reason the Minister is so strident is that she knows it; she can read a scoreboard. She knows that patients in New South Wales wait longer now for surgery and emergency care than they did under the previous Government or at any time in the history of this State. For example, 61.8 per cent of patients met the National Emergency Access Target in 2009-10. That figure is now down to 61.1 per cent.

The 2012 figures for emergency department performance are close to the worst in Australia. In September 2012 two-thirds of patients who came to the emergency department at Liverpool were still there four hours later because they could not be treated on time. At Campbelltown the figure is 57 per cent. The staff at both of those hospitals are excellent, but they know they cannot possibly provide safe care reliably in such conditions. This is a simple matter of funding. The Government is reducing funding. The figures are clear that we are going backwards and the Minister knows it, which is why she is so strident.

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

The House divided.**Ayes, 67**

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

Noes, 20

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

Pair

Mr O'Farrell

Ms Burton

Question resolved in the affirmative.**STATE INFRASTRUCTURE****Motion Accorded Priority****Mr DOMINIC PERROTTET** (Castle Hill) [3.33 p.m.]: I move:

That this House:

- (1) notes that in 16 years the Labor Government promised 12 new rail lines, yet delivered only half of one rail line for double the forecast cost;
- (2) notes that the Leader of the Opposition and his party oppose the North West Rail Link and the CBD light rail;
- (3) notes that the Federal Government opposes the WestConnex project; and
- (4) calls on the New South Wales Opposition and the Federal Government to stop impeding infrastructure construction in New South Wales.

There is a strong contrast between the Liberals-Nationals Government and the former Labor Government when it comes to the delivery of infrastructure. In a very short period of two years, as the Leader of the Opposition reminded us during question time today, the Government has made significant progress on a range of infrastructure projects, most particularly in the north-west of Sydney and in an area I represent, the Hills district. For the information of the House, I will contrast the approach of the current Government over a short period of two years to the approach adopted by the former Labor Government, particularly when the Leader of the Opposition was the transport Minister, in relation to a north-west rail line.

In 1985 when Bob Carr was the planning Minister, a north-west rail line was promised for the people of the Hills district and beyond, but subsequently the project was axed. In 1998 a north-west rail line was given a completion date of 2010. By 2005 there had not been much progress and questions were beginning to be asked, such as, "When would the north-west rail line suddenly appear?" So the former Labor Government decided to say that the project was delayed but would still be proceeded with, in 2017. In 2008 the charade could continue no longer and early that year the former Labor Government announced the North West Rail Link. However, a few months later the project was rebadged and, with a bit of marketing, the former Labor Government came up with the North West Metro. At that time, to ensure people would believe the project would become a reality, the then Premier, Morris Iemma, stated:

The North West Metro is just the start for Sydney. It will change the way that Sydney works, lives and breathes. People in the north-west will experience a revolution in travel times.

He was right: There was a revolution all right—backwards. The North West Metro did not last very long. Unfortunately, in October that year it was axed because there was not enough money to build it. Yet just a month later apparently there was enough money to promise construction of the Rozelle metro at a projected cost, as the member for Keira well knows, of \$5 billion. The reality was, as Kevin Rudd said at the time, the metro would not be built because there were no votes in it for Federal or State Labor in north-west Sydney.

Mr Ron Hoenig: Tell us what you have actually done in two years?

Mr DOMINIC PERROTTET: In response to the interjection from the member for Heffron, I will discuss in detail the Government's achievements in relation to the North West Rail Link in the short period of two years. The main thing this Government has achieved is that the people of north-west Sydney believe it will be built. For the first time in years, the project has credibility.

Mr Ron Hoenig: You haven't dug a hole or turned a sod. You have no approval. You haven't done anything.

Mr DOMINIC PERROTTET: We have undertaken a significant consultation process.

Mr Ryan Park: Oh, wow!

Mr DOMINIC PERROTTET: There have been 23 tenders and 44 contracts issued, which, as the member for Keira would know, are important parts of an infrastructure project. We have committed \$3.3 billion to the project over the next four years, and have allocated \$360 million to the North West Rail Link this year.

Mr Ron Hoenig: Did that turn a sod for you? You have not done anything in two years.

Mr DOMINIC PERROTTET: The progress I have stated is a hell of a lot more in a short period than we saw from the former Labor Government. The very short time that remains for my speech—20 seconds—will soon expire, but during my three-minute reply I will continue to state in detail what the current Government has achieved. The Government has allocated money and commenced the process. The tunnel-boring machines will be in the ground next year. The fact remains that the Liberal Party continues to deliver infrastructure—unlike the Labor Opposition, who could not deliver anything in 16 years.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.38 p.m.]: What a sad, sad motion has been accorded priority. It is all over the shop. I have to say that I like the member for Castle Hill, who is a decent bloke. I have sat with him at a number of functions and told him that, contrary to the suggestion in the motion, I cannot wait for a north-west rail line. I told him and the member for Baulkham Hills, who is trying to sneak out of the Chamber, that I cannot wait for them to get a rail line in their electorates because there is no doubt a revolution will occur in Castle Hill and Baulkham Hills when they do—but I do not think the construction of the North West Rail Link is the type of revolution that everyone is anticipating. This motion is

simply an attempt by the Government to distract attention from the debacle that occurred today on our rail network when overhead wires were pulled down. That was the seventh major incident in six weeks on the rail network.

In 16 years of Labor—as much as those on the other side like to carry on—we never saw seven incidents of this magnitude in six weeks. When we did have an incident the Minister made a public statement. Today the Minister is bunkered down in her office hiding, unwilling to front up and explain herself to the commuters who have been inconvenienced, not just today but in six other instances on the rail network. Yet the Minister said 39 times at a press conference, "We are fixing the trains." Today, when given the opportunity to explain on three separate occasions how she is fixing the trains, she did not take a single opportunity. In fact, she went out of her way to avoid answering questions and to distract Parliament and distract commuters from the facts—a bit like this motion today.

Let us deal with the North West Rail Link. I welcome the North West Rail Link. I am on record as saying the Government should get on and build it. I cannot wait. I was in Castle Hill on Saturday night. As my wife and I drove in I said, "Look at this suburb. Wait till they get a rail line and a train station here in Castle Hill." I cannot wait to visit Castle Hill after it has a rail line. There will be multistorey apartments in Castle Hill and Baulkham Hills—a bit like the proposal the Government is offloading now a little further down Windsor Road. There will be a revolution, and it will be a revolution to redefine this Government.

The project does not have a budget. We still do not know what the budget is. The Minister has been in office for two years. Members banged on for four years in opposition and two years in government about the North West Rail Link, but there is no budget. Where is the budget? What is the start date or the completion date? We keep hearing that the tunnel-boring machines will be in the ground by the end of next year. Fantastic! When will they be out of the ground? When will the five kilometres of sky rail be built so the residents of Rouse Hill can experience rail noise? Five kilometres of rail above ground will be extraordinary. The Government has no budget for this project. This is the iconic project for the O'Farrell Government. I remind the House that the Premier dragged the Minister for Transport in and said, "We will resign if we do not start this project." We have not seen anything other than a shopfront in Castle Hill. Contracts have been let but they have blown out significantly. In some instances contracts for about \$32 million have blown out to about \$68 million. So the project is going well.

Mr Troy Grant: Point of order: The Opposition leader cannot seriously be talking about budget blowouts. There was one of those in transport of \$500 million.

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

Mr JOHN ROBERTSON: Let us think about the only rail project the Coalition ever built. It was the airport rail link. The Minister at the time had the name of Baird, the father of the bloke who is the Treasurer who has not delivered a budget for the North West Rail Link. We do not know when the start date is. We do not know when the completion date is. The airport rail link went broke; it was a dud from the start. The Government will manage the North West Rail Link in a similar way.

Mrs TANYA DAVIES (Mulgoa) [3.43 p.m.]: I am pleased to debate this priority motion. It is interesting to watch the rantings of the Opposition leader. On the one hand, he says that he supports the building of the North West Rail Link but, on the other hand, he asks: Where is the money? Why does he not start acting like a potential Premier and ring his Federal Labor colleagues and lobby for the funding we need? He should lobby his mates, who are in government for the next six months, to send finances. The incoming Prime Minister, Tony Abbott, has put money on the table. Where is the Labor Government supporting the people of New South Wales? It says it is for the workers and for the people in western Sydney but by no means does it back that up with any hard cash. In the past week the Prime Minister breezed her way through Rooty Hill, close to the people in my electorate, but did she connect with anyone? No. Did she sit down and talk with the real people in the pubs and clubs? No. It was all orchestrated, ancy-fancy, pretty photo opportunities. She is not connecting with the people of western Sydney.

The State Government is connecting with people in western Sydney. Every seat in western Sydney is represented by members in the Government, and our constituency in western Sydney is congratulating our Government for supporting the WestConnex project. The people in cars hamstrung on the M4 need the support of our Government to build the WestConnex, and that is what our Government is doing. We have funded the first tranche of planning and design work. We are putting the money where our mouth is. We are funding it and

we will build it. It is pleasing to see that the Opposition's Federal leader is also backing our plans. It is interesting that members opposite talk about infrastructure. It seems the Labor Party is more interested in the size of its opinion polls rather than the size of its bridge poles or the size of its roads. It is more interested in how big and grandiose their opinion polls are than it is in the roadways, motorways, bridges and hospitals that need to be built, that the people of western Sydney demand to be built and that this Government will deliver.

Mr RYAN PARK (Keira) [3.46 p.m.]: It is interesting that we are debating a motion about rail lines because just a few months ago in a press conference the Minister for Transport said she would fix the trains. She used those words 45 times.

Mr Troy Grant: Point of order: Mr Deputy-Speaker, I ask you to ask the member for Keira to return to the leave of the motion. This is not about train operations; the motion before the House is very specific—it is about the infrastructure.

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

Mr RYAN PARK: This is what the New South Wales Liberal Government's definition of "fix the trains" is: the worst on-time running in four years; graffiti incidents up by 10 per cent; CountryLink on-time running—

Mr Troy Grant: Point of order: The member for Keira is not within a bull's roar of the leave of the motion. I ask you to redirect him to the leave of the motion.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is no point of order. The member for Keira is referring to events that are happening on rail.

Mr RYAN PARK: I would have thought CountryLink on-time running would have been interesting to the member for Dubbo. CountryLink on-time running now sits at the fantastic level of 65 per cent. I am sure the people of Dubbo are extremely pleased! Fewer people are on maintenance and security. It is interesting that the motion said the Federal Labor Government opposes the WestConnex project. That is interesting, because in *Hansard* on 26 February this year the Minister for Roads and Ports, the Hon. Duncan Gay, is reported as saying:

So far the Federal Labor Government has committed \$25 million to planning for the project—and we thank it for that.

That is an incredible way of slapping them in the face. That is unbelievable. But there is more: This Government does not even have the support of its own Federal leader regarding the WestConnex project. On 5 March 2013 Tony Abbott said:

The WestConnex project is still evolving but we'll ensure there's an expressway-standard road from the west to the city as part of our commitment. It has to be in there.

That sounds distinctly like what the Prime Minister said.

Mr DOMINIC PERROTTET (Castle Hill) [3.49 p.m.], in reply: I thank my colleague the member for Mulgoa, the Leader of the Opposition and the member for Keira for their contributions to the debate. The alarm systems are obviously not working in Castle Hill, because they should have gone off if the Leader of the Opposition was in the area on the weekend. We are still rounding up the handful of Labor supporters and converting them based on our progress, particularly regarding this program. I shall address the misinformation from the Leader of the Opposition about lack of progress on the project. Major property demolitions and geotechnical drilling along the rail line have commenced.

The Leader of the Opposition spoke about budgets. Our budget allocated \$3.3 billion to the project and \$360 million this year. That is a substantial investment and a hell of a lot more of an investment than was made by members opposite when they were in government years ago. Last month tenders closed to build the 15-kilometre billion-dollar twin tunnels for the rail line. A \$70 million construction tender has been awarded to Balderstone Limited to commence early constructions works. I learnt recently who Penny Sharpe was. A few people contacted me to let me know more information about her. On 13 December she said that the North West Rail Line is an important project and will be built. Yes, she realises now that it will be built because we are in government.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Castle Hill will be heard in silence. I remind Opposition members that some of them are on three calls to order.

Mr DOMINIC PERROTTET: On the same day she said also that she hopes the Government will not make the same mistakes as were made in the past. What mistakes is she referring to? We all know those mistakes: the failures of the previous Government. The people of Castle Hill, the north-west and western Sydney, whether through WestConnex, the north-west project or any other infrastructure project, have complete confidence that this Government is turning around infrastructure in this State. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 65

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

Noes, 20

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

Pair

Mr Adrian Piccoli

Ms Cherie Burton

Question resolved in the affirmative.

Motion agreed to.

SMALL BUSINESS COMMISSIONER BILL 2012

Second Reading

Debate resumed from 21 November 2012.

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [4.04 p.m.]: I welcome the opportunity to speak to the Small Business Commissioner Bill 2012. This bill is important because it establishes

a legislative framework for the New South Wales Small Business Commissioner as a statutory officer. This Government made a commitment during the 2011 election campaign to establish a Small Business Commissioner with a mandate to advocate for small businesses in New South Wales. It is an important commitment and it is one that underscores the Government's understanding of how important small business is to rebuilding and sustaining the New South Wales economy. The State can already see the economic fruits of that, as the Treasurer informed us during question time today. Small businesses are about people. They enable people in our community to work with one another and to provide the services they each need.

On this side of the House we understand small business, we understand small enterprise: we have a diverse group of members representing our community and we understand what it is like to put capital at risk for small businesses, to sit around the family table at night and work out what you can afford and what you cannot and how you can pay your bills to sustain your small business and your ideas and your passion. That is something that this side of politics understands really well—in contrast with our colleagues across the table. They have been hot-housed in unions and delivered to Parliament on a conveyor belt. They do not understand small business. The Government wants to pass this bill to assist small business people.

There are estimated to be approximately two million small businesses in Australia, and 650,000 of them are in New South Wales—a large proportion. They are responsible for employing more than half of the workforce. In recognition of those important facts and the role that local business holds in my community I held a forum last year at which local business owners could meet and share ideas with the Minister for Fair Trading and the Commissioner for Fair Trading, Mr Rod Stowe. I also keep in contact with local chambers of commerce and their membership: the Double Bay Partnership, the Bondi and District Chamber of Commerce and the Rose Bay Chamber of Commerce. Their leaders are inspiring people. They step up with capital and hard-earned money to back their passions and ideas to add goods and services into my community for the benefit of all the community.

Why is it important to have a Small Business Commissioner? Small businesses are not often members of an industry body or a business association. Big businesses often have a greater capacity to use their resources to make their cases to government and to run campaigns in the public domain on issues important to them. I know from my experience that small businesses are busy day to day getting on with their business, which limits opportunities to express their views to government. Even if given the opportunity, many small business owners would not have the resources or know where to start to advocate for their position in terms of State policy. One of the greatest strengths of the small business sector but also one of its greatest challenges is that it is disparate and varied, which makes it difficult for small businesses to speak with a strong and unified voice.

