

LEGISLATIVE COUNCIL

Thursday 11 August 2011

The President (The Hon. Donald Thomas Harwin) took the chair at 11.00 a.m.

The President read the Prayers.

ASSENT TO BILL

Assent to the following bill reported:

Summary Offences Amendment (Intoxicated and Disorderly Conduct) Bill 2011

GENERAL PURPOSE STANDING COMMITTEE NO. 3

Extension of Reporting Date

Motion by the Hon. Natasha Maclaren-Jones agreed to:

That the reporting date for the reference to General Purpose Standing Committee No. 3 relating to an inquiry into rail project costings be extended to Wednesday 29 February 2012.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item Nos 197 and 199 outside the Order of Precedence objected to as being taken as formal business.

IRREGULAR PETITION

Leave granted for the suspension of standing orders to allow the Hon. Jeremy Buckingham to present an irregular petition.

Tweed Shire Coal Seam Gas Exploration

Petition objecting to the granting of petroleum exploration and production licences for coal seam gas in the Tweed Shire and demanding a ban on all coal seam mining, received from the **Hon. Jeremy Buckingham**.

BUSINESS OF THE HOUSE

Notices of Motions

[During the giving of notices of motions.]

Mr David Shoebridge: Point of order: The motion of which the Hon. Matthew Mason-Cox is giving notice is in breach of the sub judice rule. It clearly forms an opinion and states a view about the outcome of criminal proceedings and a criminal investigation. I invite you, Mr President, to read the motion. It concludes "guilty" in relation to a matter before the court. It is in breach of the standing orders.

The Hon. Matthew Mason-Cox: To the point of order: To my knowledge no criminal proceedings have been instituted in relation to these matters. As I understand it, it is an investigation. I am happy to be corrected by those who know what they are talking about. The motion uses the words "amounts to" rather than stating a clear indication of guilt.

The PRESIDENT: Order! I will allow the Hon. Matthew Mason-Cox to conclude his notice of motion. I will study it after formal business. If it is out of order, I will advise the House later in the day.

BUSINESS OF THE HOUSE**Postponement of Business**

Private Members' Business item No. 4 in the Order of Precedence postponed on motion by the Hon. Cate Faehrmann.

PRIVILEGES COMMITTEE**Report: Citizen's Right of Reply—(Mrs Dot Holdom)**

The Hon. TREVOR KHAN [11.14 a.m.]: I move:

That the House adopt report No. 56 of the Privileges Committee entitled "Citizen's Right of Reply (Mrs Dot Holdom)", dated August 2011.

Pursuant to standing orders the response of Mrs Holdom was incorporated.

Reply to comments by the Hon. Marie Ficarra, MLC, in the Legislative Council on 24 November 2010

I would like to reply to comments about me made by the Hon Marie Ficarra MLC on 24th November 2010 in the Legislative Council.

I request that this response be included in Hansard.

Ms Ficarra made statements that have adversely affected my reputation and are highly offensive to me. In my public capacity, I have always presented myself as a "non party political" person.

I personally find that the accusations have not only affected me but my entire family, in particular my husband.

Ms Ficarra stated in her speech that I had conducted myself improperly by launching "a campaign of vilification and politically motivated complaints" against Councillor Joan van Lieshout. This is not true. To date, no evidentiary proof to support these claims has ever been presented.

These unfounded accusations, as widely reported in the local print media, and still available by sourcing internet search engines and Hansard itself, have sullied my personal reputation and character and impugned my reputation and standing within the community.

I therefore submit that under the provisions of Standing Order 202 I have been adversely affected by Ms Ficarra's speech.

The Hon. MARIE FICARRA (Parliamentary Secretary) [11.15 a.m.]: I support a citizen's right to respond to matters raised in Parliament. I also believe in the rights of members of Parliament to have freedom of speech and privilege so that we can do our jobs without fear of retribution. As members are aware, under Standing Order 203 (3) (b), it is the duty of the Privileges Committee to receive such responses from citizens but not to make any determination as to the accuracy of the citizen's reply. In relation to Councillor Holdom's comments that no evidence was provided to support allegations made, I advise the House that it would have been inappropriate and improper for me to disclose the identities of people who provided evidence to me which prompted my comments.

In the past the Tweed Shire Council Code of Conduct Committee has dismissed rival council complaints on the basis that the breaches were not sufficiently serious to warrant disciplinary action. I had hoped that my speech would put an end to the misuse of the Tweed Shire Council Code of Conduct. I am pleased that the Minister for Local Government, the Hon. Donald Page, announced on 30 May 2011 that a review of the local government model code of conduct would be undertaken. This review could not come soon enough for the many councillors across the State who have complained of being improperly persecuted under the code of conduct due to political motivations, as well as in relation to the misuse of ratepayers' moneys used to pursue such matters.

Mr DAVID SHOEBRIDGE [11.16 a.m.]: On behalf of The Greens I commend the actions of the Hon. Marie Ficarra in bringing these matters to the Parliament and to the attention of the broader community in New South Wales. The manner in which the code of conduct has been used in councils such as Tweed Shire

Council is a matter of genuine public interest and of interest to councils across New South Wales. The Greens congratulate the Government on undertaking a review of the code of conduct. It needs an urgent root and branch review to stop the use of scarce council resources in running often vindictive, narrow political agendas on councils. This is an urgent matter that properly deserves the attention of the House. Whilst I accept that private citizens may wish to have their view put on record, I congratulate the work of the Hon. Marie Ficarra on this matter.

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

Motion agreed to.

GRAFFITI LEGISLATION AMENDMENT BILL 2011

Second Reading

Debate resumed from 10 August 2011.

The Hon. JOHN AJAKA (Parliamentary Secretary) [11.18 a.m.]: As I said yesterday, all members are aware of the substantial costs being incurred by the community, whether at State, local government or individual level, in relation to graffiti. The costs estimate is that hundreds of millions of dollars are being used to clean up graffiti within New South Wales alone. We must look at the real cost to the community or, as referred to in economic studies, the opportunity costs. The real cost to society in relation to graffiti is the loss of funds that could be used for worthwhile projects.

The PRESIDENT: Order! I cannot hear the contribution of the Hon. John Ajaka. Members leaving the Chamber will do so quickly and quietly. Members remaining in the Chamber will resume their seats.

The Hon. JOHN AJAKA: One can only imagine what additional hundreds of millions of dollars in one's hands could be spent on—playgrounds for the young within the community, repairs to local roads, lifesaving equipment for our hospitals and ambulances, equipment that local schools need and additional funds for the disabled and their carers. That is the true cost of graffiti. Some people argue that in some way graffiti is art. In debate on the Graffiti Control Bill the Hon. Ian Cohen argued that graffiti is some form of expression by the young and he basically implied that they would outgrow it and one day become members of Parliament. That is complete nonsense. The real cost of graffiti is the loss of vital amenities that our society needs, because hundreds of millions of dollars—more than \$1 billion within Australia—are spent on cleaning it up.

Legislation to deal with offenders who commit the crime of graffiti—and it is a crime—should not be directed at what is best for an offender but what is best for the community and those who are losing substantial assistance, such as the disabled, who have a need for those funds that are wasted on graffiti removal. Again I congratulate the Minister on introducing this legislation. Statistics indicate that two-thirds of graffiti offenders are under the age of 18. Our policy has a number of elements that will attempt to reduce offences in this demographic. The bill implements the policy through the amendment of six statutes and one regulation.

The first statute to be amended, which affects the treatment of young graffiti offenders, is the Children (Community Service Orders) Act 1987, which relates to the performance of community service work by children who have been found guilty of criminal offences. The bill amends section 11 to provide that community service orders must impose a graffiti clean-up condition. Such conditions will also apply to orders imposed for any failure to pay a fine in relation to a graffiti offence. A graffiti clean-up condition is a condition requiring the offender to perform community service work, which may include the removal of graffiti from buildings, vehicles, vessels and places, and the restoration of the appearance of buildings, vehicles, vessels and places consequent on the removal of graffiti from them. If such an order is not reasonably practicable an exception may be granted. The bill also inserts similar provisions into the Crimes (Sentencing Procedure) Act 1999 for those aged 18 and over.

Also to be amended is the Young Offenders Act 1997, which is an Act to establish procedures for dealing with children who commit certain offences through the use of youth justice conferences, cautions and warnings instead of court proceedings. The bill provides that warnings and cautions or referrals to a conference by the Director of Public Prosecutions and police cannot be given in relation to a graffiti offence. The bill still allows a court to issue a caution or refer a young offender to a youth justice conference, but only after he or she has appeared in court and admitted the offence and the court believes that a conference should be held. The

requirement that young people facing a graffiti charge be brought before a court sends a strong message that these offences are serious. It also means that people will be more likely to report graffiti offences as they know the matter will be treated seriously.

The Government believes that imposing a driver licence order instead of or in addition to a fine, imprisonment or any other penalty will act as a strong deterrent to those considering engaging in graffiti, especially the young. As the Minister has stated, having a driver licence is a privilege and not a right. The bill amends the Graffiti Control Act 2008 to allow a court to impose a driver licence order, which may involve extending a learner or provisional licence period or making the holder of an unrestricted licence subject to a threshold of four demerit points for a period of up to six months. A driver licence order may also suspend any class of licence for up to six months. The bill also amends the Road Transport (Driver Licensing) Act 1998 and the Road Transport (Driver Licensing) Regulation 2008 to facilitate these changes.

The bill implements the New South Wales Liberals and Nationals graffiti policy which we took to the election on 26 March. It sends a strong signal that those who engage in graffiti face serious consequences. It particularly targets young people, who comprise two-thirds of offenders and who may not comprehend the serious nature of the offence under the current law. It is time offenders cleaned up their own mess instead of leaving it to their victims or the New South Wales taxpayer. The bill deserves the support of all members. As I indicated earlier, the aim of this bill is to be a deterrent. I know from my time on Rockdale council that once graffiti occurs councils go through a process of cleaning it up, at the expense of the citizens. Citizens should not be paying for the clean-up; the money should be utilised for far more worthwhile and needed projects. Young graffiti offenders mostly work in groups and if we can send a message to one of them by bringing them before a court, and if that sends a message to the others and their friends and prevents even one other young person from becoming a graffiti criminal—and criminals they are—then the bill has achieved what it needs to achieve.

Those who believe that graffiti is art should go out, buy a canvas, paint it the way they want to, frame it and hang on to it. Who knows, maybe in years to come it will be worth a lot of money. But I do not regard it as art when someone comes to my property, as has happened to me on many occasions, and sprays my fence, my wall or the outside of my office. The money I had to spend cleaning it up I would rather have donated to a charity to help someone in need. That is what this bill is all about.

Mr DAVID SHOEBRIDGE [11.27 a.m.]: On behalf of The Greens I oppose and, indeed, condemn the Graffiti Legislation Amendment Bill 2011. What the Government is intending to do with this bill is nothing more than sending more children to court, in particular for graffiti offences. By sending children to court the Government is making the bald statement, unsupported by any evidence, either statistical or even anecdotal, that it will reduce the amount of graffiti in New South Wales. This is just more of the Government's tough on law and order rhetoric and its tough on law and order approach to legislation, which has no connection with reality and no evidential basis to support it working on the streets of New South Wales.

This legislation will just push more children into our court system—a process not supported by any evidence to show it will reduce graffiti vandalism. The Greens in New South Wales continue to advocate for non-punitive community-based solutions. Indeed, there are some excellent examples of those that have been instituted in the Balmain electorate by Leichhardt Council. The bill amends the Children (Community Service Orders) Act 1987 as well as the Crimes (Sentencing Procedure) Act 1999. The bill compels courts to impose community service orders for graffiti offences that require young people to remove the graffiti they have put up, unless it is not reasonably practicable. Let us stop there and think about how that basic process will work. I know from my work as a local councillor for Woollahra that the residents want graffiti removed as soon as it appears on private or public property. The community is adamant about the fact that graffiti should not be left in place for three months while the courts go through their processes and young offenders are then instructed to remove it. That is not what the community wants.

When one takes account of the Government's graffiti removal proposals one realises that this bill is entirely wrongheaded. I am sure that no-one in the community of the Deputy-President, the Hon. Paul Green, would want graffiti to remain on walls, on streets or on public property for three or four months while the courts go through their lengthy processes. After the three or four months that are needed to lay charges, to take offenders through the courts and then send them through the community service process, are people expected to derive some personal vindication from watching these kids painting over their graffiti with a roller? That is not what the community wants. The Government has not consulted on the bill and it is not being honest about its impact.

As a consequence of the provisions in the Graffiti Legislation Amendment Bill, more graffiti will be left on the streets for longer while the Government seeks revenge and vindication. That is not what the people of New South Wales want. As I said, this Government has not consulted the community and it is not being honest about the real impact of this bill, which will be to leave graffiti on the streets for longer. If the Government understood how the bill operated or it had any concept of what local councils are doing to reduce graffiti, it would know that residents want fast removal. The community's key request is for the fast removal of graffiti; not some sort of bitter vindication against offenders.

Studies show that a key way of reducing graffiti in a community is rapid removal. Graffitiists are deterred if their tags do not remain in place for weeks and months. Removing graffiti within 24 hours, which is the policy of my local council, is one of the key strategies for reducing it. This bill will encourage local councils and residents to leave graffiti in place for three or four months while the Government proceeds with its vindictive attack on kids by dragging them before the courts. This Government is taking a backwards step. If it were honest it would admit that this bill is about banging the law and order drum; it has nothing to do with making our streets cleaner.

The bill also changes the Graffiti Control Act 2008 to enable courts to make orders concerning the driver licences of those found guilty of committing graffiti offences or of merely owning graffiti implements. These orders include increasing probationary periods by six months and reducing the number of demerit points that can be accrued. However, the fundamental change in the bill is that it compels young people to attend court. It does this by removing powers from the police to deal with young offenders by way of an on-the-spot fine, a youth justice conference, or other diversionary methods. Police will simply have two options when they have a child before them who they suspect of committing a graffiti offence. The first option is to let the child go and the second option is to send the child off to court. That is likely to lead to fewer people receiving cautions or fines. Fewer people will be charged or brought to account for graffiti offences because police will be aware of the resources that are required to bring a child before court.

Court waiting times have been costed by the Government at approximately \$100 for every hour that police officers are required to attend at court. Police officers might have to wait around at a Local Court for three, four or five hours to secure the one vindictive moment that is sought by the Government—to ensure that children appear before court for graffiti offences. This bill will result in more juveniles being dealt with by our justice system. In presenting the bill the Attorney General produced no evidence to show that this new punitive approach is likely to be effective in reducing the incidence of graffiti. The Attorney General said that cleaning off graffiti and street art was costing over \$100 million a year, but that figure is untested. The Parliamentary Secretary referred earlier to \$1 billion. I am sure at the conclusion of this second reading debate the cost will be \$2 billion, but that figure again will be untested.

The Government failed to reveal how much it will cost to send all these young people into the justice system. We are getting only one side of the ledger. Even on the Government's own inflated figures there is a cost for removing graffiti. However, we have not been told what the cost will be of putting more kids into the justice system. The Government has not even attempted to calculate that cost because under its plan the public will foot the bill for magistrates, police, court reporters, prosecutors and all those who are needed to drag an offender before the courts for writing his or her name on a train carriage. These direct costs, together with the social impact of sending children to court, will mean that the Attorney General, in proceeding with this vindictive piece of legislation, is likely to spend a great deal more money than the State, local councils and communities are likely to save.

Across the globe governments are realising that punitive measures for juvenile indiscretions have a negative effect on the young people involved and generally end up costing the public much more than investing in effective social programs. Increasing the contact between juveniles and the courts will do nothing to scare away a generation from courts; it is likely to normalise the conduct and the contact. Studies show that children who are dragged into the criminal justice system are far more likely to reoffend than children who are dealt with through diversionary methods. Government estimates released to The Greens in response to questions on notice to the Attorney General revealed that under this Government the number of young people in jails in New South Wales is expected to remain at record high levels until at least 2013.

Although this Government said that it would do something different we are seeing an average of 400 young people each day in our jails as a result of this Government's wrongheaded approach to the criminal justice system. Rather than fixing the problem this Government is more interested in being tough on kids, putting kids before courts and sending more kids to jail, which is remarkable, considering some of the

statements made by the Attorney General. The Attorney General, seemingly blind to the raft of legislation that he has introduced in this place, which has been tough on law and order, is reported in the *Sydney Morning Herald* on 12 April 2011 as saying:

We have to do our best to keep young people out of detention centres ... With young people, you have more chance of saving them from a life of crime at that stage than later on.

This legislation does the opposite—it throws children into the sausage factory, which is the criminal justice system. On 6 July 2011 the Attorney General was reported in the *Daily Telegraph* as saying:

The best way to save juveniles from a life of crime is to keep them out of jail ... The latest young people-in-custody health survey shows us that young offenders have high levels of mental illness, intellectual disability, drug and alcohol abuse and poor physical health.

The difficulties with which juvenile offenders often present are experienced also by the juveniles who attend on graffiti offences. As the Attorney General said, they have high levels of mental illness, intellectual disability, drug and alcohol abuse, and poor physical health. How will the Government deal with those vulnerable juveniles? Will it send them off to a treatment program, or will it encourage the police to put in place some diversionary orders and practices? No. This Government thinks that the way to deal with those kinds of kids is to drag them before the courts.

Again, that is a wrongheaded approach. The Government says one thing and the Attorney General indulged in some rhetoric about wanting to do the right thing by kids and reduce the number of kids in jail but instead they are putting more and more kids into the criminal justice system. It is not just a concern of The Greens; it is also a direct concern of the Law Society. The Law Society's Criminal Law and Juvenile Justice committees have expressed grave concerns about the removal of the power for police to deal with young offenders who have committed graffiti offences. The Law Society said, and it is dead right, that it is contrary to the principle that criminal proceedings should not be instituted against a child if there is an appropriate alternative means of dealing with the offence. In a communication of June 2011 the Law Society said:

The proposed amendments to the *Young Offenders Act 1997* to remove the power for police to deal with young offenders who have committed graffiti offences by way of caution, warning or youth justice conference is of great concern.

The removal of pre-court diversion is contrary to the principle that criminal proceedings should not be instituted against a child if there is an alternative and appropriate means of dealing with the matter. The proposed amendments are a further move away from the carefully crafted system of diversion that was originally devised when the *Young Offenders Act 1997* was introduced.

Requiring a young person charged with a graffiti offence to appear before court will unnecessarily increase the financial and social costs of responding to alleged young offenders.

It is unjust and inconsistent that other young people will be able to receive pre-court diversion for more serious offences.

It is wrong in principle and wrong in practice and in breach of some of those key principles in the *Young Offenders Act* that state loudly and proudly that sending children to court should be the last possible option. If there is any alternative that is what the law should be doing. The increased use of community service orders is likely to lead to increased incarceration rates as juveniles breach those orders. Again, that can result in more children going to jail and increases in the already appalling figure of the number of juveniles in jail. The penalty for a breach of a community service order is jail time and that penalty is often imposed by the courts. More and more community service orders for such low-grade offences as graffiti will inevitably lead to more children going to jail for breaching those orders. The Law Society is also concerned about the use of driver licence sanctions for offences that are unrelated to driving, and well it should be. In its submission about driver licence offences, the Law Society states:

The Committees are opposed to the imposition of driver licence sanctions for offences that are completely unrelated to driving.

This approach has failed when it comes to fine enforcement in respect of young people. Licence sanctions may work for relatively stable, employed, middle-class adults. However, the young people who commit graffiti offences are likely to be among the most marginalised in our community, and licence sanctions only exacerbate their hardship.

The Committees query the logic of making the already very difficult task of obtaining a driver's licence for disadvantaged young people even more difficult. Extending the period that young people may be required to hold learners or provisional licences is onerous. It could cost job opportunities and place undue pressure on the family who have to "supervise" a learner whilst driving ...

The very principle of removing a young person's driver licence when they are already obviously having some difficulties through socially dysfunctional behaviour by creating graffiti may well lead to loss of employment

opportunities and loss of a job that they have. It will increase their difficulty in accessing education and place greater stresses on their families who have to increase supervision during learner licence periods. That is another major step backwards. These are kids who need help and positive intervention; they do not need the State Government stepping in and taking away—

The Hon. Dr Peter Phelps: They need discipline and justice.

Mr DAVID SHOEBRIDGE: I acknowledge the interjection of the Government Whip. That sums up the Government's approach in one simple statement. These are kids who do not need help; these are kids who do not need diversionary orders; these are kids who do not need assistance to do better. These are kids who, according to the Government Whip, need nothing other than a great big wallop. That kind of narrow law and order approach will lead to nothing but trouble. Of course, there is a very obvious model for an alternative approach, which is that taken by Leichhardt Municipal Council.

Leichhardt council's graffiti management policy has been effective in reducing the incidence of graffiti, not through a punitive approach aimed at locking up more young people but through applying strategies in planning and design, community involvement and education, and protection and removal. It is less sexy but in the end far more effective in reducing graffiti than using the police and the courts. By applying a design protocol known as Crime Prevention through Environmental Design, Leichhardt council has been able to seriously reduce graffiti vandalism. Examples of this approach include using landscaping as an anti-graffiti device, creating public spaces that are well lit, well utilised and feel safe, increasing natural surveillance by designing adequate sightlines into public space, installing motion detection lighting in underutilised spaces and attracting the community to public spaces which have low usage through activity generators such as community art, cafes and play equipment.

The council has also focused on community education and removal of graffiti within 48 hours, setting up a graffiti removal team and providing free graffiti removal kits to private owners. The council has also established the LikeArt initiative designed to facilitate alternative and legal art opportunities for young people who may otherwise engage in graffiti. The evidence shows that the LikeArt Beat Graffiti Strategy has been successful in reducing tagging on walls and signal boxes. In fact, at War Memorial Park in Leichhardt, to give one example, tagging incidents requiring graffiti removal diminished from more than twice a week to less than twice a year after the council took these positive actions. If the Government wants to deal with graffiti it should go to Leichhardt and see how it does it because it has reduced the amount of graffiti. It should not talk to the Government Whip with his punitive and angry approach to young people who require assistance and communities that require assistance in good public design and positive ways of engaging kids rather than sending them to court.

One of the real ironies of this debate is that while the Government has been pushing this bill and talking about how awful graffiti is this very Parliament has recognised graffiti as part of a legitimate art form. Just last week the New South Wales Parliament's Plein Air Photographic Prize gave second prize to a work called "Graffiti Landscape" by Louise Whelan. The Parliament paid \$3,000 to acquire a wonderful piece of art that showcased graffiti as part of a broader work of art in what can only be described as a beautiful and compelling piece of photography. The Government's approach is to be angry about graffiti and tough on graffiti but the Parliament has acquired a work of art that is based around graffiti in the same week that this bill is moving through the Parliament.

There are occasions when street art is legitimate. It has a part to play in the community and it is a legitimate artistic expression. Of course, none of those subtleties is acknowledged by this Government, which has taken a sledgehammer to whack kids rather than adopting the approach it should be taking, which is looking at a whole-of-community solution and considering graffiti as an expression of social and planning problems rather than a criminal problem that it thinks can be fixed by putting more kids in courts and more kids in jail.

The Hon. NATASHA MACLAREN-JONES [11.48 a.m.]: I support the Graffiti Legislation Amendment Bill 2011 for two main reasons. Firstly, it is time that individuals who do the wrong thing and maliciously damage property accepted personal and social responsibility for their actions. Secondly, it gives effect to a major election commitment by the O'Farrell Government to target graffiti vandals and rid our communities of this unsightly and costly crime. Like many members of this Parliament, I have witnessed firsthand graffiti vandalism in our communities. Whilst some might try to disguise the perpetrators as artists the fact is they are not; these people are criminals. This criminal activity takes an unmeasurable toll on local

communities, one which poses significant financial consequences to individual households, business, the community and government. They are all left to clean up the mess. It includes a fall in customer numbers for retailers, a fall in property values for homeowners, and increases in insurance premiums for us all.

Recently I was approached by a pensioner complaining about graffiti on her front fence. This lady is already facing financial challenges with the rising cost of living and now she has been forced to purchase her own paint to regularly remove graffiti from her fence. Once the carbon tax is introduced she probably will not be able to afford the paint. Just last week she said to me that nothing can be done. She is sick and tired of it and there are no consequences for those who so recklessly deface her property and the property of others. My message to those who wish to continue to vandalise and wilfully damage property through graffiti is that a new Government is in town and it is sick and tired of it. This Government is prepared to ensure that people face justice and understand that there are consequences to their actions.

What cannot be measured is the emotional cost on individuals who are the true victims of graffiti. Often these individuals and families, who are the most vulnerable in our society, are made to feel unsafe in their homes and in their communities. The bill highlights the seriousness of graffiti and for the first time recognises that graffiti vandalism is an offence. Graffiti vandalism is often the first sign of other antisocial behaviour and civic disorder, and in many cases it is the gateway to more serious criminal activities—a life of crime or a career as a criminal. Today we are debating this bill because the O'Farrell Government recognises the need for action. We are prepared to make tough decisions and deliver in the best interests of the people of New South Wales.

It is important to remember that this legislation is necessary because Opposition members chose to do nothing about graffiti criminality. They chose to allow these criminals to continue their attacks on innocent communities and victims. In failing to act they failed the people of New South Wales. We must be serious about taking action and representing homeowners across New South Wales whose homes and personal property are vandalised. Local councils are forced to clean up graffiti and ratepayers have to pay for it, not to mention business owners who are already finding it tough and who now have to find extra money to clean up graffiti.

Enough is enough. The O'Farrell Government believes that adult and juvenile graffiti offenders must be dealt with right from the start. The bill amends the current Graffiti Control Act 2008 and other legislation that governs graffiti offences. It introduces a range of new penalties for people who commit graffiti crime. Currently, a juvenile graffiti offender is often provided with a warning, a caution or counselling and can often be given a number of warnings before being required to attend court to address his or her criminal behaviour. The bill strengthens the penalties available for courts when sentencing graffiti offenders. It provides courts with an increased range of sentencing options and ensures that young offenders have to appear before a magistrate and face up to their criminal activity.

Criminals are required to take responsibility for their actions and to clean up graffiti. Mr David Shoebridge referred to having to wait three to four months before graffiti was removed. This is not the case. This bill will ensure that criminals will have to remove it—whether it is their graffiti or someone else's graffiti, it will have to be removed. Making graffiti vandals repair their malicious damage will significantly reduce the cost to taxpayers, act as a deterrent for would-be offenders and discourage convicted offenders from reoffending. These criminals will know that graffiti is a serious crime and become aware of the real cost of such a crime on the community. Furthermore, graffiti vandalism will not be tolerated. If the court does not impose a cleanup condition it must make a record of its reasons for not doing so.

The bill allows the court to retain the power, when appropriate, to caution or refer a young offender to a youth justice conference, to undertake community service work or to participate in personal development programs. The bill also amends the Graffiti Control Act 2008 and the relevant roads and traffic Acts to give courts the power to impose restrictions, suspensions or conditions on an offender's driver licence. Courts will have the power to suspend an offender's licence for up to six months, to extend the period of a learner permit or provisional licence, or to limit the number of demerit points an offender can accrue over a specific period for up to six months. Antisocial behaviour such as that exhibited by graffiti criminals is unacceptable in Australia. This bill strengthens the penalties and demonstrates to offenders that their actions will result in serious consequences.

The failure of the previous Government to deal with graffiti is plain for all to see. During the election campaign the O'Farrell Government made a clear commitment under its "You Spray, You Pay" policy that young offenders charged with graffiti offences should appear before the courts. The bill is part of the Government's broader plan to address graffiti in our community, to help to teach young people personal and

social responsibility, and to enable local communities to take back control and retain community pride. Graffiti shows a total lack of respect and civility for society, with individuals spraying their tags on public and private buildings with total disregard for those who are hurt by it or its financial implications for the community.

It is difficult to estimate the true cost of graffiti vandalism. However, in 2010 the Standing Committee on Public Works reported that expenses associated with the crime exceeded \$100 million each year in New South Wales. This figure includes a cost of approximately \$55 million to RailCorp alone—\$55 million that could otherwise have been better spent on essential transport services. The report also found that from 2005 to 2009, 56,675 incidents of graffiti were reported to the New South Wales Police Force. The New South Wales Bureau of Crime Statistics and Research reveals that from 1996 to 2005 there was a net increase of 88 per cent in recorded graffiti incidents. In 2009 alone 11,691 incidents of graffiti were reported. However, this number vastly underestimates the true number of incidents. Many people have given up reporting the crime because they believe that little is being done. This legislation will change that.

Graffiti vandalism is a huge problem in every electorate across New South Wales—a problem that was compounded by the previous Labor Government closing local police stations, which resulted in cost shifting to councils to prevent and remove graffiti. The report of the Standing Committee on Public Works found that Blacktown council had the largest expenditure for cleaning graffiti. At the time it was spending over \$800,000 a year in addition to the hundreds of thousands spent on preventive measures. Last year Fairfield council spent \$400,000 on graffiti removal and prevention programs, and for Randwick-Coogee council the cost was \$600,000. I am sure all members would agree that this money could be better spent on many projects or community programs that would benefit society.

