

# LEGISLATIVE COUNCIL

Thursday 15 March 2012

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**The President (The Hon. Donald Thomas Harwin)** took the chair at 9.30 a.m.

**The President** read the Prayers.

## ROAD TRANSPORT LEGISLATION AMENDMENT (OFFENDER NOMINATION) BILL 2012

### Third Reading

**Motion by the Hon. Duncan Gay agreed to:**

That this bill be now read a third time.

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

## EMERGENCY SERVICES FLOOD RESPONSE

**Motion by the Hon. MICK VEITCH, on behalf of the Hon. STEVE WHAN, agreed to:**

That this House:

- (a) thanks and congratulates all emergency services personnel including the volunteers from the State Emergency Service, Rural Fire Service, the members of Fire Rescue NSW, the NSW Police Force and local council staff who have worked so hard to help New South Wales communities affected by flooding over the past few weeks,
- (b) acknowledges and thanks the many volunteers who also worked in evacuation centres, catering and other services assisting the many people evacuated. These groups include the Red Cross, Salvation Army, Adventist Relief, St Vincent de Paul and Anglicare working with the Department of Community Services, and
- (c) notes these groups and many others have shown once again how willing New South Wales people are to work to help each other in times of emergency.

## TRIBUTE TO COUNCILLOR PATRICIA GILES, OAM

**Motion by the Hon. MARIE FICARRA agreed to:**

1. That this House notes that:

- (a) Councillor Patricia Giles, OAM, was made Pittwater Woman of the Year on International Women's Day 2012 by the Zonta Club of Pittwater and Mr Rob Stokes, MP, member for Pittwater,
- (b) Mrs Giles was part of the fight for secession from Warringah Council and was elected to the first Pittwater Council in 1992, serving to the present day, being the longest serving councillor on Pittwater Council and having served as mayor for seven terms, making her the longest serving mayor of Pittwater Council,
- (c) Mrs Giles has dedicated her life to the preservation of the environment and helped to secure areas including the Warriewood wetlands, Ingleside escarpment, Winererremy Bay, Bangalow Reserve and Currawong,
- (d) Mrs Giles has been a tireless supporter of the Save Mona Vale Hospital Committee,
- (e) since the 1980s, Patricia's service has included:
  - (i) President, Pittwater Grove Residents Group,
  - (ii) Pittwater Secession Committee,
  - (iii) Bi-centennial Environment Committee,
  - (iv) Local Government Association Brothel Task Force,

- (v) Local Government Association Land and Environment Court Task Force,
- (vi) Minister for Immigration's Task Force,
- (vii) National Parks and Wild Life Services Advisory Committee,
- (viii) Hawkesbury/Nepean Advisory Board,
- (ix) Patron of the Newport Surf Life Saving Club "Disabled Nippers",
- (x) Hon Mediator, Manly Warringah Netball Association Inc, and
- (f) in recognition of Patricia's outstanding services to the community, she has been awarded:
  - (i) the Medal of the Order of Australia in 2006 for outstanding service to the local government and the Pittwater community,
  - (ii) the Warringah Shire Council Outstanding Community Service Award,
  - (iii) the Distinguished Service Award by Surf Life Saving Northern Beaches Inc.,
  - (iv) various community service awards by local community groups.
- 2. That this House acknowledges and commends Mrs Patricia Giles, OAM, for her outstanding devotion to the community over the last 30 years.

## **BUSINESS OF THE HOUSE**

### **Formal Business Notices of Motions**

**Private Members' Business item No. 565 outside the Order of Precedence objected to as being taken as formal business.**

## **SYRIA**

### **Motion by Dr JOHN KAYE agreed to:**

1. That this House notes that:
  - (a) Amnesty International holds the names of over 6,500 dead and has collected first hand testimony of torture from Syrians fleeing the violence,
  - (b) most of the dead have been killed by Syrian forces during demonstrations,
  - (c) the United Nations Human Rights Council has also pointed to substantial evidence of gross human rights abuses by Syria's security forces,
  - (d) two reports published on 28 November 2011 and 22 February 2012 by the Independent International Commission of Inquiry on the Syrian Arab Republic stated that crimes against humanity have been committed "with the apparent knowledge and consent of the highest levels of the State",
  - (e) on 4 February 2012, China and the Russian Federation vetoed a draft United Nations Security Council resolution that expressed grave "concern at the deterioration of the situation in Syria" and called for all violence to cease, and since that date, approximately 1,179 people are reported to have died, 632 of them in Homs, Syria's third largest city,
  - (f) there have been reports of at least 45 women and children being stabbed and burned to death in Homs on Sunday 11 March 2012,
  - (g) according to the many testimonies gathered and received by Amnesty International over the past year, Syrian citizens have been beaten, tortured and ill-treated during arrest, often during the subsequent transportation to detention centres, and routinely upon arrival at the detention centres and afterwards, and among the victims are children aged under 18, and
  - (h) the torture and other ill-treatment appear intended to punish, intimidate, coerce "confessions" and send a warning to others as to what they may expect should they also be arrested, and in almost all cases the detainees are held in incommunicado detention, often for lengthy periods, with no access to visits from their families or lawyers.

2. That this House calls on:

- (a) the Syrian authorities to allow humanitarian agencies immediate and unhindered access to Homs and all other affected areas,
- (b) the United Nations Security Council to refer President Assad to the International Criminal Court for crimes against humanity,
- (c) the United Nations Security Council to freeze President Assad's assets and those of others accused of ordering or perpetrating crimes under international law, impose a comprehensive arms embargo on Syria to prevent the transfer of all weapons, munitions and military, security and policing equipment, training and personnel,
- (d) the international community, especially Russian and Chinese authorities, to use their influence over Syria to stop the assault on civilians, and
- (e) ties to be cut with all Syrian media and propaganda bodies that are associated with the Syrian state and its proxy Al-Manar.

## PETITIONS

### Game Council New South Wales

Petition stating that the Game Council New South Wales receives public funding to promote recreational hunting and requesting that the House abolish the Game Council New South Wales and legislate to permanently end recreational hunting on public land, received from **Mr David Shoebridge**.

## SPECIAL ADJOURNMENT

### Motion by the Hon. Duncan Gay agreed to:

That this House at its rising today do adjourn until Tuesday 27 March 2012 at 2.30 p.m.

## BUSINESS OF THE HOUSE

### Suspension of Standing and Sessional Orders: Order of Business

**The Hon. ROBERT BORSAK** [9.43 a.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 432 outside the Order of Precedence, relating to the Crimes Amendment (Possession or Discharge of Firearms in Commission of Offences) Bill 2012, be called on forthwith.

**Mr DAVID SHOEBRIDGE** [9.44 a.m.]: There is no doubt that legislation dealing with firearms is important and the Government should have dealt with its ammunition bill this week; it is inexplicable why it was not introduced. This motion is about advancing this member's bill ahead of that of my colleague the Hon. Jeremy Buckingham—a bill that the Government seems to want to do everything it can to avoid dealing with. The bill of the Hon. Jeremy Buckingham is of far more importance: a moratorium on coal seam gas exploration. We are debating a contingency motion trying to determine which bill is more important for the House to deal with.

*[Interruption]*

I note the pointless and utter abuse of the somewhat honourable Mr Gay—

**The PRESIDENT:** Order! The acceptable way in which a member should refer to other members must not be departed from, no matter what is said to that member by way of interjection. Members should be referred to by their correct title.

**Mr DAVID SHOEBRIDGE:** I fully accept the ruling and I withdraw the comment. I should not rise to petty abuse from the gentleman, such as calling me an "idiot" in interjections. My colleague the Hon. Jeremy Buckingham's bill is a matter of genuine interest throughout the State. The Coal Seam Gas Moratorium Bill should be dealt with urgently yet the Government is advancing the Crimes Amendment (Possession or Discharge of Firearms in Commission of Offences) Bill obviously to do some favour for, and deal with, the

Shooters and Fishers Party so that its members can get their agenda advanced over the pressing issue of coal seam gas. It is clear they have the numbers to do this, and that is unfortunate. There is no good principle for allowing this bill to have contingency.

**The Hon. MICHAEL GALLACHER** (Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council) [9.46 a.m.]: The first I heard of this motion was when the Hon. Robert Borsak stood and moved the motion for contingency.

*[Interruption]*

The comment just made by Mr David Shoebridge is disgraceful. I have just walked up to the Hon. Robert Borsak and the Hon. Robert Brown and indicated that I had no idea the Shooters and Fishers Party were bringing on this bill. Putting aside all the theatrics of Mr David Shoebridge, the very worst that can happen if this motion is moved is the reading of a second reading speech and then debate on the bill will be adjourned—and Mr David Shoebridge knows that. Once again the member is whipping up the grand conspiracy storm because it fits with the diatribe from The Greens. I am happy for the Hon. Robert Borsak to move the motion for the bill to be brought on forthwith and for him to deliver his second reading speech, after which the debate will be adjourned, and that will be the end of it.

**The Hon. LUKE FOLEY** (Leader of the Opposition) [9.47 a.m.]: The Labor Opposition has no objection to the motion moved by the Hon. Robert Borsak. As the Labor Party understands it, he simply seeks the indulgence of the House to second read his private member's bill. That courtesy has been extended to all members, regardless of party, and, as such, the Opposition is happy to support the motion.

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

**Motion agreed to.**

#### **Order of Business**

**Motion by the Hon. Robert Borsak agreed to:**

That Private Members' Business item No. 432 outside the Order of Precedence be called on forthwith.

#### **CRIMES AMENDMENT (POSSESSION OR DISCHARGE OF FIREARMS IN COMMISSION OF OFFENCES) BILL 2012**

**Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Robert Borsak.**

#### **Second Reading**

**The Hon. ROBERT BORSAK** [9.51 a.m.]: I move:

That this bill be now read a second time.

The Shooters and Fishers Party is pleased to be able to try again to have this bill voted into law. We have always believed that there should be a specific penalty for the use of a firearm in the commission of a crime, and for as long as our party has existed we have repeatedly introduced legislation to try to make it law. We have not succeeded because the Government of the day has always claimed that it amounted to imposing on judges mandatory sentencing. It does not.

I am delighted that when the Hon. John Tingle first introduced his Crimes Amendment (Firearms and Other Offensive Weapons or Instruments) Bill in September 1998—14 years ago—the Coalition did not oppose it; indeed, the Coalition supported it. The Coalition is now in government and it can now support this legislation, which embodies a concept supported by the Coalition in opposition. What we have done this time around is simply address the firearms crime part of the proposed legislation. We have removed from Mr Tingle's bill all other weapons and instruments so that there can be no real argument about what we want. Law-abiding firearms owners are fed up to the back teeth with the odium they must wear whenever a drive-by shooting or some other shooting incident occurs simply because they own a firearm and shoot targets or hunt. We want to send a clear

message to criminals who do not get a firearms licence and who do not obey the law that if they want to use a firearm while committing a crime, they will be subject to a sentence for the core crime and for the use of a firearm in the commission of that crime. It is that simple.

In speaking to the bill, it is appropriate for me to go back to the words John Tingle used 14 years ago when he wanted the issue addressed. Those words are as valid today as they were then. We believe that the time has come when we must regard the present level of armed crime of all types as a matter requiring urgent attention and that we must implement laws to reflect community concern. Those laws should be aimed at placing a barrier between the offender and the implement he uses in the offence. It should be made clear that this community will not view with indifference the shootings that are becoming common place. We must make it clear in law that even the threat to use firearms during the commission of a crime is intolerable. We need laws to drive home those facts hard. The laws should reflect without equivocation that this Parliament believes that someone who carries out a crime while armed will be assumed to be prepared to use that weapon without compunction.

What does this bill seek to do? Its purpose is simple: It recognises the growing public concern about the increased use of firearms in the commission of crimes. It seeks to have the law regard the possession of a firearm during the commission of a crime as a separate crime in itself. It should be seen as a crime in addition to the actual crime committed and not an aggravating offence as the law sees it now. Rather, it should be a separate and additional crime to be dealt with separately by the law both in terms of judgement and the penalty that the court might impose. The central effect of the bill is to provide that in the event of a person carrying a firearm while committing an offence, the courts will be able to deal with the possession of a firearm as a separate crime. The court will be able to impose a separate sentence for that crime to be served cumulatively upon, not concurrently with, any sentence imposed for the crime itself. The overview of the bill states:

The object of this Bill is to make it an offence to be in possession of a firearm or imitation firearm at the time of committing or attempting to commit certain specified serious offences or to aid, abet, counsel or procure the commission by another person of a specified serious offence while that person is in possession of a firearm or imitation firearm. The Bill also imposes a further penalty if a firearm or imitation firearm is discharged or used at the time that either of the new offences is committed.

The bill will insert a new section 931A in the Crimes Act to make it an offence to be in possession of a firearm at the time of committing or attempting to commit certain specified offences or to aid, abet, counsel or procure the commission of such an offence. The offences include assault, robbery, breaking and entering and certain sexual assaults. Further offences may be added by the regulations to those already specified in proposed section 931A (1) of the Crimes Act.

Before I deal with the proposed penalty I will explain the thinking behind the proposal that the possession of a firearm while committing a crime should in itself be seen as a crime. When someone goes out to commit a crime and carries a weapon—any kind of weapon—one is entitled to assume that that person is prepared to use that weapon to ensure the intended crime is successful. After all, if that is not the intention, then why be in possession of the weapon? A person found to be in possession of a firearm while committing a crime should be regarded as having that weapon for the purpose of committing the crime. In the original drafting of this bill, John Tingle proposed a minimum penalty of 20 years imprisonment. This sentence was to be cumulative upon the sentence imposed for the commission of the core crime. That indicates how seriously he—and, indeed, we now—regard this type of crime. Over protracted negotiations seeking support for the bill, Mr Tingle was told repeatedly that the proposed minimum sentence was far too heavy and that it did not leave the judge with any discretion and that it would not be supported.

However, the principle of the bill—that being armed with a firearm is a separate, additional crime—is more important than the details of the sentencing, and the Shooters and Fishers Party is persuaded to amend the proposed sentence range for this type of crime. The bill now proposes that on conviction of the separate offence of being in possession of a weapon while committing a crime, the person so convicted will be sentenced to a period of detention not less than the period of sentence for the core crime. The extra sentence for being in possession of a weapon is to be served cumulatively, not concurrently. This leaves a judge with a great deal of latitude in determining the total of the main sentence and the cumulative sentence. However, it also establishes the important principle that a separate conviction has been recorded and a separate specific sentence imposed. The purpose of such a heavy penalty is to make it highly inadvisable for people even to carry firearms when they commit a crime. If they do not carry the implement, they can hardly use it.

The intention of the bill is to make it very risky for people to carry firearms when they commit a crime. The proposed new section also creates a separate offence of discharging or actually using a firearm during the

commission of a crime and imposes a further five-year cumulative sentence if the weapon is discharged. The same argument applies as that used to justify the extra sentence. There is no point in imposing a slap-on-the-wrist penalty for such dangerous practices. The penalty should be sufficient to fill a prospective armed criminal with dread. However, the bill has let-outs for those who are not guilty.

Proposed new section 931A (7) allows a defence for accomplices if they can satisfy the court, first, that they had terminated their involvement in the commission of the relevant offence before the offence under proposed subsection (5) was committed or attempted; secondly, that they did not know and could not reasonably be expected to have known that the other person had a weapon in his or her possession; thirdly, that they took all reasonable steps to prevent the other person from taking the weapon with him or her; and, fourthly, that the other person had a lawful reason for having the weapon in his or her possession. New section 931A (8) increases the minimum penalty if the weapon is discharged during the crime by proposing a penalty of an additional five years jail.

The entire point of the bill is to say to the criminal: Maybe you are the type of germ who does not think it matters that you commit crimes against other people. Just know that if you commit those crimes while you are carrying a firearm it will not only make that crime worse; it will make you guilty of a much worse crime and one that could put you away for twice as long—no arguments and no excuses. We must send the right message to the hoons, goons, home invaders, muggers and rapists. The message must be: Do the crime and you will do the time, but do the crime armed with a firearm and we will be so outraged that we will throw you in the slot and throw away the key. I believe this is the only message that the gun-toting criminal will understand. I commend the bill to the House.

**Debate adjourned on motion by the Hon. Dr Peter Phelps and set down as an order of the day for a future day.**

## **COAL SEAM GAS MORATORIUM BILL 2011**

### **Second Reading**

**Debate resumed from 8 March 2012.**

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [10.02 a.m.]: The Government opposes this bill because, frankly, it is a political bill and an ill-thought out bill. It is a lazy bill. If you do not want to address the real issues that affect people, you wish to play politics and go out with a slogan, the easy and lazy way is to have a moratorium. If you want to address the real issues you will carefully go through, consult, work up policy, have more consultation and put a degree of surety within the process. This is the second time that The Greens have weighed in to what they see as an avenue of political opportunism. The first time was when Lee Rhiannon lazily went and grabbed some old guidelines within the Department of Primary Industries that dated back to the old Department of Agriculture guidelines on land use and tried to sit those over the State and say, "This is where you will mine and this is where you will not." The unfortunate thing was that Lee Rhiannon was so lazy that the area she tried to garner support from was not covered in that bill, and in fact just about everywhere else in the State was.

Members in this House will know my involvement in this issue: first, as a farmer and, second, before the election, as the shadow Minister who worked with communities in developing a policy supported by those communities and by most people in this House, certainly privately, including people in the Government, the now Opposition, and people from The Greens and others. That policy was based on consultation. The key people that I was working with were NSW Farmers and the Minerals Council, thoroughbred owners and communities, local government and, certainly on the periphery, the green groups. The pendulum had moved the wrong way and there is nothing surer. The now Opposition sat there in happiness allowing that to happen. Its members were mute—they were quiet—and they were supported in government by The Greens.

We carefully had community meetings and developed a policy that we took to Government, a policy that I believe has ably been carried on by the current Ministers that have carriage of it—Mr Chris Hartcher, Mr Brad Hazzard and Ms Katrina Hodgkinson. We did not promise a moratorium at the election. Those three Ministers have gone a step further than our promises at the election. Whilst we have been developing what is the toughest policy in any State in the Commonwealth, and may well be the toughest and best groundbreaking rules in the world, we have had a moratorium. There is currently a moratorium in New South Wales and there has been a moratorium for 12 months. We have just released a suite of initiatives in the area—a strategic lands

policy and an aquifer interference policy—but we did not, following 12 months of consultation with all groups within the area, say, "Here is your medicine. Take it." Quite properly, this has been put out for a further two month of consultation. There are some concerns about parts of it, which quite often happens and is to be expected given the breadth of the changes that we are recommending. The concerns come not only from people within farming communities; there are equally concerns from people in the mining area. There has to be a balance. There will always be people that are happy and people that are unhappy. The gist of what we are doing is putting in place proper protection for the people of New South Wales based on proper process, not politics—a scientific basis to it.

**The Hon. Robert Brown:** And an upper House inquiry.

**The Hon. DUNCAN GAY:** And an upper House inquiry, and other members will come to that in a moment; I will concentrate on what is happening on the legislative side. There is proper process, not politics. This has been developed through consultation without jargon and the Government, quite properly, has not taken the easy road. The easy road is the road most often travelled by The Greens. If you are in doubt, if you are too lazy or if you are so inept that you cannot develop proper policy, the easy way out is to have a moratorium. I am disappointed in the Hon. Jeremy Buckingham because, frankly, he is brighter than that. That is the sort of stuff I expected from Lee Rhiannon, not from him.

They are the reasons for the Government opposing this moratorium, not because we want *carte blanche* on coal seam gas and not because we are against farmers—quite the contrary. We believe in proper and careful protection, but we do not believe in jargon or politics when it comes to the future of our State and having a balanced economy. It is just too easy to say we are going to shut the gate, turn off the lights and shut down the State of New South Wales. That is what The Greens want to do. The Government understands that mining should not occur on certain agricultural land in New South Wales and that was within the policy it took to the election.

I again congratulate Minister Hartcher, Minister Hazzard and Minister Hodgkinson on their work in the development of the strategic regional lands and aquifer interference policies that I referred to earlier. Whilst not perfect—and the Government does not pretend that it is—this is a huge step in the right direction. It is certainly a step better than steps taken by the hypocrites from the Labor Party who sat in this place as the cheer squad for the Hon. Eric Roozendaal and the Hon. Ian Macdonald for 16 years and who are now jumping on some sort of political bandwagon. Their hypocrisy is unbelievable.

It must be unbelievably disappointing that those opposite have spent 12 months relishing their own hypocrisy yet they have not moved one point in the polls. Those opposite have not learnt a lesson. They are the same hypocrites they were 12 months ago. This bill is a lazy step along the way. Whilst the bill is appealing, some are anxious about it. I do not blame them. Had I been a member of one of the communities affected by this issue under the past 16 years of Labor and their friends The Greens, I also would have been concerned. The O'Farrell Government is introducing proper changes and those changes should not be derailed by political opportunism.

**The Hon. TREVOR KHAN** [10.11 a.m.]: In speaking on the Coal Seam Gas Moratorium Bill 2011, I join the Hon. Duncan Gay in asking why we have reached this point. This bill was introduced a considerable time ago. On 5 August 2011 General Purpose Standing Committee No. 5 made a self-reference to commence an inquiry into the coal seam gas industry. Who is on that committee? The chair is the Hon. Robert Brown and the members are: the Hon. Rick Colless, the Hon. Greg Donnelly, the Hon. Scot MacDonald, the Hon. Dr Peter Phelps and the Hon. Peter Primrose. And who is the deputy chair of the committee? The proponent of this bill, the Hon. Jeremy Buckingham.

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

**The Hon. TREVOR KHAN:** Where were its hearings held? They were held at Alstonville, Taree, Narrabri, Mittagong and here at Parliament House. Those hearings, following numerous submissions, were long and extensive. How many submissions were there? There were over 900 submissions. One of the witnesses at the inquiry was Dr Stuart Khan, a relative of mine. The witnesses to the inquiry expected to be heard and for their evidence to be taken into account in the preparation of the committee's report, which is due to be released on 5 May 2012.

The Hon. Jeremy Buckingham has been actively taking part in the committee hearings and, one would assume, in the committee's deliberations—no doubt we will find that out—to achieve some sort of result. Yet the Hon. Jeremy Buckingham is now, a couple of months before the committee is due to report to this House, bringing on for debate the very bill that formed the basis of the inquiry. One has to wonder at that logic. Why does the Hon. Jeremy Buckingham not want to hear what the inquiry, in which he has been an active participant and proponent, has to say? This bill is also being brought on for debate at a time when the draft strategic lands plan for New South Wales, which has taken about 12 months to prepare and involved extensive statewide consultation and extraordinary scientific research and rigour, is to be released for a two-month period of consultation before being finalised.

The Namoi Catchment Water Study, which is in its final stages, is also about to be released. But the Hon. Jeremy Buckingham is not prepared to wait for that either. For what purpose does the Hon. Jeremy Buckingham bring this bill on in the midst of all that hard work, consultation and scientific research? The only reasonable explanation one can come to is because he wants to create a stunt. He wants to create a blur of confusion amongst the public. It is a sad indictment on someone who professes to engage in the democratic process.

**The Hon. Jeremy Buckingham:** Point of order: The Hon. Trevor Khan keeps referring to me as "he". I ask that he address me by my correct title.