To deliver on the Coalition's election commitment Ms Yasmin King was appointed by the Minister for small businesses as the State's Small Business Commissioner in mid-2011. Ms King's appointment has given small business in our State a strong voice, especially in dealing with unfair practices and onerous administrative burdens that often affect small business. The Office of the Small Business Commissioner provides a small first stop shop for businesses. It will help resolve disputes with other businesses. It will examine complaints by small businesses regarding unfair market practices and arrange mediation. It is going to monitor and report to the Minister on any emerging trends in market practices that have an impact on small business and it is going to review New South Wales laws and regulations to ensure that small business is not unnecessarily hampered by rules and regulations introduced into Parliament. We know that is really important. The Government also made a commitment in the 2021 plan to roll back red tape and regulation in many areas of government. One target in that plan is to deliver on the red tape roll back in relation to small business.

The Office of the Small Business Commission will work directly with peak industry bodies such as the Council of Small Business Organisations of Australia [COSBOA] and the New South Wales Business Chamber to advocate for small business owners on issues of concern to them. This Government remains determined to give small business the support it deserves, and that is why this bill is now before the House. Let us reflect on the process behind the development of this bill. There was extensive consultation following a discussion paper. Throughout the months of June and July 2012 we had the Small Business Commissioner travelling throughout New South Wales to hear firsthand from small business operators. That process produces suggestions about the role and functions of the commissioner and what tools the commissioner should have to help small businesses operate effectively.

In support of our approach, reflected in this bill, it is important to note that Peter Strong, Executive Director of the Council of Small Business of Australia, has said that that organisation intends to use the New South Wales legislative framework as an example for other States and jurisdictions on what they should be

developing for their own commissioners. That is a really important and strong endorsement from a high-profile and respected national peak body for small business. The significance of this bill is that the Small Business Commissioner will be a statutory officer, so that the objectives and functions of the office are effectively and independently carried out. Division 1 of part 2 of the bill provides that the Governor, on the recommendation of the Minister, appoints the Small Business Commissioner. The appointment is for a full-time term of five years, with a restriction to two terms of five years.

Clause 5 requires the commissioner to report to the Minister in relation to the exercise of the commissioner's functions, but the commissioner is not subject to the control and direction of the Minister in relation to the investigation of complaints. Clause 13 states that the commissioner's first objective is to deal with issues concerning the small business sector in a neutral and independent manner. Indeed, that is the strength of the Small Business Commissioner being a statutory officer: it is a requirement of that position. Under division 3 of the bill the commissioner is required to prepare and present to Parliament an annual report on his or her work, and the commissioner can make a special report that can also be provided to the Presiding Officer of each House of Parliament. The provisions that I have articulated reinforce the important neutrality and independence of the commissioner—an approach I strongly believe will serve our small businesses in New South Wales well.

I return to my local electorate and the small businesses that make it hum and tick really well. I visited the Small Biz Bus about two weeks ago when it was at Kings Cross. The Small Biz Bus was launched in December 2012. This big blue bus, which looks a bit like a caravan, travels to parts of the State to provide a place for small business owners to seek and find advice and mentoring for the development of their businesses. The service is provided confidentially and professionally. I think it is a great example of face-to-face, personalised support for small businesses across our State, in this case with high-quality, subsidised mentoring services delivered direct to them in the communities in which they are doing their business. This is important because we know that small business people do not have a lot of time; they do not have the extra staff or the money; they have a hands-on approach to their businesses; and it is often difficult for them to seek out professional services.

But small business people know where to find the Small Biz Bus and that they can get readily available, confidential, reasonably priced business and mentoring services. Services on the bus are funded by the Government and provided by the Small Business Mentoring Service of New South Wales—I met some of the service's members—with the National Australia Bank and Telstra as major sponsors. My visit with the Small Biz Bus gave me the opportunity to meet some of the great people that make this initiative work really well in the local community. It is another example of how the Government is taking very practical steps to support small businesses in New South Wales. I commend the bill to the House.

Mr ANDREW ROHAN (Smithfield) [4.13 p.m.]: I commend the Minister for Small Business for delivering another of the Coalition's key election promises. Is there a more important sector to the economy than our energetic, productive, creative, innovative and dynamic small business sector? For the benefit of members opposite, that was a rhetorical question. Of course, there is no other sector more important to our economy than the small business sector. This bill demonstrates the importance that this Liberal-Nationals Government places on small business. This Government loves small business: you can rest assured that all members on this side of the Chamber love small business. We love small business because it is productive and because it is innovative. We love small business because it empowers the individual. It embodies our national value of giving it a go.

It is interesting to note that small business in New South Wales has a long history. Soon after the *First Fleet* arrived at Sydney Cove in 1788 and Sydney was established the first small private business began when James Ruse was granted land in the colony by Governor Arthur Phillip to establish an experimental farm. James Ruse was the first convict to be granted land in the colony, and it was granted by Governor Arthur Phillip in 1791. He developed Australia's first private farm, known as Experiment Farm, which sowed the first wheat in Australia. The farm was located at Harris Park, in the electorate of Granville, which neighbours mine and which is represented by the very capable member for Granville and my good friend Tony Issa, OAM.

I advise members who are interested in small business to visit my electorate of Smithfield. Smithfield is home to many attractions, including the Western Sydney Parklands, the Fairfield City Showground and the Eastern Creek Raceway. However, I am most proud that Smithfield is also the home of the largest industrial area in the Southern Hemisphere—the Smithfield-Wetherill Park Industrial Estate—the hub of manufacturing and distribution in the greater western Sydney region. With more than 12,000 manufacturing, wholesale, transport and service firms providing more than 100,000 jobs, the industrial estate, which stretches through four different local government areas, plays a key role in the State's economy.

The reason I became involved with politics and the reason I feel such an affinity with the Liberal Party is that in 1988, despite drastically cutting staff, my employer did not survive the recession that Australia had to have. I started a small printing business and, having owned and operated this small business for more than 17 years, I know the pressure facing other small business owners. My firsthand experience as a small business owner has taught me the need for greater local employment and investment opportunities, especially for our youth. The introduction of this bill will, for the first time in the history of the New South Wales Parliament, establish the statutory role of the NSW Small Business Commissioner. The appointment will be as a statutory officer who will be a strong and truly independent voice for small business. Let us not kid ourselves: small business operators in the State have struggled to have their voices heard and are suffering under excessive regulation.

The former Labor Government did nothing about that for 16 years. I could never understand what it did in government for 16 years, but now we have found out they were all either skiing at Eddie Obeid's luxury ski lodge or spending time at the now State significant Mount Penny estate. This legislation will provide support and services to a vital part of the New South Wales economy. Small businesses are the backbone of our economy, representing 96 per cent of all businesses. In New South Wales alone there are approximately 680,000 small businesses, providing employment for around 50 per cent of the workforce. In addition to contributing to the economy directly, the small business sector is a crucial platform that underpins the efficient operation of many medium and large businesses.

I am pleased that the inaugural NSW Small Business Commissioner, Ms Yasmin King, was appointed by the Government in 2011 to support small businesses throughout the State. For the first time in New South Wales small businesses have an independent person within the Government to speak on their behalf. The Small Business Commissioner will be able to investigate and assist in the resolution of disputes involving small businesses. The role of the Office of the Small Business Commissioner is critical because it is responsible for providing low-cost mediation services for small businesses to keep disputes out of court—small businesses cannot afford to pursue costly and lengthy legal actions. The Office of the Small Business Commissioner will also assist small business to navigate through government, it will identify where systemic issues impacting on small business can be addressed and it will endeavour to reduce administrative burdens more generally. I am obviously very excited about the establishment of the Office of the Small Business Commissioner and the appointment of the Small Business Commissioner, Ms Yasmin King. I commend the bill to the House.

Mr MATT KEAN (Hornsby) [4.20 p.m.]: I am delighted to speak on the Small Business Commissioner Bill 2012. Having worked in business before I was elected to Parliament, I know that small business is the engine room of growth in New South Wales. Small businesses employ more than 50 per cent of the State's workforce, and New South Wales has about 680,000 small businesses. Ninety-six per cent of all businesses in Australia are small businesses. Small businesses are a critical part of the State's economy, they are critical employers in New South Wales and they play a critical role in ensuring that our communities can continue to prosper and thrive. That is why this legislation is so important to ensure that small businesses have an independent voice looking out for them in their dealings with government, with regulation, with the tax system and with the day-to-day issues they face.

In my community I know that small businesses do it tough every day of the week. They often do not have huge resources or the capacity to access the legal system, for example, to take on the Australian Tax Office, and that is why they need an independent umpire to assist them. As a Government we should be doing what we can to make life easier for small business: to create a level playing field, to give small business the opportunity to thrive, and to continue to generate employment and growth. That is what I will always fight for on this side of the House. I am delighted that the Government has taken this step. The role of the Small Business Commissioner is to be an independent advocate—someone who small businesses can trust and someone who can liaise with government agencies on their behalf in circumstances where they feel they have nowhere else to turn.

It is often very difficult for small businesses to take on big enterprises and the Government, and this bill will help level the playing field. That is why the independence of the commissioner is so vital, given that the commissioner's role will also involve undertaking alternative dispute resolution. We have established a Small Business Commissioner as a statutory officer so that small businesses do not feel that nothing has changed and that the Government has failed to deliver on its promise to provide an important independent voice for small business. The Hornsby Chamber of Commerce is very excited about this reform. I single out the work of the President of the Hornsby Chamber of Commerce, Mr Bill Tyrell, who has been in that role for a number of years. He has worked tirelessly to promote the efforts of small business in the Hornsby area by providing its members with opportunities to develop and learn.

Last year, as the local member, I inaugurated the Hornsby Small Business Forum. The New South Wales Business Chamber came together with the Hornsby Chamber of Commerce and I invited small businesses to meet the Minister for Small Business so that they could ask her questions and put their views to her on ways to fix the system. I am delighted to say that this year we will be inviting Yasmin King, the new Small Business Commissioner, to address the Hornsby Chamber of Commerce. This will provide small businesses with access to government that they might otherwise not have and assure them that we are listening to their concerns and that we understand their challenges. In this way we can ensure that we have a regulatory environment and a tax system that is sympathetic to their needs.

I keep saying this, but we must stand back and allow business to do what it does best—generate jobs, create economic growth and do business. That is what will drive the New South Wales economy now and into the future. We should be getting out of the way of small businesses and we should be making it easier for them to do business, and that is what this bill seeks to do. One of the concerns on this side of the Chamber is unnecessary red tape being placed in the way of small businesses. The role of the Small Business Commissioner is to help cut through that red tape and to help businesses navigate the regulatory maze that was imposed on them by the former Labor Government so that they can get back to doing what they do best: business.

Small businesses do it tough: they have to deal with payroll tax, stamp duty, council regulations, and numerous State and Federal regulations. It is difficult for the little guy, and this legislation is about giving the little guy a win. This is about helping giving small businesses means to succeed, to put food on the table and to put their kids through school—aspirations that all of us have, but those in small business take enormous risks to make those things happen. The bill does not create a new government office, it provides the State with a new vision: a vision that fosters co-operation between businesses and the Government, and that will ultimately benefit the public. When small business is doing well New South Wales is doing well, and that is what this bill seeks to achieve.

There has been a lot of consultation with regard to this legislation. Throughout June and July 2012 the Small Business Commissioner hosted 15 listening tours across the State and engaged with approximately 330 small business operators about the legislative framework for the Small Business Commissioner and general issues impacting on small businesses. Listening tours were conducted throughout the State, including Sydney, Wollongong, Newcastle, the Hunter region, Orange, Bathurst, Bega, Cooma and western Sydney. The consultation was extensive and the commissioner travelled far and wide to understand the impact of this legislation on small businesses. Sixty-four submissions were received, in both written and survey format. Of those submissions, 67 per cent were from small businesses, and they have been critical in forming this policy and in ensuring that the policy was made to fit and help them.

We also spoke to government agencies, and the commissioner received feedback from a number of small business sectors, which indicated they needed assistance in dealing with State and local government bodies when they consider that they have been dealt with unfairly. The focus of this Government should be on ensuring that agencies provide the highest level of service to their stakeholders, including small businesses. As I said, small businesses employ more than 50 per cent of the workforce in New South Wales, and that is why it is so important that we support them in their dealings with government and in their business dealings. The commissioner will not be able to intervene in departmental decisions, such as planning approvals, the granting of licences or any similar determinations. The only role available to the commissioner will be to require an agency to provide information or to answer questions regarding the agency's dealings with a small business where there are allegations of unfair practices or where there is a public interest concern.

In such circumstances the commissioner would speak to the agency concerned and hear its side of the story. The commissioner will be a great advocate for small business and a powerful voice to ensure that small business has a level playing field to compete with big business and government and do what it does best. One reason I joined the Liberal Party is that I believe the role of government is to help establish a level playing field and to create hope, reward and opportunity. Helping small business meets all of those criteria. That is why we need to promote the prosperity and capability of all businesses in this State. It is to the benefit of everyone in this Chamber, everyone in my community of Hornsby and every citizen of New South Wales. When the small business sector does well New South Wales also does well. That goes to the heart of this legislation. It is about making it easier for small business and helping it navigate the regulatory burden it faces on a daily basis. I commend the bill to the House.

Mr CHRISTOPHER GULAPTIS (Clarence) [4.30 p.m.]: It is my pleasure to contribute to debate on the Small Business Commissioner Bill 2012. As has been said on a number of occasions, small business is the

lifeblood of the country. Most Australians are employed in small business, and obviously that applies in my electorate of Clarence. I congratulate the Minister on introducing this legislation, which was a Liberal-Nationals 2011 election commitment. It is great to see the O'Farrell-Stoner Government meet that commitment. Members on the other side of the House might talk about supporting small business, but unfortunately it is just talk. They had 16 years in which to introduce such legislation but all they did was talk about it. The people of New South Wales want to see action, not talk. That is the difference between the Government and the Opposition. The people of New South Wales want action and the O'Farrell-Stoner Government is getting on with the job.

I was involved in small business for about 16 years—I had my own surveying consultancy in Maclean. I know firsthand how important it is in small business to have a friend. People in small business need someone to lean on and take on government agencies on their behalf. That is exactly what the Small Business Commissioner will do. I have had the pleasure of meeting Ms Yasmin King. She is a great advocate and she will do the role proud. I know that the NSW Business Chamber is thrilled with her work to date and thrilled that small business has a voice. Members have spoken about small business having a level playing field. My experience in small business is that small businesses are often left with the scraps on the table. It is about time they had the meat and potatoes as well. I believe this legislation will do that. It will give some bones to the body of the Small Business Commissioner and create a role that will give small business some confidence that its concerns are heard across government.

The purpose of the bill is to provide the legislative framework for the commissioner to act as a statutory officer. One objective of the commissioner is to deal with small business in a neutral and independent manner. That is something we all crave. Another objective is to provide a central point of contact for small business. Small business does need a friend. The Small Business Commissioner will be that friend. Another objective of the commissioner is to facilitate low-cost mediation and alternative dispute resolution services. Everybody in small business knows that they cannot afford to go to court on a daily basis. They need to have an alternative to litigation. The Small Business Commissioner will also facilitate and encourage fair treatment of small business by both government and big business, and will also be able to identify measures to reduce the administrative burden for small businesses.

The functions of the commissioner will include things such as investigating complaints from small business relating to unfair treatment or where there is a public interest, and making representations or taking action on behalf of small businesses. I said before that small business needs an advocate, and that is exactly what the Small Business Commissioner will be. Another function of the commissioner will be to facilitate the development of codes of practice by industry. It really confuses industry when new codes of practice are developed. They are often developed without industry involvement, or with only token involvement. It is important that the commissioner is able to relate to industries when codes of practice are developed. Probably just as importantly, the commissioner will provide advice to the Minister on matters affecting small business. That did not happen for 16 years under the former Labor Government. Small business never had a voice. Small business was lost in the mire; it was all about big business. Last night on *Four Corners* we saw what happens when big business is allowed to reign unfettered.