After 16 years of neglect by those opposite, communities are left with no alternative other than to deal with the problem themselves. A number of local service clubs and action groups have been forced to take action to remove graffiti. Currently, 14 Rotary clubs in New South Wales participate in graffiti removal projects, and those projects are often sponsored by local councils. Communities have been forced to take action because the previous Government would not. In 2010 Graffiti Action Day was launched in response to the ever-increasing outrage over graffiti vandalism in our communities. This year Graffiti Action Day—which was held on 15 May—concentrated its efforts on and spent its resources in 36 local government areas and 95 sites. Fifty-seven groups comprising 815 volunteers cleaned 4,315 square metres and painted over 6,187 square metres of graffiti.

The role of Graffiti Action Day is to engage the community in the removal of graffiti; to raise awareness of good graffiti removal methods; and to support non-government and community-run facilities in repairing damage caused by graffiti vandals. Dealing with the consequences is being reactive and not preventive. During the election campaign I visited a number of electorates throughout New South Wales. When doorknocking with local candidates and visiting shopping centres, railway stations and community organisations, without exception one of the main complaints was the prevalence of graffiti in a local area. People are fed up. They are sick and tired of seeing their local shopping centres, bus stops, private fences, playground equipment, railway stations and buses defaced with ugly and offensive graffiti. Communities want tougher action against graffiti offenders. This bill will deliver a tougher response. I commend it to the House.

The Hon. DAVID CLARKE (Parliamentary Secretary) [11.59 a.m.]: I support the Graffiti Legislation Amendment Bill 2011. Graffiti is a major problem in New South Wales; indeed, it has reached epidemic proportions. Graffiti crime is not a victimless crime. There are probably more victims of graffiti crime than any other crime. Victims are all the people of New South Wales who have to pay through their rates and taxes for unsightly graffiti to be removed from public property, local council chambers and other council facilities, street signs, railway and bus stations, and war memorials. The victims are all those who own homes and businesses—the many thousands who face a constant and uphill battle to keep their properties free of graffiti. They expend time and money to remove the ugly defilement of their properties caused by graffiti criminals.

In Opposition the Liberal-Nationals Coalition supported legislation introduced by the then Labor Government to combat graffiti—modest though that legislation was. The Government is determined to ensure that those who engage in graffiti face serious consequences, which is reflected in the bill. The Opposition does not oppose this legislation; it appreciates the destructiveness of graffiti crime on victims. However, it is a different situation with The Greens. The Greens oppose the bill. The truth is that The Greens always have been soft and weak on legislation seeking to confront graffiti crime just as they rarely miss an opportunity to dumb down or weaken a strong stand against criminals.

The Greens oppose the bill just as they opposed the passing of the Graffiti Control Amendment Act 2009 introduced by the previous Labor Government. To get a flavour of where The Greens stand on graffiti crime, it would be most instructive to refer to some comments made by The Greens representatives during the 2009 debate. It is all in *Hansard* for everyone to read. I shall refer to some of those comments on the public record. During that debate The Greens member Ian Cohen said:

I cannot wholeheartedly condemn all graffiti and, of course, as I have said, my past as a BUGA UP activist using graffiti for social commentary—

get that—social commentary!—

makes me reluctant to take a punitive or excessively judgemental stand on graffiti. Like most art—

he calls it art—

some of it is very good and a lot of it is pretty bad—but who am I to judge? Who are we to judge?

The people of New South Wales have judged. They do not like graffiti smeared all over their homes and properties, whatever spin The Greens try to put on this criminal activity. No wonder he could not wholeheartedly condemn it: he was out there himself as a BUGA UP activist splashing around unsightly graffiti. Ian Cohen then was asked by the Hon. Rick Colless:

What about the rights of property owners?

What did Ian Cohen reply? He said:

I agree that there are times when it is a real imposition on property owners.

What a magnanimous concession from Ian Cohen, a former Greens member of this House. He agreed that it was an imposition at times. Let The Greens members go to Blacktown, Mount Druitt, Rooty Hill and the dozens of other suburbs throughout Sydney.

The Hon. Dr Peter Phelps: They have never heard of them.

The Hon. DAVID CLARKE: They have never heard of them. The Greens should look at the thousands of properties smeared with graffiti. To those home owners it is not an imposition "at times"; it is an imposition every time. The Greens have never understood ordinary people because they represent only fringe groups. They have cobbled together a coalition of freakish fringe groups to get the votes. The Greens will never represent or understand mainstream Australia or ordinary Australia: They never have and never will. Let me return to *Hansard*. During that debate I then interjected:

It is a serious imposition on property owners.

Ian Cohen replied:

I also acknowledge the issue raised by the Hon. David Clarke, who says it is always an imposition on property owners.

I then interjected:

Of course it is.

The Hon. Ian Cohen replied:

That is typical of this House: the Hon. David Clarke pontificating on what motivates people or what this society needs!

The people of New South Wales need to know what The Greens say in parliamentary debates. We need to shine a searchlight on many of their comments in this Parliament so more people will wake up to them far more quickly. To say that graffiti being an imposition on property owners is pontificating is an absolute disgrace: Ian Cohen was supposed to be one of the moderate Greens. Then during the debate Ian Cohen appeared to make excuses for graffiti criminals when he said:

... how out of touch the Parliament is ... we ... have such privileged positions [we] cannot understand what is happening in our society ...

Those people in Mount Druitt, Blacktown, Rooty Hill and many other suburbs are not in privileged positions and they cop the brunt of graffiti. The people understand what is happening in our society; The Greens do not understand what is happening in ordinary Australia. I return to *Hansard*. Ian Cohen gave all sorts of excuses for this graffiti crime. He talked about kids at the other end of the socioeconomic scale at a time in their lives when they are starting to be creative. He said that they feel misplaced in society. Ian Cohen then told us:

I certainly had a sense of alienation at a certain time in my life.

He was probably correct with that statement. Then he travelled down memory lane when he said:

I became a graffiti artist after I had been involved in organised environmental action—

he calls it "environmental action"—

I had been trashed by the authorities, I had lost a lot of the battles and I felt depressed about the state of the world. I rode around town with spray cans in the water racks on my pushbike.

I then asked:

Was yours artwork?

Ian Cohen replied:

When I and many others started doing graffiti—

did he mean other Greens? I do not know—

tobacco billboards were proliferating all around our metropolises at ground level. I am talking about advertising a product that causes the largest number of avoidable deaths in our society. The Billboard Utilising Graffitiists Against Unhealthy Promotions or BUGA UP group was justified in that activity.

Then I asked:

What about McDonald's?

He replied:

This applies also to McDonald's, alcohol and many other products.

These comments are almost beyond comprehension. As far as Ian Cohen was concerned, anything he felt justified using illegal graffiti was fair game; it was okay. Do other Greens members agree with their fellow Greens member?

The Hon. Charlie Lynn: And their new coalition partners.

The Hon. DAVID CLARKE: I will get to their coalition partners. In referring to illegal graffiti I said to Ian Cohen:

I invite you to go down the main road of Rooty Hill to see what is being done there.

He replied:

That is because of the Government's and the Opposition's attitudes. I am not arguing with that. Again, art is in the eye of the beholder.

Do the people who have homes and businesses on the main road of Rooty Hill and the hundreds of other Sydney roads think it is art? No, they do not. Do they think that these are reasonable excuses for this graffiti rubbish? No, they do not. Ian Cohen then went on to talk about how these lawbreakers "creatively amended a tobacco billboard". The former Attorney General, the Hon. John Hatzistergos—a good and decent man—asked Ian Cohen, "What about the people who painted 'no war' on the Opera House?" What did Ian Cohen reply? Did he say, "No, I certainly do not condone that action"? Did he say that that was putting at risk the lives of public servants whose job it was to remove the graffiti? No, he did not. He said, "I did not agree with the type of paint that they used."

[*Interruption*]

As the Hon. Charlie Lynn says, he would have agreed with the colour because it was red. Ian Cohen then asked, "What about the people who sent our young people off to war?" This is the relativism that The Greens are into. There speaks the authentic voice of The Greens—supposedly a moderate voice of The Greens. What shameful comments they were. The truth is those shameful comments represent the thinking of The Greens today in New South Wales and around Australia. The truth is the views of The Greens on this issue are rotten to the core. The views of The Greens on so many issues are rotten to the core. Increasingly the people of New South Wales and Australia are waking up to them. I say respectfully to the Opposition that, for the good of Australia and for the Labor Party, it should dump The Greens; it should break The Greens-Labor alliance. The Greens dragged Labor down in the State election and they will drag Labor down in the Federal sphere as well.

The Hon. Adam Searle: Point of order: The member may be entitled to some hyperbole and latitude, but he knows that there is no alliance between the Opposition and The Greens.

The Hon. DAVID CLARKE: I would submit that that is not a point of order.

The Hon. Charlie Lynn: To the point of order: We would prefer the Opposition to keep its alliance with The Greens.

The DEPUTY-PRESIDENT (The Hon. Jennifer Gardiner): Order! That is not a point of order.

The Hon. DAVID CLARKE: I reiterate that point: The Greens dragged Labor down in the State election and they will drag it down in the Federal arena as well. Labor should get rid of the Greens tail that wags the Labor dog. I support the Graffiti Legislation Amendment Bill 2011.

The Hon. AMANDA FAZIO [12.12 p.m.]: I do not support the Graffiti Legislation Amendment Bill 2011 in its current form. I will be supporting the amendments to be moved by my colleague the Hon. Adam Searle. This legislation amends the community service order legislation to require community service orders for graffiti offenders to include a clean-up provision. As we have already heard, the clean-up provision in the legislation may necessitate the graffiti being left in place while the community service orders are being considered. That would be of great detriment. We all know that the quicker graffiti is cleaned up the better the local community is. The longer tags and graffiti are left up, the more likely it is to attract further graffiti.

This bill would also introduce driver licence orders for graffiti offenders and, worst of all, would require young offenders to appear before the courts. The Attorney General, Mr Greg Smith, said that this bill strengthens the penalties available to courts when sentencing graffiti offenders, provides courts with an increased range of sentencing options for graffiti offenders and ensures that young offenders have to appear before a court when charged with graffiti offences. We all know that graffiti is a serious issue with far-reaching costs for local communities.

In 2010 the Standing Committee on Public Works tabled its report entitled "Graffiti and Public Infrastructure". The committee reported that 11,691 graffiti incidents were reported to police in New South Wales in 2009. The report estimated the overall cost of graffiti to New South Wales is in the hundreds of millions of dollars. The committee also heard evidence from RailCorp estimating graffiti was costing the authority \$55 million a year. That is why solutions to this problem require an evidence-based approach, not a populist grab for headlines. Graffiti tags were often put on the garage doors of the apartment building where I lived previously. We got rid of that problem by having the garage doors coated with an anti-graffiti covering. People could not graffiti the doors any further; that put a stop to the problem.

Government members have an appalling lack of knowledge of what the former Labor Government did to fight graffiti. We had a strong record of fighting graffiti. Graffiti vandalism has a big impact on communities and that is why it has always been Labor Party policy to take a tough approach to graffiti vandals, to increase tough penalties and to implement strategies designed to prevent graffiti in the first place. The Labor Government introduced the Graffiti Control Act, which doubled imprisonment penalties for graffiti vandalism from six months to 12 months, doubled imprisonment penalties for the possession of graffiti implements from three months to six months, banned the possession of spray cans by use without a legitimate reason for them, empowered courts to order graffiti vandals to clean up their own graffiti, made it an offence for a person to sell a spray can to a minor and made it an offence to supply a spray can to a minor.

People can see how effective that measure has been. People who go to their local hardware store to buy paint will see a section under lock and key where spray cans are kept. That is to stop people from shoplifting

and to stop spray cans falling in to the hands of young people. That is a direct response to legislation that the previous Labor Government introduced. Tough penalties alone will not rid society of graffiti. The Labor Party also introduced changes to State planning policy to ensure government agencies consider designing out graffiti by using coatings and lighting, and restricting access when constructing new buildings.

The Labor Party also established the anti-graffiti action team, which brings together experts from State agencies and retailers in the paint industry to coordinate and implement new graffiti initiatives. The Labor Party action plan was widely supported by the community and business leaders. Steven Cartwright, Chief Executive Officer of the New South Wales Business Chamber, was reported in the *Sun-Herald* on 8 November 2009. In an article entitled "Spray Can Vandals Face Prison Under Crack Down" he stated, "We welcome the Government's announcement. Graffiti is not a victimless crime." In the same article Howard Brown from the Victim of Crime Assistance League said of the Graffiti Action Day, "Apart from encouraging community pride this will highlight the problem to the vandal's parents."

We need to focus on the new proposal to cancel drivers licences. Under the proposals of the O'Farrell Government a court may make new orders against graffiti offenders: if a holder of a learner or provisional licence, extend by six months the minimum period to hold that licence before progressing to another licence; suspend a drivers licence for any class for up to six months; and limit to four the demerit points a person can accrue during a specified period. The Government says it wants to cancel the driving privileges of convicted graffiti offenders. Independent experts and even Government members agree that this will not work. In a media release of 22 March 2010 Howard Brown of the Victims of Crime Assistance League stated, "People are joking if they think graffiti offenders will be deterred by the prospect of losing their licence, if anything it will encourage them."

Ken Marslew from the crime advocacy group Enough Is Enough stated, "I cannot see how suspending a licence is going to change a graffiti vandal's attitude. It will not stop them from doing graffiti." The member for Pittwater, Rob Stokes, agrees this will not work. He spoke of similar proposals to link the loss of a licence with an unrelated offence on 26 November 2008. I refer to *Hansard* of that date. He said, "It is difficult to see the link. Surely the nature of the penalty should be linked with the nature of the offence."

If this legislation passes unamended the likelihood is that a young person who is convicted of a graffiti offence and has his drivers licence suspended will continue to drive, thereby increasing and compounding his level of criminality. Surely members do not want to make it more difficult for people to stay on the straight and narrow. The Government did not think these provisions through before it introduced them. This bill requires all people charged with graffiti offences to appear before a court. Presently if the police deem it appropriate an offender can participate in a youth justice conference.

Under this legislation someone can go to a youth justice conference only if referred by a court. That is a bad proposal. It means that the Government does not trust the police to use their discretion. It means that youth conferencing, which is effective—with a lower reoffending rate than for young people appearing in a court—will become the second course of action not the first course of action for offenders. There is on-the-record support for youth conferencing from Mr Howard Brown from the Victim of Crime Assistance League and from Mr Ken Marslew from Enough Is Enough.

In cases where a court eventually orders youth justice conferencing, all this legislation achieves is an unnecessary and extra waste of court time and court expenses. The Government says it wants to require juvenile graffiti offenders to appear before court. This is a disastrous policy that actually could increase graffiti vandalism. New South Wales police currently have the discretion to formally caution or refer juvenile offenders to youth justice conferences. Youth justice conferencing forces offenders to confront their victims and agree to make appropriate amends. The decision to caution or refer offenders to conferencing is entirely one for the police. The Government should trust local police officers working on the ground to make these calls. A recent Bureau of Crime Statistics and Research evaluation of cautioning and youth justice conferencing found:

Juveniles who receive a caution or a youth justice conference are less likely to re-offend than those who are referred to the Children's Court.

For more serious or repeat offenders tough imprisonment penalties, court orders and fines are already in place. Under the Government's policy even juveniles appropriate for diversion would be hauled before a court, making them more likely to reoffend. In relation to clean-up orders, courts already have the power to require offenders to clean up graffiti as part of a community service order. This legislation makes it compulsory rather than discretionary, although under this bill a court can conclude it is not reasonably practicable to impose such a condition. This is a comparatively minor change to the current law.

Courts already are able to impose clean-up orders under laws going back to 1987. I do not understand why the O'Farrell Government is making such a big deal out of this provision. Section 33 of the Children (Criminal Proceedings) Act states that the Children's Court can "make an order ... requiring a person to perform community service work". In fact, an entire Act of Parliament is dedicated to the clean-up of graffiti. Section 5 of the Children (Community Service Orders) Act 1987 states:

An order ... may recommend that the community service work to be performed ... should include:

- (a) the removal of graffiti from buildings, vehicles, vessels and places, and
- (b) the restoration of the appearance of buildings, vehicles, vessels and places consequent on the removal of graffiti from them.

The Government should check the current provisions on the law books before announcing these types of policies. This is flawed legislation. If it passes in its current form it is bad legislation. I urge all members to support the amendments that will be moved during the Committee stage. They will go a long way to making this legislation workable and stopping this legislation from compounding the problem it is intended to solve.

The Hon. RICK COLLESS [12.22 p.m.]: I support the Graffiti Legislation Amendment Bill 2011, which delivers on yet another election promise by the O'Farrell-Stoner Government. The bill has three main provisions, which I will speak to in more detail later. Essentially, the bill strengthens the penalties available to the courts for the offence of graffiti, it provides the courts with an increased range of sentencing options for those convicted of applying graffiti, and it assures that young offenders will appear before a court when charged with a graffiti offence. I want to talk about the issues involved in graffiti. Graffiti comes from the Greek word "graphein" which means "to write". Graffiti is the illegal defacing of private and public property with words, colours, shapes or scratchings. In the vast majority of cases it is done without permission. Across all States and Territories in Australia it is against the law.

Graffiti is an unsafe practice for people to participate in. All members would have seen graffiti and tags applied to trains, railway infrastructure and overpasses, which must put the graffiti artist in a great deal of danger when applying his art. I believe that is part of the appeal: they like to think they are taking a risk. Graffiti can be applied by using spray paint, markers and texas. It can be done by acid etching or using sharp objects such as knives to etch onto a solid canvas. There are various types of graffiti. Tags are the most common. It is like a signature and often written in one colour. It can be done with curves, letters and acronyms. Throw-ups are usually written in a solid or bubble-style lettering. They are similar to tags in that they show the vandal's signature. They are often undertaken over a few days. The outline is done and then the vandal waits to see if it is cleaned up. Stencils are planned vandalism. The vandal cuts a stencil out of a piece of cardboard and sprays paint through the stencil.

The Hon. Amanda Fazio: We know what a stencil is.

Mr David Shoebridge: Apparently you cut out shapes and spray through them.

The Hon. RICK COLLESS: You are such an intelligent idiot. The community should not have to bear the cost of graffiti. In fact, the community cannot afford to bear the cost of graffiti. As a result of damage done to rail infrastructure RailCorp's graffiti bill last year was \$55 million. They spent \$55 million getting vandal etchings off their infrastructure.

The Hon. John Ajaka: Our infrastructure.

The Hon. RICK COLLESS: It is the community's infrastructure. It belongs to all of us and it was vandalised without permission.

Mr David Shoebridge: It is not yours.

The Hon. RICK COLLESS: I ask the honourable member whether he would like graffiti applied to his garage door, front fence or wall of his house without his permission.

Mr David Shoebridge: I am happy to answer that.

The Hon. Trevor Khan: Point of order: The Hon. David Shoebridge—or Mr David Shoebridge—is engaging in disorderly conduct by constantly interrupting, including seeking to give an answer at an inappropriate time. He will have an opportunity to do so in his speech, if he so chooses.

Mr David Shoebridge: To the point of order: The Hon. Rick Colless asked me a question. I am happy to answer him. Because of the way the Government has amended the standing orders, I will have only 20 minutes allotted to my speech. I would be happy to make a further presentation on the graffiti bill. The member asked me a question. If he did not want an answer, he should not have asked the question.

The Hon. Lynda Voltz: To the point of order: I am not sure the Hon. Rick Colless did ask the question of Mr David Shoebridge. The Hon. Rick Colless asked a question of the "honourable member". As all members know, Mr David Shoebridge does not carry that title. Perhaps the Hon. Rick Colless was referring to the Hon. Adam Searle, who is sitting across the table from him.

DEPUTY-PRESIDENT (The Hon. Sarah Mitchell): Order! I remind all members that interjections are disorderly at all times.

The Hon. RICK COLLESS: Members opposite should consider whether they would like a graffiti vandal to paint on a wall of their house. If they give permission, it is suitable for a graffiti artist to do so. If they do not give permission and refuse permission, it is an illegal act and the offender should be prosecuted. As the Minister said, graffiti is an unsightly and costly problem that must be stopped. A couple of years ago The Greens or Greenpeace—they are the same type of organisation—wrote "No War" across the top of the Opera House. What was the cost of rehabilitating the Opera House following that incident? I do not know what the cost was but it must have been many hundreds of thousands of dollars. Looking at the bigger picture, as other members have mentioned, graffiti is a form of civil disobedience, and it is mainly engaged in by younger offenders. What is their next course of action when they get sick of being graffiti artists? They get involved in things such as the Cronulla riots. And look at what has happened in London over the past week. That is the end result of civil disobedience, which is what graffiti is all about. There have been incidents of substantial graffiti in some of my duty electorates over the years. In the electorate of Murray-Darling, where I spent a lot of time a few years ago, there was a considerable amount of graffiti, particularly in the part of the electorate along the Murray River.

The Hon. Trevor Khan: You saw this when you were doing all that doorknocking.

The Hon. RICK COLLESS: I did indeed. I spent many hours there doorknocking in support of the current member for Murray-Darling, John Williams, who, I might add, won Murray-Darling in the last election with about 75 per cent of the vote. The Labor Party did not win a single booth in Broken Hill—the first time ever that that has happened.

The Hon. Charlie Lynn: It used to be their heartland.

The Hon. RICK COLLESS: Yes. The other heartland area that the Labor Party used to hold was Bathurst, which was also one of my duty electorates, and it did not win a single booth in Bathurst. The Labor Party did not win a booth in Lithgow, where The Nationals had never won a booth before. That says something about the Labor Party policy in relation to graffiti and a whole lot of other things.

The Hon. Adam Searle: Point of order: With the best possible goodwill in the world the honourable member is straying far and wide from the subject matter of the legislation. The Hon. Rick Colless is talking about election results instead of the ambit of this bill.

The Hon. Charlie Lynn: We like to talk about election results.

The Hon. Adam Searle: I would have thought, given this is allegedly one of the Government's election commitments, Government members would treat it a bit more seriously.

The Hon. RICK COLLESS: We are treating it seriously.

The Hon. Adam Searle: Those behind the member are not. I ask that the Hon. Rick Colless be directed to remain at least generally relevant.

DEPUTY-PRESIDENT (The Hon. Sarah Mitchell): Order! I remind the member that his comments must remain generally relevant to the bill.

The Hon. RICK COLLESS: As I was saying, in the electorate of Bathurst one graffiti incident that absolutely outraged the community was when the Bathurst War Memorial Carillon was painted by graffiti

artists. We came out very strongly about that and the fact that there were not sufficient and proper penalties for graffiti artists that vandalise facilities such as the carillon war memorial. That contributed significantly to the electoral result that we achieved in Bathurst. While some graffiti is legally done, such as by the holidaying families who paint the rocks on break walls in towns such as Port Macquarie and Nambucca Heads—and that is quite artistic and tastefully done, done by the same families over a number of years—

The Hon. Trevor Khan: Lovely messages.

The Hon. RICK COLLESS: There are some fantastic messages on those rocks. Strictly speaking, that is graffiti but it is done with the concurrence of the local councils, who encourage it and people enjoy it. Some council areas also have public walls on which they allow graffiti. But the vast majority of graffiti is vandalism. Graffiti is applied to public buildings, trains and infrastructure without the consent of the owners of that infrastructure or the community. As has already been said today, some graffiti is quite artistic: many of the vandals have some artistic talent. It is just a shame that they do not embark on a proper artistic career and use the talent that they have for a good purpose rather than vandalism. I hope this bill will encourage those people not to go into the illegal industry of graffiti but embark upon a more legal form of artistic expression. I commend the bill to the House.

The Hon. MARIE FICARRA (Parliamentary Secretary) [12.34 p.m.]: The Liberal-Nationals Government has moved decisively and quickly to honour an important election commitment to the people of New South Wales. From all the doorknocking at countless thousands of houses that members of the Government and other candidates did it was clear that graffiti disturbs the community. People feel insecure in their communities when they see the increasing level of graffiti. Graffiti is not artistic; it is boring, it is juvenile, it is a criminal act and people want it stopped. People want these graffiti offenders not locked up and the key thrown away, or some other stupid response like that, but educated into respecting their community. We are giving the courts the power to disqualify graffiti vandals' drivers licences—an effective measure that I feel confident will see a dramatic reduction in graffiti offences over our term in office and beyond. If there is one thing that concerns young people it is their ability to drive their cars. We are going to educate and inform these young people that if they do not listen and they continue to offend they will lose their drivers licence. People support this action: they are continually saying to us that it is long overdue.

The Hon. Trevor Khan: Point of order: I raise the point of order that I took earlier. Mr David Shoebridge is engaging in a cackling debate, which is entirely disorderly.

The PRESIDENT: Order! All members are reminded that interjections are disorderly at all times.

The Hon. MARIE FICARRA: The cost to the community—and not the Government, because we all know that government costs are passed on to our citizens—is huge in relation to graffiti on our public transport modes and public places. It costs local councils and government authorities a considerable amount of money to clean up all of the ugliness—and it is truly ugly. I find all graffiti offensive and ugly; it is never artistic. Back in 2003 the Australian Institute of Criminology estimated the national cost of this form of vandalism to be \$1.34 billion. One can only imagine the cost of cleaning up graffiti now. Graffiti is often associated with crime. It increases the fear of crime and it devalues properties in the neighbourhood.

In 2004 the Australian Bureau of Crime Statistics and Research reported that one in four people in New South Wales stated that vandalism, graffiti and damage to property were problems in their local areas. I am sure that in the intervening seven years the ratio has increased. A total of more than 56,600 incidents of graffiti were reported to police between 2005 and 2009. Clearly, graffiti offences are on the increase, and we all know that these crime statistics represent only a small fraction of the actual incidence. For example, many local councils keep registers of graffiti removal work but do not report these incidents to the police unless they are of a substantial or recurring nature. Obviously, the actual instances are much, much higher.

Cleaning up graffiti costs local councils throughout this nation more than \$260 million each year, including \$100 million for New South Wales. That is an average of \$384,000 of ratepayers' money per council each year that could be spent on other community projects. Blacktown council has one of the highest levels of expenditure, spending more than \$800,000 per year on cleaning up graffiti. Imagine the community services and the local infrastructure that could be improved for that large amount of money. The city of Sydney spends around \$3 million yearly on cleaning up graffiti vandalism.

Interestingly, what constitutes graffiti is a matter of opinion. Some councils, such as Marrickville, have celebrated some of their illegal street art pieces and placed conservation orders on them. Other councils, such as

Bankstown, do not tolerate any aerosol murals or pieces of graffiti. I think Bankstown represents mainstream New South Wales and mainstream Australia. We need to act because the public is sick of waking up to find their trains, buses, schools, fences and buildings marred by ugly graffiti tags. It is estimated that the costs associated with graffiti removal and damage are more than \$300 million each year, with RailCorp spending \$50 million per year to clean up graffiti. There is the cost of removal and possible replacement of items. There is also the cost of officer enforcement, prevention initiatives, surveillance, lighting and other barriers for protection of property.

Under this legislation magistrates will be able to put offenders on licence restrictions, reduce the offenders' number of demerit points before licence disqualification or disqualify them from driving altogether if the matter is deemed serious enough. This Government will require juvenile graffiti vandals to appear before court to face their judgement for a graffiti offence. This will send a strong message that damaging or defacing property is not a trivial matter. In most cases this will be enough to alert these offenders to the fact that the courts and the community take graffiti offences seriously. I am sure that offenders will then be back on the track to being lawful, good citizens.

The Government will also give the courts the power to extend the time that graffiti offenders spend on learner or provisional licences, or suspend their licences, or limit the number of demerit points that they are able to accrue over a specific period. This provides a good range of options to be used at the discretion of the courts. The Government will also require the cleaning of graffiti to be a condition imposed by community service orders given to graffiti offenders. A graffiti hotline will be established and connected to call centres operated by the police force. We will encourage citizens to put this phone number into their mobile phone contact list so that they can immediately text the time and location of the crime occurring. Citizens may also attach a photograph of the crime being committed. This is a good initiative to encourage the community to get behind the police and local councils and help in stamping out this terrible crime.

It is worth noting that RailCorp has been the only government agency that has successfully run a hotline. The Parliament's Standing Committee on Public Works in November 2010 received good evidence from many government agencies about initiatives that they have undertaken, how graffiti vandalism affects the running of their core services, the travelling public, utilities and services. That evidence has perhaps framed much of the bill. RailCorp has been employing a range of measures to discourage vandalism, including the use of film on their train carriage windows to discourage etching, closed-circuit television cameras, fencing, protective coatings on exterior finishes, murals on blank walls, graffiti-resistant paint on train vestibules and the use of hard-to-penetrate vegetation. Plain-clothes transit officers, the Rail Vandalism Task Force and upgrading security at sidings, yards and stabling points have also been effective to date. I praise the evidence given by Andy Byford from RailCorp to the Standing Committee on Public Works in November 2010 advocating a more complete costing on graffiti to be placed before magistrates to stress the overall cost of graffiti to the Government. I support the evidence he gave.

We intend to encourage the formation of voluntary graffiti removal squads. These will not require legislation and are not part of this bill, but organisations such as Rotary and the Lions Club which form the fabric of our Aussie society would be happy to participate in these clean-up squads. Local media have already shown a keen interest in reporting on the intentions of this bill and I am sure all members will be driving this solidly in their electorates. It will be almost a permanent extension of our great Clean-up Australia campaigns that were so successfully implemented across New South Wales.

