

# LEGISLATIVE COUNCIL

Thursday 16 August 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.

**Pursuant to sessional orders Formal Business Notices of Motions proceeded with.**

## STUDENTS WITH DISABILITIES FUNDING

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

1. That this House notes that:
  - (a) over 100,000 New South Wales school students with disabilities will now have greater access to classroom support and equipment due to a \$63 million investment from the Commonwealth Government,
  - (b) this funding, secured by the Hon. Adrian Piccoli, MP, in his capacity as Minister for Education, will assist students in public, Catholic, and independent schools finish their education and secure employment over the next two years,
  - (c) without this additional support, students with disabilities are less likely to finish their twelfth year, increasing the likelihood of unemployment and social exclusion,
  - (d) \$47.9 million will be invested in New South Wales government schools to assist over 90,000 students with disabilities, learning difficulties, or additional behaviour needs from over 2,200 schools,
  - (e) \$11.3 million will be set aside for Catholic schools and \$3.8 million towards mainstream and special independent schools,
  - (f) this investment has the support of both the Association of Independent Schools of New South Wales and the Catholic Education Commission of New South Wales, and
  - (g) this investment will also:
    - (i) provide the appropriate technologies to support students needs to work more independently so we build capacity in our education systems to support children with disabilities or special needs,
    - (ii) support the establishment of specialist teacher support in every New South Wales government school,
    - (iii) provide professional development and other support materials to assist teachers in developing a curriculum that will help to meet students individual learning and support needs of students with disabilities,
    - (iv) expand specialist support services and resource options for students with complex disabilities and high support needs, and
    - (v) provide health, allied health or other professionals to strengthen schools support for students with a disability.
2. That this House acknowledges the Hon. Adrian Piccoli, MP, for his leadership as Minister for Education in working to provide the best education system for students across New South Wales, particularly those with intellectual or physical disabilities.

## BUSINESS OF THE HOUSE

### Formal Business Notices of Motions

**Private Members' Business items Nos 811 and 814 outside the Order of Precedence objected to as being taken as formal business.**

**SYDNEY FULL GOSPEL CHURCH KOREAN LANGUAGE SCHOOL****Motion by the Hon. MARIE FICARRA agreed to:**

1. That this House notes that on 23 June 2012 members of the Korean Australian community in New South Wales celebrated the twenty-fifth anniversary of the establishment of Sydney Full Gospel Church Korean Language School at Greenacre.
2. That this House acknowledges:
  - (a) the work of Mr Jay Han of the Sydney Full Gospel Church Korean School for bringing the celebration to fruition,
  - (b) those that attended, particularly:
    - (i) Mr Kim Han Joo, Consulate General of the Republic of Korea and Director of the Korean Education,
    - (ii) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities and Minister for Aboriginal Affairs,
    - (iii) Mr Charles Casuscelli, MP, member for Strathfield,
    - (iv) the Hon. Marie Ficarra, MLC, Parliamentary Secretary to the Premier,
    - (v) Ms Tania Mihailuk, MP, member for Bankstown
    - (vi) Councillor Khal Asfour, Mayor of Bankstown,
    - (vii) members of the Korean Australian community,
  - (c) the ongoing commitment and pastoral leadership of Reverend Woosung Chung, Senior Pastor and President of the Sydney Full Gospel Korean Language School,
  - (d) the dedication of the 38 teachers educating 278 students across five locations, including Greenacre, Blacktown, Ryde, Chatswood and Castle Hill, and
  - (e) the Sydney Full Gospel Church Korean Language School for its contributions in supporting an increasingly multilingual population.

**CHINESE AUSTRALIAN FORUM****Motion by the Hon. MARIE FICARRA agreed to:**

1. That this House notes that on 30 June 2012 members of the Australian Chinese community gathered for the annual dinner of the Chinese Australian Forum [CAF] at Haymarket.
2. That this House acknowledges:
  - (a) the work of Mr Patrick Voon, President, Chinese Australian Forum, and other members of the Chinese Australian Forum executive for bringing the event to fruition,
  - (b) those that attended, particularly:
    - (i) the Hon. Julie Bishop, MP, Federal Deputy Leader of the Opposition, and shadow Minister for Foreign Affairs and Trade,
    - (ii) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities and Minister for Aboriginal Affairs,
    - (iii) the Hon. Marie Ficarra, MLC, Parliamentary Secretary to the Premier,
    - (iv) Mr Matt Kean, MP, member for Hornsby,
    - (v) Mr Mark Coure, MP, member for Oatley,
    - (vi) Dr Geoff Lee, MP, member for Parramatta,
    - (vii) Mr Rob Furolo, MP, shadow Minister for Citizenship,
    - (viii) members of the Australian Chinese community,
  - (c) the performance by Ms Jenny Wong and Ms Cynthia Su,

- (d) the Chinese Australian Forum who provide a forum for education and debate amongst its members, and a voice for Chinese Australians to air their views on important issues including race relations, immigration, citizenship, discrimination, multiculturalism and social justice, and
- (e) the significant and positive contribution of the Chinese community of New South Wales who contribute to the economic and cultural prosperity of New South Wales.

## BUSINESS OF THE HOUSE

### Routine of Business

*[During the giving of notices of motions.]*

**The PRESIDENT:** Order! The giving of notices of motions is not an opportunity for debate. Members will have an opportunity to contribute to debate on the motions for which notice is being given at the appropriate time.

## BUSINESS OF THE HOUSE

### Postponement of Business

**Private Members' Business item No. 2 in the Order of Precedence postponed on motion by the Hon. Robert Brown.**

## SPECIAL ADJOURNMENT

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

That this House at its rising today adjourn until Tuesday 21 August 2012 at 2.30 p.m.

## WOMEN IN POLITICS

### **Debate resumed from 14 June 2012.**

**The Hon. CATE FAEHRMANN** [9.45 a.m.]: I speak on behalf of The Greens to this motion, which was moved by the Hon. Natasha Maclaren-Jones. The Greens will not support this motion in its present form. The first paragraph, which notes the 110th anniversary of the establishment of the right of women to vote and to stand as candidates in elections for the Australian Federal Parliament, contains a very worthy sentiment and it would be difficult to find anyone who would not support it. However, the following paragraphs of the motion amount merely to a political pointscore exercise rather than an acknowledgment of female parliamentarians and women who aspire to be parliamentarians and a celebration of the 110th anniversary of the establishment of the right of women to vote.

The Hon. Sophie Cotsis has moved an amendment to the motion to include an acknowledgement of the achievements of female parliamentarians from the Labor Party. The motion of the Hon. Natasha Maclaren-Jones acknowledges the parliamentary achievements only of female members of the Coalition parties. It lists their achievements giving the impression that no other female parliamentarians in this country are worthy enough to be recognised. The Hon. Sophie Cotsis tried to balance that to some extent by recognising the achievements of female Labor parliamentarians who have made significant contributions. That is fair enough, but it is also a party-political perspective and does not recognise women of all political persuasions, including members of parties that have no representation in this Parliament who should also be acknowledged. We should not be indulging in political pointscore on this issue. If we are to do female politicians and would-be politicians any justice, we should amend the motion so that it pays feminism and the fight for women's rights the respect they deserve.

I will not support the Labor Party's amendment. In drafting my broad-ranging amendment I have tried not to be party political in that it recognises the significant contribution that women from across the political spectrum have made in Australia. On behalf of The Greens I move:

That the question be amended as follows:

1. Omit paragraph 1 (b) and insert instead:
  - (b) The significant electoral milestones for women in Australia that have been achieved by the Labor, Coalition, Greens and other parties, which include but are not limited to:
    - (i) Coalition member Dame Enid Lyons, MP, as the first woman elected to the House of Representatives and to hold a Federal Cabinet position,
    - (ii) Labor member Julia Gillard, MP, as Australia's first female Prime Minister,

- (iii) Australian Democrats member Janine Haines as the first woman elected as parliamentary leader of an Australian political party,
  - (iv) the majority of the Australian Greens party room being women, including leader Senator Christine Milne.
2. Omit paragraph 2 and insert:
2. That this House calls on all political parties to ensure better female representation in order to build on these achievements.

The issue of women achieving the vote goes back a very long way. It is important for all of us in this place not to trivialise the fight of women over more than a century to win the right to vote and to be represented at political levels. Whether conservative or progressive, all political parties should do their utmost to ensure that women are represented in politics. Having said that, I acknowledge that some parties do more to promote female representation than others.

The Greens have a good equal opportunity clause in its constitution that ensures that if The Greens elect four people to its upper House or Senate ticket two must be women and one of the top two must be a woman. The Greens have had cause to apply that clause in its constitution. On an occasion when two men were elected first and second and a woman third by the membership, The Greens bumped that woman up to second place. That has had an impact on our parliamentary representation.

**The Hon. Trevor Khan:** Is that how you were elected?

**The Hon. CATE FAEHRMANN:** No, it is not how I was elected. This motion states clearly that a quota system or policies of affirmative action are not necessary and that women should be selected on merit. When I look around this Chamber I see that male members outnumber female members two to one. That says a lot. Currently only 13 of the 42 members of the Legislative Council of New South Wales are women. Of those 13, three are Liberal Party members and three are National Party members. Only 21 of the 93 members of the Legislative Assembly are women. There is a huge swathe of Coalition members in the lower House and it is obvious from the composition of its membership that affirmative action is lacking in that place.

**The Hon. Trevor Khan:** How many women Greens members are there in the lower House?

**The Hon. CATE FAEHRMANN:** There is one member of The Greens in the lower House, and that is the fantastic member for Balmain, Jamie Parker. It is worth noting that of the 76 Greens representatives at local council level half are women. That constitutes a resounding tick for affirmative action policies and for the significant contribution that women make to political life. I urge members to support my amendment to the motion. It does not try to engage in political point-scoring. It does not say that one party's method of preselection or its policies relating to affirmative action, or severe lack of them, is better than that of any other. This motion should really be about recognising the 110th anniversary of the right of women to vote and to stand as candidates in elections for the Australian Federal Parliament and to acknowledge the significant contribution that women make. It is a pity that instead it has become an attack on opposing political parties.

It is well known that affirmative action policies are needed to break a cycle in corporations, politics and public education systems that encourages people to select candidates during interview and preselection processes who they think best reflect their own views and who they feel best represent them. It has been shown in many studies that directors of boards and all-male interview panels will overwhelmingly select people in their image—that is, other men. Until we put in place affirmative action policies to break that cycle of selecting someone in one's own image men will continue to replace men and political parties will remain dominated by men who may not have the best gender politics. Men will continue to select candidates in their own image.

[*Interruption*]

I invite Dr Peter Phelps to compare the makeup of the membership of the other place with that of this House, which has 13 female representatives. Equal opportunity in this Chamber is a resounding success. Female representation in the other place after the recent election is lower than was the case in the previous Parliament. Coalition representation is overwhelming yet the Coalition does not have any affirmative action policies. I hope that members in this place will support my amendment. It is an attempt to ensure that this House will not have to reject a motion that recognises significant achievements by women in politics and the 110th anniversary of the right of women to vote.

The amendment will ensure that we can all support the motion. We should take the politics out of it and not debate internal party structures relating to choosing candidates in another place. It would be nice if *Hansard* were to show that the members of this House were able to put aside their differences and support a motion that contained sentiments that everyone in the State—women and men—can agree on. The Greens do not support the motion as it stands. The Greens do not support Labor's proposed amendment. The Greens move this amendment in the hope that it can bring everybody together; that politics can be put aside to allow all members to support a motion that recognises the right of women to vote and acknowledges the participation of women in politics.

