

ADMINISTRATION OF THE GOVERNMENT OF THE STATE	17567, 17567
ASSENT TO BILLS	17567
AUDITOR-GENERAL'S REPORTS	17579
AUSTRALIA DAY CELEBRATIONS	17562
AUSTRALIAN FLAG IN THE LEGISLATIVE ASSEMBLY	17568
BLUE MOUNTAINS CROSSINGS BICENTENARY	17564
BUSINESS OF THE HOUSE	17553, 17568, 17582
CALDERWOOD DEVELOPMENT PROPOSAL	17559
CAMDEN COMMUNITY AWARDS	17553
CAMPBELLTOWN WOMAN OF THE YEAR BROOKE MANZIONE	17563
CENTRAL COAST WOMEN'S HEALTH CENTRE	17574
CHILDREN'S HOSPITALS STAFFING	17570
CHINESE NEW YEAR CELEBRATIONS	17555
COAL SEAM GAS EXPLORATION	17569, 17584
COMMISSION FOR CHILDREN AND YOUNG PEOPLE	17578
COMMITTEE ON THE OMBUDSMAN, THE POLICE INTEGRITY COMMISSION AND THE CRIME COMMISSION	17580
COMMUNITY FIRST RESPONDER PROGRAM	17575
CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY	17582
COURTS AND OTHER LEGISLATION FURTHER AMENDMENT BILL 2012	17591
DEATH OF MERVYN LESLIE HUNTER, FORMER MEMBER FOR LAKE MACQUARIE	17568
DEPUTY SERJEANT-AT-ARMS APPOINTMENT	17568
DISTINGUISHED VISITORS	17567
EMERGENCY SERVICES BUSHFIRE AND FLOOD RESPONSE	17606
EMERGENCY SERVICES STAFF AND VOLUNTEERS	17577
FLOOD INSURANCE	17609
GRAND PACIFIC WAY	17563
HOSPITAL STAFFING	17568
HOUSING AFFORDABILITY	17573
INDEPENDENT COMMISSION AGAINST CORRUPTION	17579
INDEPENDENT TRANSPORT SAFETY REGULATOR	17580
INSPECTOR OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION	17579
JOBS GROWTH	17571
JOINT SELECT COMMITTEE ON THE NSW WORKERS COMPENSATION SCHEME	17580
JOINT STANDING COMMITTEE ON ELECTORAL MATTERS	17580
LANDCARE FUNDING	17558
LEGISLATION REVIEW COMMITTEE	17580
LOCAL COURT AMENDMENT (COMPANY TITLE HOME UNIT DISPUTES) BILL 2013	17588
LONDONDERRY ELECTORATE INFRASTRUCTURE	17565
MENAI ELECTORATE POLICE AND HOSPITAL STAFFING	17560
MINISTRY	17568
NEWCASTLE RAIL INFRASTRUCTURE	17608
OMBUDSMAN	17579, 17579, 17579
PENEUETA AH CHONG SUPERANNUATION ENTITLEMENTS	17611
PETITIONS	17581
PORT MACQUARIE GOLDEN LURE FISHING TOURNAMENT	17561
PRIVATE MEMBERS' STATEMENTS	17553, 17608
PUBLIC ACCOUNTS COMMITTEE	17580
QUESTION TIME	17568
ROAD TRANSPORT (STATUTORY RULES) BILL 2013	17589
ROAD TRANSPORT BILL 2013	17589
ROAD TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) BILL 2013	17589
SERIOUS VIOLENT OFFENDERS LEGISLATION	17576
SMALL BAR LIQUOR LICENCES	17574
SOLOMON ISLANDS EARTHQUAKE	17568
ST GEORGE HOSPITAL BOWEL CANCER SURGERY	17572
TAMWORTH COUNTRY MUSIC FESTIVAL	17557
TRIBUTE TO DAVID HAMILTON	17554, 17556
TRIBUTE TO JOSEPH "JOE" MARTIN RIORDAN	17610
TRIBUTE TO PETER GARRARD	17566

LEGISLATIVE ASSEMBLY

Tuesday 19 February 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

CAMDEN COMMUNITY AWARDS

Mr CHRIS PATTERSON (Camden) [12.03 p.m.]: Today I speak about local Camden people who received 2013 Australia Day awards. Camden was privileged to have had three locals awarded the Order of Australia Medal. Mike Scarce, OAM, owner of Camden Hire, was recognised for his continual work in the community. Mike is one of those guys who never expects any recognition for his community work; he just gets on with it. Mike provides employment to students from Mater Dei, a local school established by the Good Samaritan Sisters. That fantastic community-based organisation provides early intervention therapy services, education and residential programs for babies, children and young people with an intellectual disability or developmental delay. Mike recognises the valuable contribution that these fine young people make to our workforces and to our communities. Mike is also a pilot for Angel Flight and donates his time and aircraft to fly sick children from rural areas to the city for medical treatment.

Angel Flight Australia is a charity that coordinates non-emergency flights for financially and medically needy people. All flights are free and assist patients or compassionate carers travelling to or from medical facilities anywhere in Australia. I hold Mike in the highest esteem at a personal level and he is somebody from whom we could all learn. Dr John Schwarz, OAM, and Mrs Rosalie Schwarz were recognised for their work highlighting the increasing AIDS endemic in Africa. Dr Schwarz, who is a local Camden doctor, and his wife started the African AIDS Foundation in the late 1990s. Knowing how blessed we are to live in such a magnificent country, Dr Schwarz and his wife, Rosalie, work tirelessly to promote and assist the many children who have become orphaned in Africa due to AIDS. The foundation works to give these orphans a future through education, community support, financial and business support and establishing partnerships with local schools. Mr and Mrs Schwarz have been role models in our community for many years.

Professor Brad Frankum, OAM, was recognised for his service to medicine as an educator and administrator. Professor Frankum, a board member of the Australian Medical Association NSW since 2009, practices as a consulting immunologist at Campbelltown and Camden hospitals. He is also the Deputy Dean and Professor of Clinical Education at the University of Western Sydney School of Medicine, Campbelltown, and a member of the South Western Sydney Local Health District Board. Professor Frankum grew up in the Camden area and we are grateful that he has chosen to remain in our local area to practice and teach. The University of Western Sydney School of Medicine, Campbelltown, has produced 200 local doctors in two years and some 600 students are enrolled. I am sure it has been due to Professor Frankum's passion for medicine that the school of medicine has been so successful and will continue to be successful over many years. I am extremely proud to say that Brad and his wife, Anett, who is also a doctor, are good family friends. I congratulate these four outstanding local citizens for their wonderful dedication to our local community and beyond. I know that I speak for the people of Camden when I say that we are proud of them.

I also congratulate Mr Iain Richard-Evan on his award for Camden Citizen of the Year. Iain's dedication to helping ex-service men and women has been recognised. As a Vietnam veteran Iain knows the

issues that our ex-service men and women face and is only too happy to assist in any way he can to try to make life a little easier. Iain is also President of the Camden RSL Sub-Branch and each year works tirelessly to organise our significant remembrance services and marches. Camden's Young Citizen of the Year was awarded to Isabel Mellor. Isabel is a member of the Camden Youth Advisory Group and Youth Solutions Regional Youth Advisory Group. Her passion to see the youth of Camden included in decisions, especially in future planning, is to be commended. Isabel works closely with Camden council's environment and sustainability team. Isabel is leading by example, showing that young people can have a purpose in the future of our local communities.

The Community Event of the Year was awarded to the Camden Rotary Relay for Life. The first Relay for Life in 2009 attracted 250 participants and raised \$16,000. The 2012 event raised over \$200,000. The Camden Rotary Relay for Life is one of the most supported charity events in our district. I thank committee chairman, Rowan Moore, who is assisted by Barrie Grimes from Narellan Rotary, Ralph Rossteucher from Picton Rotary and Kevin Moore from Camden Rotary, for making this event the success that it has become. I pay tribute to all the wonderful individuals and groups mentioned today, and thank them for helping to make Camden and the broader community the fantastic place that it is.

TRIBUTE TO DAVID HAMILTON

Ms ANNA WATSON (Shellharbour) [12.08 p.m.]: Today I pay tribute to a fiercely loyal man, a thoroughly decent human being and a true and respected leader in our community. Leaders must be tough enough to fight, tender enough to cry, human enough to make mistakes, humble enough to admit them, strong enough to absorb the pain and resilient enough to bounce back and to keep moving on. That quote by Jesse Jackson is vividly brought to life in the story of one man that I knew. I share with members in this place someone who influenced me greatly—my good friend David Hamilton. Davy, as I knew him, was a self-sacrificing man who was always authentic in his dealings with friend and foe. Authenticity was his best trait but David could be fiery at times. I remember the first time I met David Hamilton when he was mayor of Shellharbour City Council.

I was the union official who had the industrial carriage of settling disputes. While sitting in the waiting area of council I recall thinking, "I hope this bloke is a Labor man. I hope he understands the plight of the working man and woman. I hope this bloke really gets it." Out came Davy Hamilton, an enormous, white-haired man with a Scottish accent. I thought, "Oh my goodness." We shook hands and he nearly broke mine. I felt like I had been hit with a sledge hammer; it was a strong manly handshake and it hurt. I thought, "This guy is going to be tough." He certainly looked and sounded tough with his huge body and his Scottish voice. After the introductions and the formalities we started our conversation about the protection of workers entitlements and the conditions of employment that were then under attack from the John Howard Government and his disastrous WorkChoices legislation. The minute Davy began talking about how disgraceful it was, I knew I could get him to agree with my proposal. I had a document that I wanted him to sign. I thought, "This guy is singing out of my book and will sign this document. I will leave this office with the job done." The job was done all right; it was done on me.

I was with David Hamilton for more than 1½ hours talking about industrial relations and politics, and swapping stories. Mindful that I had another appointment, I thanked David for his understanding and produced the document that needed to be signed. He looked at me and laughed and said in his Scottish voice, "I didn't say I would be signing anything, did I?" I could not believe it. I was confused. I said, "You have agreed with everything I have been talking about for the past 1½ hours." His reply was, "Yes of course. You have no problems there my girl. However, I will read this carefully. I will consider the implications and I will talk to a few people. Then you can come back here and we will talk some more." Davy was not going to be bulldozed into anything by anyone and I knew I liked him straightaway.

David Hamilton was a life member of the Australian Labor Party and his devoted association with the party extended for more than 40 years. Born in Scotland, David worked as a machine operator at the Port Kembla steelworks for 20 years before entering the trade union movement. He served the community of Shellharbour City for almost 10 years as a councillor and mayor. He will be remembered for extending the aeronautical cluster at the Illawarra regional airport, leading to the campaign to permanently open The Entrance at Lake Illawarra, and also for increasing the pensioner rebate from \$45 to \$90 while indexing it to the consumer price index to ensure that the rebate never lost its value. Those were true Labor initiatives from a true Labor man.

David came across as tough. He always spoke his mind and he was a straight-up, reliable man. Underneath that exterior he was soft, loyal and sincere. Being a very funny Scotsman, he loved to have a laugh and he always had a clever turn of phrase to share. Most importantly, David was a dedicated family man. He was a devoted husband to Moira and a proud father to his three children, Yvonne, Louise and Stephen, and utterly adoring of his four grandchildren. David Hamilton had three great loves in life: his family, his city and the Australian Labor Party. He will be missed by many. Our thoughts and prayers are with Moira and David's family. May he rest in peace.

MONARO ELECTORATE BUSHFIRES

Mr JOHN BARILARO (Monaro) [12.12 p.m.]: I welcome back all members and I am looking forward to another year of robust debate and discussion. The first important issue I wish to address is the savage bushfires that ravaged this State throughout the Christmas break. Most of us enjoyed a safe and restful Christmas break but many others experienced firsthand the devastation of the recent bushfires that continue to affect many areas across the State. The Monaro electorate was no exception. The January bushfires ravaged towns, homes, farms and forests and destroyed livelihoods. The Yarrabin fire was of particular concern when it broke container lines and burned through the Dangelong Nature Reserve, up to the Kybeyan Range and into the Kybeyan Valley. In just one hour it burnt almost 6,000 hectares and totally destroyed 12,166 hectares. Two homes were lost, in excess of 2,400 sheep perished and more than 250 kilometres of fencing, worth almost \$250,000, farm machinery, sheds and equipment were destroyed. Two hundred firefighting volunteers, using seven helicopters, three fixed-wing aircraft and 50 tankers, worked around the clock to contain the fires.

High temperatures and lightning strikes caused more headaches for local firefighters when bushfires burnt down Beloko Station outside Nimmitabel. Most of the fires were small and easily contained, but one fire near Numeralla and another in difficult terrain near Shannons Flat proved more problematic. However, as a result of the foresight and dedication of Rural Fire Service volunteers the fires were contained. When I visited affected landholders in the Kybeyan and Tuross valleys I found it distressing to hear of their significant losses of land and livestock. However, I was uplifted by the resilient spirit that existed among local residents who pulled together to support one another during such a tragic time. At the Nimmitabel Community Hall I saw locals resourcing our volunteers and people from the Rural Fire Service. I was reminded of the positive attitude of country residents in the Monaro electorate whose sense of community was a privilege to witness.

I was pleased to be joined by Geoff Provest, Parliamentary Secretary for Police and member for Tweed, on a visit to the Cooma Fire Control Centre and the Lake George Zone office where we received briefings about the bushfires and the control measures that were being implemented throughout the region. It was a pleasure to meet Rural Fire Service and National Parks and Wildlife Service staff and volunteers and to thank them on behalf of the community for their tireless efforts. We recognise the contribution of those brave individuals who risk their lives to help others. Geoff and I conveyed the appreciation of the New South Wales Government to both staff and volunteers. The heroism of local landholders who assisted the central firefighting effort is also worthy of praise and admiration. Their local knowledge and expertise played a large role in bringing the savage fires under control.

Many communities will continue to mourn the terrible effects of similar bushfire catastrophes around the State. During these times it is comforting to know that help is available. Under the New South Wales Government's Natural Disaster Declarations, assistance has been made available to many areas affected by the fires, especially my electorate of Monaro. This Government cares deeply about the plight of bushfire ravaged communities and it will leave no stone unturned to ensure that deserving residents get the assistance they need to get their lives back on track after such a devastating event.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.17 p.m.]: On behalf of the Government I join the member for Monaro in expressing empathy for those people who were affected by the bushfires in January and who lost their homes, livestock, farm machinery and fencing. I also commend the firefighter volunteers for their valiant efforts and bravery as they often risked their own lives to bring the fires under control. We are fortunate in that the Rural Fire Service in New South Wales has approximately 80,000 volunteers—one of the largest volunteering organisations in the world. I am sure all members will join me in congratulating all those firefighters.

CHINESE NEW YEAR CELEBRATIONS

Mr MARK COURE (Oatley) [12.18 p.m.]: I hope that all my Chinese friends near and far have a wonderful Chinese New Year and that the year ahead brings joy, luck and peace to them and their families. I am

proud to say that the Oatley electorate has one of the largest Chinese populations in the State. As we welcome the Year of the Snake, its celebrations across Australia showcase the richness of Chinese culture and remind us of our diversity as a nation. Chinese New Year is celebrated across the world but outside China the biggest celebrations are held in Sydney. The Year of the Snake represents wisdom and a thoughtful approach to tackling the challenges before us. As I have mentioned previously in this place, Mandarin has recently overtaken Italian and has become the most common second language spoken in Australia.

More than 1.6 per cent of the Australian population now speaks Mandarin at home. I always have been a close supporter of my local Chinese community. In fact more than 18 per cent of the population in the Oatley electorate identifies as being of Chinese origin, mainly around Hurstville, Penshurst, Beverly Hills and Narwee. Recently an annual Hurstville Lunar New Year street festival was held and Forest Road, Hurstville was closed for a day to host a number of Chinese stores selling a wide variety of items. This festival event, which is always well attended, was opened by the Mayor of Hurstville, Jack Jacovou, along with Deputy Mayor, Andrew Istephan. The Consul General of China attended along with councillors Con Hindi and Christina Wu. Hurstville council put on an excellent event. Councillor Nancy Liu also did a fantastic job assisting and liaising with stakeholders and the council.

Chinese New Year is one of the most important dates in the Chinese calendar and is an important time for Chinese families to reflect on the year just passed and to welcome the year ahead. Chinese New Year can be celebrated in many different ways with line dancers, fireworks, family gatherings, family meals, visiting friends and relatives and, of course, the giving of red envelopes. Whether buying presents for loved ones or attending family gatherings for the annual reunion dinner, Chinese New Year is a special time for all Chinese families. I particularly thank the Buddhist Light International Association for its hospitality to me throughout the Chinese New Year period. I extend my thanks to Scott, Hayden and Creighton Yung and their mother, Karen, for their generosity and warm introduction to the local Buddhist community in Hurstville.

I happily look forward to future interaction with my local Buddhist community, particularly when I visit their temple next weekend. I acknowledge also Francis Wong from the Changsha Society, which held its Chinese New Year function last night, Hudson Cheng from the Australian Chinese Charity Foundation, which held its event last weekend, and my good friend councillor Ted Sang from Randwick City Council, who is the general manager of the Australian Chinese Community Association, which held its New Year event on Friday night. People of Chinese origin the world over have been celebrating the new Chinese Lunar Year. I wish all my Chinese friends near and far a happy and eventful year ahead.

TRIBUTE TO DAVID HAMILTON

Ms NOREEN HAY (Wollongong) [12.21 p.m.]: Like my colleague the member for Shellharbour, today I too recognise the sad passing of David Sinnet Hamilton, known to all as Davy. He was my colleague and friend for approximately 25 years. We were not always on the same side. In fact, Davy and I would argue many times, particularly about Scottish football—known in Australia, of course, as soccer. I supported the Celtics and Davy supported the Rangers. I also supported Chelsea, but he did not. We debated many issues. My dear friend and current Mayor of Shellharbour City Council, Marianne Saliba, knows that being a Scot Davy Hamilton and his wife, Moira, loved nothing better than a good singsong. I too did not mind the old singsong, being of Irish descent. Being on opposite sides of the fence within the Labor Party never stopped us from coming together for a good joke, some fun and a singsong—Davy Hamilton was identified by his preparedness to be a decent human being regardless. In later years we finished up on the same side of the party, which made for an easier life but not necessarily fewer debates.

I am sad to inform the House that David died at his Oak Flats home surrounded by his loving family after battling leukaemia for several months. David always will be remembered by his colleagues and friends as a staunch Labor man and a passionate trade unionist. He was very active in the Sydney branch of the Australian Workers Union. David was born in Westrigg, Scotland in 1945, one of nine children. I knew David and Moira, and Davy's brother Alec, through branch activities. David was a staunch active branch member of the Australian Labor Party. David was elected to Shellharbour City Council in 1991, spending 10 years as a councillor, including serving as deputy mayor from 1996 to 1999 before being elected as mayor in 2004. I am very happy to have been part of the celebrations when Davy became mayor of Shellharbour city because I knew then that the people would be represented by an absolute stalwart for Labor values who would make sure that workers got a fair go—a fair day's pay for a fair day's work and were treated decently.

As I said, Davy was very active in Labor Party branches and had a close relationship with the former member for Kiama Bob Harrison, who nominated Davy for life membership of the Australian Labor Party

several years ago. He described David in the local newspaper as a Labor man of the old type. Some people suggest that I am a Labor person of the old type, but all I say in response is, "Bring it on!" Not all that matures is necessarily bad—one just has to ask someone who enjoys a good glass of wine. I am proud to have shared many glasses of wine—not at the same time—with David and Moira. I am proud today to acknowledge that Davy's interest always was local government, which I found bizarre at the time as it was of the least interest to me—but today is of great interest. Davy Hamilton will be sadly missed. He leaves behind a wonderful family in his daughters and son. Moira is an absolute credit to everything and everybody in her own right, but she was always there to look after Davy's interests. David Sinnet Hamilton will be sadly missed.

TAMWORTH COUNTRY MUSIC FESTIVAL

Mr KEVIN ANDERSON (Tamworth) [12.26 p.m.]: The Tamworth Country Music Festival has always been known as a magnificent event. That now has been confirmed after it took out the Qantas Australian Tourism Award category Major Festivals and Events in Australia. The awards ceremony was held in Hobart on Friday 15 February. The Tamworth Country Music Festival was up against some stiff competition from capital city events around Australia, including Hamilton Island race week. To come out on top in the Major Festivals and Events category is something very special. The Tamworth Country Music Festival was judged in 2012 on its fortieth anniversary event—again something very special. For an annual 10-day event to continue for such a long period is quite significant. I pay tribute to Tamworth Regional Council and to the Tamworth community, which continues every year to put forward its best foot to show not only what we offer to visitors from around New South Wales, Australia and internationally, but also that we are a friendly, warm and welcoming city that rolls out the red carpet and embraces everyone who comes within the city's limits.

Our smaller centres such as Nundle, Werris Creek, Gunnedah, Manilla and Barraba also contribute to this magnificent festival that has won the Major Festivals and Events category of the Qantas Australian Tourism Awards. The festival first started 40 years ago when the pioneers of the Country Music Festival included the great Slim Dusty, Tex Morton, Slim Whitman, Smokey Dawson, the McKean Sisters, Jean Stafford—and the list goes on all the way through the generations to modern-day artists such as Adam Brand, Adam Harvey, Amber Lawrence, Gina Jeffries, Kasey Chambers and Shane Nicholson, et cetera, who now produce country music. Of course, they include Grammy Award winning Keith Urban, who cut his teeth on the streets of Tamworth, especially in Peel Street. We call Peel Street the "Boulevard of Dreams". It is there that Kasey Chambers, Keith Urban, Troy Cassar-Daley—another big name in the country music industry—and Graeme Connors busked, demonstrating to people passing by what they had to offer. This recognition is significant for the Tamworth Country Music Festival because it gives it enormous credibility.

I pay tribute to the State Government, under the leadership of Barry O'Farrell and Andrew Stoner, for recognising that the festival is worthy of support. For far too long people have tinkered around the edges, but Destination NSW is now on board in a major way. I specifically thank the Minister for Tourism, Major Events, Hospitality and Racing—and good times—my good friend the Hon. George Souris for getting behind Destination NSW in supporting the Tamworth Country Music Festival. This year the focus was deliberately on the artists. If there are no artists there is no festival. They come from far and wide and look forward to attending the festival and the signature event, the Golden Guitar awards ceremony, which is held on the final Saturday of the 10-day festival. Golden Guitar awards are the pinnacle of achievement in the country music industry in Australia. I congratulate Tamworth Regional Council and the people who live in and around Tamworth on making the event not necessarily bigger but certainly better every year. They continue to hit the "Refresh" button to ensure that our friends return each year to enjoy something fresh and new and uniquely Australian—the Tamworth Country Music Festival. I congratulate one and all.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.31 p.m.]: I join the member for Tamworth in congratulating Tamworth Regional Council and the local community on a wonderful country music festival this year. As he said, the festival won recognition as the major festival event in Australia, which is a fantastic achievement. I should declare an interest in that the member for Tamworth and his family invited me to stay with them for three days during the festival, and I had a wonderful time. It is probably not commonly known that the member for Tamworth is a very talented guitarist and drummer. Modesty obviously prevented his sharing with members the fact that his band gave a fantastic performance at the festival. I thank the member and his family for their hospitality and I commend everyone involved in the festival. Like him, I acknowledge the New South Wales Government's funding contribution to this wonderful event.

LANDCARE FUNDING

Mr RICHARD TORBAY (Northern Tablelands) [12.32 p.m.]: The Government's decision to cut the \$30-million Catchment Action NSW program that supports Landcare and other environmental initiatives from 1 July is difficult to comprehend. Not only will it put at risk the \$35 million of matching funding provided by the Commonwealth Government for natural resource management but it will also decimate the support of many Landcare network volunteers. Landcare, with its 56,000 volunteers across the State, is the green army that has transformed our agricultural and urban landscape over the past 20 years. So effective has it been that the Government offered support to fund offices and a local coordinator to source grants for environmental projects, to oversee projects, to organise workshops and field days and to manage the huge volume of paperwork involved. It is now proposed that support be withdrawn as a result of the merger of the Livestock, Health and Pest Authority, catchment management authorities and parts of the Department of Primary Industries into local lands services. The result will be that Landcare support jobs will be scrapped and offices will be closed. Surely that is an unintended consequence of the merger.

The investment by governments in Landcare over the past 20 years should not be thrown away lightly. It is the grassroots environmental movement that Australia and this State had to have because the job is too large and expensive for governments to undertake alone. The movement is based on the recognition that those who derive their living from the land must conserve and care for it. It is an agent for change and encourages farmers to work together across their boundary fences on issues that jointly affect them. For instance, in New England groups have been formed to address paddock trees dying in their thousands across the landscape. Farmers regularly get together to share information about sustainable agriculture, how to manage erosion, loss of topsoil, maintaining and extending native vegetation and establishing wildlife corridors. They are achieving significant results and considerable environmental benefits. Urban and coastal landscaping are also being transformed through Landcare volunteers clearing rivers and creeks choked with weeds and willows, planting trees and native plants and restoring bushland and seashores.

For Landcare to survive and thrive it must have funding for a coordinator to deal with the administrative load involved in supporting local Landcare groups, to field calls about farming and environmental issues and to pass on that information. It also needs a small central office and seed funds for workshops to bring the community together. Without this support base the movement cannot prosper because individual landholders and volunteers rarely have the spare time to undertake that work. Administrative support also has been critical in establishing partnerships that deliver leverage and provide a massive return on investment. For example—and these are interesting statistics—for every dollar invested in base-level Landcare support by Southern New England Landcare the network has leveraged \$18 worth of grants, sponsorship and contributions from participants to deliver on-the-ground and educational outcomes.

In the lead-up to the proposed merger the Catchment Action NSW budget will be cut by \$30 million. That funding is directed to catchment management authorities to pay incentives to farmers to build partnerships with industry, to restore rivers and, importantly, to support the Landcare movement. Landcare groups across the State are being told that the support they have received over the past decade or more will end on 30 June this year. The authorities say that without Catchment Action NSW they will not be able to provide the current level of support. To make matters worse, the investment of up to \$35 million a year by the Commonwealth Government into natural resource management in New South Wales will now be put at risk. Since 1996 there have been bilateral agreements between the States and the Commonwealth covering natural resource management funding.

The Commonwealth Government prepared a five-year contract to provide funds to catchment management authorities, but with New South Wales now unwilling to commit funds we will return to the protracted negotiation phase. A budget cut of \$30 million by the State Government will compromise another \$35 million of potential investment in rural New South Wales. Local Lands Services will depend upon community goodwill and trust to be successful. Landcare has already won that trust and goodwill and should not be seen simply as free labour to be used to deliver government priorities. It makes good sense and it is good policy to restore funding for Landcare support staff and offices to ensure that this green army of dedicated volunteers can continue to develop its critical environmental work within the new entity.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.37 p.m.]: I acknowledge the contribution of the member for Northern Tablelands. As always, he has raised an issue of substance in this House. As the former shadow Minister for Land and Water Conservation between

1995 and 2003 I had a great deal to do with Landcare and I developed huge respect for the people on the ground and the 56,000 volunteers in this State who make up the Landcare movement. I am concerned to hear what the member said and will refer the matter to the appropriate Minister.