The commissioner needs a legislative framework. Several jurisdictions in Australia have already introduced Small Business Commissioner legislation, because they recognise the importance of having an advocate for small business. No Small Business Commissioner exists in other States without legislation and so it is appropriate that we have legislation in this State. The Government proposes to make the Office of the Small Business Commissioner a statutory office. That is the case in Victoria. In Western Australia the Small Business Commissioner is independent and the chief executive officer of a statutory body that provides support and advocacy for small business. In South Australia the commissioner is an independent voice for small business and is appointed by the Governor. The New South Wales legislation will be commensurate with that in other jurisdictions. The independence of the commissioner is also vital given the commissioner's role in undertaking alternative dispute resolution. Businesses have strived for independent and neutral advice in those circumstances.

There has been widespread consultation about this legislation. In June and July last year the commissioner hosted 15 listening tour events across the State and engaged with approximately 330 small business operators regarding the legislative framework for the Small Business Commissioner and general issues that impact on small business. As we have heard, 64 submissions were received. Most of them were from small business, with 23 per cent from industry associations, 3.1 per cent from members of Parliament, 3.1 per cent from big business and 3.1 per cent from local government. A total of 94 per cent of the submissions supported the five principles outlined in the survey, so there is general support for this legislation.

The legislation includes a number of powers to allow the commissioner to investigate government agencies, but the focus of the legislation should be on ensuring that agencies provide the highest level of service to small business stakeholders. That is what this bill aims to do. The commissioner's role will not include intervention in planning approvals, grants of licences or similar determinations, but the commissioner will be empowered to obtain answers to questions regarding an agency's dealings with small business when allegations of unfair practice have been made or a public interest concern exists. The commissioner's powers are of vital importance to small business.

By virtue of this legislation the commissioner will implement a sound administrative process to deal with complaints relating to government bodies so that procedural fairness to both parties is maintained. The commissioner will work collaboratively with government bodies such as the NSW Ombudsman, the NSW Cross Border Commissioner and the Commissioner for Fair Trading by referring matters to those bodies. In cross-border communities the importance of the role of the Small Business Commissioner is obvious: Small businesses operating in jurisdictions on both sides of a State border must deal with licences, fees and charges. There are many more positive features to discuss in this legislation, but as the time allocated for my speech will soon expire I conclude by commending the bill to the House and congratulating the Minister on its introduction.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [4.40 p.m.]: My contribution to debate on the Small Business Commissioner Bill 2012 will be brief. I commend the Minister and the Government for its introduction, not so much for the legislation itself but for the idea. Mr Acting-Speaker, as you are no doubt aware from your professional experience as a chef, New South Wales rides on the back of the 700,000 small businesses in this State. Small business employs more than 50 per cent of employees in New South Wales. While I acknowledge that government and big business are major employers, the real lifeblood of any community—especially any regional community—is small business.

When I served as the shadow Minister for Small Business I confess I stole this slogan from my colleague and friend the member for Ballina, Minister for Local Government, and Minister for the North Coast: It is the Government's role to get off the back of small business and stay out of the hip pocket of small business. What we witnessed during 16 years under the former Labor Government was wad upon wad and layer upon layer of regulations that impacted severely on small business, ranging from the Office of Fair Trading through to workers compensation. The Labor Government seemed to throw at small business whatever hindrance it could find in the form of red tape and green tape. What small business operators went through during that period was absolutely horrific. I listened with some dismay during the second reading debate to the member for Fairfield, the member for Cessnock and the member for Bankstown, who professed an interest in, and knowledge of, small business. A cursory glance at the backgrounds of Labor members will reveal that not even 10 per cent of them have been involved in small business.

Mr Troy Grant: There is no-one here at the moment.

Mr ANDREW FRASER: There is just one Labor member in the Chamber for this debate. Prior to being elected I was self-employed for 15 years. Only someone who has been in small business can understand that at the end of the month the electricity bill may not be paid because revenue has not been received—it has been a bad tourism season, et cetera—and only someone who has been in small business will know that the pressure placed on small business owners by restricted revenue and government regulation is beyond belief. Sometimes the pressure is so great that small business operators are happy to just walk away.

In 1971 under a Coalition Government ordinance No. 71 in relation to caravan parks was introduced. I happened to own a caravan park at that time. Although ordinance No. 71 was a great reform that improved caravan park standards, it caused a real headache for small business operators, who had to understand not only the intent of the legislation but also the regulations attached to it. When Barry O'Farrell won government he made a pledge to small businesses and business generally in New South Wales that all accounts owed by government departments to small business would be paid within 30 days. Why did he have to do that? It was necessary because small business after small business across all electorates in New South Wales were waiting from 90 to 120 days for government department accounts to be paid.

I note the presence in the Chamber of the member for Dubbo. We all know the problems encountered in Dubbo when the hospital was not able to purchase goods because small businesses and other businesses in Dubbo would not accept the orders. Those businesses could not afford to accept the orders because they had not been paid for previous orders for months and months. I commend the O'Farrell Government for turning that situation around. Contracts let by the Labor Government under the Federal Government's stimulus package led

to small businesses in my electorate becoming involved in the construction of Department of Housing units. The lack of care and acceptance of responsibility by the Labor Government resulted in the scheme's management company going belly-up.

That company, which had contracts worth millions and millions of dollars with the Department of Housing and other government departments for the construction of houses and other buildings, had previous experience as an office fit-out business and had only \$140,000 in assets. As recently as today I received emails from some of the contractors stating that they would receive a further 3¢ in the dollar from the liquidator out of the millions of dollars they were owed. Labor members do not understand the flow-on effect that that type of mismanagement has in regional communities—or in any community. When women cancel hairdressing appointments because their husband has not been paid for a contract it means the hairdresser does not get paid, and in turn the hairdresser does not purchase something because their profits are down.

As I stated earlier, small business is the lifeblood of our electorates. Small businesses employ the majority of people in regional New South Wales. The largest employers in the Coffs Harbour electorate range from the council, health and education sectors to small businesses with fewer than 100 employees. Small businesses continue to ensure that the Coffs Harbour economy remains strong through good management. When small businesses get into trouble they usually come through the door of electorate offices or go to the office of NSW Fair Trading, especially in relation to issues involving government departments that are making their lives hard. Instead of taking a sympathetic approach, government departments usually adopt a bureaucratic approach, which requires small business operators to find their way through a maze of bureaucracy. As I said earlier, in the end many small business operators simply walk away.

I commend the legislation to the House. The Small biz Connect bus has visited the Coffs Harbour electorate. The effect of recent floods on small businesses in my electorate was immense. We await category C nominations to be assessed and approved. It is ironic that the Small biz Connect bus was stuck in Coffs Harbour when the Pacific Highway was cut in both directions, which gave small business operators more time to visit the bus and discuss important issues. The bus was in Coffs Harbour for a number of days instead of just 24 hours. I conclude by reiterating my dismay at the Labor Party's seeking to claim credit for this legislation. Labor members claim that a member in another place introduced a small business bill. I point out that this legislation was a plank in the Coalition's policy platform before the 2011 election, and ever since the election the Government has moved towards appointing a small business commissioner and introducing legislation to support that office. I am amazed that Labor members have had the audacity to claim credit for small business legislation when the majority of them have a trade union background.

Often the large trade unions do whatever they can to make life difficult for small business operators. In relation to some of the issues that trade unions prosecute, common sense should prevail. Unfortunately, the heavy-handed, jackboot approach prevails when unions deal with small businesses, which creates problems. Under the Labor Government small business compliance with regulations was administered by former union employees, who made life difficult for small business operators. I have referred previously in the House to an occupational health and safety inspector who at one stage took exception to a builder cutting mouldings and placing them in a corner. The mouldings would fall from the drop saw and were in a corner where they presented no danger to anyone.

The inspector issued him with a \$250 fine. The builder tried to explain that there was no problem with what he was doing but the inspector said, "If you do not pay the \$250, I will come back tomorrow and find \$2,000 worth of fines on your site." That is the sort of heavy-handed action we saw under Labor. This Government has legislated to put in place a commissioner to ensure that business does not cop that sort of action from officials appointed by Labor who were ex-union officials and who looked after the interests of the union, their own interests and that of the bureaucracy, but not the interests of small business. I commend the legislation to the House.

Mr BRUCE NOTLEY-SMITH (Coogee) [4.50 p.m.]: I support the Small Business Commissioner Bill 2012. This legislation delivers on another election commitment of the O'Farrell Government, a government of which I and all on this side of the House are proud to be members. The Small Business Commissioner Bill 2012 is the legislative framework establishing the New South Wales Small Business Commissioner as a statutory officer. This is a first for New South Wales, and I am confident that the commissioner, Yasmin King, will continue the excellent work she has been doing since her appointment last year. Last year at Randwick City Council's Economic Leadership Forum, which is held several times a year, I had the opportunity to meet the commissioner and talk to her about her work. She impressed me with her passion for the role and her obviously strong work ethic.

At a time when small business feels so neglected by our Federal Government it is important for the New South Wales Government to send it the message that we are here to help. We know that under the previous Government regulations continued to be more restrictive and red tape increased. Under those opposite it got harder every day to do business in this State. We know that the carbon tax is affecting the ability of small businesses to stay afloat, and we know the Gillard Government continues, time after time, to thumb its nose at small businesses and the conditions they face across the nation. The Australian Chamber of Commerce and Industry quarterly survey, which was released last month, reveals that small business trading conditions have fallen again from 40.7 index points to 40.5 points. This means that the survey has seen small business conditions nationwide fall in every quarter for the past three years. During that time small businesses in Australia have sunk deeper and deeper into the depths of despair. But there is light at the end of the tunnel. This Government is offering support to small business, which is why we have established the Small Business Commissioner.

Until now New South Wales small businesses have lagged behind those in the rest of the country. Their interstate counterparts have had dedicated small business commissioners for some time. This year marks the tenth anniversary of Victoria's Small Business Commissioner. By all accounts, the appointment of the Victorian commissioner has proved to be very successful. In the first year the office's retail tenancy dispute resolution rate was 150 per cent higher than it would have been without the involvement of the commissioner. Disputes were also handled significantly faster and at less cost to parties than would have occurred otherwise through the Victorian Civil and Administrative Tribunal. In the 2011-12 financial year the office of the Victorian commissioner received its 10,000th referral, and in the 10 years since its inception it has achieved a mediation settlement rate of at least 75 per cent. That is outstanding and I look at those results being mirrored in New South Wales.

Following the establishment and subsequent success of Victoria's Small Business Commissioner, South Australia and Western Australia followed suit. As a result, the New South Wales Government has been able to build upon the various experiences—the successes and failures—of the commissioners in each State to ensure that small businesses in New South Wales receive the best advice and service possible. The bill prescribes an independent role for the commissioner and denotes the commissioner as a central point of contact for businesses to make complaints. The commissioner will work to facilitate more productive relationships between small businesses, larger businesses and government agencies, and will work to promote a fairer operating environment in order to help small businesses prosper.

The main task of the commissioner will be inevitably to play a part in resolving disputes, and doing so in a manner that reduces costs for all parties and keeps disputes out of court. I do not think any small businesses in this State can afford to pursue costly and lengthy legal action; it is an undesirable path to take. The Small Business Commissioner will be particularly useful to small business owners because the office will relieve some of the time burden required to undertake dispute processes in tribunals or courts. The expertise from the commissioner's office will save many business owners a lot of research and time in lodging a complaint. Clause 16 of the bill authorises the commissioner to require any person or government agency to provide information of that person's or agency's dealings with small business, provided the information is reasonably required by the commissioner to undertake investigation under the prescriptions of the Act.

The bill contains a whole range of encouraging clauses and provisions. I was involved with small business before coming to this House when I ran a small contract cleaning business for a number of years. My dad was a printer who went into business when he had four kids and another on the way. He struck out on his own and set up his own printing business. His dad was an electrician, a private contractor, self-employed in Coogee. His father was a farmer from Tamworth, a self-employed farmer, and his dad was a plumber who owned a small plumbing firm—actually it was not that small; it employed a lot of people—in England in the 1850s. Five generations of my family have been small business operators and I have some idea of what it is like to run a small business, having spent a lot of time in my dad's business. He is my small business hero—he had a family but struck out on his own and made a great success of it through incredibly hard work.

Most people would not understand the sacrifices that small business operators make. I was employed in the building industry for a while when my dad fell and broke his arm. My employer, Jennings Constructions, gave me three weeks off to help my dad in his business. Two days after getting out of hospital, after snapping off his elbow, he was in a plaster cast operating his printing machines. That is what you have to do when you are in small business. When I broke my ankle I was out there a few days later on crutches cleaning my clients' premises. All those on the other side of the House would never have had to experience that; they could not imagine that is the lifestyle one is confronted with as a small business person.

The only way a member of the Labor Party ends up with a small business is if he starts with a big business and works his way down. Small business people in this State put much on the line and should be cherished. We are showing small business operators that we are taking them and their concerns seriously. Not only will we get government out of their way so they can get on with their business, but also we will lend them a helping hand. I commend the bill to the House. I thank the Minister for his great work in introducing this bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [4.59 p.m.]: I support the Small Business Commissioner Bill 2012. I congratulate the Hon. Katrina Hodgkinson, the Minister for Primary Industries, and Minister for Small Business, on delivering on one of our election promises. The bill is designed to provide support and services to small business—which constitute 90 per cent of all businesses, or 680,000 individual businesses—in New South Wales and provide employment for around 50 per cent of the New South Wales workforce. Small business really is the engine room of New South Wales and is important to the economy of this State and this country. The 2011 election commitment of the Liberal-Nationals Coalition was to establish a small business commissioner. This bill results from extensive consultation following a discussion paper released in June that year. Why did we do this? After 16 years of Labor's neglect of businesses and employment in this State, something had to be done. Why was Labor not doing anything about it?

Mr Nick Lalich: It was.

Mr STEPHEN BROMHEAD: Last night I watched *Four Corners* and discovered what Labor was doing for 16 years: engaging in self-interest. Labor's philosophy is that everybody in this House is here for themselves. That is amazing. That certainly is not the reason I am here; nor is it the reason for those I have spoken to on this side of the House. They are here to serve the people of New South Wales and provide good governance.

Mr Nick Lalich: At the present time.

Mr STEPHEN BROMHEAD: The member for Cabramatta disagrees. His philosophy is that one is here only to serve oneself. That is why New South Wales, its small businesses and their employees were neglected for all those years. Once upon a time, in the good old days, the great Labor Party was for the workers. Those times are well and truly dead and gone. Everybody knows now that the Liberal Party and The Nationals help the workers. We are driving employment and looking after businesses that employ people. Part of that responsibility is to have the Small Business Commissioner advocate on behalf of small business. Dairy Connect, which is the advocacy group for dairy farmers and the dairy industry in New South Wales, told us that it had two problems: first, the impact of Coles and Woolworths on small business and the dairy industry; and, secondly, the ability to export products.

We spoke to Yasmin King, who is doing a fantastic job as Small Business Commissioner. She met with representatives of Dairy Connect and then engaged counsel to mediate between Coles, Woolworths and Dairy Connect. Of course, Coles and Woolworths gave their usual warm and fuzzy answers to many questions. From that meeting the Australian Competition and Consumer Commission identified issues and a Federal inquiry into the duopoly of Coles and Woolworths is underway. That resulted from the intervention of Yasmin King, the Small Business Commissioner, on behalf of dairy farmers and others working in the New South Wales dairy industry.