**The Hon. LYNDA VOLTZ** [9.59 a.m.]: To some extent, I agree with what was outlined by the Hon. Cate Faehrmann in her speech. However, I think there was a little bit of politicking in her proposed amendment about the majority of members in the Australian Greens party room being women. The first party to have a majority of women in its party room was the Australian Democrats. They were perhaps the trailblazers in this area in that Janine Haines was the first woman to lead a political party and the Australian Democrats were the first party to have a women's caucus that was greater than the men's caucus. The reality is that in the two parties that have formed governments around the States and Australia—where the power struggle, I suspect, tends to be more intense—women are missing out.

We should recognise the achievements of women. I support the amendment moved by the Hon. Sophie Cotsis as it recognises the first women elected as Premiers of each State and as Prime Minister of our country. That they are running governments around Australia is a tremendous achievement by those women, and they should be recognised for that. I would like to recognise one woman in particular, that is, Joan Kirner, a former Premier of Victoria. Joan Kirner was the first woman Premier of Victoria. Since then, she has gone on to fulfil a very important role, that of mentor to women in the Labor Party who are coming into politics. She fulfils this role through an organisation that she almost single-handedly set up and drove called Emily's List, which is based on an American organisation.

Four days after I had had my first baby I was dragged down to Canberra to attend that organisation's national launch. Ever since I have held an affection for Joan Kirner, who rings every new candidate and offers advice. Even now she is mentoring candidates in the Northern Territory election. Joan volunteers for that role, even though she is in her eighties and could be relaxing at home, looking after the grandchildren and generally having a good time. She is not; she is determined to increase the representation of women through organisations such as Emily's List. We should recognise such achievements, for those women not only achieve their positions; they keep on doing the hard yards and driving reforms through organisations such as the major parties, the Labor Party and the Liberal Party, to achieve greater women's representation in Parliament.

**The Hon. PENNY SHARPE** [10.01 a.m.]: As I take part in this debate, I am fairly disheartened by some comments that have been made to this motion. The 110th anniversary of the right of women to vote is an event that every member in this Chamber should be able to celebrate. Women's equality in this country has been hard fought, and continues to be fought every day. The 110th anniversary of the right of women to vote is worth celebrating. Unfortunately, the debate has descended into petty point-scoring on whose women are or were better in their political representation.

The reason I support women's representation in our parliaments, leaving aside the issue of women being able to vote, is that I believe our parliaments should portray our people. More than 50 per cent of the Australian population are women. Having less than 50 per cent of female representation in our parliaments means that we are not reaching out to the community equitably for ideas on dealing with the challenges that we face every day as parliamentarians and politicians. We are entrusted by our people to try to solve the difficult questions that face our communities, and whilst our parliaments do not fully reflect the diversity of our community we are all missing out, and our decision-making is the poorer for that.

I now want to comment on the politicking about how individual political parties select their candidates. That is entirely a matter for those political parties. To the members who want to take cheap shots about the way in which the Labor Party has chosen to advance women's participation and election to our parliaments, I simply say: Look at the numbers. My party has greater women's representation than any other party. That is the choice that we have made. If the Liberals do not want to do that, if they are happy with women making up 19 per cent of their members in this Parliament, that is fine; that is entirely an issue for the Liberals.

However, it is sad that instead of debating today a motion that all members could have agreed upon, one that recognises all the women who have been important to us and have made major achievements in crashing through the various ceilings and barriers that have faced women who have tried to get into Parliament,

this House is bickering over who is better and will consider four different amendments. Quite frankly, that is a joke. We have failed the people who put us in this place and who would prefer that we celebrated a matter that is important—the fundamental democratic right to vote.

Having said that, I want to put some figures on the record because having 50 per cent of our parliamentarians as women is a goal we should continue to fight for, and the fight is not over until we achieve that. In 1902 the Commonwealth Franchise Act was passed, enabling all women, with the exception of Aboriginals in some States, to vote for the Federal Parliament. From that time women also were able to sit in the Parliament. Indigenous women from Queensland were excluded from voting until 1965. How many of us were born before 1965? I was not. I know plenty in this Chamber were, but Aboriginal women still were not able to vote until that time.

In 1902 the women of New South Wales were also given the right to vote in State elections. It was not until 1943 that Senator Dorothy Tangney, representing the Australian Labor Party, was elected at the same time as Dame Enid Lyons. That was a major achievement by those women, but it had taken a long time for us to see them take their rightful place in our parliaments. Women make up 50.2 per cent of our population; so we have slightly more women than men in our population. Yet our parliaments are far from reflecting that. In the Parliament of New South Wales, the Legislative Council has 42 members; 13 of those are women—five from the Labor Party, three from the Liberal Party, three from The Nationals, who are doing very well in gender representation in this place, and two from The Greens.

**The Hon. Dr Peter Phelps:** Because they are so progressive.

**The Hon. PENNY SHARPE:** In recent times, I have to say, The Nationals have become much more progressive on a range of issues. I think voting patterns would reflect that. The Legislative Assembly has 93 members elected to represent their local areas; but only 21 of those members are women. I do not think that is either acceptable or a good thing. Nine of those 21 are from the Labor Party, nine are from the Liberal Party, two are from The Nationals, and one is an Independent. Overall, in New South Wales 34 of the 135 members in both Chambers are women. I do not believe that is good enough, and we all have to try harder to improve that level of representation by women.

In Victoria women make up just 42 of the 128 members of both Houses. In Western Australia 28 of the 95 members of Parliament are women. In South Australia women make up 21 of 69 members of that Parliament. In Tasmania there are 12 women in the 40-member Parliament. The Australian Capital Territory has seven women in its 17-member Parliament. In all those States it is Labor that provides the vast majority of the women in our parliaments; in most cases it is between 30 and 35 per cent women. We still have a long way to go, but we are doing much better than other parties. I simply put it out there to other parties: If we believe that parliaments should represent the whole population, if we believe that women are able to contribute equally to men, then we all need to be making more of an effort to ensure that our parliaments are made up of a true representation of our people.

**Pursuant to standing orders debate interrupted to permit the mover of the motion to speak in reply.**

**The Hon. NATASHA MACLAREN-JONES** [10.08 a.m.], in reply: I thank the members who have contributed to this debate and I thank those who have indicated their support for the motion. I particularly note the comments made by Reverend the Hon. Fred Nile and the Hon. Paul Green. I echo the comments made about the valuable contribution by women not only in the New South Wales political landscape but also more broadly within this country. I thank the Hon. Marie Ficarra, the Hon. Sarah Mitchell and the Hon. David Clarke. I acknowledge the contributions made by the Hon. Cate Faehrmann, the Hon. Helen Westwood, the Hon. Lynda Voltz, the Hon. Penny Sharpe and the Hon. Sophie Cotsis.

That brings me to comment on the amendments put forward by members opposite. I cannot support the amendments, and I urge others in this Chamber, particularly those who support equal rights, not to support the amendments. The motion not only focuses on celebrating the valuable contribution and achievements made by Coalition women but also calls for the removal of gender discrimination in the Labor preselection process. Any selection process that allows or gives weighting of 25 per cent to an individual because of gender is embracing discrimination. I understand that those opposite feel that their women have made a contribution, and I acknowledge that they would like to put forth those arguments. I suggest they put forward their own motion, as opposed to trying to amend another.

I now comment on the specifics of the amendments that have been moved. The amendment moved by the Hon. Cate Faehrmann contains one major error—that Julia Gillard was elected Prime Minister. Julia Gillard

was not elected Prime Minister, she was appointed by the faceless men of Labor. She was appointed as caretaker through a grubby deal with The Greens and the Independents. In relation to the other eight women listed in the amendment, I acknowledge that some of them have certainly made electoral milestones, but others, unfortunately, lost their spots after being appointed into their positions.

I return to the main reason why this motion was put forward. The reality is that female members of the Coalition rarely get credit for the work they have done in advancing women in this country. I am sick and tired of those opposite claiming the high moral ground year after year about what they have done for equal rights for women in this country when the fact is that under the Howard Government and under previous Coalition governments we have made significant contributions. Whether behind the scenes in the early days of the leagues, as lobbyists for change, as volunteers or at front and centre on the hustings and in the corridors of power, women are making a valuable contribution.

What I am most proud of is that our women make their contribution without the aid of a quota system. They get ahead based on merit, and the history of the achievements of Coalition women in Parliament is testament to that. But it could not have been done without the leadership and often groundbreaking work of the women before us who engendered a political culture that develops talent and rewards those who work hard. I am proud to be a member of a party that selects candidates on merit, irrespective of gender. It is something all members of our party can be proud of.

This motion highlights the achievements of our pioneering women such as Dame Enid Lyons, Dame Annabelle Rankin, Dame Ivy Wedgewood, Dame Margaret Guilfoyle, Millicent Preston Stanley, Katy Sullivan, Bronwyn Bishop, Helen Coonan and Amanda Vanstone. There are many other women that time prevented me from commenting on in my opening remarks—women such as Edith Cowan, the first female parliamentarian who was elected in Western Australia; Dame Elizabeth Couchman, who although unsuccessful in entering Parliament was a pioneer and a leader of women through mentoring; and Irene Longman, the first woman to be elected to the Queensland Legislative Assembly.

I refer also to Millie Peacock, the first woman to be elected to the Victorian Legislative Assembly; Margaret Battye, the first woman to be elected Federal Vice President of the Liberal Party; Senator Agnes Robertson, the first woman to lead a Senate ticket at the age of 68—she was the oldest woman to be elected to Parliament; Joy Mein from Victoria, the first woman to hold the position of State President of the Liberal Party; and Virginia Chadwick, the first female President of this Chamber. We have some outstanding female candidates coming up in the Federal election, such as Fiona Scott in Lindsay, Ann Sudmalis in Gilmore, Jamie Abbott in Newcastle, Lucy Wicks in Robertson and Karen McNamarra in Dobell. I agree that we should see more women in Parliament and we need to work on breaking down the barriers across all fields. [*Time expired.*]

**Question—That the amendment of the Hon. Cate Faehrmann be agreed to—put and resolved in the negative.**

**Amendment of the Hon. Cate Faehrmann negatived.**

**Question—That the amendment of the Hon. Sophie Cotsis be agreed to—put and resolved in the negative.**

**Amendment of the Hon. Sophie Cotsis negatived.**

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

**The House divided.**

**Ayes, 21**

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

Mr Gay  
Mr Green  
Mr Khan  
Mr Lynn  
Mr MacDonald  
Mrs Maclaren-Jones  
Mr Mason-Cox  
Mrs Mitchell

Reverend Nile  
Mrs Pavey  
Mr Pearce  
  
*Tellers,*  
Mr Colless  
Dr Phelps

**Noes, 2**

*Tellers,*  
Dr Kaye  
Ms Voltz

**Pair**

Mr Gallacher

Ms Fazio

**Question resolved in the affirmative.**

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

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

**Motion by Reverend the Hon. Fred Nile agreed to:**

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 20 outside the Order of Precedence relating to the State Senate Bill 2012 be called on forthwith.

### **Order of Business**

**Motion by Reverend the Hon. Fred Nile agreed to:**

That Private Members' Business item No. 20 outside the Order of Precedence be called on forthwith.

## **STATE SENATE BILL 2012**

**Bill introduced, and read a first time and ordered to be printed on motion by Reverend the Hon. Fred Nile.**

### **Second Reading**

**Reverend the Hon. FRED NILE** [10.23 a.m.]: I move:

That this bill be now read a second time.

I thank members for the opportunity to bring this matter to the attention of the House and for the House to give serious consideration to its provisions. Under our operating procedures the Government does not give serious consideration to a bill until it has been read a second time in this House. I am pursuing that procedure. We are not adopting the bill; I am just giving a second reading speech and then the bill will be left on the table while discussions about the bill and the best time to proceed with it occur within the Government and the Opposition.