**The Hon. TREVOR KHAN:** Is that as good as it gets, Jeremy?

**The Hon. Jeremy Buckingham:** At this stage. I am listening to your contribution in a respectful manner. I would appreciate it if you showed me the same respect.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! The Hon. Trevor Khan will address members in this House by their correct title. Sometimes members have to accept criticism if it is part of a member's argument.

**The Hon. TREVOR KHAN:** The reality is that the Hon. Jeremy Buckingham is engaging in stunts. He is engaging in an abuse of the democratic process and an abuse of this House. If he was not interested in the General Purpose Standing Committee inquiry he should have excused himself from it. He should have proceeded with the bill at that time rather than suddenly bringing it on. Since March 2011 the New South Wales Liberal-Nationals Government has not renewed or granted a single coal seam gas exploration or production licence. Neither the bill nor the member's explanation provided in his second reading speech gives any indication of what he hopes to achieve during the moratorium period. In other words, the bill does not spell out why a moratorium is proposed nor does it indicate any reasonable course of action during the moratorium period. In reality we have a mask, a simple way of attempting to stop fossil fuel production in New South Wales. It is an attempt to move to 100 per cent renewable energy sources.

**The Hon. Jeremy Buckingham:** Hear! Hear!

**The Hon. TREVOR KHAN:** I note the interjection of the Hon. Jeremy Buckingham. Having only renewable sources of energy is just not feasible. They cannot provide base load energy for New South Wales or power the homes of the people of New South Wales. They cannot do it at a cost which will allow low income and middle income earners to survive. This is the real purpose of the bill. It calls for the prohibition of petroleum prospecting and production in what would be a protected area and throughout the Sydney Metropolitan region. It seems that the planning and assessment framework and other actions that this Government is putting in place to ensure coal seam gas exploration and production is undertaken responsibly and with every care for the environment do not exist for those supporting the proposed bill.

The Government has announced stringent controls to address community concerns about environmental standards for coal seam gas exploration and production in its strategic lands package. The New South Wales coal seam gas industry is now subject to the toughest controls in Australia. The industry will not be permitted to damage the environment. Measures must be in place to ensure that water and vegetation impacts on the community, for example, are all protected.

Various arguments put forward by those supporting the bill could, at best, be described as the arguments of doomsayers. It is irresponsible to put forward such arguments and particularly to do it in the name of addressing community concerns. This is the same mentality that informed Mr Buckingham's claim that the



coal seam gas industry would result in the wholesale industrialisation of large parts of New South Wales and his further claim that the industry cannot operate within the context of modern agriculture. These are the most inaccurate of generalisations and, as with all generalisations, do not provide any real substance to support the arguments as to why the member wishes to introduce the bill. We can only conclude that scaremongering is the main purpose of the bill.

Another fault in the arguments in favour of the bill is in relation to the number of wells and the infrastructure needed to produce coal seam gas. The figure of one well per 500 metres was quoted. Yes, the industry does have infrastructure, but what does this have to do with the calling of the moratorium? There appears to be a mismatch between what is in the bill and the policy intent that has been brought forward in the second reading speech. The issue of pipelines across the bush has also been raised. For the information of those in the House, easements for major pipelines for gas have been part of the landscape of New South Wales for many years. Pipelines will not be a sudden major blot upon the landscape. To suggest that they would be is frankly wrong. As well, the issue of BTEX chemicals in fracking was introduced as another point against the production of coal seam gas. This Government has already banned the use of BTEX chemicals as additives during drilling.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! I advise people in the public gallery that they may not contribute to the debate. If they continue to do so, they will be removed from the gallery. People in the public gallery cannot take photos of the Chamber.

**The Hon. TREVOR KHAN:** Every argument put forward to support this less than ideal bill can readily be refuted. Neither the bill nor the supposed reasons for it will bring any advantage to the community. Worse still, the sudden conversion of the Opposition to the cause of stopping the coal seam gas industry after its many years of doing nothing about it suggests opportunism of the worst kind. On the other hand, the Liberal-Nationals Government has been taking extensive action that will benefit the community and the environment while allowing for the development of this State's resources. This is the most responsible approach and the only one that should be taken. For these reasons I oppose the bill.

**The Hon. MELINDA PAVEY** (Parliamentary Secretary) [10.24 a.m.]: I join with my Coalition colleagues in opposing the Coal Seam Gas Moratorium Bill 2011. As my leader has pointed out, the bill is about lazy jargon in relation to a policy outcome that is in the best interests of New South Wales. The Government has already undertaken significant policy development to address the issues surrounding coal seam gas that were being voiced by different sectors of the community. I have had 170 emails and 24 telephone calls from people across New South Wales who are very concerned and disturbed about the issue of coal seam gas extraction. I thank them for their correspondence and for showing interest in making contact with us. I am not sure, however, that everybody who has made contact with me is aware of what the Government has done since being elected nearly 12 months ago to ensure that we get the policy right on sustainability and ensuring the future of New South Wales.

Prior to the 2011 State Election the Liberals and Nationals announced that they would adopt a precautionary approach in relation to coal seam gas licences. I recognise the work that the Hon. Duncan Gay undertook from Opposition in his shadow ministerial portfolio to ensure that he brought people to the table to talk about this important issue after Labor had willy-nilly given out licences across New South Wales. Since election to government the Coalition has taken its time to clearly understand the issues surrounding the existing regulation of coal seam gas. I reiterate the comments of the Hon. Duncan Gay and highlight the work that has been done by the Ministers involved, including the Hon. Katrina Hodgkinson, the Hon. Brad Hazzard and the Hon Chris Hartcher in relation to this. As a result the Government has not awarded a single new coal seam gas exploration or production licence, nor has it renewed a single existing coal seam gas exploration or production licence.

Through extensive consultation the Government was informed that the former Government's regulation of the coal seam gas industry was causing difficulties not just for the community, but for farmers, for the industry itself, and for the environment. Out of this understanding the Government has developed a vastly different approach to the regulation of coal seam gas exploration and production from the previous Labor administration. In its first 12 months in office the present Government is implementing the very necessary process of change that the previous Government did not start to address over 16 long years of neglectful administration. The changes that this Government has introduced so far—those being proposed, as well as those going through public consultation—reflect the impacts of producing coal seam gas from all points of view.

Further action was announced just last week with the Government reaching an agreement with the Commonwealth to have an independent scientific committee conduct an assessment of the Government's coal seam gas projects.

The importance of objective scientific assessment for these projects cannot be overstated. However, the Opposition has already decided what the work of the committee will be in New South Wales, based on the broad guidelines for research that the committee has published on its website. In fact, the work of the committee in New South Wales has not yet been established, except for the intergovernmental agreement to assess the projects. Like other actions being taken to ensure that all voices on the issue of coal seam gas are heard, the work of the scientific committee will respond to the New South Wales situation, not that of Queensland. The Government's actions to regulate the coal seam gas industry have been both strategic and practical, not political.

They include the release of the draft strategic regional land use plans for two important agricultural areas of the State, as well as the aquifer interference policy and the draft code of practice for coal seam gas exploration. These draft policies address many of the core concerns of sectors of the community that could potentially be affected by coal seam gas operations. The policies have been developed in consultation with representatives of a broad range of interests from across the community, and they are now out for public consultation and comment. This is a more strategic and consultative approach than the previous Government ever considered. The Government is also increasing penalties for unauthorised actions by coal seam gas explorers, ensuring compliance with conditions imposed on titleholders to protect the environment.

The Government has placed a moratorium on fracking, pending the completion of an independent review by the New South Wales Chief Scientist and Engineer into standards and well design to ensure world's best practice. We have also banned the use of BTEX chemicals as additives during drilling. Further, the bar has been raised on planning assessment requirements where more than five wells are proposed. This means that much more rigorous assessment requirements have to be met before an application will be considered. A statewide audit of coal seam gas licences has also been undertaken, and the Government has tightened industry compliance with the provisions of the Petroleum (Onshore) Act. I have not outlined all the modifications the Government is making, but it is clear that a major change is taking place across the State where coal seam gas is concerned.

Significantly, the Government is listening to and involving the community as it makes these changes. It is clear from the developments already outlined that an unprecedented regulatory framework is being developed. Given this, the question must be asked: What is the basis for the moratorium bill and the opposition to the very responsible actions the Government is taking? It seems from the statements that have been made in this place by Opposition members that they have no wish to recognise the effectiveness of this Government's actions. There is no wish to recognise that these actions take into account the concerns about coal seam gas, whether founded or unfounded. We need to ask why. Is it because of opposition to the use of any fossil fuel to provide for New South Wales' energy needs?

If that idea were carried through to its logical conclusion, New South Wales would have to rely on the varying capacity of renewable resources for its energy, which would result in a dramatic increase in the price of electricity for the people of New South Wales. It is well known that renewable resources cannot provide base load energy in this State—New South Wales must provide for its energy needs, and in the most responsible way. New South Wales has the largest population of any jurisdiction in Australia. It must consider how it will provide sustainable energy to maintain its economy and its growing population. It must consider how it will provide this energy in a carbon-constrained setting.

In the medium term coal seam gas, among other sources of energy, is one way to work towards that setting. At present New South Wales produces just 6 per cent of its gas needs—almost all from AGL's Camden facility. Approximately 94 per cent of New South Wales gas is imported from South Australia and Victoria. New South Wales currently has over one million domestic and commercial gas users. Gas demand in New South Wales is expected to grow strongly by 2016 and, with import supplies in decline, domestic production is essential. That is why the Government has invested the energy and the policy work to ensure that we can do this in a sustainable way. The bill is opposed.

**The Hon. PAUL GREEN** [10.32 a.m.]: I lead for the Christian Democratic Party in debate on the Coal Seam Gas Moratorium Bill 2011. The main objective of the bill is to regulate the exploration for and mining of coal seam gas by prohibiting prospecting for petroleum and petroleum mining operations relating to coal seam gas in the Sydney Catchment Authority's special area and in the Sydney metropolitan region; cancelling or

suspending certain petroleum titles relating to coal seam gas, and prohibiting the grant or renewal of such titles in relation to the Sydney Catchment Authority's special area and the Sydney metropolitan region; prohibiting petroleum prospecting, and petroleum mining operations relating to coal seam gas in other parts of the State during a 12-month moratorium period; and during that moratorium period suspending certain petroleum titles relating to coal seam gas, other than production leases, relating to land in those other parts of the State and prohibiting the grant or renewal of certain petroleum titles relating to that land.

The Christian Democratic Party believes the timing of this bill's introduction is premature considering there is an ongoing comprehensive inquiry on this very issue. Indeed, I am sure that the inquiry is an initiative of the Hon. Jeremy Buckingham. The inquiry will report on the environmental, economic and social impacts of coal seam gas activities, including exploration and commercial extraction activities. It will examine a number of important issues including the environmental and health impacts of coal seam gas activities, the economic and social implications of coal seam gas activities, the role of coal seam gas in meeting the future energy needs of New South Wales, the interaction of the Act with other legislation and regulations, and the impact that similar industries have had in other jurisdictions.

This extensive inquiry has received more than 900 written submissions across all political spectrums, with strong arguments both for and against. The conclusions from this inquiry should allow all members to make a more informed decision. Members do not have to wait long for the results of the inquiry; indeed, I have just heard that the report will be delivered to the House on 5 May. Therefore, the Christian Democratic Party believes the timing of the bill completely undermines and devalues that comprehensive and expensive inquiry and diminishes the valuable submissions that the community has made to it.

We all understand that the issue is very important; it deserves proper scrutiny and consideration. However, we can only do justice to this issue when all the facts are known. Only then can a proper evaluation be rightly made. We need to be good stewards of our environment; we have said that from day one. If we do not look after the environment today our kids will not have it tomorrow, and we are all very conscious of that fact. We must act responsibly, with prudence and caution, for the sake of the whole community. The Christian Democratic Party believes the inquiry should be able to take its course fairly, without undue influence or pressure. Therefore, we do not support the bill.

**The Hon. LYNDIA VOLTZ** [10.36 a.m.]: I did not intend to speak in debate on the Coal Seam Gas Moratorium Bill 2011, however I am surprised that a number of members have cited an ongoing parliamentary inquiry as a reason not to support the bill. I am interested to know the Government's position on its strategic land use policy with respect to the parliamentary committee and whether that policy should incorporate the views of that parliamentary committee. The strategic land use policy is out there—

**The Hon. Dr Peter Phelps:** Surely you understand the difference between Executive and legislative action.

**The Hon. LYNDIA VOLTZ:** I acknowledge the interjection. That is exactly why we have a bill before this House. At the end of the day, members of Parliament represent the people of New South Wales and their views. The reality is that members opposite are embarrassed by their strategic land use policy. They say they have had a number of responses to it but they will not confirm how many people are happy with the strategic land use policy and how many think the Government has broken promises given before the election about strategic land use. Not one organisation or individual from their constituencies has come out in support of that policy. If members opposite had been interested in what the committee was going to put before the House, they would have waited for the committee's report before releasing the policy.

**The Hon. Rick Colless:** The committee was about coal seam gas, not about the strategic plan.

**The Hon. LYNDIA VOLTZ:** I acknowledge that.

**The Hon. Rick Colless:** You don't understand the difference.

**The Hon. LYNDIA VOLTZ:** According to the Government, the strategic land use policy has nothing to do with coal seam gas so we are not going to wait for the parliamentary committee to report. The strategic land use policy is a failure and nobody agrees with it. Government members might harp about Opposition members but when we were in government we spoke out when we disagreed with a policy. When the Electricity Generator Assets (Authorised Transactions) Bill 2012 is debated in this place I will be interested to see how

many members of The Nationals who made promises before the election about coal seam gas and access to agricultural land support findings from a parliamentary committee that might be at odds with the Government's strategic land use policy and those promises—promises that now have been broken.

**The Hon. JEREMY BUCKINGHAM** [10.39 a.m.], in reply: I thank all members for their contributions to the debate—despite half of them being categorically wrong. At the outset, I must say it is disappointing to hear the Government's response to the Coal Seam Gas Moratorium Bill 2011. The Hon. Scot MacDonald called this bill "facile". I think that is a damning indictment of him rather than of the bill. The community will not be thanking the Government today. By voting against the bill the Government is opening the door just a fraction more to an industry that has unequivocally proven itself to be neither clean or safe nor good for our economy. I say to the Labor Party upfront that The Greens will support its amendments and I think the Government should take note of that. We congratulate the Labor Party on putting aside its history and the party's involvement in the beginning of this industry and standing up for the community today.

We support the move to have a moratorium pending the outcome of the Independent Expert Scientific Committee's bioregional assessments. I also note at the outset the authentic and heartfelt contribution from the Hon. Luke Foley during the adjournment debate when he discussed coal seam gas exploration in the Putty Valley, his comments on the environment generally and Labor's proud commitment to protecting our environment. I urge the Shooters and Fishers Party and the Christian Democratic Party, despite what they have said previously, to take note of the hundreds of phone calls and emails that have flooded all members' offices over the past week.

These have not been from Greens members or activists. In the main, they have been from farmers and mums and dads across the State who have genuine concerns about the potential for this industry to cause very real harm to their communities, their families' health, local water supplies and agricultural land. I urge members of those two parties to vote for the second reading of this bill and to back Labor's amendments. The Premier has said he will support the Federal bioregional assessments. Let us call on him to do that. Let us put a moratorium in place until those assessments are done. The community demands at least that much.

Since I introduced the bill last year, more and more evidence of the destructive nature of the coal seam gas industry has come to light. More and bigger public meetings have been held. More groups have formed in local communities across the State, all committed to protecting their land and water where this Government and the previous Government both failed them. The coal seam gas industry is at war with the New South Wales community, from Kangaroo Valley in the south to Kyogle in the north and everywhere—and I mean everywhere—in between. People are absolutely fed up with what they see as an assault on their way of life, on their businesses and on the future prosperity of their communities.

Last month, in Lismore 600 people turned up for a public meeting at the Soldiers Club. I spoke at that forum and it was clear to me that for many it was their first time at such a meeting. At least half were local farmers, with many from the Casino area where Metgasco continues to pursue its project in the face of clear community opposition. The meeting resulted in the formation of a new Lismore-based coal seam gas campaign group, and another has formed in Channon to the north. I understand that 150 people turned up to their first meeting held the following weekend. At that meeting I was approached by some members of the North Coast community who have, very eloquently and with clear understanding of their local geology and ecology, mapped out the risks of the industry to their region. They started their plea quoting this Government's own words back to it, highlighting the Government's commitment to use the strategic land use process for identifying land use practices for different areas ahead of the granting of exploration licences.

The Government has failed to deliver this, so now the community has made its voice clear. The Northern Rivers community has put together a plea to heed local concerns and this document has been backed by eminent scientists and academics with links to the region. They end this document with the following conclusion:

For the Northern Rivers there is little to be gained and much to be lost from allowing the Coal Seam Gas industry to operate in our region. ... We believe critical evaluation will show the destructive potential of this industry and the potential for loss of irreplaceable community and natural assets. In any cost-benefit analysis our region will lose; please help us to protect our water, our ecology, and our home.

I seek leave to incorporate in *Hansard* this plea and the supporting letters from the academics.

**Leave not granted.**

**The Hon. Duncan Gay:** If you want to do that—

**The Hon. JEREMY BUCKINGHAM:** You have said no and that is fine. I do not need an explanation.

**The Hon. Duncan Gay:** On a point of clarification: The honourable member implied that I was not interested. The reason we did not agree to the incorporation was that we had not seen the document. Members cannot incorporate documents in *Hansard* sight unseen. Had the member shown them to us, we may well have accepted them.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! I think that has been clarified.

**The Hon. JEREMY BUCKINGHAM:** I recently visited the community at Fullerton Cove. Already a number of exploration core holes have been drilled precariously close to the Tomago sands aquifer, which supplies 20 per cent of the Hunter's drinking water. It came as a complete surprise to the community that Dart Energy had applied for Federal environmental approval for its pilot production plans and did not tell the community. The locals found out the day before the 10-day submission window closed. This is community consultation coal seam gas style. The most significant shift in the community campaign since the introduction of the bill has been the move to blockading. There have now been two successful blockades in New South Wales: one at Spring Ridge against Santos and the other at Gloucester against AGL.

These blockades were local. They involved farmers and others in the community. There were no ring-ins, and no professional protesters as some members of the Government would like to believe. These are people who have never broken the law in their lives but this issue has stirred them into action. Both of these blockades were demanding no work be done until an independent water study was carried out in the area. Why does it take community action like a blockade to force the most basic, preliminary precautionary work to be done? Why has the Government approved this drilling without undertaking that work? I ask the crossbench to call the Government on this: back the Labor amendments today and we will force the most basic assessment to be done. Without that, communities are justified in losing confidence in the willingness and ability of this Parliament to protect their land, water and environment.

I will make a few comments in relation to Tuesday's announcement by the Government of its implementation strategy for its strategic regional land use policy. There seems to be a claim by the Government that this is a regulatory answer to coal seam gas issues. There is no doubt this announcement has been poorly received by stakeholders and is being increasingly seen as a major betrayal by this Government. This announcement is a clear breach of one of the Coalition's central election promises. During the election campaign members in this House made it clear that the Coalition believed there were areas in New South Wales where coal and gas mining simply should not occur. They were happy for everyone to believe that in government they would define no-go areas and put in place a comprehensive assessment process to protect agricultural land, water resources and sensitive environmental areas. None of this has happened. Those communities wanted the gate locked; they did not want a gateway.

What has happened is that the Government has introduced its very own part 3A. Cabinet override to declare a project as exceptional will leave communities with no greater sense of certainty. I note the contribution of the Hon. Trevor Khan. He said this was unprecedented. There is a precedent—part 3A. It creates uncertainty and disempowers the community. The exemptions from the aquifer interference policy are as long as the policy itself and will see many areas completely left out of any benefit that aquifer interference approvals might have provided. The *Land* newspaper last week described the new policy as "no use to anybody". The farmers of this State describe it as a complete failure. This policy is not an answer to the risks of coal seam gas. The two-month consultation will show that the community has no faith in this Government's plans to protect food, water and the environment. The plan does nothing to get to the bottom of the ongoing uncertainty over the science around this industry and that uncertainty has only increased in recent months.

I will take the House through some of the new information that has come to light since last year. A study published by the University of Massachusetts investigating the impact of gas extraction on animal health found that "stock and domestic animals died, got sick or had a high number of still births and deformities when exposed to chemicals emanating from gas extraction." Before those on the Government benches claim that the United States situation is different and is not comparable, I ask: Where is the study that their Government has commissioned into animal and human health from coal seam gas development? What are the established

facts they are relying on in green-lighting this industry? Have they even informed themselves of the evidence coming out of south-west Queensland or the central United States that children living near the expanding gas fields are suffering for the first time from nose and ear bleeds and other health complaints?

In one case outlined in the United State study, in a field where the cows had access to streams running through a gas field, 17 cows and four calves died over a three-month period. All the cattle were healthy before this episode and, while no cause of death could be clearly determined, 16 of the 17 adult cows were found to have dead fetuses. Sixteen of the 39 cows that survived failed to breed, and several cows produced stillborn calves. The health of cattle on the farms and other pastures was unaffected. My question for both Hon. Steve Whan and the Government members is: Why would a gas well be approved next to a stream?

Around Casino, one of the first places I visited following my election, I saw a drilling fluid pond next to streams that had overflowed and clearly run off into the local waterway. Recently the community uncovered that Metgasco had been operating permanent drilling fluid ponds without approval. One might suggest that it would be impossible for the coal seam gas water once diluted into a stream to have an adverse effect, but we now know that a coal seam gas leak of only 10,000 litres by Eastern Star Gas, which is now owned by Santos, was responsible for killing dozens of trees around a drilling pond in the Pilliga Forest. Independent analysis of samples taken by local campaigners has shown high levels of heavy metals in the local Bohena Creek.

This is a particularly interesting story because Santos has repeatedly denied any incident in this area. A community member who had been documenting these incidents made repeated complaints to the Department of Primary Industries and the Environment Protection Authority and was systematically ignored. I travelled to the area in the middle of last year and filmed some of what I saw, which was featured in a *Stateline* report. The local community was effectively accused of having tampered with the gas infrastructure. As more information came to light, Santos again tried to deny any spills and claimed the discolouration on the ground was from eucalyptus leaves. Following more community efforts Santos eventually admitted that more than a dozen environmental incidents had occurred, including some since it took full ownership of Eastern Star Gas.

Santos engaged in disgraceful behaviour in trying to discredit local farmers and activists and mislead the community about what had happened in the Pilliga. The Government failed in its duty to respond to the community's concerns and, although an investigation is now underway, the company continues to operate its pilot production operation. One of the most significant areas of uncertainty continues to be the emissions profile of unconventional gas. Both the industry and the Government continue to claim that coal seam gas is a clean and low-emission energy source. But Robert Howarth from Cornell University has now updated his research twice, and in the most recent study published in conjunction with David Atkinson said:

We believe the preponderance of evidence indicates shale gas has a larger greenhouse-gas footprint than conventional gas, considered over any time scale ...

and—

The greenhouse-gas footprint of shale gas also exceeds that of oil or coal when considered at decadal time scales, no matter how the gas is used.