The purpose of the bill is to create the office of Small Business Commissioner and to specify the objectives and functions of that office. The commissioner's objectives will be to deal with issues concerning small business in an independent manner and to provide a central point of contact for small businesses to make complaints about their commercial dealings with other businesses and government agencies. The commissioner's functions include investigating complaints made by or on behalf of small businesses, providing low-cost alternative dispute resolution services and making representations or taking action on behalf of small businesses. The commissioner will have the power to require 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.

For years small business operators had no-one to turn to if they experienced problems with other businesses, such as Coles and Woolworths, or government agencies. No-one was looking after their interests. Now they have the Small Business Commissioner to turn to. The commissioner will facilitate low-cost mediation and alternative dispute resolution services, facilitate and encourage the fair treatment of small businesses and identify measures to reduce the administrative burden—another policy we have introduced. As chairman of the Legislation Review Committee, I have seen firsthand a reduction in regulations. The

commissioner's functions include investigating complaints from small business relating to unfair treatment or public interest; making representations for, or taking action on behalf of, small businesses; facilitating the development of codes of practice by industry; and advising the Minister on matters affecting small business.

The Small Business Commissioner is travelling around the State—a couple of members mentioned the Small Biz Connect bus—visiting regional areas and meeting businesses. I met her in Taree when she assisted businesses in Forster and Taree in only the past two or three weeks. The establishment of the office of the Small Business Commissioner is another great initiative of this Government. For many years past there was an absolute paucity of initiatives from those opposite. New South Wales is now starting to bloom and emerge from the veil of darkness that hung over it for 16 years. Small business was stuck; the rotting carcass of Labor weighed heavily on all New South Wales businesses. This Government is removing that rotting Labor carcass and business is starting to move forward. When we came to office two years ago New South Wales had the lowest business growth, lowest housing growth and highest unemployment figures in the country. Now we have the second-lowest unemployment figures, the best business outlook and the second-best housing growth in Australia. We are moving forward because of this Government. I commend the bill to the House.

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [5.09 p.m.]: I support the Small Business Commissioner Bill 2012. The object of this bill is to create the Office of the Small Business Commissioner and specify the objectives and functions of that office. The commissioner's objectives will be to deal with issues concerning small business 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, together with their dealings with government agencies. The commissioner's functions will include investigating complaints made by or on behalf of small businesses, providing low-cost alternative dispute resolution services and making representations or taking action on behalf of small businesses. The objective of the Small Business Commissioner Bill is to help create an environment which allows small businesses to grow and thrive.

Until I was elected to this place in 2007 I had always worked in the private sector and following graduation always in a management role. Unlike some or most members on the other side—and I realise there is only one in the House at the moment—I know the pressures of managing a small business. I see the member for East Hills is in the House. He knows exactly what small business is all about. I know what it is like in the business world—and that is the real world. Like my Coalition colleagues, I understand that small business is the backbone of the New South Wales economy. On this side of the House we understand that to make New South Wales number one again small business needs to have the confidence to invest, to grow and to employ more people.

This bill is designed to provide support and services to small businesses, which constitute 96 per cent of all businesses—or 680,000 individual businesses in New South Wales—providing employment for around 50 per cent of the State's workforce. In fulfilment of the Liberal-Nationals election commitment the inaugural Small Business Commissioner, Ms Yasmin King, was appointed by the Government in 2011. The functions of the commissioner include: investigating complaints from small business relating to unfair treatment where there is a public interest, making representations or taking action on behalf of small businesses, facilitating the development of codes of practice by industry and advising the Minister on matters affecting small business.

This bill will ensure that there is legislation establishing the role of the commissioner for the first time in New South Wales and that the commissioner has the necessary legislative power to carry out the statutory functions of a truly independent body with a strong voice for small business. It is important that this bill be supported as only legislation has the ability to give the commissioner appropriate tools to help change behaviour and assist small business. There was extensive consultation on the bill: the commissioner hosted 15 listening tour events across the State and engaged with approximately 330 small business operators regarding the legislative framework. The listening tour events were held in Sydney, Wollongong, Newcastle, Orange, Bathurst, Bega, Cooma, western Sydney, Batemans Bay, Ulladulla, Lismore, Murwillumbah and Broken Hill.

The events attracted local small business operators, local councils, local business chambers and industry groups. The proposed legislative framework had overwhelming support. One of the areas that the commissioner has received feedback on from the small business sector was that the need for assistance in dealings with State and local government bodies when businesses feel they have been dealt with unfairly. My experience during all my years in small business suggests that has always been a problem, particularly dealing with State agencies. The focus of this Government is on ensuring that agencies provide the highest level of service to stakeholders, and this bill will assist in that aim. The commissioner will not be able to intervene in departmental decisions such as planning approvals, the granting of licences or any similar determinations.

The services offered by the Small Business Commissioner differ from those offered by the NSW Ombudsman or NSW Fair Trading: it will provide specialist small business knowledge and dedication of resources to deal with small business issues. The Ombudsman's office does not have the staff or resources to focus on small business issues, and we all know that NSW Fair Trading is usually on the side of the consumer. The Small Business Commissioner understands that many small businesses are not willing to approach government bodies such as the Australian Competition and Consumer Commission or Australian Securities and Investments Commission and make a complaint against another business, especially those businesses they have supply arrangements with, for fear of retribution.

Under this bill the Small Business Commissioner will be able to make representations to the Australian Competition and Consumer Commission or the Australian Securities and Investments Commission with sound evidence collected from small businesses while protecting the identities of those small businesses. I reiterate: small business is the backbone of this country and of this State. I am happy to support this bill. I commend the bill to the House. I hope that it will be a great fillip for the future of small business.

Ms MELANIE GIBBONS (Menai) [5.14 p.m.]: I support the Small Business Commissioner Bill 2012 and thank the Minister for Small Business for bringing it to the House. As other members have mentioned, and I will stress, the Minister does work in the interests of people, particularly the residents of Menai, who work hard to maintain their small businesses. I join previous speakers in supporting the establishment of a Small Business Commissioner in response to the important role that the small business sector plays in the New South Wales economy. This was an election commitment made by the Liberal-Nationals Government. The bill sets up the legislative framework that creates the Small Business Commissioner as a statutory officer with appropriate powers and resources to represent the State's 680,000 small businesses. Small businesses are the backbone of our community—from hairdressers, coffee shops, florists and financial planners to mechanics. They run important community services that help our economy and keep our suburbs alive with activity.

The Government realises the huge contribution that businesses make, and in 2011 it appointed the inaugural Small Business Commissioner, Yasmin King. Ms King acts as a voice for small businesses to ensure their views are heard by government, councils, public servants, regulators and larger businesses. I have worked alongside my parents in a real estate agency and I know how rewarding it can be. The member for Coogee mentioned similar experiences. Navigating the ins and outs of running a small business can be quite overwhelming for small business operators. They often have limited resources and regularly negotiate red tape, regulations, paperwork and difficult industrial relations laws. On top of that, they have to consider the growth of the service sector and the use of contractors by larger entities, financial institutions, cash flows, finance and credit and superannuation funds.

As the name suggests, small businesses are often small. They do not have the big budgets to investigate disputes, engage legal representation or get advice on employee-related issues. The bill goes a long way towards protecting their rights and gives them a voice. The Small Business Commissioner will be able to provide input on behalf the small business sector in relation to policy development and to assist small businesses in their dealings with other businesses and government agencies. The Small Business Commissioner will be able to investigate and assist in the regulation of disputes involving small businesses.

The commissioner's involvement will provide low-cost mediation services and help to keep matters out of court, thus avoiding long, lengthy and expensive legal action. It is intended that the commissioner will deal with issues concerning small businesses in a neutral and independent manner and will provide a central point of contact for small businesses to make complaints about their commercial dealings with other businesses as well as their dealings with government agencies. I remind the House that several Australian jurisdictions have already introduced similar legislation in recognition of the importance of having an advocate for the small business sector. No small business commissioners exist yet in the States without such legislation. Small businesses in New South Wales deserve the same opportunity as their counterparts and to be supported by a Small Business Commissioner with a strong legislative framework.

In June and July 2012 the commissioner hosted 15 listening tour events across the State and engaged with approximately 330 small business operators regarding the legislative framework for this role and general issues impacting on small businesses. Overall the support of the proposed legislative framework was overwhelming. Without legislation New South Wales risks appearing less supportive of small business, something we do not want. The objective of the bill is to create mechanisms that motivate changes in behaviour to improve the overall operating environment for both business and government. Only with legislation will the commissioner have the appropriate tools to help change behaviour and assist small business. This simply brings us into line with other States.

One of the issues identified in feedback received from the small business sector was the need for assistance in dealings with State and local government bodies when the businesses feel they have been dealt with unfairly. The Government's focus is to ensure that the agency is providing the highest level of service to its stakeholders, and this bill will assist with that. We must remember that the commissioner will not be able to intervene in departmental decisions such as planning approvals, the granting of licences or any similar determinations. It has already been recognised that the commissioner will need to implement a sound administrative process to deal with complaints about government bodies so that procedural fairness for both parties can be maintained. To this end, the Small Business Commissioner will work collaboratively with government bodies, such as the NSW Ombudsman, the NSW Cross-Border Commissioner and the Commissioner for Fair Trading, by referring matters to the appropriate bodies.

The role of the Small Business Commissioner differs from those of the NSW Ombudsman or NSW Fair Trading because of the commissioner's specialist small business knowledge. The commissioner also has the dedication of resources to deal with small business issues, whereas in reality the Ombudsman's office does not have the staff or resources to focus on small business issues. Additionally, by earning the trust of big businesses the commissioner will be able to develop effective working relationships to help resolve issues between big and small businesses, to the benefit of both parties. In turn, the commissioner will become an asset to big business and government bodies as much as it will be to small business. By developing strong working relationships with all parties the commissioner will be more likely to enable disputes to be resolved in a timely fashion than if those parties were left to reach conclusions themselves without assistance.

I think—and I think we all think—that this is a fantastic outcome for all parties. This long-awaited bill will cut red tape for small businesses in New South Wales and make it easier for small businesses to get on with the job of providing their goods and services. I am pleased to have two great business chambers in the Menai electorate. The Menai Business Chamber works hard to improve opportunities for local growth, and supports various community activities. The hardworking committee is led by president and founding member Michael Zacharia, vice-president Andrew Manson, secretary Jennifer Ettia, and treasurer Louise Greenup.

The committee members are Cheryl Hastie, Jeff Parker, Debbie Charlwood, Tony Bujrovksi, Tim Kons and Chris Economides. They are all experienced small business operators and work hard for the business community in Menai. The Liverpool Chamber of Commerce recently hosted a luncheon with the Premier. It is a force to be reckoned with in western Sydney. It is led by president Harry Hunt, OAM, vice-president Daniel Doherty and directors Tamlyn Van Zyst, Sam Cavallaro, Rob Lowe, Drew Percival and Simon Poles. I feel sure the Minister for Citizenship and Communities has eaten Sam Cavallaro's cakes.

Mr Victor Dominello: They are the best.

Ms MELANIE GIBBONS: He made the best cake for Liverpool Hospital's 200th anniversary recently. It was brilliant. With so much growth in western Sydney it is good to have such a committed team working in the area. In summary, the bill introduces important legislation which, for the first time, establishes the role for the Small Business Commissioner. Now, with the support of the bill, the Small Business Commissioner will have the resources and the tools to best support our small business operators. As small business represents 96 per cent of all businesses, this legislation is the next step to strengthening the work of the Small Business Commissioner, which in turn supports our vital small business sector. I once again thank the Minister for bringing this legislation to the House. I commend the bill to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [5.22 p.m.]: I am delighted to be able to make a contribution to the debate on the New South Wales Small Business Commissioner Bill 2012. I thank the Minister for Primary Industries, and Minister for Small Business for bringing this important bill to the House and recognising that small business counts, that small business is important in this State. Small businesses need a champion to help them meet the challenges that they face from day to day, and those challenges are great. I have related to the House many times my background in business. Having been a former president of the Chamber of Commerce in Wagga Wagga, and having been very much involved in the business community, I understand the necessity for the bill. Indeed, with competition occurring at a greater pace and with more demands being made on business operators, an independent voice is an important step in supporting businesses, which for years cried out for assistance from the former Government; but their voices were not heard or responded to.

I understand that this bill bring New South Wales into line with Victoria, Western Australia and South Australia, which have similar positions, though perhaps appointed differently, charged with dealing with the

challenges and issues facing small business. This process began in June and July 2012, when four events were conducted in major centres around regional New South Wales. A number of submissions were received, and there was general consultation—a hallmark of this Government when considering new legislation or a new direction. I understand that a number of government departments were consulted, including Community Justice Centres, the Department of Premier and Cabinet, the Department of Attorney General and Justice, NSW Fair Trading and NSW Trade and Investment.

I am particularly pleased that the commissioner will be able to deal with issues on a collective basis. From time to time really relevant issues arise that need to be pursued collectively. It could be something as controversial as a local council proposal to change the traffic management strategy in a street or thoroughfare where that would impact on business. Independently, the businesses may feel that it is too difficult to have their voices heard. Therefore it is important to have the support of a commissioner who understands their difficulty and is able to take up the challenges collectively. It is the same for communities that are remote: it is important for those communities to have a voice when trying to deal with services provided under unfair leasing or franchise arrangements.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! If the member for Cabramatta and the member for Oatley wish to have a private conversation, they should do so outside the Chamber.

Mr DARYL MAGUIRE: Unfair leasing and franchise agreements can impact on the delivery of even very basic services provided by a business such as a post office.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! If the member for Cabramatta and the member for Oatley wish to have a private conversation, they will do so outside the Chamber. Their mumbling is distracting the member addressing the House.

Mr DARYL MAGUIRE: Being able to appeal to an independent voice can help service providers, such as a post office, overcome a challenge or at least receive the support they need to enable them to continue to function effectively. The Small Biz Connect bus toured regional New South Wales. It is manned by volunteers as well as some staff. A lot of time is now being donated by successful business people travelling regional New South Wales to assist businesses in smaller towns. Regarding the visit to Wagga Wagga a few weeks ago, I commented to the commissioner about business readiness. This is an issue that I want to raise with the Minister. I am pleased that the Minister is here to respond to the debate and again demonstrate that she is taking a keen interest in business, as she always does.

Though business readiness is not the direct responsibility of the Small Business Commissioner, I did speak to the commissioner at length about it. A small town such as Lockhart, for instance, has a number of successful business people, quite often they are challenged by the economy and having to grapple with new taxes and charges such as the carbon tax. Their ability to respond effectively is assisted by those volunteers and more importantly, manufacturers and producers who are seeking new markets need assistance. At this point I highlight the Office of Trade and Investment. I raised with the commissioner the fact that many small producers, whether they be wineries, olive growers or producers of organic lamb, would like to sell their goods to the export market but they are not ready. [*Extension of time agreed to.*]

As the Chairman of the Asia-Pacific Parliamentary Friendship Group I—and other members of the group—am approached regularly by foreign visitors seeking to buy and export quality Australian products that are the very best in the world. When one inquires about the business readiness of those industries, surprise, surprise, many of those businesses, whilst they have concentrated on producing the best quality and the finest that their region can produce—such as olive oil or the best organic lamb—have not been able to prepare themselves to be export ready. I would like to see more focus on that so that when unsolicited approaches are made to those businesses they are ready.