The State Senate Bill 2012 is very simple. Obviously it will not and cannot amend the New South Wales Constitution and the wording establishing the original New South Wales Legislative Council. That would require a referendum. I am not proposing a referendum. I am not proposing to replace the name "New South Wales Legislative Council" with the term "State Senate". The bill simply gives members the option of using that term. It is interesting that the term "State Senate" has already been used by the Legislative Council. Members might remember that during Legislative Council estimates committee hearings in previous years a large banner saying "State Senate" has been displayed behind the witnesses. When I saw that it provoked me to think about the authority for that banner.

This bill is simply giving legislative authority to the Legislative Council, the members and Clerks to use the term when required, when necessary or when they feel it is helpful. It is not intended to do anything to confuse the members of the House or the public. The Hon. Bryan Vaughan, who served in this House for many years and became a good friend of mine, often talked about the State Senate. He had a real conviction about it and often said to me, "When are you going to do something about it, Fred?" So in 2010 I started off on my passage, if you like.



It is important that members have the option of using alternative language to describe themselves, such as "State Senator", rather than the archaic term "the honourable" which they can still use if they wish. Already some members do not use the title "honourable". When I have visited the United Kingdom, where there is still a class structure, and the term "honourable" has been used, people have often inquired whether I have an aristocratic connection to members of the royal family. The term "honourable" is usually used in the United Kingdom in that way and sometimes the term causes confusion. That does not worry me particularly and this bill does not stop members using that term if they want. I am in favour of our historical origins.

What this bill proposes is already the practice in other nations that originally had legislative councils, especially in the United States of America where the upper Houses are now known as State Senates and the members are State Senators. When I have visited the United States—I am sure this has happened to other members of this House—and say that I am a member of the Legislative Council, people look a bit blank and do not know what I mean. They ask if I am a local town councillor. When I have said, "I am a member of the State Senate", they rapidly understand my role. The bill will allow members to use the term, particularly when visiting the United States, and to use it in the knowledge that they do so with the approval of this House. This bill basically gives members that approval.

When this bill is passed the use of the term "State Senator" or "Senate" still will be optional for members. Members will be free to use the title "honourable" and to still describe this House as the New South Wales Legislative Council if they wish. The title "New South Wales Legislative Council" cannot be changed unless there is a referendum. These terms are part of our State's Constitution Act 1902 No 32. Section 7A of that Act, under the heading "Referendum for Bills with respect to Legislative Council and certain other matters", provides that the Legislative Council shall not be abolished or dissolved, nor shall its powers be altered except in the manner provided by the section, that is, by a referendum. This bill is not trying to bypass a referendum. As I said, it simply provides an option for members.

The title of the "Legislative Council" was adopted in 1823 when the first seven members met in what we now call the Parkes Room. In fact, the table in that room is the same table they sat at—so I have been told, and I do not think that information is incorrect. There were only seven members and they sat around that table in the Parkes Room and made laws for New South Wales, with the Governor as the chairman of that body. The New South Wales Act 1823 stated:

AND WHEREAS it may be necessary to make laws and ordinances for the welfare and good government of the said Colony of New South Wales and the dependencies thereof, the occasion of which cannot be foreseen, and whereas it is not at present expedient to call a Legislative Assembly in the said Colony

BE IT THEREFORE ENACTED that it shall and may be lawful for His Majesty his Heirs and Successors by a warrant under his or their sign manual to constitute and appointed a council to consist of such persons resident in the said Colony not exceeding seven less than five as His Majesty his Heirs and Successors shall be pleased to appoint.

Members will note that the 1823 Act refers to the fact that it was not expedient to have a Legislative Assembly. That did not come into effect until 1856. Upon its establishment, the council was a deliberative or consultative body responsible for advising the Governor and making laws. At that stage it had no independent legislative power. I understand that it met in secret and that members were bound by an oath not to reveal its deliberations. The oath they took stated:

I do swear that I will, to the best of my judgement and ability, faithfully advise and assist the Governor in all such matters as shall be brought under my consideration as a member of the Council of the said colony and I swear that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or which shall become known to me as a member of the said Council.

It certainly was not open government in those days. Thankfully it is today, as we in this House share its deliberations. Times have changed since 1823. This council is a body that is open to the public in all its deliberations. The derivation of the name "Legislative Council" is most likely from the term "Privy Council" that was used in the United Kingdom. The *Encyclopaedia of Parliaments* indicates that the term "Legislative Council" was a name usually given to the colonial legislatures of the British Commonwealth. The term was adopted in all six Australian colonial legislatures. As members know, although the Legislative Council of Queensland was abolished in 1922 the Legislative Councils of New South Wales, Victoria, Tasmania, South Australia and Western Australia remain. The term also was adopted to describe the upper Houses of the provincial Canadian legislatures, but I understand all those Houses have been abolished. Abolition also occurred in New Zealand in 1951.

In the New South Wales Constitution Act "the Legislature" is defined as, "The Legislature means His Majesty the King", which is now, obviously, the Queen, "with the advice and consent of the Legislative Council

and the Legislative Assembly". That was after 1856, when New South Wales had both Houses of Parliament. The legislative powers of the New South Wales Parliament were traditionally constrained by imperial links to the British Parliament, defined in the Act of the British Parliament as extending to the colony of New South Wales, provided that the Act was made "applicable to such colonies by the express words or necessary amendment". Section 2 of the Act made any colonial laws that were repugnant to provisions of any British Acts "absolutely void and inoperative". Obviously that arrangement changed when the Commonwealth and the States continued to exist as colonies, although from 1907 the description "Dominion" was accorded to the larger colonies, such as Australia, South Africa, New Zealand and Canada.

It was only in 1931 that the Statute of Westminster released the Commonwealth from imperial constraints on its legislative power. Under that Act the Commonwealth Parliament could not legislate in a manner repugnant to British law. However, the States, including New South Wales, were not similarly released until 1986 upon enactment of the Australia Act. Under section 1 of the Australia Act 1986 the British Parliament abdicated any legislative power over the States and Territories. Section 2 provides:

It is hereby declared and enacted that the legislative powers of the Parliament of each State include full power to make laws for the peace, order and good government of that State that have extra-territorial operation.

Accordingly it was not until 1926 that the New South Wales Parliament ceased to be a colonial legislature. Some members may be surprised by that. It may be argued that the title "Legislative Council" possibly implies that a colonial legislature that advises the Governor in secret but has no legislative power is no longer relevant or appropriate. It has previously been argued in debate in this House that the title "New South Wales Senate" would engender a greater recognition and understanding than the title "Legislative Council". As I mentioned earlier, the Hon. Bryan Vaughan referred to this during his valedictory speech in 1998. He stated:

Madam President, on Tuesday, 1 December, at a luncheon in your dining room for a German delegation, I sat next to a visiting German delegate, retired State Minister Professor Ursula Maennle of Bavaria. Professor Maennle pointed to the cover of the menu and said, "Speaker Murray MP is obviously a member of Parliament, but what are you?" I said, "The President is not an MP, she is an MLC." The professor said, "What is that?" I told her that the Legislative Council was a State Senate—a Bundesrat, as they would say in Germany. "Ah", she said, "I know what you mean."

A former Leader of the House in the Legislative Council, the Hon. Barrie Unsworth, observed:

I myself have had the same difficulty explaining my position to American visitors on occasions when I have had the opportunity to visit the United States of America and have tried to explain the Legislative Council's function. Certainly in recent times I have found it much easier to explain my position, and this happened recently when I met the United States Attorney General by saying that I am the majority leader of the State Senate. He understood what I was talking about. If I had given him the correct designation of my office, I feel he would still be contemplating what I was doing in this Legislature.

It is likely that in international circles the titles "Senate", "State Senate", "Senator" and "State Senator" engender greater recognition than the title "Legislative Council" or "Legislative Councillor" which, as I have said, are Commonwealth and colonial terms. I sought advice from the then Clerk of the Parliaments, whose advice by letter states:

You have asked for briefing material in relation to a proposal to rename the Legislative Council the New South Wales State Senate.

A change of the name of the Legislative Council to the New South Wales State Senate would likely require amendment to the *Constitution Act 1902*.

In 1991, the Democrats had an amendment prepared by Parliamentary Counsel to be moved during debate on the Constitution (Legislative Council) Amendment Bill 1991 to provide for the insertion of a new section 18 into the *Constitution Act 1902* to provide:

**18. Legislative Council also called the Senate**

- 1) The Legislative Council may also be called the Senate, and the use of that name has for all purposes the same effect as the use of its other name.
- 2) Accordingly, a Member of the Legislative Council may be called a Senator.

In the event this amendment was not moved.

The 1991 proposed amendment entailed providing the Legislative Council with an additional title. Adding an additional title would not appear to affect any of the entrenched provisions of the *Constitution Act 1902* since it does not *prima facie* alter the constitution, powers or procedures of the Legislature, which is the test applied ...

The Clerk then referred to various legislative commentaries. Her letter goes on to state:

The alternative would be to seek an outright change in the title of the Legislative Council to the New South Wales State Senate. This may be a little more problematic, in that the manner and form provisions of the *Constitution Act 1902* refer to the Legislative Council, and specifically exclude entrenched sections from either repeal or amendment without a bill passing both Houses and being approved by referendum.

As I stated earlier, that is a key factor in this debate. I am not in any way proposing a referendum or a change to the Constitution Act. As I mentioned earlier, I also discovered that the Legislative Council's website has displayed "State Senate" by order of previous presidents, not the current President. The use of the term "State Senate" has become a custom. I believe it is in order for this House to consider and pass this legislation so that a custom that is without any legislative authority becomes legalised.

We need consistency rather than have people make up their own minds and the terms change from time to time under different presidents. That is the purpose of this bill. I trust that after due discussion members on both sides of this House will support this bill. Some members have said that the biggest obstacle to the passage of this legislation is the Legislative Assembly, which is jealous of its powers and its rights. It would not be happy with legislation that appeared to boost the importance of the Legislative Council. I hope that members have now grown up and that there is no longer any jealousy.

**The Hon. Dr Peter Phelps:** Good luck on that one.

**Reverend the Hon. FRED NILE:** I am an optimist; we could have goodwill. This bill has to be passed by both Houses of Parliament. It could be said that we would have legislative approval for what we were doing if this bill were passed only in the Legislative Council, but it would not be a proper bill. I hope that the new Premier—I have not twisted his arm on this yet—gives the bill his sympathetic support, that we have goodwill on both sides of the Parliament and that the bill is passed in due course. I leave the matter in members' hands for their deliberation and hopefully their approval.

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

## **BUSINESS OF THE HOUSE**

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

#### **Motion by the Hon. Lynda Voltz agreed to:**

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 805 outside the Order of Precedence, relating to the achievements of the Australian Olympic Team, be called on forthwith.

#### **Order of Business**

#### **Motion by the Hon. Lynda Voltz agreed to:**

That Private Members' Business item No. 805 outside the Order of Precedence be called on forthwith.