CALDERWOOD DEVELOPMENT PROPOSAL

Mr GARETH WARD (Kiama) [12.38 p.m.]: Today I express my absolute bewilderment and disgust about the decision to back down on the Planning and Assessment Commission's repudiation of stage one of a planning proposal known as Calderwood located in the north of my electorate. The Calderwood proposal involves 4,800 lots on prime agricultural land on a floodplain, which is contrary to the Illawarra Regional Strategy. I draw the attention of the House to what I consider to be an appalling about-face at the behest of a big developer. Members may recall that I raised my concerns about this matter on 12 September 2011 during my reply to the Governor's Speech.

By way of a brief summary, the Calderwood development is completely of the Labor Government's making. The development was given life by the then Planning Minister, Kristina Keneally, on 16 April 2009 under part 3A of the Environmental Planning and Assessment Act with the concept plan and rezoning later approved by Tony Kelly, the then Minister for Planning. I have no doubt that Minister Kelly would have approved the development application. However, as the Liberal candidate at the time, I discovered donations from the applicant, Lend Lease, to the Labor Party that fell within the time frame that required this matter to be considered by the Planning and Assessment Commission and not the Minister for Planning.

In the first instance, Minister Kelly rejected my claim that this was a matter for assessment by the Planning and Assessment Commission; however, an embarrassing and public backdown by the Minister ensued and the matter was referred in accordance with the policy. When the decision to forward the Calderwood proposal to the Planning and Assessment Commission was announced I was hopeful that the process would be arm's length from government and would deliver a fair and responsible outcome. And, for a while, it seemed that was the case. On Thursday 27 October 2011, along with many locals, I addressed the Planning and Assessment Commission and outlined my concerns.

On 19 April 2012 a concerned community received the news it had been waiting for and the Planning and Assessment Commission delivered one of the strongest decisions against a development I have ever seen produced by an independent body. The Planning and Assessment Commission unanimously rejected the Calderwood proposal, saying it was not in the public interest to approve the proposed development because it was inconsistent with the Illawarra regional strategy, would adversely impact on the orderly development of land in the Illawarra region and would adversely impact on the planned provision of key social and physical infrastructure to service the area.

The proposed development had not adequately demonstrated that it would address issues such as flooding, environmental impact and access by emergency services. Local infrastructure contributions had not been adequately dealt with by the provision of a comprehensive section 94 contributions strategy and plan. Not all the relevant information supporting the application was publicly exhibited to enable meaningful participation on the proposal by the council and the general public. Finally, a publicly exhibited and endorsed development control plan for the area to guide development was not in place.

Following the Planning and Assessment Commission's decision the applicant exercised its right of appeal to the Land and Environment Court. In such circumstances the Planning and Assessment Commission is represented by the Department of Planning. What happened next has left me with little regard for a system in which our community places its trust and confidence to make independent decisions and to defend those decisions. On 7 February 2013 the Department of Planning and Infrastructure wrote to those who made submissions to the Planning and Assessment Commission advising:

Based on further information including expert advice available as a result of the proceedings, the Planning and Assessment Commission is now satisfied that the stage 1 project may be approved subject to appropriate conditions including conditions relating to flood mitigation works, development control guidelines and contributions towards local infrastructure.

Based on the Planning and Assessment Commission's original reasons for refusal on 19 April 2012 the department's subsequent circular of 7 February only deals with some of the reasons why the Planning and Assessment Commission overwhelmingly rejected the development proposal. It conveniently neglects to address other reasons the Calderwood development proposal was rejected. It seems that other objections such as

public interest contentions, which include an undeniable juxtaposition with the Illawarra regional strategy, the lack of provision of relevant information and the sheer lack of public participation and involvement have not been addressed.

Even if we accept that a change in position has come about based on additional information provided, to whom has the information been provided and why has the information not been made public? It is now appropriate to note that the Department of Planning and Infrastructure has always supported the Calderwood development proposal. This is the same department which is now picking up the tab for the legal costs associated with the appeal against the Planning and Assessment Commission's decision. Having regard to the initial strong decision by the commission, the backdown which allows stage one to proceed with conditions of consent requires me to ask two questions.

Firstly, should we consider members of the Planning and Assessment Commission to be incompetent to the extent that their decision was wrongly and myopically formed such that significant information was overlooked and that the failure to identify key facts was not evident until an appeal was lodged in the Land and Environment Court? Or, secondly, is it the case that the Department of Planning and Infrastructure, which supports the Calderwood proposal, placed pressure on the Planning and Assessment Commission to reverse its decision because the department simply is not prepared to fund a case it does not support? [*Extension of time agreed to.*]

I do not accept that the commission is incompetent. That leaves the latter proposition, and that requires further consideration. How can a system be held up as independent when the Department of Planning is the same department which provides advice on matters before the Planning and Assessment Commission, funds the appeal process in the event of a challenge to a higher authority and can change the commission's position to such an extent that it bears no resemblance to the original findings?

Surely this case necessitates a review by the Minister of the manner in which the Planning and Assessment Commission is permitted to back its own position without interference from the Department of Planning. Surely the Planning and Assessment Commission should be able to advance its position in court without the Department of Planning looking over its shoulder. Surely, if the Planning and Assessment Commission has confidence in its findings, these independent findings should not be vetted by the Department of Planning. To that end, should the commission not have a budget to defend its decisions that is independent of the department? If this process does not change why would developers pay any attention to the Planning and Assessment Commission and its processes at all?

How can the public have any confidence in a body which invests so much in a process established to ensure transparent decision-making but then at the eleventh hour backs down—or is forced to back down—when its decision is challenged in court? In the interest of ensuring the independence and transparency of the planning system so desired by the community I respectfully request the Minister for Planning and Infrastructure consider the questions I have raised in this Parliament today.

MENAI ELECTORATE POLICE AND HOSPITAL STAFFING

Ms MELANIE GIBBONS (Menai) [12.45 p.m.]: Today I take the opportunity to welcome and congratulate the raft of new faces to the Menai electorate. Late last year I was pleased to see three new police officers join Liverpool Local Area Command. I know that Superintendent Ray King has a great team protecting the area and these new officers will be put to good use. On the other side of the electorate the Sutherland Local Area Command received six new recruits under the command of Superintendent Julian Griffiths. Our police deserve the resources and the manpower to continue to keep our community safe and these new recruits go a long way to achieving that. The Government continues to deliver on its election commitment to increase police numbers. The boost in police numbers means that the Menai electorate has nine fresh faces already on the ground getting on with the job. I can only imagine the excitement and enthusiasm these new officers have brought to both Liverpool and Sutherland local area commands.

When this Government was elected it made a commitment to increase the authorised strength of the Police Force to 16,665 police officers by August 2015. Since March 2011 the Government has increased the authorised strength of the State's Police Force by 290 officers. It is an incredible achievement. The Government remains committed to increasing police numbers, getting more officers back to work and reducing the number of officers leaving the Police Force. We must remember that these men and women are extremely hard working

and make many sacrifices to ensure that our homes, streets and roads are kept safe and trouble free. The nature of their job places them in the line of fire—so to speak—and the community is incredibly grateful for their commitment to doing all they can to protect and serve our communities.

Another vital service to our community is our public health system. The Menai electorate is lucky to have two state-of-the-art hospitals, one in Sutherland and another in Liverpool. I have spoken before of the many visits I have made to Liverpool Hospital. To name a few occasions: I have attended the grand opening of the Ingham's Institute, inspected the State Government funded hospital car park, which now houses 800 vehicles, and been to see the new chemotherapy unit in action and the patients it is helping. I also enjoy the opportunity to meet some of the new interns and nurses as they begin their exciting careers. It must be such an exciting time to begin a career in medicine, at a hospital that is forever changing and growing. Next week I will again be visiting the hospital in celebration of its 200th birthday. I only recently learnt of Liverpool Hospital's historical value. For such a young nation 200 years is a long time. Liverpool Hospital is one of the State's busiest hospitals.

Just a few weeks ago I joined the Minister for Health in welcoming a record-breaking 41 young doctors to Liverpool Hospital—a 20 per cent increase on previous years. Sutherland Hospital accepted 24 new interns into its workforce. In addition to the large influx of interns, Liverpool Hospital accepted 39 new midwifery and nursing graduates during this intake. On the eastern side of the electorate, the Sutherland Hospital had an intake of 28 new nurses. I can only imagine the strong bonds that will form between those nurses as they embark on this new chapter in their lives and move through the health system. One of the new graduate nurses, Ella Gamble, moved to Wattle Grove from Victoria to pursue a career in nursing. Ella's particular interest is trauma nursing, which has worked in her favour because Liverpool Hospital is categorised as a major level one trauma care facility.

Nurses and midwives see us at our best and at our worst and strive to provide us with the highest level of health care. They really are the backbone of our health system. With this next generation of graduates we now have 46,700 nurses and midwives working in New South Wales public hospitals. Prior to the election the Coalition promised to provide an additional 2,475 nurses for New South Wales in its first term. I am pleased to say that in less than two years it has surpassed that number with over 3,000 additional nurses and midwives already working in our hospitals. In the coming weeks I look forward to welcoming the next intake of nurses to our local hospitals.

It is sometimes hard to believe that the Government is approaching two years in the job. I can still remember those first few weeks clearly. As we begin this parliamentary year I formally wish the very best to all the new police recruits who are already on the beat, the new doctors who are putting their years of tertiary education into practice and the new nurses and midwives who are doing the rounds and learning the ropes in their new careers. I also mention the fire suppression efforts of our fire brigade officers during January 2013. The Woronora brigade was on standby in the recent incredibly hot weather. The new Valley Store in Woronora provided cold drinks and ice creams to those who were on standby. I also thank all the people from the Australian Nuclear Science and Technology Organisation who helped out with the fire at Barden Ridge.

PORT MACQUARIE GOLDEN LURE FISHING TOURNAMENT

Mrs LESLIE WILLIAMS (Port Macquarie) [12.50 p.m.]: I have pleasure to refer to a very important and iconic event in our tourism economy, the Golden Lure Fishing Tournament, which occurred this year on the back of a very successful tourism season in my area. In the twenty-ninth staging of the Golden Lure event 31 boats were entered and 134 anglers from around Australia descended on our local waters to enjoy some deep sea fishing. Local event organiser, Mr Charlie Fancett from the Port Macquarie Game Fishing Club, and the major sponsor, Michael Giles from Bluewater Legal, have confirmed that the event was another huge success. I had the pleasure of being present at the official sail past and the blessing of the fleet, as well as attending the tournament's presentation luncheon at the end of the week.

The Golden Lure is primarily a catch and release tournament; however, community concern was raised about some fish being retained. I will use this opportunity to highlight some relevant statistics. Of the 65 blue marlin caught, only six were retained—for scientific research and biological sampling. I note that the Department of Primary Industries sets very strict guidelines for events such as the Golden Lure at Port Macquarie. I understand that a marine biologist took biological samples from all landed fish during this year's tournament. Some people in the community questioned the reason for retaining some of the fish and not tagging and releasing all of them but there are legitimate reasons for capturing some species.

Game fishermen are actually assisting the Department of Primary Industries by allowing marine biologists to undertake their research on a small number of the fish caught. Without this cooperation the department would have to do its own catching, which would be cost prohibitive. But I stress that the majority of fish caught during this tournament were tagged and released. It was disappointing that some sections of the community took out their anger on fishermen at the weigh-ins each day, particularly in front of small children. The game fishermen were not breaking any laws and were acting responsibly and within the guidelines of the Department of Primary Industries. So, while not everyone agrees with the sport of game fishing, people should at least have some respect for the opinion and rights of others.

Some local fishermen set records this year: Kurtis Nocelli caught the heaviest blue marlin at 144.40 kilograms; David Wilson, junior, caught the most tagged and released marlin, 13; Taylor Sutton was awarded the prize for the most tagged and released fish, with seven catches of different species; Robyn Conroy was the runner-up adult female in the tag and release category; and Damien Rafter was champion adult male fisher in the tag and release section. Champion boat tag and release was awarded to *Calypso 3* from the Port Macquarie Game Fishing Club, which was skippered by David Wells.

Despite poor weather and rough seas hampering the event, this Golden Lure was a huge success and generated thousands of dollars for our local economy. Next year the tournament will celebrate its thirtieth anniversary as one of the major attractions on the events calendar for Port Macquarie. I congratulate the organising committee, under the leadership of Charlie Fancett, and all those people who were associated with the tournament. I look forward to supporting the Golden Lure event in 2014.

Like the member for Menai, I also take this opportunity to highlight the fantastic work that is being done by our local rural fire services and the State Emergency Service during the holiday period when there were fires and floods across this State. Whilst there were not significant flood issues in the Port Macquarie electorate, I visited the State Emergency Service units a number of times and noted that a number of their volunteers were deployed to Grafton, where substantial flooding was occurring. I congratulate all those volunteers. I am sure that all members of this House agree that they deserve our continuing support.

AUSTRALIA DAY CELEBRATIONS

Mr TONY ISSA (Granville) [12.55 p.m.]: I am a proud citizen of this great country and a proud member of the O'Farrell Government. I arrived in this country as an immigrant from Lebanon when I was 18 years old and I still remember to this day how proud I was to receive the privilege of Australian citizenship three years later at the age of 21 years. On 26 January 2012 I was reminded yet again of that honour when I attended the citizenship ceremony and Australia Day awards at Parramatta City Council and Holroyd City Council. Australia Day is the best day possible to become an Australian citizen. It is a day when all Australians, no matter where they come from, celebrate together just living on this fantastic island. At this year's ceremonies at Parramatta and Holroyd I witnessed more than 50 new Australians swear the oath of allegiance. They came from all over the world—China, Malaysia, Italy, New Zealand, India, Iraq, Ethiopia, Lebanon, the Philippines, Croatia, South Korea, Fiji and Pakistan.

Since I arrived in Australia in 1973 Australia has embraced multiculturalism. It has welcomed people from different cultures, religions and languages. Australian citizenship brings with it the opportunity for full participation in the affairs of the nation. When I arrived in this country I had no idea that one day I would become a councillor and later Lord Mayor of Parramatta and then have the honour to serve as a member of the New South Wales Parliament. I have always maintained that no newcomer to Australia is expected to denounce his or her cultural identity, customs or traditions. However, those customs and traditions must be in accordance with the laws of Australia. The race-related violence which has sadly become a feature of life in some parts of my electorate is far from those values that are expressed when new Australians swear the oath of allegiance.

Australia has always welcomed people from other countries and other cultures. It is a tolerant and uncomplicated place and I believe it would be a great pity if the foundations and aims of multiculturalism were threatened by any form of race-related violence. But on this most recent Australia Day at Parramatta Town Hall there were no signs of tension. As well as the people receiving Australian citizenship, some people were receiving an Australia Day award. A 10-year-old swimmer was recognised, as well as a successful Paralympian, Rosemary Little, who won a bronze medal in London in the 100-metre wheelchair road and track race. Groups were recognised for their work in the local environment and with projects such as Shine for Kids, which supports children and young people with parents in jail. Importantly, the majority of people from ethnic

backgrounds who received an Australia Day award had embraced the multiculturalism of this great country. It is a great country and I was delighted to attend these events to welcome and congratulate new Australians as well as those born here. Australia Day is for all Australians.

GRAND PACIFIC WAY

Mr LEE EVANS (Heathcote) [1.00 p.m.]: At the outset I acknowledge that the Australian flag has been reinstated to the Chamber of the New South Wales Legislative Assembly. Recently I attended a public meeting about an exciting proposal for community infrastructure to be provided through Wollongong City Council. The Grand Pacific Way extends from the escarpment to the sea and from the sea to the lake, linking communities and sharing stories outlining local history. The Grand Pacific Way could serve as the Illawarra's focal point for communities to share local knowledge on information boards situated along its length—the history, the characters, and the events that constitute the combined story of who we are and where we want to head in the future.

The Grand Pacific Way is a 60-kilometre path from the Royal National Park at Otford in the north to Lake Illawarra in the south. It is the brainchild of Councillor Leigh Colacino of Wollongong City Council. The concept is to connect communities through a continuous spine running from one end of the local government area to the other, connecting communities and sharing stories, art, lifestyle and, of course, a sense of community. With an estimated 47 kilometres already existing, linking this path is an exciting prospect not only for exercise and recreation purposes but also for community engagement. It would form an unbroken path from the Royal National Park—the second-oldest national park in the world. The northern-most leg of the Grand Pacific Way includes Bald Hill Lookout, which is popular with hang-gliders and car enthusiasts. The coastal views stretch as far as the eye can see. From this lookout people can see the curves of the 665-metre Sea Cliff Bridge, which is one of the most recognised bridges in New South Wales as it features in most car commercials.

The shared pathway will run through scenic coastal villages, including Stanwell Park, Coalcliff, Coledale and Austinmer. People who stop at the various cafes along the way will be able to enjoy the views and a bite to eat while resting from their journeys. A great advantage of the Grand Pacific Way is access to rail transport along the entire route. If walkers find they have bitten off more than they can chew, the rail corridor is not far away. Visitors will be able to sample what it means to live and play in the Illawarra—beaches, cafes and regional playgrounds are some of the many attractions along the way. They can stop off at Thirroul Beach before making their way to Towradgi. They can then descend from the heights of Bald Hill to the plateau, heading further south to Wollongong, meandering past North and City beaches, including Northbeach Pavilion.

As visitors wind their way past WIN Stadium they enter a different landscape, an industrial landscape, with Port Kembla and its port in the distance. Port Kembla Beach is a surprise gem in the industrial escarpment. Just past Port Kembla Beach one finds another treasure, Lake Illawarra, in all its natural beauty. This signals the end of our journey—60 kilometres from one end of the Illawarra community to the other. The Grand Pacific Way links landscapes, communities and culture. This project will present many opportunities—bike hire, kiosks, history and nature talks and walks, sculptures, sporting events and community events. Tourism is also a focus of the Grand Pacific Way, which should be on the must-do list for people visiting the Illawarra. I can imagine daytrippers walking from Bundeena to Otford along the coastal walk and then following the Grand Pacific Way all the way to Lake Illawarra.

The concept was first proposed by Councillor Leigh Colacino and since his early discussions support for the Grand Pacific Way has grown. It appears as though this one project has unified the Illawarra with a single purpose and it should become a reality. Through February and March the council is hosting information sessions so that people can have their say and to offer suggestions about how the Grand Pacific Way concept can be improved. I strongly recommend that locals get involved in the process so that this project has universal appeal. A project of this kind needs support not only from councils but from State and Federal governments. I am 100 per cent behind the Grand Pacific Way concept and I encourage my colleagues the member for Keira, the member for Wollongong and the member for Shellharbour to support this project also. With support, this concept will become a reality and will be a reminder for generations to come how one great idea can bring communities together.

CAMPBELLTOWN WOMAN OF THE YEAR BROOKE MANZIONE

Mr BRYAN DOYLE (Campbelltown) [1.05 p.m.]: It gives me great pleasure to share some of the good news about Campbelltown, that great opal of the south-west and the very best part of the Macarthur

region. In particular, I share with the House a good news story about Brooke Manzione, a young lady who has been named Campbelltown Woman of the Year for 2013. She takes over the title from Mrs Mary Ellen Bland, the previous recipient. Brooke is an example of everything that is good in our community of Campbelltown. She is a local girl, born and bred in Campbelltown, and passionate about lifting the profile of our great city. Even when Brooke was a young girl she came to notice as an excellent student leader at the Campbelltown Performing Arts High School, where she became a school captain. She then became a youth ambassador, representing the region with great honour.

Brooke is a gifted musical performer and singer who uses her talents both for her benefit and for that of the entire community. She undertook tertiary study at the University of Western Sydney and completed a Bachelor of Arts with a public relations major and journalism sub-major. She has used her talents to help with many worthy causes, particularly the 24 Hour Fight Against Cancer. That great charity seeks to raise money to support people in the Macarthur region who are suffering from cancer and to assist with their treatment. Brooke has sung countless songs, danced, entertained and contributed to the community spirit that has cheered, strengthened and restored the resolve of our community to move forward.

Brooke currently works for Youth Solutions, seeking to support youth through drug and alcohol prevention and health promotion. She takes a lead role in selected campaigns and projects through community relations and event management. She has run for public office. Indeed, I first met her during the council elections in 2003 or 2004, when she had just turned 18. She registered just in time to run on the Independent ticket, on which I also appeared. Even back then as a young woman she was concerned about her community; she had the courage to stand up and be counted. Only recently Brooke moved away from Campbelltown for a short time. I said to her, "Take the very best of Campbelltown with you. You will find that living in the inner city can be very different and that the great community spirit we have in Campbelltown may not be at your new location. Never, ever be afraid to come back to us because pride sometimes stops people returning."

I am pleased to report that after Brooke experienced life away from Campbelltown she returned and is now with Youth Solutions serving her local community. When I phoned her with the news the line went quiet but then, in the great spirit of those involved in the theatrical and musical worlds, she composed herself. Her first thoughts were not about herself—a demonstration of why she was chosen as Campbelltown Woman of the Year—but of others. She thought of her mum and dad, the great example they had set and the family life they had given her. She was humbled that she had been honoured before her mum and dad, who have also done great things in the community. She concluded with the words, "My mum and dad are who I am and what I do today." Brooke Manzione is a wonderful woman and a great example to the youth of Campbelltown. She is a most worthy recipient of the Campbelltown Woman of the Year award for 2013.

BLUE MOUNTAINS CROSSINGS BICENTENARY

Mrs ROZA SAGE (Blue Mountains) [1.10 p.m.]: I commence my private member's statement by observing that the Australian flag now hangs in this Chamber. I am very proud to be an Australian. Indeed, the Blue Mountains region has a rich history. Sir Henry Parkes, the father of Federation, helped to bring the Australian States together. What a great segue to this private member's statement. The year 2013 marks the Blue Mountains crossing bicentenary by explorers Gregory Blaxland, Lieutenant William Lawson and William Charles Wentworth. The statue of William Charles Wentworth watches over us in the Chamber—although it depicts him as an older man. Those three explorers, with a party of convicts, a kangaroo shooter, dogs and horses, were the first Europeans officially to cross the Blue Mountains. Previous attempts to cross the seemingly impenetrable Great Dividing Range had mostly resulted in failure.

When Gregory Blaxland petitioned Governor Macquarie to sanction the crossing he was looking for pasture land. The explorers knew what not to do from the previous attempted crossings. They decided to take a route across the ridge and it ultimately proved successful. Today the Great Western Highway and the railway roughly follow this route. The explorers set off on 11 May 1813, and 21 days later they reached what is now called Mount Blaxland. They gave a modest report to Governor Lachlan Macquarie of their achievement but it engendered very little interest. Some six months later George Evans, the acting Surveyor General of New South Wales, followed the explorers' route but he and his party continued on to what is now the city of Bathurst. Governor Macquarie was interested in the report of rich pasture lands. George Cox was then appointed, with the assistance of 40 convicts, to construct a road across the ranges to access this pasture land to assist the struggling New South Wales colony. Subsequently the Governor, his wife and party traversed the newly built road to Bathurst—in essence, they were the first tourists to the Blue Mountains. The colony expanded and thrived and Australia's foundations were built.

On 31 January 2013 I attended the unveiling in Hyde Park of the statue of Governor Lachlan Macquarie by Premier Barry O'Farrell and Governor Marie Bashir. It is a fitting tribute to a man who showed great vision, action and compassion during his tenure as Governor. The statue was crafted by world-renowned Blue Mountains sculptor Terrance Plowright. The Minister for Fair Trading, Anthony Roberts, and I had the privilege of seeing the statue at the sculptor's studios at Wentworth Falls when it was half finished—it was magnificent even then. A group of Blue Mountains residents and friends dressed in period costume also attended the unveiling, which added colour and excitement to the event. This motley collection of convicts, troopers and settlers was invited by the Government to promote the Blue Mountains crossing bicentenary. John O'Sullivan was the kangaroo hunter; Richard Brymora, Chris Johnson and Tom Colless were the convicts; Bruce Ferrier was the trooper; Randall Walker, the President of Blue Mountains Lithgow and Oberon Tourism [BMLot], was Judge Samuel Marsden; and Phillip Hammon, Peta Hammon and Wendy Blaxland—a descendant of Gregory Blaxland—were the settlers.

This enthusiastic group has been active in promoting the Blue Mountains crossing bicentenary. A few years ago John O'Sullivan had a vision of organising an authentic re-enactment of the crossing, which would follow a route closest to that used by the explorers with the same number and composition of the original crossing party. They were to do this in costume and in the same time frame as the explorers. Blue Mountains Blue Wave "Celebration of Mountain Life" is now in full swing. It is supported by many groups and sponsors, including the Lower Blue Mountains Rotary Club, Trevor Lloyd and Colin Kenney and many descendants of Blaxland, Lawson and Wentworth. The "Blue Wave" crossing is part of the many activities auspiced by the Blue Mountains Crossings Committee, which was set up by the Blue Mountains City Council. This commemoration is important not only to the people of the Blue Mountains but also to the people of New South Wales and Australia—this country was shaped by it. I invite all members to take part in the commemoration, and I commend it to the House.

LONDONDERRY ELECTORATE INFRASTRUCTURE

Mr BART BASSETT (Londonderry) [1.15 p.m.]: Today I pay my respects to the late Detective Inspector Bryson Anderson from the Hawkesbury Local Area Command who was tragically killed in the line of duty late last year. I offer my condolences to his family and loved ones, who have lost a son, husband, father and uncle, and to officers of the local area command, who have lost a mate. I also acknowledge and thank Superintendent David Jones, the Hawkesbury Local Area Commander, for his strength, compassion and leadership during a period of immense grief and stress for the men and women who serve in that command. I attended the funeral service for Detective Inspector Anderson at St Patrick's Cathedral at Parramatta with Kim Ford, the Mayor of Hawkesbury, members representing the electorates of Hawkesbury and Riverstone, the Premier and the Minister for Police and Emergency Services. It was a fitting tribute to a distinguished police officer.

During the parliamentary recess together with Kerry Bartlett, the Executive Director of the Western Sydney Regional Organisation of Councils [WSROC], I visited Gulf Western Oil to inspect construction works at its new blending facility at the Dunheved Industrial Estate, St Marys. This family owned and operated local company is run by brothers Andrew and Ben Vicary. They hosted the tour with Mark Booth, their national retail manager. The company was started 25 years ago by their father and it is a true local success story. The company is currently based in Penrith but later this year a new blending and storage facility will be opened in the Dunheved Industrial Estate, St Marys. Stuart Ayres will be losing a business from his electorate but I know he is thrilled that the company will remain in western Sydney. It will be a \$10 million investment in the local economy. The new 5,500 square metre facility will have a manufacturing capacity of six billion litres per annum and will provide more than double its current warehousing capabilities.