The commissioner and Small Biz Connect can play a huge role in getting businesses export ready. They are out in the communities consulting business operators about the day-to-day challenges but, importantly, when it comes to being export ready the commissioner, with Trade and Investment, has some work to do. I have encouraged the commissioner to do that because, as I said, in my capacity as Chairman of the Asia-Pacific Parliamentary Friendship Group, daily I receive inquiries from countries all around the world wanting to access products. Whilst it is not a direct responsibility, I hope the Minister for Small Business can find a way to include in the commissioner's responsibilities a way of nurturing and perhaps forming, in partnership with the Business

Enterprise Centre, local business chambers or chambers of commerce, a mechanism to ensure that producers have appropriate labels—translated in the appropriate language—and understand the process they have to go through to export their goods.

The media focus a lot on events occurring around the world and how investment is increasing in Australia. In particular, China has been focused on recently for its investment, but other countries have also made enormous investments in Australia over the years—for example, Japan, America and England. China is investing because it understands that this country grows the best food that is available and China wants to buy that food and import it. I am very concerned that small businesses—manufacturers and producers—are missing that market right now. The golden century is here: growth in the Asia-Pacific is occurring and middle Asia has more expendable dollars. Certainly tourist numbers are increasing. If we just take China alone, about 350,000 people have been to visit Australia, and that number is expected to increase to about 750,000. That is a big market. The dollars available to expend in that middle-income bracket are growing exponentially and those middle-income residents of Asia are happy to pay for our goods, our services and our products.

I welcome this bill. Other members have highlighted the benefits of the bill and other members have highlighted how this legislation will work. I believe it is an important step for small business in New South Wales. Some journalists, radio announcers and others have been following the plight of small business and have been championing the fact that small businesses are under pressure more than ever from the big two in the grocery and food trades. In view of the other services that are being impacted, I think small businesses will welcome this legislation because it is about time that small business got a fair go. I welcome the initiative of providing small business with a collective basis. I again thank the Minister for Small Business for bringing this important bill to the House.

Mr JONATHAN O'DEA (Davidson) [5.35 p.m.]: The Small Business Commissioner Bill 2012 will further facilitate support and services for the roughly 680,000 small businesses in our State, and which provide employment for around 50 per cent of the New South Wales workforce. Given time constraints and the fact that a large number of members have already spoken in debate on this bill, I will confine my comments. It is encouraging that so many members have spoken on the bill. Many members have a relevant background or a relevant interest in this bill, being closely connected with many small businesses in and around their electorates.

The stated object of the bill is to create the Office of Small Business Commissioner and to specify the objectives and functions of that office. Among those objectives are 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 investigating complaints made by or on behalf of small businesses; providing low-cost alternative dispute resolution services—which is very important because so many small businesses, unfortunately, get caught up in costly litigation that they cannot afford—and 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 a relevant investigation.

I attended a briefing from Yasmin King, the Small Business Commissioner, and she impressed me. I congratulate her on her appointment by the Minister. The commissioner is doing a good job in what is a valuable role and I am sure she will continue to do so. Like many other members, I have personal experience in running businesses—small, medium and large—and I certainly understand the frustrations and the challenges of doing so. The appointment of the commissioner and the reforms under this legislation will make it easier for people to run and focus on their small business. As a politician I had the fortunate opportunity to participate in the Pollies for Small Business program, which was run for some years by the New South Wales Business Chamber.

I conclude my contribution by acknowledging a number of the local chambers of commerce which, like the Small Business Commissioner, have the ability to provide a collective representation of the interests of small business. In particular, I have had contact with a number of local chambers of commerce in and around my electorate of Davidson, and I will mention four of them today. The current president of the Lindfield Chamber of Commerce is Michael Cross, who is a pharmacist and a good man. The vice-presidents are Therese Chung and Timothy Lin. The treasurer is Errol Samuel, who as the local pool man helps me service my pool. The longstanding secretary is Peter Vickers. I had a bit to do with Chatswood Chamber of Commerce when I ran some businesses in Chatswood. The current president is Stig Falster and the vice-presidents are Jackie Orchard and Leon Shohmelian, who is now a lawyer. The treasurer is Peter Gooden, and the longstanding secretary and company secretary is Julie Burgess, who does an absolutely wonderful job keeping that chamber running.

At the Turrumurra Chamber of Commerce we have president Julianne Brennan, secretary Sue Croston and treasurer Eric Sandelowski. Quickly and finally, at Warringah Chamber of Commerce we have president Wendy Finianos, who is a wonderful lady with enormous potential and is also a branch manager at Suncorp Bank, and vice-president Debra Fraser. All those people contribute to making our business community stronger and more vibrant, and provide a voice for many small businesses. That is something that the Small Business Commissioner is also able to do and that the Minister for Small Business does on a regular basis. I commend the Minister for introducing the bill and for the initiative we see before us today.

Mr JOHN WILLIAMS (Murray-Darling) [5.40 p.m.]: I support the Small Business Commissioner Bill 2012, which is an acknowledgement of small business in New South Wales. I have a pretty intimate knowledge of small business, having run a business for 30 years. In that time I saw a lot of red tape put in place by governments that were hell-bent on solving a problem by creating a greater problem for small business. During that time there was no-one we could talk to directly about the issues surrounding regulations that placed a big impost on small business. In many cases we had to employ extra people merely to comply with the new regulations. Small business proprietors always have the cost of doing business on their minds. They know that the cost of continually having to increase the numbers of employees to meet government regulations does not do anything for the bottom line and it is of zero benefit to the business.

This legislation will enable an individual to discuss firsthand the problems small businesses are facing, particularly with red tape and regulation. This bill is about trying to make life easier for small business proprietors by identifying the issues that they face and finding solutions. The problems of the past were created primarily by bureaucrats with good intentions and I guess Ministers who just wanted to see some compliance out in the field. That has always been a problem. Today an independent commissioner has the ability to identify issues, speak directly to the Minister and find solutions. I think we can look forward to better times in small business. Recently I briefed the chamber of commerce at Deniliquin. The discussion was mainly about small business in the area and the issues that it faces.

There is no doubt that after the long drought small businesses are struggling to recover, but they are starting to see a bit of daylight. When the Small Biz Bus arrived in the area the presence of the Small Business Commissioner was a bit of an eye opener: this Government cares about small business and it is prepared to take on the problems of the past. The other thing I will highlight is that one of the greatest moves of this Government was to challenge the cost of workers compensation. As a small business proprietor, workers compensation was a substantial expense. The problem was that if one ever had a claim, regardless of the premium, one paid the cost of that claim. It was not insurance at all; it was a crazy situation that was out of control.

For the sake of the 680,000 small businesses in New South Wales, the majority of which pay workers compensation premiums, it was imperative that the Government take some action to address the problems. The Government had to address the craziness of the workers compensation system which was out of control and which was passing on its costs to small business, which if left unchecked could have put a lot of small businesses out of business. Of course there is another challenge today. I continually receive emails and correspondence from constituents about the carbon tax. The carbon tax has hit these people good and hard. It is extremely unfortunate that no-one in the Labor ranks could care less about the cost of doing business when the carbon tax is taken into account. They seem to be delighted with its implementation. The fact is that we are now facing the fallout and it is a very serious problem for small business.

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.45 p.m.], in reply: I thank all members who have contributed to the extensive debate on the Small Business Commissioner Bill 2012, including the members representing the electorates of Maroubra, Blue Mountains, Port Macquarie, Cabramatta, Baulkham Hills, Fairfield, Londonderry, Bankstown, Rockdale, Mount Druitt, Parramatta, East Hills, Camden, Tamworth, Heathcote, Gosford, Cessnock, Mulgoa, Balmain, Castle Hill, Monaro, Albury, Vacluse, Smithfield, Coogee, Myall Lakes, Port Stephens, Menai, Wagga Wagga, Davidson, and Murray-Darling. They all made wonderful contributions to this important debate and it is pleasing to see so much support for this bill on both sides of the House.

It became clear to me while listening to the contributions of members that there is an enormous breadth of small business experience on the Government benches. Almost every member who spoke on this side of the House talked of their extensive experience in dealing with small businesses within their electorates or their personal experience with either their family's or their own small business. It is fantastic that there is that breadth of knowledge on this side of the House. Many members highlighted the importance of the Small Business Commissioner's role as a provider of low-cost alternative dispute resolution services, given the great cost of

lengthy litigation processes. Members pointed out that the bill will finally give small businesses a voice and contain provisions to enable the Small Business Commissioner to advocate on behalf of the small business sector.

Members emphasised various points in relation to the bill, such as the creation of mechanisms within the bill to motivate changes in behaviour to improve the overall operating environment for small businesses. Over many years I, too, operated a small business in retail. I know as well as other members, including the member for Blue Mountains, just how critical that is.

The member for East Hills, who is in the Chamber, also spoke about the Small Business Commissioner's key role of ensuring that small businesses are treated fairly by other businesses, and by State and local governments. The member for Clarence mentioned the work of the commissioner in consulting widely across New South Wales in order to advise the Government when preparing this legislation. The member for Tamworth highlighted the value of the bill's objective to identify and support measures to reduce the administrative burden on small businesses. As former director of the Tamworth Business Chamber, the member understands just how damaging red tape can be to the sustainability of a business.

I remind the member for Maroubra that after 16 years in Government the former Labor administration failed to implement positive reforms such as introducing a Small Business Commissioner in the first place, let alone associated legislation. If the member for Mount Druitt, who has returned to the Chamber, believes that the bill lacks teeth, I remind him that the bill is the product of extensive public consultation across the State and everyone should be pleased with the outstanding efforts the Government has made in relation to this bill. The Small Business Commissioner Bill 2012 will establish the role of the New South Wales Small Business Commissioner as a statutory officer, who will be a truly independent and strong voice for small businesses across this State.

The bill will confer the necessary legislative powers and responsibilities so that the Small Business Commissioner can effectively carry out the specified objectives and functions of the office. I thank the many members who participated in the debate for their insights in relation to this very important bill. After all, as my good friends and colleagues on the Government side of the House have said, based on their own extensive experience, small business is the lifeblood of Australia. It is important that we get this right. I now ask for the bill to be considered in detail, at which stage I will move amendments to further enhance the bill. I have had some very constructive and positive discussions with members in the other place, in particular with a member with whom I have enjoyed a close working relationship, the Hon. Paul Green, and I wish to elaborate on the discussed amendments in detail.

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

Motion agreed to.

Bill read a second time.

Consideration in detail requested by Ms Katrina Hodgkinson.

Consideration in Detail

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! By leave, I propose to deal with the bill in groups of clauses and schedules.

Clauses 1 to 14 agreed to.

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.51 p.m.]: I move Government amendment No. 1 on sheet C2013-012:

No. 1 Page 6, clause 15. Insert after line 18:

- (b) the complaint relates to an unfair contract to which the small business is a party, or

Question—That Government amendment No. 1 [C2013-012] be agreed to—put and resolved in the affirmative.

Government amendment No. 1 [C2013-012] agreed to.

Clause 15 as amended agreed to.

Clause 16 agreed to.

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.51 p.m.]: I move Government amendment No. 2 on sheet C2013-012:

No. 2 Page 7. Insert after line 8:

17 Alternative dispute resolution required before proceedings can be taken

- (1) If an application is made to the Commissioner for assistance in resolving a complaint or other dispute involving a small business and the Commissioner decides to deal with the complaint or dispute, the matter to which the complaint relates or the dispute may not be the subject of any proceedings before any court unless and until the Commissioner has certified in writing that alternative dispute resolution services provided by the Commissioner under this Act have failed to resolve the matter or dispute.
- (2) The Commissioner is to certify that alternative dispute resolution services have failed to resolve a complaint or other dispute involving a small business if the Commissioner is satisfied that any one or more of the parties involved in the matter or dispute has refused to take part in, or has withdrawn from, alternative dispute resolution services provided by the Commissioner.
- (3) This section does not apply to or in respect of the following:
 - (a) proceedings before a court for an order in the nature of an injunction,
 - (b) proceedings for an offence,
 - (c) proceedings in relation to an industrial matter before the Industrial Relations Commission,
 - (d) a retail tenancy dispute within the meaning of the *Retail Leases Act 1994*.
- (4) This section does not operate to affect the validity of any decision made by a court.

Mr RICHARD AMERY (Mount Druitt) [5.52 p.m.]: I indicate in relation to discussions I have held with my colleagues in the Legislative Council that the Opposition will not oppose this amendment. The comment has been made that this amendment appears to have arisen as a result of shortcomings in the original Act and some Government members' concerns about the thinness of the original proposal. This amendment represents a way towards meeting those concerns. I indicate that while the Opposition supports the amendment, the Opposition firmly believes this bill could be further strengthened in line with the private member's bill introduced by the Hon. Adam Searle, to which the Minister referred previously. This bill will be further debated when the matter comes before the Legislative Council. I reiterate that the Opposition will not oppose the amendment, which the Opposition quite frankly considers to be fairly ordinary.

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [5.53 p.m.]: It would be unlike the member for Mount Druitt to make a political statement in this House, but I believe he has just done that. Of course the Government is very pleased that the Opposition has agreed to the amendment, which clarifies the position in relation to the Government's bill. As I stated, the amendments were formulated in association with the Hon. Paul Green in another place, and we believe that they clarify the position. The Government welcomes the Opposition's support for the bill and the amendments.

Question—That Government amendment No. 2 [C2013-012] be agreed to—put and resolved in the affirmative.

Government amendment No. 2 [C2013-012] agreed to.

New Clause 17 agreed to.

Clauses 17 to 32 agreed to.

Schedule 1 agreed to.

Consideration in detail concluded.

Third Reading

Motion by Ms Katrina Hodgkinson agreed to:

That this bill be now read a third time.

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

LOCAL COURT AMENDMENT (COMPANY TITLE HOME UNIT DISPUTES) BILL 2013

Second Reading

Debate resumed from 19 February 2013.

Mr JOHN FLOWERS (Rockdale) [5.55 p.m.]: It is with pleasure that I join in debate on the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013 and congratulate the Attorney General on his hard work and dedication in bringing this legislation before the House. A company title corporation is a company that is registered under the Commonwealth Corporations Act 2001, that is the owner of land, if ownership of a share or shares in that company entitles the owner of the share or shares to the exclusive use and occupation of residential premises on that land, but does not include an owners corporation within the meaning of the Strata Schemes Management Act 1996 or an association within the meaning of the Community Land Management Act 1989.

The object of the bill is to confer jurisdiction on the Local Court to hear and determine proceedings involving certain company title home unit disputes. Prior to the introduction of strata title legislation in New South Wales in 1961, company title was the most common way of accommodating the subdivision of multistorey residential buildings. In April 2007, the New South Wales Law Reform Commission released its report No. 115 entitled, "Disputes in Company Title Home Units". The commission found the cost of taking company title home unit disputes to the Supreme Court to be prohibitive, which effectively disempowered residents in company title home units from holding the board of directors accountable. The Government has adopted and adapted some of the recommendations of the report, to which this bill gives effect. The New South Wales Law Reform Commission estimated that there are approximately 840 company title buildings in New South Wales.

A company title home unit dispute is a dispute between interested parties about any of the following matters: the health, safety and security of persons occupying or visiting the land owned by a company title corporation or residential premises located on that land including, for example, the safety of children on the premises and waste disposal; the common property of the land owned by a company title corporation including, for example, parking and vehicle access, repair and maintenance, design and appearance; the use of residential premises located on the land owned by a company title corporation occupied by a shareholder of the corporation including, for example, external appearance of premises or the keeping of pets; the behaviour of persons occupying or visiting the land owned by a company title corporation or residential premises located on the land including, for example, noise; the refusal by a company title corporation to allow a shareholder of the corporation to grant a lease or licence to use or occupy premises located on the land owned by the corporation; and administrative matters relating to the running of the company title corporation including, for example, levies.