The gas industry's own research shows that "Australian gas exported to China is likely to be little better for the environment than coal". But this work has been discredited, with the research relying on assumptions regarding United States standards that have been shown by Howarth to grossly underestimate fugitive emissions. Research commissioned by Beyond Zero Emissions from WorleyParsons to examine the emissions profile of coal seam gas in Australia was never provided by the company. This area is now clearly disputed and one must wonder why this Government has done nothing to confirm the true extent of fugitive emissions from the unconventional production processes.

The economics of this industry are also beginning to be called into question. The *New York Times* has described shale gas as a giant Ponzi scheme. In Australia only yesterday Santos was reported in the *Sydney Morning Herald* as warning about a gas glut due to North American exports potentially undermining Queensland and New South Wales gas projects. A review by the Australia Institute of Santos' own economic analysis of coal seam gas plans in New South Wales showed "the loss of \$646 million in exports from other sectors is likely to cause the loss of 5,770 jobs in non-mining industries". The conclusion was that the project was a net job taker, not maker, and that other sectors like agriculture, tourism services and manufacturing are getting squeezed by the mining boom.

This bill is a responsible approach that all sides of politics could reasonably support. It assumes little and asks for a pause on an industry that has been proven to have a terrible track record both overseas and now in Australia. It is dividing communities, contaminating land and destroying biodiversity right now in this State. A pause is appropriate; it respects the most basic principle of ecologically sustainable development—the precautionary approach. This is a principle that is enshrined in our laws. It should mean something to this Government and this Parliament. To reject it out of hand and to put at risk the capacity of this State to feed itself, to sustain our communities and to keep them resilient is a dereliction of duty.

I will respond to some of the comments by Government members in relation to why this moratorium bill is appropriate now when an inquiry is underway. Community concern and logic demand that, while the inquiry is being undertaken to get to the facts, the industry not be allowed to continue. Today there is drilling for coal seam gas adjacent to Warragamba Dam. Today Santos' pilot production at Pilliga continues. Today there is exploration. Today wellheads are being cleaned out and today salty water is being produced. That is why there needs to be a moratorium on this industry today.

If any member of the Government, or the Hon. Robert Brown, had bothered to read the 1,100 submissions to the coal seam gas inquiry they would know that the vast majority of people—for example, the Country Women's Association, the Nature Conservation Council and the New South Wales Farmers Association—are calling for a moratorium. The one clear message is that they want a moratorium. To say there cannot be a moratorium because the inquiry is about to report to Parliament is nonsense. I commit to reintroducing a moratorium bill later this year after the inquiry has made its report. The Greens will test the commitment of the Government and that of the crossbench then.

**The Hon. Melinda Pavey:** What if it supports it? What will you do?

**The Hon. JEREMY BUCKINGHAM:** There will be a dissenting report.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! The Hon. Jeremy Buckingham will not respond to interjections.

**The Hon. Rick Colless:** You have already made up your mind.

**The Hon. JEREMY BUCKINGHAM:** It is not up to me to make up my mind; I reflect the community's views. The community has put in hundreds and hundreds of submissions—

**The Hon. Duncan Gay:** You are blinkered.

**The Hon. JEREMY BUCKINGHAM:** If I am blinkered then the New South Wales Farmers Association, the thoroughbred breeders, the New South Wales irrigators, the Country Women's Association, the Nature Conservation Council and 75 per cent of people in New South Wales who oppose coal seam gas exploration are also blinkered. To give this industry a green light before that work is done makes a mockery of all of these processes. I believe the Government is on the wrong side of this debate, and history will show that. This will not be the end of community direct action. If a moratorium on this industry is not supported, the people will place their own moratorium on it. I would like it noted that community groups across the State are conducting workshops on non-violent direct action. It will be the largest environmental campaign this country has ever seen.

**The Hon. Robert Brown:** You wish! You are trying to manufacture it, Jeremy.

**The Hon. JEREMY BUCKINGHAM:** There are hundreds of community groups across New South Wales. I wish I could have manufactured it, but it is an organic response to a threat to communities. In their vote today Government members are disregarding hundreds of community groups, tens of thousands of active participants and millions of supporters. Regardless of the Government's contempt for their concerns, the people of this State will place their own moratorium on this industry. I suspect that that moratorium will quickly turn to prohibition and blockading direct action because the community says "No" to coal seam gas—as this Parliament should.

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

**The House divided.**

**Ayes, 16**

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

**Noes, 19**

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

**Pairs**

Mr Roozendaal	Mr Lynn
Mr Searle	Mrs Maclaren-Jones

**Question resolved in the negative.**

**Motion negatived.**

**Bill not read a second time.**

**COAL SEAM GAS MORATORIUM BILL 2011****Personal Explanation**

**The Hon. Dr PETER PHELPS**, by leave: I have very strong views about coal seam gas and would have liked to express them. However, having worked for two senators and now being a member of this place, I have a deep respect for the committee system and the role that it plays in the proper functioning of this Parliament. As I said, I would have liked to speak in the debate on the Coal Seam Gas Moratorium Bill 2011, but I believe that while a committee is underway it would be inappropriate to do so. I do not decry others who have done so; I simply state by way of personal explanation that although I have strong feelings about this issue I did not believe it was appropriate for me to speak at that stage.

**BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders: Order of Business**

**Mr DAVID SHOEBRIDGE** [11.08 a.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 565 outside the Order of Precedence, relating to an order for papers regarding the Duel Roles—Councillors and Members of Parliament in NSW—Discussion Paper, be called on forthwith.

This motion seeks some basic openness and transparency from a Government that said on coming to office that it would do things differently. This motion seeks to make public some 400 submissions that have been lodged by members of the public, councils and other interested parties about an issue of genuine State interest—that is, whether local government councillors should also be able to serve as members of Parliament. This matter is clearly urgent. The Premier has been willing to splash himself on the front pages of the *Daily Telegraph* about it repeatedly. Time and again he has gone into the other place and had a spray at Lord Mayor Clover Moore, saying that it is inappropriate that she occupy two positions, as a member of Parliament and as a local councillor.



Approximately 400 public submissions have been lodged but they have been hidden away by the Minister for Local Government, Don Page. This Government refuses to make them public. What is there to hide? Why will the Government not make public the 400 submissions and any draft report or final report that the Minister for Local Government has had prepared so that the community can look at what people think about the concept of dual roles? If the Government thinks it is such a great idea to rub out 150 years of tradition and to prevent the public voting for the mayor or councillor of their choice, it should at least have the courage to release the submissions and any draft reports that have been produced by or for the Minister for Local Government on the topic.

The only response we have had to our requests for that information is stonewalling from the Government. This is a chance for the Government to live up to its commitment to be open and to its now increasingly tired rhetoric about doing things differently. This is a call for the public release of key documents dealing with a matter of genuine State interest. It is clearly urgent, it clearly satisfies any of the requirements for suspension of standing and sessional orders, and if this Government had a shred of integrity, if this Government had any belief in openness and being forthright with the public, it would support this motion and release the documents to the public.

**The Hon. AMANDA FAZIO** [11.09 a.m.]: Madam Deputy-President—

**DEPUTY-PRESIDENT (The Hon. Sarah Mitchell):** Order! Under the standing orders, only the mover of the motion and the Minister can speak for five minutes.

**The Hon. MICHAEL GALLACHER** (Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council) [11.09 a.m.]: Quite simply, this is not urgent. As Mr David Shoebridge knows, the Government has indicated that it will release a position paper in relation to this matter, which contains an overview of submissions. The member also knows that bringing this on in this way is an attempt by him to pre-empt the parliamentary debate and process in relation to this proposal, which will result in delay in relation to this issue. This is nothing more than yet another attempt by The Greens to grandstand. There will be ample opportunity for debate in relation to this matter. In the context of that debate there will be an examination of this matter.

**DEPUTY-PRESIDENT (The Hon. Sarah Mitchell):** Order! There is far too much interjection in the Chamber.

**The Hon. MICHAEL GALLACHER:** We have given a commitment to ensure that there is transparency in relation to this matter.

**Mr David Shoebridge:** Show us—

**The Hon. MICHAEL GALLACHER:** It is not a case of showing you; it is a case of showing the public. That is exactly what we intend to do and it is exactly what we have intended to do in relation to this matter. We have indicated that, at a time of the Government's choosing, we will make these issues known. The position that the Government has taken in relation to this will see the release of a position paper containing an overview of submissions. Despite all the rhetoric and grandstanding of those opposite about cover-up, they cannot stand it when the Government is being transparent and open with the public. The problem is that they want their timetable rather than the timetable the Government believes meets with community expectation in relation to public debate and providing that information. We have given a commitment, and it is important to recognise that. This is yet another attempt by The Greens, with their coalition partners the Australian Labor Party, to pre-empt debate in relation to this matter and cause further delay in relation to the position paper.

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

**The House divided.**

**Ayes, 16**

Ms Barham  
Mr Buckingham  
Ms Cotsis  
Mr Donnelly  
Dr Kaye  
Mr Moselmane

Mr Primrose  
Mr Searle  
Mr Secord  
Ms Sharpe  
Mr Shoebridge  
Mr Veitch

Ms Westwood  
Mr Whan  
*Tellers,*  
Ms Fazio  
Ms Voltz

**Noes, 19**

Mr Ajaka  
Mr Blair  
Mr Borsak  
Mr Brown  
Mr Clarke  
Ms Cusack  
Ms Ficarra

Mr Gallacher  
Miss Gardiner  
Mr Gay  
Mr Green  
Mr Khan  
Mr MacDonald  
Mr Mason-Cox

Mrs Mitchell  
Mrs Pavey  
Mr Pearce  
*Tellers,*  
Mr Colless  
Dr Phelps

**Pairs**

Mr Foley  
Mr Roozendaal

Mr Lynn  
Mrs Maclaren-Jones

**Question resolved in the negative.**

**Motion negatived.**

**BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders: Order of Business**

**The Hon. HELEN WESTWOOD** [11.20 a.m.]: I move:

That standing and sessional order be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 528 outside the Order of Precedence, relating to International Women's Day, be called on forthwith.

Last week many members did not have the opportunity to make a contribution to this debate. However, a number of members still wish to acknowledge International Women's Day and the wonderful contribution made by many women in New South Wales throughout the various constituencies. The celebration of this day will be well passed by the time the House resumes sitting at the end of March. Members should be given the opportunity to acknowledge International Women's Day.

**The Hon. ROBERT BROWN** [11.21 a.m.]: The Shooters and Fishers Party supports the motion.

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [11.21 a.m.]: The Government supports the motion.

**The Hon. PAUL GREEN** [11.21 a.m.]: The Christian Democratic Party supports the motion.

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

**Motion agreed to.**

**Order of Business**

**Motion by the Hon. Helen Westwood agreed to:**

That Private Members' Business Item No. 528 outside the Order of Precedent be called on forthwith.

**INTERNATIONAL WOMEN'S DAY**

**Debate resumed from 8 March 2012.**

**The Hon. Dr PETER PHELPS** [11.22 a.m.]: I had not intended to speak on this topic but the provocations of the Hon. Cate Faehrmann and the Hon. Lynda Voltz—directed at me personally—and the appalling history of the Hon. Helen Westwood leave me no choice, if I am to do true justice to history. The Left likes to proclaim its history, but more often than not that history is a lie; a bowdlerisation of the truth for contemporary political expediency. Nowhere is this more evident than in the recent contributions in relation to International Women's Day. The Hon. Lynda Voltz said:

I will not redo the history of International Women's Day as its origins are well known to every member in this Chamber.

Well, apparently not. Not even the Hon. Helen Westwood, who moved this motion, knows her history. Although the Hon. Helen Westwood said:

... we should not forget the history of International Women's Day.

It appears that she and her contemporaries have done just that. For my response, I have turned to the United States journal *Feminist Studies*, in particular to an article by Temma Kaplan entitled, "On the socialist origins of International Women's Day. Kaplan points out:

One way late-nineteenth-century socialists and anarchists attempted to establish secular communal traditions was through holidays. Even in Spain, leftists held festivals on July 14, French Bastille Day, because that was the most revolutionary date on the European calendar until the Russian Revolution ... The first International Woman's Day—

note the singular—

... was held on February 23, 1909, in the United States.

But the key, as the Hon. Marie Ficarra pointed out, lies with a woman named Clara Zetkin. Who is this Clara Zetkin? Temma Kaplan continues:

The real history of International Woman's Day cannot be separated from the political life of Clara Zetkin. She attended the 1889 Bastille Day Paris meeting that created the Second International. At that time, the assembled leftists agreed on a May Day demonstration calling for the eight-hour day and limitations on female and child labor, the plank Zetkin promoted. As the editor between 1890 and 1915 of the German Social Democratic party's women's newspaper *Gleichheit*, she promoted the interests of working-class women.

So, of course, one would think Clara Zetkin must be a feminist. In fact, she was nothing of the sort. As Temma Kaplan points out:

Although Zetkin was a virulent opponent of feminists inside and outside her party, she tried to familiarise socialists with the conditions of female workers. After the war she became a Communist and brought International Woman's Day with her into the Third International of 1922. From this time on, International Women's Day (it seems to have become plural after 1945) became a Communist holiday.

Let us now turn to this dichotomy between feminists and socialists. As Temma Kaplan points out:

In both the United States and Europe, socialists had taken a backseat to suffragists in fighting for the vote because they viewed women's political rights as subordinate to the economic advancement of the male working class. Throughout the world, leftists had associated women's votes with conservatives, and the Americans were no exception.

The same can be said for Australian feminists and socialists. Work done by Anne Summers in *Damned Whores and God's Police* is particularly pertinent. As Roger Bell points out, in relation to the two decades from 1890 onwards:

Following the American example, while women's organisations made temperance and the vote their main objective, they also interested themselves in such matters as raising the age of consent, prison reform, suppression of narcotics, temperance, prohibition, peace work and social purity legislation.

Of course "social purity" is just another word for eugenics and anti-miscegenation. It is, of course, now widely accepted that Social Darwinism and eugenics lay at the heart of the formation of organisations such as Planned Parenthood. I continue the quote from Temma Kaplan:

Nevertheless, women in the Second International finally won the support of their comrades for the suffrage campaign before the First World War. In 1908, the Socialist party of the United States appointed the Women's National Committee to Campaign for the Suffrage, and asked them to organise demonstrations. Eager to get started ... the New York City Social Democratic Women's Society held a mass meeting on woman suffrage on March 8, 1908 ...

The American socialists began International Woman's Day with a National Woman's Day in 1909, while the Europeans followed in 1911. A similar pattern had developed with May Day, which the Knights of labor had introduced in 1886, but which the Europeans did not adopt until 1890. At the International Socialist Women's Meeting that preceded the general meeting of the Second International in Copenhagen in August 1910, Luise Zietz suggested holding an International Woman's Days the following year, and Clara Zetkin seconded the request, but they never specified a date.

On March 18, 1911, on the fortieth anniversary of the Paris Commune, the first International Woman's Day was held in Europe to publicise the need for women's rights and the suffrage. However, the Americans continued to rally on the last Sunday in February.

Note the date chosen: not 8 March, but 18 March, which was the celebration of the Communist Paris Commune. So, what did these women do? I continue the quote from Temma Kaplan:

In Vienna, in the first European celebration of International Women's Day on March 18, 1911, women marched around the Ringstrasse, carrying banners including red flags commemorating the martyrs of the Paris Commune ... On that day in 1911, the Socialist delegates to the Austrian parliament openly championed women's equality and the suffrage for the first time, thereby giving up in word if not deed, long-standing socialist opposition to women's votes.

So where does this contemporary date of 8 March come from? We have to go to revolutionary Russia to answer that question:

Taking the occasion of International Woman's Day (March 8th in the West, but February 23rd on the Gregorian calendar), women led a demonstration from the factories and the breadlines.

Metallurgical workers, mostly men, joined them despite the fact that the Bolsheviks regarded the women's mobilisation as precipitous.

The events of 1917 in Russia set the date for the celebration of International Women's Day elsewhere in Europe, beginning the following year. With Clara Zetkin's help, in 1922—when the Chinese Communists started to celebrate International Women's Day—Lenin established it as a Communist holiday. In Spain, following the victory of the Popular Front's slate in the February 1936 elections, La Passionara led thousands of women to demonstrate in Madrid on International Women's Day—March 8—to demand the protection of the republic against the growing Fascist threat. After the Second World War International Women's Day remained a Communist holiday until around 1967. According to one story, it was revived in the United States by a women's group at the University of Illinois—the Chicago Circle—which included the Daughter's of American Communists who remembered having heard of the holiday.

From there, in 1977, the International Women's Day was adopted by the United Nations, which was at the time when it was revelling in Soviet-inspired post-colonial barbarism with leaders flocking like lemmings to Patrice Lumumba University in Moscow—indeed, like some people who may now be senators in the current Australian Parliament. It was natural for the United Nations to take a communist holiday and turn it into an international day of celebration. For many in the 1970s, Communism was not only the way of the future, it was the inevitable future—rather ironic, when you consider it. Socialism and its bleak offspring—Fascism, Nazism and Communism—inflicted more death and destruction on women than any other ideology last century. Of course, there have been attempts to try to hide the past. As feminist scholar Claire G. Moses states:

Each March 8, I relate to my women's studies classes the story of International Women's Day. It's a story I have had recounted to me numerous times and therefore know well. A spontaneous demonstration staged by New York City women garment and textile workers in 1857, protesting low wages, the twelve-hour workday, and increasing workloads, was dispersed by the police, rather brutally. Many women were arrested, some were trampled by the crowds. Fifty years later, on the anniversary of that demonstration, International Women's Day was established in their memory. My students respond to this story with an emotion best described as gratitude. March 8 usually coincides with that moment in the semester when they feel most the weight of women's oppression: they are hungry for knowledge of women's resistance. The women garment workers of New York City fill their needs for heroic foremothers.

But it was all a big lie. Moses continues:

I read in the French feminist periodical *La Revue d'en face* [see no. 12, Fall 1982, pp 67-80] an article by Liliane Kandel and Francoise Picq, "Le Mythe des origines. A propos de la journée internationale des femmes". The myth of the origins? Had there never been such an event as our 1857 demonstration? Indeed, Kandel and Picq report, the New York City garment workers' demonstration of 1857 was a legend born in 1955. In their quite illuminating article, they speculate on the origins of "the 1857 legend" on the likelihood that, in 1955, it was opportune "to detach International Women's Day from its Soviet history in order to give it a more international origin, more ancient than Bolshevism, more spontaneous than a decision of a Congress or the initiative of women affiliated to the Party, [and that] the date, 1857, was chosen as a tribute to Clara Zetkin, born that year ...

So Moses actually commissioned Temma Kaplan to investigate the true origins of International Women's Day.

Kaplan's thorough analysis on the rise of International Women's Day demolishes a myth that many of us have relied upon to interest our students in the past.

So let us be clear about this: International Women's Day started as an American demonstration in support of voting rights, a campaign which, in 1908, was already redundant in Australia, Australian women having achieved the vote some six years earlier. It was 20 years before the first International Women's Day was celebrated in Australia, not coincidentally at a time of growing Communist influence and the use of front organisations by Australian Communists who recruited, as Lenin described them, "useful fools to advance Communist interests".

It followed the same pattern for infiltration and subversion by Communist vanguardists as other social movements—unionism, pacifism and environmentalism. Communists suckered well-meaning, but naive, people to a respectable-sounding cause, only to use them as agents of influence for Stalinism. I know that this will be hard for some people to accept. As a historian I know that people will always prefer a comfortable lie to an uncomfortable truth. [*Time expired.*]

**The Hon. HELEN WESTWOOD** [11.37 a.m.], in reply: I thank all members who have contributed to the debate on what I believe is a very important motion for this House to be considering. I do not have the list of all members who spoke but I do know that many contributions were eloquent and raised significant issues that we need to speak about on International Women's Day. It was extremely disappointing to hear the last contribution. The Hon. Dr Peter Phelps suggested that those of us who spoke about the history of International Women's Day in this debate do not know its history. This demonstrated his arrogance and his regrettable decision to dismiss International Women's Day. Most contributors to the debate this year and in past years spoke of the contribution of women to the social and economic development of this State and this nation. They also spoke about the areas in which women are still disadvantaged. As legislators and leaders in our community we should be improving women's lives, particularly women who are victims of sexual assault or domestic violence. Overwhelmingly, it is still women who are disadvantaged by those heinous crimes committed against them and the misogynistic attitudes of many in society towards women.

I am astounded that the Hon. Dr Peter Phelps also chose to trivialise and dismiss the issue of working women. We know working women still face significant disadvantage. Women are not receiving equal pay compared with their male counterparts in this State. Serious problems relating to affordable and accessible child care still impact women in their careers and earning an income that allows them to have a quality of life that is equal to that of men in this State. I remind the Hon. Dr Peter Phelps that it is working women—pay-as-you-earn taxpayers—who have subsidised his education. He now chooses to use that education to denigrate those women rather than to champion the causes that will bring about equality for them. Shame on him! With leadership like that in Government we understand why women's rights are going backwards in this State. Members opposite should tell the Hon. Dr Peter Phelps that his contribution to this debate was inappropriate. This is an opportunity to talk about issues that concern women. Firstly, to recognise their contribution to this State—

**The Hon. Dr Peter Phelps:** You brought up the history, Helen.

**The Hon. HELEN WESTWOOD:** I acknowledge that interjection. If the Hon. Dr Peter Phelps had actually bothered to investigate my contribution to International Women's Day, he would know—as the Hon. Marie Ficarra does—of the exhibition that I hosted as part of the centenary of International Women's Day. I refer the member opposite to the catalogue that the Hon. Marie Ficarra has commended the organisers, the writers and me on. The history of International Women's Day is contained in that booklet. Other feminists and I know the history but we also know that women are still disadvantaged economically and socially. This day is about addressing that disadvantage. International Women's Day is about legislators and leaders recognising women's contribution and prioritising actions to ensure women in New South Wales and in Australia generally are not disadvantaged and are able to realise true equality. I commend my motion to the House and I commend other contributors. However, I think that the contribution from the Hon. Dr Peter Phelps was poor and misplaced. I acknowledge the wonderful contribution that migrant women have made, both to the New South Wales community and to the Australia community. [*Time expired.*]

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

**Motion agreed to.**

#### **PRIMARY INDUSTRIES RESEARCH STAFF**

**Debate resumed from 16 September 2011.**

**The Hon. RICK COLLESS** [11.42 a.m.]: I oppose the motion moved by the Hon. Steve Whan.

**The Hon. Steve Whan:** It should be supported.

**The Hon. RICK COLLESS:** I note that the Hon. Steve Whan says we should support it. The Coalition has been in government for 12 months and during that time Opposition members have shown little enthusiasm for primary industries. What appears to have excited their newfound interest and stirred their passions is a

couple of press clippings. That is what happens when one's outlook is the Newcastle-Sydney-Wollongong version of New South Wales, which seems to be the focus of the Opposition. The needs of regional New South Wales are far beyond the urban-centric horizons of members opposite. Under a memorandum of understanding between Department of Primary Industries Science and Research and Forests NSW, Forests NSW provides funding for forestry-related research. Members opposite should realise that in 2007 the former Labor Government began a benchmarking review of the research requirements of Forests NSW. The Hon. Steve Whan, second-chance Steve, as he is more commonly known, this tired old retread—

**The Hon. Amanda Fazio:** Point of order: The Hon. Rick Colless has been in this House long enough to know that he should refer to other members by their correct title and not by flippant comments that have no place and denigrate the standing of the House.