Gulf Western Oil has a strong ethos of supporting Australian industry. Some 32 brand-new stainless steel storage tanks have just been installed. The company purchased those tanks from an Australian tank manufacturer that supplied the wine industry and has modified their design to cater for the specialised needs of Gulf Western Oil. Also Fulltilt Constructions, a local building and construction firm, is building the new facility. Gulf Western Oil is the largest Australian-owned manufacturer of lubricants, with its products sold throughout Australia, New Zealand, Papua New Guinea and the Pacific Rim. The consolidation of operations and storage at the new state-of-the-art facility at St Marys will enable future growth, quadruple its blending capacity and increase bulk additive storage by 180 tonnes and base oil capacity by well over 1,000 tonnes. Up to 25 permanent local jobs and an additional 10 part-time positions will be created. This is a clear demonstration of confidence in the New South Wales Government's management of this State's economy.

For many years I have been advocating investment in infrastructure to build a stronger economy, create more local jobs and improve traffic congestion. One of my top priorities is to achieve an outcome to enable the construction of the Werrington Arterial, which will provide a road connection between the Dunheved Industrial Estate—where this business will be located—and the M4. This will improve connectivity, encourage business investment, create more local jobs and eventually connect with the M7 at Marsden Park. Last Saturday I joined the Premier, and Minister for Western Sydney, Barry O'Farrell; the Hon. Duncan Gay, Minister for Roads and Ports; Mr Ray Williams, the Parliamentary Secretary for Western Sydney; and Mr Kevin Conolly, the member for Riverstone, to mark the commencement of stage one of the Richmond Road upgrade. For years the previous Government was asked to upgrade that road but failed to do so. The O'Farrell Government will deliver.

The \$46-million investment comes on top of the Government's recently released NSW Long Term Transport Master Plan, which recommends the future expansion of the rail system to service new residential and employment areas in western Sydney, including the new Marsden Park Growth Centre. That, combined with investment in the Werrington Arterial Road, will be a major boost for local businesses. This Marsden Park growth area has the potential to provide a transport and road corridor to connect the North West Rail Link to the Western Line and the South West Rail Link. It is extremely important that corridors are put on maps through land release to ensure that we can expand transport projects in the future. I thank Mark Booth and Ben and Andrew Vicary for taking the time to show me their new facility. I wish the company well in its future operations; it will create new local jobs and business investment in western Sydney. I also congratulate the business managers of the Sydney Business Park on Richmond Road at Marsden Park, who invested up-front in the upgrade of Richmond Road and who also intend to put money into providing plans for corridors in that north-west sector. I commend all those business ventures to the House.

TRIBUTE TO PETER GARRARD

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [1.20 p.m.]: I too was saddened to attend the requiem mass for Detective Inspector Bryson Anderson at St Patrick's Cathedral. It reminded me of the Biblical saying, "No greater love has any man but to lay down his life for his friends." Police risk their lives daily for people in the community, who are their friends. Thousands of Inspector Anderson's police colleagues and other friends filled the church and square and formed a guard of honour along the streets. It was a very sad occasion but I was privileged to attend. Today I wish to speak about someone who is still very much alive, thank God. Last December I was honoured to attend Epping Boys High School's speech day at Sydney Town Hall. The guest of honour at the speech day was the famous frontman for the group Icehouse, Iva Davies, who returned to Epping Boys High School's speech day for the first time in 40 years and sang, with a number of the boys backing him, his famous song *Great Southern Land*. In a way, that song prophesied our tragic bushfires in January. Just a few words from the song are:

Great Southern Land
Great Southern Land
You walk alone
Like a primitive man
You walk alone
With the ghost of time
And they burned you black
Yeah, they burned you black
Great Southern Land

I particularly honour the headmaster of the school, Peter Garrard, who retired that day from teaching after 38 years—six years of which were spent at Epping Boys High School. I met him in 2007 when I was elected as member for Epping and our friendship has grown over the years. Epping Boys High School enjoys a reputation for excellence in study, sport and music. The school's highly acclaimed wind ensemble, conducted by Lindsay Frost, has delighted audiences in Australia and overseas. At Peter's invitation, I have attended various musical events at the school, including a very well-presented production of *Jesus Christ Superstar*.

Peter regularly accompanied the prefects of Epping Boys High School on the Epping Rotary annual river cruises for seniors, on which they were joined by students from Cheltenham Girls High School, and up to 130 seniors were entertained by my band, The Tokens. Peter could obviously put up with some bad music as well—from me, that is, although he said he enjoyed it. Peter made a moving speech at his farewell. He indicated that over the years he had taught in special education and in New South Wales schools, including schools in lower socio-economic areas such as at Mount Druitt, where he assisted in educating and inspiring young Aboriginal students.

Peter has also challenged his educational understanding and teaching abilities at the various schools at which he has taught. He said it was wonderful to see the improvements in students during their education. He was a Mr Chips type of character, who enjoyed teaching to the hilt. Thirty-eight years is a long time to spend in any profession. As he was showing journalists and photographers from the local newspaper around the school recently, he was warmly welcomed by a number of the senior boys and staff. He will be remembered for a long time. He said his job was to make sure that boys had a good self-image and developed into men who were good citizens for their community. He said:

Beyond the solid academic results Epping Boys' High School received last year, I am proud of the focus on sport, creative arts and, importantly, student welfare at Epping Boys' High School.

Peter says that he plans to join Epping Rotary—probably to help on the river cruise each year for the seniors, amongst other things, and to put up with The Tokens. I remember attending one very moving occasion at the school after the tragic murder of members of the Lin family from North Epping, where he lives. A special memorial was established at Epping Boys High School for one of the Lin boys, who was in year 7 at the school at the time of the murders. The year 7 boys and teachers at the school were very emotional. The memorial will be a lasting memory of the tragedy that befell the whole Epping community.

ACTING-SPEAKER (Mr John Barilaro): Order! Earlier today, the member for Kiama sought leave to conclude his private member's statement, which was granted. However, such leave is not an opportunity for members to speak well beyond their five minutes; it is an opportunity for them to conclude their remarks in a matter of a few extra seconds. I remind members that they should restrict their private members' statements to five minutes.

Private members' statements concluded.

[The Acting-Speaker (Mr John Barilaro) left the chair at 1.25 p.m. The House resumed at 2.15 p.m.]

DISTINGUISHED VISITORS

The SPEAKER: I welcome to the Speaker's Gallery His Excellency Mr Børge Petersen, Ambassador of the Royal Danish Embassy, accompanied by his wife, Mrs Jytte Petersen, and Mrs Rikke Gamborg, Deputy Trade Commissioner, Royal Danish Consulate-General.

ASSENT TO BILLS

Assent to the following bills was reported:

Miscellaneous Acts Amendment (Directors' Liability) Bill 2012
 Parliamentary Electorates and Elections Amendment (Redistributions) Bill 2012
 Election Funding, Expenditure and Disclosures Further Amendment Bill 2012
 Ombudsman Amendment Bill 2012
 Ports Assets (Authorised Transactions) Bill 2012
 Saint John's College Amendment Bill 2012
 Emergency Legislation Amendment Bill 2012
 Game and Feral Animal Control Further Amendment Bill 2012

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The SPEAKER: I report the receipt of the following message from the Administrator:

JAMES ALLSOP
 Administrator

Office of the Governor
 Sydney, 18 January 2013

The Honourable Justice James Allsop, Administrator of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, Professor Marie Bashir, being absent from the State, he assumed the administration of the government of the State.

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, 21 January 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.

DEATH OF MERVYN LESLIE HUNTER, FORMER MEMBER FOR LAKE MACQUARIE

The SPEAKER: It is with regret that I have to inform the House of the death on 2 January 2013 of Mervyn Leslie Hunter, a former member of the Legislative Assembly, who served as the member for Lake Macquarie from 19 April 1969 to 3 May 1991. On behalf of the House I extend to the family the deep sympathy of the Legislative Assembly in the loss sustained.

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

SOLOMON ISLANDS EARTHQUAKE

The SPEAKER: Members will be aware that on 6 February an earthquake and tsunami in the Temotu Province of the Solomon Islands killed at least 10 people and made more than 3,000 people homeless. I have written to Sir Allan Kemakeza, the Speaker of our twinned Parliament in the Solomon Islands, and have conveyed our sympathies and condolences to the members of that Parliament and to the people of the Solomon Islands affected by this natural disaster. Australia and other nations are contributing to the relief effort and our thoughts continue to be with the people of the Solomon Islands as they rebuild their homes and their lives.

AUSTRALIAN FLAG IN THE LEGISLATIVE ASSEMBLY

The SPEAKER: I draw the attention of members to the southern wall of the Chamber where the Australian flag was hung during the summer recess following my request. The Chamber has been graced for many years by the New South Wales State flag, and in 2010 the Legislative Assembly was proud to celebrate and promote greater understanding of Aboriginal people and culture through the adjacent placement of the Australian Aboriginal flag. The addition of the Australian flag, which plays an important part in our nation's most deeply significant commemorations including Australia Day, ANZAC Day and Remembrance Day, is further recognition of our great nation and the people we represent. I thank the member for Wyong and the member for Heathcote for their persistent representations reminding me that we should fly the Australian flag in the Chamber.

DEPUTY SERJEANT-AT-ARMS APPOINTMENT

The SPEAKER: It is with great pleasure that I announce that Ms Sarah-Anne Fong has been appointed Deputy Serjeant-at-Arms on and from 29 January 2013. I welcome Sarah-Anne to her first question time.

MINISTRY

Mr BARRY O'FARRELL: I inform the House that the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts will answer questions on behalf of the Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services, who will be absent from question time today.

BUSINESS OF THE HOUSE**Notices of Motions**

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.24 p.m.]

HOSPITAL STAFFING

Mr JOHN ROBERTSON: I direct my question to the Premier. Will the Premier commit today to reversing his \$3.3 million staffing cut at the Westmead and Randwick Children's Hospital Network that will put the care of our sickest children at risk?

Mr BARRY O'FARRELL: The Minister for Health addressed this issue two weeks ago when it was first raised. It is good to see that the Opposition is up to its usual standard during question time. I did not think the Leader of the Opposition skied at this time of year. From memory, the matter was raised two weeks ago and the Minister for Health handled it well. The saving represents 0.05 per cent of that hospital's budget.

Dr Andrew McDonald: It represents loss of jobs.

Mr BARRY O'FARRELL: It does not, as the member for Macquarie Fields says, result in the loss of jobs. As the Minister for Health stated at the time, one of the better ways that money can be spent is by employing permanent nurses rather than resorting to agency nurses, who cost more.

Ms Carmel Tebbutt: Try to find them.

Dr Andrew McDonald: They do not employ them at the children's hospitals, Barry, and you know it.

Mr BARRY O'FARRELL: Hang on. Last week I was at a Liverpool Chamber of Commerce lunch along with the member for Macquarie Fields when I spoke about not only the money the Government is allocating to the Camden and Campbelltown hospitals in his electorate but also the additional nurses that we will be employing in hospitals in his electorate. Three thousand new nurses have been employed across the State since this Government was elected in March 2011.

Dr Andrew McDonald: Point of order: The Premier is misleading the House. The number is 1,200 according to the Auditor-General.

The SPEAKER: Order! There is no point of order. Misleading the House does not constitute a point of order. The Premier has the call.

Mr BARRY O'FARRELL: As I stated last year, there is no \$3 billion cut to Health. This year's New South Wales budget contains record funding for Health. Recurrent expenditure will increase by 5.2 per cent to \$17.3 billion.

The SPEAKER: Order! Opposition members will cease interjecting.

Mr BARRY O'FARRELL: As I stated relentlessly in this House last year, the way in which the Minister is shifting funding to the front line will mean that 50,000 additional patients will be able to present at emergency departments, 30,000 additional overnight hospital patients will be able to remain in hospital, and 2,000 additional elective surgery procedures will be able to take place this year. As the Minister for Health has stated in this House, on average local health districts will receive a 4 per cent increase in their funding. I reiterate that the reference to the children's hospital funding is less than half of one per cent. I defy any organisation to tell me that it cannot find a less than half of one per cent saving by doing things better.

The Minister for Health belled the cat about this lie by saying that one of the ways that level of saving can be achieved is by ensuring that more of the 3,000 nurses are employed in the Health system instead of costly agency nurses. In contrast to that, the Opposition will ensure that money is spent on the wrong priorities. Instead of giving funding priority to the front-line services, as the current Minister for Health is doing, by providing for increased numbers of patients who present at emergency departments, increased overnight hospital stays, and increased numbers of patients who present for elective surgery, the Opposition, led by the member for Maroubra, is still into middle management. As long as the unions are concerned about middle management, that will be what we will hear from Labor. The Opposition will not reverse its policy.

Dr Andrew McDonald: Point of order: My point of order relates to Standing Order 129. The question asked about budget cuts, not middle management. I ask the Premier to answer the question.

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

COAL SEAM GAS EXPLORATION

Mr THOMAS GEORGE: My question is directed to the Premier. How is the Government responding to community concerns relating to coal seam gas?

The SPEAKER: Order! Members will come to order. I would have thought the subject would be of interest to members.

Mr BARRY O'FARRELL: In the best interests of Wayne Swan I advise that I made a mistake in my last answer. It was not 0.05 per cent, it was one half of half of 1 per cent—that is, one-twentieth of what I said.

I am delighted to receive a question from the member for Lismore, who has been concerned, like other members across the State, about the impact of decisions made by those in office relating to coal seam gas. Which government was stupid enough to issue a petroleum exploration licence above towns such as Gunnedah and Gulgong? Which government was stupid enough to issue coal seam gas exploration licences over towns like Grafton and Casino? Which government was stupid enough to issue petroleum licences across Singleton, Bourke, Kurri Kurri and suburbs of this city? The answer is, a government of those opposite.

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

Mr BARRY O'FARRELL: The coal seam gas industry is still establishing itself in this State and it is the Government's responsibility to ensure that its development is sustainable, with proper environmental and health safeguards in place. The Government has listened to concerns brought to it by community members affected by decisions incompetently made by those opposite. I will leave it at incompetent because we know what is happening at the Independent Commission Against Corruption at the moment. The package the Deputy Premier and I announced today strengthens the measures we put in place last September. Remember: When we came to office little if any regulation existed in the coal seam gas space. We put together a strategic regional land use plan; the toughest regulatory regime in the country. Today we have added to it by making it even tougher, to inject some common sense alongside the science to ensure that those people who live in towns, villages and other urban areas where those opposite gave out petroleum exploration licences can have confidence that there will be no future approvals of coal seam gas activities within those residential zones.

Under the new measures the Environment Protection Authority will be the lead regulator of environmental and health impacts of coal seam gas activities across New South Wales with responsibility for compliance and enforcement. The Environment Protection Authority is again a trusted watchdog, having been run down by those opposite. Of course, we strengthened the Environment Protection Agency, and it will be the lead agency when it comes to this. All exploration, assessment and production titles will be required to hold an environmental protection licence. The Environment Protection Authority will be empowered to enforce conditions under the relevant environment and mining laws, including possible revocation of licences in the case of serious breaches. Country and city families living in residential areas should not have to worry about their quality of life being affected by coal seam gas production in those zones. A two-kilometre buffer will be imposed on coal seam gas activities across existing residential zones as well as lands identified for future growth. Critical industry clusters identified under the strategic regional land use plans will also be excluded from coal seam gas activities.

I cannot wind back the clock for those projects already approved under laws put in place by those opposite. What I can do is ensure that there will be no future approval of coal seam gas activity in suburbs, country towns and other urban areas. Finally, we have asked the Chief Scientist to conduct a full audit of all coal seam gas activities in New South Wales. The audit will include a focus on the impact on water catchments and appropriate ways to interface coal seam gas with residential properties in non-residential zones. By any measure this is a tough and comprehensive package that will further strengthen what are already the toughest and most stringent coal seam gas controls in the country. I want to make a point about the bleats from those opposite who say they will be tough if they ever get back to government. What did they do in government? Zip. Forty per cent of the State—including residential zones—were issued with petroleum exploration licences.

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

Mr BARRY O'FARRELL: Witness the recently found interest of the Federal Minister for the Environment on this matter. Where was he when those opposite were issuing those licences? Clearly Eddie's ski chalet had a bit of a workout that weekend in those months when that was done, and nothing was done by the Federal Government.

CHILDREN'S HOSPITALS STAFFING

Dr ANDREW McDONALD: My question is directed to the Minister for Health. Can the Minister provide a guarantee today that no worker at the Children's Hospital, Westmead, or at Sydney Children's Hospital will lose his or her job caring for our sickest children because of her Government's budget cuts?

Mrs JILLIAN SKINNER: That is a nice try, but the reality is the Opposition did not get it right in the first question asked today by its leader, and this member has not got it right now either. The reality is that the children's hospitals network budget has increased to \$586 million, which is \$16.7 million more than was

provided last year. The budget has gone up, it has not gone down. I recall there was some kerfuffle some time ago when the Opposition Parliamentary Secretary sang the praises of Elizabeth Koff, saying that she was a marvellous administrator.

Dr Andrew McDonald: She still is.

Mrs JILLIAN SKINNER: She still is.

The SPEAKER: Order! The member for Macquarie Fields has asked the question; he should not interject during the answer. I call the member for Macquarie Fields to order.

Mrs JILLIAN SKINNER: Elizabeth Koff said in the media that there are not any budget cuts. If members do not believe me, they should believe Elizabeth Koff.

Mr John Robertson: Point of order: My point of order relates to relevance under Standing Order 129. The question did not ask about budget cuts. It asked about job cuts. So far the Minister has spoken only about budget cuts. I do not want to see another 3½ minutes wasted talking about the budget instead of jobs.

The SPEAKER: Order! The Minister has barely begun to answer the question. She is entitled to make such remarks.

Mrs JILLIAN SKINNER: I am happy to say that Elizabeth Koff said that there were no budget cuts. Furthermore, she said that there were no job cuts. Even the press is saying that. The Opposition is playing silly games with the people of the State.

Dr Andrew McDonald: Point of order: My point of order is under Standing Order 129. The question was asking for a guarantee that no workers would lose their jobs.

The SPEAKER: Order! I heard the question and the Minister is answering it. That is the same point of order as the one taken previously by the member. The member will resume his seat. This is game playing. The Minister has the call.

Mrs JILLIAN SKINNER: The thing that really distresses me is that we are talking about fantastic, dedicated people at our children's hospitals at Westmead and at Randwick. I have spent much time at both hospitals. I was there recently talking to new nurses, inspecting new programs and new equipment that we are investing in. The nurses are thrilled with the investment we are providing into those hospitals. I assure members opposite that I firmly support Elizabeth Koff's statement that there were no job losses in those hospitals. The Opposition is joining with the union in an attempt to scare people, knowing full well that we are totally committed to the care of children in our State. I am absolutely astonished—and those in the gallery would be astonished—that the paediatrician opposite is playing silly games, scaring people about fictitious job cuts in our children's hospitals.

Dr Andrew McDonald: Point of order: My point of order relates to Standing Order 73, which states that imputations of improper motives and personal reflections on members of either House are disorderly other than by way of substantive motion.

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

Mrs JILLIAN SKINNER: I am astonished that this scare campaign is directed at families who rely upon the services of our wonderful children's hospitals. I am surprised any member of this House would reflect so poorly on the chief executive of the children's hospital network. Both at Westmead and Randwick we are employing more nurses and doctors and giving them the equipment they need to ensure that they can provide the best quality care for children in our State.

JOBS GROWTH

Mr MARK COURE: My question is addressed to the Treasurer, and Minister for Industrial Relations. How is the Government delivering on its commitment to target 100,000 new jobs in this term?

Mr MIKE BAIRD: I thank the member for his question and for his continued interest in driving this State forward. It is great to return to this House to remind every member that the work of the O'Farrell

Government is driving the economy, improving services and building the infrastructure this State desperately needs. That is exactly what the O'Farrell Government is doing. In spite of the noises over the summer break, those opposite could have been distracted and could have missed some of the news about jobs. It is important to talk about jobs because despite the tough economic conditions facing the O'Farrell Government, we are seeing an improved performance. I do not want to refer to the previous record, but a little context is required.

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

Mr MIKE BAIRD: For the last five years of the former Labor Government this State's average unemployment rate was 0.4 per cent above the national average. It held the record for the slowest jobs growth in the nation. Under the O'Farrell-Stoner Government the unemployment rate has been below the national average for 12 months. That is worth repeating: the unemployment rate has been below the national average for 12 months. Why talk about it now? Those opposite get distracted on single statistics month in and month out, but we now have a long-term trend of more jobs coming into the economy under the O'Farrell Government.

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

Mr MIKE BAIRD: That is exactly what we are here to do: deliver for the people of New South Wales. The unemployment rate currently sits at 5.1 per cent—the second lowest in the nation. We made an election commitment to support 100,000 new jobs under our Jobs Action Plan for this term and we have delivered. Since the O'Farrell Government came to office, 73,400 new jobs have been delivered—more than 10 times that delivered in Victoria; in fact it is three times more than that delivered in Victoria, Queensland, South Australia and Tasmania combined. That is the performance that will be seen in this economy. Clearly, our Jobs Action Plan is providing incentive and support to businesses to provide jobs on the ground. In addition, the O'Farrell-Stoner Government is creating jobs through its infrastructure program, which is rolling out across every New South Wales electorate. Talking about jobs reminds me that the member for Toongabbie is looking pretty special in his new tie and sharp suit.

In the past month the New South Wales Government has announced the Richmond Road upgrade; construction of the new State Emergency Service headquarters for the Illawarra, which even those opposite from the Illawarra would struggle to oppose—300 construction jobs and 250 ongoing jobs in the Illawarra; and businesses that are creating jobs and increasing investment across the State. In the past month Amcor opened its new paper mill facility in southern Sydney, creating 800 jobs during construction and 150 manufacturing jobs; Kimberley-Clark opened its facility at Ingleburn; and Digital Realty opened its new information and communication technology centre in the Western Sydney employment hub, creating around 250 jobs. The statistics and trends are becoming compelling and consistent. Under the O'Farrell-Stoner Government more jobs are coming to New South Wales, which is driving the economy. We are delighted to drive the economy, to improve services and to build the infrastructure because that is what we told the community we would do. We are delivering for the community and we are starting that by delivering the jobs this State needs desperately.

The SPEAKER: The number of interjections during question time has been increasing; there were far too many interjections during the last answer. I warn members that I will have no hesitation in removing them from the Chamber for half an hour, for the remainder of question time or for the remainder of the day if they continue with that type of behaviour. I will not tolerate it. Members will come to order. I know everybody is excited about their return to question time, but there has been far too much noise in the Chamber and too many frivolous interjections, especially from Opposition members.

ST GEORGE HOSPITAL BOWEL CANCER SURGERY

Ms CHERIE BURTON: My question is directed to the Minister for Health. Why has the Minister reduced the number of bowel cancer surgeries carried out at St George Hospital, which has resulted in patients, such as Gillian Staley who has bowel cancer, having their lifesaving operation postponed?

Mrs JILLIAN SKINNER: The member is referring to peritonectomy, which was the subject of an article in the weekend newspaper. Peritonectomy services are provided in Brisbane, Sydney's St George Hospital and one other hospital in the country. Currently, St George Hospital is funded to undertake 72 such procedures a year, which is more than the number of New South Wales patients who need such a procedure. In other words, we are funding patients from other States. The St George Hospital Clinical Council executive is constantly monitoring this matter and managing the allocation of surgeries on the hospital's surgical list. It is a local decision that was made with input from local clinicians. This statewide service is funded to provide the

number of operations needed to meet the demands of New South Wales. The South Eastern Sydney Local Health District received \$46 million in growth funding in the last budget, bringing total funding to \$1.4 billion. This matter is being considered by the local health district, in which I have great confidence.

The SPEAKER: Order! I remind the member for Macquarie Fields of my earlier ruling and warn him that this is his final caution.

Mrs JILLIAN SKINNER: The member has been very helpful in working with us in trying to advance the infrastructure development of the St George Hospital Emergency Department, for which I am grateful. Therefore, I will be happy to provide her with whatever extra information I can, but that is my present advice.

HOUSING AFFORDABILITY

Mr CHRIS PATTERSON: My question is addressed to the Minister for Planning and Infrastructure. How is the Government making more affordable housing available for New South Wales families?

Mr BRAD HAZZARD: I thank the member for Camden for the excellent job he is doing in representing the people of south-western Sydney, particularly with his colleagues the member for Wollondilly and the member for Campbelltown. That group of members has the community's interest at heart, which is markedly different from what happened in former years. On 3 April 2011 a new Liberal-Nationals Government set out in this State to ensure the delivery of new housing, new jobs and new confidence as well as to instil a can-do approach into the public service and the government generally to make sure that the business community felt welcomed in this State. Of course, we first had to clear the decks. In fact, we had to scrub down the decks to get rid of the culture of crooks, corruption and part 3A.

Mr John Barilaro: The stench.

Mr BRAD HAZZARD: The stench of corruption, as the member says. That was the hallmark of New South Wales Labor, which we see being played out day after day at the New South Wales Independent Commission Against Corruption. We kissed part 3A goodbye; those opposite were trying to get it back. They said they wanted part 3A to remain; it suited their purposes. In fact, it was their donation strategy. Of course, the member for Blacktown was part of that Government and part of the problem. He sat in a Cabinet full of crooks, corruption and incompetence.

Mr Ryan Park: Point of order: My point of order is relevance under Standing Order 129. The answer is completely off the topic and is completely unrelated to the question. I ask that the Minister be directed to return to the leave of the question.

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

Mr BRAD HAZZARD: It is interesting that the member leaps to the defence of members of the former Cabinet. The planning Minister in the last part of that regime was Tony "Just Sign Here" Kelly. Then there was Kristina "It's Okay Eddie, Macca's Back" Keneally—

Ms Carmel Tebbutt: Point of order: My point of order is relevance under Standing Order 129. This is an important question about affordable housing and the Minister is talking about anything other than what this Government is doing about affordable housing.

The SPEAKER: Order! I uphold the point of order. I will ask the Minister to return to the question, although I have no power to direct him to do so.

Mr BRAD HAZZARD: The point I was making is that when we needed affordable housing we needed housing, but the former Labor Government was focused internally on the corruption that is now evident throughout its entire ranks. What came from that was that the public of New South Wales was left in a situation where housing supply was the worst it had been for 50 years. During the last five years of the New South Wales Labor Government there were accumulated housing shortfalls—this is not positive—of more than 72,000 homes. Under the New South Wales Labor Government new dwelling commencements in the March 2009 quarter scraped the bottom of the barrel and were down to 291. There was community heartache with young couples missing out on homes and families not having any access to affordable housing. Since the

Coalition came to government in April 2011 new dwelling commencements have averaged 7,705 per quarter. If we compare the bottom of the barrel—5,291 dwelling commencements under the New South Wales Labor Government with the present Government averaging 7,705 new dwellings per quarter—

Ms Linda Burney: What is the industry saying?