## **AUSTRALIAN OLYMPIC TEAM**

**The Hon. LYNDA VOLTZ** [10.42 a.m.]: I move:

1. That this House notes:
  - (a) the outstanding achievement of the Australian Olympic Team during the 2012 London Olympics,
  - (b) that the Australian Olympic Team returned home with 35 medals,
  - (c) the hard work and sacrifice made by all athletes, their family and supporters over many years to become an Olympic competitor,
  - (d) that the following New South Wales athletes were the flag bearers for both the opening and closing ceremony:
    - (i) Lauren Jackson: basketball,
    - (ii) Malcolm Page: sailing,

- (e) that a total of 85 NSW Institute of Sport scholarship holders competed at the 2012 London Olympic Games,
  - (f) that of the 13 strong sailing team:
    - (i) eight were from New South Wales,
    - (ii) the three sailing gold medals were won by New South Wales sailors, including Nathan Outteridge and Iain Jensen sailing 49ers, Mathew Belcher and Malcolm Page sailing 470s, and Tom Slingsby sailing a laser,
    - (iii) a Sailing Silver Medal in the six metre race was also won by New South Wales sailors Nina Curtis, Olivia Price and Lucinda Whitty, and
  - (g) the particular effort of New South Wales athletes in the some of the most gruelling events, including Ky Hurst in the 10 kilometre open water swim and Jeff Hunt in the marathon.
2. That this House congratulates the entire Olympic team and all New South Wales competitors on their outstanding achievements.

I pay tribute to the outstanding achievements of our Australian Olympic team, which brought home 35 medals—seven gold, 16 silver and 12 bronze—from the 2012 London Olympics. Australia was represented by a team of 410 athletes—224 men and 186 women. Hard work and sacrifice, including that of their families and supporters over many years allowed them to become Olympic competitors. At these summer Games we also witnessed history in the making, as women's boxing made its official Olympic debut and London became the first city to host the Games three times—in 1908, 1948 and 2012.

For New South Wales the achievements were outstanding. The New South Wales athletes Lauren Jackson in basketball and Malcolm Page in sailing were the flag bearers for the opening and closing ceremonies. Jackson had been named the International Player of the Year in 1999, 2000 and 2002. In 2005 she was inducted into the Australian Institute of Sport Best of the Best. Malcolm Page is the most decorated 470 men's sailor of all time, having won four 470 World Championships and one ISAF World Games Championship, two silver and one bronze at the 470 World Championships and the gold medal at the 2012 Olympics in the 470s with Mathew Belcher.

A total of 85 New South Wales Institute of Sport scholarship holders competed at the 2012 London Olympic Games. The New South Wales Institute of Sport has an outstanding record. It was established as a statutory body under the Institute of Sport Act 1995 following a review recommending the central coordination and monitoring of high performance sports programs. Its operations officially commenced in 1996 under the Carr Government. Today the institute has almost 700 athletes on squad or individual scholarships and offers 31 sports programs across 24 sports. The institute's services ensure that its athletes have access to coaching and sports technology while also receiving tailored support to help balance their sporting commitments with personal development and a career.

I do not think anyone can talk about the achievements of the New South Wales athletes without mentioning the Olympic sailing team. Eight of the 13-strong sailing team were from New South Wales. Notably, all three sailing gold medals—the 49ers with Nathan Outteridge and Iain Jensen, the 470s with Mathew Belcher and Malcolm Page and the lasers with Tim Slingsby—were all won by New South Wales sailors. This was alongside a sailing silver medal in the six-metre class by the New South Wales sailors Nina Curtis, Olivia Price and Lucinda Whitty. This was certainly an outstanding achievement, particularly when one thinks that these three women came together as a team after a protracted four-year selection aimed at matching not just talent but also team ability qualities, and they started racing together only 12 months ago.

Iain Jensen commenced sailing as a five-year-old in his hometown of Wangi Wangi, which is in one of my duty electorates in Lake Macquarie. He grew up alongside Nathan Outteridge and as young boys they sailed around Lake Macquarie. They have won three consecutive ISAF World Youth Championships, in 2002, 2003 and 2004. This result is even more remarkable when we establish that in 2005 Nathan was involved in a car accident when driving to a regatta which broke his back and required him to learn to walk again. Yet he came back to win gold at the 2012 Olympics.

Of the many athletes I wish to mention those who competed in some of our most gruelling events, such as Ky Hurst in the open water swim and Jeff Hunt in the marathon. Jeff Hunt commenced aggressively at the start of the marathon, but that showed at the end where he finished sixty-third. My daughter, Anastasia, watched the marathon with me and said, "Really, mum, he is the sixty-third fastest man in the world. Do you really know him?" I pointed out that I knew his mother, Karen, whom I am sure all members know as she is one of our

Hansard reporters. I know that Karen would have been out there cheering from the sidelines. I am sure she is pleased that Jeff made a decision to ban himself from riding a motorbike just to ensure that he was not injured before the Olympics. Well done to Jeff on his achievement.

Ky Hurst at the early age of 15 became one of the youngest contenders in the Uncle Toby's super series, winning three annual titles consecutively. He is also the only man to have won seven Australian ironman titles and is now regarded as one of the best ironmen in the history of surf life saving. Ky gained the name "Killer" as a reflection of his motivation to achieve. He has 28 Australian surf titles, making him the second-highest medal winner in the Australian Surf Life Saving Championships. Anyone who knows the ironman events will know how tough they are. After competing in the Beijing 2008 Olympics Ky Hurst said it was so gruelling and so hard that he did not think he could compete again in a 10,000 metre open water swim. But he turned up again at the next Olympics and was well into that race until probably the last lap and a half where it took some outstanding swimming to win the race. It is amazing how people can compete in those races.

One of the other New South Wales athletes that members may not have heard about and who did extraordinarily well is Eloise Wellings. Those from the Sutherland district may know Eloise as she runs a gym down there. She competed in the 5,000 metre and 10,000 metre athletics races. She came fifteenth in the 5,000 metre heat and twenty-first in the 10,000 metre heat. Backing up for both those events is an outstanding achievement.

Members may have watched Dani Samuels in the discus throwing. She is an outstanding New South Wales athlete, who won gold at the 2009 world championships. Dani made it through to the finals but unfortunately was eliminated after three throws. She is one of our most outstanding discus throwers and at age 24 is a real hope for the next Olympics. Dani should not be disappointed by that result because it was a very hard slog for her to get there and she has been the world champion, having won the 2009 medal. Ryan Gregson, one of our Wollongong competitors, comes from Bulli.

**The Hon. John Ajaka:** Where I was born.

**The Hon. LYNDIA VOLTZ:** There we go. The Hon. John Ajaka could probably go out running with him.

**The Hon. John Ajaka:** And maybe next time I could compete.

**The Hon. LYNDIA VOLTZ:** I do not think so. Ryan made it through to the semifinals in the 1,500 metres, which is an outstanding achievement because that is a very competitive race. In 2010, as a 20-year-old, he broke Simon Doyle's longstanding Australian 1,500-metre record. He is a young bloke with a big future in these events. In the triathlon Brendan Sexton competed and came in thirty-fifth. As members know, the Brownlee brothers took away that race very quickly. Brendan Sexton, nicknamed "Kung Fu" for some reason, certainly should not be upset with that result. From the age of seven, Brendan, one of our Maitland competitors, grew up swimming in the local pool at Maitland. He was encouraged by his mum and dad to take up triathlon because of his love for the water.

Bronwen Watson, who was born in Milton in New South Wales, competed for us in the women's lightweight rowing. Bronwen, with her partner, came fifth in the final in that event. Bronwen retired from rowing in 2009 but she took it up socially. At the age of 35 she thought she might have another shot at the Olympics and competed for Australia in rowing. Nick Purnell and Sam Loch, New South Wales athletes, were members of the men's eight rowing team. All members know that the eight sculls made it through to the final and did extraordinarily well to get there.

Daniel Noonan from Warren in New South Wales is one of our quadruple sculls competitors who won a bronze medal. The Mosman Rowing Club will be particularly pleased that one of their boys, as a New South Wales athlete, brought home a medal for Australia. Another competitor from Johns River in New South Wales is Tess Gerrand. If members want to check out any information about Tess Gerrand I recommend the Rowing Chicks website. Tess came sixth in the final of her event. In athletics we had a number of New South Wales competitors.

I refer to three members of the athletics squad who were from New South Wales—Isaac Ntiamoah, Tim Leathart and John Steffensen. Isaac, who is from Fairfield, attended Fairfield Public School and Fairfield High School, and went on to become a member of the 4 x 100 metre relay team which competed in the final,

which is where we saw some real Olympic stars. Tim Leathart took up running at the age of 19 only after his parents said it would be a better use of his time rather than going skiing for a couple of months. It certainly worked out that way as he made the Olympic team.

A big hope for the future in boxing is Jai Opetaia who comes from the Central Coast. The Central Coast seems to have been overly represented in the Olympics and certainly in our gold medal count. Jai made the last 16 in the 81 to 91 kilogram heavyweight men's category and at the age of 19 he is a big hope for the future; people should keep their eyes on him. All members would have seen Jessica Fox, who rows out at Penrith but comes from Leonay in New South Wales. She was a silver medal winner in her kayak event. Given that both her parents were Olympic competitors, she comes from a family that obviously puts a lot of emphasis on the sport. She was born in Marseilles, France. I think her mother was a member of the French Olympic team.

**Dr John Kaye:** She was a silver medallist, wasn't she?

**The Hon. LYNDIA VOLTZ:** She was a silver medallist. The interesting silver medal I thought from Israel was the windsurfer. There was a great girl who won a silver medal in that event. Kynan Maley was originally from Fremantle. He and his partner, Robin Jeffery, both moved to New South Wales to compete in the C-2 men's kayak event. Kynan also competed in the C-1 and made it through to the finals and finished sixth in that event. Other members will talk about competitors who come from their regions. I hope we hear from members of the Shooters and Fishers Party about the excellent performance from their competitors in the shooting arena. I will not cover every one of the 85 members in the New South Wales team but I will make special mention of James Magnussen, our silver medallist in the men's 100-metre freestyle.

**The Hon. Steve Whan:** And a New South Wales Institute of Sport scholarship promoter.

**The Hon. LYNDIA VOLTZ:** And a New South Wales Institute of Sport scholarship promoter. Members of the media should take a long hard look at themselves. This was an outstanding achievement by athletes who spent nearly all their youth training for many hours; waking up early and often training in the dark. James should not be upset or worried about that result; it was a brilliant result. Some of the media coverage of our Olympic athletes has been very unfair. If anyone is putting too much pressure on our Olympic athletes it is members of the media. Well done to the Olympic team and to our New South Wales athletes.

**The Hon. NIAL BLAIR** [10.56 a.m.]: I commence my contribution by congratulating the Hon. Lynda Voltz on moving this worthy motion. Like other members, I enjoyed the winter break as I could catch up on some of the Olympic coverage. I wish to highlight a number of Australian Olympians who come from regional New South Wales. As I have said many times in this House, sport in regional areas plays a vital role for many of our youth and also for adults. Not only is it a great social event; keeping active and participating in sport have many health benefits.

It is great to note that some of our stars in the 2012 Olympic team hail from regional New South Wales. When one goes through a list of people one runs the risk of forgetting someone but I wish to highlight a few of our regional New South Wales Olympians. Clive Barton from Tamworth participated in the men's skeet event. Zoe Buckman from Grafton competed in the 1,500 metres. Matthew Butturini from Murwillumbah was a hockey bronze medallist. James Clark from Nowra participated in the water polo team. I am sure that the Hon. Steve Whan will talk about the men's water polo team. Jade Close from Wagga Wagga participated in the women's hockey team, the Hockeyroos. The Hon. Lynda Voltz mentioned in her contribution Tess Gerrand from Taree. Cameron Hammond from Moree competed in the boxing event. I have a brother who lives in Moree. Moree and the surrounding community were right behind Cameron in that gruelling event. Those Olympic matches are pretty tough and take a lot out of competitors.

Andrew Hoy, one of our most famous equestrian Olympians, hails from Culcairn and competed with the eventing team. As the Hon. Lynda Voltz stated, Lauren Jackson was our flag bearer at the opening ceremony. She is an outstanding athlete and represents all the good things that come from regional New South Wales. Lauren is originally from Albury and the basketball stadium in Albury is now named after her.