**DEPUTY-PRESIDENT (The Hon. Sarah Mitchell):** Order! I uphold the point of order.

**The Hon. RICK COLLESS:** The Hon. Steve Whan should know all about this, if he can face it or recall it. I will remind him and his mates of exactly what happened. Since 2007 the former Labor Government oversaw Forests NSW benchmarking of its funding levels against the amount of research funding that was being provided by other similar forestry companies. This is clearly the result of a long-running program instituted and overseen by members opposite during their tenuous and untidy tenure in government. Even so, to the Coalition Government benchmarking is good business practice and something we encourage. So too with the people of New South Wales, who last March were given an opportunity to review the performance and future requirements of their State Government. Voters overwhelmingly supported the fundamental principle offered by the Liberals and Nationals to implement sound economic management, prioritising projects and delivering services that make a difference to people's lives.

The benchmarking review found that Forests NSW was allocating significantly more funds to forestry research than its industry counterparts under Labor's administration. Forests NSW contributes funding to a wide range of research organisations nationally and internationally, as well as Department of Primary Industries Science and Research. These organisations include Forest and Wood Products Corporation, New Zealand Radiata Pine Breeding Company, Bushfire Cooperative Research Centre, Sub-Tropical Forestry Health Alliance and Forestry Cooperative Research Centre. Forests NSW pays a voluntary levy to Forest and Wood Products Corporation, which funds cooperative research on behalf of industry nationally, including ecological research.

In light of the benchmarking review it is considered appropriate to rearrange some funding so that the science and research forestry unit can be restructured to reflect actual needs. Let me be clear: the New South Wales Government is maintaining forestry research and we continue to have some of the best researchers working in critical areas. Forestry NSW will refocus its efforts on delivering those critical services. That is why two new positions have been created: a forest ecology research officer and a forest ecology technical officer. That was the recommendation of the benchmarking review implemented by the previous Government. The present Government is committed to delivering a refocused Forests NSW to manage our native timber resources in tune with current industry requirements. We should examine further the history of the Hon. Steve Whan in the management of Department of Primary Industries staff. The Hon. Steve Whan must apologise to the people of regional New South Wales, particularly the staff of the Department of Primary Industries that he did not sack, for scaring the daylights out of them to score political points. He should apologise also to the 660 people that he did sack.

Let us have a look at some of the figures of the Department of Primary Industries over the term of the Labor Government from 1995. Despite Labor claiming to be the champion of country communities and primary producers, in government Labor closed 45 Department of Primary Industries offices, stations and research facilities, which represented over 30 per cent of the department. The former Labor Government had no plan, no vision and no strategy to improve or revitalise the department yet from 2004-05 it carelessly axed more than 600 Department of Primary Industries and Department of Industry and Investment jobs, which it thought would pay for Labor's economic mismanagement and waste. How wrong was Whan? I will refresh the memory of members about Labor's efforts to cut and gut the Department of Primary Industries. The Bathurst agricultural office was closed, the Wagga Wagga advisory office was closed, the Rosebery agricultural office was closed, the Balranald agricultural office was closed, the Lockhart agricultural office was closed and the Singleton agricultural office was closed.

**DEPUTY-PRESIDENT (The Hon. Sarah Mitchell):** Order! The Hon. Steve Whan will have an opportunity to speak in reply. He will cease interjecting.

**The Hon. RICK COLLESS:** The closure of the Singleton agricultural office was something close to my heart because a very good officer in the early years, Bob Freer, the beef cattle officer in Singleton, was instrumental in my taking up a career in agriculture when I was leaving school. That office is now closed. Lismore chemical residue laboratory was closed, Cobar agricultural office was closed and Mullumbimby agricultural office was closed. It is in Labor's political DNA to close agricultural officers. It is all part of the program of closures that this Minister and his predecessor embarked upon when they were in government. They had a focus on closing things, shutting down things. I turn now to examine how many positions were lost in some of those stations. Let us look at the closures since 1995. Labor closed an agricultural college, two agricultural field stations, 13 agriculture offices, two agricultural research facilities, 20 cattle tick facilities and six fisheries offices. The fact that they closed so many offices points to their hypocrisy in criticising this Government—

**DEPUTY-PRESIDENT (The Hon. Sarah Mitchell):** Order! I call the Hon. Steve Whan to order for the first time.

**The Hon. RICK COLLESS:** —for proceeding with a readjustment of forestry staff after their benchmarking procedure recommended that process. I oppose the motion.

**The Hon. ROBERT BROWN** [11.50 a.m.]: I will speak briefly to the motion. We do not like losing scientists from anywhere in government offices. The relocation of the Cronulla Fisheries Research Centre caused quite a stir. However, I think it is a bit rich when the ex Parliamentary Secretary—

**The Hon. Steve Whan:** Minister.

**The Hon. ROBERT BROWN:** —and later Minister blithely talks about the irresponsibility of chopping these jobs. How many direct forestry jobs does the Hon. Steve Whan think were lost during the 16 years of his Government's rule? It was in the order of 3,000. In the dying days of the Labor Government, under Minister Sartor, it shut down the river red gum industry. I recently visited one bold, brave forester who is still trying to make a living down there, Chris Crump, and his wife, Dawn, who are trying to reopen a mill. The devastation in the five towns will last a long time. I think it is a bit beyond the pale to put forward a motion—

**The Hon. Steve Whan:** It is all a matter of opinion, isn't it?

**The Hon. ROBERT BROWN:** As I said, your Government created the situation where the forestry industry in New South Wales is roughly 1.8 million hectares short of the amount of land it needs to supply the hardwood contracts it is required to fulfil. In creating the extra 4.7 million hectares of national parks you went a bit too far. The end result is that lots of forestry jobs were lost and a lot of skill was lost to the industry. So, were there to be any attempt by this Government to rebuild the forestry industry, it would find one problem would be to find people who understand forestry. I do not necessarily mean the scientists; I mean the ordinary blue collar workers whose families have earned a living from these sustainable industries for a couple of hundred years.

**The Hon. MICK VEITCH** [11.53 a.m.]: I strongly support the motion moved by the Hon. Steve Whan and congratulate him on bringing this very important issue before the House. During answers to questions on this matter the Government tried very hard to downplay and understate just how detrimental this decision is. What has staggered me is how dismissive the Government was about losing at least 20 years of knowledge—not just any knowledge, but unique and non-transferable knowledge. The impact of this loss of knowledge will potentially only be known when it is too late, which is what happens in all these situations. It will only be realised when there has been an infestation of an exotic timber pest that was not or could not be identified in time and people's houses are destroyed.

The Government may say this is scaremongering, but it is not: it is a potential reality that can and should be avoided by not cutting the 11 jobs at the West Pennant Hills research facility, whose highly important work contributes to stopping these problems. One area of research conducted at the facility was how bats transmit the Hendra virus. The research findings could help stop the spread of this deadly virus, which has killed four people and 22 horses in Queensland and eight horses in New South Wales. The Hendra virus is now endemic in New South Wales and it does not get more serious than that. The Government has announced new research projects whose aim is to look into how the disease is spreading. This is good and it is necessary, but why put a stop to research that was already doing this and would only contribute to the stated aim of the new projects? I too have seen the emails from upset constituents who are appalled by not only the scientists' job

losses but the knowledge loss as well. One email discussed concerns about the future of the forest research industry or ecology in general. What message was this sending to all students who may be studying in this field in our institutions?

The Hon. Steve Whan mentioned that an area of study for the researchers is *pinus radiata* plantations. Members will know that this is an area of interest of mine as I have placed some questions on the *Notice Paper* about this which the Minister in this House kindly passed on to the Minister for Primary Industries for response. Tree death in *pinus radiata* is a very important problem and as there are 180 million *pinus radiata* trees growing in Forests NSW plantations, a figure indicated in the answer from the Minister, we need all the trained staff we can get to look after and investigate the future of this important crop.

An example of just how dismissive, or possibly out of touch, some Ministers in this Government are on this important issue was when the Hon. Greg Pearce attempted in answer to a question in the House to belittle and ridicule my question on notice. I was gobsmacked when he attempted humour on such an important issue as tree deaths in the *pinus radiata* plantations in New South Wales. To be fair, the Minister for Primary Industries obtained a detailed response from her department, a response that really highlights the need to retain highly skilled research staff at the Pennant Hills facility.

When Premier Barry O'Farrell said he was going to cut backroom public service positions it was just shameful; but to cut these highly important research positions is just plain ridiculous. New South Wales needs these people to perform their valuable and important research. This decision is about people, their families and their colleagues; it is not just about money. But there is a trend developing under this Government. First there were the researchers at a Forests NSW facility, then the Cronulla fisheries staff. I am also concerned about nurseries across the State, particularly the one at Blowering, which is a fantastic facility. I question its future under this Government.

Also, positions are just not being filled. I am very concerned about a horticulturalist position that is vacant at Young and that has been vacant for an inordinate time. When is that position going to be filled? The Minister has a chance to answer that question because it is on the *Notice Paper*. There is also the issue of public interest research, rangeland research, modelling of land use options, biodiversity conservation and frog research. This facility and these jobs are about people, not just about commercial return. The Cronulla Fisheries Research Centre decision was about people as well. There really is no excuse for this decision. It is heartless and it smacks of hard-core economic rationalism over common sense. I commend the motion of the Hon. Steve Whan to the House.

**The Hon. MATTHEW MASON-COX** (Parliamentary Secretary) [11.58 a.m.]: Is it not wonderful to see Country Labor hunting in packs?

**The Hon. Marie Ficarra:** Very small packs.

**The Hon. MATTHEW MASON-COX:** Very small packs these days. The reality is Country Labor is sitting in front of us. Let us recognise Country Labor and perhaps have a moment's silence to reflect on the truly heroic past of a once great and fine party.

**The Hon. Marie Ficarra:** May they rest in peace.

**The Hon. MATTHEW MASON-COX:** May it rest in peace. It is still good to see representatives of Country Labor in this Chamber. It is wonderful to see.

**The Hon. Mick Veitch:** Fighting hard.

**The Hon. MATTHEW MASON-COX:** I know they are fighting very hard in relation to this motion, but it is very clear their old habits have not left them. Again we have the representatives of Country Labor going around the countryside proclaiming job losses left, right and centre—this time in opposition. They spent years in government doing exactly the same thing. Nothing has changed with representatives of Country Labor. The Hon. Rick Colless spoke about job losses and the closure of regional facilities over 16 long years. The Hon. Robert Brown referred to the number of forestry jobs that have been sacrificed at the altar of Country Labor's dismissal. That has happened over many years. That is the truth of the matter. Country Labor, in the form of the Hon. Steve Whan and the Hon. Mick Veitch, stumble into this Chamber and pretend that history does not matter. It is shameless and hypocritical.



Let us cast our minds back to when the Hon. Steve Whan was Parliamentary Secretary for Primary Industries. In one of the dim dark budgets of the past the Hon. Ian Macdonald, then Minister for Primary Industries, made an announcement in relation to Gaden Trout Hatchery near Jindabyne. The Hon. Steve Whan was absolutely outraged when his Government decided to close that key hatchery in his electorate. The then Opposition also expressed outrage and, as I live in Queanbeyan, I was similarly outraged. We sought further information from the Minister and the Parliamentary Secretary. I remember the colourful campaign that was led by many locals who were very upset and the sensitivity shown by the Hon. Steve Whan regarding the closure of that important regional facility.

I recall also the pinnacle of the campaign, when hundreds of people gathered at Gaden hatchery to protest the closure of that important facility. It was a beautiful sunny day and the Hon. Steve Whan and the Hon. Melinda Pavey were present. The Hon. Steve Whan spoke passionately in defence of those jobs. We could not have agreed with him more: We stood side by side defending those jobs that were important not only to the region but also to the industry because very fine work is done at Gaden hatchery. On the one hand, the then Parliamentary Secretary, the Hon. Steve Whan, was part of a Government that wanted to close that regional facility while, on the other hand, as the member for Monaro, he was fighting for those jobs. The Hon. Steve Whan was an absolute master of that sort of hypocrisy.

That hypocrisy has bubbled to the surface in other areas. I recall with a great deal of humour what happened in relation to Snowy Hydro. Another bitter fight ensued when the then Government decided to privatise Snowy Hydro. It sought to achieve that through an initial public offer, which was met with enormous opposition locally. Yet, true to form, we had another charade. The pretend member called a big meeting at Cooma, which I attended, at which the then Minister, the Hon. John Della Bosca, told the very concerned locals that they had to understand that the Government had to privatise Snowy Hydro, irrespective of local concerns—legitimate or otherwise. At that meeting the Hon. Steve Whan, the member for Monaro, stood on the stage to fight the Government of which he was a member. He stood by and watched that decision being made, but again he played the archangel card of hypocrisy and pretended the truth was something different. It is the same situation regarding his contribution to debate on this motion.

Let us deal with some facts. The New South Wales Government is trying to achieve best value for the public dollars it spends—in contrast to those opposite. The restructure of Forests NSW and the Department of Primary Industries forests research will do just that. It has become clear in recent benchmarking exercises that forest industries in Australia and overseas have been concentrating on research that delivers the best possible results in the short term and in the field. That is something the former Government seemed to avoid in almost everything it touched. The Hon. Steve Whan knows only too well that Forests NSW, as a government trading enterprise, has to deliver on two fronts: first, it has to grow and harvest native and softwood timbers to meet the needs of the people of New South Wales; and, secondly, it has to deliver a return on the investment in our timber assets to the people of New South Wales. People like the Hon. Steve Whan and his colleagues in government continually sought to take what dividends they could from Forests NSW and other public utilities without ensuring that there was a competitive base to carry them forward. We intend to return entities like Forests NSW to a competitive level, but that will not happen if activities are stuck in the past.

Forests NSW cannot move forward as a public trading enterprise if it is uncompetitive and unresponsive to changing needs and circumstances. It needs to reflect a modern approach to delivering what is expected of it, and that means undertaking research that is focused on delivering results in the field. In today's business world that means staying well ahead of the pack. Recent benchmarking has shown that Forests NSW was not achieving that with its research spending. The benchmarking shows that the Forests NSW research and development spend is above average for the forestry industry.

In fact, Forests NSW spends nearly double the research and development funds of Forestry Tasmania and approximately three times that of Queensland and New Zealand. The facts are as follows. Forestry Plantations Queensland spends \$2.5 million, or 1.3 per cent of revenue, on research and development while the New Zealand industry average is \$2.5 million, or less than 1 per cent of revenue, on research and development. Forestry Tasmania spends \$4.4 million, or 2.4 per cent of revenue, on research and development. In stark contrast, it is my pleasure to report to the House that Forests NSW spends a whopping \$8.5 million—

**The Hon. Dr Peter Phelps:** How much?

**The Hon. MATTHEW MASON-COX:** We spend \$8.5 million, or 2.6 per cent of revenue, on research and development. They are the facts. I also point out that the majority of participants in internal Forests

NSW surveys believe the current research is not relevant to the needs of Forests NSW. Of six current research and development groups to be rated by the participants, only forest health achieved a highly effective rating in assisting Forests NSW to achieve its business goals. The report concluded that this reflected the operational nature of the group and its strong communication lines and extension role back into the regions. Forest health will remain a part of the research effort, but Forests NSW research operations will not extend into areas such as why Country Labor is a threatened species in country areas of New South Wales. We intend to get value for money for our research in New South Wales.

A total of \$1.5 million from Forests NSW, with an additional \$0.8 million from a variety of external funding bodies, will continue to be spent on forestry research programs within the Department of Primary Industries. Other research funds will be spent with organisations outside the department—again, a need that was recognised in the benchmarking report. For example, over the past four years Forests NSW has commenced paying a voluntary levy to Forest and Wood Products Australia Ltd, which pools industry funds to be matched by Commonwealth funds for cooperative research nationally, including ecological research. As well, Forests NSW funds the Bushfire Cooperative Research Centre and the Cooperative Research Centre for Forestry. Forests NSW also plans to maintain a team of ecologists across the State in its Native Forests Operations Branch. This will allow Forests NSW to continue to deliver on its commitment to manage sustainably the community's ecological assets and State forests, including the threatened bats and frogs that the Hon. Steve Whan championed.

As for the Hendra virus, the Opposition yet again needs to get its facts right. The Department of Primary Industries, together with NSW Health, is leading the government response in the fight against the Hendra virus. It does not involve staff from Forests NSW. Did members opposite hear that? From Tweed Heads in the north to Bega in the south and everywhere in between, the Department of Primary Industries and livestock health and pest authorities are working with private veterinarians in undertaking extensive property checks.

These are the facts—but members opposite do not let the facts get in the way of a good ruse perpetrated by the Hon. Steve Whan. On the research front, \$12 million is being spent to tackle this serious virus. I assure members that the New South Wales Government is implementing every possible precaution to protect the health of our community and the State's valuable horse industries. Perhaps the member opposite should drop the political hyperbole and rank political hypocrisy and leave the Hendra virus for our world-leading scientists at the Department of Primary Industries to deal with and let Forests NSW get on with its primary task of growing more sustainable timber for the people of New South Wales.

**The Hon. JAN BARHAM** [12.01 p.m.]: I support the motion moved by the Hon. Steve Whan. The decision to reduce the number of scientists working in Forests NSW was poorly timed, to say the least. It was announced during Science Week, which sends a message to the community that science has little relevance in our society. This decision continues the practice of past governments of dismantling biodiversity survey and research systems in New South Wales, much to the detriment of our knowledge base and ability to manage ecosystems. I emphasise that this practice is not exclusive to this Government; The Greens were also critical of the former Government's decision to reduce staff numbers. The point has been made that nowhere near enough support has been provided for research and scientific work in New South Wales. That approach ignores future opportunities for new jobs and the discovery of knowledge that may deliver benefits for this State. It demonstrates short-sighted thinking about the potential that could be realised as a result of understanding our ecosystem.

The decision to reduce the number of research staff employed at the Forests NSW West Pennant Hills facility raises major concerns for forestry given that that agency continues to log native forests unsustainably and, in the process, is destroying old-growth stands and endangering ecological communities and the habitats of threatened species. Since the historic campaigns of the early 1990s that sought to preserve the precious forests of New South Wales began, there have been calls for detailed and credible assessments of the research into the management of our natural resources. Appropriate forest management can be achieved only after full and detailed scientific research has been undertaken to understand how that can be achieved.

Comments have been made about the value of international research. I am concerned that this indicates a lack of understanding about the importance of science and research. We cannot translate the research done and management systems used in another country or ecosystem to our environment. The research must be done locally to understand fully the potential and opportunities that exist here. This State has the capacity to deliver far more productive employment and biodiversity outcomes. The debate on this issue is very narrow and it is suggested that we cannot do both. We can, but we must maintain a willingness to do so, and we must respect the

science that will deliver it. This motion condemns the reduction in scientific staff numbers at Forests NSW when we need them more than ever. No-one has successfully argued the alternative approach. I am concerned that the low level of understanding of the relevance—

**The Hon. Mick Veitch:** It is dismissive.

**The Hon. JAN BARHAM:** Yes, it is. It dismisses our responsibility to acknowledge the importance of our environment. The work that the research centre has done on threatened species is particularly important. We have seen a reduction in funding for scientific research staff over the years in other government departments. The National Parks and Wildlife Service has lost a huge number of research staff and scientists. As their number has been reduced, we have lost opportunities to implement the results of the important work that the research centre was undertaking. The cessation of the long-term research into cane toads is a huge loss.

We should be proud that the work done by our scientists is recognised internationally. It was particularly galling that the decision to axe these positions was announced during Science Week. Their work is crucial for the appropriate management of New South Wales forests. The publication of their research in scientific journals provided the basis for the sustainable use of our forests. Without that research there can be no monitoring or assessment of the long-term, cumulative impact of timber harvesting on sensitive plant and animal species. As detrimental impacts escalate in forests due to unsustainable cutting practices, resources should be provided to increase research, not diminish it.

The four years of benchmarking against commercial forestry companies claimed by Minister Hodgkinson to support the decision to cut the positions and as reported in the *Sydney Morning Herald* has no relevance to biodiversity management in State forests. Such companies have little interest in maintaining ecosystem functioning or native plant and animal communities. They do not manage a public resource and undertake little, if any, research. Reducing scientific research in public forests represents an abrogation of our responsibilities in this area and is likely to lead to the extinction of forest-dependent species without our knowledge or ability to reverse these processes. I hope that the Government recognises what a short-term decision this is. We would be proud if the Government were to increase rather than reduce the number of research scientists working in this area.

**The Hon. AMANDA FAZIO** [12.18 p.m.]: I support the motion moved by the Hon. Steve Whan about the sacking of 11 out of 33 research staff at the Forests NSW research facility at West Pennant Hills. I strongly support this motion for a number of reasons, but particularly because prior to the election the then shadow Minister for Primary Industries, the Hon. Duncan Gay, guaranteed that there would be no job cuts in the Department of Primary Industries. When asked about that in the House last year, he tried to pretend that the 11 sacked Forests NSW scientists were not covered by his pre-election commitment and said that he was not the Coalition shadow Minister responsible for forests when he made that commitment. As has been stated by my colleague the Hon. Steve Whan, that was a disingenuous piece of hair splitting. Prior to the election, Forests NSW was part of the Primary Industries portfolio. The Hon. Duncan Gay's answer was a huge blow to the 11 scientists sacked from Forests NSW, who realised that the Government's promises came with secret caveats.

Then shadow Minister Duncan Gay made an irresponsible promise that he would guarantee no job cuts in Primary Industries. It was a promise made without caveats and these jobs cuts prove that the new Government has gone back on its word. The outstanding researchers at the Forest Science Centre at West Pennant Hills were lied to—pure and simple. Prior to the election, the Coalition stated that all Department of Primary Industries staff would retain their jobs. They have now sacked 11 scientists, and no amount of trickery can conceal the Government's broken promises. As my colleague Steve Whan said:

Before their efforts were cruelly cut short, these men and women were toiling diligently for the public benefit—in important fields such as salinity mitigation, biodiversity and the development of new forests.

It is a real shame that the people who worked at the Forests NSW research facility at West Pennant Hills have had their jobs slashed. There were 33 workers there and 11 positions were slashed. That is an absolute disgrace. In addition to going back on the pledge of no job cuts in the Primary Industries portfolio, there is the issue of the important scientific research that these people were undertaking. I tell Parliament exactly what I am talking about by reading from a statement given by one of the workers at West Pennant Hills, who said:

Here are some thoughts related to the ecology group.

The three main themes of the Forest Biodiversity and Ecology research program are:

- Biodiversity monitoring;
- sustainable management for biodiversity in production forest landscapes;
- habitat restoration and sustainable management for biodiversity in agricultural landscapes.

The principal responsibilities of our work are to support policy development around the theme "Biodiversity Conservation in Production Landscapes" where the goal is to achieve ecologically sustainable management. Eighty-five per cent of NSW occurs outside of conservation reserves and it is not possible to conserve the State's biodiversity without considering non-reserved lands and their management. Our contribution—

that is, the contribution of the scientists—

... has been to focus research in native forests on aspects of the ecology, response to disturbance (fire and logging), and methods for effective monitoring of forest fauna and flora (including threatened and currently non-threatened species) to provide a scientific basis for their management.