Mr BRAD HAZZARD: I thank the member for that question. According to the Housing Industry Association Limited on average housing in New South Wales is now more affordable than it has been at any time in the past 10 years, and that is because of the policies of the O'Farrell Government that have resulted in thousands more new homes on the market, downward pressure on prices and thousands of flow-on jobs. How do the housing approval numbers in New South Wales compare with the rest of the country? The answer is that Australia is down 2 per cent, Victoria is up just marginally at 0.4 per cent, Queensland is down 9 per cent, Western Australia is down 6 per cent and New South Wales is up 10 per cent. That is the difference between a Coalition Government and the incompetent, corrupt, introspective former Labor Government. The rump of that Government is opposite—still defending the corruption, part 3A and the inappropriate activities of the former Labor Government. *[Time expired.]*

CENTRAL COAST WOMEN'S HEALTH CENTRE

Ms LINDA BURNEY: My question is directed to the Minister for Health. Given that the Minister told the House on 13 June last year that there would be no loss of front-line services under her Government's budget cuts, why is the Central Coast Women's Health Centre facing closure from June because she is refusing to guarantee its funding?

Mrs JILLIAN SKINNER: That is an interesting question. Clearly, the member for Canterbury has not been well informed and her intelligence gathering spies are not doing a good job. The reality is that this Government inherited a funded non-government organisation program in which programs had been rolled over for 20 years. In many cases those programs had not been reviewed or evaluated for many years. It was found that some program operators had been asked, "What did you have last year? We will give you more next year." This Government has put in place a process to review the non-government organisation funding program. There has been consultation across the State, a new funding mechanism has been developed and women's programs across the State will be funded until the end of this year. Program operators have been given an undertaking that they will be entitled to apply for funding under the new non-government organisation funding regime.

Ms Linda Burney: So the Government is not funding them?

Mrs JILLIAN SKINNER: I believe there will be more non-government funding to provide better quality health care to people across the State. Those programs that have proven their worth will receive funding. I cannot give members specifics about this program as I do not have details to hand. I know many of the women's health programs are doing a wonderful job because I have seen them in action. I do not know specifically about the Central Coast Women's Health Centre, but any non-government program that is delivering the outcomes for which they were funded can reapply for funding and they will receive a fair share of what I believe will be increased resourcing to non-government organisations that provide health services in New South Wales.

SMALL BAR LIQUOR LICENCES

Mr JOHN SIDOTI: My question is addressed to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts. What are the Government's plans to better regulate small bars in New South Wales?

Mr GEORGE SOURIS: I thank the member for Drummoyne for his question. In September 2012 the Premier announced the Government's response to issues in Kings Cross. That response was a wide-ranging, whole-of-government response that will tackle alcohol- and drug-related crime, and antisocial behaviour in the Kings Cross precinct, which is due to the former Labor Government's neglect.

Ms Carmel Tebbutt: What about that website?

Mr GEORGE SOURIS: Ask me a question about that. The response covered law enforcement, liquor licensing and compliance, transport, and public awareness campaigns. The response also announced plans to

create a new class of small bars with a maximum of 60 patrons as part of the Kings Cross plan of management. The idea is to encourage investment and diversity for the industry. The Liquor Amendment (Kings Cross Plan of Management) Bill 2012, which was passed in November last year, supported the measures announced as part of the package. Today I have given notice that I will shortly introduce the Liquor Amendment (Small Bars) Bill 2013, which will provide for a new category of liquor licences specifically for small bars.

For the first time, small bars will have a legal definition, that is, licensed venue catering for a maximum of 60 patrons. The purpose of the new licence is to provide an alternative for patrons who prefer a small venue. The introduction of a small bar licence also recognises that larger venues, which attract significant numbers of patrons, can contribute to alcohol-related violence and antisocial behaviour. The small bars licence will not be limited to Kings Cross. The small bar reforms will benefit the entire State. Other conditions that apply to small bars include the prohibition of gaming machines and the availability of food. While the venue must be open to the general public, minors will not be permitted within small bars during liquor trading hours. Small bars will be exempt from the liquor licence freeze in Kings Cross and Darlinghurst. However, small bars established in the expanded Kings Cross liquor precinct and in Darlinghurst will be given licences to serve alcohol until midnight only.

Applicants for small bar licences will not be required to prepare a community impact statement. Given the low-risk nature of a small bar, a community impact statement is unnecessary if development consent by local government to use premises as a small bar or to sell liquor has been granted and the local police and the Director General of the Department of Trade and Investment, Regional Infrastructure and Services have been notified of the development application. The development application process includes the requirement for community consultations and submissions. This process requires notification by the applicant of the type of business. If the sale of liquor is contemplated it must form part of the development application and the community will be provided with the opportunity to comment. In these circumstances the applicant must notify the director general and the police within 48 hours of lodging the development application. Only in those circumstances is a community impact statement not required. The introduction of a small bar licence is expected to appeal to patrons and will prompt investment in a different business model for licensed venues in New South Wales, encouraging more diversity in how liquor is sold and supplied and how licensed venues are operated.

COMMUNITY FIRST RESPONDER PROGRAM

Dr ANDREW McDONALD: My question is directed to the Minister for Health. Will she cancel her cost-cutting plan to replace qualified paramedics with firefighters at a medical emergency, given that the Australian Medical Association has raised concerns that it will put patient safety at risk?

Mrs JILLIAN SKINNER: I am very pleased that the member for Macquarie Fields has asked the question because it is in fact his plan. Labor introduced first responders involving fires back in 2005.

[Interruption]

You did not introduce it? I thought Labor was in office in 2005. If so it means that Labor's program was operating in 48 locations across New South Wales. I congratulate Labor on what everyone says is a very good program.

The SPEAKER: Order! The member for Macquarie Fields should understand that this is not an argument between him and the Minister. If he does not and he continues to interject, he will be removed from the Chamber.

Mrs JILLIAN SKINNER: This program has been operating in those 48 locations across the State and I assure people, as I did in the media—

[Interruption]

The Opposition is going back over past clips. None of this is new stuff; it is ancient territory. Do they not have anything new to talk about? This is our first sitting day and they have nothing but old news.

The SPEAKER: Order! Members on both sides will come to order.

Mrs JILLIAN SKINNER: I spoke about this program at the time it hit the headlines. I pointed out that this is not a plan to replace paramedics. Paramedics will be called immediately a 000 call comes in and they

will respond just as they always have. But many people are saying, "Thank God for the firies. If they are closer than the paramedics, they can get to the scene and provide that first aid that may well save lives." I refer to an article that appeared in the *Illawarra Mercury* on 6 February, which set out how Darren watched his partner die while he waited for an ambulance. He backs firies' involvement in medical emergencies. The article is headed "Night I lost love of my life". He goes on to say how grateful he would have been if a fire officer had been close by and able to respond in the first instance to provide immediate first aid while the paramedics were on their way. That is exactly what is happening with the first responders program, which has worked exceptionally well in those areas across the State in which it has been rolled out. It will be rolled out in further locations and I state again that it is not about replacing paramedics. We have a high regard for paramedics. They will always be called when there is a 000 call.

This is the procedure and this is how it works. If there is a 000 call when an emergency occurs, the 000 call is answered at a call centre and the call taker dispatches the nearest available ambulance. That is the first reaction. In the case of an emergency where response time is crucial, such as a heart attack, a call taker dispatches first responders as well if they are closer to the location than are the paramedics. If first responders reach the patient they can perform advanced first aid, including using a defibrillator if necessary, and that can save lives. As the doctor knows, those few minutes can save lives. Then the ambulance arrives, the paramedics take over and they transport the sick patient for further care.

I advise that the 48 locations across New South Wales where paramedics have been assisted by first responders to date include Alstonville, Uralla, Bundeena, Bundanoon, Tocomwal, Mount Wilson and Scotland Island. All these areas have been greatly advanced by having first responders added to those who can provide assistance to people who are in dire circumstances. I am very proud of what we are doing in our Ambulance Service. I have a very high regard for our paramedics, as do all Government members and members of the public. I am pleased to be able to provide them with support and to provide patients with that extra level of more timely care through the use of first responders. I congratulate the former Labor Government on introducing this program.

SERIOUS VIOLENT OFFENDERS LEGISLATION

Mr GLENN BROOKES: My question is addressed to the Attorney General, and Minister for Justice. What is the Government doing to protect the community from violent offenders who refuse to rehabilitate?

Mr GREG SMITH: I thank the member for East Hills for his question and for his ongoing interest in these matters. The O'Farrell Government is committed to keeping the community safe from known violent repeat offenders. This afternoon I gave notice that I will introduce the Crimes (Serious Sex Offenders) Amendment Bill 2013, which will amend the Crimes (Serious Sex Offenders) Act 2006 to include people who have committed serious violence offences. We will protect the community from hardened violent criminals who have shown no remorse and participated in no rehabilitation. These are individuals who are otherwise likely to continue their violent behaviour as soon as they are released. The Sentencing Council report identified a gap in the law which enabled offenders who were at the end of their sentences to be released into the community without any supervision even if they had shown no signs of rehabilitation. Consequently, it is not until they commit a further offence that they can be returned to prison and the community can be protected from them. Obviously this can be a great danger to the community, and the Government quite rightly should reduce that danger where possible. This Government is doing just that.

Under the proposed legislation offenders with a history of violence who are nearing the end of their sentences and who have not taken part in rehabilitation programs or who have not achieved satisfactory outcomes from them will have their likelihood of reoffending assessed by psychologists or psychiatrists. An application can be made to the Supreme Court for those who are considered to pose a continued unacceptable risk to the community to be placed in continuing detention or on an extended supervision order. These are offenders who would otherwise be released from prison without parole and therefore without any supervision or support for their reintegration. A number of violent offenders have been released in this way and they have reoffended, sometimes killing people.

One cannot force offenders to rehabilitate, but one can try to protect the community from those who refuse to do so. Those who complete the required courses have been shown to have a lower risk of reoffending. This scheme adopts a similar model to that which exists for serious sex offenders. So rather than reinvent the wheel, we are amending the serious sex offender legislation to incorporate serious violent offenders. The process will be the same and will involve the rigorous review of the proposed orders by the Supreme Court. This

legislation delivers on a promise we made before the election. In fact, former Premier Kristina Keneally considered this step, but did not push ahead with it. This Government is now pushing ahead with legislative reform. We have the courage to go ahead with this sort of legislation; Labor was too gutless to do anything about it.

The SPEAKER: Order! The Attorney General has the call.

Mr GREG SMITH: This is not a funny matter. Managing offenders in the community is a difficult challenge for Corrective Services and must always be handled with a view to ensuring that the resources available are best used to deliver proper community protection.

The SPEAKER: Order! There is too much audible conversation in the Chamber. The Leader of the House will come to order.

Mr GREG SMITH: To this end Corrective Services NSW is currently merging two units previously responsible for monitoring offenders in the community. The two units had separate functions initially but over time their jobs became blurred, and duplication and inconsistencies developed.

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

Mr GREG SMITH: An independent consultant's report recommended the units be merged and their functions aligned. Corrective Services Commissioner Peter Severin has been consulting with staff about the merger, which will be implemented over the next few months.

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

Mr GREG SMITH: Make no mistake, though, we take our responsibilities to monitor the offenders very seriously. [*Extension of time granted.*]

Any serious offenders that are currently monitored 24/7 will continue to be monitored around the clock—24 hours a day, seven days a week, 52 weeks a year. I can assure the House that this is a necessary change because of the waste that had been occurring under the former Government. Corrective Services had a deficit of \$113 million in the year before we came into office but the former Government allowed the waste to continue by turning a blind eye to it and not exercising ministerial responsibility to control expenditure. That is why this State was in such a mess when we took over government. I can assure the House and the member for East Hills that this legislation will make our streets safer and it will protect the community from the worst of the worst—the most violent offenders.

Question time concluded at 3.10 p.m.

EMERGENCY SERVICES STAFF AND VOLUNTEERS

Ministerial Statement

Mr BARRY O'FARRELL (Ku-ring-gai—Premier, and Minister for Western Sydney) [3.10 p.m.]: At the first Cabinet meeting this year we were briefed on the fire situation across New South Wales by the Rural Fire Service Commissioner, Shane Fitzsimmons, the Deputy Rural Fire Service Commissioner, Rob Rogers, Fire and Rescue NSW Commissioner, Greg Mullins, Acting Commissioner of Police, Nick Kaldas, and Acting Deputy Commissioner of Police, Mike Fuller. Since then, of course, floods have occurred across New South Wales as well. In recent months communities across New South Wales have faced damaging bushfires, floods and storms. This summer, to date, a natural disaster declaration has been made for bushfires affecting 71 local government areas and a natural disaster declaration has been made for flooding affecting 19 local government areas.

I joined the Minister for Primary Industries in her electorate at Bookham during the fire crisis and saw first-hand the impact it had on that fine wool district of New South Wales with the loss of so many sheep. I saw the great efforts by volunteers, including one bushfire captain Ian Bush who was off fighting a fire over the hill when the fire went through his property causing enormous damage to stock and fences. I was in Grafton during its flood emergency and I saw how, regrettably, the member for Grafton was amongst those who had been caught by the rising waters and was confined to his home. Thankfully, the expected flood peak did not eventuate; by only two centimetres the flood mitigation had worked.

Today I congratulate all those volunteers and paid emergency workers across this State who put in an extraordinary effort and whose efforts have not ceased. We have the best-equipped emergency services in the nation. Whether it is during crises in other States, whether it is the Cooperative Research Centre that is, regrettably, being wound down by the Federal Government, our emergency services are the best prepared and are able to put in place the best plans to deal with floods, fires or other emergencies across this State. The work of the paid employees in the emergency services would stand for nothing if not for the efforts of volunteers across New South Wales—volunteers in your area, Madam Speaker, and in other areas across this State who, when such emergencies occur, are prepared to leave their businesses or their places of employment to go out and work with the community whether in a local area or, increasingly, in areas away from their homes. Today I pay tribute to them for their efforts in protecting communities. I introduced His Royal Highness Prince Charles to some of them at a reception held during his visit. They are the people who ensure we can enjoy a lifestyle that is the envy of the world.

If we think about what we take for granted, whether it is our beaches or our bush, come storms, fires or floods, none of it could be attended to as well or as quickly without the efforts of those volunteers, led by our emergency services commissioners and their paid employees. I know that in too many communities across New South Wales losses have occurred. In coming days and weeks we will thank volunteers and others across the State for their efforts. We will, as we do after every emergency, sit down and seek to learn the lessons so that the response by New South Wales emergency services can go to an even higher level in protecting property and stock and, most importantly, in protecting lives in times of emergencies.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.14 p.m.]: I too pay tribute to and thank the many men and women who volunteered their time throughout what was for most of us the summer break but which required many of those volunteers to spend so much time away from their families and friends. These are people who give of themselves without question. They seek nothing in return; they do it because of a sense of community spirit and because of a commitment to making our State a better place and keeping local communities safe. I fear that, tragically, as each year goes by more of these extreme weather events will occur. New South Wales had temperatures well into the mid- to high forties.

We saw flooding and extremes of weather in parts of our State the like of which many have never seen before, such as the fires in Coonabarabran around the Warrumbungles where so much property was lost. So often, particularly in the case of fires, these men and women make a choice to leave their own homes to get onto a fire truck to go and fight a fire. Tragically, in some instances whilst they are away from their family homes those homes are consumed by the very fire that they are fighting. These men and women give of themselves and they do it for the greater good of their local communities. We owe all of them a huge debt for the contribution they make during each and every emergency.

Likewise, in times of flood, we owe a huge debt to the men and women of the State Emergency Service and in our other emergency services who go out and in many instances risk their lives to make a rapid water rescue. I noticed in particular in the northern rivers region that the water levels and rivers rose so quickly that many people in their cars were caught off guard when trying to cross rivers and creeks. Men and women in our emergency services, without fear and without concern for their personal wellbeing, put themselves at risk to go and save others. I recall one example of a mother, her friend and a baby in the back of a four-wheel-drive ute in the middle of a rising creek. I watched on television as emergency services personnel put themselves at risk to retrieve those people from the area. We owe them all a huge debt.

We need to ensure that emergency services personnel know that this Parliament and everyone in it appreciates the great contribution they make. They need to know that they have our ongoing and bipartisan support when it comes to ensuring that they get the support, the funding and the equipment that is needed to do the job we expect of them—a job that they do, as I said earlier, without wanting recognition or payment but merely for the sake of our great communities. We need to be ever vigilant in ensuring that they have whatever they need to deal with the crises they confront on a regular basis—the support, funding and resources that are needed to do the job we expect of them each and every time.

COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Report

The Speaker announced the receipt, pursuant to section 81P of the Parliamentary Electorates and Elections Act 1912, of the result of an audit of the Child-Related Conduct Declaration made by the member for Heffron, received out of session and ordered to be printed on 13 November 2012.

INSPECTOR OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION**Report**

The Speaker announced the receipt, pursuant to section 78 of the Independent Commission Against Corruption Act 1988, of the report entitled, "Report of an audit of applications for and execution of search warrants by the Independent Commission Against Corruption", dated November 2012, received out of session and ordered to be printed on 23 November 2012.

INDEPENDENT COMMISSION AGAINST CORRUPTION**Report**

The Speaker announced the receipt, pursuant to section 78 of the Independent Commission Against Corruption Act 1988, of the report entitled, "Investigation into the smuggling of contraband into the Metropolitan Special Programs Centre at the Long Bay Correctional Centre", dated January 2013, received out of session and ordered to be printed on 25 January 2013.

OMBUDSMAN**Reports**

The Speaker announced the receipt, pursuant to section 31AA of the Ombudsman Act 1974, of the following reports:

"Oversight of the Public Interest Disclosures Act 1994, Annual Report 2011-2012", dated November 2012

"Denial of rights: the need to improve accommodation and support for people with psychiatric disability", dated November 2012

Ordered to be printed.

OMBUDSMAN**Report**

The Speaker announced the receipt, pursuant to section 24 of the Law Enforcement (Controlled Operations) Act 1997, of a report entitled, "Law Enforcement (Controlled Operations) Act 1997 Annual Report 2011–2012", dated December 2012.

Ordered to be printed.

OMBUDSMAN**Report**

The Speaker announced the receipt, pursuant to section 43E of the Community Services (Complaints, Reviews and Monitoring) Act 1993, of a report entitled, "Responding to Child Sexual Assault in Aboriginal Communities", dated December 2012.

Ordered to be printed.

AUDITOR-GENERAL'S REPORTS

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

Report for 2012, Volume Seven, received out of session and authorised to be printed on 28 November 2012

Report for 2012, Volume Eight, received out of session and authorised to be printed on 5 December 2012

Report for 2012, Volume Nine, received out of session and authorised to be printed on 11 December 2012

Report for 2012, Volume Eleven, received out of session and authorised to be printed on 18 December 2012

Report for 2012, Volume Ten, received out of session and authorised to be printed on 20 December 2012

PUBLIC ACCOUNTS COMMITTEE**Government Response to Report**

The Clerk announced the receipt of the Government's response to report No. 4/55, entitled, "Report on the follow-up of the repeat recommendations from the Auditor-General's financial audits 2010", received out of session and authorised to be printed on 29 November 2012.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS**Report**

The Clerk announced the receipt of report No. 2/55 entitled, "Administration of the 2011 NSW Election and related matters", dated December 2012, received out of session and authorised to be printed on 11 December 2012.

COMMITTEE ON THE OMBUDSMAN, THE POLICE INTEGRITY COMMISSION AND THE CRIME COMMISSION**Reports**

The Clerk announced the receipt, pursuant to section 31FA of the Ombudsman Act 1974, of the following reports:

"Report on the First General Meeting with the Convenor of the Child Death Review Team", Report 1/55, dated December 2012, received out of session and authorised to be printed on 12 December 2012

"Report on the First Meeting with the Information Commissioner and the Privacy Commissioner", Report 2/55, dated December 2012, received out of session and authorised to be printed on 12 December 2012

"Report on the Twelfth General Meeting with the Inspector of the Police Integrity Commission", Report 3/55, dated December 2012, received out of session and authorised to be printed on 12 December 2012

"Report on the 17th General Meeting with the NSW Ombudsman", Report 4/55, dated December 2012, received out of session and authorised to be printed on 12 December 2012

"Report on the 13th General Meeting with the Police Integrity Commission", Report 5/55, dated December 2012, received out of session and authorised to be printed on 12 December 2012

"Report on the use of anti-personnel spray and batons by Police Integrity Commission Officers", Report 6/55, dated December 2012, received out of session and authorised to be printed on 19 December 2012

INDEPENDENT TRANSPORT SAFETY REGULATOR**Report**

The Clerk announced the receipt, pursuant to section 74 of the Rail Safety Act 2008, of the report entitled, "Implementation of the NSW Government's response to the Final Report of the Special Commission of Inquiry into the Waterfall Rail Accident Reporting Period: October-December 2012", received out of session and authorised to be printed on 17 January 2013.

JOINT SELECT COMMITTEE ON THE NSW WORKERS COMPENSATION SCHEME**Government Response to Report**

The Clerk announced the receipt of the Government's response to report No.1, entitled, "New South Wales Workers Compensation Scheme", received out of session and authorised to be printed on 7 February 2013.

LEGISLATION REVIEW COMMITTEE**Report**

Mr Stephen Bromhead, as Chair, tabled the report entitled, "Legislation Review Digest No. 30/55", dated 19 February 2013, together with the minutes of the committee meeting regarding Legislation Review Digest No. 30/55, dated 20 November 2012.

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 Andrew Stoner**.

Sydney Electorate Public High School

Petition requesting the establishment of a public high school in the Sydney electorate, 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**.

Duck Hunting

Petition requesting retention of the longstanding ban on duck hunting, 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**.

Pet Shops

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

Commonwealth Clean Energy Supplement

Petition requesting that social housing tenants receive the full benefit of the Commonwealth Clean Energy Supplement to offset increased living expenses, received from **Mr Alex Greenwich**.

Cooks River Sewage Flows

Petition requesting the limitation of sewage flows into the Cooks River such that levels of E. coli and other human pathogens are reduced below safe levels for swimming and boating activities, received from **Ms Linda Burney**.

The Clerk announced that the following petitions signed by more 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 Daryl Maguire**.

Wellington Police Station

Petition requesting that escalating drug and juvenile crime in Wellington be addressed by increasing police numbers and expanding police station operating hours to 24 hours a day, seven days a week, received from **Mr Andrew Gee**.

Newcastle Bus Service 235

Petition requesting the extension of Newcastle bus service 235 through Maryland and Fletcher to Minmi, received from **Ms Sonia Hornery**.

Inner City Social Housing

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

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

The Hon. Brad Hazzard—Gulgong temporary workers accommodation facility—lodged 24 October 2012 (Mr Andrew Gee)

The Hon. Duncan Gay—Kariong traffic management—lodged 21 November 2012 (Mr Chris Holstein)

The Hon. Duncan Gay—Great Western Highway upgrade—lodged 21 November 2012 (Mr Ryan Park)

The Hon. Greg Smith—Bail Act reform—lodged 21 November 2012 (Mr Greg Smith)

The Hon. Jillian Skinner—Palliative care services—lodged 22 November 2012 (Mr Stephen Bromhead, Ms Pru Goward, Mr Troy Grant, Mr Rob Stokes and Mrs Leslie Williams)

The Hon. Adrian Piccoli—TAFE arts education—lodged 22 November 2012 (Ms Carmel Tebbutt)

The Hon. Robyn Parker—Container deposit levy—lodged 22 November 2012 (Mr Alex Greenwich)

The Hon. Brad Hazzard—Thompson Square, Windsor—lodged 15 November 2012 (Mr Ryan Park)

The Hon. Adrian Piccoli—TAFE arts education—lodged 15 November 2012 (Ms Carmel Tebbutt)

The Hon. Mike Baird—Port Kembla privatisation—lodged 21 November 2012 (Ms Noreen Hay)

The Hon. Gladys Berejiklian—Wentworthville railway station easy access upgrade—lodged 22 November 2012 (Mr Geoff Lee)

BUSINESS OF THE HOUSE**Business Lapsed**

The SPEAKER: I advise the House that, pursuant to Standing Order 105 (3), General Business Order of the Day General Order No. 1 and General Business Notices of Motions (General Notices) Nos 700, 702, 722, 765, 772, 778, 783, 791, 795, 802 to 807, and 812 either not having commenced or not having been completed have lapsed.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Coal Seam Gas Exploration**

Mr BRYAN DOYLE (Campbelltown) [3.26 p.m.]: My motion, which should be accorded priority, is as follows:

That this House supports the New South Wales Government's decision to toughen the regulation and restrictions on the New South Wales coal seam gas industry.

This issue deserves priority and the attention of the House. In truth, every member of this House has concerns about this issue. Members on both sides of the House have spoken with their constituents. In Campbelltown—that great opal of the south-west in the heart of the Macarthur—the voice of the people has been heard. They are concerned about the proposals to allow coal seam gas mining under their homes under regulations put in force by Labor. This issue is on the minds of everyone in the gallery today. Everyone is concerned about coal seam gas and its proper regulation. In my dealings with people from Ingleburn to Ruse, to Blair Athol and Campbelltown, the recurring theme was one of concern in relation to what was happening. That was shared by my brother members in the Macarthur on team MacLibs.

The member for Camden and the member for Wollondilly stood with me at Centenary Park as we looked out over the Campbelltown valley towards the Scenic Hills, over land where under the previous regulations coal seam gas mining and drilling would be allowed to occur. The voice of Campbelltown reverberated around New South Wales when its residents said no to coal seam gas mining in the Scenic Hills and under their homes. I am very proud to be a member of a Government that represents leadership based on values, service and determination. The New South Wales Government is a government that listens, hears what people say, understands their concerns, and moves to take action, and that is why this motion deserves priority. I commend the motion to the House.

St George Hospital

Ms CHERIE BURTON (Kogarah) [3.29 p.m.]: The motion for which I seek priority states:

That this House:

- (1) calls on the Minister for Health and Medical Research to make the rebuild of St George Hospital an urgent priority; and
- (2) further calls on the Minister to increase funding so that St George Hospital may cope with the dramatic rise in presentations including a huge increase in trauma patients and a blow out in waiting times for cancer patients.

This motion deserves priority because the St George Hospital is in critical need of a major upgrade and needs it now—not a bandaid, but a complete rebuild.

The SPEAKER: Order! The member for Oatley will cease interjecting. If he continues to interject, he will be removed from the House.

Ms CHERIE BURTON: While I commend the Government for honouring Labor's commitment of \$35 million to rebuild the emergency department, on its own that will remove only the bottleneck into the new emergency department. This motion deserves priority because it is imperative that funding be provided now to build a hot floor on top of the new emergency department to prevent a bottleneck from occurring in the intensive care unit and the emergency department. Currently the intensive care unit at the St George Hospital admits 2,500 patients a year and more than 16,000 patients present at the hospital's emergency department. Those figures are greater than those of St Vincent's, the Prince of Wales and Royal North Shore hospitals—and almost greater than the figures for the Royal Prince Alfred Hospital. Recent data show that the St George Hospital has experienced an increase in presentations of 22 per cent, a 131 per cent increase in major and severe trauma cases, and a 135 per cent increase in trauma presentations. The current footprint of the St George Hospital is too small to cope with this increase in demand.

Mr John Sidoti: What is Labor doing?