However, a company title home unit dispute does not include the following: A dispute arising under a residential tenancy agreement to which the Residential Tenancies Act 2010 applies; a dispute arising under a lease to which the Landlord and Tenant (Amendment) Act applies; a dispute about the sale, transfer or other disposition of shares in a company title corporation or the forfeiture of such shares; or a dispute about any matter that is a superior court matter within the meaning of the Corporations Act 2001 of the Commonwealth. The bill will make it clear that disputes relating to company title home units can be heard in the Local Court and enable faster, simpler and more cost-effective resolution of such disputes. In particular, the bill will enable the Local Court to make a broader range of orders in relation to company title home unit disputes, allowing the court to more appropriately tailor the resolution of such disputes. The bill gives both the Small Claims Division and the General Division of the Local Court the ability to determine a range of company title home unit disputes, regardless of how the right to commence court action arises.

The Small Claims Division in particular deals with matters in a just, quick and cheap manner and with as little formality as possible. Hearings are held before a magistrate or assessor. Parties may appear with a legal

representative. However, the informal procedures of the Small Claims Division make it easier for self-represented litigants to conduct their case. Parties are encouraged to resolve disputes through direct negotiations and mediation. Parties are also encouraged to contact community justice centres to assist with mediation. Community justice centres provide a free mediation service using impartial and trained mediators throughout New South Wales. The Small Claims Division will be able to determine company title home unit disputes for monetary claims up to \$10,000. This is the same limit as it has for other disputes. The General Division of the Local Court will be able to determine company title home unit disputes for monetary claims up to \$100,000.

The Local Court Act permits proceedings in the Small Claims Division of the Local Court to be transferred to the court's General Division if the court is of the opinion that matters in dispute are so complex or difficult, or are of such importance, that the proceedings ought more properly to be heard in the court's General Division. However, the bill does not adopt the recommendation of the Law Reform Commission to exclude disputes relating to the lease of a shareholder's unit. The commission noted that this was a major area of dispute but that restrictions on leasing go to the heart of company title. It stated it was unpersuaded that it was justified to give the review of leasing decisions to the Consumer, Trader and Tenancy Tribunal. Despite the recommendations of the Law Reform Commission, the Consumer, Trader and Tenancy Tribunal may not be able to be invested with the power to determine disputes in relation to company title home units where those disputes arise under a law of the Commonwealth, such as the Corporations Act 2001.

Therefore, the bill gives the Local Court, including the Small Claims Division in the Local Court, the power to hear and determine company title home unit disputes. In determining proceedings involving a company title home unit dispute the court may make various orders, including an order requiring a person to do or refrain from doing any act, an order for the payment of damages or other money, or an order in relation to the interpretation of the constitution of a company title corporation or other contract or agreement. In line with the Law Reform Commission's report, the bill does not create new substantive legal rights. It does not alter the legal rights between parties; rather, it ensures that where there are existing legal rights, people will be able to enforce these quickly and cheaply in the Local Court, rather than being forced to go to the expense of commencing Supreme Court proceedings. I commend the bill to the House.

Mr ALEX GREENWICH (Sydney) [6.05 p.m.]: I support the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013 and congratulate the Attorney General on introducing this long-overdue and much-needed reform. Company title allows owners to purchase shares in an apartment in exchange for rights to occupy a unit in the building. It was a common form of unit ownership before strata laws were introduced in 1961 and continues to exist in many apartment buildings in my electorate, particularly architecturally significant 1930s art deco buildings in Potts Point and Elizabeth Bay. Unlike strata apartments, which are run by all owners through the owners corporation with an elected executive committee to manage small issues, company title is run by a board of directors with much greater power. The board of directors can choose who can and cannot purchase shares, who can and cannot rent a unit from a shareholder, and, through the articles of a company, impose a wide range of rules.

While this may have some benefits, it can lead to disputes. Some of my constituents have reported unreasonable restrictions on shareholders. One constituent informed me that the board of his building will only grant permission to keep a cat after the owner provides the cat's photograph, name, sex and weight. The owner must enter and exit the building through the garage when with the cat. He says he has had a cat for years with no problems, but these rules were introduced only recently. Many owners report disputes about maintenance and repairs, as is the case with strata title units. Regardless of their nature, all company title disputes have to go to the Supreme Court, which is time consuming and expensive. In 2007 the New South Wales Law Reform Commission report "Disputes in Company Title Home Units" stated that this process was discouraging owners from pursuing their rights to resolve disputes. My constituents in company title apartments concur and welcome the more simple resolution process under this bill.

The bill will allow the Local Court to hear company title disputes and make orders about people's behaviour; payment of damages; rights and obligations under the constitution; and whether constitutions or agreement terms are void. When notice of this bill was given, I was concerned that the bill did not implement the Law Reform Commission recommendation to confer disputes on to the Consumer, Trader and Tenancy Tribunal. However, the Attorney General says the tribunal may not have power to determine disputes that arise under Commonwealth law. Given this, the approach in the bill makes sense. Legislation covering company title is complex and comes under a number of different laws from different jurisdictions.

A number of owners report concern with the overall governance of company title, which they believe encourages disputes. They say the board of directors has sweeping and broad powers and shareholders have limited control. Some suggest that all company title apartments should be transferred to strata title, where legislation provides better and clearer protection for owners. It is difficult to determine the extent of such concerns. Some of my constituents are disappointed that the current review of strata legislation does not include legislative reform for company title buildings. They say company title owners have similar problems to strata title owners, but without the same protections. I share their concern that a comprehensive review is needed of company title law, which should determine whether it remains a fair and useful means of home ownership. The bill is a great start to helping company title shareholders achieve fairness and I commend it to the House.

Mr TONY ISSA (Granville) [6.08 p.m.]: I support the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013, which amends the Local Court Act 2007 to confer jurisdiction on the Local Court to hear and determine proceedings involving certain company title home unit disputes. A lot of home units are being built in our society. According to the bill, there are approximately 820 home unit companies with 71,059 strata schemes and 500 registered community title schemes in New South Wales. Each year the Consumer, Trader and Tenancy Tribunal receives approximately 1,440 applications relating to strata schemes and registered community title schemes. This entire area requires reform. For this reason the New South Wales Law Reform Commission recommended in its report on company titles that the Consumer, Trader and Tenancy Tribunal should have jurisdiction to hear disputes relating to company title home unit buildings. Company title is a system of communal land ownership whereby a person is entitled to live in a unit in a residential home unit building by acquiring shares in a company that owns the building.

The purpose of the bill is to amend the Local Court Act to give the Local Court jurisdiction to hear and determine proceedings involving certain company title home unit disputes between company title corporations, shareholders or former shareholders and a resident or former residents of premises on land owned by a company title corporation. The bill provides also that the Local Court can hear disputes in relation to certain matters, including the health and safety of persons occupying or visiting land owned by a company title corporation—it is important that the bill addresses the issue of safety in our community—the common property on the land owned by a company title corporation; the use of residential premises located on the land owned by the company title corporation occupied by the shareholders; and, more importantly, the behaviour of a person occupying or visiting the land owned by a company title corporation.

Many people visit my electorate office complaining about the behaviour of certain people who live in the building in which my office is located. This reform addresses that issue. The bill also excludes certain disputes from the Local Court jurisdiction, including disputes to which the Residential Tenancies Act 2010 or the Landlord and Tenant (Amendment) Act 1948 apply, a dispute about the sale, transfer or other disposition of shares in a company title corporation, or a dispute about any matter that is a superior court matter within the meaning of the Corporations Act 2001. This bill will give the court power to make appropriate orders, including an order requiring a person to do or refrain from doing any act, an order for the payment of damages or other money, and an order in relation to the interpretation of the constitution of a company title corporation or other contract or agreement.

The bill adopts the approach proposed by the New South Wales Law Reform Commission—it does not adopt detailed provisions for the settlement of disputes, such as those that apply to strata title dispute. As the Law Reform Commission envisaged, the merits of the dispute and the orders that should be made will instead be identified by reference to the constitution of the company in question and the relevant principles of company law. The bill does not alter the legal rights between parties; rather, it ensures that where there are existing legal rights people will be able to enforce these quickly and cheaply in the Local Court. The bill provides for the Small Claims Division of the Local Court to deal with matters in a just, quick and cheap manner, and with as little formality as possible. Parties are encouraged to resolve disputes through direct negotiation. This is the best method for resolving any dispute between parties; disputes should be dealt with through negotiation and mediation. Parties are also encouraged to contact Community Justice Centres—which has many offices in our State—to assist with mediation.

Community Justice Centres NSW provides a free mediation service using impartial and trained mediators throughout New South Wales. Many times I have heard that people did not go before a judge or magistrate and instead were referred to mediation. The bill provides that a court can refer a matter for mediation before a hearing, if appropriate, and that a magistrate or an assessor in the Small Claims Division is not to make a final order unless he or she has used his or her best endeavours to have the parties settle the proceedings. The court fee for commencing civil proceedings in the Small Claims Division of the Local Court is \$88 for an

individual and \$176 for a corporation, compared with \$951 and \$2,281 respectively in the higher jurisdictions. That is a cheap procedure that will help the community. Legal costs for solicitors will be significantly lower for proceedings in the Small Claims Division of the Local Court than they would be for Supreme Court proceedings.

The bill is good reform and I am pleased that the Law Reform Commission acknowledged that disputes relating to the lease of shareholder units were a major issue. Again, many people have come to my office complaining about lease disputes with landlords in company title buildings. The bill addresses this matter. The fact that people buying into company title home units should be aware of leasing restrictions does not mean that a cheap, quick and accessible means of resolving such disputes should not be available to them. The Small Claims Division of the Local Court deals with a broad range of disputes, and it is well placed to determine disputes about the leasing of company title home units. The bill therefore gives the Local Court the jurisdiction to determine leasing disputes. I am pleased to commend the Minister who introduced this bill. This is more reform by this Government to serve the community of New South Wales. I have pleasure in supporting this bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [6.17 p.m.]: In contributing to debate on the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013, I note the support of the member for Sydney and the member for Granville for this fairly significant bill that offers clarification and, in many ways, makes justice transparent and available to everyone. My electorate of Tweed is like many parts of Sydney and of New South Wales in that there are many home unit buildings and company title issues. The bill will enable the Local Court to clarify disputes concerning company title home units. The District Court and the Supreme Court are a long way from Tweed and travel can be onerous for some people. The bill also enables disputes to be resolved quickly, simply and more cost effectively. Of particular note is that the bill enables the Local Court to make a broad range of orders relating to company title home unit disputes and allows the court to tailor the resolution of such disputes more appropriately. The Attorney General and his hardworking staff have done an excellent job in introducing this bill.

The Law Reform Commission estimates that there are approximately 840 company title buildings in New South Wales today. Company title is a system of communal land ownership whereby an individual gains the entitlement to live in a residential home unit by acquiring shares in a company that owns the building. This was the most common way of subdividing multistorey residential buildings until the introduction of the Conveyancing (Strata Titles) Act 1961. At present, company title home unit disputes—that is, disputes between shareholders, the corporation or residents—are resolved in the Equity Division of the Supreme Court. The New South Wales Law Reform Commission found in its 2007 report that the cost of taking company title home unit disputes to the Supreme Court is prohibitive. Furthermore, this process was found to be effective in preventing residents from holding the board of directors accountable. These concerns will be addressed by this bill.

This bill ensures that existing legal rights will be enforced quickly and cheaply in the Local Court. It enables the Small Claims Division and the General Division of the Local Court to determine a range of company title home unit disputes. The Small Claims Division deals with matters in a fast, cost-effective and informal manner where possible. During my time as the member for Tweed I have been aware of a number of company title home unit disputes unfortunately involving elderly people. Apart from the financial cost involved in pursuing their case through the Supreme Court disputes procedure, it placed an enormous stress and strain on those individuals. In two cases that I am aware of, the persons concerned were self-funded retirees. I witnessed firsthand the amount of stress caused to those people. This bill will go a long way to addressing that unfortunate circumstance.

The Small Claims Division deals with matters in a particularly cost-effective manner. Division procedure in the bill is fairly informal and will make it easier for self-represented litigants to conduct their case. As the member for Granville stated, the fee to commence proceedings in the Supreme Court is \$951 or \$2,281 for a corporation, whereas the fee to commence proceedings in the Small Claims Division of the Local Court is \$88 or \$176 for a corporation. That is a significant difference. I applaud the Attorney General in this regard: Not only must justice be seen to be done but it must be available to the wider community, and going to the Supreme Court is an onerous and expensive exercise. Crucially, the bill will enable people to represent themselves. Legal costs such as solicitor's fees will also be significantly lower for proceedings in the Small Claims Division of the Local Court than for proceedings in the Supreme Court. That is self-evident.

To sum up, this is an important step, and the Attorney General has recognised the issues and the injustice involved in past processes. This bill addresses that injustice. It supports the wider community by educating people and making it clear that they are able to seek justice and resolve disputes. No-one wants to be

involved in a dispute; it is stressful. Everybody wants some form of mediation to resolve the matter and get on with their lives. I applaud the Attorney General for introducing this bill to the House. I note that previous speakers have supported the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013. I also support the bill and commend it to the House.

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [6.24 p.m.]: I welcome the opportunity to speak to the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013. As my colleagues have said, this is a most important bill. It will clarify that disputes relating to company title home units can be heard in a more accessible, less intimidating and less expensive forum: the Local Court. The electorate of Vaucluse has a number of old home unit buildings and they represent some of the most interesting, gracious and historical architecture in the electorate. Many times while I have been the member for Vaucluse I have received representations from residents who are concerned about the range of options available, or not available, to them to resolve disputes relating to company title home units. Company title, as many lawyers in the Chamber will recognise, is defined as a system of communal land ownership whereby a person becomes entitled to live in a residential home unit building by acquiring shares in a company that owns the building. You are acquiring shares in a company rather than the absolute title to a particular area within a building.

Therefore, when disputes arise they are disputes between shareholders in a corporation. They are really residents but it is treated as a dispute between shareholders. There can be many different disputes and, unlike in a company context where complex issues may be involved, these can be matters that go to the heart of a person's enjoyment of their property and of feeling safe and at home in their residence. Issues could include things such as parking, maintenance of the property, levies, disputes about pets housed within the units, the safety of children on the premises, waste disposal or how the premises appear externally. They are earthy matters but they go to a person's enjoyment of their home. In addition to making it clear that disputes relating to a company title home unit can be heard in the Local Court, the bill goes to the heart of a concern I have heard expressed by my constituents concerning their ownership of company unit title residences. It will enable faster, simpler and cost-effective resolution of those important disputes.

The bill before the House is welcome and long overdue. In particular, the bill will enable the Local Court to make a broader range of orders in relation to company title home unit disputes. This will allow the court more appropriately to tailor the resolution of those disputes, enabling good outcomes and safe and happy living for people in my community. In April 2007 the New South Wales Law Reform Commission released a report entitled, "Disputes in company title home units". In that report the Law Reform Commission estimated there are 840 company title buildings in New South Wales. The commission found that the cost of taking company title home unit disputes to the Supreme Court is unreasonable and therefore disempowers residents in those company title home units from holding the board of directors accountable.