Since moving into DPI, our research now includes work in agricultural landscapes where we provide scientific underpinning for the development of both market-based and government-subsidy schemes for achieving land use change on farms, thus helping to control salinity and to restore habitat for wildlife.

Their research is directly relevant to the future of carbon plantings if the State is to have biodiversity spin-offs as well. This research means that the department would be well positioned to capitalise on the massive Federal Government biodiversity fund. So what does the Government do? It sacks one in three of the workers. Recently, the scientists were merged into a new group called Forest and Rangelands Ecosystems and they began working to provide better outcomes for biodiversity conservation in the western rangelands of New South Wales. The intention of that research was to provide decision tools for catchment management authorities to optimise biodiversity conservation and production on private land.

The scientists have also undertaken research for the honey bee board, demonstrating the importance of nectar produced by eucalypts to honey bees. Their research is relevant to beekeepers and has flow-on effects to the horticulture industry, which relies on bees to pollinate crops. I take a particular interest in the industry because my grandfather was an apiarist. The scientists also collaborated with universities undertaking research on tree decline and grazing strategies on farms and how these factors flow on to affect biodiversity and the services, such as pest control, that they provide. The scientists have a range of unfinished projects—unfinished because they were sacked—some of which were being undertaken under agreements with the Office of Environment and Heritage that involved suspending additional environmental regulations, such as pre-logging surveys for particular threatened species, on the basis that the research would be undertaken and completed. If the researchers are no longer employed, they cannot finish this important research.

Additionally, one bat specialist was employed by the Department of Primary Industries and the Government to research and work with bats. That person also served on the expert panel for the Royal Botanic Gardens to disperse its flying fox colony, and his sacking destroyed the opportunity of creating a link between this action and the outbreak of Hendra virus in stressed bats. Given that the Department of Primary Industries was overseeing the response to the Hendra virus outbreaks and providing funding for Hendra-related research, it seems completely incongruous and illogical to remove such a specialist from the staff of the department. We know that there are a lot of flying foxes in the metropolitan area, not just in parklands but in fruit trees in metropolitan backyards. Many people are very concerned about that because they know they can get the Hendra virus from flying foxes. They do not like having flying foxes in their backyards, but flying foxes are protected so they cannot do anything to stop them being there.

**The Hon. Duncan Gay:** Yes, they can.

**The Hon. AMANDA FAZIO:** I note the Minister says that they can. I suppose that means he is promoting the idea that we should kill endangered species. Many citizens in New South Wales, particularly in built-up metropolitan areas, are very concerned about flying foxes raiding fruit trees in their backyards. They are not prepared to pick any fruit from the trees for fear of somehow coming into contact with the Hendra virus. They are very worried about the droppings that bats leave in their backyards because of the Hendra virus and, since it was found that the virus had been transferred to a domestic dog in Queensland, they are also very worried about the health of their companion animals, their pet dogs. I think the Government's cutting back on those scientists who are doing such important research in an emerging area of concern not just in metropolitan areas but right across the State—and in fact across the country—is an absolute shame.

Frogs were another speciality area of sacked staff. They had a special interest in cane toads and their advance into New South Wales, but those opposite did not worry about that. They decided to sack one in three researchers at the Department of Primary Industries facility at West Pennant Hills and leave us with a paucity of research expertise in New South Wales. We needed to keep those scientists on board, but those opposite have scant regard for that. We have only to listen to the Government Whip, the Hon. Dr Peter Phelps, to learn of his regard for scientists. Listen to those opposite who talk about "voodoo science" and who support some things and

not others, selectively cherrypicking which bits of science they will support and which ones they will not. If Government members do not realise that the New South Wales community is very concerned about the Hendra virus and the advance of cane toads down the coast into New South Wales, they have rocks in their heads.

The Government has sacked 11 out of 33 of the best research scientists that we have in New South Wales. It is a short-sighted, nitpicking, moneysaving measure. That is the sort of thing those opposite come up with, and I think it is an absolute disgrace. For those opposite to claim that everybody who left the Department of Primary Industries in the past 16 years was a scientist shows the lack of intellectual rigour they bring to debate in this House. It shows their lack of intellectual rigour in understanding what goes on and their lack of commitment to keeping jobs in regional New South Wales. Labor had a large decentralisation program; we decentralised many jobs in New South Wales. What is this Government's decentralisation program? Close the Cronulla fisheries centre and decentralise workers to Mosman. Well done! We know The Nationals like to have their State conference in Kirribilli so they would like to see the researchers decentralised from Cronulla to Mosman.

All I can say to those opposite is that they are showing their bias against science and their bias against the facts. They are showing they do not care what they had to say to get into government because they ripped up whatever commitments they gave to workers in the Department of Primary Industries when they sacked them. Members opposite should be ashamed of themselves, but of course they are not; they are all looking very proud—proud that they sacked workers and proud that they sacked scientists. They should be hanging their heads in shame because they have set back research in New South Wales in these two important areas by decades.

I strongly support the motion moved by the Hon. Steve Whan. Government members will not support it. They are always huddling in a little pack together to try to justify the terrible things that the Government has done to the science research staff of the Department of Primary Industries. I urge members with more common sense to support this motion and condemn the O'Farrell Government for these viscous, unwarranted and unsustainable attacks.

**The Hon. NIAL BLAIR** [12.30 p.m.]: Crocodile tears have been pouring from those on the other side. The Labor Party says it believes in the future of agriculture and it is concerned about investment in research, productivity and jobs in the agricultural sector. One only has to look at what happened in the Federal Senate last night to see how inconsistent the Labor Party is.

**The Hon. Rick Colless:** What happened?

**The Hon. NIAL BLAIR:** Last night a motion was moved by Senator Fiona Nash, Senator Chris Back and Senator Bridget McKenzie that as 2012 is the Australian Year of the Farmer the Senate should recognise that the Australian agricultural industry offers approximately 100,000 jobs in that sector, 2.5 jobs for every agricultural graduate, and a diverse range of careers requiring a wide range of skill levels. The motion acknowledged that responding to the expanding global food task will require Australia to substantially upskill and increase the size of its agribusiness workforce.

The motion also called on the Federal Government to resource the promotion of careers in agriculture through the primary and secondary school system, incentivise universities to offer agricultural science courses, and encourage industry in the development of agribusiness educational and training resource material. That reasonable notice of motion is worthy of support by the members opposite and their colleagues in Canberra, but guess what? The Greens and the Independents supported it, but the Labor Party opposed it. Today those opposite are telling us how concerned they are about jobs in primary industries in regional New South Wales. How inconsistent is that?

Pleasingly, this motion gives Government members the opportunity to correct some basic facts and to show its inconsistency with what has happened in this State over the past 16 years. I remind the House that the Hon. Steve Whan was the Minister for Primary Industries in the former Government and the changes he is now asking about in Forests NSW are a result of work undertaken by the previous Government. Forests NSW is a public trading enterprise and as such is charged with making a return on investment to the people of New South Wales. It cannot effectively do this when it is put in an uncompetitive position of undertaking research that is either not core to its business or not being transferred into field activities that increase production or profits. That is why Forests NSW looked at what could be done to ensure that its operations are contemporary, competitive and responsive. It conducted a benchmarking study and the resultant report was called "Why Research?"

It has been clearly identified that there needs to be a move away from "blue sky" research and development to research that is more "in demand", so outcomes can be directly applied to the daily operations of ensuring a sustainable timber supply into the future. Forests NSW and the Department of Primary Industries have determined that there needs to be a restructure of how research is delivered to the public forestry interests of this State. I am pleased to say that two new positions have been created at Forests NSW: a forest ecology research officer and a forest ecology technical officer. In the meantime Forests NSW and the Department of Primary Industries are attempting to identify new employment opportunities for the ecological scientific staff, particularly in universities. At the same time Forests NSW intends to maintain and develop other forestry research relationships to meet its business needs. This is exactly what happens in modern industries here and overseas, where a range of external organisations are contracted to undertake short term priority projects.

Forests NSW Native Forest Operations already maintains a team of people engaged in the day-to-day forest ecology work that is required under the various threatened species licences and integrated forest operations approvals that govern timber harvesting in our native forests. Those people are also charged with caring for the fauna of State forests. I also take this opportunity to correct the record. The current bat researcher at Forests NSW concentrates on "micro" bats—the main type found in timber production forests—not "macro" bats, with which the Hendra virus is associated. The Department of Primary Industries is leading the research into large bats, which are responsible for carrying the Hendra virus. Some \$12 million is being spent to fast-track vital research into the Hendra virus. The New South Wales Liberal-Nationals Government and the Queensland Government have committed \$6 million in funding, which was matched by the Commonwealth Government.

The Department of Primary Industries is working around the clock with the horse community and the Queensland Government to respond to the recent Hendra virus outbreak. As a horse owner I am concerned about that outbreak, as are other horse owners through this State, and the \$12 million in funding is a welcome response by the Government. A team of disease experts, including world-renowned scientists from the Elizabeth Macarthur Agricultural Institute, will lead the research. The researchers will investigate the reasons behind the 2011 spike in infection and how we can reduce transmission and infection in the future. The recently formed cross-border Hendra task force will oversee the research. The research into cane toads—they definitely are not protected; quite the opposite as they are a noxious species—is not a responsibility of Forests NSW. In terms of forest health, the department will retain core research into this area, which has been identified as work that is actively being delivered into the day-to-day operations of Forests NSW in the field.

Forests NSW contributes funding to a wide range of research organisations nationally and internationally, as well as science and research by the Department of Primary Industries. These organisations include the Forest and Wood Products Corporation, the Radiata Pine Breeding Company, the Bushfire Cooperative Research Centre, the Sub-Tropical Forestry Health Alliance and the Forestry Cooperative Research Centre. Forests NSW also pays a voluntary levy to the Forest and Wood Products Australia, which funds cooperative research on behalf of industry nationally, including ecological research. As a result of the recent benchmarking review, it is appropriate to rearrange some funding so that the Science and Research Forestry Unit can be restructured to reflect actual needs. Forests NSW under the Liberal-Nationals Government will continue to undertake research into forest science and issues that can make a difference to the health of forests and the health of the bottom line, which delivers a two-pronged benefit to the people of regional New South Wales.

**Mr DAVID SHOEBRIDGE** [12.38 p.m.]: On behalf of The Greens I echo the words of my colleague the Hon. Jan Barham in support of this motion. Remarkably we have heard a number of Government members from rural New South Wales oppose this motion: a motion that says that the Government should not have more than decimated its research staff at the Forests NSW research facility, West Pennant Hills.

**The Hon. Rick Colless:** Who decimated the forests in the Pilliga?

**Mr DAVID SHOEBRIDGE:** I acknowledge the interjection of the Hon. Rick Colless. The argument is that because the Labor Government previously cut some staff—or that the decision was put in principle by the Labor Government—that somehow it gets the Liberal-Nationals Government off the hook. The argument is that, when the Government makes the decision to make a third of the research scientists at the Forests NSW research facility redundant, it is not responsible because all it did was make the decision that had been put in train by the previous Government. That is not a get-out-of-jail-free card.

This Government had a cold, hard look at the issue and decided that one-third of the scientists could be sacked—it is as simple as that. This Government does that—as we heard in the contribution of the Hon. Niall

Blair—because it believes that the future of any scientist who is not providing an immediate economic return to Forests NSW in the year's budget is on the chopping block. This Government is only interested in science from some of the major public institutions such as Forests NSW that immediately turns a dollar. This is an example of the sort of bare, economic rationalism that will see regional New South Wales stripped of jobs by this ideologically driven Government.

Not only has one-third of the research staff been ripped out at Forests NSW at West Pennant Hills, but this Government has also put out to private tender the Forests NSW nurseries in Dubbo, Muswellbrook, Gunnedah, Narrandera, Wagga Wagga and West Pennant Hills. How many jobs are on the chopping block as a result of that Government decision? Twenty-nine jobs will be lost in regional New South Wales from Forests NSW nurseries as a result of the rabid economic rationalism of this Government. Those job losses will be concentrated in Forests NSW nurseries—we did not hear a comment about this from the Hon. Niall Blair. For example, 14 jobs will be stripped out of Narrandera, with the closing of that Forests NSW nursery. Fourteen well-paid, secure government jobs are being stripped out of Narrandera because of this Government's war on science and its base economic rationalism, which says to the people of regional New South Wales: If you cannot pay your way, you are going to be sacked by this Government.

The Government is now looking at reviewing the workshops of Forests NSW across that State. The Government has already decided to shut the one down at Coffs Harbour. There are reports that the Government is looking to shut down other workshops. So why is it that the Government decides to chop out the research staff at Forests NSW? Apparently research into things such as preventing the spread of cane toads in New South Wales will not turn a dollar for Forests NSW. The Government seems to think that cane toads—as they march down from The Nationals territory up north—are somehow going to magically diver around State forests. Perhaps the toads will come upon a sign that says, "Warning, amateur hunters on the loose in this State forest" and they will divert around the State forests.

The Government has let amateur hunters loose in all our State and native forests in New South Wales. Perhaps the cane toads are smarter than we give them credit for. The real tragedy is that cane toads do not magically miss our State forests and are a significant ongoing problem in our State forests. They are greatly reducing biodiversity across New South Wales and in our native forests. The loss of 11 research staff will result in the loss of specialised skills in studying our threatened species such as gliders, pygmy possums, and owl species such as the powerful owl. These are iconic species in our native forests in New South Wales. Before we send in contractors to log our native forests, we need to undertake basic research so we know what areas must be protected, and what coops and compartments should be off limits to logging in New South Wales.

**The Hon. Robert Borsak:** Nothing.

**Mr DAVID SHOEBRIDGE:** I acknowledge the interjection of the Hon. Robert Borsak. That mentality has a strong toehold in this Government. The Shooters and Fishers Party believes that none of our State forests should be off limits to logging. One of the ways it wants to open up State forest after State forest to unrestrained logging is by dumbing down the science so that the people of New South Wales and Forests NSW do not know what threatened species are contained in our forests. Last night in an adjournment speech I pointed out the way in which the Office of Environment and Heritage is seeking to delist the sugar glider from the threatened species list in regards to the Bago Plateau on the south-west slopes of New South Wales.

The Office of Environment and Heritage wants to delist the sugar glider, even though sightings of it have fallen by about 40 per cent over the last 15 years. Its habitat is facing increasing destruction from forestry operations. The grand old trees that provide the nesting hollows and dens that sugar gliders require for their existence are being systematically destroyed by logging operations in the State forests, but this Government is looking to delist them as a threatened species. The Government wants to dumb down the science in Forests NSW so that it can start a number of delistings of threatened species across New South Wales. The fewer threatened species identified, the greater the scope of the logging operations the Government can unleash across New South Wales.

The Government has an ongoing fight against science. The Government does not seem to believe in science or want its decisions informed by science. At the pointy end of this Government's war on science is the stripping out of the science that will protect our native forests. It is a disgrace. The Hon. Niall Blair spoke in support of the motion and said what a good thing it was that the Senate joined forces, and the Coalition voted with Independents and The Greens to stand up for jobs in regional New South Wales. He says how inconsistent it is that the Labor Party would vote that down in the Senate but would then vote in favour of it in this House.

I say to the Hon. Niall Blair that it would be grossly inconsistent, on his own logic, to have his Coalition partners support that kind of motion in the Senate but have him and his colleagues vote it down here. If the member opposite wants to talk about consistency, he should act consistently and not vote in the opposite way.

**The Hon. HELEN WESTWOOD** [12.48 p.m.]: I support the motion and express my support for workers at the Department of Primary Industries. I commend my colleague the Hon. Steve Whan for moving the motion and I join him in condemning the Liberal-Nationals Government. I will always speak up to defend the workers. At the moment New South Wales workers need someone—in fact, they need many of us—to stand up and defend their rights. I am pleased to speak against this Government for abolishing 11 of 31 positions at the Forests Science Centre which—as many members have noted—is associated with Forests NSW at West Pennant Hills. The unit employed 22 full-time and nine part-time staff. These cuts have halved the number of full-time positions, including positions such as senior scientists who undertake research into the ecological sustainability of forests and agriculture.

We are another day in this place and again we have to speak out against the O'Farrell Government sacking even more workers. It is becoming an all-too-familiar event. Every time an announcement is made in this State it heralds more job losses. It is as if someone lies awake at night and thinks up how the Government can further torture the workers of this State. At the time of this announcement the Public Service Association justifiably believed these job losses were just the first of many.

Research staff were told that they would have to reapply for their jobs or accept voluntary redundancy. It is an absolute disgrace that a group of colleagues and mates, who have been working together for years, now have to aggressively compete with each other for only a couple of jobs. The union's assistant State secretary, Shane O'Brien, said they were alarmed by reports suggesting that the department faces a 25 per cent cut to its budget. I hope members opposite have thought about what that will mean. Other members have referred to the impact that will have on the important research and scientific work these scientists have been carrying out. Mr O'Brien stated:

Some managers have said off the record that they expect more to come.

He further stated:

I would hope that if nothing else the National Party MPs that opposed every cut to DPI that was put forward by Labor over the last eight years need to stand up to the Liberal Party now.

I doubt that will be the case. Regretfully we have seen The Nationals members in this place kow-tow to the economic rationalists in the Liberal Party. They are willing to cut jobs, even important jobs that make a huge difference and improve the quality of not only the environment but also the lives of their constituency over which they claim to have a monopoly. The only count that is higher than the number of jobs that have been cut by this Government is the number of broken election promises. Before the election the then Opposition spokesman for Primary Industries, the Hon. Duncan Gay, promised that no jobs would be lost in the department under a Coalition Government. Even more specifically, he said that no research jobs would go. How false has that statement turned out to be? As the Public Service Association has stated, we still do not know the true extent of the job casualties for this State.

**The Hon. Dr Peter Phelps:** The same Public Service Association which I attended last night—no Labor members were there.

**The Hon. HELEN WESTWOOD:** I acknowledge the interjection by the Hon. Dr Peter Phelps. Yet again, just as I had to do earlier today, I have to correct him. Again, the Hon. Dr Peter Phelps has this arrogant belief that his truth is the only truth; that only he has the knowledge. That is what he believes. He gets up here and pontificates to the rest of us as though none of us is up to his standard. We are all a little tired of hearing it. However, again on that point he is incorrect. There were in fact a number of us there last night. In fact, we had been there earlier, returned to this place and then went back, but because we were not spotted by the Hon. Dr Peter Phelps we were not there. For the record, a number of my Labor colleagues and I were there last night at the candlelight vigil. We were there in person.

**The Hon. Dr Peter Phelps:** In solidarity.

**The Hon. HELEN WESTWOOD:** I can be absolutely certain that the Hon. Dr Peter Phelps was not there in solidarity. One must wonder what kind of message the New South Wales Government is trying to send



about its respect for science. I find it ironic that the Deputy Premier, Andrew Stoner, opened National Science Week by praising the wide-reaching economic and social benefits of research and innovation. Then within days, and in the middle of Science Week, the Government announced significant cuts to the New South Wales Forest Science Centre.

The announcement was likened to the Government announcing the closure of a third of the Institute of Sport during the Olympic Games. Was the announcement of funding cuts to research during Science Week just a case of really unfortunate timing or is science so far off the radar for the Coalition Government that the irony was not even apparent to it? I strongly believe it is a case of the latter. I say this because there have been some indicators of the view held of scientists in this State when in this place last May the Hon. Dr Peter Phelps upset the science fraternity when he linked scientists to Nazism. He said:

We should not forget that some of the strongest supporters of totalitarian regimes in the last century have been scientists and, in return, the State lavishes praise, money and respectability on them.

He was quoting one writer speaking about the rise of Nazism. I totally reject that analogy. I am pleased in this debate to speak in defence of the profession. It is becoming common place that I have to get up in this place to defend those whom the Hon. Dr Phelps attacks and degrades. These scientists who were at the Forest Science Centre performed high quality world-class research into biodiversity, response to climate change, biosecurity, carbon sequestration and salinity. I do not need to point out the importance and relevance of these topics as they have wide-ranging impact. The work these researchers did directly supported the growth and sustainability of the timber industry in New South Wales. Their work has flow-on benefits to other agricultural sectors.

The Forest Biodiversity and Ecology Program undertakes scientific research to underpin the development of ecologically sustainable forest management practices, which includes studies of the impacts of forestry disturbances such as logging and fire on flora and fauna, the ecology of threatened species and the development of robust methods for monitoring changes in species abundance. The program includes also assessments of the role of habitat surrogates in predicting biodiversity and the role of eucalypt plantings in restoring biodiversity in rural landscapes. There are less tangible but just as important benefits of research done at the centre, such as understanding the effects of fire and forestry on threatened species.

The Minister for Primary Industries, Katrina Hodgkinson, said the decision was made by benchmarking Forests NSW against similar forestry companies, but there is no immediate commercial drive for private companies to perform research into things such as biodiversity and biosecurity. These areas deserve and rely on government support and the previous Labor Government did support them. Mike Archer, the former director of the Australian Museum, who is a professor of biological science at the University of New South Wales, described the cuts as "a tragedy". Professor Archer said the researchers employed at the centre are unique in being able to embark on long-term research projects, unlike scientists working at universities within the confines of three-year grants. He said:

Some of their projects have been going 10 and 20 years. They are producing understanding about changes in the land resulting from the way we use it in a way that no other researchers can demonstrate because none of the rest of us have this capacity to do these kinds of long-term studies. And it is long-term studies that are precisely what we need at this point.

Professor Archer said the decision would:

... cut the throat of the expertise that is generating so much information that we need now. This is not the group to sacrifice.

The President of the Royal Zoological Society of New South Wales, Peter Banks, has described the cuts as "shocking news" which "represents a significant threat to wildlife conservation in New South Wales". In a letter to members in response to the announcement, he stated:

The ecology researchers at Forests New South Wales are world class. They have decades of field experience, their expertise in the management of New South Wales's forest wildlife is unparalleled and their research publications are relied upon by anyone making decisions about managing forest species.

Surely there can be less damaging ways to cut costs in New South Wales than to squander this special asset representing decades of experience in wildlife management—an asset which can never be replaced once the balance sheet improves.

As I have said, before the election the Coalition specifically ruled out cutting research staff in the Department of Primary Industries. Scientists working on food security, disease control and fisheries management in other

research centres around the State must now be looking over their shoulders. We have seen what the Government has done to the Cronulla Fisheries Research Centre. This Government is not willing to abide by its pre-election promises.

This Government clearly thinks that jobs in the public sector are fair game. In fact, I am absolutely certain that this is ideologically driven. The belief is that if public servants are doing the work and they are on the payroll of taxpayer-funded bureaucracies, organisations or agencies they are fair game for this Government. The Government has made it absolutely clear that it does not value the work of public servants in this State. History has shown us that public servants have added so much value to this State. Whether we are talking about the economy, the arts, science or whatever area of business or policy in New South Wales, public servants have made a valuable contribution both to our knowledge and to the activity in their area of expertise.