Ms CHERIE BURTON: Good question. Labor increased the health budget to a record \$15.5 billion, which represented a 192 per cent increase in funding since the previous term of the Coalition Government, and Labor committed to spending more than \$42 million each and every day to improve the health of the community. In 2011 Labor invested a record \$4.4 billion—Labor did not take out \$3.3 billion—which represented an increase of 28 per cent of its total budget for rural and regional health services. Since 1995 nearly every major hospital has been rebuilt or upgraded, and Labor spent more than \$918 million on capital works in its last financial year in office.

Mr John Sidoti: Oh!

Ms CHERIE BURTON: The member for Drummoyne wanted to know what Labor did for 16 years, and I am telling him. Now it is St George's turn. The Royal North Shore Hospital was allocated \$1.1 billion,

including an additional \$91.8 million for clinical services. The Liverpool Hospital was allocated \$396 million, the Orange Base Hospital was allocated \$257 million and the Sutherland Hospital was allocated more than \$100 million—just to name a few hospital funding allocations made by Labor. While the former Coalition Government was closing hospitals Labor was rebuilding them, and we brought the Port Macquarie hospital back into public ownership. I challenge the members for Rockdale and Oatley to support this motion. They should stand up for the people of St George.

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

The House divided.

Ayes, 65

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

Noes, 23

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

Question resolved in the affirmative.

COAL SEAM GAS EXPLORATION

Motion Accorded Priority

Mr BRYAN DOYLE (Campbelltown) [3.41 p.m.]: I move:

That this House supports the New South Wales Government's decision to toughen the regulation and restrictions on the New South Wales coal seam gas industry.

As I said in my earlier remarks, this is a matter that concerns everyone in our community. The gentle people in the gallery might notice that Labor members voted against tightening restrictions on coal seam gas exploration.

They voted against protecting homes and backyards from coal seam gas operations. That is the one issue that concerns the people of New South Wales the most: their homes, their backyards, must be protected from coal seam gas mining and drilling. Under the Liberal-Nationals Government they are protected. Its members in this House represent the people. When I stood with the member for Wollondilly and the member for Camden in Centenary Park our resolve was clear. Our Federal colleague, the member for Macarthur, also stood with us. Not only Labor members but also the solitary member of The Greens voted against the motion. How can they vote against such a motion, which recognises what everyone in New South Wales recognises: There needs to be better control, better regulation, of this industry?

When asking why those opposite would vote against the motion one might refer to the rules that they put in place. This is the protection that Labor and The Greens offer everyone: that coal seam gas wells be located five to 10 metres from a home. That is not very far—football players cover that distance very quickly. Labor and The Greens would extend it to 20 metres for schools, hospitals and aged care facilities. One can understand why they voted against the motion and why they want those regulations to stay in place. However, the Liberal-Nationals Government knows that is not right and that is why we have put in a two-kilometre exclusion zone, both above and under the ground. Compare our position with that of Labor and The Greens, who would allow a gas drilling to occur 10 metres from a home. However, we in Campbelltown and in the rest of the State say no. We will not put up with that.

When I met with gas company representatives to tell them about the community's concerns they did not get it. I think they thought they were talking to those opposite. I said that the community does not want this mining and has no faith in it. That is why we have introduced a two-kilometre exclusion zone around residential and future residential growth areas. We cannot fix past problems but we can prevent them from occurring again. We can bring proper government to the people of New South Wales. Today is a day that everyone in New South Wales will remember as the day their homes were protected. Everyone can sleep easy at night knowing that their concerns have been listened to and acted upon.

Mr RON HOENIG (Heffron) [3.46 p.m.]: I wish to amend the motion. I move:

That this House notes the New South Wales Government's decision to change the regulation and restrictions on the New South Wales coal seam gas industry and notes it does not go far enough.

The O'Farrell Government has been dragged screaming to this decision. The Coalition has been in government since March 2011. What was the view of the Opposition in November 2011 when it called for a moratorium on coal seam gas? The Labor Party said in November 2011 that coal seam gas had the potential to damage our drinking water and compromise food security; that there should be the immediate commission of an independent inquiry into the coal seam gas industry chaired by scientific experts to assess the real impact of coal seam gas; and that coal seam gas exploration licences should be suspended before irreparable damage was caused. That was in November 2011. Here we are in February 2013 and the Government has been forced into this decision.

Alan Jones—somebody who is probably more well known by those opposite than by members on this side of the House—has been conducting a campaign since 2011, drawing to the State's attention the impact of coal seam gas on drinking water, farms and aquifers. On 19 October 2011 Mr Jones told the press club that miners were equipped to rip off and rob the farmers. I have moved this amendment noting that the O'Farrell Government's decision does not go far enough because 11 coal seam gas wells in water catchment areas south-west of Sydney are untouched by this announcement. Those coal seam gas wells are located within 500 metres of the World Heritage listed Wollemi National Park. Members opposite who seek to interject think they are somehow pure. But some would think there is an election coming up this year. The fact that drilling was to occur under the Federal electorate of Macarthur might be the cause of their new-found knowledge. I remind the House that on 5 February 2013 the Minister for Resources and Energy told the Centre for Independent Studies:

Coal seam gas is no good to us still in the ground. You have to take it where it is. You can't say you don't want to develop it here.

The Premier of this State has since cut the rug from under Mr Hartcher's feet. I could have some sympathy for a Minister for Resources and Energy who is trying to secure future gas returns for New South Wales, but not when it will result in the destruction of the environment. The Premier had the absolute hide and temerity to say today in this House that he suddenly made a decision when the Opposition has been screaming for two years to stop the poisoning of the groundwater table. He then said the Environment Protection Authority has to defend the people of New South Wales. That authority has an atrocious record.

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

Mr RON HOENIG: One has only to look at the level of mercury poisoning and carcinogens in the Botany aquifer or at Sydney's air quality. The Environment Protection Authority could not protect a fly from Mortein spray. Every member of this House is responsible for these coal seam gas decisions. The vested interests seemed to walk straight over the environment and the future protection of the people of New South Wales. The Premier should say, "We made a mistake: we were looking to the long-term supply of energy for New South Wales and it is not sustainable." He should not come into this place and pretend to have a good environmental track record—those opposite never had one in their lives.

Mr THOMAS GEORGE (Lismore—The Deputy-Speaker) [3.51 p.m.]: The last contribution will have to be excused because, sadly, the member for Heffron has no idea what happened in Parliament for 16 years under the former Government. I will excuse him because he has been in this place for only 12 or 18 months. This problem was caused by the previous Government when it received a sum of money and handed out coal seam gas exploration licences without any rules. In March 2011 the Coalition was elected and suddenly everyone in the Opposition camp found problems with coal seam gas.

Mr Troy Grant: Suffering from amnesia.

Mr THOMAS GEORGE: That is right—they are suffering from amnesia. We have been left with the problem of all the licences that were issued by the former Government over the past 16 years and we now have to tidy up the mess. Each of us on this side has expressed concern to the Premier, the Cabinet and to Ministers, who have listened. We have further enhanced the toughest coal seam gas regulatory regime in this country. We remain committed to a regular process of review and improvement. We fought hard to balance the demands of our land, water and communities from coal seam gas activities. These new rules result directly from the advocacy of all members on this side of the House. We have had to protect the villages and towns. Opposition members did nothing about that when in government. Yet today they pretend they are the gods of what should be delivered to the community.

Those opposite have much to learn about what they should have done. I am sure they will have plenty of time in opposition to do that. We have taken the hard steps and those opposite criticise us. They want the Premier to explain the decision. The Premier does not have to explain. Those members of the previous Government who took all the money and ran need to explain to the people of New South Wales why they left coal seam gas mining approvals in this State in such a mess. We are trying to tidy things up, and the measures announced today will enable us to continue to do so.

Mr RYAN PARK (Keira) [3.54 p.m.]: I am glad that the member for Campbelltown said today is an important day that supposedly the public will remember. I return to the time just prior to the last State election and to the Premier's comments regarding water catchment areas, which are fairly important as they provide a reasonably good water supply so that we all can turn on the tap and drink the water that flows out. The Premier said:

The next National/Liberal Government will ensure that mining cannot occur ... in any water catchment area, and will ensure that mining leases and mining exploration permits reflect that common sense; no ifs, no buts, a guarantee.

On hearing this latest announcement I referred directly to those remarks because it appeared that the water catchment areas in my neck of the woods and those in the electorate of Heathcote that supply a significant portion of the safe drinking water that is used every day through Sydney Water will be protected. One would have thought so, based on the Premier's comments. But that is not the case. The water catchment areas that supply safe drinking water to thousands of homes in the Illawarra, Sydney and the Blue Mountains are not protected under this proposal. This plan is simple: It is sandbagging our mates in south-western Sydney in the lead-up to the September Federal election. This plan is not about protecting the water supply. The Leader of the Opposition, John Robertson, made it clear that the decisions of the former Government were not right and he has developed a new policy that things have to change. Those opposite have had two years to get it right, and the people of the Illawarra will remember today as the day when those opposite let them down.

Mr BRYAN DOYLE (Campbelltown) [3.57 p.m.], in reply: I thank members representing the electorates of Heffron, Lismore and Keira for their contributions to the debate. It is funny that those Labor members who chose to address the motion today were not members of the previous Government. Why? It is because all coal seam gas exploration licences were issued by Labor on the condition that they did not go within 10 metres of homes and 20 metres of hospitals and schools.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Canterbury chose not to contribute to this debate. She will allow the member for Campbelltown to be heard in silence.

Mr BRYAN DOYLE: Today will be remembered as the day this industry was brought under proper regulation and control. The Labor Opposition denigrated the Environment Protection Authority—an agency tasked with defending our environment. Opposition members may have nobbled its effectiveness under their administration, but under the Liberal-Nationals Government the Environment Protection Authority is an independent body that looks after the environment. The Chief Scientist will conduct an independent review of all coal seam gas activities. An Office of Coal Seam Gas will be established within the Department of Trade and Investment, Regional Infrastructure and Services to administer licences and regulate the non-environmental factors.

There will be a two-kilometre exclusion zone around residential areas, future residential growth areas and critical industry clusters, and those two kilometres extend above and below the ground. This is what Opposition members are voting against, and in so doing they are voting against the people of New South Wales. They have the hide to vote against a proposal that provides the toughest controls for coal seam gas. Those opposite say the controls should have gone further, but the Labor Government issued 40 per cent of all gas exploration licences in the State. Given the chance, the Labor Government would have allowed drilling under St Peters. Labor thought it could take Campbelltown for granted and allow drilling under local homes. It thought it could get away with it, but the people of New South Wales and the Liberal-Nationals Government have said no.

Question—That the words stand—put.

The House divided.

Ayes, 62

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

Noes, 23

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

Question resolved in the affirmative.

Amendment negatived.

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

Motion agreed to.

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

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

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [4.10 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Local Court Amendment (Company Title Home Unit Disputes) Bill 2013. This 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 a 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. Company title is a system of communal land ownership whereby a person becomes entitled to live in a unit in a residential home unit building by acquiring shares in a company that owns the building. Before the introduction of strata titles legislation in New South Wales in 1961 it was the most common way of accommodating the subdivision of multistorey residential buildings. The Law Reform Commission estimated that there are approximately 840 company title buildings in New South Wales.

Company title home unit disputes are disputes between shareholders, the corporation or residents. These can be disputes about common property such as disputes about parking and vehicle access, or the repair or maintenance of common property. These can be disputes about the units in a company title building about the residential premises such as disputes about the keeping of pets or the external appearance of premises. They can be disputes about administrative matters such as levies. The right to commence court action may arise from the company's constitution, the Corporations Act 2001 (Commonwealth) or from the general law. Currently, the forum for the resolution of such disputes is usually a court of general jurisdiction, which means the Supreme Court, and in particular the Equity Division of that court.

In April 2007 the New South Wales Law Reform Commission released Report 115 "Disputes in company title home units". The commission found that the cost of taking company title home unit disputes to the Supreme Court is prohibitive and effectively disempowers residents in company title home units from holding the board of directors accountable. This bill will address this concern, giving both the General Division and the Small Claims Division of the Local Court the ability to make a range of orders in determining company title home unit disputes. The bill does not alter the legal rights between parties but it does ensure that where there are existing legal rights, people will be able to enforce these quickly and cheaply in the Local Court.

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 Law Reform Commission recommended giving the Consumer, Trader and Tenancy Tribunal [CTTT] jurisdiction to hear company title home unit disputes. However, a tribunal may not be able to be vested with the power to determine disputes in relation to company title home units where those disputes arise under a law of the Commonwealth, the Corporations Act 2001. While the Local Court is not a tribunal, it will still be able to determine disputes quickly and cheaply. The bill will ensure that the Local Court can resolve company

title home unit disputes effectively by giving both the General and Small Claims divisions of the Local Court the ability to make appropriate orders, such as an order requiring a person to do something, or to refrain from doing something, or a declaration.

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 units 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 the 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.

The Law Reform Commission found that some disputes are dealt with more appropriately in another forum. The resolution of certain types of disputes may be particularly complex or result in a shareholder being deprived of his or her home. It recommended that jurisdiction not extend to disputes that relate to the sale or transfer of shares in the company, in which relief is claimed against oppression under part 2F.1 of the Corporations Act 2001 (Commonwealth), relate to the forfeiture of shares in the company, or relate to the winding up of the company. The bill excludes these types of disputes. The bill also excludes other matters that the Corporations Act 2001 reserves for superior courts, such as the Supreme Court.

The bill does not, however, 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. This is on the basis that professional persons buying into company title home units can be assumed to know about or be advised on restrictions relating to leasing and the Consumer, Trader and Tenancy Tribunal has no experience in dealing with such disputes since restrictions cannot be placed on the ability of strata unit holders to lease their lots. However, 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. Further, the Small Claims Division of the Local Court deals with a broad range of disputes and is well placed to determine disputes in relation to the leasing of company title home units.

The bill adopts recommendations of the Law Reform Commission that the constitution of a company title home unit building should not be able to exclude the new jurisdiction, for example, through an arbitration clause. The bill also adopts recommendations of the Law Reform Commission that the legislation should state that, to the extent necessary, its provisions are corporations legislation displacement provisions. The commission also recommended that company title home unit disputes be referred to mediation unless the registrar is of the view that mediation is unnecessary or inappropriate. The Local Court Act 2007 already requires the Local Court to use its best endeavours to have the parties settle and permits the court to refer a matter to mediation.

By way of conclusion, this bill allows disputes over the use and occupancy of company title home unit buildings to be resolved in an accessible forum—the Local Court. It adopts recommendations of the Law Reform Commission that were designed to ensure that legislative reforms did not destroy the unique character of company title home units, and hence what may be their appeal to residents and potential residents. The reforms do not equate company title with other forms of home unit title, such as strata title. The reforms do, however, provide a suitable forum for resolving company title home unit disputes. They effectively empower shareholder-owners and residents to enforce their legal rights, and ensure that the legislation and the rules are complied with. I commend the bill to the House.

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

ROAD TRANSPORT BILL 2013

ROAD TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) BILL 2013

ROAD TRANSPORT (STATUTORY RULES) BILL 2013

Bills introduced on motion by Ms Gladys Berejiklian, read a first time and printed.

Second Reading

Ms GLADYS BEREJIKLIAN (Willoughby—Minister for Transport) [4.19 p.m.]: I move:

That these bills be now read a second time.

I am very pleased to introduce these cognate bills in this Chamber on behalf of my colleague in the other place the Minister for Roads and Ports. The Government is pleased to introduce the Road Transport Bill 2013, the Road Transport Legislation (Repeal and Amendment) Bill 2013 and the Road Transport (Statutory Rules) Bill 2013. These bills consolidate New South Wales road transport legislation and prepare for the eventual adoption of the Heavy Vehicle National Law in this State. These bills not only cut the number and reduce the volume of statutes but also remove anomalies, inconsistency and a degree of complexity in the legislation that impacts on every citizen in New South Wales.

In New South Wales there are 5.5 million licence holders and 5.7 million registered vehicles. These drivers and their vehicles—mostly cars—travelled 66 billion kilometres on New South Wales roads in 2011-12. The legislation that regulates road transport is complex; it regulates all aspects of the road environment from licensing drivers and registering vehicles to road rules, vehicle standards, traffic management, drug and alcohol testing, motorcycle rider training, compliance and enforcement, and a chain of responsibility for heavy vehicles. That complexity was unintentionally magnified by the creation of five Acts and 10 regulations. Provisions relating to demerit points are similarly scattered and it is difficult for a road user to understand what applies to them. Moreover, there are areas of duplication, repetition and extensive cross-referencing. There are different definitions for "drive", "driver", "vehicle", "traffic", "garage address", "heavy motor vehicle" and "foreign driver licence". Some key terms remain undefined. It is for those reasons that these three bills are so important.

The Road Transport Bill 2013 represents a simplification of the structure of legislation without major changes to policy. It amalgamates into one Act the Road Transport (Driver Licensing) Act 1998, the Road Transport (Vehicle Registration) Act 1997 and the Road Transport (Safety and Traffic Management) Act 1999, and the compliance and enforcement provisions of the Road Transport (General) Act 2005 applicable to road transport legislation generally. It is intended to enhance the understanding of New South Wales road users of their legal rights and responsibilities. The changes include the removal of inconsistency, repetition, anomalies and redundancy. In addition, the bill provides for advances in technology, such as traffic management devices, and standardisation of processes for drug and alcohol testing. Some provisions that are currently found in regulations, such as those relating to appeals, will be elevated to the Act for consistency and ease of navigation.

The bill adds the definition of "approved traffic enforcement devices" to cover a variety of equipment, including that used for speed measurement. "First offence" and "second or subsequent offence" as well as "Australian registered operator" in relation to a vehicle are also defined in the bill. In addition, the total number of regulations has been reduced with the repeal of the Road Transport (Safety and Traffic Management) Regulation and the inclusion of those provisions in a new Road Transport (General) Regulation. The Road Transport Legislation (Repeal and Amendment) Bill 2013 provides for the repeal of existing Acts and makes amendments to certain other Acts and statutory rules. In addition, it prepares for the eventual adoption of the Heavy Vehicle National Law in New South Wales by renaming the Road Transport (General) Act as the Road Transport (Vehicle and Driver Management) Act and confining its operation to mass, dimension and load-restraint requirements for heavy vehicles and to regulating other matters relating to heavy vehicles, such as driver fatigue management.

Members may be aware that on 19 August 2011 the Commonwealth, States and Territories signed the Intergovernmental Agreement on Heavy Vehicle Regulatory Reform. The adoption of Heavy Vehicle National Law and a Heavy Vehicle Regulator is the latest initiative in the reform process and will place regulation of vehicles over 4.5 tonnes under a national body with national template legislation adopted by all jurisdictions. This decision was made in response to industry concerns that difficulties remained in doing business across State and Territory borders. Because of jurisdictional variations in the adoption of previous national model laws, the Heavy Vehicle National Law is template legislation that will be hosted by the Queensland Parliament and then applied or adopted in other jurisdictions.

Following the passage of the second bill through the Queensland Parliament later this year, the Heavy Vehicle National Law will be adopted progressively by other States and Territories. The separation of heavy vehicle road transport provisions in the Road Transport (Driver and Vehicle Management) Act paves the way for the application of Heavy Vehicle National Law in New South Wales. This Act and its two regulations will be repealed later in 2013. There will be no major amendments to the new Road Transport Act when that happens. The Road Transport (Statutory Rules) Bill 2013 makes amendments to certain regulations under existing road transport legislation that will continue under the new Road Transport Act 2013.

It also sets out the terms of the proposed Road Transport (General) Regulation 2013, which will be a regulation made under the new Act and, among other things, replaces the Road Transport (Safety and Traffic

Management) Regulation 1999. The bill also creates the Road Transport (Vehicle and Driver Management) Regulation 2005 under the Road Transport (Vehicle and Driver Management) Act, as outlined above, and confines its operation to heavy vehicle matters. Road transport legislation regulates all aspects of driver behaviour and vehicle use on our roads. The bills reduce the number of pieces of road transport law, cut red tape and prepare for the introduction of the National Heavy Vehicle Law in New South Wales—another important piece of regulatory reform. This consolidation also makes the legislation easier to use. I trust members will lend their support to the New South Wales Government's proposals. On behalf of my colleague in the other place I commend the bills to the House.

Debate adjourned on motion by Ms Cherie Burton and set down as an order of the day for a future day.

COURTS AND OTHER LEGISLATION FURTHER AMENDMENT BILL 2012

Second Reading

Debate resumed from 21 November 2012.

Mr PAUL LYNCH (Liverpool) [4.26 p.m.]: I lead for the Opposition in debate on the Courts and Other Legislation Further Amendment Bill 2012. The Opposition does not oppose the bill, although we have some concerns about one aspect of the bill and how widely drafted are the provisions of that part. The bill proposes a range of what are largely minor amendments to various legislative provisions that impact upon the operation of courts in this State. This is a quite usual way of proceeding with minor amendments; it is a mechanism used by governments of all political persuasions. The legislation to which amendments are proposed include the Births, Deaths and Marriages Registration Act, the Children (Community Service Orders) Act, the Children (Detention Centres) Act, the Children's Court Act, the Civil Procedure Act and Civil Procedure Regulation, the Court Security Act, the Crimes (Appeal and Review) Act, the Fines Act, the Inebriates Act, the Jury Act, the Land and Environment Court Act, the New South Wales Trustee and Guardian Act, and the Probate and Administration Act.

The first of these various provisions that I will comment on is the Court Security Act. This proposed amendment will prohibit the use of devices to transmit sounds and images from a courtroom to anyone not in the room. This is designed to prevent someone sitting in the courtroom from contacting someone outside the room who is going to be the next witness, alerting them to the evidence being given by a current witness. The usual rule, of course, prevents witnesses who are yet to give evidence from being in the courtroom whilst other witnesses give evidence. That is undoubtedly a worthy and desirable aim. The concern is that the provision is drafted so widely that it will not only prohibit that undesirable conduct but will, additionally, capture and thus prohibit a whole range of unobjectionable behaviour. As I understand it, there is only one practical incident that has provoked this legislation. It gives a bit of a sense of a sledgehammer cracking a nut. In a letter dated 23 November 2012 from its president, John Dowd, the Law Society expressed its concerns to me about this proposal. In part the letter says that the society's committees:

... are concerned about the amendment to the Court Security Act 2005 prohibiting the use of a device (including a telephone) to transmit sounds, images, or "information that forms part of the proceedings to a court" from a courtroom to any person or place outside the court.

The explanatory note suggests that the amendment is aimed at situations such as using a phone to "simultaneously transmit court proceedings" to a witness who is waiting outside to give evidence.

However, the definition of the term "information that forms part of the proceedings" is problematic. A legal practitioner may be in breach of proposed section 9A if he or she is in the courtroom and emails a colleague who is assisting with the preparation of the case and provides information on the progress of the proceedings.

These seem realistic concerns and stem from the breadth of the terms used in the legislation. As I said, there is a sense of a sledgehammer being used to crack a nut. The society's letter continues:

The amendment is too broad and will prohibit legal practitioners from taking necessary action while in court. It may lead to legal practitioners being forced to make applications to the court for permission to email or text colleagues or clients which will result in a waste of the court's time. The committees submit that proposed section 9A should be amended to provide that all legal practitioners are exempt from the operation of the section. Legal practitioners should be entitled to communicate information outside of the courtroom consistent with their ethical obligations.

I find it very hard to locate a credible or coherent argument against the position of the Law Society on this point. The problem does not end with solicitors or barristers, but could also catch journalists. There was a half acknowledgement of this problem by the Attorney General in his second reading speech, but that is about all it is. The cacophony of complaints by the staff of the *Sydney Morning Herald*, Fairfax and the *Australian* rather confirms my fears in relation to this issue when I first read the bill. The suggestion by the Attorney General is that the regulation-making power set out in new section 9A (2) (f) will resolve the problem. As I understand it, draft regulations have now been circulated. That regulation-making provision provides that the prohibition in new section 9A (1) does not apply to "the transmission of sounds, images or information in any circumstances that maybe prescribed by the regulations".

This purported solution is objectionable on two grounds. First, the regulations were not available and were not before the House when the bill was introduced. That seems quite wrong in principle. Effectively, when the bill was introduced we were being asked to endorse a very broad piece of legislation with a promise to eventually provide exemptions. The second and more fundamental problem is that these principles of open and professional justice are too important to be batted away to the regulations. They really should be in the body of the bill. Principles of open justice and proper representation are central to the legal system we have and that we want to have. In addition, the regulations that have been circulated perhaps solve the problem for lawyers and some journalists, but another range of journalists might not be protected. Certainly those who may be called citizen journalists or bloggers are not protected. That seems consistent with what I might call the Attorney General's phobia of modern technology. His comments in the defence shield legislation debate suggested that he is uncomfortable with any technology later than about the early twentieth century, and this provision reflects that.

The bill also amends the uncommenced provisions of the Jury Act so as to continue the current ineligibility of Australian lawyers to serve as jurors and the current right of people who care for a person who is sick, infirm or disabled to claim an exemption from serving on a jury. There are legitimate arguments on both sides of this debate. On the one hand, it is to the benefit of the jury system that the potential pool of jurors be as wide and diverse as possible. Failure to ensure this makes a jury trial something less than a process of judgement by one's peers. That sensible approach underlies the changes now being revoked. On the other hand, there is an entirely reasonable argument that this bill also pursues a sensible course on this point. The earlier provisions excluded a subset of lawyers from serving on juries but this bill is much broader. There is an understandable fear that the expertise of a lawyer would lead to undue influence in the jury room. The bill also allows carers to claim an exemption as of right rather than having to establish good cause as to why they should not serve on juries. The Opposition does not oppose these provisions.

The final aspect of the bill upon which I seek to comment relates to amendments to the Civil Procedure Act and the Civil Procedure Regulation. These provisions in essence repeal part 2A of the Act, which is the provision requiring parties to civil proceedings to take reasonable steps to resolve or narrow issues in dispute before instituting court proceedings. The provision had not commenced and the Government announced previously that this process would not be pursued until the evaluation of Federal provisions was completed. Granted this, there is logic in not opposing this provision. My only concern is that there seems to be little appetite on the part of this Government to support alternate dispute resolution.

There was earlier, of course, the trashing of the criminal procedure trial. The fact that things have not been tried before in the law is absolutely no reason of itself not to proceed with them now. It is probably common ground that the greatest single challenge facing the civil legal system is costs. Litigation is simply too expensive for the vast majority of citizens in this State. Any government, opposition or political organisation that ignores that fact is burying its head in the sand. It seems to me that the current Attorney General has very little appetite to deal with that issue. Whilst I cannot oppose the provision in this bill, it strikes me as symptomatic of a Government that is not prepared to face that significant challenge. The Opposition does not oppose the bill.

Mr MARK SPEAKMAN (Cronulla) [4.34 p.m.]: I support the Courts and Other Legislation Further Amendment Bill 2012. The bill seeks to amend approximately 13 sets of legislation and make consequential amendments. It is part of the Government's regular reviewing of legislation and monitoring in relation to the system of courts and justice in New South Wales. The first set amendments will deal with the Anti-Discrimination Act 1977 and will clarify the definitions of "relative" and "associate" to avoid potential confusion in the current drafting of that Act.