Community crime programs help lift a community's wellbeing and reduce the adverse effects that graffiti has on a community. Community painted murals are rarely attacked due to the sense of pride associated with such projects. The public have been clamouring for this action. It is similar to the successful Neighbourhood Watch Program that this Government is implementing, upgrading, modernising and moving forward with. It had stagnated over the last few years due to lack of investment and a lack of communication with the community. It is thanks to the Minister for Police and Emergency Services that the Neighbourhood Watch Program is being reinvigorated to allow the community to be the eyes, ears and voices for our police and all law-abiding citizens. The Government will encourage the public to be part of the Clean-up New South Wales campaign to stamp out graffiti. It is a crime and we need to start talking about it loudly and widely as a crime. Graffiti vandalism is not a victimless crime. We have seen deaths and serious injuries associated with these offences.

Removal of graffiti within 24 to 48 hours has proven effective in long-term graffiti eradication. It is estimated that more than 60 per cent of graffiti offenders brought before the courts are juveniles. It is important to stop them before they proceed to committing more serious crimes. I believe that this bill will have that

impact. However, there is a view in the community and amongst some criminologists that some local legal graffiti walls and aerosol art programs increase the possibility that participants will be encouraged to be involved in more graffiti vandalism. Three young adults in a Melbourne magistrate's court recently said that they first got into it when the council set up a legal wall where young people could go. Indeed, graffiti could be a gateway crime and all councils—

The Hon. Helen Westwood: A mural is not a legal wall.

The Hon. MARIE FICARRA: Well, this particular mural was vandalised and it got out of hand. Councils have a duty: they can set up these good programs and execute them wonderfully, but they have to keep an eye on them. They have to make sure that these projects are kept in good order and are not vandalised. The police and courts are saying that we cannot instigate a program, fund it and walk away; we have to maintain a vigilant eye on these murals.

The Hon. Trevor Khan: Point of order: Again Mr David Shoebridge is engaging in an argument with the speaker. I submit that his behaviour is disorderly. This is at least the third time that the point has been raised.

Mr David Shoebridge: To the point of order: It is not the role of the Hon. Trevor Khan to count the number of alleged disorderly moments in this Chamber; that is obviously a matter for the Chair.

The Hon. Duncan Gay: Why, because you don't like it?

Mr David Shoebridge: I note the interjection from the Hon. Duncan Gay. It is rank hypocrisy for the Hon. Trevor Khan to be raising such points given his history of interjections in this Chamber.

The PRESIDENT: Order! I remind all members that interjections are disorderly at all times.

The Hon. MARIE FICARRA: What cannot be measured in lost dollars is the very real impact graffiti vandalism has on the fabric of the community and society itself. Graffiti vandalism in public sends a message to the community that the places where they live and work and the public transport they use are no longer controlled by the agencies responsible. That is the whole point: we do not want to lose control. We are seeing community uproar in London and there is a lot of disorder in normally stable societies and we have to make sure it does not start at this level and escalate. We have to keep control.

The Hon. Helen Westwood: You're not serious.

The Hon. MARIE FICARRA: Yes, I am very serious. People are watching their screens every day and thinking, "Oh, my goodness, what is happening in London?" They are saying, "For goodness sake, we can't allow it to happen here."

The PRESIDENT: Order! I call Mr David Shoebridge to order for the first time.

The Hon. MARIE FICARRA: The appearance of graffiti in neighbourhoods is often seen by residents as a sign that the downward spiral has begun and that minor crimes will lead to more serious crimes being perpetrated upon them and their families. There is a perception of increased risk to personal safety. The defacing and damaging of personal property, whether it be fences, cars, boats or walls, is plain ugly and causes great emotional and financial distress to those on whom it is perpetrated. All parents and adults know that there is nothing more valuable to most young drivers than their drivers licence. Bureau of Crime Statistics and Research figures show that over two-thirds of graffiti offenders identified by the police were under the age of 18 and over 50 per cent were young males. Graffiti imposes a real cost on businesses, individuals and local councils. It makes our communities less attractive places to live and makes families feel less safe. Our plan to tackle graffiti in local communities balances penalties for young people who do the wrong thing and offers positive incentives to break a developing juvenile habit. This bill, with stronger penalties for offenders and a scheme to ensure graffiti is promptly detected and removed, will successfully discourage vandals, improve public safety and build community pride. I fully support the legislation before the House.

The Hon. JENNIFER GARDINER [12.52 p.m.]: Like many other members I support the passage of the Graffiti Legislation Amendment Bill 2011 through this Parliament. As has been said, this is an important bill that implements a significant commitment by the Liberals and Nationals in the last New South Wales election campaign. It will require juveniles who are vandals and commit acts of graffiti to appear before a court for such

offences. It will give courts the power to extend the time that graffiti offenders spend on learner or provisional licences. The bill also will allow courts to suspend a drivers licence of any class and, as an alternative to suspension for unrestricted licence holders, to impose a limit on the number of demerit points they are able to accrue over a period. As well, it will require courts, in imposing community service orders for graffiti offences, to make clean up of the graffiti a condition of the order. The bill will require juveniles to appear before a court for an offence and that provision will emphasise the seriousness of the offence and take into account the community's view that damaging or defacing property is not a minor matter but a really important matter.

I refer now to the work of a gentleman who is known in the Great Lakes area as "the graffiti buster", Mr Ted Bickford. He has become quite widely known throughout eastern Australia. Both the former member for Myall Lakes, Mr John Turner, and the current member, Mr Stephen Bromhead, have referred in Parliament from time to time to his excellent work. Mr Bickford, of his own volition, removed graffiti in communities in the Great Lakes area on the mid North Coast. These days he is engaged by the Great Lakes Council to clean up graffiti. The council assists him in his work because he has been so successful. It provides him with a car and cleaning agents and he gets to work straightaway whenever there is a graffiti report. People get in touch with him—

The Hon. Duncan Gay: Like Ghostbusters.

The Hon. JENNIFER GARDINER: It is a bit like Ghostbusters; he is the graffiti buster. He is well known and so people call him in and he gets to work straightaway on cleaning up the mess. He also takes a proactive approach in that, in appropriate circumstances, he applies a certain type of paint to surfaces in the district that might be the subject of graffiti attacks that makes it difficult for graffiti to adhere to such surfaces and easier to remove the damage caused by the vandals. In addition to his graffiti avoidance practice he is often engaged in speaking to school students throughout Forster Tuncurry and other nearby centres about the value of infrastructure to their community. He tries to help them understand that if they engage in this sort of behaviour they are damaging their own communities. So he is not just someone who acts after the event; with the support of the Great Lakes Council he works proactively to head off further damage to the community and its public and private infrastructure.

Acts of vandalism against community installations are ugly in many cases and can be distressing to the whole community. A few years ago the cemetery at Tuncurry was seriously vandalised, which was obviously very distressing to families whose loved ones were buried at the cemetery. It also scandalised the entire district because of the extent of the damage. These types of behaviours need to be attended to and those who might engage in this type of behaviour need to be made to understand that the full force of the law will be brought down on them. Another aspect of Mr Bickford's work is that sometimes authorities refer offenders to him. In what is perhaps a preliminary to the youth justice conferencing referred to in the bill, he sometimes is able to speak to the offenders and they help him clean up the damage they have done. In that sense he is a pioneer of some of the provisions of this bill and he has received awards and recognition for his work. It might be said that this legislation is testimony to his proactive work in the Great Lakes district. I have pleasure in placing his work on the record.

Debate adjourned on motion by the Hon. Jennifer Gardiner and set down as an order of the day for a later hour.

[The President left the chair at 1.00 p.m. The House resumed at 2.30 p.m.]

Pursuant to sessional orders business interrupted at 2.30 p.m. for questions.

QUESTIONS WITHOUT NOTICE

TRANSPORT COUNTERTERRORISM MEASURES

The Hon. LUKE FOLEY: My question is directed to the Minister for Police and Emergency Services. What is the Government doing to safeguard Sydney's mass transit systems against a terrorist attack?

The Hon. MICHAEL GALLACHER: While I thank the honourable member for his question, I do not think it would be sensible to put on the public record exactly what our response would be to prevent such an

occurrence. If the honourable member would like to know what we would do to stop terrorists attacking our transport system, I would be happy for the commissioner to give him a private briefing. In the interests of public safety, he probably should have thought that question through.

NEW SOUTH WALES CRIME COMMISSION

The Hon. DAVID CLARKE: My question is directed to the Minister for Police and Emergency Services. Will the Minister update the House on the New South Wales Crime Commission?

The Hon. MICHAEL GALLACHER: As members may be aware, the trial of former senior crime commission officer Mark Standen concluded this morning with the accused being found guilty on all counts. I place on the record my deepest disappointment with the actions of this individual. As sentencing submissions in this case are still to be heard, I will not be drawn further on the particulars of Mr Standen's conviction at this time. However, I can announce that, consistent with my commitment prior to the election, this Government will be establishing a special commission of inquiry into the governance and management structure of the Crime Commission once the sentencing process is concluded.

The inquiry will be conducted by a senior legal figure. Without referring to the evidence put in the Standen trial, I will say that one of the most important and difficult tasks in law enforcement is ensuring there are protocols and safeguards for proper management of criminal informants. This will be the principal area of the independent review's examination. The inquiry will also consider the appropriateness of the current oversight arrangements for the Crime Commission as well as the adequacy of internal corruption resistance measures. It will also focus on ensuring that two primary objectives of the commission—the investigation of major crimes and criminal organisations and the confiscation of the proceeds of crime and unexplained wealth—do not come into conflict. We do not want any notion amongst serious crooks that they can escape investigative scrutiny by the Crime Commission.

At the same time, we need to ensure that the Crime Commission operates with the utmost integrity. I recognise, and have done for some time, that the Crime Commission has been very successful. Whatever changes are made as a result of the independent inquiry must and will build on the commission's expertise and track record in fighting organised crime. It is important that I take this opportunity, as the Minister for Police and Emergency Services, to put on the record that this commission of inquiry will in no way be interpreted as a vote of no confidence in the Crime Commission. Quite the contrary; I have confidence in this organisation and the people who work there.

I make the point for those who want to criticise the Crime Commission, particularly in relation to the Standen matter, that as he continued to work at the Crime Commission every day little did he know that he was under investigation by the New South Wales Crime Commission working with the Australian Crime Commission. It is a credit to the New South Wales Crime Commission that it conducted and concluded the investigation in the way it has been presented to the court. I congratulate it for that.

NEW SOUTH WALES CRIME COMMISSION

Mr DAVID SHOEBRIDGE: My question is directed to the Minister for Police and Emergency Services. Will the commission of inquiry that the Minister puts in place have the full powers of a royal commission to compel witnesses to attend, to compel the production of documents and to hold full public hearings, in accordance with the call he made in 2008 to have a full royal commission into the New South Wales Crime Commission?

The Hon. MICHAEL GALLACHER: I have looked at the terms of reference, and they have been publicly circulated. I will give the member a copy of them during the day. The terms of reference are designed to look at the governance issue, the external oversight of the Crime Commission and the operational procedures of the Crime Commission. We have given the special commission of inquiry the full protection that a special commission of inquiry receives in relation to investigations.

It is not my intention to have this special commission of inquiry operate as a royal commission, which is part of the question the member asked. It is not my intention to see this special commission of inquiry examine allegations of corrupt conduct or otherwise by any person associated with the Crime Commission. The Police Integrity Commission has tested its authority through the courts to conduct investigations into the Crime Commission; the courts have determined that the Police Integrity Commission has the power to investigate the

Crime Commission. The Police Integrity Commission has the technology—listening devices and telephone interception—the investigators and, more importantly, the powers of a royal commissioner to investigate allegations of corruption by any member of the Crime Commission should those allegations be made.

It is not my intention to double the number of people looking at the Crime Commission. The Police Integrity Commission is already there. This special commission of inquiry will be looking at the structure of the Crime Commission to ensure that it has the necessary oversight and structure and to establish whether changes need to be made. As I indicated a short time ago, I do not believe as Minister for Police and Emergency Services that I should be chairing the management committee of the Crime Commission. I do not believe a member of Parliament should be in that position. I want this special commission of inquiry to look at that issue; I want to ensure that there is a thorough investigation into it. I have put my views on the record in relation to that matter. I will ensure that the Crime Commission has the full confidence of Parliament and the people. If the commission needs to be modernised, if it needs external accountability and if it needs changes in the way it is governed and operates, so be it.

Mr DAVID SHOEBRIDGE: I ask a supplementary question. Will the Minister elucidate by providing an answer as to whether this commission of inquiry will have the power to compel witnesses to attend, to compel the production of documents and to hold full public hearings?

The Hon. MICHAEL GALLACHER: I have come to the view that should the special commission of inquiry, in conducting its examination into the management and operations of the Crime Commission, feel that special powers are warranted—as the member says, powers to compel witnesses to answer questions—I will most certainly seriously consider bringing that back to Parliament if such a submission is made. I would suspect a judicial officer—and that is the standard we are looking at to conduct this inquiry—would have the ability to call witnesses, if he or she decides witnesses need to be called.

I ask members to bear in mind that this is not an inquiry to look at corruption allegations or questions of unethical conduct or otherwise in relation to the Crime Commission or individuals at the Crime Commission. The Police Integrity Commission has that authority and the ability to do that. This is about looking at the structure of the organisation, its governance and its accountability. One of the terms of reference is whether we need a parliamentary oversight committee, such as we have with the Independent Commission Against Corruption. The special commission of inquiry will look at that issue.

F3 CLOSURE

The Hon. JOHN AJAKA: My question is directed to the Minister for Roads and Ports. Will the Minister update the House on this morning's accident on the F3 freeway?

The Hon. DUNCAN GAY: I thank the member for his question and commend him on his work in conjunction with the Traffic Management Centre. This morning commuters on the F3 Freeway experienced significant delays because of an accident when a truck crashed into the back of a broken-down ute. The ute broke down in the early morning, just before 6.00 a.m. The driver of the ute did the right thing and called the Roads and Traffic Authority [RTA] for assistance after moving his vehicle to the southbound breakdown lane on the fog line. The driver spoke to Senior Traffic Operations Controller Colin Hilton from the Transport Management Centre. Colin advised the driver to exit his vehicle immediately and move behind the crash barrier. I think he said, "Get out of the car and get off the road."

Shortly afterwards, while the driver was waiting for assistance, a B-double truck crashed into the back of the ute, causing massive damage to the vehicle and spreading debris across the road. The Transport Management Centre responded immediately by sending out a media alert. Radio interviews and news grabs were conducted for the Sydney metropolitan area, as well as on Newcastle and Hunter radio stations, to inform commuters of the accident and delays. Traffic signals at the F3 freeway off-ramp to the Pacific Highway, Mooney Mooney, were turned on soon after to assist traffic exiting the freeway.

At 6.45 a.m. police temporarily closed the F3 southbound near the old Pacific Highway approaching the Hawkesbury River Bridge and diverted traffic onto the old Pacific Highway. The Roads and Traffic Authority standby heavy tow was escorted to the scene of the accident by Roads and Traffic Authority traffic commanders and police. The vehicle recovery was completed by approximately 7.30 a.m. The Traffic Management Centre also sent out an F3 freeway alert, which was sent to members of the public via SMS,

mobile phone and email. When all southbound lanes on the F3 were reopened soon after, traffic was queued back to Jolls Bridge, approximately three kilometres. However, traffic volumes returned to normal by 8.00 a.m. Clean-up of the debris has commenced and should be completed by the end of today.

I thank the Roads and Traffic Authority, police and the Traffic Management Centre for their professionalism in handling this accident. Once again they have demonstrated what can be done in a short amount of time when the customer is the priority. I commend the great work of Colin Hilton, the Senior Traffic Operations Controller from the Transport Management Centre, who spoke to the driver in the first instance. It could be argued that without his timely advice, it would have been a much more serious accident—perhaps even fatal. I remind motorists that in high-speed environments, such as the F3 freeway, it is vitally important for them to exit the vehicle and remain behind the barrier until help arrives, especially when conditions are foggy and extremely dangerous. Well done to those operatives at the Traffic Management Centre; they probably saved another life today.

INDUSTRIAL COURT OF NEW SOUTH WALES

The Hon. ADAM SEARLE: My question is directed to the Minister for Finance and Services. Given the recent amendments to the Occupational Health and Safety Act and the passage of the Work Health and Safety Act, what will happen to proceedings in the Industrial Court of New South Wales that remain only part-heard at 31 December this year? What appeal mechanisms will exist for matters that have been decided by the Industrial Court by 31 December but for which any appeal has not yet been instituted, heard or determined?

The Hon. GREG PEARCE: That is a good question from a practising barrister. I inform the Deputy Leader of the Opposition that my department is working on this issue at the moment. We have had a few discussions about it already because, obviously, some transitional issues are involved. But I thought the member would have asked me where I was yesterday. Opposition members know that I take the Parliament seriously. In fact, in the 10 years that I have been a member of Parliament I have missed only a couple of days.

The Hon. Eric Roozendaal: Point of order: My point of order is relevance. We did not wonder where the Minister was yesterday. We assumed, after his shameful performance the previous day, that he had the day off.

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

The Hon. GREG PEARCE: It was very relevant where I was yesterday: I was attending the Workplace Relations Ministerial Council meeting.

The Hon. Penny Sharpe: Point of order: My point of order is relevance. The question is not about what the Minister did yesterday. If he wishes to answer a question about that, he can do so to a Dorothy Dixer from his party. I ask that he be directed to answer the question of the Hon. Adam Searle.

The PRESIDENT: Order! The Minister has strayed from the question asked by the Hon. Adam Searle. If the Minister has nothing of relevance to add to the answer he has already given, he should resume his seat.

The Hon. GREG PEARCE: What I was going to get to was that one of the items we discussed at the meeting yesterday was the occupational health and safety legislation, particularly some of its implementation arrangements. I am getting absolutely directly to the issue raised by the Deputy Leader of the Opposition. Opposition members take points of order every time I am asked a question because they hate it when I answer a question.

The Hon. Luke Foley: No, it is the other gallery because they do not know what you are going to say.

The Hon. GREG PEARCE: That is true. As everybody knows, our transitional legislation has commenced already to get rid of the worst parts of Labor's occupational health and safety legislation. The harmonised laws will commence on 1 January next year. We have until then to deal with this issue.

The Hon. Adam Searle: Or 31 December?

The Hon. GREG PEARCE: Well, 31 December. Yes. Actually, that is a very good point. I ask the advisers to take note that we have to deal with it by 31 December. Quite a number of transitional provisions are

involved, not just those in relation to existing cases but also a range of different occupational health and safety decisions. For example, in respect to specialised insurers currently covered by Comcare, there is discussion about whether the regulation will return to WorkCover rather than apply centrally.

The Hon. Penny Sharpe: You said you were going to answer the question.

The Hon. GREG PEARCE: I am answering the question. I always answer the question. Often I am asked supplementary questions and I answer those as well.

HUNTER STRATEGIC REGIONAL LAND USE PLAN

The Hon. JEREMY BUCKINGHAM: My question without notice is directed to the Minister for Finance and Services, representing the Minister for Planning and Infrastructure. Will the Government commit to including the Bylong Valley and the Bylong-Wollar-Ulan corridor in the Hunter regional strategic land use plan? If not, how can the Government, to quote from the Minister for Planning and Infrastructure, "strike the right balance between our important agricultural, mining and energy sectors, while ensuring the protection of high value conservation lands" if it fails to adopt a catchment-wide planning approach?

The Hon. GREG PEARCE: I will refer the member's question to the Minister for an answer.

PUBLIC SERVICE JOBS

The Hon. SOPHIE COTSIS: My question is directed to the Minister for Finance and Services. Will the Minister guarantee the people of New South Wales that he will maintain the commitment of the now Premier when he said on Channel 9 news on 31 July 2010, "I've made it clear that we'll end Labor's policy of no forced redundancy ... but there's no threat to the rest of the public service"?

The Hon. GREG PEARCE: We all remember past statements from people such as Michael Costa. Michael Costa wanted to reduce the public sector by 25,000—or was it 25 per cent? I have been advised that this morning—I did not hear this myself, so I hope that it is true—the Leader of the Opposition, the member for Blacktown, went on radio and said it was his policy to reduce the public sector by 80,000. What a complete load of nonsense. What was the Leader of the Opposition thinking when he said it is the policy of the Opposition to reduce the public service by 80,000 positions?

The Hon. Lynda Voltz: Point of order: My point of order relates to relevance. The Hon. Sophie Cotsis asked what the Government's policy will be with regard to the rest of the public service, not about hearsay and unknown conversations the Minister may have had about a member of the other place.

The PRESIDENT: Order! That is not a point of order.

The Hon. GREG PEARCE: That was an insightful point of order. It was an opportunity for Labor members to deny that that is Opposition policy. What did the member do? The member got up and confirmed that John Robertson's policy is to cut the public sector by 80,000 jobs. She had a chance to deny that that is Opposition policy.

The Hon. Sophie Cotsis: Point of order: My point of order relates to relevance. The Minister needs to answer my question concerning Mr O'Farrell stating that there is no threat to the rest of the public service. The Minister is in government and he has to answer the question.

The PRESIDENT: Order! That is not a point of order. The Minister is being generally relevant.

The Hon. Sophie Cotsis: How many jobs will be cut?

The Hon. GREG PEARCE: According to the Leader of the Opposition, 80,000 people. I am not going to dwell on that because Labor will never get back in to Government. It will never be able deliver on its threat to cut 80,000 jobs out of the New South Wales public sector. We value the New South Wales public service.

The Hon. John Ajaka: Point of order: I cannot hear a single word due to the interjections of the Hon. Sophie Cotsis. I ask that the Chair bring the Hon. Sophie Cotsis to order.

The PRESIDENT: Order! Opposition members will cease interjecting. Question time is for the asking of questions and the giving of answers. I call the Hon. Walt Secord to order for the first time. The Minister is entitled to give an answer. I remind members that there are other forms of the House—such as the adjournment debate—in which they may reply to comments they do not like. It is out of order for the Hon. Sophie Cotsis to shout across the Chamber while the Minister is giving an answer.

The Hon. GREG PEARCE: The New South Wales O'Farrell Government has promised to increase the number of nurses, to increase the number of teachers, to increase the number of police. We are establishing a public service commission to properly support and assess the public sector— [*Time expired.*]

The Hon. SOPHIE COTSIS: I ask a supplementary question. Will the Minister, if he has misled the House with his former comments, apologise?

The PRESIDENT: Order! The supplementary question is out of order because it is based on hypothetical matter.

AUSTRALIAN INFORMATION INDUSTRY ASSOCIATION iAWARDS

The Hon. NATASHA MACLAREN-JONES: My question is directed to the Minister for Finance and Services. Will the Minister update the House on recent Australian Information Industry Association awards?

The Hon. GREG PEARCE: I thank the honourable member for her question and her interest in this important subject. The Government is interested in these issues, not just in hyperbole and scare tactics. I am pleased to inform the House that last month I addressed the 2011 Australian Information Industry Association New South Wales iAwards—Australia's premier technology innovation awards program. These awards identify the best and most innovative information and communications technology projects in New South Wales over the past year.

The Hon. Steve Whan: Can you slow it down?

The Hon. GREG PEARCE: I can slow it down, if the member wants me to.

The Hon. Duncan Gay: Have you watched his old tapes?

The Hon. GREG PEARCE: No, I have never seen him in action. Does he ever actually move? No. Has he made a speech yet?

The Hon. Luke Foley: Yes, and this bloke walked out of it.

The Hon. GREG PEARCE: John Johnson walked out on my inaugural speech.

The Hon. Lynda Voltz: Point of order: As members would be well aware, comments should be directed through the Chair.

The PRESIDENT: Order! The Minister shall direct his comments through the Chair.

The Hon. GREG PEARCE: The calibre of the nominations and eventual award winners across the 13 award categories was extremely high and a testament to the skills and expertise that exist across the New South Wales information and communications technology sector. The Australian Information Industry Association is the peak industry body for the Australian technology sector. Australian Information Industry Association member companies employ 100,000 Australians, generate combined annual revenues of more than \$40 billion and export more than \$2 billion in goods and services each year. Of particular note was the winner of the Logistics and Supply Chain iAward, CargoWise. CargoWise GLOW (NSW) is a breakthrough, web-enabled logistics application that can be adapted easily to meet dynamic and changing business needs. GLOW delivers quality cost and productivity increases to global and local logistics service providers.

The PRESIDENT: Order! I call the Leader of the Opposition to order for the first time.

The Hon. GREG PEARCE: CargoWise is a global leader in eLogistics, with 3,500 clients and 65,000 users in 65 countries. It employs more than 100 people in its head office in Sydney. Companies such as

CargoWise demonstrate the undeniable strength of information and communications technology in New South Wales, but we can do better. Victoria and Queensland are hot on our heels, vying to be the leaders in information and communications technology in Australia. And they have a head start—no thanks to those on the opposite side of the Chamber, who were quite willing to let this happen, to let New South Wales slip. Those opposite have shown nothing but apathy towards the information and communications technology sector in this State and the considerable benefits that the industry can bring.

This is why I announced at the Australian Information Industry Association awards the first of many steps that this Government is taking to reform our information and communications technology sector, including the establishment of the New South Wales Information and Communications Technology Board—which has already had its first meeting—the Information and Communications Technology Advisory Panel and the Information and Communications Technology Leadership Group. Together we will bring New South Wales back into the modern world when it comes to providing residents with simpler, easier and seamless ways to interact with Government. That is in stark contrast to what happened under the mob opposite. New South Wales needs companies such as CargoWise and the other iAward recipients to drive productivity growth, prosperity and improvements in service delivery. I congratulate the Australian Information Industry Association and all of the award winners— [*Time expired.*]

NATIONAL PARK VISITOR NUMBERS

The Hon. ROBERT BORSAK: My question is directed to the Minister for Finance and Services, representing the Minister for the Environment. Is the Minister aware that last year in the United States of America Yosemite National park had four million visitors, the Grand Canyon National Park had 4.3 million visitors and the Yellowstone National Park had 3.6 million visitors, all from a population of more than 360 million? In England the top attraction was the British Museum, which only had a lousy 5.8 million visitors. In an answer tabled in the House recently the Minister referred to a survey showing 34.6 million domestic visits to New South Wales National Parks in 2010. Is the Minister confident that the figures accurately reflect the national park visits in New South Wales?

The Hon. GREG PEARCE: The Hon. Robert Borsak is suggesting in his question that I inquire further to find out the basis on which the numbers were compiled and to test whether or not they are reliable. That is a sensible course of action. I am interested in the number of people who visit our national parks and other estates. Last Sunday I visited not a national park but one of my favourite places, Killalea State Park, in the Illawarra. I had a wonderful time; it is a great place. Very few people were there at the time. However, there was a welcoming committee that provided egg sandwiches and tea and coffee. I had a look around and enjoyed the wonderful facilities. I suggest that the Hon. Sophie Cotsis visit Killalea State Park and camp overnight in her own tent. She will be able to listen to the ocean waves breaking and de-stress.

The Hon. Robert Borsak's question has reminded me of a visit I had many years ago to Yosemite National Park in the United States. I had an interesting experience at that wonderful national park. As I was driving through the park, suddenly in front of me was an Army camp with tanks and guns and thousands of soldiers. We were able to get through on a back road but, as I said, adjoining the park was a huge Army base with canons and tanks and soldiers. I do not know whether it included a firing range. At the time the thought struck me about the various uses of land that can be accommodated side by side. There was the United States Army base, canons discharging and tanks firing, and only a couple of metres away there was a national park in which people were happily camping. If the Hon. Sophie Cotsis wants to spend a weekend at Killalea State Park—by herself, not with me—I am prepared to pay her overnight camping fee for one whole Saturday night. I will even throw in the sausages as well. Each camping site has barbecue facilities. I will pay her overnight camping fee, give her the sausages and lend her the tongs.

DEPARTMENT OF PRIMARY INDUSTRIES

The Hon. STEVE WHAN: My question without notice is directed to the Minister for Roads and Ports. Given that prior to the election the Minister made a promise that all New South Wales Department of Primary Industries offices and research facilities would remain open and resourced by a Coalition Government, and that today media reports have indicated a 25 per cent cut being planned for the Department of Primary Industries, and that a cut of that magnitude would result in front-line personnel including agronomists, industry officers, rural support workers and many others losing their jobs and would lead to the closure of facilities, will the Minister and the Government stand by their pre-election commitments that no Department of Primary Industries office or facility anywhere in New South Wales will close and that the department will not have staff cuts?

The Hon. DUNCAN GAY: Again I thank Eric for delivering government to us, and I thank you, Steve, for the silliest question a former Minister has ever asked me. There are some areas into which the member should not go.

Dr John Kaye: Point of order: The Minister is clearly debating the question.

The PRESIDENT: Order! That is not a point of order.

The Hon. DUNCAN GAY: We have just heard from the coalition partners of the Labor Party, whose members do not have the wit to protect themselves. They have to rely on the coalition that has been formed federally and which seems now to have extended to the State. Steve Whan—

The PRESIDENT: Order! The Hon. Steve Whan.

The Hon. DUNCAN GAY: The Hon. Steve Whan—

The Hon. Melinda Pavey: That hurts, doesn't it?

The Hon. DUNCAN GAY: Yes, it does hurt. The Hon. Steve Whan, who is regarded by many as the worst primary industries Minister in the State's history, worse even than the Hon. Ian Macdonald, asks a question about the Department of Primary Industries. Had I been the member, I would have stayed on the backbench, in the Labor losers lounge, and not said a word.