This Government has demonstrated that, because of its ideology, it is willing to target public servants no matter the value of the work they do. That is the case even when the value of the work affects their own constituency. The fact that Nationals members opposite are unwilling to stand up to the Government is appalling. Government members cannot be trusted and the voters of New South Wales are finding this out quickly. I commend the motion to the House.

*[The Deputy-President (The Hon. Sarah Mitchell) left the chair at 1.02 p.m. The House resumed at 2.30 p.m.]*

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

**Item of business set down as an order of the day for a later hour.**

## **QUESTIONS WITHOUT NOTICE**

### **DAM SAFETY**

**The Hon. LUKE FOLEY:** I direct a question to the Minister for Finance and Services. Why has the Minister as a shareholding Minister in the State Water Corporation signed off on a plan to defer stage 2 of the dam safety upgrade program given that many of the dams of State Water no longer comply with the New South Wales Dam Safety Committee's standards and guidelines for extreme floods and earthquakes at a time when many of the State's dams are overflowing?

**The Hon. GREG PEARCE:** The Leader of the Opposition has once again demonstrated his absolute ignorance in the way that government operates and the way that State-owned corporations operate. If the Leader of the Opposition took the trouble to be educated about the structure, the budget and the trading enterprises of the New South Wales Government he would know that shareholding Ministers are required under the legislation for these organisations to sign the statements of corporate intent. The statements of corporate intent are not binding documents. They are not signed by shareholding Ministers in the capacity of the Minister who can implement what is in them. They are signed as a recognition that the corporation is complying with its obligations under the legislation.

The statements of corporate intent to which the Leader of the Opposition is referring arise from the statements of corporate intent and the activities under this corporation when the Labor Party was in government. This is a flow-on of the policies of the Labor Party and the condition in which the Labor Party left this State. The reason the water assets are in some cases not in the condition in which we would like them to be is that we had 16 years of neglect and underinvestment in infrastructure by the mob opposite. The facts are: Craig Knowles, Minister responsible for water April 1995 to April 1999; Kim Yeadon, Minister responsible for water, April 1999 to April 2003; Frank Sartor, Minister responsible for water, April 2003 to August 2005; Carl Scully, Minister responsible for water, August 2005 to September 2006—

**The Hon. Steve Whan:** Point of order: My point of order is on relevance. The Minister was asked about investment in dam safety. Moronically reading a list of former Ministers is not addressing dam safety.

**The Hon. GREG PEARCE:** To the point of order: The question was about me as a shareholding Minister signing a statement of corporate intent. I am taking members of the Opposition through a history.

**The PRESIDENT:** Order! I have reminded members regularly not to make debating points when they are taking a point of order. The Minister was being generally relevant.

**The Hon. GREG PEARCE:** David Campbell was Minister for Water Utilities from February 2006 to April 2007 and remember Nathan Rees, he was Minister for Water Utilities effectively from April 2007 to February 2008. Capping it off, Phillip Costa was Minister for Water. That is why the dams are in such a condition, after 16 years of neglect under the Labor Party—Sartor, Scully, Campbell, Rees.

### ST PATRICK'S DAY

**The Hon. NIALL BLAIR:** My question is addressed to the Minister for Police and Emergency Services. Will the Minister update the House on St Patrick's Day celebrations?

**The Hon. MICHAEL GALLACHER:** I thank the member for his question and passionate commitment to making Sydney's St Patrick's Day celebration the best in the world. St Patrick's Day is a matter close to the Irish hearts of many in this Chamber who share an ancestry that traces its roots back to the Emerald Isle. That is why I am proud to announce that the Sydney Opera House Trust has agreed to light up the sails of the Opera House green as part of the harbour city's St Patrick's Day celebrations. I acknowledge the hard work of the Hon. Niall Blair in making this happen. Despite being a Rangers supporter, the Hon. Niall Blair wants to celebrate St Patrick's Day ecumenical to the very end.

I congratulate the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts, George Souris, on his fantastic behind the scenes work. I acknowledge the efforts of the Leader of the Opposition also in this regard. This underscores the success of the Parliamentary Friendships Group and, in this case, the determination of the Parliamentary Friends of Ireland to work together to get this fantastic result for St Patrick's Day. The trust agreed to light the sails in recognition of the strong Irish heritage in Australia and the fact that St Patrick's Day is a major celebration in this country, not just by those with an Irish background, but also the wider community.

**The Hon. Luke Foley:** O'Souris.

**The Hon. MICHAEL GALLACHER:** George O'Souris indeed. I thank the Sydney Opera House Trust for its decision to honour the tradition of St Patrick's Day, a tradition celebrated not just in Ireland but also wherever Irish immigration has been prolific. The Opera House sails as well as landmarks across the globe will be lit green in celebration of St Patrick's Day. The Sydney Opera House will be the first as our time zone is the first to celebrate this wonderful day. As Minister for Police I encourage all members to enjoy their St Patrick's Day responsibly and if they do partake in the traditional pint of Guinness to stay off our roads and stay out of our cells. I thank the Hon. Niall Blair for his tireless work. The Leader of the Opposition is even wearing a green tie today.

[Interruption]

I acknowledged the Leader of the Opposition but he was too busy talking. Unfortunately, he will have to read *Hansard* or watch himself on the video—as he always does afterwards. I hope that next year we will go one better and have the sails lit in green and white hoops, which I am sure the Leader of the Opposition understands, to celebrate St Patrick's Day at a whole new level.

### PUBLIC SECTOR EMPLOYMENT

**The Hon. ADAM SEARLE:** My question is directed to the Minister for Finance and Services. Given the findings of the Schott review suggesting further agency amalgamations, will the Minister rule out any further job cuts to the public sector beyond the 5,000 announced in last year's budget?

**The Hon. GREG PEARCE:** No, I will not rule them out. I have to be direct because after 16 years the Labor Party has left us with a Government facing a black hole in the budget of \$5.2 billion giving rise to all the problems identified in the Schott report. For the benefit of those in Foley's fable land, the world is still facing very difficult economic circumstances. New South Wales is facing the debilitating impact of the Federal Labor Government's carbon tax, which will commence in February. That is causing incredible stress to the New South Wales budget, as are the contracting GST revenues. The budget is facing considerable stresses in addition to the mess that members opposite left behind. Let us not forget the crowning destruction of value that they left us with when former Premier Keneally and former Treasurer Roozendaal signed up to a midnight so-called sale—it was actually a fire sale—of our electricity assets in December 2010. They burnt \$5.2 billion of taxpayers' wealth.

I saw yesterday for the first time a little bit of backbone from former Premier Keneally when she abstained from a vote in the other place. I will be waiting to see the Hon. Eric Roozendaal show some character and abstain or vote with the Government when the legislation designed to fix the mess they made of this State is debated in this place. He will have the opportunity to show whether he has any backbone or integrity by taking responsibility for the mess that he left behind. I look forward to seeing what he does.

### INEBRIATES TRANSPORT

**The Hon. ROBERT BORSAK:** I direct my question to the Minister for Police and Emergency Services, representing the Minister for Health. Does NSW Health provide funding to local health networks in regional areas to transport inebriates from regional areas to facilities designed to cater for them? If so, how much funding has been provided this financial year? Has any funding allocated for this purpose been diverted to any other purpose, such as the treatment of persons affected by drug abuse?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question and will seek an answer from the Minister for Health as he has requested.

### SYDNEY HARBOUR BRIDGE EIGHTIETH ANNIVERSARY

**The Hon. JOHN AJAKA:** I direct my question to the Minister for Roads and Ports. Will the Minister update the House on the upcoming celebration of the Sydney Harbour Bridge's eightieth birthday?

**The Hon. DUNCAN GAY:** I thank the honourable member for asking this important question. I take this opportunity to encourage all members opposite and their families to join in the celebrations at Bradfield Park this Sunday to mark the eightieth anniversary of the opening of the Sydney Harbour Bridge. How fitting that the event is being held at Bradfield Park. Sydney's iconic harbour bridge turns 80 on 19 March and that milestone is being celebrated on Sunday 18 March. We are inviting people to pack a picnic and join us under the bridge. Kicking off at 9.30 a.m. with a special 1930s theme, there will be plenty to see and do. We will have historic displays, vintage fashion parades, big bands, roving entertainment and presentations to keep the crowds busy.

Several special guests with links to the bridge will also attend the celebrations to share their stories about the history of the Grand Old Dame. The event coincides with Seniors Week, so we encourage all our older community members to pack a picnic and come along to join in the fun. There will be plenty for kids to do, with face painting, balloons and family activities. The alcohol-free community day will also feature a cake-cutting ceremony to mark the milestone.

The bridge, which was opened on 19 March 1932 and which is the world's widest long-span bridge, was used by just 11,000 vehicles a day when it was finally opened. Around 1,400 workers played a role in the design and delivery of the bridge, which today is one of the primary corridors in the New South Wales road network, being used by more than 160,000 vehicles each day. The foresight of its designers to build a structure to take the city into the future was absolutely amazing. The bridge was designed by Dr John Job Crew Bradfield and was built by Dorman Long and Company Limited.

It took almost nine years to build at a cost of close to \$10 million—or about \$3 billion in today's money. It is no surprise that the builders used 52,800 tonnes of steel, 95,000 cubic metres of concrete and 272,000 litres of paint to give the bridge its first three coats. There are seven vehicle lanes, a 24-hour bus lane, two train lines, a footpath and a cycleway. Members may be interested to know that about 4,000 broken-down vehicles are removed from the bridge each year and more than 100 people work on maintaining it each day. It takes 30,000 litres of paint to give it just one coat and the flags on the top of the bridge need to be replaced every four to six months.

Sunday will be a truly memorable event that is most befitting for one of the icons of Sydney Harbour. I encourage all members to go along and enjoy this celebration marking this fantastic occasion. I hope that the Leader of the Opposition and the Leader of the Government will be able to drag themselves away from their busy commitments to join me in Bradfield Park on Sunday. I am looking for a commitment from them, although I am simply discussing this in a vociferous way. I will welcome their attendance.

**DIABETES**

**The Hon. PAUL GREEN:** I direct my question to the Minister Police and Emergency Services, representing the Minister for Health. Given the release of the report entitled "Diabetes: The Silent Pandemic and its impact on Australia", and its prediction of a tripling of type 2 diabetes by 2025, can the Minister inform the House what interventions are planned to counter this preventable scenario, particularly in our schools?

**The Hon. MICHAEL GALLACHER:** That is a very good question. I am sure all members are concerned about the forecasts for diabetes. We have seen many reports about increased sugar in our diets and the impact that has and the obvious health implications resulting from our increasingly obese societies here, in the United States and in many other western countries because of our carbohydrate-reliant diets. I will get an answer from the Minister for Health as requested and I will provide it as quickly as possible.

**PARLIAMENTARY SECRETARY FOR POLICE AND EMERGENCY SERVICES**

**The Hon. WALT SECORD:** I direct my question to the Minister for Police and Emergency Services. In light of revelations in the Legislative Assembly moments ago about the member for Tweed taking illegal donations, will the Minister request that the Premier stand him down from his duties as his Parliamentary Secretary?

**The Hon. Dr Peter Phelps:** Point of order: That question clearly contains not only argument but also imputations against a member in the other place.

**The Hon. Amanda Fazio:** To the point of order: The point of order raised by the Hon. Dr Peter Phelps has no merit. I believe the question is in order. It does not contain argument or imputations. It is a straightforward question to the Minister asking about his relationship with the Parliamentary Secretary. I believe that if the point of order were to be upheld, it would mean that virtually no questions could be asked in this place about the conduct of any Minister or Parliamentary Secretary. I do not believe that should be the intention of question time. It is the only opportunity that Opposition and crossbench members have to ask Ministers about a range of issues relating not only to public administration but also to their actions as Ministers. I believe this question is clearly within the standing orders. Mr President, I ask you to disregard the point of order taken by the Hon. Dr Peter Phelps.

**The Hon. Greg Pearce:** It is scurrilous.

**The Hon. Amanda Fazio:** If the Hon. Greg Pearce wants to say something, he should seek the call.

**The Hon. Catherine Cusack:** To the point of order: The Hon. Walt Secord clearly raised an allegation against another member in another place that has not been substantiated or raised previously in this Chamber. Therefore, I believe the question was clearly out of order.

**The Hon. Greg Donnelly:** To the point of order: I refer to Standing Order No. 64 (1), particularly the last part of it, which states:

- (1) Questions may be put to Ministers relating to public affairs with which the Minister is officially connected, to proceedings pending in the House, or to any matter of administration for which the Minister is responsible.

We are talking about a person holding the position of Parliamentary Secretary of a portfolio that is directly related to the Minister to whom the question was addressed. The question is clearly in order.

**The Hon. Dr Peter Phelps:** To the point of order: I, too, can quote standing orders. Standing Order No. 65 (1) states:

- (1) Questions must not contain:

...

- (b) arguments,
- (c) inferences,
- (d) imputations

The question contained all three and should be ruled out of order.

**The Hon. Duncan Gay:** Point of order: In response to the point of order by the Hon. Greg Donnelly, who indicated that the Minister has responsibility, the allegation was to do with the election funding Act and the Minister for Police has absolutely no purview over the election funding Act.

**The PRESIDENT:** Order! Clearly, the question contains an imputation and I rule it out of order. However, if the question were reworded, it would be in order if it were directed to the Leader of the Government in his capacity as representing the Premier. I invite the member to ask the question in a different form later in question time.

### HUNTER WASTEWATER INFRASTRUCTURE

**The Hon. MATTHEW MASON-COX:** My question is directed to the Minister for Finance and Services. Will the Minister update the House on recent upgrades to wastewater systems?

**The Hon. GREG PEARCE:** I thank the member for his question.

**The Hon. Luke Foley:** What about the Blue Mountains?

**The Hon. GREG PEARCE:** That will be in three or four weeks time. I recently announced the completion of the \$15 million upgrade of the Morpeth wastewater system, which is designed to significantly improve system performance and cater for future population growth. We are doing so much all around the State that we just have to get to these things when we can. This critical infrastructure investment that the New South Wales Liberals and The Nationals have delivered in the Hunter will improve service delivery for the community and the commercial sector. The major upgrade has been undertaken to provide additional capacity to the system so that it can manage the needs of the population it serves in the Hunter as well as future growth predicted in the Morpeth, Maitland and Thornton areas over the next 20 years. Currently servicing around 18,000 properties, in future the Morpeth Wastewater Transportation System will be required to service an additional 11,000 properties as a result of expected development in the area.

The Lower Hunter is the sixth-largest urban area in Australia and one of the State's major centres of economic activity. Its population is expected to continue to grow as people are attracted by the lifestyle and opportunities it affords. The design of the upgrade has taken into account potential capacity for major industrial development, to support commercial growth in jobs in the region and to ensure that better services are provided to residents in the Hunter. The current works, which form stage two of the upgrade, involve the upgrade of five pump stations along with the construction of new sewer mains.

These works have produced benefits for both the community and the environment, with the upgrade also ensuring improved performance of the system, particularly during wet weather. Stage three of the upgrade, expected to commence in 2013, will involve the upgrade of additional pump stations in the area to further improve system capacity and performance. I am very pleased to say that I was joined in this very good news announcement by the tremendously hardworking Minister for the Environment and Minister for Heritage, the Hon. Robyn Parker, who is the member for Maitland.

**The Hon. Greg Donnelly:** She is a real winner for you.

**The Hon. Eric Roozendaal:** She makes you proud.

**The Hon. GREG PEARCE:** I acknowledge the interjection from the Hon. Eric Roozendaal—this Minister is doing us all proud. The Hon. Robyn Parker is doing an excellent job and in her capacity as member for Maitland she is delivering for the people of Maitland, unlike her Labor predecessors, who failed to do so. The Hon. Robyn Parker warmly welcomed the upgrade, saying that it is a great result for the region and the environment because it will deliver enhanced performance, particularly during wet weather periods when pressure on the system is increased. Over the current financial year more than \$84 million will be invested in upgrading wastewater infrastructure to improve performance and cater for population growth. These works are part of the current capital infrastructure program of \$700 million investment in water and sewer infrastructure across the Hunter region. The New South Wales Liberals and The Nationals are delivering much-needed infrastructure and services for New South Wales communities.

**UPPER HUNTER DRAFT STRATEGIC REGIONAL LAND USE PLAN**

**The Hon. JEREMY BUCKINGHAM:** My question without notice is directed to the Minister for the Hunter. During a debate on ABC television's 7.30 program that aired last Friday night the Minister for Planning and Infrastructure, Mr Brad Hazzard, said in reference to the Government's draft strategic land use policy for the Upper Hunter, "There are other prime agricultural areas that are not necessarily the strategic agricultural areas." Minister, what is the difference between prime agricultural areas and strategic agricultural areas?

**The Hon. MICHAEL GALLACHER:** If the member wants detailed analysis on definitions, I am more than happy to get them for him. But I have to say that we all felt a bit sorry for him last week. He went down the deep end. He put the make-up on—this was his chance to stand with Quentin—and, unfortunately, it was not a pretty show. But you have to give him an encouragement award: He went and had a go. It was clear that he was not across his brief; it was clear that he was trying to bring together the arguments we see from The Greens from time to time. Sadly, he did not acknowledge that the Minister for Planning and Infrastructure tried to give him a break and an opportunity to participate in a positive way. However, given that performance, it is fair to say the member probably has a little further to go before he appears again on such a significant program that is viewed nationally.

**The Hon. Greg Donnelly:** It is a New South Wales edition.

**The Hon. MICHAEL GALLACHER:** It is shown in other States as well.

**The Hon. Greg Donnelly:** No, it is not.

**The Hon. MICHAEL GALLACHER:** It is.

**The Hon. Duncan Gay:** It is on ABC 3. I look forward to Queensland's *Stateline*.

**The Hon. Jeremy Buckingham:** Point of order: My point of order is on relevance. The Minister is almost halfway through his answer and he has not mentioned anything to do with strategic agricultural land or prime agricultural land, about which I am sure that he is an expert.

**The Hon. MICHAEL GALLACHER:** I thank the member. As I indicated at the outset, he is asking for definitions in relation to strategic land use. I will get those answers for him from the relevant Minister.

**PARLIAMENTARY SECRETARY FOR POLICE AND EMERGENCY SERVICES**

**The Hon. WALT SECORD:** My question is directed to the Minister for Police and Emergency Services, representing the Premier. In light of the issues raised in the Legislative Assembly this afternoon about the member for Tweed, will the Premier stand the member down from his duties as the Parliamentary Secretary for Police and Emergency Services?

**The Hon. MICHAEL GALLACHER:** I warn members to be very careful when listening not so much to the question being asked but to the member asking the question. There are still huge questions about his conduct regarding Cecil Hills High School and those terrible allegations—

**The Hon. Steve Whan:** Point of order: My point of order is relevance. The Minister was asked a very direct question and he is now seeking to impugn another member in giving his answer.

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

**The Hon. MICHAEL GALLACHER:** As members opposite would be aware, Government members are doing their job in this Chamber. I am not aware what is happening in the Legislative Assembly—there is no direct feed of those proceedings. Quite simply, I am not aware and I was not watching the proceedings. Again I make the point, when the Hon. Walt Secord starts to explain in great detail his role in Cecil Hills High School and those horrific allegations—

**The Hon. Eric Roozendaal:** Point of order: The Minister is clearly debating the question. An attack on another member of Parliament is not answering the question. The Minister should answer the question and stop covering up for the corrupt member in the other place.

**The Hon. Duncan Gay:** Point of order—

**The PRESIDENT:** Order! Before taking further points of order, I will rule on the point of order taken by the Hon. Eric Roozendaal. The member was debating the point of order. There was an issue as to whether the Minister was being generally relevant. When the Minister returns to his answer he might move on to material that is more generally relevant.

**The Hon. Duncan Gay:** Point of order: I probably should not have to raise this point of order. I am sure the President clearly heard the Hon. Eric Roozendaal describe a member of the Legislative Assembly as "corrupt".

**The Hon. MICHAEL GALLACHER:** And used a point of order to do it.

**The PRESIDENT:** Order! To be honest, I did not hear a particular member of the Legislative Assembly named, but if that were the case, then it clearly would be an offensive word and the member should withdraw it.

**The Hon. MICHAEL GALLACHER:** Did you say it?

**The Hon. Eric Roozendaal:** I did not name any member; I said a corrupt member.

**The PRESIDENT:** Order! No member was named.

**The Hon. Eric Roozendaal:** But thank you for putting it on the record again.

**The Hon. Duncan Gay:** Point of order—

**The PRESIDENT:** Order! Is the Minister taking a new point of order?

**The Hon. Duncan Gay:** It is a new point of order. The interjection from the Hon. Eric Roozendaal, "Thank you for putting it on the record", surely must mean that he should withdraw. In the context of the conversation that is happening in this House at the moment, when the Opposition is trying to smear a member in the other place and name that member, and the Hon. Eric Roozendaal uses the words "corrupt member", there can be no ambiguity.

**The Hon. Amanda Fazio:** To the point of order: I argue that there is no point of order because the Hon. Eric Roozendaal clearly did not indicate an individual member in the other place. He referred to a corrupt member in the Legislative Assembly, and quite frankly that could be almost any one of at least 70 I can think of.

**The PRESIDENT:** Order! I require the Hon. Eric Roozendaal to withdraw.

**The Hon. Eric Roozendaal:** Withdraw what?

**The PRESIDENT:** To withdraw the comment you made.

**The Hon. Eric Roozendaal:** Which comment was that, Mr President?

**The PRESIDENT:** Where you referred to a member of the Legislative Assembly as corrupt.

**The Hon. Eric Roozendaal:** Mr President, further to your determination, under the standing orders, as I understand them, unless a member is specifically named or an allegation is made against a specific member it is impossible to offend a particular member. If I describe any member in the Legislative Assembly as corrupt, that is not naming a specific member. I do not see how I can be forced to withdraw a comment when no specific member has been named. That is my submission.

**The PRESIDENT:** Order! As I indicated earlier, I did not hear the Hon. Eric Roozendaal name a specific member. Without reviewing the *Hansard* transcript, I cannot be certain that the Hon. Eric Roozendaal made the comments he did in a way that left no doubt as to which member he was referring to. So I will not insist on the Hon. Eric Roozendaal withdrawing his comments. I ask all members to calm down so that we can get on with question time.



**CATEGORY C NATURAL DISASTER ASSISTANCE**

**The Hon. JENNIFER GARDINER:** My question is addressed to the Minister for Police and Emergency Services. Will the Minister provide the House with an update on category C recovery grants?

**The Hon. MICHAEL GALLACHER:** I thank the member for her question on this important issue. I am glad that she has raised it and I will provide the House with more detail about it. As indicated to the House earlier, category C grants are not intended for every natural disaster. They are not automatically available when a disaster is declared. As I have said, importantly, category C recovery grants need to be approved in writing by the Prime Minister and the Premier on a case-by-case basis, and usually only after disaster impact assessments have been completed. Hence my surprise yesterday, because I would have thought the Hon. Steve Whan would appreciate the procedures and practices that are followed prior to a category C declaration being made. However, given his question yesterday, it is evident that he was not paying attention in the short time that he was the Minister for Emergency Services.