Residents in my electorate have regularly expressed their concern that the avenue for contesting such disputes is in what they consider to be the high court of the land in a New South Wales context, the New South Wales Supreme Court. They see that court, even though it plays an important role in justice, as being prohibitively expensive, formal and slow in resolving what are bread and butter issues for them. The bill addresses those concerns directly. It will give the General Division and the Small Claims Division of the Local Court the ability to make a range of orders when determining company title home unit disputes. Those orders could require a person within the building to do something, refrain from doing something, to pay damages or make a declaration that they do something. Importantly, the bill will not alter the legal rights between the parties but will ensure that there are existing legal rights.

I stress that people will be able to enforce those legal rights efficiently, expeditiously and cost effectively. It is also important to note that the constitution of a company title home unit building will not be able to exclude access by parties to the Local Court. The Small Claims Division of the Local Court will be able to determine company title home unit disputes for monetary claims up to \$10,000—the same limit that applies to other disputes in the Small Claims Division. The General Division of the Local Court will be able to determine claims up to \$100,000. Matters can be transferred from the Small Claims Division if they are so complex or important that they should be heard in the General Division.

The New South Wales Law Reform Commission also found that some disputes—more complex ones—are dealt with more appropriately in another forum. An example is where the monetary amount is larger. For example, the commission recommended that the jurisdiction of the Local Court not extend to disputes that relate to the sale or transfer of shares in the company, the forfeiture of shares in the company, or the winding up of the company—including matters where a shareholder may lose his or her home. In other words, the materiality of

the claim may also dictate whether it goes to the General Division of the Local Court or indeed remains in the Supreme Court. Matters such as those that I have mentioned specifically—the forfeiture of shares, the transfer of shares, the winding up of the company, or where a shareholder may lose his or her home—were traditionally dealt with by the Supreme Court, as they would be for larger companies.

Indeed, this bill specifically provides that those types of material disputes that go to the heart of companies and shares and transfers will be determined outside the jurisdiction of the Local Courts, and that those matters will remain with the Supreme Court. The bill also excludes other matters that the Corporations Act 2001 reserves for superior courts, such as the Supreme Court. However, I note that the Government has not adopted one of the recommendations of the Law Reform Commission: to exclude disputes relating to the lease of a shareholder's unit from the provisions of this bill. As the Attorney General said in his second reading speech, the Small Claims Division of the Local Court deals with a broad range of disputes and is the appropriate place for determination of disputes relating to the leasing of company title home units. The commission noted that this was a major area of dispute, but restrictions on leasing go to the heart of company title, and therefore should be dealt with in the manner noted.

This is a matter to which I paid close attention. I welcome the bill because constituents in the electorate that I represent are concerned about how matters relating to their company title, the safe living and enjoyment of their premises, and company title home units are dealt with. They will welcome this bill. It gives them the opportunity to go to the Local Court, a respected part of the hierarchy of jurisdictions in this State. The hallmark of this measure is an inexpensive, accessible and informal jurisdiction—the kind of thing that my constituents have told me they look for when they want disputes of a certain nature regarding home units resolved. With those comments, I commend the bill to the House. I look forward to its passing the upper House and becoming the law of the State.

Mr BRYAN DOYLE (Campbelltown) [6.32 p.m.]: It gives me great pleasure to support the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013. I am pleased that the Attorney General is in the House. As I have said before in this Chamber, he will probably go down in history as one of the greatest Attorneys General ever to grace this Parliament. We are fortunate to have a Senior Counsel of his standing in this place. As members have said, this bill touches on a form of living that many in our communities are becoming accustomed to. Campbelltown has several groups, such as the Illawarra Retirement Trust and the Macarthur Retirement Village, that operate as company title corporations; people buy shares for the exclusive use and occupation of residential premises on land without actually owning the title to those premises. These premises provide some wonderful accommodation.

The Illawarra Retirement Village gives many of my friends a wonderful place to live, with a great sense of community, including pools and meeting rooms. The Macarthur Retirement Village was lucky enough to host the Minister for Fair Trading, my good friend the Hon. Anthony Roberts, who formally opened the premises. A walk through them is amazing; it is almost like the Catholic Club without poker machines, with everything one could possibly want. I note that when you have communal living there will be occasions when the various dispute resolution systems that we have to enable people to discuss things and sort out problems face to face sometimes fail us. The dispute resolution mechanism provided by the bill gives people the opportunity of conveniently attending the Local Court to resolve their issues.

Some of the matters addressed by this bill include disputes regarding the health, safety and security of persons occupying or visiting the land owned by a company title corporation. I note the Attorney General helpfully includes some examples, such as the safety of children on the premises. The Attorney General has long been an advocate of child protection. The legislation also deals with issues relating to waste disposal, which, when you live in a community unit, is very important. I note its application to disputes over the use of common property. The Illawarra Retirement Village is in the hospital precinct area of Campbelltown, where parking is at a premium. I know that parking often results in a point of contention. The legislation also covers company title home unit disputes relating to the behaviour of persons occupying or visiting the land owned by a company title corporation. On many occasions such matters can be addressed directly; if people become noisy, police can be called. But an ongoing issue can certainly be resolved between the parties at the Local Court.

The Local Court is one of the great institutions of our State. The vast bulk of litigation in New South Wales is dealt with in our Local Courts. My father was a magistrate for some 30-odd years; he served in the Local Court and rose through the ranks of Petty Sessions, as it then was. He was a member of the Petty Sessions Association and was one of the leading magistrates upon his retirement. One of my first jobs was working as a part-time clerk at the Campbelltown Local Court, before I took up a career in policing. I served much of my

time as a police prosecutor in the Local Courts, serving the interests of justice. The Local Court Amendment (Company Title Home Unit Disputes) Bill 2013 is a small but important piece of legislation. I commend the Attorney General for not neglecting the little things that make a difference in people's lives. I am sure that many in our community will be very thankful to the Attorney General. I commend the bill to the House.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [6.37 p.m.], in reply: I thank members representing the electorates of Liverpool, Cronulla, Rockdale, Sydney, Granville, Tweed, Vaucluse and Campbelltown for their contributions to debate on the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013. To sum up, the bill provides residents and boards of company title home units with an accessible forum for resolving disputes. The Supreme Court is not an appropriate forum for resolving disputes about leaking windows, the keeping of pets, or parking. This bill gives the General Division and the Small Claims Division of the Local Court the power to hear company title home unit disputes. The Local Court is a much more appropriate forum and will be able to resolve disputes more quickly, more cheaply and with less formality.

The New South Wales Law Reform Commission identified the need for a forum to resolve company title home unit disputes other than the Supreme Court. The commission also recognised that the intensely personal nature of such disputes means their effective resolution is a matter of extreme importance to such residents. This bill makes the Local Court that alternative forum. It gives the Local Court the power to hear such disputes and to make appropriate orders, such as an order requiring a person to do something or an order declaring rights or the meaning of a term. It empowers residents in company title home units and enables them to hold the board of directors accountable for its decisions or actions. This bill improves access to justice for residents and owners and boards of company title home units. 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.

PRIVATE MEMBERS' STATEMENTS

ILLAWARRA MULTICULTURAL COMMUNITY GROUPS

Mr GUY ZANGARI (Fairfield) [6.40 p.m.]: On Monday 4 March, at the invitation of the member for Keira and the member for Wollongong, I visited the Illawarra region in my capacity as the shadow Minister for Citizenship and Communities. The trip was organised to meet some of the not-for-profit community groups that cater for the needs of the vibrant multicultural communities of Wollongong and Keira, part of the Illawarra region. Illawarra has a strong tradition of multiculturalism. Migrants from across the British Isles and the European continent came to the Illawarra to work in the ports, mining and steel industries upon which the Illawarra region was built. In the mid 1970s the demographics of Keira and Wollongong again evolved, with migration trends showing an increase in migrants from the Middle East, Asia and South America to complement the earlier European migrants of the Illawarra.

My first stop was a meet and greet at the day care program of the Italian Social Welfare Organisation, locally known as ItSoWel, based in Corrimal. ItSoWel provides a wide range of services to the community, which includes information and support for youths; health and educational services; and programs preserving and promoting the Italian heritage of the Illawarra. Last Monday, together with the member for Keira and the member for Wollongong, I joined in the day care program for the elderly. The program allows elderly residents, mainly of Italian background, to get together and share in many activities that help break the monotony of

everyday life. Many of those present had brought up their families in the Illawarra and had watched their children grow and settle down with families of their own. An opportunity to get together with other residents to talk and share a traditional home cooked meal helps to take away some of the isolationism that many feel after watching their children grow up and move on.

I thank and congratulate Giovanna Cardamone and her team on the tireless work that is undertaken by ItSoWel in their day program. One only had to look at the happy faces in the room that morning to realise the importance of the day program to elderly residents. Afterwards, the member for Wollongong took me to the St George Cross Falcons Club in Cringila. The club is the local meeting place of the Maltese community in the Illawarra. The club was full of local residents attending the weekly Monday seniors group's bingo game. Whilst I was there I met with the president, Mr Louis Parnis. He spoke of the struggle the club had faced in the last number of years to stay afloat. As I said hello to the many patrons in attendance that day I bumped into some former Fairfield residents.

The message from those present at the St George Cross Falcons Club was similar to the comments made at ItSoWel. The seniors day helps take away some of the isolation that many of the elderly patrons feel has settled into their everyday lives—isolation that results partly from their restricted mobility and partly from the limited contact they have with their cultural community group. I ended my visit to the Illawarra with a meeting with the Cringila Community Co-op, which provides a range of support services. I met with Margarita Banco and sat down with her team to discuss a different set of issues facing the migrant community of Illawarra—mainly the need for more services for newly arrived migrants in the Illawarra. The problems faced by some of Illawarra's newest residents are another form of isolation: they feel separated or disconnected from the community and way of life in their new home. I thank the many people I met on my trip to the Illawarra and I commend the great work that they do to help better the lives of many members of Illawarra's multicultural community.

NORTHPARKES MINES OPEN DAY

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [6.44 p.m.]: Tonight I inform the House about the Northparkes Mines Open Day 2013. Northparkes mine is a copper and gold mine located 27 kilometres from the township of Parkes in the central west of New South Wales. The mine has been in operation since 1994 and it processes around six million tonnes of ore a year. The mine produces high-grade copper and gold concentrates, which are then shipped from Port Kembla to Japan and China for smelter. The mine is responsible for the employment of more than 700 full-time equivalent workers, with over 90 per cent of those workers living locally in the Parkes and Forbes local government areas. It is not a fly-in, fly-out mine; it is a great employer of local people. Northparkes is also a large farmer in the region, with about 10,000 hectares of land: 1,630 hectares make up the mining lease and the rest of the land is actively farmed with canola, wheat and barley.

The Northparkes Mines Open Day is held every two years. It takes more than six months of planning and more than 140 volunteers to make it happen. I was delighted to attend this year's event and see how it is a day where the families of employees along with everyone else get to see what happens every day at the mine. During the open day this year almost 2,000 people went through the mine, which is equivalent to approximately 20 per cent of the Parkes population. Two solid days of rain before the event could not deter the locals from attending on the day. It was a great day for the mine to throw open the doors and let the community see what happens at one of the best mine sites in the world.

The theme for this year was technology, with the mine showcasing how technology is making mining safer, more productive and more efficient. Northparkes has a lot of technology and is, in fact, recognised as a world leader in trialling technology for Rio Tinto globally. I will list some of the key technologies that were showcased. The multimillion-dollar tunnel boring system trialled globally for Rio Tinto has the potential to revolutionise the way tunnels and underground development occur in hard rock mines. The home-grown robotic idler changer was conceptualised and designed by Northparkes with machinery and robotics right here in Sydney, and it could change the way conveyors are maintained. This technology has already had interest from Rio Tinto's coal and iron ore divisions as well as other global copper mines.

An underground loader automation system was also showcased, where load haul dump [LHD] machines are operated from above the ground in order to remove the risks associated with working in an underground mining environment. The Block Caving Knowledge Centre utilises 3D immersion technology as part of a comprehensive program to train miners from all over the world in the block caving technique, which is

significantly growing as ore deposits mined become deeper and of lower grade. Technology does not end at the mine fence, with Northparkes a regional leader in dry-land, no-till stubble retention farming practices and also undertaking a number of farming trials with the CSIRO and the Department of Primary Industries.

At the open day I was also able to observe a number of simulators whereby the community, and, importantly, young people, from the Central West could have a go at operating large machinery in a safe environment with the aim of opening their eyes to the opportunities mining presents in my electorate. The kids would not let me have a go; the line-up was too long. The mine operated guided bus tours onsite so that people could see the underground entry and other infrastructure; guided walking tours of the mill so that people could learn how copper and gold concentrates are extracted from rock; and various stalls to highlight different aspects of the mining industry. Various machines from underground were on display, such as loaders that move the ore, and development jumbos. In addition, children and some adults could not resist getting their faces painted, their hair sprayed or even getting some fake tattoos, which brightened up the mine.

Ms Melanie Gibbons: Did you do it?

Mr TROY GRANT: No tattoos for me. Importantly, I have always said that the Dubbo electorate is a shining example of how the Strategic Regional Land Use Policy can and does exist. My electorate is a great example of how mining and all other land uses can and do co-exist quite well together. There is no question that when it comes to community engagement, Northparkes Mines is leader of the pack. The open day adds to an already impressive record of community engagement locally. I am extremely proud of Northparkes Mines, its management team and all the staff.

CANTERBURY LOCAL WOMAN OF THE YEAR JACQUIE CHEETHAM

Ms LINDA BURNEY (Canterbury) [6.49 p.m.]: This evening I pay due respect to the 2013 Canterbury Local Woman of the Year, Jacquie Cheetham, whom I will tell the House about. Jacquie has 23 years of experience in non-government and government agencies, social work and community development work. We are lucky to have Jacquie in the Canterbury electorate. She has an amazing capacity to bring people together and she also has a lot of experience in project management, staff management and teaching in Sydney, Japan, England, the Dominican Republic and Kosovo. She also has a bachelor of social work degree and has worked for the Violence Against Women department. She also set up two playgroup services within the Canterbury and Earlwood area and is the mum of two boys.

For the past five years Jacquie has managed the Canterbury Earlwood Caring Association Limited [CECAL]. In 2012 she won a Pride of Workmanship award from the Rotary Club of Hurstville in recognition of her outstanding work and community building. She is an active participant in a number of public and community groups such as the Parents and Citizens Association at Canterbury Public School, the Earlwood Chamber of Commerce and the Canterbury Mental Health Committee. Jacquie has also instigated many innovative and useful programs within the Canterbury and Earlwood area and she has a positive impact on the lives of a number of residents.

We nominated Jacquie Cheetham as the 2013 Canterbury Woman of the Year because she has brought so much to our electorate, particularly through her work at the Canterbury Earlwood Caring Association. Jacquie came into that organisation at a time when it was going through a difficult experience. In her work she has instituted many programs, including market days, street stalls, fashion parades, bus trips, lamington drives and raffles. The organisation she oversees provides so much, particularly to older people within Canterbury. All members have organisations such as the Canterbury Earlwood Caring Association within our electorates and we know they are the backbone of our communities.

The Canterbury Earlwood Caring Association is a non-profit community organisation which has been providing neighbourhood centre services to the Earlwood community and surrounding suburbs for more than 35 years. It operates from a building in Earlwood owned by Canterbury City Council. Its purpose is to work collaboratively with community members and other organisations to develop and provide services and programs which are inclusive of and relevant to all members of the Canterbury community. It focuses on building community capacity in identified areas of need and providing a caring and supportive environment in which all people feel welcome and safe to participate. The vision of the association—a vision that Jacquie personifies—is of a resilient, harmonious and inclusive community in which all are respected and have opportunities to participate in community life.