Kate Jenner is also from Tamworth and was a representative in the Hockeyroos. James Magnussen from Port Macquarie won a silver medal in the 100-metre freestyle and a bronze medal in the 4 x 100 metre medley relay. I agree with the comments made by the Hon. Lynda Voltz that the pressure placed on these Olympians must have been huge. James Magnussen showed courage and character to overcome what would

have been the lowest point in his life following his less than best performance in the men's 100-metre freestyle relay—where the Australians were red-hot favourites—and turn around a few days later to perform and pick up a couple of medals.

Scott Martin from Wodonga competed in the discus. Scott Orchard from Maitland was a bronze medallist in the men's hockey team, the Kookaburras. Iain Jensen and Nathan Outteridge from Wangi Wangi won the sailing gold medal for the 49ers and Brooke Pratley from Crookwell was a rowing silver medallist in the women's double sculls. Megan Rivers, who hails from where I live now in Moss Vale, was a member of the Hockeyroos hockey team and the captain of that team. Brendan Sexton from Maitland competed in the triathlon.

Emily Smith, another Crookwell resident, also participated in hockey. If members look at most country towns and their representation at the Olympics over the years they will see that Crookwell well and truly punches above its weight. For many years, particularly in the 1950s and 1960s, and prior to artificial turf, the majority of the Australian hockey team was predominantly made up of people from Crookwell—it has a rich hockey history. You do not want to get hit with a hockey ball on a cold Crookwell morning; it can be painful.

Thomas Swan from Mulwala competed in the rowing. Glenn Turner, who is a bronze medallist with the men's hockey team, hails from Bowral. I had the pleasure of playing with Glenn two years ago in my final season of hockey in the Illawarra competition. He was on the same team as me. I was the goal keeper and he was the centre-forward. Glenn is now renowned as one of the best centre-forwards in men's hockey in the world. His skill and speed is inspiring. Glenn was working for Goulburn council in the water treatment plant but had to move to Perth to train at the Australian Institute of Sport [AIS]. It highlights the struggle that some of these Olympians have finding employment with a sympathetic employer that allows them the time off to train and travel the world in order to remain at the top of their game.

Michael Diamond is a Goulburn boy and he narrowly missed out on a medal. Coming fourth I would imagine would probably be the worst thing to happen to a competitor at the Olympics, but he should hold his head up high. Kaarle McCulloch is from Bowral. She grew up in Bowral and moved to Sydney when she was 14 years old. She was part of the track cycling team and rode with Anna Meares. I have mentioned only a few of the athletes that come from regional New South Wales.

I will mention two others, one of whom is a close friend of mine, Brett Parbery. Brett originally comes from Dorriggo and is Australia's highest ranked dressage rider. He has an amazing story: he was originally a saddle-bronc rider trying to make it on the rodeo circuit in America. Following that endeavour he came back to Australia and took up the equestrian discipline of dressage, placing ninth in the World Equestrian Games last year. Unfortunately, a few months before the London Olympics Brett's horse passed away and he could not compete in the dressage. He was the dressage coach for the Australian equestrian three-day eventing team, so Brett did go to London and played a pivotal role as one of the officials and coaches that go to the Olympics to assist the athletes. He now lives in Penrose in the Southern Highlands.

The final person I want to mention is another former teammate of mine, Adam Cummins from Juneec. He is a former Olympian himself and is now the coach of the Australian women's hockey team. I know other members would like to contribute to this debate so I will conclude by highlighting the contribution that regional New South Wales has made to the Olympic team and the vital role those people have played to lift the spirits of their communities. We are proud of all of our Olympians, particularly those from regional areas.

**Dr JOHN KAYE** [11.04 a.m.]: In speaking to the motion I wish to associate myself with the remarks of the Hon. Linda Voltz. I congratulate her on moving this motion. I agree with everything she said. I wish to associate myself with the remarks of the Hon. Niall Blair and his identification of the benefits that the Olympics brought to rural and regional New South Wales, not in respect of the medals but in respect of the participation.

To be honest with the House, I am not a keen fan of spectator supports. I know that has caused a lot of shock in the Chamber, but it is true. However, like everybody in New South Wales and across Australia, I was captivated by the nightly vision of individuals doing their best and trying to push themselves to achieve beyond their existing capacities and experience something they had not done before. One would have to be cold-hearted to not be elevated by those efforts. The Australian athlete who competed in the open ocean swim captivated my heart. He did not do fabulously well in respect of medal counts, but he put his heart and soul into the race. It was a remarkable experience. Many athletes achieved gold, silver and bronze medals, and I congratulate them. Many athletes did not achieve medals and I congratulate them equally.

One of the things that annoyed me about the coverage on commercial free-to-air television—there were many things—was the fixation on medal counts. Medal counts are great and it is terrific when Australians win medals; I have no desire to take away from the achievement of those athletes. However, by counting up the number of medals and comparing Australia to other countries we simultaneously reduce and undermine the efforts of those who do not win medals and we take away from those who do win medals because they are doing it not only for Australia but also for their sport. The community should be fixated on the sport. I have a connection to the sailors and I think they are wonderful. The people on the Central Coast have hearts bursting with pride for their sailors, which is at it should be.

I will comment briefly on another activity that has been happening around New South Wales public schools. Kids of various ages have been interacting with the Olympics as part of their education. Particularly in primary schools, kids have taken on the persona of an individual athlete or country. That is a great use of the Olympics in respect of building international understanding. In secondary schools there has been a lot of useful physics about discus throwing, javelin throwing and high jumping. Some useful chemistry has been done surrounding the polymers in running shoes. Mathematics has focused on acceleration and velocity. That shows my bias towards the sciences. There has no doubt been a focus on geography, history, English and all the key learning areas.

**The Hon. Steve Whan:** If Jeremy were here he would say that it shows coal seam gas is a bad thing.

**Dr JOHN KAYE:** Hansard may not have heard the Hon. Steve Whan, so I will paraphrase it: The Hon. Steve Whan said that the Olympics convinced him that coal seam gas is a bad thing. I think that is what I heard. That is certainly what will now be in *Hansard*. I have been told that is not what I heard. I am known for my tinny ears, so maybe I did not hear that. The educational benefits from the Olympics have been great to see. I have had the pleasure of observing at one public school in New South Wales the development of Olympics-based teaching resources for the two weeks of the Olympics. I am told reliably that the young adults in that school were very excited. There were a number of races conducted where discussions about velocity, speed and acceleration were drawn alongside whoever won the gold medal.

I conclude by acknowledging one athlete who at least hails from New South Wales but does not necessarily still live here; that is, of course, Sally Pearson. I admire Sally Pearson as an athlete. I am told that she has won 32 of the 34 races in which she started in recent times. That is remarkable. But that is not the most remarkable thing about Sally Pearson. Sally Pearson was under a lot of pressure. Of course, she won her gold medal in the hurdles; that is terrific, and of course we all congratulate her. But in addition Sally Pearson became the standard bearer for the Olympics: she became the person who was, in many senses, the front line for the Olympics, and she did so with enormous grace under pressure.

I admire people whose skill and training are in athletics but are thrust into the public eye and do so in a way that immediately thrusts them from the public eye into the public heart. That is certainly what happened with Sally Pearson. But it also happened with thousands of other athletes. Every single one of them endeared themselves to me—not somebody who normally spends a lot of time watching spectator competitive sport, but somebody who was certainly moved by the effort, the ingenuity, the training, the concentration, the commitment, the hard work, and the grace and charm they displayed when they lost.

This became a characteristic of the Australian team. I pass on my congratulations and the congratulations of The Greens to all the athletes and to the people who supported them—the thousands of people who trained and prepared them, who fed them, who provided their clothing and their equipment, who got them to the Olympics, who housed them and, most importantly, who kept them psyched up for their events. Those are hard jobs, which we do not often acknowledge, but those service workers who provided so much to our Olympic team and to the enjoyment of people around the world should also be congratulated.

**The Hon. WALT SECORD** [11.11 a.m.]: I warmly congratulate our athletes who competed at the XXX Olympiad in London. Australia had a wonderful result, with seven gold, 16 silver and 12 bronze medals—placing us tenth overall on the medal tally. This was a phenomenal result. And let us recognise that result with an international perspective. Singapore, for example, was ecstatic at securing just two bronze medals in table tennis. But perhaps a comparison with Canada is more appropriate—despite the fact that we are two-thirds the population of Canada. As a person born in Canada, I can assure members that Canadians could only dream of Australia's result. At London, Canada won five silver medals, 12 bronze and a single gold in trampolining. Further, in 1976 at the Montreal Olympic Games, Canada ended up with the dubious distinction of being the only host nation to fail to win a gold medal at its own games. Perhaps this is why I have a different perspective on the achievements of our Olympic team. Australia had a wonderful Olympics.



I will never subscribe to the view that winning silver is in any sense a failure. I also refuse to discuss the so-called "pain of coming second". Getting to the Olympics is an achievement in itself. There is not a single member of our team who did not make significant personal sacrifices so they could have the honour of entering an Olympic stadium and representing Australia. So I stand here to praise and celebrate our athletes, their coaches, families and supporters who have worked together for years to achieve these outstanding results. I praise them whether they achieved gold or simply achieved the unique thrill of participating on a stage of global excellence.

This was the Olympics of hurdler Sally Pearson and cyclist Anna Meares. But it was also the Olympics of Steven Solomon, a 19-year-old who was so pleased that he had simply made an Olympic final in the 400 metres. I suspect we will see more of this young athlete in Rio. This was the Olympics in which I, and millions of Australians, found a new appreciation of sailing. Sailing lifted Australia significantly in the international rankings, with three gold medals and one silver. It has been suggested that, without sailing, we would have finished about seventeenth rather than tenth. For the record, seven of the eight sailors who won medals at the Games were from New South Wales. That is why I am disturbed to read reports that the O'Farrell Government is planning to scrap the sailing program at the New South Wales Institute of Sport.

**Reverend the Hon. Fred Nile:** Shame. It is a bad idea.

**The Hon. WALT SECORD:** I acknowledge the interjection of Reverend the Hon. Fred Nile. Two months ago Yachting Australia was informed by the O'Farrell Government that the New South Wales Institute of Sport would be dumping its sailing program. Well, in light of the events of this month, I think the communities of New South Wales might take a dim view of that decision. But the Olympics are about the athletes of the world. This was the Olympics of Ireland's Katie Taylor, who won the gold in women's light—60 kilogram—boxing and captured a nation's hearts. It was also the Olympics of Michael Phelps, the unstoppable Usain Bolt and South African sprinter Oscar Pistorius, a person who grew up without any limbs from the knees down.

As the Olympics concluded, our eyes now turn to the fortunes of the Australian Paralympic team, to whom I wish the very best of luck. In fact, just last month I had the pleasure of watching the Australian Rollers and Gliders—our wheelchair national basketball teams. They played in an international tournament at Homebush against Great Britain, Japan, Germany and China. Next month, they and more than 4,200 athletes from more than 160 countries will compete at the 2012 Paralympics. Again, we are placing pressure on our team, and there is speculation that they will finish in the top five on the medal table. In the past 10 Paralympics, Australia has finished in the top 10 of the world's nations. If they achieve top five, I will celebrate that. But should they not, I will celebrate the achievement of participation, the achievement of getting to the stadium, and all the work that that entails. In short, I will celebrate the great achievement of "having a go". That is the Olympic and Paralympic spirit. It is also the Australian way. I thank the House for its consideration.