The independent experts need to make the assessments of the damage suffered by communities. That is standard. As to the current flood event, in most cases this means waiting until the floodwaters have subsided and the full extent of damage can be determined. The activation of category C usually involves the following steps: first, a natural disaster is declared; second, there is a thorough assessment of agricultural impact by the Department of Primary Industries; third, there is a thorough assessment of small business impact by the Ministry for Police and Emergency Services; fourth, a case for or against category C grants is presented to the Minister and Premier; fifth, a letter is sent from the Premier to the Prime Minister requesting the activation of grants; sixth, a letter is sent from the Prime Minister to the Premier advising of the decision; and, seventh, grants are activated and coordinated through the Rural Assistance Authority.

I can confirm to the House that category C disaster recommendations are currently being finalised for flooding in southern New South Wales. It is a sad indictment on the Hon. Steve Whan, who is trying to rewrite his own history, that he is trying to insinuate that the Government is being tardy in responding to the current flood crisis.

**The PRESIDENT:** Order! I call the Hon. Steve Whan to order for the first time.

**The Hon. MICHAEL GALLACHER:** These members of the community are looking for help, not political opportunism. I took a long, hard look at the track record of the Hon. Steve Whan when he was the Minister for Emergency Services. He served from 30 January 2009 until 28 March last year.

**The Hon. Amanda Fazio:** Point of order: My point of order relates to relevance. The Hon. Jennifer Gardiner asked an important question about category C flood declarations. It would be appropriate for the Minister to address that question, rather than give the House his version of the Hon. Steve Whan's curriculum vitae.

**The PRESIDENT:** Order! There is no point of order. Members should not make debating points while taking points of order.

**The Hon. MICHAEL GALLACHER:** I will reflect again that during the member's time here, 334 local government areas were declared disaster zones. There were 66 disasters. How many category C declarations did the Hon. Steve Whan make across the 334 local government areas? Again, there were 66 disasters. Some might think 40 category C declarations; perhaps 30 or 20 declarations. No, there were six. Yes, there were six declarations over a period of two years, with 66 disasters and 334 local government areas. When I looked in the dictionary for the definition of "hypocrisy" I saw a picture of the Hon. Steve Whan. He is trying to portray to the community, which is looking for support—

**The Hon. Steve Whan:** Point of order: The Minister has been asked a question about natural disasters, something that most of us in this House take seriously. It is a disgrace for him—

**The PRESIDENT:** Order! The member will state his point of order.

**The Hon. Steve Whan:** My point of order relates to relevance. It is disgraceful for the member to try to politicise this process.

**The PRESIDENT:** Order! I call the Hon. Steve Whan to order for the second time. He will not make a debating point when he takes a point of order. I note that the Minister's time for speaking has expired.

## NATIVE DOG CREEK DAM

**Dr JOHN KAYE:** My question is directed to the Minister for Finance and Services. The O'Farrell Government ruled out Tillegra dam after rigorous examination of its environmental and socioeconomic impacts by the Department of Planning. Why will the Minister not rule out the proposed Native Dog Creek dam, which has 60 per cent of the capacity of Tillegra dam, is just 700 metres from it and will have the same level of unacceptable economic and social impacts as Tillegra dam?

**The Hon. GREG PEARCE:** I thank the member for his question. I know that he is interested in this matter. Members know that the Government has ruled out Tillegra dam. It has done a number of other things in relation to the Lower Hunter water supply. The Government has initiated the work for a Lower Hunter water plan. That work is being led by the Metropolitan Water Authority. The independent Metropolitan Water Authority will examine all the options available to it for the Lower Hunter region—other than Tillegra dam—to guarantee the water supply and to allow for growth into the future. Our approach is to have a transparent activity planning exercise to ensure that there is appropriate and full public consultation, and to ensure that there is appropriate expert input into the process.

As I have done on a number of occasions, this morning I met with representatives of the No Tillegra Dam Group. I also met with a number of other groups, including the Wilderness Society. I told them that the Government has no intention of censoring the public process that we have begun. The Government expects that all parties will have an opportunity to put forward their views and proposals. When we get to the end of the planning process it may not be the case that everybody will be happy, but certainly everybody will have had an opportunity to take part in a transparent debate, to put their views forward and to have consultation.

I heard a few distortions of views and a few attempts at scare campaigns. We do not need scare campaigns to advance community interests. The Government is not interested in silencing or censoring people. I pointed out that Hunter Water—the water supply authority in the region—has an entitlement to put forward its views. In fact, it has an obligation to put forward its views, and I expect it to do so. I reiterate that the Government's policy is no Tillegra dam. I suggest that The Greens—as Dr John Kaye has in the past—actively participate in the transparent process the Government wants to undertake. I suggest that he not engage in trying to run scare campaigns that will confuse the activities of those who are trying to come to a final solution on this issue to come up with the best outcome for the people of the Hunter.

## SPEED CAMERAS

**The Hon. PENNY SHARPE:** My question is directed to the Minister for Roads and Ports. How many of the 38 sites where speed cameras were switched off by the Government last year have had alternative safety measures implemented in accordance with the Auditor-General's recommendations?

**The Hon. DUNCAN GAY:** The answer is: all of them. The Government indicated that it was going to fulfil the recommendations made by the Auditor-General. Some things were to be put in place immediately and following that extra work would be done. The report on that extra work is due shortly. As soon as that report is available the Government will put those recommendations in place. The short answer is: all of them.

## CENTRAL SYDNEY TRAFFIC AND TRANSPORT COMMITTEE

**The Hon. CATHERINE CUSACK:** My question is addressed to the Minister for Roads and Ports. Will the Minister for Roads and Ports update the House on transport in the City of Sydney and the central business district?

**The Hon. DUNCAN GAY:** I have been waiting all week for the Clover supporters to ask me this question, but they have been surprisingly quiet. I would like to clear up some mistruths that Ms Clover Moore, the Lord Mayor, has been peddling. In Ms Clover Moore's editorial in today's *Daily Telegraph*, she argues that the city has limited powers when it comes to making changes to the roads in the central business district. According to her, the New South Wales Government already has to approve all the city's transport projects, including bike routes. This is—quite simply—wrong, wrong, wrong. As I have said before and I will say again, Roads and Maritime Services does not propose or approve Sydney's central business district cycle routes. Roads and Maritime Services has worked only in an advisory capacity with the City of Sydney to help it plan and build its cycleway network.

Decisions about whether to proceed with a cycleway project on a local council road in the City of Sydney local government area sit squarely with the council. Ms Moore's argument in the *Daily Telegraph* is that there is a local pedestrian, cycling and traffic calming committee—do you not love the title? In every other council across the State, it is the local traffic committee. The committee includes State Government representatives. Let me make it clear: This committee has no decision-making powers and this is acknowledged on the City of Sydney's website. The committee is primarily a technical review body that is required to advise council on traffic-related matters.

All proposals recommended by the committee must still be formally approved by either the elected council or authorised council staff. The local pedestrian, cycling and traffic calming committee has four representatives: the City of Sydney Council, NSW Police Force, the Roads and Maritime Services and the local State member of Parliament. When one looks at those parameters, it is interesting to note who is on the committee. In the City of Sydney, the chairperson is Councillor Di Tornay, who was elected on the Clover Moore Independent ticket. The alternate chairperson is Councillor John McInerney, who I note was elected on the Clover Moore Independent ticket. The local State member is obviously the member for Sydney and the City of Sydney Lord Mayor, Ms Clover Moore.

It is clear Ms Moore, not the New South Wales Government, has firm control of this committee and therefore has had control over decisions relating to bike paths and central business district traffic plans. As recently announced by the Premier, the New South Wales Government believes we need a much more consultative approach to deal with decisions that are made affecting transport in the central business district. That is why the New South Wales Government is establishing a Central Sydney Traffic and Transport Committee. This is about working constructively with the city and ensuring that the State Government has an appropriate say in any transport changes in the central business district in Sydney, which is a world city.

#### COAL SEAM GAS EXPLORATION

**The Hon. JEREMY BUCKINGHAM:** My question without notice is directed to the Minister for the Illawarra. I refer to the Minister's recent comments on ABC Illawarra during an interview about a community forum on coal seam gas. When asked about a moratorium on coal seam gas the Minister said, "In relation to coal seam gas rights, as any extraction rights, it would raise issues of compensation, which could be in the billions of dollars." Is the Minister aware that section 22 of the Onshore Petroleum Act states, "No compensation is payable by the Crown for or in respect of the cancellation of, or a suspension of operations under, a petroleum title"? In claiming that a moratorium on coal seam gas could cost the Government billions of dollars, was the Minister being misleading or was he simply misinformed?

**The Hon. GREG PEARCE:** This question does not relate to my portfolio of the Illawarra.

#### PARLIAMENTARY SECRETARY FOR POLICE AND EMERGENCY SERVICES

**The Hon. WALT SECORD:** My question without notice is directed to the Minister for Police and Emergency Services, representing the Premier. In light of the personal explanation of the member for Tweed, where he admitted he accepted an illegal donation, will the Premier stand him aside from his duties as Parliamentary Secretary for Police?

**The Hon. MICHAEL GALLACHER:** I again make the point that I cannot believe one word this member says relating to any allegations about what somebody else said in another House. Members opposite are sitting there silently listening to what I say because they have nothing to say; they know what I am saying is the truth. Quite simply, as I have indicated, when the member starts to answer questions about his role in Cecil Hills High, then we can start to listen to and interpret what he is saying.

**The Hon. Amanda Fazio:** Point of order: My point of order is relevance. The Minister was asked a specific question about the Parliamentary Secretary for Police. He should not be debating the questioner as part of his answer to a specific question.

**The PRESIDENT:** Order! I remind the Minister of the need to be generally relevant in his responses.

**The Hon. MICHAEL GALLACHER:** Thank you for that learned suggestion. I make a recommendation to the Hon. Walt Secord because he is familiar with allegations. He should take these allegations, if he has any, to the Electoral Commissioner in the normal course of events and bring them to the

attention of the commissioner. That is my advice to him. As the member wants me to ask this question of the Premier, I will raise it with him when I have an opportunity to do so. The Premier will have an opportunity to answer the question.

### STATE FINANCES

**The Hon. SCOT MacDONALD:** My question without notice is addressed to the Minister for Finance and Services. Will the Minister update the House on the State's credit rating?

**The Hon. GREG PEARCE:** As I have indicated to the House, Moody's recently confirmed that New South Wales has retained its triple-A credit rating.

**The PRESIDENT:** Order! There is far too much interjection.

**The Hon. GREG PEARCE:** This is very good news for all of us and it means that New South Wales will be able to borrow money into the future to fund vital infrastructure.

**The PRESIDENT:** Order! I call the Hon. Eric Roozendaal to order for the first time.

**The Hon. GREG PEARCE:** But the recent Moody's report was an interesting read because of how enthusiastically it endorsed the current New South Wales Government's fiscal strategy, showing once again that the New South Wales Liberal-Nationals Government can be trusted to manage the State's finances. The Moody's report stated in part:

Moody's further considers that over the medium term, the government's resolve to exercise greater control over expenditures will be of key importance to achieving the planned narrowing in deficits.

This followed the comments that were made by other ratings agencies when assessing the State's creditworthiness under the O'Farrell Liberal-Nationals Government. In December last year ratings agency Fitch upgraded New South Wales's credit rating from AA+ to triple-A, stating at the time:

The agency is comforted by the strict cost control measures which have been put in place under the new government ... NSW's increased willingness to manage costs more efficiently.

In October last year ratings agency Standard and Poor's also reaffirmed New South Wales's triple-A long-term credit rating.

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

**The Hon. GREG PEARCE:** Standard and Poor's said:

In our opinion, NSW financial management is strong with governance expected to improve under the new government.

The upshot is that all three of the ratings agencies have endorsed the Government's fiscal strategy and all three ratings agencies have given the O'Farrell Government a big tick. Contrary to that, last year the Lambert report explained why New South Wales was in such a mess. In simple terms, it pointed out that expenditure had grown consistently faster than revenue under the previous Labor Government and that capital spend had increased but quality had decreased under the former Labor Government. Why did the Lambert report say these things had happened? First, it was a failure of the financial leadership of the State under Labor and major deficiencies in public administration. Now in government we are finding the results of those major deficiencies in public administration, including the parting gift of the former Treasurer, who gave away \$5.2 billion of the State's wealth in his botched electricity deal.

I will give a few examples of the debilitating mismanagement under Labor. The Schott report found that even something as basic as monthly reporting was not happening and there were too many systems. The Schott report listed a case study of one cluster that found 130 separate systems. It also found that there was not the right expertise in government clusters. As to the use of contractors, the report found that the typical premium paid by the Roads and Traffic Authority to attract contractors appeared to be around 25 per cent to 30 per cent, representing \$23 million to \$26 million per annum. The ratings agencies have affirmed that New South Wales, under the O'Farrell Liberal-Nationals Government, is working effectively and efficiently to deliver the infrastructure and services that the people of New South Wales deserve.

## WORKCOVER

**Mr DAVID SHOEBRIDGE:** My question is directed to the Minister for Finance and Services. Given the Minister's answer earlier this week about the cost of workers compensation weekly benefits and his positive reference to the Victorian scheme, can he now rule out for those injured workers in New South Wales that he is considering any possibility of implementing time limited weekly benefit schemes such as happened in Victoria?

**The Hon. GREG PEARCE:** I am pleased that the member is interested in the WorkCover scheme. As I have indicated to him on a number of occasions, the Government has seen a blow-out in the deficit under the previous management of the scheme to \$2.5 billion. That is an unsustainable number and if the former chairman is correct, the blow-out could be up to \$4 billion, which is absolutely unsustainable. If that sort of event occurs I do not think anything can be ruled out in relation to workers compensation and the reforms that might be required. I encourage the member to continue his interest in this issue and to work with us to try to find solutions to the problem.

**Mr DAVID SHOEBRIDGE:** I ask a supplementary question. Will the Minister elucidate his answer by saying whether he would consider the offer that was made in correspondence to him about setting up a joint committee or a select committee to deal with workers compensation?

**Pursuant to sessional orders business interrupted to permit a motion to adjourn the House if desired.**

**The House continued to sit.**

**The Hon. MICHAEL GALLACHER:** The time for questions has expired. If members have further questions, I suggest that they place them on notice.

**Questions without notice concluded.**

**Pursuant to sessional orders Government business proceeded with.**

## GENERAL PURPOSE STANDING COMMITTEES

### Appointment and Portfolio Responsibilities

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [3.30 p.m.]: I move:

That the resolution appointing five general purpose standing committees reflecting Government ministers' portfolio responsibilities adopted by this House on 12 May 2011 be amended by:

- (a) omitting the portfolio of "Trade and Investment" from under the heading "General Purpose Standing Committee No. 1 – Economic Development", and
- (b) inserting the portfolio of "Trade and Investment" under the heading "General Purpose Standing Committee No. 3 – Transport, Regional Infrastructure and Services".

**The Hon. AMANDA FAZIO** [3.30 p.m.]: I move:

That the motion be amended by inserting at the end:

- (c) omitting the portfolios of "Special Minister of State" and "the Central Coast" from under the heading General Purpose Standing Committee No. 3 - Transport, Regional Infrastructure and Services, and
- (d) inserting the portfolios of "Special Minister of State" and "the Central Coast" under the heading General Purpose Standing Committee No. 5 - Environment, Accountability and Regulation".

I have moved this amendment to allow for a consolidation of the responsibilities of the Hon. Chris Hartcher, MP, who carries the portfolios of Resources and Energy, Special Minister of State, and Minister for the Central Coast. As a result of this amendment they can be dealt with at one session, rather than be split between two committees.

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [3.32 p.m.]: The Opposition Whip and I have consulted on this matter. The Government finds the amendment totally acceptable.

**Question—That the amendment of the Hon. Amanda Fazio be agreed to—put and resolved in the affirmative.**

**Amendment of the Hon. Amanda Fazio agreed to.**

**Motion as amended agreed to.**

### **BUDGET ESTIMATES 2012-2013**

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [3.32 p.m.]: I move:

1. That upon tabling, the Budget Estimates and related papers for the financial year 2012-2013 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
2. That the initial hearings be scheduled as follows:

#### **Day One: Monday 8 October 2012**

GPSC1	Finance and Services, the Illawarra	9.00 a.m.– 1.00 p.m.
GPSC2	Ageing, Disability Services	9.00 a.m.– 11.00 a.m.
GPSC5	Primary Industries, Small Business	11.15 a.m.– 1.00 p.m.
GPSC2	Health, Medical Research	2.00 p.m.– 6.00 p.m.
GPSC1	Planning and Infrastructure	3.45 p.m.– 6.00 p.m.

#### **Day Two: Tuesday 9 October 2012**

GPSC1	Treasury	9.00 a.m.– 1.00 p.m.
GPSC3	Trade, Investment, Regional Infrastructure and Services	9.00 a.m.– 12.00 p.m.
GPSC3	The Legislature	11.15 p.m.– 12.00 p.m.
GPSC1	Premier, Western Sydney	2.00 p.m.– 6.00 p.m.
GPSC 3	Transport	2.00 p.m.– 6.00 p.m.

#### **Day Three: Wednesday 10 October 2012**

GPSC2	Citizenship and Communities, Aboriginal Affairs	9.00 a.m.– 10.30 a.m.
GPSC2	Mental Health, Healthy Lifestyles, Western NSW	10.45 a.m.– 12.00 p.m.
GPSC2	Sport and Recreation	12.15 p.m.– 1.00 p.m.
GPSC2	Education	2.00 p.m.– 6.00 p.m.
GPSC4	Attorney General, Justice	2.00 p.m.– 6.00 p.m.

#### **Day Four: Thursday 11 October 2012**

GPSC5	Environment, Heritage	9.00 a.m.– 1.00 p.m.
GPSC4	Police and Emergency Services, the Hunter	2.00 p.m.– 6.00 p.m.
GPSC5	Local Government, the North Coast	2.00 p.m.– 3.30 p.m.
GPSC5	Fair Trading	3.45 p.m.– 5.45 p.m.

#### **Day Five: Friday 12 October 2012**

GPSC5	Resources and Energy, Special Minister of State, the Central Coast	9.00 a.m.– 1.00 p.m.
GPSC3	Tourism, Major Events, Hospitality and Racing, Arts	9.00 a.m.– 1.00 p.m.
GPSC2	Family and Community Services, Women	2.00 p.m.– 4.30 p.m.
GPSC3	Roads and Ports	2.00 p.m.– 6.00 p.m.

3. That each scheduled day for the initial round of hearings will begin at 9.00 a.m. and conclude by 6.00 p.m.
4. The committees must hear evidence in public.
5. The committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
6. There is no provision under this resolution for a Minister to make an opening statement before the committee commences questions.
7. A daily *Hansard* record is to be published as soon as practicable after each day's proceedings.

8. The committees are to present a final report to the House by the last sitting day of the first sitting week in February 2013.
9. Members may lodge questions on notice with the Clerk to the committee during a budget estimates hearing and up to two days following.
10. All answers to questions taken on notice during the hearing, and questions on notice lodged up to two days following the hearing, must be provided within 21 days, or as otherwise determined by the committee.

**The Hon. AMANDA FAZIO** [3.33 p.m.]: I thank the Deputy Leader of the Government for the consultations that have taken place to ensure that some concerns about time allocations could be rectified. My amendment would change the time on day one for Primary Industries and Small Business and it would sit from 10.00 a.m. to 1.00 p.m.; on day two, Trade, Investment, Regional Infrastructure and Services would sit from 9.00 a.m. to 12.00 p.m.; for The Legislature on the same day, the time would be 12.15 p.m. to 1.00 p.m.; and on day five, Family and Community Services, and Women would be from 2.00 p.m. to 5.00 p.m. My amendment also seeks to insert paragraph (2), which was mooted earlier by the Deputy Leader of the Government, that the initial round of supplementary hearings be held in the week of Monday 26 November to Friday 30 November. That would resolve all the issues and would allow a framework for budget estimates to proceed smoothly this year. Therefore, I move:

1. Omit paragraph 2 and insert instead:
2. That the initial hearings be scheduled as follows:

**Day One: Monday 8 October 2012**

GPSC1	Finance and Services, the Illawarra	9.00 a.m.– 1.00 p.m.
GPSC2	Ageing, Disability Services	9.00 a.m.– 11.00 a.m.
GPSC5	Primary Industries, Small Business	10.00 a.m.– 1.00 p.m.
GPSC2	Health, Medical Research	2.00 p.m.– 6.00 p.m.
GPSC1	Planning and Infrastructure	3.45 p.m.– 6.00 p.m.

**Day Two: Tuesday 9 October 2012**

GPSC1	Treasury	9.00 a.m.– 1.00 p.m.
GPSC3	Trade, Investment, Regional Infrastructure and Services	9.00 a.m.– 12.00 p.m.
GPSC3	The Legislature	12.15 p.m.– 1.00 p.m.
GPSC1	Premier, Western Sydney	2.00 p.m.– 6.00 p.m.
GPSC 3	Transport	2.00 p.m.– 6.00 p.m.

**Day Three: Wednesday 10 October 2012**

GPSC2	Citizenship and Communities, Aboriginal Affairs	9.00 a.m.– 10.30 a.m.
GPSC2	Mental Health, Healthy Lifestyles, Western NSW	10.45 a.m.– 12.00 p.m.
GPSC2	Sport and Recreation	12.15 p.m.– 1.00 p.m.
GPSC2	Education	2.00 p.m.– 6.00 p.m.
GPSC4	Attorney General, Justice	2.00 p.m.– 6.00 p.m.

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GPSC2	Family and Community Services, Women	2.00 p.m.– 5.00 p.m.
GPSC3	Roads and Ports	2.00 p.m.– 6.00 p.m.

2. Insert after paragraph 2:
3. That an initial round of supplementary hearings be scheduled as follows:

**Day One: Monday 26 November 2012**

GPSC1  
GPSC2

**Day Two: Tuesday 27 November 2012**GPSC1  
GPSC3**Day Three: Wednesday 28 November 2012**GPSC4  
GPSC2**Day Four: Thursday 29 November 2012**GPSC4  
GPSC5**Day Five: Friday 30 November 2012**GPSC5  
GPSC3

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [3.34 p.m.]: The Opposition Whip indicated there has been consultation in respect of this amendment. The Government supports the amendment.

**Question—That the amendment of the Hon. Amanda Fazio be agreed to—put and resolved in the affirmative.**

**Amendment of the Hon. Amanda Fazio agreed to.**

**Motion as amended agreed to.**

### **TABLING OF PAPERS**

**The Hon. Duncan Gay** tabled the following paper:

Annual Reports (Statutory Bodies) Act 1984—Report of the Hunter Region Sporting Venues Authority for the year ended 30 June 2011.

**Order to be printed on motion by the Hon Duncan Gay.**

### **ADJOURNMENT**

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [3.35 p.m.]: I move:

That this House do now adjourn.

### **CRIME STATISTICS**

**Mr DAVID SHOEBRIDGE** [3.35 p.m.]: Yesterday in this place I asked the Minister for Police and Emergency Services for his response to figures released by the Bureau of Crime Statistics and Research [BOCSAR] showing that increased prison terms have no impact on reducing rates of crime. Rather than honestly addressing the obvious implications of this research the Minister blustered his way through, bizarrely suggesting that those who commit drive-by shootings should send their resumes to my office. This response from the Minister for Police and Emergency Services is seriously disappointing. The Bureau of Crime Statistics and Research report covering the period 1996 to 2008 is easily one of the most comprehensive studies conducted in New South Wales examining the effectiveness of the police and criminal justice system in controlling crime. Surely this alone would make it worthy of serious attention from the police Minister.