The Hon. Steve Whan: Point of order: After 1½ minutes the Minister is still giving a prelude to his answer. I ask that the Minister be drawn to answer whether or not he will stand by the commitments that he made in a room that I was in, during a debate with me, prior to the election.

The PRESIDENT: Order! I am sure that the Minister was about to address those matters. I remind all Ministers of the need for them to be generally relevant in their answers to questions.

The Hon. DUNCAN GAY: Whilst we thank the former Treasurer and the former Minister for Primary Industries for delivering government to us, we know that there are many things that the people of New South Wales will not thank them for. One of those is the \$5.2 billion black hole caused by State Labor. We inherited their mess but we are determined to fix it. Their mismanagement included a nearly \$800 million blowout in the Solar Bonus Scheme, \$500 million wasted on the CBD Metro, a growth in runaway expenses and rising levels of debt. We are determined to restore the State's finances.

[Interruption]

The Opposition does not like a balanced budget. We also are determined to meet our election commitments. I will not engage in speculation on the budget. In relation to today's media reports about the budget, the Minister for Primary Industries emphatically rejects the claims. Did members opposite hear what I just said? I will repeat it. The Minister emphatically rejects the claims in the media today. They were probably planted by the Hon. Steve Whan or one of his mates on the backbench. Maybe it was the Hon. Walter Secord spinning again. Not only does the Minister reject the numbers reported, but she also rejects that the New South Wales Liberals and Nationals are at odds when it comes to cleaning up the mess that was left after 16 years of Labor rule. Since 26 March my colleagues and I have been working hard to turn around the fortunes of this State, with a clear focus on driving regional economic growth. This morning "Second-chance Steve" was quick to jump on his high horse and make unwarranted comments about New South Wales's bio-security capacity. Perhaps the honourable "Second-chance Steve" was in deep quarantine— *[Time expired.]*

The Hon. STEVE WHAN: I ask a supplementary question. The Minister said that the Minister for Primary Industries has rejected the numbers outlined in the newspapers this morning. As I asked earlier, will the Minister stand by his pre-election commitment, or do we take his wishy-washy answer to mean that he is not willing to stand by his commitment?

The Hon. DUNCAN GAY: The honourable "Second-chance Steve" has given me a second chance to provide the House with some more information—

The Hon. Eric Roozendaal: Point of order: The standing orders are clear that the Minister must address the member by his appropriate title.

The Hon. DUNCAN GAY: I did. I gave him his honorific.

The PRESIDENT: Order! The Minister knows he did not. The Minister will refer to members by their correct title.

The Hon. DUNCAN GAY: Thank you, Mr President, I will take your advice. The New South Wales Government, with the Queensland and Federal governments, announced a huge financial commitment of \$12 million to combat the Hendra virus—no thanks to those opposite. This means there is absolutely no truth to Labor's spin that the ability of New South Wales to respond to serious biosecurity threats would be jeopardised. The budget is currently being finalised and will be announced by the Treasurer on 6 September. But in relation to the portfolio of the Minister for Primary Industries I can provide a strong indication of some of the things that she will not be doing. She will not be setting up an endless and expensive array of advisory committees to bureaucratised decision-making—unlike former Minister Ian Macdonald, who did not have five committees or even eight committees; he had 58 committees. The Minister for Primary Industries will not be following Labor's well-trodden pathway in the mire of deals with and for old mates. She will not be allowing departmental industry people to wine, dine and travel their way through the precious New South Wales budget.

Let me remind members about what our old mate Macca and other members of the Labor Party did. There was a trip to the Southern Highlands that cost more than \$7,000; a trip to Mudgee costing almost \$10,000—*[Time expired.]*

JOINT FACILITY FOR FORENSIC SCIENCE RESEARCH AND TRAINING

The Hon. NIALL BLAIR: My question without notice is directed to the Minister for Police and Emergency Services. Will the Minister update the House on the opening of the new forensics facility in western Sydney?

The Hon. MICHAEL GALLACHER: I was recently given the opportunity to attend the opening of the Joint Facility for Forensic Science Research and Training at the University of Western Sydney's Hawkesbury campus. This \$1 million facility is a joint initiative of the New South Wales Police Force and the University of Western Sydney. It is Australia's first and only purpose-built forensic science facility. I am particularly pleased that the New South Wales Police Force has been able to support this initiative. The forensic science facility provides an extensive array of crime-scene scenarios to train university forensic scientists, students and New South Wales police officers to efficiently and effectively navigate crime scenes while maintaining the highest evidentiary standards.

The centre consists of five scenario rooms that can be configured to create crime-scene scenarios in locations as diverse as a residential home, an illegal drug laboratory, a motor vehicle or an outdoor area. It will provide essential hands-on training for our future forensic investigators to develop and refine their skills in the identification of evidence, evidence collection and crime scene assessment and management. Importantly, this facility will be used by forensic science students, researchers and New South Wales police forensic investigators for training and research into the latest forensic techniques.

Forensic scientists will be able to conduct research and trial and apply cutting-edge forensic techniques in staged crime scenes to help them stay at the forefront of developments in forensic technology and innovation. For example, police will use the facility for training in specialised forensic techniques such as blood spatter interpretation. I understand that the University of Western Sydney has a number of research projects underway that include the recovery of fingerprints from bullet casings and the ability to detect bloodstains under paint. The outcomes of these projects will no doubt assist the New South Wales Police Force to be better equipped to catch and prosecute offenders.

The joint facility will drive important collaboration between forensic scientists and operational policing. It will help to inform the university-based forensic scientists of the real-life challenges facing police when they attend a crime scene, and it will provide police forensic officers with the latest techniques to apply in their day-to-day operations. Support for this facility is about maintaining the highest evidentiary standards in forensic science in New South Wales. With an increasing reliance on DNA and forensic analysis in the prosecution of criminals, this purpose-built facility provides our future forensic scientists and police with the tools and techniques they need to successfully catch and prosecute criminals.

WESTERN RIVERINA NATIONAL PARKS

The Hon. ROBERT BROWN: My question without notice is directed to the Minister for Finance and Services, representing the Minister for Local Government. What, if any, benefits have flowed to the councils of

the western Riverina by the creation of new national parks in that area in the past 10 years? Given the amount of rateable land converted to national parks in that period, what is the total amount of rate income that the Riverina and the Murray Regional Organisation of Councils have lost in that period, given the fact that national parks do not pay local government rates?

The Hon. GREG PEARCE: I thank the member for his usual detailed and well thought-through question. Clearly it relates to some of the interests of the constituency that the Hon. Robert Brown represents, but it is also a very important question for the people of New South Wales. I will take the question on notice and get the member a detailed answer.

PUBLIC SERVICE JOBS

The Hon. MICK VEITCH: My question is directed to the Minister for Finance and Services. In light of the Minister's repeated failure to guarantee public service jobs, will he now apologise to the people of New South Wales for breaking his election commitment not to cut public services?

The Hon. GREG PEARCE: I do not want to debate the question, but it truly is a bizarre question. The member is suggesting that we have failed in some way. This Government has been a remarkable success. On 26 March the people of New South Wales voted overwhelmingly for a government that would represent them after 16 years of failure by that Labor mob opposite who delivered us a fiscal mess after letting the State deteriorate. There is considerable debate about our fiscal position. I will not talk about the budget at this stage because it will be announced on 6 September, but it will be seen when the next set of projections come through that over the forward estimates period we had to correct the fiscal problems left to us by the former Government. Although we thank the Hon. Eric Roozendaal for his contribution to giving us government, his management caused the State's economy to hurtle rapidly into territory that was completely unsustainable. New South Wales would have lost its triple-A rating had Eric's leadership continued for another year. We have seen what has happened around the world and in the United States of America as a result of that country losing its triple-A rating. That would have caused us an incredible series of problems.

The Hon. Greg Donnelly: Be it on your head now.

The Hon. GREG PEARCE: It is on our head now, because the people of New South Wales know that the Liberals and Nationals are responsible and are capable of managing the difficult times we are now facing.

HIGHER MASS LIMIT HEAVY VEHICLE ROAD ACCESS

The Hon. RICK COLLESS: My question is directed to the Minister for Roads and Ports.

[Interruption]

The PRESIDENT: Order! I direct that the clock be stopped. The member has not been able to commence his question because of the level of interjection.

The Hon. RICK COLLESS: My question is directed to the Minister for Roads and Ports. Will the Minister please update the House on the announcement to increase the number of State roads available for higher mass limit heavy vehicles?

The Hon. DUNCAN GAY: I was hoping that someone was going to ask me this.

[Interruption]

The PRESIDENT: Order! The Minister will disregard the interjections of the Hon. Greg Donnelly and answer the question.

The Hon. DUNCAN GAY: At the last meeting of the New South Wales Road Freight Advisory Council I announced that more State roads would be made available to higher mass limit heavy vehicles. The announcement followed an extensive Roads and Traffic Authority review of the freight network. Higher mass limits—or HML as they are commonly referred to by the industry—is a nationally agreed scheme that allows semitrailers and B-doubles carrying higher mass—

The PRESIDENT: Order! I call the Hon. Jeremy Buckingham to order for the first time. I call the Hon. Penny Sharpe to order for the first time.

The Hon. DUNCAN GAY: Higher mass limits—or HML as they are commonly referred to by the industry—is a nationally agreed scheme that allows semitrailers and B-doubles carrying higher mass loads to access approved routes throughout the State. An extra 600 kilometres of roads are now accessible to higher mass limit heavy vehicles that had previously been restricted. Today there are more than 15, 000 kilometres of State roads approved for higher mass limit access. More higher mass limit routes for heavy vehicles helps to reduce freight costs and the number of trucks on the road, thereby improving productivity, reducing air and noise pollution and helping reduce the number of crashes. We hear the wailing from The Greens. They never considered this. They are anti-everything. Here is a sensible way to move our freight more cheaply.

The PRESIDENT: Order! I call the Hon. Jeremy Buckingham to order for the second time.

The Hon. DUNCAN GAY: This will mean fewer truck movements and it will be better for the environment. This is typical of The Greens; they hate good news, and this is really good news. Not content with opening more State roads to higher mass limits, the New South Wales Government has allowed freight operators to access maps of higher mass limit approved routes on the Roads and Traffic Authority's website, irrespective of their enrolment in the Roads and Traffic Authority's Intelligent Access Program. Under Labor, freight operators could only access higher mass limit maps if they were enrolled in the Intelligent Access Program. The program helps monitor the movement of heavy vehicles using satellite-based tracking technology to ensure compliance with approved routes. Put simply, the Intelligent Access Program is about making sure the right heavy vehicles are operating on the right roads. Full access to higher mass limit maps on a public website will allow freight carriers to better access the commercial benefits their transport operation may derive from enrolling in the Intelligent Access Program.

The former Labor Government's ignorant and pigheaded approach to this issue created an enormous amount of unnecessary ill-will within the freight industry. Starting with the new Freight and Regional Development Division of the Department of Transport, this Government is determined to work closely with industry to right the wrongs of the past. The New South Wales Government is also acutely aware of calls from the industry to make improvements to the Intelligent Access Program—calls that fell on deaf ears under the previous regime.

The sections of State road that will now become available for higher mass limit semi-trailers and B-doubles include the Monaro Highway from Cooma to the Australian Capital Territory border, the Pacific Highway from just south of Ballina to the Queensland border, the Bruxner Way from the Pacific Highway near Ballina via Lismore to West Casino, the Summerland Way north of Grafton via Casino to Kyogle, and the Pacific Highway north from Hexham to Bulahdelah, with higher mass limit semi-trailers able to travel further north to Port Macquarie. [*Time expired.*]

The Hon. RICK COLLESS: I wish to ask a supplementary question. Will the Minister please elucidate his answer?

The Hon. DUNCAN GAY: The Roads and Traffic Authority also recently reviewed restricted bridges around the State to check their capacity for use by semi-trailers and B-doubles operating at higher mass limits. The review provided updated information on the capacity of bridges, allowing many of these new higher mass limit routes to be opened. A priority work program is being developed to progressively replace or upgrade key bridges to help remove mass load restrictions. This is about making the State operate better.

NORTH WEST RAIL LINK

The Hon. CATE FAEHRMANN: My question without notice is directed to the Minister for Finance and Services, representing the Minister assisting the Premier on Infrastructure NSW. Given that Infrastructure NSW is reported to be unhappy with the rushed pace of progress with the North West Rail Link—including that neither a route nor costs have been sorted out—would the Minister please inform the House what representations have been made by Infrastructure NSW to the Government expressing these concerns?

The Hon. GREG PEARCE: I thank the honourable member for her question, but I am afraid I have not seen those representations and therefore I cannot answer her question.

PUBLIC SERVICE JOBS

The Hon. GREG DONNELLY: My question is directed to the Minister for Finance and Services. According to the Australian Bureau of Statistics, New South Wales has lost more than 38,000 jobs since the O'Farrell Government took office. Given your election commitment to create 100,000 jobs in your—

The Hon. Duncan Gay: Point of order: There is no question. All we have had is a continuous statement. Honourable members must start off a question by asking a question; he just made a statement.

The PRESIDENT: Order! It is in order for statements of fact to be made at the beginning of questions. It was far too early in the question for me to rule it out of order. Although the member's time has expired, I will allow him to ask his question—so long as he does not exceed 60 seconds.

The Hon. GREG DONNELLY: According to the Australian Bureau of Statistics, New South Wales has lost more than 38,000 jobs since the O'Farrell Government took office. Given the Government's election commitment to create 100,000 jobs in its first term of office, why is the Minister reducing employment in the public service and why is he reducing staff in Trade and Investment, the very agency that oversaw the creation of 190,000 new jobs last year?

The Hon. GREG PEARCE: That is a good question and it gives me an opportunity to inform the House that the latest figures from the Australian Bureau of Statistics show that unemployment in New South Wales remained at 5.2 per cent. However, the good news was that employment in New South Wales rose by 19,800 jobs in July. That is 19,800 extra jobs as a result of the O'Farrell Government's election and its activities since the election. However, the distressing news is that while the New South Wales unemployment rate was unchanged at 5.2 per cent for the month of July, the national average deteriorated from 4.9 per cent to 5.1 per cent. We are in difficult times.

As I mentioned earlier, almost 20,000 jobs were created in New South Wales in the month of July. That is the first month since the O'Farrell Government's Jobs Action Plan came into effect. However, the Government understands that the Jobs Action Plan is just one of many factors that influence employment levels in New South Wales. New South Wales is more susceptible to global conditions than any other State in Australia. We understand that monthly unemployment data can be highly volatile and that it is important to look at the long-term trends. And what are those long-term trends? For 90 per cent of the last five years of the former Labor Government the New South Wales unemployment rate was higher than the national unemployment rate. For almost the entire term of the last Government, the unemployment rate in New South Wales was higher than it was in the rest of Australia.

Mr David Shoebridge: Average.

The Hon. GREG PEARCE: Yes, average. When the Liberals and Nationals last left office, the New South Wales and Victorian payroll tax rates were on a par. But when Labor left office, a medium-sized 60-employee business in New South Wales paid more payroll tax than it would have in any other Australian State.

The Hon. Greg Donnelly: Point of order: Half the time allowed to the Minister to answer my question has elapsed and he still has not addressed that part of my question that deals with the reduction of employment in the public service and specifically the reduction of staff in Trade and Investment. I would ask you to draw that to his attention.

The PRESIDENT: Order! While there are extensive rules as to what can or cannot be asked in a question, the rules relating to answers are limited. The answer must be relevant to the question asked. The Minister was in order and was being generally relevant.

The Hon. GREG PEARCE: Thank you, Mr President, for that ruling. That point of order is one of the oddest I have heard, because I referred to employment and the unemployment rate in New South Wales throughout my answer. I did not divert from it. It is very odd that the member raised that point of order. We understand the need to be competitive but Labor does not. The New South Wales Government is delivering on another election commitment to target the creation of 100,000 new jobs through our Jobs Action Plan. The payroll tax rebate began on 1 July and it now applies to the first 100,000 new jobs created in New South Wales.

The rebate of \$4,000 is equivalent to the annual payroll tax bill for one employee on the average wage. Our Jobs Action Plan is designed to provide the incentive businesses need to employ, to rebuild confidence and to regrow the economy.

The Hon. MICHAEL GALLACHER: As the time for questions has expired, I ask that further questions be placed on notice.

HELICOPTER RETRIEVAL SERVICE

The Hon. MICHAEL GALLACHER: On 4 August 2011 Dr John Kaye asked me a question without notice in relation to the helicopter retrieval service in the Central West. I have been advised that a review of the need to extend the operating hours of the Orange helicopter service was completed in November 2009. The review found that there was not a business case to justify extending to 24-hour operations at the time. A subsequent review of 2010 data conducted by the Ambulance Service Aeromedical Services in May 2011 also did not suggest an immediate need to move to 24-hour operations in Orange.

There is no requirement to implement a 24-hour service at this stage; however, the Orange service will be included in a comprehensive review of regional aeromedical ambulance services scheduled for late 2011. Helicopter costs are divided into standing charges for aircraft, crew and infrastructure, and flying hour charges for missions undertaken. Standing charges are independent of mission numbers. Flying hour charges vary according to the patient origin, patient destination and aircraft used. I thank the honourable member for his patience and trust this information is of assistance.

NEWELL HIGHWAY SPEED LIMITS

The Hon. DUNCAN GAY: I was asked by the Hon. Mick Veitch on Tuesday 9 August to table the advice on which I based the decision to increase the speed limit on the Newell Highway. I took advice from a number of people, groups and organisations, including a briefing from the Roads and Traffic Authority; the New South Wales Farmers Association, which was concerned the speed reduction imposed by the previous Government would have an effect on driver fatigue and safety; the National Road Transport Operators Association, which is the country's premier association for long distance and regional-based trucking businesses; and the NRMA, Australia's peak motoring body, which produced a report conducted by the ARRB Group Ltd using the same methodology applied by the Australian Road Assessment Program [AusRAP]. It found the safety risk on the highway did not justify the former Labor Government reducing the speed limit to 100 kilometres an hour.

I also spoke to the mayor of Forbes Shire Council. The council believed the reduction in the speed limit posed a potential danger for overtaking vehicles if the speed limit was uniform for all traffic. The member for Murray-Darling, John Williams, presented a petition from his constituents, who were deeply concerned about the decision to reduce the speed limit on this vital piece of road infrastructure. I also spoke to the local members of Parliament, Troy Grant, Kevin Humphries and Adrian Piccoli, who all advocated on behalf of their communities for the speed limit to be returned to 110 kilometres an hour.

Documents tabled.

Questions without notice concluded.

SUB JUDICE RULE

The PRESIDENT: During formal business this morning a point of order was taken in relation to a notice of motion given by the Hon. Matthew Mason-Cox on the basis of the sub judice rule. The sub judice rule applies only if debate on the matter would in any way prejudice the trial of a particular person. That ruling was given by President Johnson in 1988. It is not necessary for me to decide whether the giving of a notice of motion would in fact prejudice the trial of a particular person on this occasion. My advice is that not all of the matters referred to in the notice of motion are before the courts at present.

GAMING MACHINE TAX AMENDMENT BILL 2011

GOVERNMENT ADVERTISING BILL 2011

Bills received from the Legislative Assembly.

Leave granted for procedural matters to be dealt with on one motion without formality.

Motion by the Hon. Duncan Gay agreed to:

That the bills be read a first time and printed, standing orders be suspended on contingent notice for remaining stages and the second readings of the bills be set down as orders of the day for a later hour of the sitting.

Bills read a first time and ordered to be printed.**Second readings set down as orders of the day for a later hour.****BUSINESS OF THE HOUSE****Postponement of Business**

The Hon. DUNCAN GAY (Minister for Roads and Ports) [3.36 p.m.]: I move:

That Orders of the Day Nos 1 to 4 on the *Notice Paper* of Government Business be postponed to a later hour of the sitting.

Question put.**The House divided.****Ayes, 21**

Mr Ajaka	Miss Gardiner	Mrs Mitchell
Mr Blair	Mr Gay	Mrs Pavey
Mr Borsak	Mr Green	Mr Pearce
Mr Brown	Mr Khan	
Mr Clarke	Mr Lynn	
Ms Cusack	Mr MacDonald	<i>Tellers,</i>
Ms Ficarra	Mrs Maclaren-Jones	Mr Colless
Mr Gallacher	Mr Mason-Cox	Dr Phelps

Noes, 18

Mr Buckingham	Mr Primrose	Ms Westwood
Ms Cotsis	Mr Roozendaal	Mr Whan
Mr Donnelly	Mr Searle	
Ms Faehrmann	Mr Secord	
Mr Foley	Ms Sharpe	<i>Tellers,</i>
Dr Kaye	Mr Shoebridge	Ms Fazio
Mr Moselmane	Mr Veitch	Ms Voltz

Question resolved in the affirmative.**Motion agreed to.**

Government Business Orders of the Day Nos 1 to 4 postponed to a later hour.

TRUTH IN LABELLING (FREE-RANGE EGGS) BILL 2011**Second Reading**

Debate called on, and adjourned on motion by the Hon. Lynda Voltz and set down as an order of the day for a future day.

LOCAL GOVERNMENT AMENDMENT (LOCAL DEMOCRACY—WARD REPRESENTATION REFORM) BILL 2011**Second Reading**

Debate called on, and adjourned on motion by the Hon. Amanda Fazio and set down as an order of the day for a future day.

CARDIOVASCULAR DISEASE

The Hon. PENNY SHARPE [3.48 p.m.]: I move:

- (1) That this House notes that:
 - (a) heart disease is the number one killer of Australian women, and
 - (b) 1 May 2011 to 7 May 2011 is Heart Week, which aims to raise community awareness of cardiovascular disease.
- (2) That this House urges members of this House to raise awareness about this important health issue.

In speaking about Heart Week today I commend the efforts of the Heart Foundation in raising awareness of the dangers of cardiovascular disease. Heart disease is one of our nation's biggest killers. Most people mistakenly believe that heart disease is only of concern to ageing men; however, heart disease is the number one killer of Australian women. It kills four times as many women as breast cancer. Heart or cardiovascular disease is used to describe stroke, heart and blood vessel diseases. Cardiovascular disease occurs when fat, cholesterol and other matter builds up in the inner linings of the arteries. It is most serious when it affects the blood supply to the heart, causing angina or heart attack, or to the brain, which can lead to a stroke.

Women tend to suffer from heart disease later in life than men do, with menopause and changing hormone levels thought to be a major contributing factor. Those with a family history of heart disease are also at higher risk. In Australia in 2006 cardiovascular disease caused 34 per cent of all deaths, with 45 per cent of them being men, and 55 per cent women. The Heart Foundation estimates that every 10 minutes in Australia one person dies from heart disease and that one in five people are affected by the disease. It is a major cause of disability, with 1.4 million Australians affected, and it is the most expensive disease to treat, with \$5.9 billion—over 10 per cent of the total health budget—being spent on it in direct health care in 2008. Unfortunately, this figure is predicted to grow as Australia faces the reality of an ageing population and what some have dubbed an obesity epidemic. In the last decade cardiovascular disease in Australia has increased by 18.2 per cent. Alarming, it affects at a higher rate our Indigenous and Torres Strait Island population and those from disadvantaged backgrounds.

The death rate from cardiovascular disease is 20 per cent higher for people from lower socioeconomic areas than for those living in more affluent areas. Compared with other Australians, Aboriginal and Torres Strait Islander people are 2.6 times more likely to die from heart, stroke and vascular diseases, and two to three times more likely to be hospitalised for coronary heart disease and heart failure. Australians most disadvantaged are more likely to die from cardiovascular disease and more likely to smoke and suffer from obesity and diabetes. Unfortunately, obesity and heart disease often go hand in hand. This poses a problem for Australia as results from the 2007-08 National Health Survey showed that 61.4 per cent of Australians are either overweight or obese; 42.1 per cent of adult males and 30.9 per cent of adult females are classified as overweight; and a further 25.6 per cent of males and 24 per cent of females are classified as obese.

While there is no magic jab or inoculation against cardiovascular disease, everyday lifestyle factors and healthy living can significantly reduce susceptibility to cardiovascular disease. Not smoking and avoiding second-hand smoke, regular physical activity and a supportive and healthy network of friends and family are things that we may all strive for and that make us happy, but they could also save our lives. These lifestyle choices help maintain low cholesterol and healthy blood pressure, avoid diabetes, minimise stress and stave off weight gain, depression and isolation. This gives hope to all of us here today and to future generations but also illustrates the importance of a holistic and balanced approach to health. The fact that this killer disease is so preventable also shows the need for continued education about the importance of a healthy lifestyle.

A recent report released in April entitled, "Using Additional Information on Working Hours to Predict Coronary Heart Disease" published in the United States of America *Annals of Internal Medicine* has also shown a link between working long hours and an increased risk of heart disease. The study comprised over 7,000 participants from the British civil service with initial examinations being performed in the early 1990s and follow-up examinations in the following decade. The study found that those working 11 hours a day or more were 67 per cent more likely to suffer from heart disease compared with those working seven or eight hour days. This study shows that the effects of stress must not be underestimated and that, while "down time" may make us feel good, it is also a necessary part of a healthy life. Heart attack victim Jo Court had her first attack aged only 45. Through the Heart Foundation she now urges women to take their health seriously. She said:

Until I personally experienced a heart attack last year at age 45, I was unaware that heart disease is the leading cause of death for women. I have been fortunate enough to survive a heart attack and I urge all women to care for their hearts and to be aware that heart disease is a very real risk.

A message from my heart—take the time to care for your health. To be alive and well for the longer term is an important investment for yourself and your loved ones' happiness and future.

The Heart Foundation runs the Go Red for Women campaign to raise awareness of heart disease and promote healthy lifestyle choices to assist in prevention. Women can sign up for a 10-week Healthy Heart Challenge, with participants encouraged to take up the challenge with a friend to have a greater chance of persevering. The program aims to get women to make small, achievable changes to their daily routine that help improve their overall health and, through that, the health of their heart. The Healthy Heart Challenge began on 1 June for the Go Red for Women month. People can find more information about the challenge on the Heart Foundation's website www.heartfoundation.org.au. I was pleased to sign up. The challenge is a great initiative. I wear red today to acknowledge the great work of the Heart Foundation to educate women about heart disease.

As part of the challenge participants are encouraged to educate themselves about their own health and the risks they can minimise to help prevent heart disease. Each of us was asked to make small changes in our lives to reduce the risks: changing eating habits, taking regular exercise, increasing knowledge of heart health, quitting smoking, and taking action to lower cholesterol and blood pressure. Education is an essential part of fighting heart disease. The Heart Foundation took the initiative to educate people across Australia with its national Go Red for Women Roadshow. The roadshow aimed to raise awareness of heart health for women and included cooking classes, information about fun ways to be active and speakers to discuss issues surrounding cardiovascular disease. The roadshow toured from 21 May until 16 July this year.

Another part of the roadshow was to educate people also about the symptoms and warning signs of a heart attack. While prevention is best, the next best step is having an action plan for dealing swiftly with any heart issues. A heart attack may have different symptoms in different people. While some may have discomfort or pain in their chest, others may have no chest pain at all or experience only minor discomfort. Symptoms may include pain, pressure, heaviness or tightness in one or more parts of the upper body, in combination with other symptoms, and others have described feeling generally sick. Some people, such as Anne Nichols, experience vomiting and then incorrectly assume the symptoms are a result of food poisoning. Anne said:

I was sweating a lot and then felt an awful pain in the back of my neck which made me feel very nauseous. I started vomiting and feeling dreadful.

The sweat was just dripping from my face and I kept vomiting every few minutes. I thought it might have been food poisoning and that I would feel better if I went to bed.

I took two paracetamol tablets for the neck pain and lay down on my bed. It was then I noticed I had an unusual pain in the centre of the chest so I got a heat bag and placed it on my chest.

As in Anne's case and with a lot of women, particularly those under the age of 50, school teacher Trisha Langridge did not realise she was suffering from an attack that came on during a game of netball with her students. Trish said:

The perception is that this only happens to older people—even I thought heart attacks did not happen to women in their 40s.

As I came off the court for about 10 seconds I had a crushing pain in my chest and then a shocking pain in my back. When I got to the staff room it was so bad my teacher's assistant called my physio. In the meantime I was dizzy, clammy and apparently very pale. Fortunately, one of the girls had experience with heart attacks as her husband had had one, so an ambulance was called.

Trisha's story illustrates the importance of acting quickly and not ignoring the warning signs. Sufferers have the greatest chance of survival if medical treatment is received within an hour—dubbed the "golden hour" by health professionals. If in doubt, call an ambulance immediately. A friend of mine who used to be an ambulance officer said:

As an ex-ambo I cannot agree more. If the pain's gone by the time the ambos arrive, no problem. If it's not, they can help you. There are important things in your chest, so chest pain is not like toe pain ... and should never be ignored! If it's a heart attack, the longer you wait the more damage your heart suffers. I went to people who did ignore it and some couldn't live an active life anymore because of that damage, and some others died.

If in doubt, call the ambos. The Heart Foundation not only educates but also raises much-needed funds for important medical research, providing \$13.5 million worth of research into heart disease every year. The foundation currently supports over 180 researchers across a range of projects in an effort to find new ways to deal with and treat heart disease. Further, the foundation offers support and opportunities for academics working in the area of cardiovascular disease with a range of fellowships and travel grants. I commend the Heart Foundation for its important work in educating people about the dangers of heart disease as well as providing ongoing financial support for vital research into one of the country's biggest killer. I encourage all members of this House to inform their communities about the dangers of heart disease and what they can do to keep themselves and our community healthy. I commend the motion to the House.