**The Hon. Dr PETER PHELPS** [11.16 a.m.]: Sport is a waste—but what a glorious waste it is. Sports activity, in principle—every act, every sports act—is a waste of energy. If I fling a stone for the sheer pleasure of flinging it, and not for any utilitarian end, I have wasted kilojoules accumulated through the swallowing of food, earned by work. Now, this waste—and I make myself absolutely clear—is profoundly healthy. It is the waste proper to play. And man, like every animal, has a physical and psychic need for play. So there is a recreational waste that we cannot renounce; it means being free—freeing ourselves from the tyranny of indispensable work. I recall the early trade unionist whose mantra was eight hours work, eight hours recreation, eight hours rest. That eight hours recreation symbolises something; it symbolises modern society's freedom from the tyranny of indispensable work.

Now, if I fling my stone, and another man beside me aims to fling one still further, the recreation takes on the form of a contest—which is also a waste of physical energy and of intelligence, which provides the rules of the game. But this recreational waste provides a gain for both of us. As the nineteenth century philosophers might have said, races improve the race; contests develop and control the competitive spirit; they reduce innate aggressiveness to a system and brute force to intelligence.

In the mid 1990s I was at a Blues Dinner at the University of Sydney, which had unfortunately double booked speakers. The first speaker was an older man, brought up in the tradition of amateurism and the idea of the well-rounded gentleman. The other was an Australian Institute of Sport sports administrator. Both men had been University Blues, but their philosophical differences could not have been more marked. On the one hand

was the idea of sport as a part of your life; on the other hand was the idea of sport as the only part of your life. Indeed what we see most of the time around us as sport is in fact nothing of the sort; it is professionalism. And, if I may coin a neologism, it is sportertainment.

Spectator sports are not sports, in the sense of a situation in which a person, with no financial incentive, and employing his or her own body directly, performs physical exercises in which they exert their muscles, cause their blood to circulate and their lungs to work to their fullest capacity. Sport is something beautiful in that regard, at least as beautiful as sex, philosophical reflection and religious ecstasy. But sportertainment has nothing to do with sport in this sense; not for the players, who are professionals subjected to tensions not unlike those of an assembly line worker, except for the highly questionable differences in pay; and not for the spectators—the majority, that is, who, in fact, behave like hordes of sex maniacs regularly going to see couples making love or pretending to do so.

This nucleus of ambiguous healthiness—a healthiness that is healthy up to the point where a boundary is crossed—leads to the first degenerations of the contest: the raising of human beings dedicated to sports competition. The athlete becomes a being who has hypertrophied into a single organ, who turns his or her body into the seat and exclusive source of a continuous play. The athlete is a monster, he is the Man Who Laughs, the geisha with the compressed and atrophied foot, dedicated to total instrumentalisation. The athlete as a monster comes into existence at the moment when sport is squared, when sport—that is, from a game played in the first person—becomes a kind of disquisition on play, or rather play as a spectacle for others, and hence a game as played by others and seen by me. Sport squared equals sports performance. It is an opera; it is a play; it is sportertainment.

If sport practised is health, like eating food, sport seen is a defrauding of health—and I will not even go into the psychological and physical debilitation of the drugs and professional sports regimes. When I see others play I am doing nothing healthy; I am only vaguely enjoying the health of others, which in itself would be a sordid exercise in voyeurism because, in fact, what I enjoy most are the accidents that will befall those who are healthily exercising or the illness that undermines this exercised health. Certainly, someone who watches sport performed by others becomes excited as he watches; he yells and gesticulates, and so he is performing physical and psychic exercise, reducing aggressiveness and disciplining his competitiveness. But this reduction is not compensated, as when one exercises sport, by an increase of energy or by an acquired control and self-mastery. On the contrary, the athletes are competing in play but the voyeurs are competing seriously and, in fact, they beat one another up or die of heart failure in the grandstands.

As for disciplining competitiveness, which in exercised sport has the two aspects of increasing and losing one's own humanity, in athletic voyeurism it has only one aspect: the negative. There is no need to ask ourselves why sportertainment has so morbidly captured the attention of the public and the devotion of the mass media. From the famous story of how a comedy by Terence played to an empty house because there was a trained bear show elsewhere, and the acute observation of Roman emperors about the usefulness of *circenses*, to the shrewd use that dictatorships have always made of great competitive events, it is so clear and so evident that the majority prefers football or swimming to the right to silence that it is not even worth reflecting about.

In fact, as I said earlier, sport debate—and I mean the sports shows, the talk about it, the talk about the journalists who talk about it—is the easiest substitute for political debate. Instead of judging the job done by the Minister of Finance—for which one has to know about economics, among other things—one discusses the job done by the coach. Instead of criticising the record of Parliament one criticises the record of the athletes. Instead of asking difficult and obscure questions—for example, if such and such a Minister signed some shady agreements with such and such a company—one asks if the final or decisive game will be decided by chance, by athletic prowess or by the referee's whistle.

Talk about sportertainment certainly requires more than a vague expertise but, all in all, it is limited, it is well focused and it allows one to take positions, express opinions, suggest solutions without exposing oneself to arrest, to loyalty oaths or, in any case, to suspicion. It does not oblige one to intervene personally, because one is talking about something played beyond the area of the speaker's power. In short, it allows one to play at the direction of the government without all the suffering, the duties and the imponderables of political debate. For the male adult it is like little girls playing ladies: a pedagogical game that teaches you how to occupy your proper place in society.

Since talk about sport gives the illusion of interest in sport, the notion of practising sport becomes confused with that of talking sport; the chatterer thinks himself an athlete and is no longer aware that he does

not engage in sport. Similarly, he is not aware that he could no longer engage in it, because the work he does when he is not talking about it tires him and uses up both the physical energy and the time required for sports activities. Indeed, this sport squared, which involves speculation and barter, selling and enforced consumption, generates a sport cubed—the discussion of sport as something seen. This discussion is in the first place that of the sports press but it generates, in turn, discussion on the sports press and, therefore, sport raised to the nth power. The discussion on the sports press is discourse on a discourse about watching others' sport as discourse. If we include Roy and HG and other sports parodies and us discussing them, we have a discussion on a discourse on a discourse on a discourse about watching other people's sport as discourse.

Present-day sports then—sportertainment—is essentially a discussion of the sports press. At several removes there remains the actual sport, which might as well not even exist. If the Olympics were not to take place but were narrated daily and hourly through fictitious images, nothing in the international sports system would change, nor would the sports discussants feel cheated. So sport as practice, as activity, no longer exists, or exists for economic reasons—because it is easier to make an athlete run than to invent a film with actors who pretend to run—and there exists only chatter about chatter about sport. As I said, this sports talk has all the characteristics of political debate. They say what the leaders should have done, what they did do, what we would have liked them to do, what happened and what will happen; only the object is not the city or the State but the stadium with its locker rooms.

Such talk seems to be a parody of political talk. But since in this parody the strength that the citizen had at his disposal for political debate is vitiated and disciplined, this talk is ersatz political speech but to such a heightened degree that it becomes itself political speech. Afterwards, there is no more room, because the person who talks about sport, if he did not do this, would at least realise he has possibilities of judgement, verbal aggressiveness or political competitiveness to employ somehow. But sports talk convinces him that this energy is expended to conclude something. Having allayed his doubt, sport fulfils its role of fake conscience.

We have not yet totally lost the idyll of sport but we are well on the way to losing it. Even my beloved rugby—once the home of the well-rounded gentlemen who embraced the amateur tradition—now finds itself overrun with monosyllabic narcissists with sleeve tattoos, sybaritic lifestyles and bad attitudes to women. So let us raise a cheer today not for the pretty, vacuous Barbie and Ken dolls who have leached off taxpayers and will ultimately find themselves in commentary booths or the administrative offices, perpetuating the scam of sportertainment; but let us give a cheer to the C grade sides who go out and play each weekend, to the 38-year-old stockbroker who risks life and limb as a flanker in a social rugby competition, to the kids who are doing their Higher School Certificate and still find time to get out in the paddock, and to the mums who play netball on a Wednesday night and save a portion of their housekeeping to go to the Masters Games in Queensland each year.

Let us raise a cheer for those who do for love what others do for money, because there is a word for what people do for money when they should be doing it for love. They are the real sportsmen and sportswomen of Australia and they are dying out. Frankly, I would rather see Australia with no Olympic medals but with everyone playing sport than see the pestilence of sportertainment that confronts us today. If we must spend taxpayers' money on sport let us build a nation of well-rounded humans, not the Frankensteinian assembly line of professional athletes created for the gladiatorial arenas of sportertainment.

**The Hon. PAUL GREEN** [11.28 a.m.]: Today I pay tribute to our Olympians and to the massive marathon of the Olympics. Like many members I had baggy, dry eyes in the morning after watching the Olympics late at night and I was emotionally torn with the close finishes and not-so-close finishes, particularly, sadly, in the swimming events. It was a great Olympics and the Aussies did us proud.

The Olympics is an ancient tradition that tests the concept of mind over body and the limits of human endurance. As we all know, the tradition of the Olympic Games was born in the culture and land of ancient Greece. It is commonly accepted that the games were begun in 776 BC. That ended sometime around 400 AD when the Romans gained power and influence in Greece. In the seventeenth century there was a modern revival of the Olympic spirit. The first event was the Cotswold Games. It was organised in England by the lawyer Robert Dover between 1612 and 1642. In the recent 2012 Olympic Games in London the British Olympic Association mentioned these games as "the first stirrings of Britain's Olympic beginnings".

Following the establishment of the games in England, in the late 1700s the French also attempted to emulate the ancient Olympic Games. Incidentally, the French games also marked the introduction of the metric system into sports. Following the Greek War of Independence from the Ottoman Empire in 1821, the Greeks

were most interested in hosting the Olympic Games on their own soil. A series of events in Greece lasting nearly half a century finally came together in 1896 and the first modern Olympic Games were held under the watchful eyes of the International Olympic Committee, now known as the IOC.

The 1896 games brought together 14 nations and 241 athletes who competed in 43 events. While the Greek officials and public were enthusiastic about hosting the big games on their own soil, the International Olympic Committee did not approve. The committee planned that the modern Olympics would be rotated continuously internationally. In comparison to the small number of events in the original games, the modern Olympic Games program consists of 35 sports, 30 disciplines and nearly 400 events.

On a sad note, the Olympic Games have not been immune to the effects of terrorism and violence. The 1916 games were cancelled because of World War I and the summer and winter games of 1940 and 1944 were cancelled because of World War II. No-one can forget the tragic events of the 1972 Munich Olympics in Germany where 11 members of the Israeli Olympic team were taken hostage by the Palestinian terrorist group Black September—an event commonly known as the Munich massacre. These terrorists killed two of the athletes shortly after they had taken them hostage and during a rescue attempt by German forces another nine were killed. Fortunately the Olympics have had more positive moments. No matter what anyone says, I will always hold the notion that the best Olympics were held in Sydney.

**The Hon. Charlie Lynn:** Hear, hear!

**The Hon. PAUL GREEN:** I thought I would have got more "hear, hears" than that from members. The best Olympics ever were held in Sydney.

**All members:** Hear, hear!

**The Hon. PAUL GREEN:** I acknowledge all the interjections. No-one will forget Eric the Eel. To this day I do not think anyone knows who won that swimming race; they only remember Eric waving and smiling in the midst of swimming his lap. This year Australia was represented by a team of 410 athletes at the summer Olympics in London, England. There were 224 men and 186 women—nearly 50:50 representation.

**The Hon. Lynda Voltz:** We got the better medal count though.

**The Hon. PAUL GREEN:** Yes, you did. Overall we ended up with seven gold medals, 16 silver medals and 12 bronze medals for a total of 35 medals. We received gold medals in sailing, swimming, athletics, cycling and canoeing. We received silver medals in sailing, swimming, cycling, athletics, canoeing, rowing and diving. We received bronze medals in swimming, cycling, triathlon, rowing, water polo, field hockey and basketball.