The report in question identifies a number of factors that serve to reduce crimes. Under current laws, the deployment of existing police resources can result in a modest but measurable reduction in property and violent crime. For example, a 10 per cent increase in arrests reduces property crime by 1.35 per cent. A 10 per cent increase in the likelihood of imprisonment reduces violent offences by 1.7 per cent. However, the study found that far and away the strongest effect on reducing crime came from an increase in household income. The report found:

A 10 per cent increase in household income was estimated to produce an 18.9 per cent reduction in property crime over the long term and a 14.6 per cent reduction in violent crime.



This is 14 times greater than the effect from a 10 per cent increase in arrests or imprisonments. The same report concludes:

Increasing the length of stay in prison beyond current levels does not appear to impact on the crime rate after accounting for increases in arrest and imprisonment likelihood.

The report further notes:

Overseas research suggests that it is possible in some circumstances to cut crime and spend less doing it than we currently spend locking people up. The New South Wales Drug Court is a good example.

These findings suggest a clear need for reform in the current approach to crime in New South Wales. As anyone would tell the police Minister if he were willing to listen, it is better to stop crime happening in the first place than just focus on punishing offenders once an offence has occurred. This latest Bureau of Crime Statistics and Research report is just one resource that should be used to help develop priorities for the criminal justice system in New South Wales. A number of other datasets and tools are available to evaluate such programs. Sadly these do not typically get mentioned by governments when they go about justifying new punitive measures. This often results in reports on new government policies not referencing the reputable data that shows what works and what does not.

The consorting and bkie laws that have passed through this Parliament in recent weeks have been supported by appeals to our emotions and heavy-handed rhetoric about the scale and size of gangs. They have also been supported by claims from the Government and Opposition about the far-reaching positive impacts that the new laws will have on reducing crime. However, what was notably absent was reference to data—any data—or evidence showing that these laws will indeed do what their supporters claim they will. The increased maximum penalty for shooting at a dwelling house, up from 14 to 16 years, is a case in point. There is no evidence whatsoever that this increase in prison time will do anything to reduce drive-by shootings in New South Wales. In fact, the Bureau of Crime Statistics and Research study says quite plainly that it will have no effect on reducing this crime.

Both major parties have at times indicated that they support evidence-based policy responses to law and order issues, but their actions to date have rarely borne this out. Of course, it is not possible, or even desirable, to base all law and order policies on measurable outcomes. Society's values and social norms must play a real part in this debate. But surely our prejudices should be tested against the best evidence before we make them law. In New South Wales we routinely create new offences—last year, for instance, saw the creation of a new offence of being intoxicated and disorderly—or we change the penalty regime for a particular offence or a class of offences, such as last week's drive-by shooting laws, without any regard to the evidence showing that these could work and with no follow-up requirements to check their true effects.

With billions of dollars being squeezed every year from a stretched State budget to fund more police, more jails and more courts, it is time to look more closely at what works to reduce crime and what does not. In some cases this will be more police, in others it will be better schools, a square breakfast for at-risk Aboriginal children or quality diversion programs for first-time offenders. Perhaps the Government can say goodbye to the media-friendly law and order legislation for a bit and concentrate instead on genuine evidence-based reforms of the criminal justice system. If or when it does, it will have the ready support of The Greens in this Parliament.

## WEALTH INEQUALITY

**The Hon. SHAOQUETT MOSELMANE** [3.40 p.m.]: Vested interests, big business, the new rich, bourgeoisie or capitalists, whatever you wish to name them, they are one and essentially the same predator. In Australia their influence is clearly on the rise. The vested interest of big business has been on the rise ever since the twentieth-century struggle between the proletariat and the bourgeoisie was momentarily lost, as marked by the fall of the former Soviet Union and the communist East. Consequently, the power of the proletariat waned and the grip of the bourgeoisie and their neo-conservative forces hardened. Emboldened by the victory of capitalism over the proletariat they continued to cross international borders to open new markets and find new consumers and new labour for exploitation. They pillaged Africa, brought down the Union of Soviet Socialist Republics and the Eastern bloc and rampaged through Latin America. Today they are ripping through the Middle East under the guise of the Arab spring and their next target is the breakup of China.

The competition of ideologies between the socialist East and the capitalist West provided a mechanism for checks and balances that kept the lid on the level of exploitation perpetrated by national and international

capital. It also helped shape the form of and development of Western market economies. Such market economies developed political systems with laws and regulations that to some extent protected the worker from rising inequality, poverty and hunger. It simply provided the working class with a safety net. That is why Australia has a successful system with a set of laws and courts and other State apparatus aimed at protecting the employee, the working class, from the exploitative tactics of the employer. Safety nets are evident in our social security system, in our health and Medicare system, in our education system and, of course, in our courts and industrial relations system. All of them did not happen in a vacuum; they were as a consequence of a combination of national and international struggles for survival over the millennia.

That is why through the struggles and labour of the ideologically progressive working class, supported by organised union movements, we have achieved what we have in Australia today, namely, a fair and flexible industrial relations system with labour laws and industrial courts providing the necessary checks against the greed of twentieth-century multinational vested interests. If left to their devices, vested interests can and will pillage resources and exploit workers, as we continue to see in industrialised as well as poorer countries across the globe. Australia can be proud of a great list of working class labour achievements as summarised by Treasurer Wayne Swan, namely a "a living wage, a welfare system, public health care, mass home ownership, and accessible technical and higher education".

Unfortunately, however, we are not an egalitarian State just yet. According to the Australian Council of Social Service, we have unemployed members of our society living on \$35 a week. To our shame, our Indigenous population is in a terrible plight and continues to suffer the effects of significant poverty. While most Australians are living longer than ever before, Indigenous Australians are dying almost 17 years younger than other Australians. As wealth accumulates in the hands of a few, so grows the gap between rich and poor. This is what we now witness in many parts of the world—the industrialised world of the United States of America, Britain, Europe and the developing world of Asia, Africa and many countries across the globe.

Billions of dollars are now amassed in the hands of the very few, giving them considerable social, industrial and international political power. They play one ethnic group against another, one religion against another, one nation against another, hence shaping and reshaping nations and influencing national and international decisions. Simply, their *modus operandi* is to divide and conquer. The exploits of vested interest should always be checked, and rightly so. As the national Treasurer Mr Wayne Swan noted in his *Monthly* magazine essay entitled, "The 0.01 per cent: The Rising Influence of Vested Interests in Australia", one must beware of the immense personal and corporate wealth that has created unstoppable lobbying power, allowing vested interest to distort public policy and shape our economy and in the process disadvantage and distort our democracy. In the latest public skirmish between vested interest and the Commonwealth Government the powerful message for all to heed is to beware of vested interests and, if unchecked, the potential destructive power of the wealthy few.

### COMMONWEALTH DAY

**The Hon. JOHN AJAKA** (Parliamentary Secretary) [3.45 p.m.]: I speak on the occasion of Commonwealth Day 2012, which occurred on 12 March this year. The Commonwealth Day Council of New South Wales is continuously striving to promote the benefits of the Commonwealth through the annual celebration of this day. The Commonwealth Day Council's Commonwealth Day lunch was held in Parliament House. In attendance was Her Excellency Professor Marie Bashir, AC, Governor of New South Wales and Patron of the Commonwealth Day Council. As a nation and a member of the Commonwealth we were given the opportunity to celebrate the multiculturalism that characterises Australia through the theme of connecting cultures.

Australia is a nation that has been built on a rich mixture of cultures, with an overseas-born population of approximately 25 per cent. Beyond this, according to the Australian Bureau of Statistics, 44 per cent of Australians were either born overseas or had a parent who was born overseas. I fall into the category of one of the 44 per cent whose parents were born overseas. Those of us who were born here and have an ethnic heritage have an obligation to thank and be duty-bound to two parties. First, our parents or grandparents, who had the courage to take the great challenge of migrating from their homeland to a new land—in many cases knowing no-one or what their future would hold. Imagine the courage that was required for such an endeavour. Our second obligation is to this beautiful country, Australia, for accepting them, embracing them, allowing them to fulfil their dreams and placing them on an equal footing with all Australian residents.

Our duty is to honour both our parents and our country by doing our utmost to contribute to their legacy. We do so by ensuring that we contribute to our community in a positive manner. It is our duty to oppose

those who seek to damage the unity and cohesiveness within the community. It is our duty to offer our assistance to those who make a positive commitment to our country. Australia has been enriched by the contributions of those who have come to our country, and we must do our part to assist those who have made that commitment. The Commonwealth is composed of 54 member nations, approximately 30 per cent of the world's population. In July 2011 I had the honour and privilege of representing our Parliament at the Commonwealth Parliamentary Association Conference in London. The theme chosen to represent a century of united Commonwealth nations was "Reinforcing Democracy". Dr William Shija, the Secretary-General of the Commonwealth Parliamentary Association, in a speech to Commonwealth Parliamentary Association delegates said:

Democracy has to stand the test of changing times if it is to serve those who believe in it.

Delegates to the conference discussed various topics including international trade, migration, enhancing governance and accountability, women as agents of change, the world economy, youth leadership, citizen involvement and parliamentary reform. The Commonwealth Parliamentary Association is an association of individual Commonwealth parliamentarians united by community of interest—holding respect for the rule of law and individual rights and freedoms, and pursuing of the positive ideals of parliamentary democracy. The members of the Commonwealth Parliamentary Association hold those ideals irrespective of gender, race, religion or culture. I believe these same interests are shared by members of our Parliament.

As members of one of the original six founding states of the Commonwealth Parliamentary Association Australian parliamentarians have long worked towards advancing parliamentary democracy and the freedoms we enjoy and promote. I also note the Commonwealth Day Message of the Rt Hon. Sir Alan Haselhurst, MP, of the United Kingdom House of Commons, and the Chairperson of the Executive Committee of the Commonwealth Parliamentary Association. In his message he said:

Commonwealth Day is a time for reflection and renewal. This year its celebratory aspects are enhanced by recognition of the Diamond Jubilee of the Head of the Commonwealth, Her Majesty Queen Elizabeth II. She has epitomised the centrality of the Commonwealth's achievement of binding together peoples from across the globe in a free association which seeks to uphold the rule of law, freedom of speech, respect for human rights and parliamentary democracy.

It is through events such as the Commonwealth Parliamentary Association Conference and Commonwealth Day that we are reminded of the diverse, complex and democratic Australia that is our home, as well as its valuable place in the Commonwealth. We live in one of the most culturally diverse States in the world—New South Wales. The Premier, the Hon. Barry O'Farrell, continuously highlights that the greatest resource of New South Wales lies not only in its minerals and resources but in the culturally diverse people who are a great asset in bridging trade and other links with countries around the world. I congratulate the Commonwealth on its centenary and commend the work of the Commonwealth Parliamentary Association for its work in promoting parliamentary democracy.

## EDUCATION REFORM

**Dr JOHN KAYE** [3.50 p.m.]: Neo-liberalism and education make a bad mix. If members doubt that they should look at the disastrous situation in the Victorian technical and further education sector and at what is happening to education in New York City. In New South Wales both schools and TAFE colleges are now the victims of an ideology that uses attractive-sounding ideas to disguise a much more malign agenda. The reality of school devolution and the changes being made to the TAFE sector is that they are excuses for massive budget cuts. The TAFE budget has been cut by about 35 per cent over the past decade in per-student-hour terms.

In Victoria, where school devolution was introduced by the Kennett Government, the budget was cut by about 12 per cent per student. In New South Wales that would be the equivalent of somewhere between \$800 million and \$1.2 billion being cut from the school education budget. This is about much more than budget cuts; this is an excuse to wage an ideological war against teachers and their industrial organisation, the New South Wales Teachers Federation, because they dare to tell the truth and to stand up for the best interests of their students and the education system. More than that, it is an ideological war against public education conducted by those who would prefer to see a system of private schools that suits their class interests and ideological view of the world.

On 11 March 2012 Premier Barry O'Farrell and his Minister for Education, Adrian Piccoli, announced their school devolution program under the name of "Local Schools, Local Decisions", which has rapidly become known as "Local Schools, Local Blame". The new arrangement means that 70 per cent of the budget will be

devolved to the control of principals and teachers' pay will be set on the basis of the attainment of teaching standards. In effect, that will leave school principals with 100 per cent of the responsibility for ensuring that things happen in their school but no control over the money they have to spend. They will have no power over the size of their budget. This is a classic exercise in blame shifting from the State Government onto the shoulders of school principals. Principals will be forced to make very difficult and unpopular decisions that in the past would have been made by the State Government. Instead of the Minister for Education, the party in control, or even the local member, bearing the blame, it will be borne by the school principal when a decision needs to be made about allocating money to employ a special needs teacher or for more school counselling.

Schools in hard to staff areas, particularly those in rural and regional communities and areas of high socioeconomic disadvantage, will find it increasingly difficult to attract staff. The destruction of the statewide staffing system will make it impossible for schools to ensure that each class has a qualified teacher. Performance-based pay will inevitably divide staffrooms and destroy cooperation. It will create hierarchical schools rather than schools based on cooperation. That runs counter to the spirit of public education and will undermine the ability of teachers to work together to deliver outcomes for their students.

The blueprint for what is happening in New South Wales was outlined by the Boston Consulting Group in a report presented to the Keneally Government. That report has been enthusiastically adopted by this Government, but it is the invention of a previous government. The Boston Consulting Group saw opportunities to cut \$1 billion out of the budget. When the report was exposed on the eve of the March 2011 election it was vigorously rejected by the then Leader of the Opposition, Barry O'Farrell, and his spokesperson for education, Adrian Piccoli. However, this Government is now implementing the recommendations in that report with regard to the casualisation of TAFE and staffing in rural and regional schools. TAFE and rural and regional schools will suffer as a result of the implementation of the Boston Consulting Group report.

One of the key features of the O'Farrell-Piccoli announcement of 11 March 2012 was the idea that school principals would be able to make decisions about employing permanent or casual staff. Schools will determine the number of temporary and permanent staff who will be employed in their institution. This is clearly about cutting costs in schools by increasing casualisation. Precisely what was done in the TAFE sector is being replicated in public schools. Principals struggling to survive on a restricted budget will be forced to employ more casual staff and reduce the number of permanent staff they employ. This is not the answer for the needs of public education.

### TRIBUTE TO ARTHUR BEETSON

**The Hon. LYNDIA VOLTZ** [3.55 p.m.]: I pay tribute to rugby league legend Arthur Beetson, who died from a heart attack at only 66 years of age late last year. Arthur was the first Aborigine to captain his country in a major sport and is often regarded as Australia's best ever forward. His early death highlights the early mortality rate in Aboriginal society, even among the fit and strong. Many rugby league fans will remember him for his charismatic personality, big frame, pace and brilliant ball skills. His off-loading and attacking work rate changed the way front rowers played the game and he played a huge part in revitalising the Queensland-New South Wales rivalry with the State of Origin concept.

Beetson's mother, Marie, was a member of the stolen generation. She was taken from her family from the Buderim Mountains to an Aboriginal holding centre at Cherbourg. She never talked about it and, as Arthur recalls, most of his family stories came out only in fragments, in a tangled web. His father was a hard-edged, practical man, tall and hard working who even tried his luck in the boxing ring as a heavyweight. Marie was a solid influence and would go to great lengths to keep her sons on the right track. Arthur and his siblings grew up in Roma, accepting a life that was not going to be easy. Arthur was a larrikin and could spin a great yarn. In his book published in 2004 he recalls:

... a group of us used to get down to the local milk bar in Roma and hang around there listening to the jukebox and make noise. If mum reckoned we had been there long enough or there was going to be trouble she'd appear, carrying a big waddy. All those years later I can still see her in my mind's eye, across the road from the milk bar in her dressing gown and the waddy in her hand. She would literally embarrass us into going home.

Arthur also had an extraordinary talent for sport early on in life. He recollects his ability in his book:

I don't know exactly where it came from, but it's for sure that I inherited a love of sport—and a certain ability. From very early days in Roma I was good at table tennis, cricket, tennis and most sports I had a crack at. I was at one time a district table tennis champion—

Away from the sporting field, a chance came along to be a telegram boy in the postal service, and Arthur took it when he was 16 years of age. As a postie pedalling a PMG bike, he would cover up to 30 kilometres a day and developed a natural fitness that helped to sustain his football career. Arthur started playing rugby league professionally with the Redcliffe Dolphins in the Brisbane rugby league competition in 1964. After winning the club's player of the year award in 1965 as well as the Brisbane rugby league premiership, he moved to Sydney to play in the New South Wales Rugby Football League with the Balmain Tigers. In April 1966 he ran out for his first game for Balmain as an unknown 21-year-old for round one of the new season match of the day. Balmain beat St George 19 to 16. It was the only time the Dragons lost and the man of the match was the new kid, Beetson. The last time I saw Arthur was at the Wests versus St George match last year. He was with his good mate Tommy Raudonikis. Once again, Balmain knocked off St George. Arthur played with the Balmain Tigers until 1970, with an interlude in 1968 in England with the Hull Kingston Rovers.

In 1971 Arthur joined the Eastern Suburbs team and captained the side to the 1974 and 1975 premierships. During the 1976 New South Wales Rugby Football League season Arthur captained Eastern Suburbs to victory in its unofficial 1976 World Club Challenge match against British champions St Helens. He possessed great strength and toughness matched by a remarkable turn of speed for a man of his size. His skill as a footballer was matched only by his love for food. In 1979 and 1980 Arthur Beetson played with Parramatta, winding up with a man of the match performance in the Eels 8 to 5 Tooth Cup final win over Balmain.

Arthur's reputation rose as captain of Queensland in the inaugural State of Origin game, won 20 to 10 by Queensland on 8 July 1980. He was captain-coach of Redcliffe in 1981 and that season was appointed coach of the Queensland State of Origin side, taking it to repeated series victories over New South Wales from 1981 to 1984. In 2000 he was awarded the Australian Sports Medal and then in 2001 the Centenary Medal for service to Australian society through the sport of rugby league. Arthur was inducted into the Australian Rugby League Hall of Fame in 2003 and became the seventh selected post-war Immortal of the Australian game with Churchill, Raper, Gasnier, Fulton, Langlands and Wally Lewis. In February 2008 Arthur was named in a list of Australia's 100 greatest players from 1908 to 2007, which was commissioned by the National Rugby League. To add to this respectable list of awards, Arthur was retrospectively awarded the Clive Churchill Medal as Man of the Match in the 1974 grand final.

Arthur was an inspiration to all Indigenous rugby league players. At his passing many came out to pay tribute to his legendary playing skills and humanity. William Smiley Johnson, Chairman of the Australian Rugby League Council, probably said it best when he said, "Artie, to blacks, is Uluru ... There was nowhere he wouldn't go to scout a player."

#### ANTI-COAL CAMPAIGN

**The Hon. SCOT MacDONALD** [4.00 p.m.]: We now have evidence that the extreme environmental movement and The Greens party is determined to wreck Australia's economy. It takes the form of a document titled, "Stopping the Australian Coal Export Boom—Funding proposal for the Australian anti-coal movement". It is authored by John Hepburn of Greenpeace, Bob Burton from CoalSwarm and Samantha Hardy. It is a 17-page document appealing for \$6 million to underwrite a legal and quasi-political campaign where the goal is to stop Australia's mining and associated infrastructure development. It is one of the most shocking campaigns against the national interest since a few Australian wharfies blocked supplies to our troops in the Pacific in the Second World War.

A few of the protagonists seem to be retreating from the document since it became public, but I will read some of the acknowledgements. They include Greenpeace Australia, Beyond Zero Emissions, GetUp!, Lock The Gate, the Environmental Defender's Office NSW and the Nature Conservation Council of New South Wales. They look to the Australian Greens for leadership. The \$6 million they are seeking from the Australian public will largely finance legal action to block or delay mining developments and the infrastructure needed to service mines, including substantial rail and port works. They openly admit that one of the outcomes is to increase costs and scare investors away from backing mining in this country. Indeed, chapter 4.6 is called, "Creating Investor Uncertainty". The campaign targets the Hunter Valley coal industry and is titled, "Enough is Enough". The proposal aims to raise \$614,000 to undermine the economy of the Hunter. Some 18,000 people are employed in the Hunter mining industry and such an ill-considered campaign would be devastating for the Hunter community.

This anti-coal campaign would have far-reaching consequences for the nation. Almost certainly it would undermine the national resources industry. It is inconceivable that investors would distinguish among

mining projects: therefore, the campaign represents a substantial risk to all mining. In New South Wales alone the mining industry is responsible for 90,000 jobs. It is a \$20 billion industry and our largest State export earner at \$17 billion. It provides \$1.2 billion in royalties and \$150 million in payroll taxes, and some \$23 billion worth of mining projects are in the pipeline in New South Wales.

There is a global debate on the role of coal in greenhouse gas levels. The latest science would seem to conclude that coal is contributing to rising greenhouse gas levels, but thereafter there is greater uncertainty about the consequences for temperature and climate. In my view the world will eventually adapt away from fossil fuels to other energy sources, but that pathway must come at a pace that does not cripple economic development and rising standards of living, particularly in developing countries. We must be realistic. If Australia does not supply coal to the world the coal will be sourced from places such as South Africa, Indonesia and Latin America. Arguably, some of the mines in those places may not have all of the environmental safeguards that Australia insists upon.

I have no issue with dissent and debate. Unlike some of my colleagues, I do not have a problem with groups such as the Occupy movement. They have a point of view, or multiple points of views, but usually they do not prosecute it in a disruptive way and they have not yet sought to degrade the economy. Stopping the Australian coal export boom is a different strategy. It can be characterised as a strategy to subvert our legal and political institutions, and it weakens our investment and development future across multiple levels of our economy. The Australian public must reject this campaign. Every mining development has to go through extensive planning and environmental checks.

Indeed, we are one of the most expensive countries in the world in which to mine, not least because of regulatory costs. That is what our democratic process has developed. These planning protocols are always a work in progress. They can be improved—indeed our Liberal-National Government is developing a strategic land use policy. It has taken a year to formulate and we are in the midst of extensive community consultation. I urge the community to get involved in the transparent political process, not the dishonest and disreputable "Stopping the Australian Coal Export Boom" campaign, a blight on our body politic. I urge people to think very seriously before donating to Greenpeace Australia.

**The Hon. Lynda Voltz:** Point of order: I refer to Standing Order No. 31 (4) in relation to adjournment of the House, which reads:

- (4) On any motion for adjournment to terminate a sitting:
  - (a) the question will be put no later than 30 minutes after the motion has been moved, or ... at the conclusion of the Minister's remarks ...

We on this side of the Chamber are always conscious of having our parliamentary secretaries present at the end of the adjournment debate. I seek a ruling clarifying the matter.

**The DEPUTY-PRESIDENT (The Hon. Jennifer Gardiner):** Order! I thank the Hon. Lynda Voltz for her point of order. The Clerk will obtain advice on that matter. I seek the indulgence of the member in awaiting that advice.

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

**Motion agreed to.**

**The House adjourned at 4.05 p.m. until Tuesday 27 March 2012 at 2.30 p.m.**

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