When we nominate someone for Woman of the Year we do it very carefully. One reason that we thought Jacquie deserved this nomination is that while she is only employed for a certain number of hours a week she works many more. When people talk to Jacquie they can see the pride in her face when she talks about the Greek Women's Group, which meets once or twice a week. I am very proud to be involved with the Canterbury Earlwood Caring Association as its patron. I always attend the annual general meeting and also go to many of its events. As I have said, Jacquie is the mother of two school-age boys. She is involved in the association over and above what is expected of her and also participates in her sons' school lives. I congratulate Jacquie on receiving this award, which acknowledges her hard work. I am sure that the fine example that Jacquie sets will be an inspiration to other women in Canterbury.

NEWCASTLE URBAN RENEWAL STRATEGY

Mr TIM OWEN (Newcastle) [6.54 p.m.]: I congratulate the O'Farrell Government on the development and release of the Newcastle Urban Renewal Strategy 2012 and the associated Cabinet decision to truncate the heavy rail line at Wickham. The Newcastle Urban Renewal Strategy is the vehicle that the Government will use to transform and revitalise Newcastle's city centre. The proposed strategy will boost economic activity, making Newcastle a more vibrant place for locals and visitors. The importance of the strategy cannot be understated as it heralds an exciting new chapter for Newcastle and a promising future for our city.

The strategy includes a range of initiatives, such as an implementation plan to help drive urban renewal and improved links between Newcastle's city centre and waterfront. It includes economic and physical improvements as well as new planning controls to encourage a more dynamic city centre capable of accommodating the 12,000 additional residents and 10,000 extra workers expected by 2036. The strategy will ensure that the opportunities for investment and jobs growth in Newcastle will increase significantly and create the certainty which was sorely missed by small business owners, residents and investors under Labor representation in Newcastle.

The comprehensive strategy outlines a vision for the east end of Newcastle to become a lively mixed retail, leisure, entertainment and residential precinct with a revitalised Hunter Street Mall. The Civic Precinct's transformation will include improvements to Wheeler Place, which will strengthen the precinct as Newcastle's main civic, educational and justice hub, including the move of the University of Newcastle to Auckland Street. Employment land will be protected in the west end and physical improvements will be promoted around Birdwood Park and Cottage Creek to help position the area as the city's new commercial hub.

Community, industry and government buy-in to the strategy will be critical to its success, and I was active in encouraging members of the community to register their views on the strategy by attending a community information session or making a submission to the department. The Coalition Government is committed to the revitalisation of Newcastle as evidenced by the financial commitment of Urban Growth NSW to the east end, development of the legal precinct, the commitment of funds to the university's inner-city campus, and funds associated with the Urban Renewal Strategy. I am proud to say that in the two years since being elected this Government has contributed the most significant financial commitment that the city of Newcastle has seen in many decades.

There will always be advantages and disadvantages to change as significant as this, and I understand that point. However, this is about a broad, multifaceted renewal strategy for Newcastle that reinforces its status as a vital Australian regional centre. I am confident that the coordination and delivery group, which has been set up to oversee the implementation of the strategy, will work with the Department of Planning to ensure that the strategy is the best fit for the Newcastle and Hunter Valley communities. For too long Labor ignored the Hunter. As the first Liberal member for Newcastle I am not prepared to sit on my hands and watch growth and development opportunities for Newcastle pass by. Since the announcement I have continued to meet with residents in my office, at events, at street stalls and during door knocking. Based on the feedback I have received, I believe there is overwhelming community support for the strategy and that is why I will ensure that it is implemented.

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [6.58 p.m.]: I thank the member for Newcastle for bringing this important information to the House. I have lived and worked in the Hunter for more than 30 years. During that time I have watched the Newcastle central business district decline drastically and dangerously. The most important thing is that we all get together now. The Coalition Government intends to ensure that the solution of cutting the rail line and implementing the alternative transport system and the new

town plan will be of benefit to everybody in the Hunter, including those in your electorate, Madam Acting-Speaker, and other electorates. Let us all work together on this. Once again I thank the member for bringing this to the attention of the House.

TEA GARDENS FIRE STATION

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [6.59 p.m.]: I acknowledge the tremendous work of our firefighters across the State and, in particular, those in my electorate. In February I welcomed the Minister for Police and Emergency Services, the Hon. Michael Gallacher, MLC and the Fire and Rescue NSW Commissioner, Greg Mullins, to my electorate as they officially opened the completion of an \$830,000 upgrade of the Tea Gardens fire station. The Government is committed to providing our firefighters with the best possible equipment and amenities so that they can get on with the job that they do best. And "get on with the job", they do—as we saw in recent weeks.

The major renovation brings the building up to modern standards, with better facilities for firefighters and improved storage. The improved facilities will provide a bigger and better base for the 16 retained or on-call firefighters who protect the Tea Gardens and the Hawks Nest community. The refurbished centre will boost their ability to continue to keep our community safe and protected from fires and other emergencies. The upgrade included a new operations room, training rooms and a new station commander's office. There are new toilets and change rooms for men and women, plus improved storage for personal protective equipment and new equipment, such as computers. The building, which has seen the village grow around it, had not had any renovations since 1993.

The Tea Gardens fire and rescue captain, Jim Wisemantel, who officially took possession of the keys from the Minister on the day, welcomed the move from a shoebox to modern premises. Before the extensions were completed 16 firefighters had to squeeze into one small change room. Apparently there was no room to even set up whiteboards for training exercises. I am also advised that the brigade's only female firefighter is particularly pleased that the station now has its own female change room. Commissioner Mullins, who addressed the gathering at the opening ceremony, said that during the last financial year, firefighters had responded to 42 fire and emergency incidents and had undertaken 13 community safety education and engagement activities. That is quite an achievement for such a small community.

The Tea Gardens Fire Brigade is a primary rescue unit and responds to local serious accidents and those on the highway. The brigade's firefighters deserve the best support and facilities that we as a government can provide. During the construction phase the crew had been sharing a station with the Rural Fire Service in the Tea Gardens Industrial Estate. The success of this arrangement is testament to the professionalism and dedication of both organisations. Together they provide vital services to our community, and the local community has nothing but praise for their efforts. During the official opening a plaque was presented to the Tea Gardens Rural Fire Service's captain, Steve Carmichael, to thank him for that accommodation. On behalf of the community and every member of this House, I thank all our volunteer and retained firefighters

Private members' statements noted.

MURRAY-DARLING BASIN PLAN

Matter of Public Importance

Mr JOHN WILLIAMS (Murray-Darling) [7.04 p.m.]: It gives me great pleasure to take this opportunity to speak about the Murray-Darling Basin Plan, and to address particularly how it might impact on constituents of the Murray-Darling electorate. I commence my contribution to this discussion by citing part of a record of Charles Sturt's progress down the Murray River:

In February 1830, the party reached a large lake which Sturt called Lake Alexandrina. A few days later, they reached the sea. There they made the disappointing discovery that the mouth of the Murray was a maze of lagoons and sandbars, impassable to shipping.

That is an interesting observation in the light of what the Murray-Darling Basin Authority are attempting to achieve currently—restoration of something that was never there in the first place by releasing very large volumes of water through the combined waterways of the Murrumbidgee, the Murray and, to some degree, the Darling rivers. The plan is aspirational and is being created primarily by politics in South Australia, which always has been a burr under the saddle for New South Wales irrigators, water users and communities.

The means of shifting the volumes of water contemplated have been created by some acts of sheer stupidity. I cite as an example the Menindee Lakes releases. Before Christmas 2012 it was decided to release up to 6,500 megalitres a day from the Menindee Lakes system, which the agencies are authorised to do. However, the fact is that volumes of such magnitude are challenged in their passage from the Menindee Lakes to the junction of the Murray-Darling. Unfortunately, we lost a lot of water in transmission. Consequently I question just how much water actually arrived in the Murray River. The authority's ability to reach flow targets further up the system will also be challenged. To meet the targets, it will address a number of constraints by primarily changing the river into a channel by a number of means. I am sure my colleague the member for Wagga Wagga will highlight some areas in which some major third-party impacts will arise if that is attempted.

One of the means being considered involves surging weir pools. Recently the ABC reported that the community of Renmark in South Australia suddenly is protesting against the huge volumes of water that have arrived in the Renmark weir pool and caused grief to the local community. At last South Australian people are realising that the organisation's aim has a degree of stupidity inherent in it: the organisation's aims will be achieved at the cost of every single individual community and environmentalist living alongside the river system. The volume of water held in storage for both the Murrumbidgee and the Murray rivers is mainly held by the Federal Government's agency, which has nowhere to put the water. The water has nowhere to go.

There has been discussion about environmental flows and there is a search underway for environmental sites. There is also a search underway for holding points for this water. The Federal Government agency is pushing water into areas where it has never been previously, based on the belief that it can be released at a later date to meet the targets for opening and widening the mouth of the Murray River. The fact is that those targets are just crazy. It is a crazy belief that a natural system can be changed to create a mouth of the river by the introduction of artificial flows. It is amazing that no iconic sites have been declared in relation to the Darling River. I predict that the Federal Government's agency will fix the restraints by turning the river into a channel.

Mr RICHARD AMERY (Mount Druitt) [7.09 p.m.]: It is with pleasure that I participate in discussion on the matter of public importance submitted by the member for Murray-Darling in relation to the Murray-Darling Basin Plan. As I have been involved in water issues, particularly the reform of the Water Act, I heartily congratulate all concerned for bringing the Murray-Darling Basin Plan as far as it has come in recent times, not to mention the substantive vote in the national Parliament. It is indeed a historic step and it is a move that has been a long time coming. Unfortunately, for years there has been too much politicking about the issue. Some of the more recent comments by mainly Coalition members suggest to me that there is little chance of that ceasing in the near future.

Having said that, I hasten to add that I certainly am not referring to the member for Murray-Darling, whose comments this evening were about logistical issues, such as the volumes of environmental water and how the volume of water will be managed in South Australia, although I certainly agree with his comments about the difficulties of dealing with the South Australian water users and South Australian governments. I am confident that politics will not stop this necessary process from continuing. Fundamentally the goal has been to ensure that the quality of those waterways is protected by an allocation of environmental flows. I acknowledge the significant arguments about the level of environmental flow, the volume, the timing, et cetera. A comprehensive consultation process has taken place—and it will continue to take place—and the value of the industries, families and farming operations has been a key consideration in that process.

The member for Murray-Darling raised concern about his constituents and water users in the area—his predecessor Peter Black shared similar views on some of these issues. One of the issues that Labor has always championed is that substantial water savings have been achieved by irrigators and towns over many years. It has often been lost in debate between the irrigators, industries and Green groups that many of the irrigation industries and farmers have done extremely well in producing a tonne of rice or a bale of cotton with less water. These savings have come about after many tough battles not only with water users in the basin but also with other governments, such as the South Australian Government which the member for Murray-Darling talked about. I can recall many attempts to make progress on an issue to do with water management within the basin, only to be frustrated by one or other of the governments in Queensland, South Australia or Victoria.

The progress towards a plan was made possible by the implementation of tradable water rights. This not only enabled licence holders to realise the true value of their entitlement but also allowed governments to buy back water entitlements as a more reasonable approach than just cancelling an entitlement that someone may have had for generations. That was a very big issue prior to the implementation of tradable water rights in this country. Whilst this has been a positive for individuals—in some cases the water entitlement was more valuable than the land it was on—Labor has always been concerned that buyback should not be the sole or main instrument to achieve these goals. Water savings through efficiency is a major component, and always should be.

I acknowledge the many political debates by many irrigation industries and townships that have been affected by this. Whilst the buying out of the water right is good for many individuals, the impact on an area, an industry or a town should be considered. If all the irrigators and all farmers with an entitlement sold their water entitlement for an environmental purpose, what would happen to the local town, industry and small business that rely on those water users in those communities? Water reform is not easy. Plans such as the Murray-Darling Basin Plan are not put together without hard work, political debate and personal pain but the long-term goal is that this plan must be achieved, and I believe it will be.

Mr DARYL MAGUIRE (Wagga Wagga) [7.14 p.m.]: The New South Wales Government has not agreed to the Murray-Darling Basin Plan. The Murray-Darling Basin feasibility study is being conducted by the Office of Environment and Heritage as an agent for the Commonwealth Government. Tonight I will focus on the Murrumbidgee River where some landholders have been questioning the quality of the consultation that has been undertaken. Importantly, the suggestion of raising the river levels to 7.3 metres—which is a minor flood level—will cause enormous problems for landholders and towns along that waterway. This will mean that productive land will be inundated. It will also mean that a city like Wagga Wagga will have to close its stormwater infrastructure, and in the event of a major torrential downpour the city will be in trouble. Chokes have already been installed in anabranches along the river and barriers lifted in an effort to send more water down the river. This is causing enormous damage and concern around Tumut where landholders are complaining about erosion yet the Federal Government intended to lift these water levels.

The New South Wales Government will not agree to the Murray-Darling Basin Plan until four issues are agreed to: a commitment to funding infrastructure and water efficiency projects as a priority for water recovery; where the purchase of water entitlements is adopted by the Commonwealth Government for water recovery then the rate of purchase should be limited to 3 per cent per decade per river valley to enable industries and communities to adjust; there are two aquifers where the sustainable diversion limits have not been finalised; and New South Wales wants the costs of the implementation of the plan to be funded by the Commonwealth, where those costs exceed the State's commitments to pre-existing intergovernmental agreements, including the National Water Initiative.

The Murray-Darling Plan is causing a lot of angst but I am most disappointed by the dishonesty that has occurred in debate to date. We need to deal with this issue honestly and with level heads. I am greatly concerned by recent meetings up and down the river. I am also hopeful that we will have more opportunities to talk about it in this House. It will be devastating for the river if the Commonwealth Government gets its way without listening to the concerns of those people with an involvement and the capacity to help bring about a better outcome for the environment, without destroying the livelihoods of farmers and others along the river.

Mr JOHN WILLIAMS (Murray-Darling) [7.17 p.m.] in reply: I thank the member for Mount Druitt and the member for Wagga Wagga for their contributions to debate on this matter of public importance. In the township of Menindee and West Darling there is real concern about the future management of the Menindee Lakes. Historically, the South Australian authority has recognised that there are substantial losses in the transmission of water. A higher volume of water does not really result in an optimum outcome at the end of the river system so those who will be managing this system will need to be re-educated. The member for Wagga Wagga alluded to erosion in Tumut. I have seen it also at Hay. When huge volumes of water are pushed through weir pools it results in a huge amount of erosion. We have regulated rivers for a number of reasons but primarily for security.

We have tried to hold water back in storage for slow release and by controlling the amount of river flow we have had some control over flooding that historically has taken place in these river systems. Under the Murray-Darling Basin Plan we will see a reversal of that. The environmental flow will not find its way along the river; in fact, the New South Wales Government did a good job of that in its purchases of water. This water will be carried down to push open the mouth of the Murray River at the sea. As I said earlier, the explorer Charles Stuart did not see that. What the Commonwealth Government is trying to do is completely artificial to what historically happened at the mouth of the Murray River. The Commonwealth Government needs to review this unachievable plan.

Discussion concluded.

**The House adjourned pursuant to standing and sessional orders at 7.20 p.m. until
Wednesday 13 March 2013 at 10.00 a.m.**