The second set of amendments will amend the Births, Deaths and Marriages Registration Act 1995. At the moment the Registrar of Births, Deaths and Marriages can provide law enforcement agencies with

information about registered changes of name, but in some circumstances law enforcement agencies need to be able to access information about change of name applications before they are registered. That is because certain classes of people, such as child sex offenders and former serious offenders, are restricted from changing their name without the approval of the Commissioner of the NSW Police Force. Under the proposed changes to section 46A of the Births, Deaths and Marriages Registration Act if a restricted person applies to change his or her name the NSW Police Force will have the opportunity to object to the registration before it occurs. That is an important crime prevention initiative designed to ensure that restricted persons cannot evade detection by changing their identity.

The third set of amendments is to the Children (Community Service Orders) Act 1987 and the Children (Detention Centres) Act 1987 to allow the State Debt Recovery Office and Juvenile Justice to share certain information about young people in the juvenile justice system who have outstanding fines so that those young people can be offered opportunities to complete a work and development order in lieu of payment of the fine. The fourth set of amendments concerns the Children's Court Act 1987. This will omit the requirement for the President of the Children's Court to oversee, in accordance with the rules, the courses of training to be attended by children's magistrates, because at the moment there are no such rules.

The fifth set of amendments involves the repeal of part 2A of the Civil Procedure Act 2005 by schedule 1.6 to the bill. Schedule 1.7 will make a consequential amendment to the Civil Procedure Regulation 2012. Part 2A was inserted into the Civil Procedure Act in late 2010 but has never commenced. If it had operated, part 2A would have required parties to take reasonable steps to resolve or to narrow issues in dispute before commencing court action from October 2011. These provisions were not commenced because of concerns raised by a range of key stakeholders in early 2011. Those stakeholders included parts of the legal profession, members of the judiciary and some industry associations, including those representing commercial debt collection agents.

In mid-2011 the Government proposed the commencement of part 2A for 18 months to allow evaluation of similar Commonwealth provisions that were introduced around the same time. At the time of the postponement the New South Wales Government made it clear that it wanted to make an evidence-based decision about the efficacy of these types of provisions and whether they should apply to New South Wales court proceedings. The Commonwealth evaluation of the equivalent Federal provisions has only just started and the evaluation time is likely to be lengthy. A report is unlikely until sometime in 2014 so there is no reliable statistical data yet available to assess the likely efficacy of part 2A. It is not appropriate for it to commence automatically in March 2013, which would have been the case if this repeal did not proceed.

The sixth set of amendments concerns the Court Security Act 2005 to prohibit unauthorised use of any device, including a phone, to transmit sounds, images or information forming part of court proceedings without the permission of a judicial officer or a statutory exemption. The seventh set of amendments concerns the Crimes (Appeal and Review) Act 2001 to specify how the Supreme Court can determine an appeal by a prosecutor against a costs order made by the Local Court in summary proceedings. The eighth set of amendments concerns the Inebriates Act 1912. The Act will be repealed because the Drug and Alcohol Treatment Act 2007 now applies to adults, and subjecting children only to the provisions of the Inebriates Act would cause an inequity. A number of specialist therapeutic programs for young people with persistent drug and alcohol problems are available.

The ninth set of amendments in this legislation will alter the Fines Act 1996. The amending provisions will allow for a delegate of the Director General of the Department of Attorney General and Justice to approve the organisations that can sponsor applicants for work and development orders as an alternative to obtaining approval by the director general. The tenth set of amendments concerns Jury Act amendments that have not yet come into force. The Jury Amendment 2010, which has not yet commenced, would have introduced a new system of eligibility for jury service. The aim of the amendments was to increase the pool of available jurors and to make juries more representative. One of the proposed changes was to permit most Australian lawyers to serve as jurors with a few exceptions applying to people engaged in criminal practice and those occupying certain public positions, such as the Ombudsman and the Director of Public Prosecutions. That would have meant that many people who are admitted as solicitors or who practise law could serve as jurors so long as they were not engaged in criminal law practice.

The Government does not support this position, so schedule 1.14 will include amendments to retain the current position—that is, people who are admitted as lawyers should not be able to serve as jurors. There is a risk in the 2010 amendment in that lawyers' legal knowledge could place them in a position to unduly influence other jurors, especially given the lack of procedures for resolving disputes within the jury room. Even the

appearance of undue influence could discredit the jury system. The Government considers that those risks outweigh the potential benefits of having admitted lawyers serving as jurors. The eleventh set of amendments relates to the Land and Environment Court Act 1979. The amendments will provide that a commissioner of the court whose term of appointment has expired can complete or otherwise continue to deal with any matters relating to proceedings that have been heard, or partly heard.

The twelfth set of amendments to the NSW Trustee and Guardian Act 2009 will clarify that the NSW Trustee and Guardian cannot accept a trust under a deed of arrangement for the benefit of creditors. The thirteenth set of amendments relates to the Probate and Administration Act 1898 to provide for certain matters to be approved rather than prescribed by the rules. In conclusion, there are consequential amendments associated with those reforms or minor changes in terminology that have been recommended by the Parliamentary Counsel's Office. As I stated at the outset, the reforms are part of the Government's regular legislative review and monitoring program to improve the efficacy and operation of our courts and our system of justice. I commend the bill to the House.

Mr DOMINIC PERROTTET (Castle Hill) [4.42 p.m.]: I support the Courts and Other Legislation Further Amendment Bill 2012. As the Attorney General, and Minister for Justice and the member for Cronulla have said, the purpose of this legislation is to make miscellaneous amendments to a range of legislation affecting the operation of courts in New South Wales and other legislation administered by the Attorney General, and Minister for Justice. I will deal in detail with a few of the Acts that will be amended by this bill. The bill will effect two amendments to the Births, Deaths and Marriages Registration Act 1995—a minor amendment and a significant amendment relating to the registration of sex offenders. The minor amendment will change "memorandum of adoption" to the term "record of adoption" to achieve legislative consistency with the Adoption Act. The more significant amendment will allow law enforcement officers to access applications for registration of a change to a person's name and remove the current restriction of access only to completed entries of changes of name in the register.

The rationale for the amendment is to permit operation of part 5 of the Births, Deaths and Marriages Registration Act as well as the Child Protection (Offenders Registration) Act. Registered sex offenders will not be permitted to change their names without first having obtained the permission of the New South Wales Commissioner of Police. This amendment will enable law enforcement officers to obtain access to applications for a change of name rather than having access only to the register of names that have already been changed. The privacy provisions associated with section 46A of the Act will remain to prevent a registrar from entering into a memorandum of understanding unless the registrar is satisfied that the terms of the memorandum as far as is practicable will protect the persons to whom the register's entries relate from unjustified intrusion into their privacy. A second amendment will change the Children (Community Service Orders) Act 1987 and the Children (Detention Centres) Act 1987 to allow the State Debt Recovery Office and the Juvenile Justice division of the Department of the Attorney General and Justice to share limited information relating to young people in the juvenile justice system who have unpaid fines.

The amendment will address a problem related to section 28A and section 37D of the Children (Detention Centres) Act 1987 that prevents the Juvenile Justice division from advising the State Debt Recovery Office of young people in the care of the division. The amendment will enable the State Debt Recovery Office to be informed of a young offender's outstanding fines and the fines will be put on hold until the young offender's sentence has been served. The amendment also will enable young offenders to participate in work and development orders under section 99B of the Fines Act 1996. In relation to privacy issues associated with this amendment, I note that the Privacy Commissioner has been consulted. The Deputy Privacy Commissioner has advised the Government that there is minimum risk to privacy and that the risk is far outweighed by public benefit resulting from the amendment.

The bill also will amend the Children's Court Act 1987 to omit the requirement for the President of the Children's Court to oversee, in accordance with the rules, the courses of training to be attended by children's magistrates and prospective children's magistrates, as there currently are no rules relating to such training. This amendment was requested by the President of the Children's Court. It is not a substantial amendment. The fourth amendment relates to the Civil Procedure Act 2005 and repeal of part 2A of the Act that requires steps to be taken to resolve a dispute by agreement or to clarify all narrow issues in dispute before commencement of court action. This part has not commenced operation and significant debate has surrounded whether such an amendment would achieve the intended outcome.

The Government has undertaken widespread consultation in relation to this amendment involving not only members of the legal profession but also the judiciary, industry association and debt collection agencies.

Justifiable concern has been expressed that the costs of bringing parties to the table to discuss the issues may result in a considerable financial burden to litigants. In light of the Federal review that is currently underway, it would make more sense to defer implementation of State legislation and await the recommendations of the review. By doing so, that will provide certainty to the legal profession. As a result, the decision of the Attorney General to repeal it at this stage is the right decision. The statutory objects of the Civil Procedure Act are to ensure that proceedings are resolved in a just, quick and cheap manner. The Government supports those objectives but criticism, certainly from the Chief Justice, supports the fact that the Government should repeal the legislation at this stage.

However, it is important to note that the Government supports alternative dispute resolution. That is seen through some recent statistics that show that dispute resolution is on the rise in New South Wales. Community justice centres, which are fully funded by the New South Wales Government through the Department of Attorney General and Justice, continue to provide free mediation and conflict management services to help people across the State resolve their disputes. In 2010-11 community justice centres handled almost 5,000 disputes and conducted 1,722 mediations, of which there was a high settlement rate of about 80 per cent. These are pleasing figures of which the Government is proud. I do not have time to go into other amendments to the Fines Act 1996, the Crimes Appeal and Review Act 2001, the Inebriates Act 1912, the Jury Act 1977 in respect of lawyers serving on juries, the Land and Environment Court Act 1979, the New South Wales Trustee and Guardian Act 2009, and the Probate Administration Act 1898, amongst others. It is with pleasure that I commend the bill to the House.

Mr NICK LALICH (Cabramatta) [4.52 p.m.]: The Courts and Other Legislation Further Amendment Bill 2012 proposes a range of minor amendments to various pieces of legislation that affect how our courts operate in New South Wales. According to its overview the bill proposes:

- (a) to amend the *Births, Deaths and Marriages Registration Act 1995* to empower the Registrar of Births, Deaths and Marriages to allow officers of law enforcement agencies access to applications to register the change of a person's name and not just to completed changes of name entries in the Register (as at present),
- (b) to amend the *Children (Community Service Orders) Act 1987* and the *Children (Detention Centres) Act 1987* to allow the State Debt Recovery Office and the Juvenile Justice division of the Department of Attorney General and Justice to share certain limited information about young people in the juvenile justice system who have outstanding fines,
- (c) to amend the *Children's Court Act 1987* to omit the requirement for the President of the Children's Court to oversee the courses of training to be attended by Children's Magistrates and prospective Children's Magistrates, as there are currently no rules relating to such training,
- (d) to repeal Part 2A of the *Civil Procedure Act 2005* (which requires steps to be taken to resolve a dispute by agreement, or to clarify or narrow issues in dispute, before commencing court action, and is not yet in operation) and to omit a provision of the *Civil Procedure Regulation 2012* that relates to that Part,
- (e) to amend the *Court Security Act 2005* to prohibit the unauthorised use of any device (including a phone) to transmit sounds, images or information forming part of the proceedings of a court from a room or place where a court is sitting to a place outside that room or place,
- (f) to amend the *Crimes (Appeal and Review) Act 2001* to specify the ways in which the Supreme Court can determine an appeal by a prosecutor against an order for costs made by the Local Court against the prosecutor in any summary proceedings,
- (g) to amend the *Fines Act 1996* to allow for a delegate of the Director-General of the Department of Attorney General and Justice to approve the organisations that can sponsor applicants for work and development orders ... as an alternative to approval by the Director-General,
- (h) to repeal the *Inebriates Act 1912* (since the Drug and Alcohol Treatment Act 2007 now applies to the whole of the State, the *Inebriates Act 1912* has no remaining operation in relation to adults and the continued operation of the Act in relation to minors is not considered appropriate),
- (i) to amend un-commenced amendments of the *Jury Act 1977* to continue the current ineligibility of Australian lawyers to serve as jurors and the current right of people who care for a person who is sick, infirm or disabled to claim an exemption from serving on a jury,
- (j) to amend the *Land and Environment Court Act 1979* to provide that a Commissioner of the Land and Environment Court whose term of appointment has expired can complete or otherwise continue to deal with any matters relating to proceedings or conciliation conferences that have been heard or partly heard, or conducted or partly conducted, before the expiry of the Commissioner's term,
- (k) to amend the *New South Wales Trustee and Guardian Act 2009* to clarify that a provision that prohibits the New South Wales Trustee and Guardian from accepting a trust under a deed of arrangement only applies to deeds of arrangement for the benefit of creditors,

- (l) to amend the *Probate and Administration Act 1898* to provide for certain matters to be approved rather than prescribed by the rules,
- (m) to make minor amendments to standardise provisions about acting judicial officers, to update terminology, to omit references to the repealed *Inebriates Act 1912* and to deal with other matters of a statute law revision nature.

I will touch on a few brief points relating to the bill. As my parliamentary colleague the shadow Attorney General stated, we will not be opposing this bill. I refer to part 2A of the Civil Procedure Act and a corresponding part of the Civil Procedure Regulation. Under the former Government these provisions were aimed at forcing parties to take measures to avoid court proceedings and free up our legal system somewhat. Those provisions were never commenced. The O'Farrell Government has previously committed to implementing the results of a review into a similar Federal scheme. We are still waiting for the Attorney General's commitment and comment regarding alternative dispute resolution.

I am advised that the Law Society has requested amendments to the proposed amendments to the Court Security Act that will disallow the use of mobile phones to transmit sounds and images from a courtroom to people outside the courtroom. Although the intent is probably honourable in that it would prevent waiting witnesses to be fed information that they should not have, it may inadvertently cause problems for people in the legal profession who are using current technology legitimately to carry out their work. It is hoped that a reasonable compromise can be reached that enables lawyers to get on with their job properly while also minimising the risk of sensitive information inadvertently getting into the wrong hands. The Opposition does not oppose the bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [4.58 p.m.]: It is a pleasure to be back in Parliament and to be contributing to debate on the Courts and Other Legislation Further Amendment Bill 2012. The purpose of the bill is to make miscellaneous amendments to court-related legislation and other legislation administered by the Attorney General and Minister for Justice. I intend to touch on only a few of a large number of amendments. The first amendment to the Anti-Discrimination Act 1977 will clarify the definitions of a relative and an associate, and avoid potential confusion in the current drafting of the Act. The next amendment is to the Births, Deaths and Marriages Registration Act 1995.

At present, the Registrar of Births, Deaths and Marriages can provide law enforcement agencies with information about registered changes of name. However, in some circumstances, law enforcement agencies need to be able to access information about change of name applications before they are registered, particularly in this day and age. I commend the Attorney General for trying to simplify the process and to protect the community through many of these amendments. The number one goal for members on both sides of this House is to protect our communities. It is important that law enforcement agencies have access before an application for name change is registered, and nowhere is this more important than in my electorate of the Tweed, which currently has 2,500 outstanding warrants.

Dr Geoff Lee: How many?

Mr GEOFF PROVEST: It is 2,500. The member for Parramatta has a deep interest in law enforcement, especially within his electorate. Certain classes of people, such as child sex offenders and former serious offenders, are restricted from changing their names without the approval of the Commissioner of the NSW Police Force. Under the proposed changes to section 46A of the Births, Deaths and Marriages Registration Act, if a restricted person applies to change his or her name the NSW Police Force will have prior opportunity to object to the registration. It was extremely pleasing that much discussion took place in the Tweed electorate between the police Minister, Mike Gallacher, and his Queensland counterpart. Previous contributors to this debate with legal backgrounds mentioned the Jury Amendment Act 2010. The Government does not believe that lawyers should serve on juries as they have technical knowledge relevant to the task of jury deliberation that other jurors do not. This expertise creates a risk that even a non-practising lawyer serving on a jury may unduly influence other jurors, or that other jurors may tend to defer to them.

Mr Assistant Speaker, you have been in this place for a lengthy period and you have participated in many debates inside and outside this Chamber. I am sure you would concur that lawyers can exert some influence, particularly regarding legality of court and criminal legislation. Practising the law is an honourable profession. I concur with the Government's stance on that subject. Finally, the amendment to the Land and Environment Court Act 1979 provides that a commissioner of the court whose term of appointment has expired can complete or otherwise continue to deal with any matters relating to proceedings he or she has heard or part

heard. The Tweed electorate has regular bookings in the Land and Environment Court to hear a large number of electorate issues. Being a little facetious, one might say that the Tweed has the Land and Environment Court booked from 9.00 a.m. to 12.00 p.m. every Wednesday.

The Land and Environment Court is the specialist in planning and environmental issues. One of its key aims is to ensure that proceedings and dispute resolutions are fair, effective and efficient. I concur particularly with that approach. This amendment will improve the efficiencies of Land and Environment Court proceedings and will enable commissioners whose terms of appointment have expired to complete or otherwise deal with any matters relating to proceedings they have heard or part heard before their term expired. I support that strongly. This amendment will give individuals and community groups within my electorate the opportunity to deal with their issues effectively and efficiently. I commend the bill to the House.

Dr GEOFF LEE (Parramatta) [5.05 p.m.]: I support the Courts and Other Legislation Further Amendment Bill 2012. The objects of the bill are quite lengthy as they contain amendments to various Acts. Before talking about the bill substantially, I remind the House that justice should be delivered in an effective, efficient, fair and equitable way to the community in a timely manner. This bill seeks to amend different legislation, such as the Births, Deaths and Marriages Registration Act, the Children (Community Services Orders) Act 1987, the Children's Court Act 1987 and many other Acts. Parramatta has a proud and fantastic justice precinct. The \$350 million build was completed in 2008 and is the first New South Wales Government office to receive a five-star office design and five-star National Australian Built Environment Rating System [NABERS] rating, demonstrating its inbuilt sustainable capability and design. The precinct includes the new Sydney West Trial Court building, which houses nine trial courts; the new New South Wales Children's Court, which includes six courtrooms; the refurbished historic Jeffrey House; and a new heritage forecourt. This legal precinct is the second largest in Australia.

Of course, that is just and fair as Parramatta is the capital of western Sydney and the largest commerce employment centre. Other legal services are also supported, which is important for Parramatta because the precinct comprises many solicitors, lawyers, paralegals and other services. Being the capital of western Sydney enables people to obtain all services in one place. We are very proud of the Parramatta justice precinct as we are of those who service those areas, including the Registrar of Births, Deaths and Marriages, and a host of other services. The not-for-profit Macquarie Legal Centre has operated in the precinct for quite some time after returning from Merrylands. I commend chief executive officer, Maria Girdler, for her continuing hard work for the community.

The Macquarie Legal Centre is funded mainly through government grants, but provides pro bono services for those who slip through society's cracks. The centre provides services for neighbour disputes, custody issues and people facing charges—those who slip through the cracks who may not qualify for legal aid but who need help in the just and equitable process about which I spoke earlier. I commend Maria Girdler and the Macquarie Legal Centre for its continuing hard work five days a week servicing the good people not only of Parramatta but also the many suburbs of western Sydney. I commend also the University of Western Sydney for its Parramatta Community Justice Clinic. It is a fantastic initiative of the university in partnership with the Macquarie Legal Centre with the assistance of the Attorney General's Department on how to service those who slip between the cracks and who cannot afford proper and fair legal representation.

They do some special work, providing assistance and helping students gain vital work experience. Some 400 law students enter the University of Western Sydney program each year. Some of those students do not have professional backgrounds or the social networks needed to gain the work experience that is required for admittance to the Bar. The Parramatta Community Justice Clinic provides hands-on work experience, under the supervision of a qualified practising solicitor, in the heart of the Parramatta Justice Precinct. It provides a nexus for the community, the not-for-profit sector through the Macquarie Legal Centre and the University of Western Sydney. They get some fantastic results and the students graduate with wonderful community legal experience.

The Parramatta Justice Precinct is important but the opposite side of the coin is having a great police force. We have such a force in Parramatta, in Holroyd and in Rosehill. I take this opportunity to commend my friend Robert Redfern, commander of the Parramatta Local Area Command. He and his 400 staff do a sensational job looking after Parramatta. Whenever you call him he has time to talk and to resolve some of the issues concerning Parramatta. As a big city, Parramatta has a range of issues. It is a magnet for many different people. The public transport interchange—the Parramatta bus-rail interchange—is the fourth busiest on the network, which brings its own host of problems. The recent success of the Western Sydney Wanderers Football

Club has attracted huge numbers of fans to home games. Between 14,000 and 15,000 fans attend those matches, and that number is expected to increase. The fans, who are known as the "red and black block"—or the RBB—are vocal in their support of the club.

Police have worked with the Western Sydney Wanderers to control the behaviour of the red and black block and to instil in fans a sense of community and self-discipline. The red and black block realise they are part of the community. The Western Sydney Wanderers are going from strength to strength—I note they are in second position on the competition ladder at present. I offer them my support and hope they win the premiership. It is their first year in the competition and it is exciting to see the Western Sydney Wanderers so close to being number one and winning the premiership. Midfielder Shinji Ono has joined the club from Japan and we are as proud of him as we are of Tony Popovic, who is in his maiden year as coach. I note comments in the media about the fantastic effort Tony is making in his first full-time coaching role. We are most impressed that Tony has brought the team to second on the competition ladder, with six wins in a row.

Bob Barnett is the Rosehill Local Area Commander. He also takes the time to join me in talking to residents and small business owners in Rosehill to ensure that the community is satisfied with the local area command and to resolve any issues. It is about solving problems through communication. Hanny Boutros is the Rosehill crime prevention officer. Hanny is good at talking to community groups, getting them on board and encouraging them to use the Eyewatch program to tackle crime at a grassroots level. Hanny is always ready and willing to attend public meetings and to explain police processes. Hanny helps to break down the barriers between the Police Force and the local community and provides a conduit for communication with the community. I commend the police citizens youth clubs. Many dedicated police officers volunteer their time to those clubs and we look forward to developing the association between the police citizens youth clubs and the Parramatta sports precinct. I congratulate the Attorney General on this bill and commend it to the House.

Mr LEE EVANS (Heathcote) [5.15 p.m.]: The purpose of the Courts and Other Legislation Further Amendment Bill 2012 is to make a range of amendments to legislation that affects the way courts operate in New South Wales. The bill will also amend other legislation administered by the Attorney General, and Minister for Justice. It will also amend a number of Acts to improve the efficiency and the operation of our courts as well as the operation of agencies within the Department of Attorney General and Justice. One of the most important amendments in this bill is the proposed change to section 46A of Births, Deaths and Marriages Registration Act. Currently, under part 5 of the Births, Deaths and Marriages Registration Act and the Child Protection (Offenders Registration) Act certain classes of people, such as child sex offenders and former serious offenders, are restricted from changing their names without the approval of the New South Wales Commissioner of Police.

The proposed change will clarify the Act so that the Registry of Births, Deaths and Marriages may provide information to the NSW Police Force about a change of name application before it is registered. If a restricted person applies to change his or her name the NSW Police Force has the opportunity to object to the registration prior to its occurring rather than merely being notified of registration after the fact. These amendments may seem obscure and complex but it is a vital crime prevention initiative that will ensure that a restricted person cannot evade detection by changing their identity. If this change can prevent just one child sex offender from concealing his past convictions it will increase the level of protection for our children.

Other important proposed changes affect the Jury Amendment Act 2010. The aim of the amendments is to increase the pool of available jurors and make juries representative of the community. The bill will introduce a new system of eligibility for jury service. One of the changes that the Act proposed was to permit most Australian lawyers to serve as jurors. There are limited exceptions for people engaged in criminal practice and occupying certain public positions, such as the Ombudsman and the Director of Public Prosecutions. That uncommenced provision meant that people who are admitted as solicitors or who practice law can serve as jurors as long as they were not engaged in a criminal law practice.

However, the Government does not believe lawyers should serve on juries. Lawyers have technical knowledge relevant to the jury's deliberation that other jurors do not. Even if an admitted lawyer is not practising, this expertise creates the risk that a lawyer on a jury may unduly influence other jurors and other jurors may tend to defer to them for advice. Schedule 1.14 to the bill includes amendments to retain the current position—that is, people who are admitted as lawyers should not be able to serve as jurors. Where jurors are uncertain about law it is the judge's role to provide that guidance. The risk is too great that a juror may turn to the juror next to them for guidance if that person is a trained lawyer, instead of to the judge.

This is especially important given the lack of procedures for resolving disputes within the jury room. The mere fact that someone is legally qualified does not make that person a technical expert in the criminal

law or the law of evidence. Many lawyers specialise in areas such as corporate transactional law, which is unrelated to these areas. That is why judges are best placed to rule upon and advise juries on questions of law. The reputation of the criminal justice system is of paramount importance. If the public sees lawyers sitting on juries, people may question whether the presence of that lawyer might have distorted the jury's deliberations. Even the appearance of undue influence could discredit the jury system. I strongly agree with the Government's assessment that these risks outweigh the potential benefits of having admitted lawyers serve as jurors.

The bill also includes amendments to maintain the current position regarding carers so that full-time carers who live with the person they care for can claim an exemption as of right. This means that carers in this situation are not required to establish good cause as to why they should not have to serve on a jury. It is unreasonable to expect carers in this position to establish that they are unable to arrange alternative full-time care or other factors that support their inability to serve on a jury. The bill also ensures that people who are subject to control orders or interim control orders under the Crimes (Criminal Organisations Control) Act 2012 are excluded from jury service.

Important changes are also proposed to maintain the Land and Environment Court's aim to provide fair, effective and efficient proceedings and dispute resolutions. To do this the bill amends the Land and Environment Court Act 1979 to provide that commissioners whose term of appointment has expired can complete or otherwise continue to deal with any matters relating to proceedings that have been heard, or partly heard, by the person before their term expired. This means that the court, as well as the parties to a proceeding, is not exposed to the additional costs and the inconvenience of having another commissioner rehear and conclude a part-heard matter. It will also ensure consistency in the ability of decision-makers in the Land and Environment Court to finalise partially completed matters, bringing the provisions relating to full-time commissioners into line with those for acting judges and part-time commissioners in that court.

The Land and Environment Court Act currently has similar provisions in relation to acting judges and part-time commissioners whose period of appointment has expired. This bill will bring the provisions in relation to full-time commissioners into line with those for acting judges and part-time commissioners and significantly increase the efficiency of the court. A small but important change relates to the perpetual challenge of keeping our laws in line with technological developments. The bill amends section 9A of the Court Security Act to prohibit the unauthorised use of any device, including a smartphone or tablet, to transmit sounds, images or information forming part of court proceedings from a room or other place where a court is sitting to another place. The Act currently states that a person must not record sound or images or both in court premises using a recording device, but does not cover transmission. Existing legislation does not capture the capability of recent technology—for example, people in court transmitting witness evidence by smartphone to another witness waiting outside the court to give evidence.