The Hon. MELINDA PAVEY (Parliamentary Secretary) [3.57 p.m.]: I congratulate the Hon. Penny Sharpe on this motion. It is a timely and good motion outlining the magnificent work of the Heart Foundation across Australia, and particularly New South Wales. The organisation had its roots in New South Wales around 1983. It was one of the first organisations to become self-funding and contribute in a public policy perspective to health outcomes and improvements across New South Wales for heart disease. The foundation certainly has raised attention about this killer disease. Heart disease remains the number one killer of men and women in New South Wales, particularly in regional areas. Last week I had a briefing with Tony Thirlwell, the chief executive officer of the New South Wales Heart Foundation, and Julie Anne Mitchell, Director of Cardiovascular Health Programs, where we discussed his strong concerns that Broken Hill has the worst statistics for cardiovascular disease. This accords with the comments of the Hon. Penny Sharpe about socioeconomic background issues contributing to poor outcomes of heart disease, particularly within our Aboriginal communities.

That is something that the Department of Health and the Government are very aware of. At the outset I acknowledge that the Government has established a ministry for healthy lifestyles. That is a very important ministry headed by the Hon. Kevin Humphries, the member for Barwon, to deal with obesity and health, which are particularly relevant in our poorer communities. Wherever I travel the level of obesity, particularly amongst young people, is frightening. I went to a paediatric conference three weeks ago. It brought health professionals together from regional and metropolitan New South Wales. The confronting statistic presented was that young people are facing joint problems relating directly to weight and obesity. Our children will be the first generation to die at a younger age than the previous generation. The average age at death will decrease rather than increase, whereas previously it had been increasing. Obesity is at the heart of the change. It is at the heart of heart disease. As the Hon. Penny Sharpe stated, Heart Week 2011 is an initiative of the Heart Foundation of Australia. It is focused on raising awareness of heart disease as the number one killer of Australian women. I do not have a red shirt on, as the Hon. Penny Sharpe has, but I do have the fabulous red dress badge which came as part of the promotion of the Heart Foundation of Australia campaign Go Red for Women.

I must congratulate *Marie Claire* magazine and in particular the people behind the public relations for reaching out to another demographic that would not necessarily think or hear about heart disease. *Marie Claire*, through its association with the Heart Foundation of Australia and the Go Red for Women campaign, prominently put the issue of women in their forties having heart attacks into the minds of women in a demographic that needed to hear it. Despite considerable improvements in the past 40 years, on average heart disease is still the top killer of women. It kills around 31 Australian women every day, and more than 11,000 women die each year from heart disease. Australian women are four times more likely to die of heart disease than of breast cancer. Heart disease is largely preventable and risks can be greatly reduced by leading a healthy lifestyle. The best way to reduce the risk of developing heart disease is to improve or remove the risk factors where possible. I commend the actions of the Hon. Penny Sharpe in relation to lifestyle changes. I share her concerns about maintaining a sensible healthy lifestyle while living the life that we do as members of Parliament, which is not easy. It is important that members, along with the general community, do a little more to improve our general health and the health of our heart in particular. Walking is one of the great ways to do that. The Go Red for Women Heart Foundation campaign unites Australian women in the fight against heart disease.

The 2011 campaign promotes awareness of heart disease risk factors and offers support to Australian women to take action to protect their heart through a range of activities throughout the year. The target audience for the campaign is women aged 35 to 64. The campaign calls on general practitioners, organisations and individuals interested in women's health issues to reach and influence the primary audience. The Healthy Heart Challenge from 1 June this year is part of the Go Red for Women campaign. It is a free ten-week program designed to help Australian women make lifestyle changes to improve their heart health and reduce their risk of developing heart disease. The Healthy Heart Challenge supports women choosing one of the following six goals for a challenge: being active every day, improving nutrition, increasing their knowledge of heart health, quitting smoking, lowering high blood pressure, and lowering high cholesterol levels. Ongoing support will be provided through weekly electronic newsletter recipes and information and access to online tools and resources, as well as personal support and information via a Heart Foundation Australia telephone help line.

Some of the other people that participated in the ten-week challenge decided to take their health options to work every day. So they saved money as well as reducing weight during that ten-week period. The Springday Jog Squad involved step-by-step running programs, motivational emails, online chat forums, and the support of an online community to inspire and motivate people to achieve their running goals. Whilst it was not actually part of the Springday Jog Squad, I will highlight what I achieved this year in terms of being healthy. I have to thank another female member in the Chamber, the Hon. Lynda Voltz. One of the things I never thought I could

do in my life was run more than five kilometres. The Hon. Lynda Voltz showed me that I could and inspired me to. I could see why the member was in the army. I got past the five kilometre point. I thought maybe I could keep going. I was also motivated by my children, who can run extremely well. I felt a little like Forrest Gump. On 3 July I participated in the Gold Coast half marathon and ran 21 kilometres. The Hon. Amanda Fazio may need to pick up her jaw. I pass on my thanks to the Hon. Lynda Voltz for helping me achieve that goal. Running is in your head: you can keep running.

That achievement is nothing compared with the Australian Outback Marathon that was held on 30 July. The Australian Heart Foundation is proud to be the official charity partner of the first ever Australian Outback Marathon. The event encouraged the public to share in the excitement of running the annual Australian Outback Marathon in the knowledge they would help the Australian Heart Foundation improve the heart health of Indigenous Australians, who are currently nearly three times more likely to die of cardiovascular disease than other Australians are. The event is held in the heart of Australia with Uluru as its backdrop. The Australian Outback Marathon consisted of four events: a marathon, a half marathon, an 11-kilometre run and a six-kilometre run. I suspect that as the course is flat and without hills like the Gold Coast it is a very popular course. This weekend we have the City to Surf. It is only 14 kilometres but with a couple of heartbreak hills. That is a great event.

The Hon. Trevor Khan: Are you running that as well?

The Hon. MELINDA PAVEY: No, I am not. I am going home for the weekend. I want to be at home. That is for city people to do. A lot of country people do come to Sydney to do the City to Surf. The Australian Heart Foundation doorknock appeal will be held on 1 September. The Blackmores Sydney Running Festival will be held on 18 September and the very famous ING New York City Marathon on 16 November 2011. I congratulate the Heart Foundation on its continuing efforts to address heart disease. The New South Wales Government is committed to working with the Heart Foundation to effect positive change for the prevention and treatment of heart disease.

The Government has a number of positive initiatives in relation to health and heart disease. As I highlighted at the outset of my speech, the establishment of a healthy lifestyles portfolio is paramount in changing community attitudes and arresting the frightening level of obesity in our communities. The Connecting the Care Program is a really important initiative in relation to general practitioner follow-up with their patients.

The Department of Health has invested \$21.5 million in the program for 2010-11 and the allocation will increase to \$32 million in 2011-12. The program targets people with chronic diseases such as heart disease that result in the most frequent presentations to hospitals, drive the highest healthcare costs and respond best to improved coordination and health coaching. The program aims to enrol 43,000 people with chronic disease across New South Wales by the end of June 2013. We have current enrolments of over 7,000 people. The program actively promotes patient self-management and proactive measures to manage chronic disease within the community.

The program involves collaborating with general practice and allied health practitioners in developing and implementing tools and training towards improving patient self-management and education around chronic conditions, including heart disease. The Coalition Government will increase funding for chronic disease management by \$57 million to improve the quality of life of sufferers and drive down unnecessary hospital admissions. The additional \$57 million will help support an extra 16,000 people who suffer from some form of chronic disease over the next term of government, enabling a minimum of 59,000 people to benefit from the program by 2015. By arming patients with better information, education, medication management and access to community support, the New South Wales Coalition Government will manage chronic disease to minimise the impact it has on our hospital system.

I am pleased to speak about initiatives of the Coalition Government in regional communities. Orange now has its first coronary care unit within the new Orange Base Hospital. Recently I met with Dr Ruth Arnold, a cardiologist in Orange, who spoke to me about the importance of coronary care units providing specialised heart care in co-location with heart catheterisation laboratories. Currently cardiac catheterisation labs are located in Wagga Wagga, Orange, Tamworth, Lismore and Coffs Harbour. The New South Wales Liberal-Nationals Government has plans to extend the provision of cardiac catheterisation laboratories to Port Macquarie. In Dr Ruth Arnold's view, the ideal situation is that the cardiac catheterisation laboratories have coronary care units attached within the hospitals. That is a worthy initiative to be considered. It is important to have cardiac

catheterisation laboratories within regional communities so that people from those regional areas do not have to travel to Sydney for treatment. Access to the cardiac catheterisation laboratories is a significant boost to health care for the people of Wagga Wagga, Orange, Coffs Harbour, Lismore and Tamworth.

Another New South Wales Coalition Government initiative is the Community Pharmacies Plan. The Government will provide an additional \$10 million in funding to support the Community Health Check and Workplace Health Check initiatives through community pharmacies. The Community Health Check initiative will involve local pharmacists providing health assessments closer to home, as well as testing in workplaces across New South Wales. The plan will build on the relationship people have with their local pharmacist to encourage them to have basic tests, which may provide early identification, and then the ongoing management, of major health issues and chronic disease. The plan also will seek to reduce hospital readmissions by ensuring hospital discharge procedures include steps for contacting general practitioners and community pharmacies post-discharge for a comprehensive home medication review. Heart Week, which was held this year from 1 to 7 May, raises community awareness. The promotion of health does not stand still. We must continue to highlight the issues and work towards better community recognition of measures that can be taken to prevent heart disease.

The Hon. AMANDA FAZIO [4.13 p.m.]: I support the motion moved by the Hon. Penny Sharpe. I commend her for bringing this important issue concerning women's health to the attention of the House. All women face the threat of heart disease, but becoming aware of symptoms and risks unique to women, as well as eating a heart-healthy diet and exercising, can help to protect them. Although heart disease is often thought of as a problem for men, more women than men die of heart disease every year. One challenge is that the heart disease symptoms in women can be different from the symptoms in men. Fortunately, women can take steps to understand their unique symptoms of heart disease and to begin to reduce their risk of heart disease. The most common heart attack symptom in women is some type of pain, pressure or discomfort in the chest. But it is not always severe or even the most prominent symptom, particularly in women.

Women are more likely than men to have heart attack symptoms unrelated to chest pain such as: neck, shoulder, upper back or abdominal discomfort; shortness of breath; nausea or vomiting; sweating; light-headedness or dizziness; and unusual fatigue. These symptoms are more subtle than the obvious crushing chest pain often associated with heart attacks. This may be because women tend to have blockages not only in their main arteries but also in the smaller arteries that supply blood to the heart—a condition called small vessel heart disease or microvascular disease. Many women tend to show up in emergency rooms after much heart damage has already occurred because their symptoms are not those typically associated with a heart attack. If women experience these symptoms or think they are having a heart attack, they should call for emergency medical help immediately. They should not drive themselves to the emergency room unless they have no other options.

Although the traditional risk factors for coronary artery disease, such as high cholesterol, high blood pressure and obesity, affect women and men, other factors may play a bigger role in the development of heart disease in women. For example, metabolic syndrome—a combination of fat around the abdomen, high blood pressure, high blood sugar and high triglycerides—has a greater impact on women than on men. Mental stress and depression affect women's hearts more than men's hearts. Depression makes it difficult to maintain a healthy lifestyle and to follow recommended treatment. Women who are feeling depressed should talk to their doctors. Smoking is a greater risk factor for heart disease in women than in men. Low levels of oestrogen after menopause pose a significant risk factor for developing cardiovascular disease in the smaller blood vessels, which is called small vessel heart disease.

Not only older women have to worry about heart disease; women under the age of 65 who have a family history of heart disease should pay particularly close attention to the heart disease risk factors. Women of all ages should take heart disease seriously. Women can take measures to reduce their risk of heart disease. Several lifestyle changes can be made to reduce the risk of heart disease. They include: exercise 30 to 60 minutes a day on most days of the week; maintaining a healthy weight; and quitting or not starting smoking. This is particularly important for young women, given the cigarette smoking take-up rate in young women in Australian society. Also, women should eat a diet that is low in saturated fat, cholesterol and salt.

Women also need to take prescribed medications appropriately, such as blood pressure medications, blood thinners and aspirin. They need to better manage other conditions that are risk factors for heart disease, such as high blood pressure, high cholesterol and diabetes. Some women at high risk of heart disease also may benefit from the use of supplements, such as omega-3 fatty acids. In general, they should do moderate exercise,

such as walking at a brisk pace for 30 to 60 minutes most days of the week. If they cannot get all their exercise completed in one session, it is suitable to break up their physical activity into several 10- to 15-minute sessions. They will still get the same heart health benefits from exercising in this way.

The Hon. Dr Peter Phelps: It is also good for osteoporosis.

The Hon. AMANDA FAZIO: I thank the Hon. Dr Peter Phelps for that information. Women can make other small changes to increase their physical activity throughout the day. They can take the stairs instead of the lift. Sometimes in this place we wait a long time for a lift, so taking the stairs would be a worthwhile exercise. They can walk or ride a bicycle, if they are game, to do errands, or they can try sit-ups or push-ups while watching television. I now come to a very important issue: What is a healthy weight? Healthy weight varies from person to person, but having a normal body mass index [BMI] is helpful. This calculation helps to determine whether a person has a healthy or unhealthy percentage of body fat. A BMI of 25 or higher can be associated with an increased risk of heart disease. Losing just 10 to 15 kilograms can help to lower blood pressure and reduce the risk of diabetes, both of which increase the risk of heart disease.

Is the treatment for heart disease in women different from the treatment for men? In some women plaques build up as an evenly spread layer along artery walls. This is not treatable using procedures such as angioplasty and stenting, which is designed to flatten the bulky, irregular plaques that form mainly in male arteries. For some women drug treatment rather than angioplasty or stenting may be a better option. Certain heart medications, such as clot-busting drugs, or thrombolytics, tend to be more effective in women than in men. Aspirin therapy benefits both men and women, but there is also a difference between men and women in the effects of aspirin therapy. In women, aspirin therapy seems to reduce the risk of stroke more than it does in men, while in men it reduces the risk of heart attack more than it reduces stroke. Guidelines from the American Heart Association urge women to be more aggressive about cutting their heart disease and stroke risks. A daily aspirin can have a number of benefits for women, such as preventing heart attacks and strokes and reducing heart disease risk. The guidelines recommend that women consider taking aspirin. However, women should have a discussion with their doctor before merrily deciding to take aspirin to reduce their individual stroke and heart attack risks.

The Hon. Melinda Pavey: Self-medicate.

The Hon. AMANDA FAZIO: Yes, do not self-medicate with aspirin. Women should not start taking aspirin for heart disease prevention without talking seriously to their general practitioners about it. The higher a person's risk of heart attack or stroke the more that risk is reduced by taking aspirin, but the higher the risk of suffering unintended bleeding.

I draw the attention of women in this House—and men—to one sobering fact: On average, women wait 22 minutes longer than men to seek medical treatment when suffering a heart attack. I could be very flippant and say that is because men are wusses and they complain more, but I believe it is because too many women regard a heart attack as being a male risk factor and not something that affects women, so they do not accept that what is happening to them is, in fact, a heart attack and they delay seeking medical treatment. I found a very interesting interview on the internet in relation to women and heart disease. Dr Kathy Magliato, a cardiothoracic surgeon at St John's Health Center in Los Angeles, said—and this is pretty dreadful:

The most common way women present with heart disease is dead, dead on arrival. Women tend to downplay their symptoms, and they tend to wait longer to come to the hospital, and that's why they die at home.

Every year since 1984 in the United States of America more women than men have died of heart disease and 50 per cent of all women never experience chest pains. While heart disease is the number one killer in the United States of America of both men and women, in recent years, as deaths attributed to the disease have declined, the drop has been much less significant in women. Another reason why heart disease is more difficult to diagnose in women than in men is that abnormal blood vessel function happens on a smaller scale in women. Dr Magliato said:

Women tend to get disease at the level of microvessels, which are very small, very tiny vessels that supply the blood to the heart. Men tend to get blockages in the larger blood vessels of the heart, the blood vessels that we see when we do our typical studies for diagnosing heart disease.

Dr Magliato said that the best precautionary step women can take against heart disease, in addition to eating well and becoming active, is to know the symptoms. She said women need to listen to their bodies and that if

they have one or more of the top symptoms of heart disease in women they should see a doctor immediately. The top five symptoms of heart disease in women are fatigue—a persistent, unexplainable fatigue should be regarded as heart disease until proven otherwise; shortness of breath; indigestion, upper abdominal pain or nausea; jaw or throat pain; and arm pain, especially the left arm.

We can all support raising awareness by supporting campaigns like Go Red for Women. The Go Red for Women campaign encourages awareness of the issue of women and heart disease and, to save more lives, it encourages an awareness of what action to take. The movement harnesses the energy, passion and power women have to band together and collectively wipe out heart disease. It challenges women to know their own risk of heart disease and to take action to reduce their personal risk. It also gives them the tools they need to lead a heart-healthy life. In 2004 the American Heart Association faced a challenge: Cardiovascular disease claimed the lives of nearly half a million American women each year, yet women were not paying attention. In fact, many even dismissed heart disease as an older man's disease.

To dispel the myths and to raise awareness of heart disease as the number one killer of women the American Heart Association created Go Red for Women—a passionate, emotional, social initiative designed to empower women to take charge of their heart health. The Go Red for Women campaign is now being run in Australia by the Heart Foundation, and I commend the foundation for undertaking that initiative. We need to ensure that as parliamentarians we spread the message to other women in the community that they have to take the issue of women's heart disease very seriously. We can do that through a number of measures, but particularly by being seen to support publicly the Go Red for Women campaign and by making sure that women know what their risk factors are, know what the symptoms are and stop regarding heart disease as being a disease that affects only older men. I commend the motion to the House.

The Hon. NATASHA MACLAREN-JONES [4.23 p.m.]: On 1 May 2011 the National Heart Foundation called on women and men in Australia to join together for National Heart Week and be involved in a critical campaign called Go Red for Women. Heart disease is the leading killer of women in this country, and the Go Red for Women campaign unites Australian women to work together to raise awareness about the risks of heart disease and to help women make healthier choices. The Go Red for Women campaign builds on an American campaign that started in 2004 when it became known that 500,000 American women were dying every year of heart disease. Now more than 33 countries participate in the Go Red for Women campaign, which is aimed at reducing cardiovascular disease in women by building global attention and commitment.

This year's campaign encouraged women to take action. It advocated a Healthy Heart Challenge in which participants committed to making a change that would improve their heart health. It was a 10-week program designed to help Australian women make lifestyle changes necessary to improve their heart health and reduce the risk of developing cardiovascular disease. The three main objectives of the Go Red for Women campaign are: firstly, to challenge the widely held belief that heart disease is largely a disease that affects men; secondly, to encourage women to learn more about the risk factors associated with heart disease and to take real action to avoid those risks; and, thirdly, to raise much-needed funds to assist the Heart Foundation spread the message about heart disease with general support and research around heart issues.

People who think that only older men get heart disease are wrong. Heart disease is the number one killer of Australian women and it is vital that women understand what heart disease is and why it is relevant to them. Heart disease kills about 216 Australian women per week—that is, 31 women every day die from a condition that is related to heart disease. Heart disease is responsible for 16 per cent of deaths of women across Australia. In 2007, 10,610 Australian women died of heart disease. We learn a great deal about all kinds of conditions in this country and I know that there have been marvellous campaigns around cancer but, sadly, Australian women are four times more likely to die of heart disease than of breast cancer. What is more disturbing is that very few women know that is the case or what they can do to prevent heart disease.

The first step in heart disease prevention is to understand the heart and how it works. The heart is about the size of a clenched fist. It lies at the front and middle of the chest, behind and slightly to the left of the breastbone. The heart has a right and a left side, separated by a wall. Each side has a small chamber called the atrium, which leads into a large pumping chamber called the ventricle. There are four chambers: the left atrium, the left ventricle, the right atrium and the right ventricle. The right side of the heart collects blood on its return from the rest of the body. The blood entering the right side of the heart is low in oxygen. That is because oxygen is moved from the blood as it circulates through the body's organs and tissues. The heart then pumps the blood to the lungs so that it can receive more oxygen. Once it has received oxygen the blood returns it directly to the

left side of the heart, which then pumps it out again to all parts of the body. The left ventricle of the heart is larger and thicker than the right side because effectively it has to do more work. In order to ensure that the blood flows in the correct direction, valves guard the entrance and exit of the heart's chambers.

The heart and many other blood vessels make up the circulatory system. The heart relies on a network of blood vessels called arteries, veins and capillaries to carry blood around the body. Arteries carry blood away from the heart. The largest artery in the body is called the aorta. When we are physically active or excited the heartbeat rises significantly, which is a natural response. Every heartbeat results in blood moving throughout the arteries which is measured as a pulse. The second step in heart disease prevention is to know the risks, because heart disease is largely preventable. There is no single cause for heart disease but there are a number of risk factors that increase a person's chance of developing heart disease. The factors that we cannot control are getting older or having a family history of heart disease. However, there are a number of factors that we can modify, such as eating well; being active; not smoking; having regular medical check-ups, particularly for blood pressure and cholesterol; and monitoring existing conditions that increase the risk of cardiovascular disease, such as diabetes.

There are many types of heart conditions, including heart attack, coronary heart disease, deep vein thrombosis, arterial fibrillation, high blood pressure, heart failure or coronary artery spasm. A coronary artery spasm is a temporary pain or discomfort caused by a temporary spasm of one of the arteries. A Heart Foundation survey conducted in 2008 of women between the ages of 30 and 65 living in Australia found that more than 78 per cent of women surveyed were not aware that heart disease was the leading cause of death in Australia. Statistics show that heart disease touches many women's lives and their families. Women tend to be more concerned about their families or their friends and often think about the potential heart disease of their partner, father or sons, and think about what they can do to improve their lives or their health. Although that is important, it is worrying that women put their health second and fail to understand their risk of heart disease.

The Heart Foundation is an outstanding organisation committed to providing comprehensive and easily accessible information about cardiovascular health in Australia. The Heart Foundation is committed to providing information to individuals to minimise their risk of developing cardiovascular disease. In addition, the Heart Foundation has run a number of programs and campaigns, such as blood pressure checks, the Tick program, the Spaces and Places campaign, and the Go Red for Women campaign.

The New South Wales Government has been proactive in the prevention and treatment of heart disease. The Agency of Clinical Innovations Cardiac Network is a collaboration of more than 120 members, including consumers, administrators, academics and clinicians from all cardiac disciplines across New South Wales. It plans and develops initiatives that promote equitable access to high quality cardiac services to the population of New South Wales and promote equitable patient outcomes for patients needing cardiac services in New South Wales. It also provides advice to NSW Health regarding the appropriate provision of specific cardiac services. There are a number of cardiac projects operating under the auspices of NSW Health.

In New South Wales services for the management of heart disease are provided by cardiac rehabilitation services, in combination with medical and surgical interventions and pharmacotherapy. Rehabilitation is offered throughout New South Wales health facilities for people with cardiac disease such as cognitive heart failure and angina. The aim of rehabilitation is to assist people achieve optimal physical and physiological function, to self-manage their disease and to be active partners with a multidisciplinary care team in decisions regarding their health. These services have improved outcomes for people with heart disease and their families. It has reduced admissions to hospital and lengths of stay. It has also reduced morbidity and mortality. This has had a positive effect on the health system through reduction of the use of health services. Each local health district is responsible for the planning and delivery of cardiovascular services, incorporating the clinical specialties of cardiology, interventional cardiology, renal transplantation, cardiothoracic surgery and vascular surgery.

In addition to the significant services in metropolitan hospitals, NSW Health has established five rural cardiac catheterisation services to provide early diagnosis and treatment of heart disease. The provision of these services in Tamworth, Lismore, Coffs Harbour, Orange and Wagga Wagga has significantly increased access to heart services for rural residents—services that will have a direct impact on health outcomes. In some parts of the State these services have improved access for Aboriginal people due to reductions in travel times to obtain treatment. It is important that we look after the health of all Australians and that we maintain our support for the Go Red for Women campaign. The statistics are confronting on heart disease, but the message is simple: everyone must make changes to improve their heart health.

The Hon. CATE FAEHRMANN [4.33 p.m.]: The Greens support the motion of the Hon. Penny Sharpe and congratulate her on moving it. Even though Heart Week was several months ago, we in this place should be talking about heart disease and health, and encouraging good health in the community at all times. It is as timely for us to talk about this now as it would have been in May. Cardiovascular disease now ranks as the world's top cause of death, causing one-third of all deaths globally. There is a misconception in the community that heart disease only affects older men. However, as this motion makes clear, it is also the largest single cause of death among women in Australia. Women are four times more likely to die of heart disease than breast cancer and more women than men die from cardiovascular disease every year. It is the number one preventable cause of death globally for women and men.

Cardiovascular disease usually occurs when an individual smokes, has poor eating habits, does not exercise and is overweight or obese. If an individual has a poor diet and does not exercise, he or she may become overweight and may develop diabetes, which leads to cardiovascular disease. In fact, cardiovascular disease is the most life threatening of the diabetic complications. Poor diet, inadequate exercise and diabetes are all linked to obesity. If we could prevent obesity from occurring, we could significantly reduce the incidence of cardiovascular disease.

Obesity and its related health concerns have become a global epidemic. Obesity is measured by an individual's body mass index. Body mass index is calculated by dividing a person's body weight by the square of his or her height. The higher the body mass index, the more overweight the person is. Higher body mass was responsible for 7.5 per cent of the total burden of disease and injury in Australia in 2003. In 2008 the total annual cost of obesity for children and adults in Australia, including health system costs, productivity and carers' costs was estimated to be around \$58 billion.

Rising rates of obesity reflect the changes in society and behavioural patterns that have occurred over recent decades. According to the World Health Organization, economic growth, urbanisation and globalisation of food markets are some of the forces thought to underlie these increases. In 2009 the New South Wales Population Health Survey showed that 52.5 per cent of the population was classified as overweight or obese. In 2004-05, 15 per cent of Australian adults—approximately 2.1 million people—had heart disease. Of adults who were overweight or obese, 20 per cent had heart disease. Three-quarters of males with heart disease were overweight or obese, whereas two-thirds of females with heart disease were overweight or obese.

What does it mean when the majority of Australians are overweight or obese? What should we as legislators do about it? We must do something. Rates of childhood obesity have increased in recent years. New South Wales Schools Physical Activity and Nutrition Survey data from 2004 showed that 25 per cent of boys and 23.3 per cent of girls in New South Wales were either overweight or obese. This represents a significant increase over the last decade and it has probably increased since 2004. Children become overweight and obese often because they are eating foods that are high in fats and sugars, and spending less time on physical activity.

Childhood obesity is a serious concern because obese children have an increased risk of becoming obese adults. Obese adults who were overweight as children also have higher levels of weight-related illness, and a higher risk of preventable death, than those obese adults who only became obese in adulthood. Therefore, the prevention of childhood obesity is one of our best chances of implementing the successful and long-term goal of decreasing cardiovascular disease in the Australian population.

While fairly similar proportions of adults in low income and high income households were overweight or obese in 2004-05, 56 per cent and 52 per cent respectively, those in low income households were more likely to be obese. Twenty-one per cent of adults in low income households were obese compared with 16 per cent of adults in high income households. The proportion of adults living in areas with the greatest disadvantage who were obese, at 22 per cent, was almost double that of those living in areas with the least disadvantage, at 13 per cent.

Of course, a range of issues can influence health outcomes such as cardiovascular disease, not just obesity. Environmental factors, genetics and other lifestyle behaviours such as smoking are also contributing factors, as the Hon. Amanda Fazio mentioned. Smoking is a major contributor to cardiovascular disease. However, unlike obesity, smoking rates have decreased. For example, 19 per cent of the total New South Wales adult population in 2008 was daily smokers, down from 22 per cent in 2001.

I am sure, like me, all members received a letter from the Heart Foundation today. The letter contains the results of the Heart Foundation's annual survey of New South Wales Councils in relation to the smoke-free

outdoor areas policy. This is a joint initiative of the foundation with the Cancer Council NSW, Australian Medical Association, Action for Smoking and Health in Australia, and the Local Government and Shires Associations of New South Wales. The aim is to ensure all crowded outdoor areas are made smoke free. There are excellent efforts being made to address the issues which contribute to cardiovascular disease in Australia and we as legislators should get behind these initiatives in a big way.

Another way to reduce cardiovascular disease—and indeed many other health conditions—is encouraging active travel or active transport. As The Greens transport spokesperson, I am passionate about this. New South Wales has an extremely poor record of making cycling and walking viable alternatives to car travel. This is a tragic and expensive legacy that undoubtedly places a huge burden on our health system, and will do so even more in the future. There has been little investment in cycling infrastructure and facilities at a State level. I commend the very good efforts of the City of Sydney Lord Mayor, Clover Moore, in ensuring that good cycling infrastructure is being put in place in Sydney. As a result of the poor investment in cycling infrastructure overall, however, people in Sydney are less likely than people in most other capital cities in Australia to cycle to work. With only around one per cent of all trips to work being by bicycle, Sydney is seriously lagging behind cities such as Berlin and London, where cycling is becoming a serious and widely used form of transportation.