I note that there was some negative media coverage. The Hon. Lynda Voltz spoke about that and I agree with her comments. Negative media coverage is hardly in the spirit of the games. I congratulate all the athletes on their dedication, training and perseverance in preparation for these games. I note all the parents who carry the hopes and dreams of their kids. They are like many parents who every Saturday, Sunday and weekday run their kids to different sporting events. In local council areas children play tennis and basketball, swim in local pools and play on local football fields where they nurture their talent. I acknowledge all the local government areas that have provided the infrastructure for these athletes to begin chasing their dreams and growing their talent. It all starts in the backyard. That is a reminder to the Government to continue to act in partnership with local governments to ensure that its financial support and governance provides the best local infrastructure possible.

I note the contribution of the Hon. Niall Blair. He mentioned James Clarke from Nowra who competed in water polo. I join in congratulating James on his efforts. I was also taken with the performance of Brittany Broben. She achieved an amazing feat as the youngest member of the Olympic team. The Olympic Games are all about growing talent back home as people and kids are inspired by watching it. On that note, I must reflect on my young daughter Eden who has just qualified for a State event in discus throwing. She has gone out to our little dirt roadway, put her diamond on the road, marked it out and started throwing that discus as far as she can in the hope that she might pull a position at the State level. Many people across New South Wales and Australia partake in the Olympic dream. As for Eden, who knows? Watch this space. We should all admire the achievements of the Olympians who have represented not only our State but also our country and done us proud.

**The Hon. STEVE WHAN** [11.36 a.m.]: I also welcome the chance to speak on this motion. I congratulate the Hon. Lynda Voltz on moving it and giving us the opportunity to congratulate every one of our Olympic athletes regardless of whether they won a medal. As many people have said, it is an incredible achievement to be an Olympian and to be able to claim that title for the rest of your life. I have a couple of friends who are former Olympians and it is a great achievement for them. Everybody who went to these games should be proud of themselves.

I endorse the comments of the Hon. Lynda Voltz. I also endorse the comments of the Hon. Niall Blair, who spoke about the number of athletes coming from regional New South Wales. Those of us who come from regional New South Wales know that it is often the nursery for elite sportspeople in Australia, and we hope that will continue. I was struck by the member's comment that before the onset of synthetic pitches Crookwell provided a large number of hockey players, and it still provides some. That raises the important point that we must always ensure that country areas have the facilities those athletes need in order to continue to develop.

On Tuesday evening during the adjournment debate I spoke about the future of elite sports funding. The debate on this motion allows me a little more time to elaborate on that issue. Before I do so I will add my congratulations to a number of athletes on their great performances at the Olympics. I will not repeat the lists and the names that have been mentioned—with a couple of exceptions. All members have mentioned Lauren Jackson and Malcolm Page and their leadership roles as flag carriers and how proud we are of them as people from New South Wales. Lauren Jackson is a particularly great example of a regional athlete who has been incredibly successful. I remember she spent a lot of time in the registry at the Australian Sports Commission when I was in a little office opposite. Even then I could see the stature that she was going to have as a basketball player. She was there at the same time as Suzy Batkovic and they have both developed into incredible leaders for Australian sport. I congratulate them and I hope to see Lauren come back to play with the Canberra Capitals in future seasons.

It is important to mention that our State sports agencies play a great role in developing our athletes, in particular, the New South Wales Institute of Sport and our regional academies, which play a development role by bringing people through. The New South Wales Institute of Sport provided 85 scholarship holders as athletes for this Olympics. That is 21 per cent of the Olympic team. Tom Slingsby and Malcolm Page were both scholarship holders, as were our fabulous silver medallists Olivia Price, Nina Curtis and Lucinda Whitty. I think we probably all watched their series of match races for the gold medal. I have to say that I had not seen them before and had not had any exposure to their achievements, so I was delighted when I saw how young they are and how great is their potential for future Olympics. It is just so fantastic that at such a young age they achieved winning an Olympic silver medal for sailing as a result of their great performance.

Many members have referred to James Magnussen, who also is a New South Wales Institute of Sport scholarship recipient. We witnessed a fabulous performance from him during the games. He was only just touched out in the 100 metres final. In swimming sprints, it is all about the touch and the reach. Experience gives competitors the ability to win sprints in the longer term. Jessica Fox won an Olympic silver medal for canoeing. An Olympic bronze medal for cycling was awarded to one of the New South Wales Institute of Sports athletes. Murray Stewart is one of the K4 competitors who won an Olympic gold medal in kayaking. New South Wales Institute of Sport athletes in the women's water polo team won an Olympic bronze medal.

As a water polo player who participated in the sport for many years and as a former administrator of water polo—and I have to say in all honesty that I was a much better administrator than I was a player, which is probably the case for many members of Parliament—I believe the women's water polo team deserved to win a silver medal. Had they not come up against the United States of America in the play-off games, I am sure they would have won a silver medal. They consistently have been fabulous international performers in women's water polo and they deserve more support for their efforts from various funding authorities. Women's water polo is a sport from which participants will never make any money. People make incredible sacrifices to participate, as do others in various sports.

New South Wales Institute of Sport scholarship recipients featured in the men's hockey competition, in basketball games and in the men's water polo matches. I particularly mention a friend of mine, John Fox, who is the coach of the Australian water polo men's team. When he is able to, he plays with my club, the Tuggeranong Vikings Water Polo Club. I congratulate him on what was not the highest-ever result for the men's team—fifth is their best and they achieved seventh position in the London Games—but for being the top-rated non-European team in the world by beating the United States. That is a terrific achievement. Men's water polo is dominated by European nations, particularly Balkan nations. Croatia won the gold medal this year by beating

Italy, Serbia, Montenegro and other former Yugoslav states, Greece and Spain are very strong and they play a different style of game from that game played in Australia. They also supply referees who—without any intention of casting aspersions on them—referee for the way those nations play the game. They are certainly very tough.

The one advantage that many of the Balkan countries have is that they have professional leagues. Some Australians gain the opportunity to play there, which is important. Professionalism is a matter with which I will deal in greater detail shortly. I am sure that the House will debate a motion later to congratulate the Australian Paralympics athletes, but I mention briefly that New South Wales Institute of Sport is sending 43 athletes to the London Paralympics Games as part of Australia's Paralympics team, and they are all scholarship recipients. I wish them all well, but I particularly mention two: my sports physiologist, who has been trying to develop my core strength, Damien Bowman from Queanbeyan, who will be performing in the shot put and javelin at the Paralympics, and Hamish McDonald, with whom I worked for many years at the Australian Sports Commission. I think Hamish is participating in this fifth Paralympics in 2012, which is an incredible achievement. I wish them luck in their events.

Last Tuesday night I referred to a number of matters arising from the 2012 London Olympics. I will now deal with them in detail. I am certainly not of the view that we spend too much on sport or that achieving Olympic gold medals costs too much. I suspect that in a philosophical debate, to which a short time ago the Government Whip tried to lead the House, he and I would probably disagree on his idealistic version of amateurism being the ideal. In my view, having sportspeople who are elite performers is critical to sports participation in Australia. They perform a great role in encouraging people to take up a life-long habit of participation in sport. Irrespective of whether they become champions, they are encouraging others and that is a great benefit to all of us.

Australia now is at a crossroads in the development of elite sports. We need to jump back into a leadership position in the world, and to do that we will have to keep up with the world in some critical areas. One area has been referred to already by members who preceded me in this debate. We see Australian coaches on the sidelines of many sports. We should encourage the exchange of coaching knowledge throughout the world because Australia benefits from that. When I worked at the Australian Institute of Sport, I remember doing many laps and seeing Gennadi Touretski, who was then with the institute and who was involved in coaching some of our best swimmers. He produced great results. We should always be open to engaging international coaches and, by the same token, allowing Australian coaches to work overseas.

The very small budget of an organisation such as the New South Wales Institute of Sport makes it extremely difficult for the institute to retain coaches and professional sports scientists by paying them rates that will encourage them to remain in Australia. For example, the budget for the New South Wales Institute of Sport is approximately \$10.5 million a year. People may be surprised to learn that out of New South Wales's \$60 billion budget, the New South Wales Institute of Sport receives only \$10.5 million. From that, the institute produces great results. The funding represents 0.016 per cent of the New South Wales budget. At Federal level the funding is approximately 0.14 per cent of the Federal budget, which is not a lot when we consider the huge job we expect organisations such as the Australian Institute of Sport to do in producing Olympic athletes in a whole range of sports and in sports participation development.

For the New South Wales Institute of Sport, even a boost of \$500,000 or \$1 million could make a significant increase in its ability to retain, for example, sports scientists. At present, many of them leave the institute to work in professional sports, such as the football codes. Increased funding will assist in retaining professional sports personnel so that they can make a significant impact upon the long-term future of Australian athletes. The New South Wales Institute of Sport really has not received a significant funding boost in some years, and unfortunately this year the Government cut its funding. The real reason for pressure on the institute to drop some sports is that institutes simply cannot spread themselves too thinly. Effectively, for many years funding for the institute has been quarantined, but it remained at the same level. We need to see a renewed commitment to increased funding.

Our regional academies of sport are critical feeders into the New South Wales Institute of Sport and elite sports. They received a significant boost in funding under the previous Government. I assisted in the formation of the South East Regional Academy of Sport, but the funding is now pretty well stagnant so it has to produce revenue from sporting organisations to run its programs. Regional academies rely upon State sporting organisations, which have limited funding, to pay for most of the cost of the programs they run. The funding needs to take a step up. I recognise that it is not easy in any budget circumstances, but if we want to be counted

among the top 10 of medal tallies, we have to take that step. Last Tuesday night I mentioned the need to return to more talent identification, which is about making sure that kids and parents get a choice early about whether it is desirable to pursue an elite sporting career.

Last Tuesday night I did not have the opportunity to fully discuss coaching remuneration, but what I have said during this debate about adequate remuneration for coaches applies equally to athletes. It would be a tragedy if some of the athletes who first experienced the Olympics at the 2012 London Games and who are able to continue competing at the elite level have to leave their sport because they are unable to earn an income or are unable to finance the continuing commitment that is needed. We must ensure that athletes who reach the highest elite level in their sport are able to at least survive financially because so many of them make huge sacrifices. Sally Pearson acknowledged the sacrifice that parents make. Her comments referred to parents generally and after completing her race she thanked them, which I thought was incredibly gracious of her. She also acknowledged Little Athletics, which was great.

My experience of working in sport enables me to make the observation that it is not only the athletes who make sacrifices, such as putting their career development on hold for at least 10 to 15 years while they are training, but also their parents, who sometimes contribute the equity in their homes to finance trips overseas to enable their children to gain beneficial international experience. We must seriously consider whether our most elite athletes are able to continue. We need to look seriously at whether our most elite athletes can continue. I remember a couple of Olympics ago one of our swimmers retired from swimming to undertake a beauty therapy course. While that may have been her great ambition in life, it would have been preferable to keep her in the sport for a few more years and perhaps assist her to do the course while she continued swimming.

We have some challenges when it comes to access to sport as well. Sport is becoming extremely expensive in many areas, particularly indoor sports and particularly for low-income families. Sport is often seen by low-income people as a way out of poverty, and the football codes have been terrific in that respect, particularly in Indigenous areas. Playing indoor sports is incredibly expensive for many people. Sports such as basketball, my sport of water polo, even swimming with squad fees, are extremely expensive. For a low-income family they are virtually prohibitive. Perhaps that is why there has been a change in schools from the days when there was an elite academic group maybe from the middle income group and then achievers in a whole range of sports from all levels of demographics. Now often the same middle-class, upper-income groups are the achievers in academics and sports at schools. We should be worried about that and be looking at strategies to try to overcome those barriers and to getting all kids involved.