In fact, it is now technically possible for an individual to immediately broadcast audio and video of court proceedings to an unlimited audience in real time using common consumer devices. The expanded prohibition is subject to certain exceptions such as where a judge expressly grants approval for the use of a recording device. The maximum penalty is 200 penalty units, imprisonment for 12 months, or both. However, it is important to preserve the principle of open justice. There may be circumstances in which journalists wish to use electronic devices to report on proceedings immediately through new media, such as Twitter or by blogging. While these circumstances are not expressly covered in the proposed statutory exceptions, there is a regulation-making power that will allow appropriate exemptions to cover these sorts of circumstances. Further amendments represent a move towards a more effective, health-based approach for people with severe substance dependence. I applaud the Government for these necessary and important changes.

Mr CHRIS PATTERSON (Camden) [5.25 p.m.]: It is wonderful to follow the member for Heathcote and the member for Parramatta in this debate. The member for Parramatta is, without doubt, one of the most learned individuals I know and it was wonderful to hear him speaking about his knowledge of university and the time he spent there, which is a credit to him. I did not go to university but one thing the member for Parramatta and I have in common is that we are both long-suffering supporters of the Parramatta Eels and we both subscribe to the view that we should not change our team. I am sure that the glory days of 1981, 1982, 1983 and 1986 will come again. He spoke also about the Western Sydney Wanderers, a wonderful football team that is now second on the competition ladder. Unfortunately, too often women's sport is neglected. Only two or three weeks ago the Sydney Football Club women's side won their competition. Elizabeth Ralston, a wonderful 17-year-old Camden woman who attained 98.3 in the Higher School Certificate examinations, represented her country by playing first grade football for the under 17s and they won the premiership.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member will return to the leave of the Courts and Other Legislation Further Amendment Bill 2012.

Mr CHRIS PATTERSON: I speak in support of the Courts and Other Legislation Further Amendment Bill 2012. This bill will make numerous amendments to legislation relating to the operation of our courts in New South Wales. The bill will also make amendments to other legislation administered by the Attorney General, and Minister for Justice. I note that one piece of legislation will be repealed in its entirety while another will be repealed in part. The bill is routine and administrative. It is a product of the Government's legislative review and monitoring program. The bill improves the efficiency and operation of our courts. It will also improve the operation of departmental agencies within the Department of Attorney General and Justice. The intention of the Minister and our legal system must be to provide justice and fairness to those who use our legal system and courts.

This bill is required to ensure that our ever-growing and changing needs and values are mirrored by our legal system. The bill is reflective of changes in technology to ensure security in the courts. It aims to provide up-to-date fairness in a number of scenarios and updated terminology. The bill will amend the Anti-Discrimination Act 1977, Births, Deaths and Marriages Registration Act 1995, Children (Community Service Orders) Act 1987, Children (Detention Centres) Act 1987, Children's Court Act 1987, Court Security Act 2005, Crimes (Appeal and Review) Act 2001, Fines Act 1996 and the Jury Act 1977—did I ever tell the House that in 1977 Parramatta was cheated by St George in the drawn Grand Final? However, that is for another day.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Camden will return to the leave of the bill.

Mr CHRIS PATTERSON: The bill will amend the Land and Environment Court Act 1979, the New South Wales Trustee and Guardian Act 2009, and the Probate and Administration Act 1898, and it will repeal the Inebriates Act 1912 and part 2 of the Civil Procedure Act 2005. I will now highlight only two of those amendments. The Land and Environment Court Act 1979 will be amended so that proceedings in that court may be dealt with by commissioners whose terms of appointment may have expired whilst the commissioner has been hearing or partly hearing a matter prior to his or her term of appointment expiring.

It is of continuing importance to this Government that costs are reduced and that there is no inconvenience to parties to proceedings. A hallmark of this Government is a reduction in bureaucracy, red tape and costs. Those of us who have not studied the law or who, thankfully, have not had a lot to do with the court system can be intimidated and find it very daunting, and therefore costly, to adequately navigate and progress through the court process for the hopefully once or twice in our lifetime that we may require its use. This particular amendment to the Land and Environment Court Act 1979 aims to reduce the cost and inconvenience of having another commissioner re-hear and conclude a part-heard matter when the only thing preventing the commissioner who was originally dealing with the matter continuing to hear the matter is that their term has expired. This bill will add another level of consistency for those who use the Land and Environment Court.

The Children (Community Services Order) Act 1987 and the Children (Detention Centres) Act 1987 will be amended so as to allow young offenders with outstanding fines to work off the value of the fines through unpaid work, training or counselling. Juvenile Justice will now be able to advise the State Debt Recovery Office that a young offender is, in fact, in the custody of Juvenile Justice. There is real potential for this amendment to have a positive impact on a young offender. Unpaid work can offer life experience, job experience and the opportunity to mix with people the young person may not have mixed with otherwise or had the opportunity to associate with. I am no expert, but I believe an early positive experience in the workforce or similar may instil a positive work ethic in young offenders.

Training is also a positive step. Training of any kind can only enrich a person, particularly a young person's thinking, experiences, education, general wellbeing and confidence. Counselling offered to a young offender who has outstanding fines as payment of those fines will expose that young person to support and possibly help to sort out some issues that may have contributed to their offending behaviour or their having outstanding fines in the first place. This amendment is a positive opportunity to expose our young offenders with fines to options for a better outcome. As society learns from history and past experiences we realise that these offenders are young and have a lifetime to change and better themselves in order to become active members of our communities and workforces. I believe this is a positive step towards breaking what can become a vicious cycle of young offenders going on to commit crimes as adults.

This Government wants our youth—all of our youth—to reach their full potential. This amendment is another opportunity for young offenders to get on that road. This bill contains a number of housekeeping amendments and also amendments that ensure the evolution of our legislation so that it functions efficiently and is always improving. Much hard work has gone into the many minor amendments to the many bills I have previously mentioned to make the court system run more smoothly and to cut costs where appropriate and possible. We want to ensure that our court system works in the most efficient and up-to-date way possible. I commend the Attorney General and his office for their outstanding work in bringing the bill before the House and taking care of the housekeeping issues that so many people would not think about. I commend the bill to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [5.35 p.m.]: I support the Courts and Other Legislation Further Amendment Bill 2012. Periodically the Attorney General, and Minister for Justice introduces legislation to make miscellaneous amendments to legislation affecting the operation of courts in New South Wales and to other legislation administered by the ministry. This bill is part of the Government's regular legislative review and monitoring program and will amend a number of Acts with a view to improving the efficiency and operation of the courts as well as the operation of the agencies within the Department of Attorney General and Justice.

The objects of the bill are to amend the Anti-Discrimination Act 1977 to clarify the definitions of "relative" and "associate" and to avoid potential confusion in the current drafting of the Act. The bill will amend the Births, Deaths and Marriages Registration Act 1995 to empower the Registrar of Births, Deaths and Marriages to allow law enforcement officers to have access to applications to register a change of a person's name and not just to completed changes of name registrations, as is currently the case. The bill seeks to amend the Court Security Act 2005 to prohibit the unauthorised use of any device, including a phone, to transmit sounds, images or information forming part of court proceedings from a room or a place where a court is sitting to a place outside that room or place.

The bill also seeks to amend the Crimes (Appeal and Review) Act 2001 to specify how the Supreme Court can determine an appeal by a prosecutor against an order for costs made by the Local Court in summary proceedings. The bill will also amend the Fines Act 1996 to allow for a delegate of the Director General of the Department of Attorney General and Justice to approve the organisations that can sponsor applicants for work and development orders—orders requiring a person to undertake unpaid work or training or counselling—to satisfy a fine debt as an alternative to approval by the Director General, which is currently permissible.

The bill seeks to amend the Children (Community Service Orders) Act 1987 and the Children (Detention Centres) Act 1987 to allow the State Debt Recovery Office and Juvenile Justice to share certain limited information about young people in the juvenile justice system who have outstanding fines. The bill also seeks to amend the Children's Court Act 1987 to omit the requirement for the President of the Children's Court to oversee, in accordance with the rules, the courses of training to be attended by children's magistrates and prospective children's magistrates, as there are currently no rules relating to such training. The bill seeks to repeal part 2A of the Civil Procedure Act 2005, which requires steps to be taken to resolve a dispute by agreement or to clarify or narrow issues in dispute before commencing court action and which is not yet in operation, and to omit a provision of the Civil Procedure Regulation 2012 that relates to that part.

The bill also will repeal the Inebriates Act 1912. Since the Drug and Alcohol Treatment Act 2007 now applies to the whole of the State, the Inebriates Act has no remaining operation in relation to adults and continued operation of the Act in relation to minors is not considered appropriate. I note that the member for Wollongong is particularly pleased to see this Act repealed as it has hung over her head like the Sword of Damocles. The bill will amend uncommenced amendments to the Jury Act 1977 to continue the current ineligibility of Australian lawyers to serve as jurors and the current right of people who care for a person who is sick, infirm or disabled to claim exemption from serving on a jury.

The bill will amend the Land and Environment Court Act 1979 to provide that a commissioner of the Land and Environment Court whose term of appointment has expired can complete or otherwise continue to deal with any matters relating to proceedings or conciliation conferences that have been heard or partly heard, or conducted or partly conducted before the expiry of the commissioner's term. The bill also will amend the NSW Trustee and Guardian Act 2009 to clarify that a provision that prohibits the NSW Trustee and Guardian from accepting a trust under a deed of arrangement applies only to deeds of arrangements for the benefit of creditors. The bill also will amend the Probate and Administration Act 1898 to provide for certain matters to be approved rather than prescribed by the rules.

I will now touch on a few of the amendments in the bill. In relation to the Jury Act, the Government does not believe that lawyers should serve on juries. Lawyers have technical knowledge relevant to the task of jury deliberation that other jurors do not have. Even if an admitted lawyer is not practicing, this expertise creates a risk that a lawyer on a jury may unduly influence other jurors or that other jurors may tend to defer to them. Where jurors are uncertain about the law it is the judge's role to provide guidance. There is too great a risk that jurors may turn to the juror next to them for guidance instead of to the judge if that person is a trained lawyer.

In my experience in trials the jury often will send a question to the judge in writing. The judge may then reconvene the court in the absence of the jury and discuss the question raised with the defence counsel and the Crown Prosecutor. A joint decision is then made as to what advice on law should be provided to the jury. The jury then returns to the court where the advice is delivered and then continues its deliberations. That demonstrates how important it is that advice to the jury comes from the judge and the judge alone and not from a lawyer sitting in the jury room. The mere fact that someone is legally qualified does not make that person a technical expert in the criminal law or the law of evidence. Many lawyers specialise in areas such as corporate transaction law, which is unrelated to these areas. That is why judges are best placed to rule upon and advise juries on questions of law. The reputation of the criminal justice system is of paramount importance. If the public sees lawyers sitting on juries they may question whether the presence of that lawyer might have distorted the jury's deliberations.

I turn now to the proposed changes to the Land and Environment Court Act 1979. The Land and Environment Court is a specialist environmental and planning court with a wide jurisdiction responsible for interpreting and enforcing environmental law in New South Wales. One of the court's key aims is to ensure that its proceedings and dispute resolution services are fair, effective and efficient. In keeping with this goal, the bill amends the Land and Environment Court Act 1979 to improve the efficiency of proceedings in the court by enabling commissioners whose term of employment has expired to complete or otherwise continue to deal with any matters relating to proceedings they have heard, or partly heard, before their term expired. This means that the court, as well as the parties to a proceeding, is not exposed to the additional costs and the inconvenience of having another commissioner rehear and conclude a part-heard matter. It will also ensure consistency in the ability of decision-makers in the Land and Environment Court to finalise partially completed matters, bringing the provisions relating to full-time commissioners into line with those of acting judges and part-time commissioners in that court.

It is good to see that the Attorney General and his department are working so hard in relation to the administration of justice in New South Wales. This legislation and other bills that will be tabled this week show that he is not only a hard working Attorney General but also a tough one. He is determined to focus not only on the hard core criminals in our society but also to look at other forms of deterrents where applicable. I commend the bill to the House.

Mr RICHARD AMERY (Mount Druitt) [5.45 p.m.]: I will make a few comments on the Courts and Other Legislation Further Amendment Bill 2012. The member for Liverpool, speaking as the shadow Attorney General, said that the Opposition will not oppose the bill, and of course there is no reason why it would. As I have explained on many occasions, this bill is one of the many omnibus bills that come before the House wherein the Attorney General's department and various government agencies bring forward a cluster of amendments to a number of pieces of legislation to update them in accordance with changes to laws as a result of bills or other debates in the Parliament, changes at the national level or, as in one case in this bill, changes caused by the introduction of modern technology. I do not intend to read out all of the bills that will be amended by this omnibus bill, but I will address a few of the amendments.

Before doing so I acknowledge the contribution of the member for Parramatta, who spoke about the new Parramatta court complex, which I think he said was constructed in 2007. I add that at around the same time under Attorney General Bob Debus a new courthouse was constructed in Mount Druitt. Many others, including Blacktown and Fairfield, were upgraded during major capital works to the court system throughout the State. I thank the member for Parramatta for acknowledging that project in his electorate, a place where I served as a police officer for 10 of my 13 years in that organisation. I make the political comment that 2007 just happened to be one of those 16 years of Labor Government during which some members of the House will say nothing was done. It was nice that during a quiet debate in the House a Coalition member spoke about a multimillion dollar project that was provided to his constituents by the same former Labor Government that has often been accused of not doing anything or not building anything during its term in office. The member for Parramatta has helped me shoot down that silly argument.

The amendment to the Courts Security Act 2005 is interesting. It will prohibit the unauthorised use of any device, including a phone, to transmit sounds, images or information forming part of the proceedings of the court from a room or a place where a court is sitting to a place outside that room or place. That might sound like legal gobbledegook, but I will explain how it works. I know from my experience as a police officer that during court proceedings only the witness giving evidence is before the court and subsequent witnesses wait outside the court. In decades gone by it was the job of the police working in the court or the lawyers to ensure that proceeding witnesses did not know what the previous witness said. That was relatively easy to do in those days because it was easy to see whether anyone was conveying messages or allowing a person to listen to what was going on in the courtroom.

Currently in courts and many other forums, rows and rows of people are using mobile phones, iPads and iPhones to continually tap away and transmit information. It would be so easy for someone in the second or third row of a courtroom's public gallery to transmit testimony to a corroborating witness in the waiting room. This amending legislation will enable a court to prohibit the transmission of information relating to testimony from a courtroom. One might say that legislation is catching up to the march of technology. This legislation will be welcomed by both police officers and defence lawyers who are well aware of incidences of oral evidence being transmitted from courtrooms to corroborating witnesses. This bill will effect a very important amendment to the Court Security Act 2005. I am very pleased that legislation will address a practice that represents an abuse of the security of evidence given in courtrooms.

The bill will repeal the Inebriates Act 1912 and I will not be basing my comments on personal experience. Since the Drug and Alcohol Treatment Act applies to the whole of the State, the Inebriates Act 1912 no longer operates in relation to adults. The continued operation of the Act in relation to minors is considered not to be appropriate. In the distant past the Inebriates Act was used in conjunction with the Summary Offences Act to control drunkenness. In that era, when a person was charged with drunkenness, that person was taken to a police station and formally charged. The person was not fingerprinted, but after four hours in jail, the person paid \$1 in bail and was released. By that time, the person was deemed to be sober enough to walk away from the police station. Generally that occurred perhaps once or twice in a person's life, but habitual alcoholics were charged repeatedly with drunkenness.

After a specified number of charges within a specified time frame, the Inebriates Act would be invoked and the person would be taken into custody for some months. The period of incarceration basically was used to dry the person out and enable that person to obtain treatment for alcohol addiction. Events have overtaken the application of the Inebriates Act to control drunkenness and alcohol addiction, and the Act no longer applies. I will not traverse matters that other members have already discussed, but suffice it to say that the member who preceded me in this debate praised the Attorney General for approximately four minutes. It is the role of the Attorney General to introduce what is referred to as omnibus legislation that will effect minor amendments to legislation required by changes in attitudes, changes in laws and in one instance changes in technology. The Opposition supports the bill.

Mr TONY ISSA (Granville) [5.53 p.m.]: I support the Courts and Other Legislation Further Amendment Bill 2012. This legislation is part of the O'Farrell Government's long-term strategy to continually monitor legislation to ensure that it is working to the benefit of all members of our community. It is important to ensure that courts operate in an efficient and timely manner. I continually receive complaints from my constituents about the waiting times for matters to be listed before a court.

This legislation will amend several Acts. Schedule 1.1 amends the Anti-Discrimination Act 1977 with proposals to more clearly define the terms "relative" or "associate" under the Act. Under the new provisions it will be unlawful to discriminate against a person based on race, sex, transgender, marital or domestic status, disability, homosexuality or age. It further prohibits discrimination against a relative or associate of a person based on these criteria. The amendments also include replacement of "memorandum of adoption" with "record of adoption" to bring the legislation more into line with the Adoption Act 2000.

This legislation also amends the Births, Deaths and Marriages Registration Act 1995 to bring it into line with the Births, Deaths and Marriages Registration Amendment (Change of Name) Act that was passed last year by this Parliament. This amending bill will permit a registrar to provide information relating to an application for a change of name to the NSW Police Force prior to approval of the application. That will ensure that when a restricted person applies for a change of name, the NSW Police Force has the opportunity to object. The Births, Deaths and Marriages (Change of Name) Act prevents prisoners from changing their name unless the change is approved by the Commissioner of Police.

Another Act to be amended by this legislation is the Children (Community Service Orders) Act 1987 and the Children (Detention Centres) Act 1987. Under existing laws the Juvenile Justice Division is prevented from advising the State Debt Recovery Office if a young offender is in its care. The amendments will permit the State Debt Recovery Office to access information about young offenders who have unpaid fines and penalties. That will allow young offenders to work off the value of their fines through unpaid work, training or counselling. The President of the Children's Court requested amendment of the Children's Court Act 1987 to omit the requirement for the president to oversee training courses to be attended by children's magistrates.

In other reforms outlined in this legislation the Court Security Act will be amended to prohibit the use of any devices that transmit sound or images during court proceedings. As all members are aware, the use of those devices is becoming more and more widespread. It is only natural for the law to keep up with increasing usage. Under the current law it is possible for people to record and transmit court proceedings to people waiting to give evidence outside the courtroom. Such actions have the potential to affect legal outcomes adversely. Penalties will be enshrined in legislation and carry 200 penalty points, imprisonment for 12 months, or both.

The Inebriates Act 1912 will be repealed by this legislation. The Act has not applied to adults since the passing of the Drug and Alcohol Treatment Act 2007. The Drug and Alcohol Treatment Act has been successful in providing care and treatment for adults who have severe substance dependence. In its original form the Inebriates Act applied only to minors. Over the past decade fewer than five minors have been managed under the Act. Various programs have been introduced for young people with ongoing drug and alcohol issues, such as group programs, counselling and rehabilitation. In response to this it is proposed to include minors in the Drug and Alcohol Treatment Act. Amendments in this bill will apply also to the Land and Environment Court Act 1979.

Under this legislation there will also be amendments to the Trustee and Guardian Act 2005 to exclude a trust under a deed of arrangement for the benefit of creditors. This means that the words "for the benefit of creditors" will be reinstated into law to make the legislation more widely applicable. I am very pleased that the Opposition does not oppose the bill. It reflects the Opposition's recognition of this Government undertaking necessary reforms for the benefit of the State. I congratulate the Attorney General on the introduction of this legislation. I believe that any measure to streamline court proceedings is a positive step on behalf of the people of New South Wales. I commend the bill to the House.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [5.59 p.m.], in reply: I thank members for their contributions to debate, in particular the member for Liverpool, the member for Cronulla, the member for Castle Hill, the member for Cabramatta, the member for Tweed, the member for Parramatta, the member for Heathcote, the member for Camden, the member for Myall Lakes, the member for Mt Druitt and the member for Granville. Before concluding I will address some particular matters raised in debate. There has been some lively debate about the purpose and effect of the amendment to the Court Security Act 2005 in schedule 1.8 to the bill. I will clarify these matters for the House, as the Government has diligently and thoroughly addressed the concerns raised by various stakeholders.

The amendments address recent incidents in courts that have highlighted that the existing legislation does not address the potential of recent technology—for example, smartphones and tablets—to enable anyone in court to transmit court proceedings, such as witness evidence, to another person outside the court. This can undermine the administration of justice and potentially lead to a mistrial, as the integrity of witness evidence is fundamental to our system of criminal justice. Clarifying the law on these new technologies will help avoid miscarriages of justice. It will also help protect the valuable contribution of jurors, whose time and effort would be wasted if a trial miscarried. The weakest solution would be to do nothing. We are addressing new technology and the risks it poses while ensuring that it can continue being used for legitimate purposes. Therefore these amendments will prohibit unauthorised transmission of court proceedings, not just the recording of them. The prohibition is aimed at stopping people with malicious intentions from disrupting the work of our courts. However, it is not and has never been the intention of the Government to impinge on the important principle of open justice.

Journalists now use electronic devices to report proceedings in a number of ways. Sometimes this is contemporaneously through new media, such as Twitter or blogging, or, more commonly, through old-fashioned texting. It is interesting to call texting old-fashioned, but that is how quickly things change in the civilisation in which we live. The amendment will not affect this important work. Similarly, there are also situations in which lawyers have legitimate reasons for sending information about court proceedings to someone outside of the court. While these circumstances are not expressly covered in the proposed statutory exceptions, as I noted in

my second reading speech, there is a regulation-making power that allows appropriate exemptions to cover these sorts of circumstances. An example is a lawyer who might want to notify a medical witness, for example, that he or she will be required in court in half an hour or an hour and the lawyer might be on his feet on his own without any assistance in the court. That is a useful way of getting help.

The Government has prepared, in consultation with stakeholders, a draft of this regulation, which will commence on the same day as the proposed amendment to the Court Security Act 2005. The regulation will provide a broad exemption from the prohibition for journalists who transmit information for the purposes of a media report on the proceedings. My department recently consulted peak media bodies including the Australian Press Council, the Media, Entertainment and Arts Alliance and the joint media organisations, which included News Limited and Fairfax Media. The alliance advised that it is comfortable with the scope of the exemption for journalists contained in the regulation. The Australian Press Council noted the broader Australian and international debate on media, journalists and their evolving relationship to civil society, including whether they should be subject to an appropriate code of conduct. The Press Council itself has no concluded position on these issues and therefore it has not been addressed specifically by regulation at this time.

The proposed exemption from the prohibition for journalists is very broad, effectively maintaining the status quo. Under the Supreme Court's current mobile phone policy, journalists are able to take notes electronically and send text messages and emails unless the presiding judge decides otherwise. Under the exemption, journalists will have the same freedom to report on court proceedings as they do under the current court policies. They will continue to be able to use their phone or other electronic device to transmit information to colleagues outside the court, unless ordered otherwise by the judge. This is the status quo and it is not changing. As such, the provisions contained in the bill will not in themselves regulate the use of new media by journalists. Each court will remain at liberty to develop its own policy on such matters.

Individual judges will retain discretion to order that certain proceedings not be reported. That happens in cases where names are published but are not meant to be published outside the court, for example, when people use pseudonyms or when the accused has the same name as a child witness and it is not appropriate that that name be published. Generally a court would make a suppression order at the time. Sometimes the courts go through the formality of publishing those suppression orders on the doors of the court and on noticeboards to ensure that journalists who may be there for only part of the day are aware of orders made in the court lest they breach them inadvertently. Lawyers will also be exempt from the prohibition to the extent that their ethical obligations to the court and the administration of justice regulate their behaviour. It will allow them to continue using devices to conduct their usual business whilst in the courtroom.

The New South Wales Bar Association and the Law Society of New South Wales were consulted on the draft regulation and raised no objections to its contents. Some concerns were also raised about enacting these exemptions through a regulation. Some think that these exemptions should be in the Act itself. I disagree. Regulations are the ideal place to detail more complex and potentially dynamic matters of law, particularly involving technology. The exemptions may need to be changed relatively swiftly in the future, especially if new technology becomes available, and it is quicker to amend regulations than statute. Regulations have exactly the same force as a law of Parliament, which overlooks them through its power to disallow any regulation under section 41 of the Interpretation Act 1987. Either House of Parliament may pass a resolution disallowing a regulation.

It is clear from the very broad scope of the exemption to be granted for media reporting that the Government never intended to prevent journalists from conducting their important role in reporting on the legal system and courts in particular. My department will monitor the implementation of the regulation in its first year of operation. Should the media become aware of any circumstances in which the regulation impacts on their ability to fairly report on court proceedings, I would welcome them bringing this to my attention. The bill contains miscellaneous amendments arising from the regular review of court-related legislation and other legislation administered by the Department of Attorney General and Justice. The member for Mt Druitt talked about the old days. Even a young fellow like me can remember, sadly, the parade of intoxicated people who would come in on a Friday and be sent off to Morisset for two or three months. They were generally not happy with that prospect, except in the winter. The amendments will ensure that court procedures continue to be as effective as possible and support the efficient administration of justice in New South Wales. 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.

EMERGENCY SERVICES BUSHFIRE AND FLOOD RESPONSE

Matter of Public Importance

Mr CHRISTOPHER GULAPTIS (Clarence) [6.10 p.m.]: With the indulgence of the House, I commence my remarks with the second verse of Dorothea Mackellar's *My Country*. Members should feel free to recite with me if they recall this verse:

*I love a sunburnt country,
A land of sweeping plains,
Of ragged mountain ranges,
Of droughts and flooding rains.
I love her far horizons,
I love her jewel-sea,
Her beauty and her terror –
The wide brown land for me!*

I recited that poem on Australia Day at Evans Head which, essentially, was the commencement of the floods for Clarence. As we experienced floods, Coonabarabran was experiencing bushfires. The State was under siege from bushfires and floods almost at the same time. In fact, the flooding rains probably extinguished the bushfires. We know now that in the two weeks from approximately 9 January there were some 90 natural disaster declarations of which 71 were bushfires and 19 were floods. I shall refer to the flood in the Clarence. The catchment of the Clarence is approximately 22,000 square kilometres running from Stanthorpe in the north through to Glen Innes in the south and bounded by the Great Dividing Range. The river runs 400 kilometres or thereabouts, drops some 256 metres to sea level and has some 24 tributaries. It is a very big river.

The January 2013 flood commenced on Australia Day; rain fell throughout the whole catchment. Most locals and certainly the State Emergency Service understood that we were going to experience a flood. The magnitude of the flood caught everybody by surprise because the whole catchment received rain very quickly and the river rose quickly. As the Premier said during his visit, the water was only two centimetres from the Grafton levee wall. Unfortunately, I was not able to welcome the Premier to Grafton, but I spoke with him and his office. I appreciate that he took the time to come to Grafton to better understand the flooding issues and to give some comfort to the residents of Grafton and Clarence. I thank also the Deputy Premier with whom I spoke about the flooding in Grafton. I urged him to give serious consideration to making an early natural disaster declaration so the community understands that all the State's resources are at hand to provide assistance.