The NSW BikePlan commits funding to cycling infrastructure but this represents only a tiny fraction of total infrastructure spending—less than one half of a per cent. Considering that 480 kilometres of cycleway network can be constructed for the same cost as 1.5 kilometres of urban freeway, this balance of infrastructure funding is not providing value for money for the people of this State, especially when it comes to encouraging an active lifestyle through cycling. The creation of extensive and integrated infrastructure has been proven to increase bicycle use in other parts of the world, including Portland, Oregon, where an impressive 18 per cent of people now regularly ride to work. Cycling and active transport are proven to reduce the risk and incidence of cardiovascular disease and other health conditions. Cycling is a simple, convenient yet effective way of incorporating exercise into everyday life. It is likely to be much more sustainable than targeted exercise initiatives in encouraging individual behavioural change in the long term. Cycling has a functional role, which means that it does not rely wholly on self-motivation. It also allows independent travel for children, which is critical for their development. The World Health Organization in 1999 recognised the importance of cycling in achieving greater sustainability and mobility, and improving public health.

Active transport is as close to a silver bullet as we can get for cardiovascular disease. A modal shift from motorised transport to cycling will have significant public health benefits, and probably economic benefits, that we cannot fully calculate because of the far-ranging and interlinked consequences. I encourage both the Opposition and the Government to join The Greens in making active transport a serious priority for infrastructure in this State. I have to say that that involves much more than simply having a Healthy Lifestyles portfolio. That sounds good, but if the State Government were serious about healthy lifestyles and active transport it would prioritise cycling investment and cease making negative comments about cycling lanes in Sydney, which are experiencing a huge uptake and are very popular. More and more people are riding bikes. Unless we get people walking and cycling and feeling comfortable about doing it, and not having to jump in their cars every day, we will never address heart disease, cardiovascular disease, obesity and other health issues. We will never do that for as long as we prioritise the construction of motorways over active transport and the Government talks down cycling. We will not have a healthy community. We can mouth all the platitudes we like in debate on a motion such as this but it would be very good to see some action from the Government to really encourage people to become active and healthy. Supporting cycling is the most important step in that regard. I commend the motion to the House.

The Hon. LYNDIA VOLTZ [4.43 p.m.]: I support the motion and thank my colleague the Hon. Penny Sharpe for moving it. My views are similar to those of other members who have already spoken and referred to the high incidence of cardiovascular problems among women. As has already been said—but I will not tire of saying it—more women than men die from heart attacks. In 2008, 5,583 women died from a heart attack compared with 5,537 men. The statistics also show that 11,221 women died from heart disease in 2008 compared with 12,440 men. It is vital that women take heart disease seriously. I particularly want to raise the problem for women of work-life balance and how that affects their health. Lifestyle is fundamentally important in relation to heart disease. I refer to exercise and diet. The reality for women these days is that life is much more complicated and difficult, and they are time poor. It is interesting that last night when I was filling in the census form I recalled that in the last census a survey was done on the division of housework between men and women, which showed that men are doing more housework. It was interesting that men included playing with their children as part of housework whereas women did not.

The Hon. John Ajaka: I made my bed this morning. That's scurrilous.

The Hon. LYNDIA VOLTZ: I somehow knew that when I came into this Chamber to speak to the motion every guy here would consider my remarks a personal attack on them, even though I doubt they are the biggest offenders in this regard. I am not singling out any of the men in this Chamber—except for perhaps the one person who, when I asked him about making cupcakes, pointed out he was here by himself and therefore apparently could not go into the kitchen alone. It is obviously some sort of hugely dangerous place where only women can go. It certainly was not the Hon. Jeremy Buckingham, who I am sure would happily ensconce himself in the kitchen. It was also not the Hon. Greg Donnelly. I am not going to name names because I do not want to embarrass people on the other side of the Chamber.

The reality for women is that exercise and lifestyle are vital for their health balance, particularly in relation to heart disease. There are two problems in fixing their work-life balance. My biggest concern has always been the way that advertising portrays women and household duties. It is not only women who pick up the kids and wash the dishes and put clothes into the dryer. Yes, they do it more because advertising portrays them as the person that should be doing it. The reality is that advertising is a billion-dollar industry that specifically targets changing people's behaviour. Fundamentally important to our society is changing the portrayal of women as the ones who should be doing the housework when in fact men and women are converging in terms of paid employment. The household duties figures need to converge as well because, unless we get the balance right, things such as exercise will be sacrificed along the way.

Women hit an age where they just do not exercise. The average age at which a woman has her first child is now 30. The most important time in career progression for anyone in the workforce is the mid-thirties. That is when people progress in their career. If women are dealing with small children and a greater burden of household duties at the time when their working lives become more demanding, the first things that will drop off their lists are exercise and eating properly. That is what happens to time-poor people. It is fundamentally important that women understand that these things must not be sacrificed. They do not need expensive gyms and to have set routines so that if they miss an aerobics class they cannot exercise. All they need is a pair of sneakers and a road, and they can get out and walk. I prefer that they run—obviously Melinda Pavey has done the right thing and started running. Good on her.

That is exactly what women need to do. They have to make time to get out and do that. It is a matter of saying on every second or third day, "I am not taking the kids to school. You're getting them out of bed and taking them to school because I'm going down to the local pool and I'm going to do my one or two kilometres." Matthew Mason-Cox is nodding, and I know he will do this when he gets home. Women have to say, "I'm going to get out on the pavement and do my 40 or 50-minute walk or run", or "I'm going to the park to do some yoga and it's your turn to take the kids."

Even if women are not in an exercise routine there are other things they can consider doing. I would advise women to join a sporting organisation and become part of a team. We all know that as we hit 30 or, like me, 40, and closer to 50 than I would ever like to be, being in a team makes us turn up and train. I get so busy, if it were not for the fact that I know they rely on me being there I probably would not do that exercise. Women should join a local team because they will exercise. People will rely on them being there and that is what being part of a team is about.

Children love dogs but they will never get up and walk them. If you have the ability to get a dog, get one, because every morning you will have to get up and walk it. That is fundamentally important. There are two things. We need to start talking to advertisers about changing the image of women and we need to start convincing women that they do not give up their exercise routine because they are too busy. They have to keep up with their exercise routine.

I congratulate the Heart Foundation on running this campaign. If people go to the Heart Foundation website they will find fabulous recipes. I recommend the coriander and chilli kangaroo as a good place to start—it is a fabulous recipe. I am not going to say the blokes did not turn up with the cupcakes this morning, but next year for RSPCA Cupcake Day they should look at the raspberry yoghurt sponge kisses as something they may wish to bring along. I recommend that website. Perhaps on another occasion we could have a good debate about advertising.

The Hon. MARIE FICARRA (Parliamentary Secretary) [4.51 p.m.]: I too make a contribution to this important motion and congratulate the Hon. Penny Sharpe on bringing this matter before the House. I prefer to

refer to this disease state as cardiovascular disease, an encompassing term. Cardiovascular disease is the leading cause of death in Australia, causing 34 per cent of all deaths in 2006. Unfortunately, that percentage has not declined; it is increasing for a number of reasons that other members have mentioned—lifestyle, lack of exercise, poor diet and the growing burden of obesity. It is of concern to the Heart Foundation. Last week I was fortunate enough to attend a Healthy Heart Forum, which was supported by Chatswood RSL. The Heart Foundation presented to a number of mature age participants with heart disease.

Tony Thirlwell, the Heart Foundation chief executive officer, gave an overview of the foundation's vital work into cardiovascular disease, along with Dr Fiona Turnbull, a delightful heart researcher. She is a Heart Foundation-funded researcher. She presented on improving ways to prevent heart attack and stroke. During the morning we were all encouraged to participate in some active physical exercise called heart moves. This is an initiative of the Heart Foundation that is gaining popularity. For the benefit of the Hon. Matthew Mason-Cox, it is not night moves, although one can do heart moves at night. By all means he should go back to Queanbeyan and do some heart moves.

Heart Foundation heart moves is a gentle physical activity program suitable for anyone who has not done any exercise in a while. One can exercise at one's own pace in a friendly atmosphere. Heart moves is run by an accredited exercise professional who is trained specifically by the Heart Foundation in managing safe, low to moderate intensity physical exercise programs. This has been very popular with our ageing community. It has been rolled out now to most electorates, in particular to rural and regional New South Wales, through the aged housing sector and senior citizen services. It was particularly enlightening to me to be part of that.

We had pithy messages from the Heart Foundation. How to have a healthy heart: The key to having a healthy heart is to remember three points—at least 30 minutes of moderate intensity physical activity on all or most days of the week, as the Hon. Lynda Voltz has reminded us, five servings of vegetables every day and two servings of fruit every day. Doing these three things—the 30, the five and the two—will prevent people from gaining excess weight and keep them fit and healthy. Giving up smoking is important, as are regular checkups with your doctor to check your blood pressure, weight and body mass index. Such things are important in maintaining a healthy heart.

I want to mention Dr Fiona Turnbull in greater detail. Fiona Turnbull is the co-director of the cardiovascular division and a senior lecturer at Sydney Medical School. She holds a career development award from the Australian National Heart Foundation. Fiona leads the International Blood Pressure Lowering Treatment Trialists Collaboration, and founded a similar initiative for blood glucose and management of diabetes in conjunction with McMaster and Oxford universities. She holds a strong interest in health services research, including the management of acute coronary syndromes in Australia and other country's settings, including China. Dr Fiona Turnbull is just one of the incredible cardiovascular researchers funded by the Heart Foundation and is doing wonderful work. Her research brief revolves around improving ways of preventing heart attack and stroke.

"Cardiovascular disease" is the term used for heart, stroke and blood vessel diseases and is the leading cause of death in Australia. Cardiovascular disease kills one Australian every 10 minutes and is one of our largest problems. Despite this, only about half of those at highest risk of heart attack or stroke receive the best treatment available in line with current health guideline recommendations. Dr Fiona Turnbull presented that morning that this is partially due to uncertainty amongst health professionals—our dedicated general practitioners and cardiologists—about who should be treated and which treatments to use. It might seem incredible in this day and age that there is confusion, but there is. Over many years many different pharmaceutical entities have been rolled out in different categories. There is so much conflicting evidence out there as to dosage, combinations of drugs and when to start a particular drug therapy. General practitioners have realised there needs to be more clarity about when to start medication, what type of medication, what combinations of medication and then what level of exercise and dietary information should be given at each phase.

Dr Turnbull believes many improvements will be made by translating evidence into clinical practice and policy. With this career development fellowship, Fiona is compiling information from large international trials on treatment methods for high blood pressure and diabetes—two of the major risk factors for cardiovascular disease. This will provide quality evidence to help general practitioners select the best possible treatment for their patients, taking into account their individual characteristics such as age, gender and history of other conditions. Furthermore, Fiona will test the effectiveness of new ways of ensuring that patients at risk of

cardiovascular disease are accurately identified and receive the tests and treatments they need. This research will help ensure doctors use the best current knowledge and treatments available for their patients, leading to optimal protection of Australians from the premature death and disability caused by cardiovascular disease.

It was encouraging to hear one researcher present to the forum worthwhile international research. The main group of cardiovascular diseases is heart attack, angina, stroke and peripheral vascular disease. These diseases are the leading causes of death in Australia. In 2001 an estimated 3.2 million Australians, or 17 per cent of the population, suffered from cardiovascular conditions, and today the estimates are much higher. The O'Farrell Government is aware that a hell of a lot of work remains to be done. Minister Jillian Skinner is well aware of the issue of cardiovascular disease and its treatment and, importantly, its prevention. Obviously, much education is needed. The earlier we start teaching children, particularly those in primary school and their parents about the best diet and physical exercise the better. We hope that young Australians can then maintain a pattern of good eating and physical activity throughout their lives.

I congratulate the Heart Foundation on the Go Red for Women campaign, which aims to unite women in the fight against heart disease—it is not exclusively for women—and to raise awareness of the risks and to promote healthier choices. This year's campaign encourages women to take action by signing up for the Healthy Heart Challenge and committing to making a change that will improve their heart health and help them live a longer life. The campaign promotes healthier choices and raise awareness of heart disease as the number one killer of Australian women. It involves a free 10-week Healthy Heart Challenge for people to learn how to make small changes can make a big difference to heart health. Everyone who registered for the challenge on 31 May 2011 and completed an online survey was eligible to win a number of prizes, which the Heart Foundation was happy to present recently.

The Healthy Heart Challenge officially started on 1 June 2011 as part of the launch of Go Red for Women month. The foundation will help participants stay motivated throughout the challenge with weekly e-newsletters packed with tips and information, access to great online tools and resources, and access to personal support and information via a Heart Foundation phone helpline. The Heart Foundation is dedicated to reducing the impact of cardiovascular disease in Australia, which includes helping to minimise the number of people living with, or dying from heart, stroke and blood vessel disease. Since the foundation was established in Australia in 1959 it has funded world-class cardiovascular research, supported health professionals in their practice, developed health promotion activities, informed and educated the public, and assisted people with cardiovascular disease.

Today the life expectancy of Australians is about 10 years longer for men and nine years longer for women because of the foundation's work. The foundation supports and works with all levels of government and other health organisations, the media and community groups to implement policies and programs that improve the cardiovascular health of Australians. This includes programs on cardiovascular health risks, such as smoking or physical inactivity, through to recovery and rehabilitation. Currently the foundation is lobbying powerfully to ban smoking in venues providing outdoor eating facilities. I wish the foundation luck in achieving that. I support that approach wholeheartedly: there is nothing worse than dining alfresco to enjoy a lovely meal only to have smokers blowing smoke as you try to enjoy the ambience of the beautiful fresh air, sunshine, great food and wine. Hopefully, more announcements will soon be made about that.

The foundation ensures that people diagnosed with cardiovascular disease receive the best possible care as it has the latest research and promotes practical treatment tools for health practitioners. The foundation's vision is for Australians to have the best cardiovascular health in the world, regardless of their income, heritage or address. The foundation works to bridge the gaps in care through programs specifically targeting those Australians at higher risk of cardiovascular disease, particularly in our Indigenous communities. The foundation supports local councils that want to change neighbourhoods to create healthier communities—for example, by introducing cycleways, but not necessarily in the middle of the city. Cycleways on city streets would destroy the lifestyle of commuters and those who need to use the roads of the central business district. The Lord Mayor of the City of Sydney, Clover Moore, must consult more widely. The Greens also must understand that the community must be part of a consultation process before roads are ripped up to put down cycleways.

Of course, the Liberals and The Nationals support cycleways, but in appropriate places after community consultation. The foundation and councils are upgrading walking paths. I congratulate my council, the Sutherland Shire Council, on its extensive footpath program at least on one side of the main streets of Cronulla. Finally, after many years of paying rates, we are getting a footpath. I live amongst an ageing community and I see many elderly people walking, sometimes with their dogs, on very poor footpaths.

I congratulate Sutherland council, particularly councillor Reverend George Capsis, who made many representations on behalf of local residents to achieve those improvements. Councils have been successful also in introducing smoke-free outdoor areas. I congratulate them on all the initiatives. Cardiovascular disease, which encompasses heart disease, remains a preventable but disturbing disease for all Australian families. We congratulate the Heart Foundation and all the dedicated clinicians and healthcare professionals working hard to improve life and the quality of life for all of us.

The Hon. MICK VEITCH [5.07 p.m.]: It is important to have a little gender balance in this debate. None of the male members in the Chamber has taken the opportunity to speak in the debate; however, I note that the Hon. Matthew Mason-Cox is preparing notes for his forthcoming contribution. I congratulate the Hon. Penny Sharpe on this motion, which states that heart disease is the number one killer of Australia women—our mothers, our wives and, in some cases, our daughters. It is important for society's males to acknowledge that. Earlier a member said that if women are assisted with the housework it frees them to undertake some exercise and maintain a structure around exercise regimes. When most of us male members in this House actually are at home and away from our busy lifestyles we help with some housework. Of course, the Hon. John Ajaka, who resides with his wife and six daughters is very interested in this motion. Members should take time to talk to the Hon. John Ajaka as he is an expert. This motion provides us with an opportunity to reflect on the impact of heart disease on households. There is nothing worse than losing a loved one to heart disease, be it your mother or your wife. It is terrible and causes a great deal of distress. Often the pain of the loss lingers for quite some time. I am the epitome of the perfect athlete, as all members can see! I used to shear with a fellow who said, "If I'd known I was going to live this long, I would've looked after myself a darn sight better." That pretty much describes me. As the Hon. Lynda Voltz said, as we fast approach 50 I now realise that perhaps I should have been a little more careful with what I ate and maybe done a little more exercise.

At my most recent visit to the doctor I ticked all the boxes. My cholesterol and my blood sugar were fine. I know—and I am sure that all members would be staggered by this revelation, as was my outstanding general practitioner—that I have to lose a bit of weight. I am now pounding the footpaths that the Hon. Marie Ficarra referred to earlier in an attempt to lose a bit, or a lot, of that weight. This motion gives us an opportunity to reflect on a number of matters relating to heart disease. Heart disease is not just about exercising, which is important; we must also watch what we eat. The long hours to which we are subjected in this place are not suited to maintaining great diet. I am sure that most members in this place eat food in the parliamentary dining room that we would not eat at home. There is nothing like a good vegetable soup, as opposed to the healthy chicken schnitzels, chips and onions that I have been eating this week.

Members referred earlier to males doing housework but they were not talking about this House and the work that is done here. They were talking about the work that males do to assist their partners—washing, ironing, vacuuming and cooking the meals. I am sure that members are as keen to do work in this House as they are in their places of residence. The Hon. Duncan Gay, who has just come into the Chamber, is yet another example of a fine athlete. I thank the Hon. Penny Sharpe for giving us an opportunity to reflect on these issues; it is important to look after our health. It is important also to assist our wives and mothers and encourage them to find the time to exercise. We should walk together or go to the gym together. Those are the sorts of things that we should be doing. We should be spending more quality time with our families engaging in important facets of life. I thank the Hon. Penny Sharpe for moving this motion and for giving us an opportunity to reflect on heart disease as it affects our wives, mothers and children.

The Hon. PENNY SHARPE [5.13 p.m.], in reply: I thank members for their contributions to debate on this motion. This is one of those motions that will receive unanimous support. I again recognise the work done by the Heart Foundation to highlight issues relating to heart disease and women. I thank members for their contributions and look forward to them reporting back to their partners about their improved levels of fitness and, more importantly, about helping around the house.

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

Motion agreed to.

BUSINESS OF THE HOUSE

Postponement of Business

Private Members' Business item No. 6 in the Order of Precedence postponed on motion by the Hon. Jeremy Buckingham.

SPEED AND SAFETY CAMERAS

The Hon. LYNDIA VOLTZ [5.13 p.m.]: I move:

That this House:

- (a) notes the decision of the O'Farrell Government to remove or switch off 38 speed cameras without any consultation with local communities,
- (b) acknowledges that speed cameras reduce speed and accidents particularly in residential and built up areas, and
- (c) urges the O'Farrell Government to undertake consultations with the local community before any camera is switched off or removed.

In April this year Premier Barry O'Farrell ordered an audit to address the concerns expressed by some members of the public that a number of speed cameras were being used as cash cows and he promised to have these cameras "ripped out". Although the performance audit entitled "Improving Road Safety: Speed Cameras" found no evidence that revenue was a determining factor in locating cameras, more than a quarter of speed cameras in New South Wales have been turned off by the Government. The Roads and Traffic Authority was ordered to remove 38 speed cameras and to install 27 new safety cameras. What I find problematic is that this was not done with any consultation with local communities.

The Government referred to a huge injustice that had been inflicted on the public by the former New South Wales Labor Government and inferred that that injustice had now been corrected. The obvious recant to that alleged injustice is that those people were fined for breaking the law in the first place. Accordingly, if the Premier believes there is a need to rip out these cash cow cameras without community consultation what other measures does he propose to put in place to improve traffic safety? The rationale for ordering that those cameras be switched off appears to have less to do with road safety than it has to do with political populism. On 29 July an editorial in the *South Coast Register* stated:

Let us hope this was not another ill-judged decision made on the fly by a wet-behind-the ears government because unlike the Solar Bonus Scheme debacle, human lives are at stake.

An editorial in the *Port Macquarie News* contained this sceptical comment:

The decision to remove the cameras is a PR exercise. Anyone who drives the Pacific Highway knows that the average speed camera network is expanding rapidly.

One of the curious aspects to making a judgement on speed cameras is how one measures their success. Logic dictates that a camera is working if it slows traffic. If there are fewer fines the camera is more effective. If there are more fines the camera is less effective in slowing down the traffic. Campaigning against unnecessary financial revenue from safety cameras might appeal to the interests or prejudices of ordinary people and set the scene for opportunistic media headline grabs. However, we should not disregard the importance of a local community's on-the-ground experience and perception of safety and wellbeing prior to making those sorts of decisions. No doubt, while the review of the cameras efficiency was necessary, the hasty decision to turn them off is not.

Even the New South Wales Auditor-General stipulated that more research over a longer term was needed before any decisions were made on the cameras' futures. Communities around New South Wales such as Clunes, Urunga, Epping and Gympie have protested against the Government's hasty decision to turn off the safety cameras, and have demanded that they be reinstated. Above all, as residents and witnesses to the local traffic conditions they, more than anyone else, are acutely aware of the safety benefits of having those cameras in their communities. For example, the residents of Clunes on the far North Coast convinced the Government to save its speed camera, which has been instrumental in decreasing the velocity of trucks and through traffic flowing through the town.

As all members are aware, towns in regional areas have a completely different infrastructure and layout to city approaches. In the space of 500 meters one can go from an open road with a 100-kilometre-an-hour speed limit to an urbanised area with schools, playgrounds, shops and various major and minor intersections, not to mention bus stops, none of which interface safely with high-speed traffic and, in particular, trucks. Even the member for Lismore, Thomas George, said he was shocked at the removal of the speed camera in Clunes. He questioned the criteria used to identify ineffective cameras and said that cameras that were being removed from Clunes, Wollongbar and Ocean Shores were low-earning cameras. He went on to state:

My strong support is there for keeping the camera, especially for northbound traffic coming into Clunes from Lismore. My major concern is that there is a sharp corner there near the service station and that creates a big problem if cars are travelling too fast. "I'll be making very strong representations as well as seeking advice on how the community can be heard."

Mr George said that the cameras being removed were included in a blanket decision by the Auditor-General and he did not know exactly what criteria were used to determine which cameras were deemed to be ineffective in improving safety. Despite all the campaigning to have cameras reinstated, it appears as though the people caught speeding by the retained safety cameras will not be issued with the usual fines. A spokesman for the Minister for Roads and Ports, the Hon. Duncan Gay, said:

The cameras will act as a deterrent but they will operate only in warning phase ... If a driver is caught by a camera ... they are issued warning letters but not infringement notices.

If no-one is to be fined what will stop them from speeding? In a letter to the editor in the *Northern Star* a resident said:

Half-fines or points-only would be better than no fines. If it's just a letter, won't we see a competition between the young and the stupid on who can get the highest speed warning? This could be worse than no camera at all.

Another writer declares:

Looks like the minister has a sense of humour (at the expense of the people of Clunes). Ha! Ha! Ha! You're on Candid Camera! You were speeding through a village where people's kids and animals may wander across the road assuming that you would be driving at 50 km per hour.

In Urunga, another town on the North Coast of New South Wales, local road safety campaigner John May has been tracking the flow of heavy vehicles through his hometown for more than a decade. He cannot believe that the Government has decided to turn off the speed camera, which he claims has kept the brakes on trucks and cars exceeding the 60 kilometres per hour limit. Mr May says:

Before the camera was put in place we were living under conditions no one should have to live under with trucks speeding along the Pacific Highway through Urunga and putting people's lives in danger. The camera breaks the momentum of trucks through Urunga, where before it was treated as a big dipper.

Mr May claims that 500 trucks pass through Urunga every hour. His 2001-05 figures logged trucks going an average of 97 kilometres per hour during the day and 107 kilometres per hour at night in the 80 kilometres per

hour zone before the Urunga Bridge. Southbound trucks would speed past Newry Island, pressuring cars to go faster over the bridge. Travelling north they would speed through black spots such as the S-bend at Hungry Head and the crest at Martells Road. I point out that these are major breaches of speed limits, almost 30 kilometres per hour over the limit for a truck. Mr May explains:

The effect of slowing down trucks could be seen either side of Urunga because with the camera in place there was no point in them rocketing through before being forced to slow down to 60kmh. I'm concerned things will return to the way they were with this instrumental safety mechanism de-activated.

Like Mr May, another group of residents from Middle Cove have been expressing their fears about the removal of a safety camera. They believe the Eastern Valley Way will become a speedway after a northbound speed camera near the intersection at McClelland Road, North Willoughby was switched off. A camera on Eastern Arterial Road, Gordon also has been determined as not providing any actual road safety benefit. Middle Cove resident Norma Boston is worried that the deactivation of the speed camera will encourage motorists to exceed the 60 kilometres per hour speed limit. Ms Boston says:

I'm concerned for the safety of pedestrians in the area and I'm scared for motorists, especially those who are turning right from Eastern Valley Way to Heights Cres. Having the camera there would deter people from speeding and make it safer for people crossing the road.

Interestingly, she rejects the audit findings that the camera is an ineffective cash cow and says:

...it wasn't a thorough audit if residents weren't consulted. I would argue that for people who live in the area, the camera is a safety measure.

I reiterate Ms Boston's sentiments: It was not a thorough audit if the residents were not consulted. Two cameras that were also on the hit list outside Epping West Primary School on Epping Road and St Catherine Labouré Primary School on President Avenue in Gympie have been the subject of lobbying by parents. The performance audit "Improving Road Safety: Speed Cameras" noted that the review of speed cameras found that at fixed speed camera locations total crashes and injuries reduced by 26 per cent and fatalities by 67 per cent in the three years after installation. For example, exhibit 16 on page 22 of the Auditor-General's report shows the total value of

finest issued appears to reduce in successive months after the cameras are installed. As the Auditor-General identified in his review, this suggests that the cameras are effective in changing behaviour and increasing road safety. The *Manly Daily* editorial on 28 July 2011, in relation to the removal of cameras from Spit Road at The Spit, states:

Anything that holds drivers to the speed limit is a win for public safety and telling drivers that cameras will be "switched off" hardly urges restraint on the road ... taking the cameras away seems to give the minority of speeding drivers no reason to behave responsibly. The funny thing about speed cameras is if you don't break the law, you don't get fined.

The performance audit disputes claims that speed cameras are simply revenue raisers. It points out that the average number of speeding fines per camera declines over time, which means fewer people are speeding at these locations. Why do we find ourselves in a state of affairs where the Government, media and vocal minority claim that the cameras are purely for revenue raising? In the Auditor-General's subsequent review of the efficacy of speed cameras, the performance audit, he found that the average number of speeding fines per fixed and safety cameras declined over time. If this is the case it clearly is at odds with the Government's catchcry of "revenue raising" and subsequent hasty removal of safety cameras around New South Wales.

I bring to the attention of the House that a safety camera in the Shoalhaven area—oddly enough, the one camera that is most complained about and earns the most revenue—on the southern extremity of Berry has been left on. Effectively, it remains in place on a stretch of road that is relatively benign. In this case one could simplistically argue, using the Government's maxim, that this overlooked camera is a cash cow boosting the coffers of the Government. The Auditor-General, in effect, has confirmed what the Roads and Traffic Authority has found and the scientific community has known for the past decade from extensive research: speed cameras prevent road traffic collisions and injuries, they change driver behaviour and they have a positive safety impact. If the Government feels that specific safety cameras have no significant road safety benefit why does it not consult the community before removing them? Professor Raphael Grzebieta from Transport and Road Safety Research at the University of New South Wales and Lori Mooren, a member of the United Nations Road Safety Collaboration and a member of the United States Transportation Research Board Truck and Bus Safety Committee, state:

One can read the Cochrane review into the effects of speed cameras on speeds and road trauma. This review assessed twenty eight studies from around the world that measured the effect of speed cameras on crashes. The review reported consistent positive reductions in speed and as a result crashes. For crashes resulting in death or serious injury reductions ranged from 17% to 58%, with most studies reporting this result in the 30% to 40% reduction range ... if there are still any further suspicions, then doubters can also read the Pilkington and Kinra paper in the British Medical Journal that reviewed 92 studies on the effectiveness of speed cameras and concluded that "Research consistently shows the effectiveness of speed cameras in preventing road traffic collisions and injuries.

They went on to state:

The media sensationalism about this issue is confounding the real message from the Auditor's report that speed cameras save lives and reduce serious injuries on NSW roads. Headlines such as the Sydney Morning Herald "Top Speed Cameras still make a fast buck" and "Some speed cameras cash cows, audit to show" and the Daily Telegraph's front page headline "Can't Kick Speed Habit" and "Speedy end to cameras" and "Addicted to Speed Cameras" are all missing the point ... airing misleading and unbalanced stories that focus on the revenue raising aspects without acknowledging the scientific facts that these cameras are saving many lives.