Similarly, I spoke with the Minister for Police and Emergency Services on a number of occasions. It was comforting to know that Clarence and Grafton, in particular, were in safe hands. We must thank also the volunteers who left the fires in Coonabarabran and other parts of New South Wales to return home to assist with the Clarence flooding. The volunteers were from the State Emergency Service, the Rural Fire Service, the Salvation Army and the Red Cross. I acknowledge also the good work of the Governor-General, who visited Grafton on the Friday after the flood. She was able to drive around Grafton, but the rest of the lower Clarence region remained in flood. The area is big and was still flooding after four days. I thank also the Governor of New South Wales, who visited and offered moral support to the community. I praise council also for its flood mitigation infrastructure. Flood mitigation works are vital to ensure that communities are safe from flooding. The levee wall in Grafton and Maclean held and saved those communities. [*Time expired*].

Mr CLAYTON BARR (Cessnock) [6.15 p.m.]: I recognise and appreciate the work of the fine citizens of New South Wales in protecting, resisting and recovering from the bushfires and floods that ravaged New South Wales over the past few months. As the member for Clarence rightly pointed out, it is a wonderful country, but one of extremes. Certainly, we can have the heat of bushfires one day followed by floods a couple

of days later. Quite frankly, that is one of the most beautiful, fascinating and lovable things of our country and makeup. On 8 January the introductory paragraph in the *Daily Telegraph* under the headline, "Battlefront NSW: State on bushfire red alert" stated:

More than 130 fires are still raging across New South Wales.

We can only think about the manpower required to address so many fires: they would have been in uniforms and driving trucks with sirens and flashing red lights, but hundreds, if not thousands, would have been in their denims, shorts, workboots, khakis, flannelette shirts and whatever else with garden hoses, buckets, brushes and bushes in their tractors and diggers trying to create gaps or cover to stop the fire from proceeding. Indeed, that was an important part of the dialogue from the Cessnock area. Cessnock was on fire on 18 January, just 10 days after that headline in the *Daily Telegraph*. We will remember that as being the hottest day in New South Wales. I clearly recall pulling my car over because the temperature gauge on the dashboard was showing 47.5 degrees. I knew it would not be couth to photograph that while driving, so I pulled over to do so. My children were a little bemused and asked, "Dad, why have you pulled over?" I said, "Kids, this is the hottest day in my life."

Cessnock has some hot days when the road melts, but this one took the cake. Unfortunately, the night before, some vandals had stolen a car, crashed and torched it in some bushland near Cessnock. While the Rural Fire Service had controlled the fire initially, it flared up the next day. It was fantastic to see brigades come from all over the lower Hunter—Patterson, Dungog, Morpeth, Maitland, Port Stephens, Laguna, possibly from Bolwarra, and they certainly came from Telarah. There was also air support. I cannot believe the cleverness of the pilots: they managed to bring the bucket down into a backyard swimming pool—an area of four metres by six metres, with the bucket not much smaller—and fill it without a single complaint from the residents because the fire was just across the road.

This was a good reminder that we all need a bushfire evacuation plan. One resident told me, "I'd always thought that in the case of bushfire you would have minutes, if not hours, to prepare." In this instance we literally had seconds. People looking from their windows had noticed a spot fire in their yard or their back shed suddenly alight. They grabbed car keys and got out of the house. Fortunately, alert neighbours managed to extinguish many fires with just the odd motor bike, caravan or boat being melted to the ground. Most property was saved. Certainly, there was no loss of any residence, but that was due in part to a fortunate change in the wind direction.

It is another reminder that local councils in country areas need heavy vehicles such as graders, diggers and tractors that can put in firebreaks. They have to be on hand; they cannot afford to be 30 to 40 kilometres away as a result of a proposed council amalgamation. We need them on hand in local government areas, in our country areas, to do the work they need to do. I acknowledge that earlier today Government members mentioned that this State had some of the best prepared and resourced fire services in the country and the world. Government members often say that Labor did nothing for the 16 years it was in office but it did ensure that our fires were ready to go.

Mr DARYL MAGUIRE (Wagga Wagga) [6.20 p.m.]: I thank for the member for Clarence for bringing to the attention of the House the 2012-13 summer bushfires. I acknowledge the enormous contribution that both volunteer and paid firefighters and community volunteers made in taking up the challenge of trying to save property and livestock. In the Wagga Wagga electorate the conditions were horrendous, with the fuel load at the highest it has been for some time. Over 3,300 hectares were burnt in the Wagga Wagga local government area. The Mates Gully fire required 160 Rural Fire Service firefighters and resulted in the loss of approximately 500 sheep and the destruction of \$250,000 worth of fencing. We had the benefit of having the Sikorsky S-64 Skycrane located in Wagga Wagga for over four weeks and it is still there. In Jugiong the fire burnt over 14,000 hectares and a number of areas around Wagga Wagga were declared as natural disasters by the Premier.

In Coonabarabran the fire destroyed 40 homes and over 100 out-buildings and burnt another 42,000 hectares. Millions of dollars worth of cattle and sheep were lost. It was pitiful to see stock after the fire with burnt hooves and injuries that required their destruction. I mention in particular all those people who supported our firefighters and the Rural Fire Service. There was an enormous amount of cooperation between the police, the State Emergency Service and others, as there was when we experienced floods. In 2010-2011 the Premier and I visited the emergency centre. I thank the Premier for coming to the region to talk with Shane Fitzsimmons, Roger Orr and others and to receive a briefing about what the Government could do to assist. Last weekend the Governor-General came to visit for the second time. The Governor-General's first visit occurred following the last floods.

I acknowledge an organisation called BlazeAid, which is helping farmers to replace their fences. I acknowledge that Government Ministers have ensured that fencing materials are available on application to help replace destroyed boundary fences that adjoin government property. Many people made an enormous effort to combat the emergency experienced by this State. I place on record, as did the member for Clarence and the member for Cessnock, my appreciation for the work done by volunteers. I commend those volunteers who feed emergency workers and who ensure that people can leave their businesses, as they did in droves, to fight the fire. We appreciate everything that they did during this emergency.

ACTING-SPEAKER (Mr Gareth Ward): I place on record my thanks for the efforts of the Shoalhaven Rural Fire Service, in particular Ian Stewart and Mark Williams, the Wingecarribee Rural Fire Service and the Shellharbour Rural Fire Service. The Speaker and I come from areas that were affected by the fires. I commend the member for Clarence for bringing this matter to the attention of the House and for acknowledging the efforts of volunteers. I commend them all sincerely.

Mr CHRISTOPHER GULAPTIS (Clarence) [6.24 p.m.], in reply: I thank the member for Cessnock and the member for Wagga Wagga for supporting this important matter of public importance. Earlier we referred to recovery which is why I thanked the Deputy Premier for coming to Grafton to open the recovery centre. That recovery is critical. Extensive damage has been done to agricultural lands, cane farms and grazing land. The fishing industry has been severely impacted by a dirty river and many people have suffered inundation. We have had four floods in four years. It is important for those who suffered inundation to know that the Government and the community are behind them. Our resilient community members help themselves and their neighbours, which is what we saw during and after the Australia Day flood.

Unfortunately an east coast low is heading down the coast. I know that Clarence and areas to the north are receiving fairly heavy rainfall. The Bureau of Meteorology website indicates that it is on flood watch. There is a chance that we may experience another flood in the not too distant future. If that occurs we will again be calling on our volunteers to do the sterling work that they did during the last floods and that they do whenever they are called upon—the Rural Fire Service, the State Emergency Service, the Salvation Army, the Red Cross and members of the community who help themselves and their neighbours.

When two floods occur within close proximity of each other that can have a serious impact on the morale of a community and it can result in more intense flooding. All the low-lying areas and swamps are full of water and everything that falls from the sky runs straight off the lowlands and into the river, which builds up quickly. The river becomes inundated with black water that is forced off the lowlands by the flooding rain which has serious implications for the health of the river and the fishing industry. It has a huge impact on the morale of communities and businesses that have to prepare again and mop up after a flood. We live in that area because it is beautiful and we love the place. Dorothy Mackellar's poem once again describes this country. We know her beauty and we know her terror, which is why we love this land. We understand it and cherish it but we also require assistance in times of need. Our community is quick to respond with that assistance but I am pleased that the New South Wales Government also responded and will do so in the future.

Discussion concluded.

PRIVATE MEMBERS' STATEMENTS

NEWCASTLE RAIL INFRASTRUCTURE

Ms SONIA HORNER (Wallsend) [6.28 p.m.]: The Infrastructure NSW report entitled "State infrastructure strategy: 2012 to 2023" recommends a reduction in rail travel times from Newcastle to Sydney to two hours, which is commendable. That timeframe is a stark difference to the current commute along the line with a train trip from Broadmeadow to Central Station averaging between two hours and thirty-two minutes to two hours and forty-six minutes. I implore the O'Farrell Government to act on Infrastructure NSW's recommendation to improve services between Newcastle and Sydney as a few simple changes will deliver significant benefits for the Hunter, for commuters, for Wallsend residents and for our State. Infrastructure NSW Chief Executive Paul Broad, who once resided and studied in Newcastle, said these travel times are slower than the Newcastle Flyer steam train which operated before the Second World War. Miraculously, the Newcastle Flyer took approximately two hours to travel between Newcastle and Central station, a time that has since blown out. Mr Broad stated:

Services can be vastly improved over what is offered today.

That notion should be acted upon because the deterioration of essential rail passenger services on which the public rely so heavily is simply unacceptable. Newcastle is the second most prosperous city in New South Wales and, when travelling by car, is linked to Sydney by the F3. People driving on that freeway are often faced with traffic congestion and car accidents, so it is imperative that people travelling from Newcastle and the Hunter have a fast, regular and reliable train service to Sydney. According to the high-speed rail study, phase one, a report compiled by the Department of Infrastructure and Transport in 2011, commuters who travel by train between Newcastle and Sydney account for 55 per cent of trips in the corridor; in other words, those from the Hunter are more likely to travel by train than by private transport or air. Given that many Hunter residents travel to Sydney for work, we must ensure that train services are satisfactory for commuters who frequently take this trip.

According to Save Our Rail President Joan Dawson, current trains have the capacity to provide a true intercity express service taking less than two hours from Sydney to Newcastle. It has even been suggested that trains could reach Sydney in less than 1½ hours. Infrastructure NSW's plan to reduce the time taken to commute will be delivered by an acceleration of current speeds to 80 kilometres per hour from the existing speed of 55 to 60 kilometres per hour. When taking this into account the notion of constructing an efficient rail service is certainly not absurd. Faster journeys made between Newcastle and Sydney are part of the main line acceleration program for the rail network, which comprises a \$100 million pilot program within the next five years to reduce travel times between Wollongong and Sydney and a second phase focusing on reducing travel times on the routes between Wollongong, Sydney and Gosford to one hour at a cost of \$1 billion.

The third phase will invest \$500 million to reduce travel times between Newcastle and Sydney to two hours after the 10-year anniversary of the State Infrastructure Strategy. This is a worthy amount, given the benefits associated with this project. A quicker commute for those living in Newcastle or on the Central Coast will increase employment and leisure opportunities for them. Sydney will be a more accessible employment market for those who may struggle to seek their desired career in the Hunter. In addition, the F3 will become less congested and our State's capital may prosper economically as Hunter locals will be more inclined to take what will be a more convenient train trip to Sydney.

I strongly urge the O'Farrell Government to embrace Infrastructure NSW's recommendation to drastically improve services between Sydney and Newcastle that will reap many benefits for Hunter locals and the State. A two-hour 46-minute commute from Newcastle to Sydney is unacceptable in this day and age. High-speed rail networks have been embraced by many nations, with France's TGV trains travelling at speeds of 350 kilometres per hour. We are asking the O'Farrell Government to accept the recommendations of Infrastructure NSW and deliver proposals that the Hunter residents have long sought.

FLOOD INSURANCE

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [6.32 p.m.]: Tonight I speak about an issue that is current on the North Coast and that could become more current over the next few days, that is, heavy rainfall and floods. I am concerned at the way insurance companies and local government have combined to all but deny flood insurance to people who are living in what are now known as flood-prone areas. Prior to 2000 there was inundation in some low areas, people were happily insured and the insurance companies did nothing about it. With the advent of the 2009 event, more rain last year and again this year the Local Government Association and the insurance companies got together and decided that they would map flood-prone areas right across New South Wales.

As a result, areas were mapped as flood-prone that previously had not been classified as being in flood plains. It has provided insurance companies with the excuse either to deny insurance or, in some cases, to inflate premiums so high that people cannot afford to pay their premiums. In the past it gave local government an opportunity to put in place new rules and provisions to underwrite itself out of any possible liability for allowing development in certain areas. I highlight the case of Mr Neville Jenkins, who lives at Charlotte Court, Coffs Harbour. Last year his insurance was around \$1,000 or \$1,500, but this year he has been quoted figures ranging from \$1,846 to \$26,827. In fact, the Australian Pensioners Insurance Association told him that he would not receive any cover. He might have to find from his meagre income anything from \$71 a fortnight to \$1,031 a fortnight to pay his insurance premium.

I instance also the case of Mr and Mrs Fitton from Archville Station Road, Bonville. I guess through poor engineering in the past, not witnessing inundation over the years and perhaps a lack of maintenance in 2009 the railway line caused some damming that created low-level flooding in their garage. The Fittons put in

a claim for \$1,000 for a pump and their insurance premium increased from \$1,151 last year to \$8,046 this year. As well, last year's premium for Mr and Mrs Grace of Adelines Way, Coffs Harbour, was \$905 compared to \$7,299 this year. I am worried that insurance companies are bookmakers and that they put odds on the market.

Most people accept that with the bushfires and floods across New South Wales and Australia over the past few years insurance companies have had a torrid time. However, they have also had many years in which they have made huge profits and now they are saying that they will not insure people's property but when they insure them they put on such odds that people cannot afford to pay the premiums. The North Coast has a high proportion of retired people on fixed incomes and those incomes do not allow them to pay insurance at the levels I have outlined, in particular the amount of \$26,827 to which I have referred. Both this Government and the Federal Government should examine what the insurance companies have done with the floods—I am waiting for the next flood and at whether they will look also at bushfires—and the way they have changed their premiums.

We need to investigate whether the increases in premiums are justified. We need to find out their aerial calculations or whether they are trying to appease shareholders. We need to ascertain whether anyone from the Local Government and Shires Associations has taken a position on insurance company boards because they have worked hand in glove over a long time. I wonder whether paybacks are involved. The people of New South Wales, the North Coast and my electorate in particular cannot afford to pay premiums of the magnitude I have outlined. The Minister for Fair Trading, the Australian Competition and Consumer Commission or someone needs to have a close look at the sweetheart deals that are being done to give insurance companies the opportunity to pay out claims that are genuine.

TRIBUTE TO JOSEPH "JOE" MARTIN RIORDAN

Mr CHRIS HARTCHER (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [6.37 p.m.]: Tonight I pay tribute to Joseph "Joe" Martin Riordan. Joe Riordan passed away on 19 November 2012 at the age of 82. He was a man of substance from a Catholic upbringing, which instilled in him his strong sense of social justice. Joe was a family man, having married his sweetheart, Patricia Watkins, in 1955. Together Joe and Patricia have four sons and two daughters—John, Peter, Michael, Bernie, Cathy and Maureen. Joe was the proud grandfather of 14 grandchildren. I express my sincere condolences to his family. I share their sense of loss.

Joe grew up in Zetland where he attended Our Lady of Mount Carmel Primary School in Waterloo and Marcellin College, Randwick. Following school he worked as a clerk where he joined the New South Wales branch of the Federated Clerks Union. At age 22 he stood for the position of assistant secretary in the union where he defeated the communist ticket. In 1954, at the young age of only 24, he was appointed secretary of the union. He helped lead the movement within the union against communist influence by arguing that union elections should be conducted by the industrial registrar.

By age 28, Joe was appointed Federal Secretary of the Federated Clerks Union, where he remained until being elected to the Federal Parliament. In 1972, as the Australian Labor Party candidate, he outpolled the then sitting Speaker of the House, Sir William Aston, when he was elected to the eastern suburbs seat of Phillip. He ably represented the beach community constituents of Bondi, Bronte, Coogee, Waverley and Randwick. In Parliament he chaired the Joint Committee on Pecuniary Interests of Members of Parliament. In 1975 he was appointed Minister for Housing and Construction and Minister Assisting the Minister for Urban and Regional Development. His political career ended with the landslide election following the dismissal of the Whitlam Government in 1975. On the day of the dismissal Joe Riordan spoke of how he was in the House of Representatives signing a bundle of letters when another member thumped his seat and said, "Don't sign any more letters. You're no longer a Minister."

Following his time in Parliament he went on to serve the community on a number of industrial relations related commissions and boards. Joe Riordan was a well-respected authority in Australian industrial relations. During the Wran Government he was appointed to head the New South Wales Department of Industrial Relations. Joe served as Vice-Chair of the New South Wales Electricity Commission, Chairman of the Safety Commission, Senior Deputy President of the Australian Industrial Relations Commission, Chair of the National Occupational Health and Safety Commission, Chairman of WorkSafe Australia and Chairman of the WorkCover Authority of New South Wales. Following his retirement he continued to follow his passion for social justice through participation in a number of inquiries and investigations. In 1995 Joe was honoured as an

Officer of the Order of Australia [AO] for service to industrial relations, to social justice and to the community. Tonight I wish to acknowledge his life of distinguished service to Australia. As the Federal Leader of the Opposition, Tony Abbott, said in speaking to a eulogy in Federal Parliament:

He was a good man—he was faithful to his party, he was faithful to his nation, he was faithful to his family and he was faithful to his religion. He was a fine representative of a disappearing breed of Labor men, and will be much missed.

I had the honour to meet Joe Riordan when I was an articled clerk and he was Secretary of the Federated Clerks Union. I was enormously impressed with the graceful skill with which he conducted industrial relations negotiations with representatives of the breweries with whom the law firm to which I was articled was then negotiating. He was affable and easy to talk to, yet he was a man of steel when he was representing the interests of his clerical members. He impressed me enormously as a dedicated trade unionist who sought only the betterment of members of the trade union movement.

Joe was typical of a generation of Labor men for whom the union movement and the Australian Labor Party were the only paths out of the working class—the only available paths to personal advancement and to social justice service, both of which he typified and both of which he ably fulfilled. As Tony Abbott said, Joe Riordan was a man of a generation—a generation that has now disappeared. I have the honour to know well and to hold in high regard his son Bernie, a former General Secretary of the Electrical Trades Union and now a Fair Work commissioner in the Federal Court. I honour Joe Riordan's memory and pay my respects to it. Vale Joe Riordan. May he rest in peace.

PENEUETA AH CHONG SUPERANNUATION ENTITLEMENTS

Mr PAUL LYNCH (Liverpool) [6.42 p.m.]: Tonight I again inform the House of the difficulties encountered by a constituent Peneueta Ah Chong because of the quite outrageous behaviour of his previous employer, Garards, which is based at Warwick Farm in my electorate. I addressed the House on this topic on 8 March last year. I explained then that Mr Ah Chong was a welder employed by Garard from June 2007 to October 2009. Superannuation payments totalling more than \$9,000 were accrued during that period, payable by the employer on behalf of Mr Ah Chong. Correspondence and letterhead referred to the employment company simply as Garard. The payslips regularly given to my constituent referred to the employer as Garard Pty Ltd. The payslip recorded superannuation payments by the company on behalf of Mr Ah Chong.

It is not disputed that, despite the reference on the payslips and despite the employer's legal obligation, more than \$9,000 in superannuation was not, in fact, paid by the time Mr Ah Chong's employment with Garard ceased. When I addressed the House last year I indicated that Mr Ah Chong understood that his employing company was undergoing liquidation and that that boded ill for recovery of the superannuation payments that, in breach of the law, were not paid on behalf of Mr Ah Chong. Regrettably, that has proven to be the case. Mr Ah Chong filled in all the appropriate forms for his proof of debt for the liquidation as someone owed money by the company, but to no avail. I have spoken to the liquidators. In November they advised me that no dividend will be paid to creditors—that is, Mr Ah Chong will get nothing from the liquidation of Garard Pty Ltd.

When I addressed the House last year I also expressed Mr Ah Chong's fears that there would be a phoenix-like recovery by the people running Garard—that is, the operation would continue to operate, using a different corporate name and one company would be wound up, leaving up to 50 workers duded and defrauded, but the company would carry on making money and not caring whether their employees got their fair and legal entitlements. Regrettably, that seems to have been exactly what occurred here. Garard Pty Ltd was working at 12 Homepride Avenue, Warwick Farm. Garard is still operating a business from there and has used the vagaries of corporate regulation to defraud its former employees.

One of the reasons I know this and can make these assertions is that I was contacted at the end of last year by a worker in the Torres Strait. He contacted me about a company for whom he was working. He contacted me because he had seen on the internet a copy of my speech last year about Garard. He was employed by a firm called Garard Moulded Pre-cast Pty Limited. It was also dudding people with whom it worked and was behaving in the same style and manner as Garard Pty Ltd. Indeed, it is clear that it is the same operation. As I said earlier, correspondence and letterhead concerning Mr Ah Chong referred to the employer generally as "Garard". It is the same in Queensland; I have a photograph of workers in fetching orange-coloured work shirts with the word "Garard" emblazoned on the back. The company is working on what I am told is a \$24.8 million contract to build six desalination plants in the Torres Strait.

The corporate entity with the contract is Garard Moulded Pre-cast Pty Limited. Australian business number records show that the main business location for this corporation is the 2170 postcode area, which is the

postcode for Warwick Farm. A simple Google search brings up the Garard website, and the main heading is the generic "Garard". The Garard website very specifically notes that the address of Garard Moulded Pre-cast Pty Limited is 12 Homepride Avenue, Warwick Farm—as it was for Garard Pty Ltd—and its phone number is the Warwick Farm phone number for Garard Pty Ltd.

When Mr Ah Chong was at Garard the person who seemed to be running the show was a Mr Dennis James. Workers in the Torres Strait tell me it is Mr Dennis James who is also running the show up there. So we have got Garard refusing to pay legitimate entitlements to workers at Warwick Farm and achieving this by allowing one of its corporate entities to go bankrupt. At the same time the company is involved in a contract worth many millions of dollars in the Torres Strait. Out of the millions of dollars it is handling it cannot seem to pay Mr Ah Chong the \$9,000 to which he is legally entitled.

However, hard as it may be to believe, the story is even worse. Garard's behaviour is even more scandalous: It is not just a \$24-million project in the Torres Strait that it is involved with. A web search revealed contracts between Garard Moulded Pre-cast Proprietary Limited and Goondiwindi Regional Council in Queensland and Waverley Council in New South Wales, among others. The company also appears to have lodged an expression of interest for providing modular building systems with NSW Health. This means that while Garard says it cannot pay Mr Ah Chong his superannuation it is happily continuing to trade, presumably making lots of money. The money is rolling in and the company is chasing contracts all over the country but it cannot find \$9,000 to pay what it legally owes Mr Ah Chong. The company is a disgrace. In common terms, its operators are frauds and crooks ripping off hardworking people, such as my constituent.

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [6.47 p.m.]: I thank the member for Liverpool for bringing this matter to the attention of the House. I will personally see that the Minister for Fair Trading instigates an investigation. As someone who spent all my non-political life in private enterprise, I find it disgraceful when companies basically embezzle the entitlements of hardworking employees.

BOCHASANWASI SHRI AKSHAR PURUSHOTTAM SWAMINARAYAN SANSTHA COMMUNITY

Dr GEOFF LEE (Parramatta) [6.48 p.m.]: Tonight I speak about the good work that the Bochasanwasi Shri Akshar Purushottam Swaminarayan Sanstha [BAPS] community is doing in Rosehill, in Australia and throughout the world. The BAPS mission is to strive for a better society through individual development, to instil values, to promote spirituality, to cultivate skills, to nurture growth and to preserve Indian culture and the Hindu ideals of faith, unity and selfless service in diverse communities around the world. The BAPS mission is underpinned by the teachings of Lord Bhagwan Swaminarayan in promoting harmony amongst individuals, families and diverse communities, and understanding that the synergy created from development at the individual level leads to greater societal growth.

His Divine Holiness Pramukh Swami Maharaj is the ever-energetic and devoted 92-year-old spiritual leader and he is the fifth spiritual successor of Lord Bhagwan Swaminarayan and present leader of BAPS. One flourishing BAPS temple and community is located in Rosehill in my electorate of Parramatta. I have visited the temple a number of times, the last time to celebrate Deepavali—the festival of triumph of light over dark—when there was a display of more than 1,500 individual vegetarian dishes with no duplications. It is a wonderful community event. A large number of devotees are part of the BAPS community in Rosehill. I note that their temple is currently being rebuilt. When finished, it will be used for music classes, Gujarati language classes—all scriptures are taught in a combination of Gujarat and English languages—and assemblies for elders, girls and boys. It will also host many festivals. The BAPS community has consistently impressed me with its devotion to the community and to family values. I look forward to the temple's opening and consecration.

I and my colleagues Dr Alan Sexton and Alan Manly recently had the opportunity to visit India. One of my objectives was to visit the BAPS temples—the spiritual home of the BAPS community. We had the opportunity to see Swaminarayan Akshardham in Gandhinagar. I thank Sadhu Jnanpurushdas Swami, who I had previously met at the Rosehill temple, for his time and effort in showing us around and making us feel at home. The Swaminarayan Akshardham building in Gandhinagar, Gujarat, was inspired by His Divine Holiness Pramukh Swami Maharaj. It was completed in 1992 and consists of some 23 acres. It took six years and eight million man hours to carve the 6,000 metric tonnes of sandstone used in the monument that enshrines a seven-foot gold-leafed murti of Lord Swaminarayan, which serves as a fountain of peace. Not only a temple, it is also a cultural complex and contemplative garden and children's park that includes lakes, water features and rock gardens, and receives more than two million visitors per year. I now know why it is rated as one of the wonders of the modern world.

I also was able to visit New Delhi to see Swaminarayan Akshardham New Delhi, the largest Hindu temple in the world. It has 100 acres of beautifully manicured gardens with 65 bronze statues of India's great men, women and children whose lives inspire all to nobler heights. I thank Sadhu Gnanmunidas, who oversees the operations, for the time that he and other volunteers spent to show our group around. In excess of 30,000 devotees visit the temple every day. The complex was inaugurated on 6 November 2005. It was built by 11,000 artisans—all volunteers—and is now staffed by BAPS volunteers. The complex features the Ten Gates, which invite goodness from everywhere to all visitors, and Akshardham Mandir, which is the focal point of the entire complex. It is built of pink stone and white marble and has 234 intricately carved pillars, nine domes and more than 20,000 sculpted figures and murti, including an 11-foot gold-plated murti of Bhagwan Swaminarayan.

Finally, I thank the people in Australia who helped to organise my colleagues' and my experience. They include Rajni Patel and Sanjay Patel. Information and assistance was provided by Darshan Desai and Yogi Savania, who are public relations coordinators at the Rosehill BAPS temple. I thank the BAPS community around the world for always making me feel welcome and for their good and charitable work in the community and in promoting family values.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.53 p.m. until
Wednesday 20 February 2013 at 10.00 a.m.**