The link between strong enforcement and reduction in fatalities and serious injuries is indisputable and scientifically proven. The Auditor's report confirms this. In considering the graph of speeding fines versus fatalities on page 39 it is interesting to note that the fatalities from August 2004 to February 2007 flatlined when fines were down. As the fines increased between February 2007 and October 2008 the fatalities dropped considerably. Furthermore, when the fines reduced in March 2009 the fatalities started to spike back up again. It is not surprising that there seems to be a relationship between the value of fines issued and the number of fatalities. Professor Raphael Grzebieta has some advice for speeding motorists:

What we all need to remember is there is one very simple way for drivers to avoid getting fined. Drivers can keep to the speed limit along with two thirds of NSW drivers who have not been fined for speeding. Hard you say? Not really. Even if you find it difficult to notice speed limit signs, there are numerous GPS and intelligent speed systems and even a phone app now available that will warn you if you are exceeding the speed limit any time anywhere. For a few dollars investment drivers can avoid being fined, assuming they are not intentionally exceeding the speed limit and breaking the law.

Speeding is the leading factor in fatalities on New South Wales roads. The main priority for the O'Farrell Government should be decreasing the road toll and the number of accidents and injuries. Barry O'Farrell cannot

just pick and choose which parts of the report he likes and does not like to win popularity. He must take on board all the Auditor-General's recommendations and consult with all the communities that will be affected by the removal of the safety cameras whilst looking for alternate safety measures to improve road safety.

The Hon. JOHN AJAKA (Parliamentary Secretary) [5.28 p.m.]: On behalf of the Government I oppose the motion moved by the Hon. Lynda Voltz. On 27 July 2011 the Auditor-General released the report into the effectiveness of speed cameras within New South Wales. The report provided advice about 38 cameras that could be removed or deactivated. The Auditor-General's report released on 27 July 2011 was clear: fixed speed cameras have an impact on driver behaviour and help reduce speeding. It outlined that total crashes and injuries significantly reduced by 26 per cent and fatalities by 67 per cent in the three years after speed cameras were installed at all camera locations. This is a huge result and amounts to a saving of 24 lives and 422 injuries across three years. In other words, that is 24 people who will be home for Christmas this year rather than being visited at a gravesite.

The report also found that, of the 141 fixed camera sites in New South Wales, 38 were no longer effectively delivering a road safety benefit. That is the key point. Of course, 103 were and those cameras remain. Of the 38 not delivering a road safety benefit, six had already been deactivated because of significant road safety improvements, which left 32 cameras.

Opposition members effectively are saying that this Government should not act on the audit of the Auditor-General. The Auditor-General is well respected by Government, Opposition and crossbench members. I might add that the Auditor-General was appointed by the former Labor Government. Yet Opposition members are now saying that the Minister for Roads and Ports should not act on the report of the Auditor-General. To the credit of the Minister, that is exactly what he did. He acted on the report of the Auditor-General to ensure that cameras were there to deliver a road safety benefit. That is the responsibility of the Minister and that is what the Minister did—a far cry from how the former Government would have acted in the circumstances.

In moving the motion the Hon. Lynda Voltz said there was no consultation which is completely wrong. There was extensive consultation during the election campaign. In fact, during the election campaign speed cameras were one of the major issues raised by the public. The public was fed up with the former Government having an interest in one thing only—revenue raising. There was consultation and members of the public spoke. They spoke at the ballot box and they sent a clear message that they supported the views of the Liberal-Nationals Coalition relating to speed cameras and they wanted the issue examined. To the credit of the Minister, the Hon. Duncan Gay, he immediately instructed the Auditor-General to conduct an audit, which is the role of the Auditor-General. When the Auditor-General released his report the Minister acted on the Auditor-General's recommendations.

This motion is just a silly political game being played by Opposition members. Shame on them! Instead of congratulating the Auditor-General on his work, instead of congratulating the Roads and Traffic Authority and the Minister for Roads and Ports for doing what was recommended in the Auditor-General's report, Opposition members moved this silly motion to waste the time of this House. Mr Robert Furolo, the member for Lakemba, effectively demanded that the Minister take action in accordance with the recommendations of the Auditor-General. He almost threatened and challenged the Minister to do so. The Minister for Roads and Ports took action but subsequently Opposition members forgot what the member for Lakemba had said and it is now irrelevant. Opposition members had a shot at the Minister for doing what the member for Lakemba asked him to do.

What was the Minister supposed to do? Should he not have listened to the Auditor-General or complied with his recommendations? If he had not done so Opposition members would have argued that he did not adhere to the demands of the member for Lakemba. What a sad state of affairs. Following the release of the report the Minister for Roads and Ports immediately asked the Roads and Traffic Authority to switch off the infringing capacity at the sites identified by the Auditor-General as not having a road safety impact. I state clearly that the Government, through the Minister for Roads and Ports, listened to the people of New South Wales who had raised concerns about some speed cameras being used only as revenue raisers. This Government made a commitment to the people of New South Wales to get rid of any fixed speed camera that was not doing its job—that is, road safety delivery and not revenue raising. On 27 July the Government honoured that commitment and turned off the cameras that had been identified as having no road safety impact.

After further community representations the Government decided to retain three cameras that had been earmarked for removal. Again the Government listened to the concerns of the community. This is not an

open-and-shut case: these matters will require further auditing, investigation and changes. That is what a responsible Minister would do. A responsible Minister would not act one day, forget about it and move on, which is the way Ministers in the former Labor Government behaved. Those cameras have been turned off but they will continue to operate in warning phase, thus acting as a deterrent. Warning letters will be issued to motorists who are caught speeding. This will give those motorists an opportunity to change their driving behaviour. This Government is not giving people an opportunity to break the law; it is giving them a chance to modify their driving behaviour.

The Hon. Lynda Voltz asked who would be responsible for preventing drivers from speeding. The answer is simple. That is the job of the police. That is what they are employed to do and they are doing it very well. It is nonsense and irresponsible to suggest that by switching off the cameras, as recommended by the Auditor-General, we will be giving carte blanche to everyone in New South Wales to speed. This change will not condone speeding at any location. These cameras have been turned off because in their current location they were not effective in addressing road safety issues. Their only real purpose was to raise revenue, an issue with which the former Government clearly was obsessed. Every year more than 170 people die on our roads and 4,100 are injured from speeding, which costs the community more than \$870 million.

The monetary cost pales into insignificance when compared with the shock realisation that a loved one—someone with whom one grew up, someone with whom one had planned to share a life, or someone one had hoped to see graduate from school—is never coming back. Every year millions of dollars are spent on road safety campaigns in New South Wales. I refer, for example, to the successful "Don't Rush" campaign featuring prominent neurosurgeon Dr Brian Owler who helped to get the message across that speeding kills. As the report of the Auditor-General shows, speed camera enforcement in conjunction with education strategies reduces speeding, saves lives and prevents injuries. Importantly, cameras must be installed where they will be of most benefit in reducing crashes and encouraging safe driving and they should not be used simply for revenue raising.

The Roads and Traffic Authority bases the location of fixed and mobile speed cameras on strict site selection criteria, developed in consultation with NRMA Motoring Services and New South Wales police, which includes the crash history of a location. Motorists are given plenty of notice when a new fixed camera is installed and a warning phase operates for at least a month to ensure that drivers have a chance to change their driving behaviour. The audit also found that the early results from the reintroduced mobile speed camera program were encouraging. But regardless of the presence of enforcement, motorists should always stick to the speed limit.

We encourage the community to have their say on speed zones. Only a few weeks ago we launched the speed zone review website. People can log on via the Roads and Traffic Authority website and have their say about speed zones and speed signs that they believe need investigating. The Government will also take on board the recommendations in the report of the Auditor-General, which include that by March 2012 the Roads and Traffic Authority will develop an overarching strategy for speed cameras incorporating all camera types; will prioritise potential sites based on death or serious injury; and will define how the effectiveness of each camera type will be assessed, taking into consideration the new focus on reducing speeding across the road network as well as at specific locations.

The Roads and Traffic Authority will document reasons for all future camera decisions where the location is inconsistent with site selection criteria. By December 2011 the Roads and Traffic Authority will conduct an annual review of existing site locations to check whether speed cameras are still appropriate. By September 2011 the Roads and Traffic Authority will assess the crash impact of existing fixed speed cameras for a minimum of five years post-installation. Where there has been no significant impact, an alternative camera site will be considered, as well as other road safety treatments for that site.

By March 2012 the Roads and Traffic Authority will annually monitor the effectiveness of individual speed cameras. By June 2012 it will publish trends in crashes, revenue and speeding or infringement data for each speed camera and update that information annually. That clearly establishes how seriously this Government takes the matter of speeding and reducing speeding in this State. The Government is well aware of its responsibilities. The motion of the Hon. Lynda Voltz is a cheap political ploy. The Government does not support the motion and it congratulates the Minister for Roads and Ports on complying with the recommendations of the Auditor-General.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [5.40 p.m.]: I apologise for not being in the Chamber to lead in debate and to rebut the motion moved by the Hon. Lynda Voltz. However, the Hon. John

Ajaka, the best Parliamentary Secretary I have ever had, led in debate on my behalf. As I had a meeting with several councils I asked Opposition members to adjourn debate on this motion but, in their usual amiable way, they refused to do so.

The Hon. Lynda Voltz: Point of order: The Minister is now canvassing a decision of the House which he implemented to bring on private member's business today.

The DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! That is not a point of order

The Hon. DUNCAN GAY: The Hon. Lynda Voltz wishes that it was a point of order. I asked Opposition members to adjourn this matter until tomorrow so that I could lead in debate, but common decency did not prevail on this occasion any more than it did when Opposition members were in government. This motion reveals the Labor Party at its worst. It wants to turn back on every one of the 38 speed cameras that have been turned off. Opposition members said that the Auditor-General, who conducted an independent inquiry, did not consult with the community. And that is despite the fact that the Auditor-General and the Government advertised in the media and requested community input. One of this Government's election commitments was to ensure that it consulted with the community, which is what it did on this occasion. There can be no greater place to make a commitment to the people of New South Wales than at an election.

During the election campaign the Liberal-Nationals Coalition said that it would conduct an independent review of speed cameras in New South Wales. No-one is more qualified to conduct such a review than the independently minded Auditor-General of New South Wales, who was appointed by the former Labor Government. At the time we said that if the independent review found that these speed cameras were revenue raisers rather than safety cameras we would rip them out. Paragraph (a) of the motion moved by the Hon. Lynda Voltz is destroyed before we start. If there is any doubt about the veracity of paragraph (a) of the motion members should read the press release of the Mr Robert Furolo, the Opposition shadow Minister for Roads and Ports. I refer to the first of two press releases that were issued on the same day. On 27 July 2011 Mr Robert Furolo, the Opposition shadow Minister for Roads and Ports, said:

The Auditor-General will release his report into speed cameras today. "Prior to the election, Barry O'Farrell promised to remove any speed cameras that were found to have no effect on road safety and the NSW Opposition will be holding him to that commitment."

Mr Furolo was in no doubt about the fact that there had been community consultation. He was aware of it but the Hon. Lynda Voltz was not. Mr Furolo was aware of the Premier's promise and he said that the Premier should remove those cameras. Mr Furolo—hardly graciously—went on to state:

We know that this Premier has made a habit out of saying one thing before the election and then doing another—we will all be watching to see if the Premier actually delivers on his commitments.

The commitment to which he was referring was the Premier's promise to remove those speed cameras. Unlike the Hon. Lynda Voltz, who had a change of mind about a week later, Mr Furolo had a change of mind on the same day. This is yet another example of Labor members flip-flopping and hedging their bets. In a press release dated Wednesday 27 July 2011, which coincidentally is the same day as the press release to which I referred earlier, Mr Furolo said:

Any increase in road accidents following the removal of these 38 speed cameras from NSW roads will lay squarely with Barry O'Farrell.

However, he went on to state that the New South Wales Opposition recognised that this was an O'Farrell election commitment and that the Government must deliver on its election promise. Mr Furolo was aware that it was an election commitment. The second paragraph of the motion reads:

(b) acknowledges that speed cameras reduce speed and accidents particularly in residential and built up areas.

Government members and the Auditor-General do not disagree with that statement. After community consultation we turned off 38 speed cameras in New South Wales, but we decided to leave four of them operating in safety mode. I will refer later to the safety mode issue as Chicken Little also had something to say about it. Over 100 cameras are still operating in New South Wales. They are the cameras that the Auditor-General said should stay or he believed there was not enough evidence for him to make up his mind one

way or another. Earlier the Hon. Lynda Voltz referred to one camera that was raising a lot of money that had not been turned off. If the Hon. Lynda Voltz had read the report of the Auditor-General she would have been aware of his comments. However, it is doubtful whether or not she can read.

In addition to those 100 cameras, other safety and red light cameras are still operating in New South Wales. Mobile speed cameras are in use in New South Wales and marked and unmarked police pursuit vehicles form part of the highway patrol. This Government has not done away with speed cameras and said, "Go for it, boys. We have put down the hammer, so have a good time." The Hon. Lynda Voltz, in her Chicken Little mode, talked about those cameras that operate in safety mode as a deterrent. Anyone driving in a neighbourhood with which he or she is not familiar would not be aware that some cameras are operating in safety mode as the cameras carry the same markings as others. If these cameras detect any form of speeding at those locations, you can bet your bippy that the police will be told and they will monitor those sites. Opposition members are still not listening to the people. Given half a chance they would turn on those speed cameras tomorrow. Opposition members, who are sneaky and underhanded in their approach to matters such as these, are not listening to the people. Other States in Australia are following the New South Wales example. Currently the Auditor-General in Victoria is conducting a similar inquiry.

We are about ensuring optimal safety. We are looking at changes in speed zones. We want people to watch the road, not the side of the road. This State is unique in that we want to save lives rather than entrap people. We also took what some would call a brave step, but we regard it as a sensible step as far as road safety is concerned. We are lifting the speed limit back to 110 kilometres per hour on sections of the Newell Highway.

The Hon. Robert Borsak: Hear, hear.

The Hon. DUNCAN GAY: I thank the Hon. Robert Borsak for his acknowledgement. Many members would have noted in the documents tabled today that one of our members was concerned that we did not lift the speed limit for the whole length of the highway. The reason we did not was that we believed the road tarmac and the width of the road made it inappropriate to do so at this stage. Contrary to what members of the Opposition are saying, we have not acted inappropriately. We have had community consultation and we intend to continue that consultation, as we have done so ever since we made the commitment that Robert Furolo asked for on the day. However, there are other things we need to do about road safety—we can never stop moving forward in relation to road safety—and over the next month or so we will be announcing other initiatives.

The Hon. Walt Secord: Come on, surprise us. Do it now. Announce it now.

The Hon. DUNCAN GAY: We have to wait for some good things. I know that the Hon. Walt Secord, like me, has always been a boy who goes to the candy shop and wants it all, but sometimes we have to wait. Some really good announcements will be made in this House. They are positive and sensible steps that one would have thought the Opposition should have taken. Labor was in government for 16 years and all it did was put out glossy brochures to try to trap the citizens of New South Wales. The Government opposes the motion moved by the Hon. Linda Voltz. However, I agree with parts of the motion—for example, where it notes that we switched off and will remove, not 38, but 34 cameras.

The Hon. Steve Whan: You agree with the facts. That's nice.

The Hon. DUNCAN GAY: Some of the facts in the motion are accurate. The problem is the words around them. The motion states, "without any consultation with local communities". That is just dramatically wrong. The motion says that speed cameras reduce speed and accidents. Yes, in certain circumstances they do. However, the motion urges us to undertake consultations with local communities and we have already done that. The Opposition could have been positive and said something nice. We have listened to the community, instituted an independent process, and put transparency and honesty back into the system. However, transparency and honesty are things that the Hon. Linda Voltz and the Labor Party do not like.

The Hon. CATE FAEHRMANN [5.53 p.m.]: On behalf of The Greens, I indicate support for the motion moved by the Hon. Linda Voltz and thank her for bringing the matter to the attention of the House. Earlier when the Hon. Linda Voltz spoke to the motion, she used the word "populist" to describe the Government's decision to remove the 34 or 38 speed cameras. I absolutely support that comment. It was very apparent from the language the then Opposition used in the lead-up to the election—when it promised to review speed cameras and remove some of them—that it was a blatantly populist move. After the election, the Government made a commitment to that before the Auditor-General had issued his report.

The motion refers to the Auditor-General's report, which was released on 27 July and which looked into the Roads and Traffic Authority's fixed, mobile and safety cameras. As members already have noted, we all know that speed cameras save lives. The Auditor-General found that fixed speed cameras certainly reduce crashes and speeding. The words used by the Auditor-General reveal that he did not exactly recommend that the Government hastily remove 38 cameras that may appear to have no significant road safety benefit. Knowing that the Government wished to know whether any of those cameras could be removed, the Auditor-General said they needed to be closely examined. The Auditor-General did not say to the Premier, Barry O'Farrell, or the Minister for Roads and Ports, the Hon. Duncan Gay, that they should immediately turn off or remove the cameras. But of course, that is what they did. They had made an election commitment, and they absolutely were desperate to follow through.

The Hon. Dr Peter Phelps: To live up to our commitment?

The Hon. CATE FAEHRMANN: I acknowledge the Hon. Peter Phelps' interjection. Indeed, a commitment was made prior to the election to assess speed cameras and potentially to remove them, but for all intents and purposes it appears that the Government said in its pre-election commitment, "We will remove those speed cameras—don't worry." When that decision was made, there was at least one community that was most upset. They were not consulted. I note that the Hon. Duncan Gay referred to community consultation and said that the Auditor-General had called for submissions. Calling for submissions is not consultation. I make this point strongly: the Auditor-General's calling for submissions on his website does not amount to consulting a community that has fought long and hard to put in a speed camera because of concern about road safety. That is not community consultation. I hope that when the Government undertakes all the good work it says it will do over the next three and a half years it will treat the community with much more respect. I reiterate that calling for submissions is not community consultation.

It is worth asking why the Government made the commitment about speed cameras. I would be interested to know the types of complaints relating to speed cameras that were being received and why people were so upset about them. Were they complaints from radio shock jocks? Were a lot of constituents writing to members? Were they letters to the editor? Was it the *Daily Telegraph*? I am not sure where this reading of public opinion about speed cameras came from. Sure, people might not like speed cameras because they have to slow down. If people are speeding, that is a good thing. If they are speeding and they are fined, that also is a good thing. Some people do not like speed cameras, but the test is that a good government stands up for its principles in such matters and says, "We acknowledge it is unpopular, but we are going to do it because it is good for the people of New South Wales."

It is interesting that the Clunes speed camera has been reactivated accompanied by a warning. People who speed through Clunes will receive a warning instead of a fine. I note that the community has reservations about whether that will deter people as much as an immediate fine would. When we were examining the Auditor-General's report, we sought a copy of the May 2011 Roads and Traffic Authority report on which the Auditor-General based some of his report. It was a report in May 2011 entitled "Crash Analysis of the New South Wales Fixed Speed Camera Program". My office tried to get a copy of that report and recently wrote to the Minister for Roads and Ports to obtain one. One of the recommendations of the Auditor-General was that the Roads and Traffic Authority publicise trends in crashes, revenue, and speeding or infringement data for each speed camera.

The Hon. Duncan Gay: We have accepted that we will do that.

The Hon. CATE FAEHRMANN: Yes. I hope that report will be made publicly available. The Auditor-General's report is significant and it is important to know the information on which his recommendations are based. As I said, speed cameras save lives and I recognise that every member of the House knows that. There have been many studies, reviews and investigations relating to speed cameras, such as the former Federal Office of Road Safety's "The speed review: road environment, behaviour, speed limits, enforcement and crashes". Interestingly, the study discusses the need for a change in community attitudes about speeding.

Considering the Government's pre-election statements in relation to speed cameras—that there are too many speed cameras, that too many people are getting caught speeding and people are grumbling about speed cameras—I do not think it is encouraging a good community attitude towards speeding and speed limits. What is next? I hear rumours about school zones. It is important for the Government to show leadership when it comes to road safety. Falling victim to populist notions that we can drive as fast as we want and that speed

cameras are revenue raisers, which the Government clearly has done in this instance, is dangerous. The Auditor-General said speed cameras are not revenue raisers, but the Minister for Roads and Ports still suggests that the former Government put speed cameras in place as cash cows. I do not defend the previous Government much, if I have at all, but I will in this instance.

I am sure the Minister for Roads and Ports has read the Auditor-General's report but he accused the Hon. Lynda Voltz of not reading it. The Auditor-General states clearly that speed cameras are not used as revenue raisers in this State. It is irresponsible for the Government to continue to push the line that they are. The Government should take a leadership position when it comes to community attitudes related to speeding, yet it continues to feed people the line that speed cameras are cash cows because potentially there are votes in it for the Government. What is more important—votes or lives? One would hope that lives are more important.

I spent much of my life in Laidley in country Queensland. When I was learning to drive, I frequently drove on rural and regional roads. I went home on weekends and I visited friends. I was always impatient to get to my destination, especially when I was a teenager and wanted to get to my friends' places on weekends. In Queensland in the late 1980s there were speed cameras—potentially there still are. I would have been inclined to speed, but the one thing that stopped me was that there were mobile speed cameras everywhere.

The Hon. Duncan Gay: We have not touched the mobile cameras.

The Hon. CATE FAEHRMANN: Potentially, or at least not yet; but the point I make is that the presence of speed cameras affects drivers psychologically and makes them slow down. It made me slow down. I wanted to drive faster when I was 19 than I do now, so speed cameras trained me to slow down. I was always conscious that a speed camera or a cop with a speed camera could be just around the corner. The Hon. John Ajaka said it was the job of police officers to detect people speeding. I agree that it is part of their job, but why not replace the efforts our police officers go to to ensure that people drive safely on our roads with speed cameras and mobile speed cameras? It would be great if our hardworking police officers could be released to do some of the other work they are required to do. Speed cameras are a good thing. Mobile speed cameras are a good thing. Fixed speed cameras are good too. I urge the Government to stop using the rhetoric about speed cameras being cash cows because they are not. I support the motion and commend it to the House.

The Hon. STEVE WHAN [6.06 p.m.]: I support the motion, which unfortunately has been substantially misrepresented by some Government members. It is a sensible motion that calls for community consultation before speed cameras are removed. It endorses exactly what the Auditor-General's report states. The Auditor-General's report clearly states that there are speed cameras the Government should review, but that analysis and consultation are needed before that occurs. That was reported in the *Land* on 7 August. The *Land's* opening paragraph states:

THE State Government will dismantle more than one in three fixed speed cameras in NSW – despite the Auditor-General's recommendation that crash analysis over a long period was needed before final decisions were made.

Members of the Government told us today that they have done exactly what the Auditor-General said. They did not do what the Auditor-General said. They did something they thought was popular. Other members have hit the nail on the head. This is a populist policy introduced because the former Opposition—when Labor was in government—thought votes were to be gained out of campaigning against speed cameras. In doing that they pandered to a number of media interests that were running campaigns against speed cameras by referring to them as cash cows and revenue raisers.

I take the view of most sensible community representatives—and I hope most parliamentarians do—that we should not be encouraging or condoning speeding in New South Wales. If the Minister for Roads and Ports thinks a road's speed limit is not adequate, he should take action to change that, not turn a blind eye when people speed down that road. My fundamental concern in my contribution today is leadership. The leaders of this State should not be sending a message to communities that it is okay to speed in New South Wales. Other States are very strict about drivers not speeding. Victoria does not have a populist acceptance that it is okay to speed and that being caught speeding by a speed camera is unfair. It is not unfair when people are caught by a speed camera. They should be obeying the speed limits.

It is possible I sound like a wowser; but it is more probable that I sound like a parent of teenage children, which I am. Currently I have a learner driver in my family, with whom I drive a fair bit, as well as a P-plate driver. It is important to get a consistent message across that speeding is not okay. Judging by the

driving habits of my children, I am pleased to say that both—my son, particularly since he was in a serious crash last year—seem to believe it is not okay to speed. Learner drivers and teenage children need to get the message from State leaders—particularly the Minister for Roads and Ports—that speeding is not okay. It is not unfair to be caught by a speed camera; people who are speeding deserve to be caught.

I find it difficult to understand how it can be in the interests of safety to remove the speed camera at, for example, Tarcutta on the Hume Highway. We all know of roads that are better than others. For many years I have been driving up and down the Hume Highway and I have watched it being improved. The town of Tarcutta still has not been bypassed and it is on a dangerous section of the road where people know they should be doing the speed limit. If they are not, they are a danger to themselves and to other road users. Fortunately, a bypass is now being constructed; in fact, a great deal of roadwork is being done on the Hume Highway. It took far too long for that work to be done, given the importance of that road. During my mid-twenties I spent a lot of time driving between Canberra and Albury because my wife was living in Albury at the time.

Before speed cameras were installed people often drove too fast along dangerous sections of that road. Speed cameras and improved road conditions have vastly improved road safety on the Hume Highway in that area. There are speed cameras in many parts of New South Wales that most of us would consider to be safer than that section of the highway—for example, dual carriageways—and some of the areas from which cameras have been removed. This motion states that communities should have been consulted. During my eight years as a member of the other place I had very few representations from people who wanted speed cameras removed. They were far outweighed by representations from small communities that wanted speed cameras installed. That was a regular request from my local communities. The Government claimed that the deactivation of the cameras represented the fulfilment of an election promise and that it was in line with the Auditor-General's report. It is clear that the Government has selectively implemented the recommendations in that report.

Much more worrying for the people of New South Wales is that we now have a government that appears to condone a culture of speeding. The messages we heard during the election campaign were consistently along those lines. It is not good enough to follow in the wake of the shock jocks when they campaign against speed cameras and talk about revenue raising. That is not good enough if one is a leader of this State or pretending to be a community leader. Leadership sometimes means not going along with the populist view. In this decision we saw a government that was not willing to demonstrate that leadership.

The Hon. Trevor Khan: This is from a Minister in the Labor Government.

The Hon. Rick Colless: He was tossed out of his own seat.

The Hon. Trevor Khan: That is so embarrassing.

The Hon. STEVE WHAN: Government members are resorting to silly cross-Chamber insults and even name-calling. I noticed that the mover of this motion sat quietly while she was called all sorts of names by Government members. If they cannot understand the gravity of government or take a leadership position in government, they should not be on the Treasury benches. One aspect of leadership is having the strength to say to the community in unequivocal terms, "Speeding is not acceptable." The Minister for Roads and Ports is responsible for leadership on this issue and that is the message he should be conveying.

The Hon. AMANDA FAZIO [6.15 p.m.]: I support this motion. In doing so, I state at the outset that as far as I am concerned this whole episode has been nothing more than a political stunt on the part of the Minister for Roads and Ports. Members opposite said during the election campaign that they would remove speed cameras because they were cash cows. They then asked the Auditor-General to conduct an audit, which he did, and they misreported his findings. Action man opposite told the woman in charge of the Roads and Traffic Authority to switch off the 38 cameras referred to in the report and said that they would be removed later.

It was nothing more than a stunt. The campaign was a stunt and the reaction was a stunt, but the losers were the drivers of New South Wales and the people who have worked hard to ensure that we have adequate road safety provisions. As I said, the Coalition went to the election having promised that it would review the speed camera cash cows. The new Government asked the Auditor-General to do a very quick report. He did a report, but he did it thoroughly. He found that overall speed cameras change driver behaviour—

The Hon. Duncan Gay: Point of order: My point of order relates to the allegation that the Government asked the Auditor-General to do a very quick report. The Government can request the Auditor-General to do a report—

The Hon. Steve Whan: I don't think she said that.

The Hon. Duncan Gay: She did say "quick".

The PRESIDENT: Order! The Deputy Leader of the Government knows that that is a debating point.

The Hon. Dr Peter Phelps: Point of order—

The PRESIDENT: Order! I have ruled.

The Hon. Dr Peter Phelps: It is a different point of order. Surely there is an implication about the Auditor-General if the member suggests that the Government directed him to do a quick report. I believe that is an unfair imputation and it should be withdrawn.

The Hon. Amanda Fazio: To the point of order. If members opposite had not been so busy chatting and smirking, they might have heard that I said that the Auditor-General did a very comprehensive report into speed cameras in New South Wales.

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

The Hon. AMANDA FAZIO: Thank you, Mr President. The Auditor-General stated:

Overall, speed cameras change driver behaviour and improve road safety. Fixed speed cameras reduce crashes and speeding.

While the overall impact of speed cameras has been positive, 38 of the 141 fixed speed cameras need to be closely examined as they appear to have no significant road safety benefit. Other road safety measures may be needed for these sites.

I support the RTA's plans to review and relocate these cameras if other more appropriate road safety measures can be used.

What was the Government's response? Did members opposite do any of those things? They claimed that they acted on the Auditor-General's recommendations. Clearly they did not because they did not look at what other road safety measures were needed at the sites of those 38 speed cameras. As I said, Action Man got on the phone and told the Roads and Traffic Authority to turn off the 38 speed cameras pronto and the Government would worry about dismantling them later. There was no mention in public by this Minister that he intended to do what the Auditor-General recommended, which was to examine what other measures were needed to improve road safety at those sites. That must be made clear at the outset. The Auditor-General also stated:

... fixed speed cameras were generally located in areas with high road safety risk. Likewise, safety cameras that enforced speed limits were initially placed at high risk sites. However as all safety cameras now enforce speed, RTA no longer uses evidence of a speeding problem to select these sites.

For years I lived on Parramatta Road at a traffic black spot. After a great deal of lobbying from local residents and the local council, a red light camera was installed. The result was that the number of crashes reduced dramatically and there were no more fatalities. That is the sort of thing that local communities do to ensure that a local traffic problem is addressed. Many communities have done that in New South Wales, in particular in rural communities where people know about the dangers caused by speeding drivers. They have lobbied hard to have speed cameras installed to ensure the safety of their children and their communities. These are the people who have been ignored in this farce of a consultation process that the Minister claimed was undertaken.

The Government referred the matter to the Auditor-General and then the media stunts began. As soon as the Auditor-General commenced his inquiry, the reports started, "Mr O'Farrell and Roads Minister Duncan Gay have directed the Auditor-General to investigate every fixed mobile and safety camera across New South Wales." The Government put out a media release and where did it appear? It was reported in the *Hills Shire Times* under the headline "Cameras 'cash cows'"; in the *Canterbury-Bankstown Express* under the headline "Cash cows in Barry's sights"; in the *Blacktown Advocate* under the more moderate headline of "Speed camera review" and referring to the profitable cameras in the area; in the *North Shore Times* under the headline "Mobile speed cameras in spotlight; and in the *Parramatta Advertiser* under the headline "Cash-cow cameras under microscope".

The matter was referred to in the *Tenterfield Star* under the headline "Speed cameras to be audited", in the *Central Western Daily* under the headline, "Speed cameras: have your say", in the *Dubbo Daily Liberal* under the headline, "Chance to speak out on speed cameras", and in the *Maitland Mercury* under the headline, "Speak up: which speed cameras are cash cows."

This huge political stunt happening across New South Wales was demanding that local people designate the cameras they think are cash cows in their areas. The result was not based on a reduction in the number of crashes, fatalities or pedestrians being hit; it was basically some sort of lotto-like system inviting people to make a submission saying, "I've been booked too many times by the local speed camera, why should I slow down? Let's just lobby to have the speed camera removed." That is exactly what this consultation process was all about. But it gets better. The Auditor-General handed down his report on 27 July. On 26 July the *Sydney Morning Herald* published an article under the headline, "Some speed cameras cash cows, audit to show" and contained quotes from Wendy Machin, President of the NRMA. This clearly demonstrated the close links between the former National Party member for Port Macquarie and the current Liberal-Nationals Government: the unholy alliance between the mob opposite and the NRMA.

The Auditor-General had not handed down his report, but Wendy Machin was already talking in detail about the audit. I presume the Government must have known that the article was to be published because Government members are quoted in the article. The Auditor-General's very detailed report was handed down on 27 July. It is a pity that the mob opposite did not bother to implement all the recommendations. Thereafter were the headlines, "38 speed cameras ordered switched off" in the *Border Mail*, "Camera audit ignores city's notorious slope" in the *Dubbo Daily Liberal*, and "Speed cameras get the red light" in the *Northern Daily Leader*. In an article under the headline, "Addicted to Speed" the *Daily Telegraph* states, "A quarter of the state's fixed speed cameras were switched off yesterday" on the actions of action man. The *Daily Telegraph* stated further:

Roads Minister Duncan Gay ... ordered the mass camera switch-off, sacrificing more than \$10 million in annual fines, because they were found to be mere revenue-raisers.

That is not true and not what the Auditor-General wanted. Another *Daily Telegraph* headline stated, "Speedy end to cameras" and further inside that newspaper has a comment under the headline, "O'Farrell honours his camera pledge." He did honour his camera pledge despite what the Auditor-General said. Then we heard from the voice of reason, the *Sydney Morning Herald*, in its editorial headline, "Too quick with speed cameras", which stated:

The decision of the Minister for Roads, Duncan Gay, to switch off 38 speed cameras throughout the state will be welcomed by motorists. It is a moot point, though, whether it will be welcomed by residents of the highway towns and villages that host most of the cameras to be removed. More is at stake here than the convenience of motorists. Residents have legitimate expectations, too.

The criterion used by the Auditor-General in his report on the cameras seems unexceptionable at first glance. He measures the success of a camera by the reduction it brings in the number of accidents. Cameras that reduce accidents, particularly fatalities, are obviously doing the job they were installed for, and should be kept. Others look superfluous—just revenue-raising devices. He recommended that the Roads and Traffic Authority review its policies for siting different types of cameras. It is a worthwhile point. Superfluous cameras should not simply be switched off but moved to where they can reduce speeding and accidents.

But some cameras, apparently superfluous according to the Auditor-General's criterion, are nothing of the kind.

As other members also said and the *Sydney Morning Herald* reported:

... residents of Clunes, on a narrow and winding north-coast road inland from Byron Bay, lobbied the Roads and Traffic Authority for a speed camera and were so pleased with its calming effect on the large cattle trucks passing through the town on the way to the Casino abattoir that they wanted another one. The camera might have had little effect on the accident rate but it made life in the village more bearable by reducing the fear of accidents. That is not superfluous.

Gay has gone further than the Auditor-General's recommendations in switching off the cameras. His decision is certainly in line with Coalition policy and the urgings of motoring lobby groups. It will be popular. But the minister may regret the haste with which he chose to win political points rather than consider the wider good of the community.

They are strong concerns. The residents of Clunes were lucky: they campaigned and were able to get Thomas George, the local member, on the case to help them.

The Hon. Duncan Gay: They had a good local member too.

The Hon. AMANDA FAZIO: I acknowledge the interjection by the Hon. Duncan Gay that those residents had a good local member. They were able to keep their speed camera. What happened in Urunga? Those residents did not get to keep their speed camera. Ergo, either the Hon. Duncan Gay's comments must mean that the local member for Urunga must be useless and lazy or he does not have the ear of the Minister. The poor people of Urunga did not get their cameras switched back on; they were left with nothing. The Hon. Duncan Gay was selective in what he did.

The Hon. Adam Searle: Point of order: The enthusiasm of the Hon. Duncan Gay is running away with him. He is unable to restrain himself from interjecting and taking up the time of the Hon. Amanda Fazio. I ask that he be reminded that interjections are disorderly at all times.

The PRESIDENT: Order! Interjections are disorderly at all times. I encourage members to remember that.

The Hon. AMANDA FAZIO: During the so-called public consultation on speed cameras and while the Auditor-General's report was being misrepresented across the State and speed cameras were being turned off by action man, the Minister did not tell the people that the Government continued to roll out speed cameras. On 31 July the *Sunday Telegraph* reported:

Premier O'Farrell has installed 27 new safety cameras that would swell the state government's annual revenue from speed traps to \$28 million.

The cameras were due to go live this week, just days after the RTA was ordered to remove 38 speed cameras ...

Roads Minister Duncan Gay said he would review the 27 new sites, conceding the government did not know whether they would boost safety.

That is a damning comment from action man, the Minister for Roads, who is supposed to know what is going on yet he does not know what his agency is doing. The article continued:

The cameras were quietly set up in April and have caught more than 15,000 motorists speeding or driving through red lights.

Statewide there are already 67 safety cameras which earned the government \$22 million last year ...

Mr Gay denied the new cameras and vans were introduced to fill the coffers.

It certainly would look like that to anyone from the public. The Minister turned off 38 cameras, installed another 27 and continued with his revenue stream, but did not act on the advice of his own agency. The response of the Roads and Traffic Authority to the Auditor-General's report stated:

That by September 2011 the RTA:

[will] assess the crash impact of existing fixed speed cameras for a minimum of five years post installation

where there has been no significant impact consider an alternative camera site and other road safety treatments for that site.

Action man did not bother to do that because he was too busy turning off cameras without putting in place any other road safety mechanism. That is absolutely disgraceful and an abrogation of the Minister's responsibilities. The Hon. Duncan Gay is the Minister for Roads, ergo, the Minister for road safety and he has done nothing to ensure road safety in the areas where he turned off those 38 cameras. Shame on him.

Debate adjourned on motion by the Hon. Rick Colless and set down as an order of the day for a future day.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads and Ports) [6.28 p.m.]: I move:

That this House do now adjourn.

PALM OIL

The Hon. CATE FAEHRMANN [6.28 p.m.]: Today I draw the attention of the House to the urgent need for governments to take action on palm oil. Not only is palm oil production causing devastating tropical deforestation, but it is also affecting the health of people in Australia. In 2008 the United States Department of Agriculture reported that the demand for palm oil is growing, particularly in China and India. Furthermore, the World Bank's 2008 report expects palm oil prices to remain above the average for the next decade. This means that the conversion of tropical forests for palm oil production will likely continue over the next 10 years.

The United Nations Environment Program acknowledges that Malaysia and Indonesia produce more than 80 per cent of all palm oil, and clear 300 football fields of forest every hour. Together, they also hold more

than 80 per cent of South-East Asia's remaining primary forests, mainly in Indonesia, where many endemic species are threatened with extinction by some of the highest global rates of deforestation. There is enough non-forested land suitable for plantation development to allow large increases in production without further deforestation, but political inertia, competing priorities and lack of capacity and understanding, not to mention high levels of demand for timber and palm oil from wealthier nations and their consumers, often make it cheaper and easier to clear forests.

Tropical deforestation is both a leading cause of species extinctions and a major source of carbon dioxide emissions. And oil palm plantations are a poor substitute for native tropical forests. They support few species of conservation importance, and affect biodiversity in adjacent habitats through fragmentation, edge effects and pollution. We should have all heard about the orang-utan and the Sumatran tiger, and their fight for survival in the face of ever-widening palm plantations. If members did not know, the single greatest threat facing orang-utans and Sumatran tigers today is the rapidly expanding palm oil trade. Orang-utans can live for up to 60 years. Baby orang-utans hold onto their mother for four to six years while their mother swings through the forest to find food.

In Malay and Indonesian "orang" means "person" and "utan" is derived from "hutan", which means "forest." Thus, orang-utan literally means "person of the forest." Orang-utans are amazing; they are highly intelligent and share 97 per cent of our DNA—part of the wonderful web of life on planet earth—and yet we seem content to sit back and watch while they are literally razed from the face of this earth. The Australian Food and Grocery Council recently signed up to the Roundtable on Sustainable Palm Oil. The Roundup on Sustainable Palm Oil actually does nothing to stop illegal land clearing, nor does it protect indigenous peoples or threatened species. Some palm oil producers that have signed the Roundup on Sustainable Palm Oil have been blatantly involved with destructive and illegal deforestation.

Yes, palm oil is in Australian food, particularly biscuits and baked goods. Palm oil is present in 50 per cent of the packaged products on our shelves and is used in bread, biscuits and chips. The average Australian consumes 10 kilograms of it annually. Often palm oil is hidden under the ingredient "vegetable oil". It is true that it comes from plants. And like all vegetable oils, it does not contain cholesterol found in unrefined animal fats. But palm oil contains saturated fat, as much as pig fat—it is like eating bacon. American heart health specialists include palm oil as a "bad fat". The Heart Foundation website's healthy heart tip is to "steer clear of high fat ingredients including palm oil." The World Health Organization and other health authorities have urged reduced consumption of palm oil because it contributes to risk of developing cardiovascular disease.

As the use of palm oil in our food is so widespread and is usually labelled as vegetable oil, we may not be aware that we are actually consuming high amounts of saturated fats and calories. Palm oil is a cheap alternative to other vegetable oils such as sunflower oil or safflower oil. The multibillion dollar food industry is getting fat on the profit they make from using cheap palm oil, while Australian's just keep getting fatter. Some local New South Wales biscuit manufacturers do not use palm oil but other vegetable oils. We clearly need better food labelling to support local manufacturers and inform Australian consumers.

Australian Greens leader Senator Bob Brown, together with Senator Nick Xenophon, moved The Food Standards Amendment (Truth in Labelling Laws—Palm Oil) Bill 2009, which required manufacturers to accurately label palm oil among its ingredients. It also provides for manufacturers to label use of palm oil as certified sustainable, so that consumers can be advised that although the product includes palm oil, it has been produced sustainably and in line with the international Roundtable on Sustainable Palm Oil. This is currently on the Senate *Notice Paper*. For all of those reasons—especially environmental and health—it is very important that the bill becomes law. The Greens also support the calls of many organisations, including the Rainforest Action Network and Friends of the Earth International, for an immediate moratorium on forest and peat land conversion to oil palm plantations.

WATER EFFICIENCY PROGRAMS

Dr JOHN KAYE [6.33 p.m.]: Over the past 12 months, the O'Farrell and Keneally governments quietly axed nine highly effective water efficiency programs that have so far achieved savings of more than 9 billion litres of water a year in the supply for Sydney, the Illawarra and the Blue Mountains. Those programs, if they had been allowed to continue, would have expanded water savings and made the 75 billion litres a year Kurnell desalination plant look even more like a white elephant. They would have reduced both the costs and the environmental impacts of water supply in Sydney, the Illawarra and the Blue Mountains. Both the current Government and its predecessor are driving up the use of the desalination plant for political purposes.

The Keneally Government was keen to avoid criticism of Labor's 2007 ill thought out decision to proceed with the construction of the Kurnell plant. The O'Farrell Government is proceeding with privatisation of the plant, and needs it to operate to secure both operating revenue and long-term value to make its ownership transfer viable. The lower cost water-saving measures are being sabotaged to keep the desalination plant running. Household budgets and the environment will suffer. A close examination of Sydney Water's Water for Life website reveals that many programs were closed to new applicants for activities after 30 June 2011. Household and school water efficiency programs discontinued by the O'Farrell Government from 1 July 2011 include: DIY Water Saving Kits, and rebates for dual-flush toilets, hot water circulators, rainwater tanks and school rainwater tanks.

Two other programs, the love your garden and the washing machine rebates, were axed by the Keneally Government from 1 July 2010. Business water efficiency programs discontinued by the O'Farrell Government from 1 July 2011 include Smart Rinse and BizFix. Those nine programs achieved total water savings of 8.1 billion litres a year in 2009-10, and were forecast to save 8.8 billion litres a year in 2010-11. This would have been a 1.1 per cent increase in total water savings. The former Labor Government had good reasons for wanting to suppress dam levels. Having made a widely criticised and expensive decision to build the desalination plant earlier than was indicated by the then Metropolitan Water Plan, the Labor Government was increasingly embarrassed by water levels that remained above 50 per cent from July 2007.

The former Labor Government was unenthusiastic about water-saving measures that would have exposed the desalination plant as increasingly unnecessary. Two key water-saving measures were cancelled in the lead-up to the election. The O'Farrell Government's plans to privatise the desalination plant are reliant on the plant earning an income. By slashing water efficiency initiatives, the O'Farrell Government will guarantee private operator Veolia the opportunity to supply desalinated water to Sydney Water year round, irrespective of dam levels. Ultimately it will charge more for the water it sells from the plant to Sydney Water, which in turn will pass on those additional costs to households and businesses.

Both the O'Farrell and Keneally governments have taken a knife to water-saving programs, putting politics ahead of household budgets and the environment. Labor was desperate to keep desalination off the political agenda in this year's election. The last thing the Keneally Government wanted was water-efficiency measures boosting dam levels and making its decision to build the desalination plant look even more silly. The Coalition now wants to fatten it up for sale. Water savings would have further reduced the demand for desalination and cut its long-term market value. Water efficiency has become collateral damage in the game of short-term political advantage.

Hiding behind the solar bonus blowout as an excuse to slash the \$6 million of programs does not disguise the real intent. Cutting water savings on the driest continent can only be about boosting the stocks of the desalination plant. Since the Iemma Government gave the go-ahead for the Kurnell plant, the \$1.9 billion question has been what to do with the 250 million litres of water it produces each day. Cost-effective water efficiency programs became an embarrassment and were axed to make way for desalination, despite their ability to reduce household bills and reduce the load on the environment. The environment movement warned the Iemma Government that desalination would inevitably compromise water-efficiency programs. Its warnings have now become reality. With \$1.9 billion sunk into the desalination plant and Barry O'Farrell pushing ahead with privatisation, water savings have been ditched to make way for the 250 million litres of water a day Sydney does not need.

AGED CARE ACCOMMODATION BONDS

The Hon. WALT SECORD [6.38 p.m.]: My time with the Federal Minister for Ageing opened my eyes to the need for a comprehensive plan for our nation's ageing population. Australia ranks among Iceland and Japan as having the longest life expectancies in the world. While this should be a source of pride, it also places an onus on us. We must ensure the final years of our older Australians are lived in dignity. Within 40 years, the number of Australians over 65 will almost triple to about 7.2 million. This effect will be seen in every street, in every family and in every community. Currently, about one million people receive some form of aged and community care a year. By 2050, it will explode to more than 3.5 million. Changing demographics present challenges. All changes do. But managing change—indeed embracing it—is an attitude that helped make Australia one of the most successful societies in the world.

The challenge of ageing is no exception. We must shape our response to this challenge so that Australians have two clear paradigms before them. The first is that they should be able to remain independent in

their own homes for as long as possible. The second is that when they do need aged care facilities, they are there for them regardless of their economic situation. Ageing is a natural part of being human, and hence a safe, affordable and secure aged care facility is a basic human right. That is why I watched with interest on Monday when the Federal Government released the Productivity Commission report "Caring for Older Australians". The Federal Government says it will consider the 566-page report as part of its broader ageing agenda and will seek the views of the community, including New South Wales.

While I recognise the need for nursing homes, the reality is people prefer to remain in their own homes. This can be assisted and achieved by expanding home and community care. That said, I have a profound admiration for the faith-based sector—the Baptist, Jewish, Anglican, Uniting and Catholic organisations. They provide world-class aged-care facilities. Indeed, I would like the Federal Government to look at ways to provide even more support for the not-for-profit sector. While we are still examining the fine detail of the Productivity Commission report, some ideas are worth examining such as government-backed loans supporting aged care workers and an independent regulator to protect the elderly from profiteering by commercial aged care providers.

I urge the Federal Government to approach some of the key recommendations with extreme caution. I refer specifically to the recommendation that a new system be created whereby aged care places are no longer divided into low and high care aged care and allowing accommodation bonds for all residential care. This means—for the first time—there will be accommodation bonds in high care. For years, people like Mr Rod Young of the Aged Care Association of Australia have waged a campaign on the Federal Government to get accommodation bonds in high care. The Howard Government tried twice unsuccessfully to introduce accommodation bonds into high care. They faced a massive public backlash from older Australians. Elderly Australians were angry at the prospect of hastily selling their homes to secure a spot in a nursing home.

This week, the Combined Pensioners and Superannuants Association of New South Wales was one of the first organisations to express concerns saying it was against "flogging the family home". Unfortunately choosing an aged care home is a decision that families are forced to make in haste. Operators must not force families into fire sales of family homes to get their accommodation bonds. Further, the Federal Government must examine how aged care providers actually use the lucrative accommodation bonds they currently receive for low care. Accommodation bonds can be worth anything from \$250,000 and up to \$1 million. In June 2008, aged care providers held accommodation bonds worth \$7.7 billion. In April 2009, a Federal Senate inquiry into residential and community aged care heard that some aged care providers were using the accommodation bonds to cover operating losses for non-aged care uses.

Three years ago the Federal Government had to step in to guarantee accommodation bonds when several Victorian nursing homes got into financial problems and had to close. As part of the reform of the aged care sector, the Federal Government must ensure that aged care facilities are accountable for how they use accommodation bonds. The prosperity we enjoy today stands on the work of generations before us who built this nation. The least we can do is to build the future that they now richly deserve. I thank the House for its attention. I eagerly await the Federal Government's deliberations on the future of aged care in Australia.

GILLIAN SNEDDON SUPREME COURT DECISION

The Hon. TREVOR KHAN [6.43 p.m.]: It was Charles Dickens who commenced a *Tale of Two Cities* with:

It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way.

This great novel was set during the French Revolution and told the story of the turmoil of that event. It compared the peace and harmony of the city of London with the anarchy of Paris. The introductory words of the novel, "It was the best of times, it was the worst of times", is equally applicable to circumstances in New South Wales and the way in which two governments treated one person; that person is Gillian Sneddon. It was indeed a case of the worst of times as far as Mrs Sneddon was concerned before 26 March of this year. On 3 August this year the Premier, Barry O'Farrell, in an answer to a question from the now Member for Swansea, said:

... the Milton Orkopoulos affair, which involved a former member and Minister of this place, is one of the sorriest sagas this State has ever witnessed. A brave woman sought to do the right thing by reporting the illegal activities of her former boss and she has paid an absolutely heavy price. I will not go into the details of the case involving the former Labor Minister Milton

Orkopoulos again. Suffice it to say that Gillian Sneddon did what we would expect of any upstanding and decent member of the community—that is, when an issue of gross illegality was brought to her attention, she sought to blow the whistle. She blew the whistle on most shameful behaviour and she should be hailed as a hero. Instead, she has been intimidated, bullied and disowned by her very own side, the Labor Party, for which she worked for so very long.

My Government will do all it can to prevent a repeat of this shameful case. That is why we have introduced legislation to give whistleblowers more protection. Today I am pleased to confirm that the New South Wales Government will help Gillian Sneddon cover her legal liability to the State. Members may be aware that today the Supreme Court found that Gillian Sneddon should pay the State's costs in a case in which she was involved. I do not see why she should have to suffer any more financial hardship for acting in a decent and courageous way.

The Premier then went on to say:

Gillian Sneddon did not commit a crime or do anything wrong. She should not be punished financially. I have directed my department, the Department of Premier and Cabinet, to write to Gillian Sneddon's solicitors inviting her to apply for an ex gratia payment in relation to today's cost order against her. If she makes such a request I will ensure that Ms Sneddon's liability to pay the State's costs will be met by the Government on an ex gratia basis. Ms Sneddon did not deserve the treatment she received from Labor. She should not be penalised for doing the right thing and reporting a crime to the police. Our decision today is the least we can do for a brave and decent woman.

This is to be compared to the Australian Labor Party's approach to Gillian Sneddon. Mrs Sneddon was victimised, bullied and locked out by the Labor Party. But her astounding courage has now been recognised by the Liberal-Nationals Government, which will cover her costs in her case against the State. What happened to Mrs Sneddon was, as the Premier put it, "one of the saddest sagas this State has ever seen. I challenge the Leader of the Opposition, perhaps at the Federal Labor Conference in December this year, to do the right thing by Mrs Sneddon and issue a public apology to her. I sincerely hope that "the worst of times" are now well and truly behind Mrs Sneddon.

ALZHEIMER'S AUSTRALIA

The Hon. NATASHA MACLAREN-JONES [6.47 p.m.]: I commend the work of Alzheimer's Australia for its ongoing advocacy and support for those with dementia their families and carers. Last Thursday morning I attended a New South Wales Parliamentary Friends of Dementia event hosted by Alzheimer's Australia New South Wales. Dementia is an umbrella term for a variety of diseases that cause a decline in multiple areas of cognition. It is a progressive neurological disease of the brain that leads to irreversible loss of neurons. The clinical symptoms of dementia are progressive impairment in memory, judgement, decision-making, and orientation to physical surroundings, and a decline in the ability to carry out the activities of daily living. There is no medical cure for dementia—the disease is fatal. It is the fastest-growing cause of major disease and is currently the third most common cause of death after heart disease and stroke.

Alzheimer's makes up 50 to 70 per cent of dementia cases and Alzheimer's affects one in 15 people over the age of 65 years, and increases to one in four over the age of 85 years. Although the majority of dementia sufferers are over the age of 65 years, those in their 50s, 40s, and even 30s, can develop the disease. More than 269,000 Australians have dementia with New South Wales making up 92,000 of those cases. With Australia's population aging it is estimated that the number of dementia cases in Australia will rise to as many as one million by 2050, with one thousand new cases per week being diagnosed. In addition to those who have dementia, countless lives of friends and family members are directly and indirectly affected by the disease. For every person with the disease a carer is needed, which doubles the number of people affected.

So many lives have been touched in some way by the disease. Whether one's loved one has the disease, or as in my case one sees it working as a junior nurse in an aged care home. I commend aged care nurses who work in high care areas that deal with dementia. I also commend the work of the aged care homes. I call them "homes" rather than "facilities" because the residents live in the homes, they are not facilities. I worked in one home that had a bus stop made using a bench and a shelter. The residents spent hours as medical therapy at the bus stop waiting to go to school or to work in a safe environment away from the stresses of their disease.

Dementia care is a collaborative approach between government, service providers and community organisations such as Alzheimer's Australia. I commend the work of Alzheimer's Australia. The voluntary organisation provides many vital services for those with dementia, their families and carers. Some of those services include the National Dementia Helpline, which provides advice, information and referral services; and the operation of Dementia and Memory Community Centres, which offer a range of services including counselling, recreational activities, education courses and library and information services. It offers counselling support to carers and runs awareness and education programs to better educate the public.

Without the work of charities, carers and organisations such as Alzheimer's Australia the burden on the State would be dramatically increased to an almost unsupportable level, and for their work we must be grateful. In economic terms, dementia will become the third greatest source of health and residential aged care spending within the next two decades. By 2060 spending on dementia is set to outstrip any other area of health spending. Carers play a vital role in our community. New South Wales currently has 748,000 carers, while nationally there are 2.6 million carers. The estimated value of their contribution to the economy if replaced with paid workers would be over \$40 billion. Despite their contribution to society, primary carers have an average income of \$224 per week compared with \$401 per week for the general population. But the current support and financial commitment to Alzheimer's Australia is not sustainable. In conclusion, I pay tribute to Alzheimer's Australia and to the many carers for their work. I also pay special tribute to the unpaid carers of New South Wales for the countless hours they give and for their endless commitment.

CARDIOVASCULAR DISEASE

The Hon. ADAM SEARLE (Deputy Leader of the Opposition) [6.52 p.m.]: Almost 15 per cent of heart attack patients die in the first hour after an attack, 20 per cent of stroke patients die in the first month after the stroke and there are 2,500 serious trauma patients each year. These patients are dealt with by our emergency medical services, comprising highly trained emergency doctors and nurses in hospitals, and paramedics and doctors in the pre-hospital area. New South Wales has a large and highly specialised workforce of emergency clinicians, a fact that is sometimes obscured by the debate about waiting times and access block. The Ambulance Service of New South Wales is the third largest in the world, with 3,500 paramedics, 1,000 ambulances and 20 aircraft. We have almost 250 emergency specialist doctors accredited by the College of Emergency Medicine, and hundreds of specialist emergency nurses working across the State.

The Ambulance Service of New South Wales services a population of about seven million people and responds to over one million 000 calls every year. On average 80,000 of that number are treated by ambulance service paramedics for cardiac chest pain, with a further 20,000 treated for cardiovascular pathologies including stroke, heart failure and cardiac arrest. Cardiovascular disease, which covers all diseases and conditions of the heart and blood vessels, is the leading cause of death in Australia. According to statistics held by the New South Wales Health it was the most common cause of death in this State in 2006. The most prominent statistics were coronary heart disease at almost 49 per cent and stroke at a little over 26 per cent. Strangely, given the importance of the disease and the remarkable people who treat the patients, almost no research exists as to the outcomes of patients who come through the system, and there is little knowledge of the effectiveness of potentially life-saving interventions made by these dedicated professionals. The debate instead appears to centre on waiting times and bad news stories. Compared with research into cancer, chronic heart diseases and high blood pressure, the funding, infrastructure and output for emergency medicine research are invisible.

In 2009 the Ambulance Research Institute was founded in response to the urgent call for a robust evidence base for interventions in the pre-hospital, emergency and critical care continuum of patient care within Australia and globally. The Ambulance Research Institute is the only Australasian pre-hospital research institute situated wholly within an ambulance service, offering unparalleled and timely access to clinical and operational resources and data. Cardiovascular research occupies a position of primary importance in the Ambulance Research Institute's research planning in recognition of the enormous economic and social cost of cardiovascular disease to the Australian community, coupled with the opportunity to improve the prospect for patients with critical early intervention strategies in emergency care. The critical importance of early intervention in acute manifestations of cardiovascular disease has been identified in numerous trials.

The Ambulance Research Institute is undertaking a number of important retrospective studies examining and describing the epidemiology of heart failure, chest pain, cardiac arrest and stroke in New South Wales, utilising large linked databases, regression analysis and geospatial mapping to fully describe and explore the pre-hospital care of these patients. Once that is done, being able to track what happened to those patients will be a very interesting and informative exercise. The Ambulance Research Institute is also developing the first cardiac arrest registry in New South Wales, in collaboration with Emory University, the American Heart Association and the Centres for Disease Control and Prevention. The registry will utilise the Cardiac Arrest Registry to Enhance Survival web-based infrastructure to collect and link New South Wales pre-hospital cardiac arrest data to in-hospital outcomes. From this registry the Ambulance Research Institute will have the ability to fully describe the pre-hospital operational and clinical variables, the hospital and mortality outcomes and the demographic features of all out-of-hospital cardiac arrest patients treated by the Ambulance Service of New South Wales.

LEGISLATIVE COUNCIL FORMER PRESIDENTS NAME PANELS

The Hon. Dr PETER PHELPS [6.57 p.m.]: I bring to the attention of the President a serious state of disorder in the House. On the wall directly in front of the President are situated the names of 19 distinguished individuals who were former Presidents of the Legislative Council. With the addition of the current President, that group will only become more distinguished. Currently two individuals are particularly singled out: the Hon. Meredith Burgmann and the Hon. Peter Primrose: their names appear to be slightly more elevated than those of the rest of their colleagues. Given the generally levelling tendencies of the socialist left, may I suggest that the President investigate, as a matter of grave urgency, to see whether they can be returned to the cohort with their brothers and sisters?

Question—That this House do now adjourn—put and resolved in the affirmative.

Motion agreed to.

The House adjourned at 6.58 p.m. until Friday 12 August 2011 at 9.30 a.m.