I have had a passion for sport for many years. I worked in sports organisations for seven years and for a long time assisted in writing sports policy. We should recognise that elite sportspeople provide a huge benefit to our country through encouraging participation, thereby reducing health costs, as well as the pride Australians get from those terrific performances. Once again I congratulate all our Olympic athletes who went to the Olympic Games.

**The Hon. NATASHA MACLAREN-JONES** [11.51 a.m.]: I support the motion and share with others in the Chamber my support, respect, gratitude and congratulations to all Australian athletes, irrespective of whether they won medals or the level of their performance. I place on the record my sympathy to those who did not win this time and wish them all the best for the future. We should be proud of the performance of all our athletes over the past couple of weeks as they competed at the London summer Olympics. We should be proud in the knowledge that these remarkable individuals have and will continue to inspire other Australians to work hard and never give up on their dreams.

I note that 86 Olympians were from the New South Wales Institute of Sport, which has expertise in cycling, diving, sprint and slalom canoe, men's and women's water polo, swimming, men's and women's hockey, track and field, equestrian, triathlon and sailing. In the lead-up to the London Olympic Games the institute provided support through its individual scholarship program to athletes in the sports of archery, shooting, table tennis and modern pentathlon. The institute also established a special London Olympic initiative program to provide additional opportunities to targeted programs and athletes. The objective was to provide the best preparation possible for potential Olympic and Paralympic team members.

Each athlete has a unique story which, no doubt, will inspire young Australians to take up a sport and try a little harder against the odds to become an Olympian. All our athletes share a commonality in their determination and hard work over a lifetime to achieve a place on an Australian Olympic team. One such athlete who has already been mentioned is Nina Curtis, who comes from Newport on the northern beaches. Nina began

sailing as a toddler with her parents on Pittwater. Sailing is in her blood. She is the daughter of Rob Curtis, the Commodore of the Royal Prince Alfred Yacht Club, which is my local club. Nina began competing at the age of eight and took her first major step towards her dream of sailing at the Olympics when she competed for Australia and won at the age of 15 at the Harken International Match Racing Regatta.

She went on to be named Women's Match Racing World Champion in 2009 and Australian Female Sailor of the Year in 2010, after also claiming the prestigious Skandia Sail for Gold World Cup Regatta held in Great Britain. In 2011, Nina began sailing alongside skipper Olivia Price and crewmate Lucinda Whitty. They were selected to compete in the Olympics test event in Weymouth, where they finished fifth. They then placed eighth at the 2011 World Championships in Perth, before going on to claim second and third in Miami and Majorca in early 2012. Nina and her teammates went on to win silver in the women's match races, and I congratulate them.

I also note the talents of three lifesavers from the northern beaches, Joanne Brigden-Jones, Murray Stewart and Naomi Flood, all of whom represented Australia in kayaking at the Olympics. The Sydney Northern Beaches Kayak Club discovered Joanne Brigden-Jones when she was 13 years old through its talent identification squad. She was involved in swimming, athletics, basketball and netball but it was her height and arm span that revealed her potential as a paddler. She states that she was not a natural for the sport and quite often fell out of the boat before she went on to improve herself. After 11 years of hard work and persistence she went on to compete at the Olympics, and she still trains with the club today. She is also a registered nurse.

Murray Stewart, who is also from the northern beaches, migrated from South Africa in 2000 when he was 13 but did not take up kayaking until 2005. Naomi Flood is also a local girl who has been kayaking only for the past two years. Over the years she has had a number of wins in the ironwomen series and was the torchbearer at Bondi Beach in 2004 when she was nominated by Surf Life Saving for her achievements.

Finally, I congratulate Lauren Jackson, as other members have, on her selection as the Australian flag bearer at the opening ceremony. It was fantastic news that an athlete from New South Wales led the Australian team into the London Olympic Stadium. Lauren's incredible talent has seen her win three Olympic medals previously, and these Games were no exception. Lauren continues to be an outstanding role model and ambassador for the sport and for New South Wales and Australia. I am certain the community of Albury, Lauren's hometown, congratulates Lauren on her tremendous achievements. Last year she was honoured by having the local basketball stadium named the Lauren Jackson Stadium.

I would like to speak longer but will not because I know a number of other members would like to speak. I thank the Hon. Lynda Voltz for moving this motion. It gives us an opportunity to thank our Olympians for their tremendous efforts in London. In sport and in life we cannot ask any more of people than to do their best, and our Olympic athletes have truly delivered with their personal bests and outstanding performances.

**Reverend the Hon. FRED NILE** [11.57 a.m.]: I am pleased to support the motion moved by the Hon. Lynda Voltz, which congratulates the Australian Olympic team on its outstanding achievements during the 2012 London Olympics. My colleague the Hon. Paul Green has already spoken in more detail on the motion. I will add some additional thoughts as my contribution. One of the members of the Australian team who greatly impressed me was Sally Pearson, who won the 100 metres hurdles event. She has had to overcome a number of problems to get to where she is and still perseveres. It is good to win, but many members of our Olympic team have shown their determination and perseverance by becoming Olympians. We know it is not easy.

I was very impressed with the four canoeists and enjoyed watching them get to the front in their event and stay there to win. I am sure it was inspiring for all Australians to see that victory, as well as the outstanding achievements of our strong sailing team. Some members say we should not focus on gold medals. I do not believe we can change that focus; it is part of human nature. Gold medals will always be the pinnacle of the Olympic Games. We have to accept that and congratulate those who achieve gold, as well as thank all of the more than 400 members who made up the Australian Olympic team. Some of them will never make it to the front page of a newspaper but they gave their best. Some, in due course, will have great achievements, but they have to start somewhere. Some of our team members were relatively young and they will grow into elite performers and win gold, silver or bronze medals at future games.

Sadly, the other nations have caught up to Australia. Australia has not gone backwards; the other nations have got better. They are putting more money into sport and they are hiring our coaches to train their



teams. They are taking our swimming coaches, in particular, and other nations, such as China, have greatly increased the ability of their swimmers. As a result there will be much more competition in some areas where we almost had a monopoly.

I will highlight another area of concern about which reference has been made. In order to build strong sporting teams we need to start in our schools. I have heard reports, although I do not have any details, that sport in some schools has been phased out. Apparently sport is no longer compulsory and an emphasis is no longer being placed on it. The Department of Education and Communities should make sport as much a priority as academic studies. This is important not just for the winning of medals but also for the health and strength of children in both primary and secondary schools. What was previously a priority in our education system must not be allowed to become a second-rate issue.

I congratulate the London Olympic Committee on its great Olympic Games, although the Games were perhaps not as good as the Sydney Olympic Games. I believe that the Sydney Olympic Games will always be the best. I had a bit to do with those Games. During the preparation for the Sydney Olympic Games I was chairman of two Olympic committee inquiries which I believe assisted with some of the administrative matters that in due course enabled the successful staging of the Olympic Games. I was particularly impressed with the London Olympic Games opening and closing ceremonies which were colourful and inspiring. In the opening ceremony it was good to see Queen Elizabeth taking part in the James Bond skit.

Some criticism was made by the general media about the flags at various swimming events. At one event the gold, silver and bronze winners carried flags that included the British Union flag in one corner. The Union flag is included also in one corner of the Australian flag, the New Zealand flag and the flags of many other nations that formed part of the British Empire, which is now called the British Commonwealth. No-one should be upset about that because that is our history; it cannot be denied even if one is against the British Commonwealth. The British founded Australia, New Zealand, Canada and many other countries, so it is understandable that we have the Union flag on one corner of our flag. I congratulate the Australian Olympic team on its outstanding achievements during the 2012 London Olympics.

**The Hon. MELINDA PAVEY** (Parliamentary Secretary) [12.03 p.m.]: It gives me great pleasure to participate in debate on the motion moved by the Hon. Lynda Voltz—our sporting captain of the Legislative Council and a very good role model. As she pointed out, she is 47 and she is still playing rugby. Good for her; I am glad that her knees are still bearing up. I credit her with getting me past the five-kilometre running mark and I thank her very much for that.

It was a wonderful Olympics for Australia; I do not care what the critics say. I think we can add the other 14 gold medals that we achieved from the coaches who have been coaching Chinese and British athletes. We as a nation concentrate very much on the medal tally; it is very much a part of our national psyche. We see sport as our way to punch beyond our weight on the international stage. With a population of just over 20 million people we feel our worth in that medal tally. We have every reason to be very proud of our medal tally and in coming tenth. We should be proud of the contribution of our coaches throughout the world and the other national sporting sides that do not compete in the Olympic framework.

It was a wonderful Olympics, with an amazing contingent of athletes. I acknowledge in particular the contribution of the Hon. Niall Blair, who highlighted the number of athletes from regional New South Wales. During his contribution and the contribution of the Hon. Steve Whan I reflected on why so many country kids achieve so well. I have two very athletic children aged nine and 13 and on Saturdays and Sundays I race around getting them to all their sporting events. Country kids are able to participate in more than one or two sports; they are able to participate in three, four or five sports if their parents are willing to take them and also pay their fees, which is another issue. Insurance has to be paid for every sport in which children are involved and governments at the State and national level should consider that matter. It is difficult for parents with six children, or even two children and it is particularly difficult for single parents like Sally Pearson's mum to pay association fees. I do not have a problem with association fees but I do have a problem with the extra \$30, \$40 or \$50 that is required for insurance costs—a matter that should be addressed by State and Federal governments.

We must ensure that our kids remain fit, active and healthy. The unsung heroes are the people to whom the Hon. Dr Peter Phelps referred—the mums and dads who keep the basketball and soccer associations going. Every sport within our communities is made possible because of the enormous efforts of volunteer and community members who keep the paddocks alive, the clubs going, the rosters prepared and the referees at the games. I find amazing the range of sports we have in New South Wales and Australia and the talented people who participate in them.

More than half the medallists at the Olympic Games were from New South Wales but I have to say that Lauren Jackson is my favourite. I was privileged to be in the Olympic draw for the 2000 Sydney Olympics. The only ticket I won was to see Lauren compete when the Australian team won a silver medal at Homebush, which was amazing. It is incredible to see how far she has progressed since that time. One of my most emotional moments during the London Olympics was seeing the Opals win a bronze medal in their final game. The Opals usually win a silver medal but they were still very proud of their bronze medal. They beat the Russians, which is always a good thing.

It was wonderful to see Kristi Harrower lifted on the shoulders of Lauren Jackson and her other teammates in recognition of her fourth Olympics. Kristi, who is 37 years old, five feet four inches tall, is from Bendigo in Victoria. It was amazing to see her finish her campaign on such a high—and she was high because she was up on Lauren's shoulders. With guts and determination she went in between the Russians, who were a foot taller than her, drove the ball into the basket and got the score up—an incredible game from her and a great way to end the Olympics. I plead with Lauren, as an Albury girl and as a true champion of women in sport, to make it to her fifth Olympics. We want to see her compete at the next Olympics in Rio. She has the ability and I am sure that her body will hold out. The people of New South Wales beg Lauren to continue and to attend an historic fifth Olympics. We are proud of the way in which Lauren carried the flag. Lauren is a very lucky girl at the right end of a good gene pool. Both her parents competed for Australia and we want her to compete in the Rio Olympics.

James Magnussen was incredible. I saw his interview on Sky televue after he got off the plane yesterday. After his races he had the weight of the world on his shoulders. Expectations were so high that I do not know how he coped with missing out on the gold medal by one one-hundredth of a second. In his interview he said that he would not change his approach. He has always been very honest in the way he has dealt with questions from the media and the community. James is a Port Macquarie trained young man. Everyone on the mid North Coast is incredibly proud of him; he is an amazing talent. I wish him all the best in the future. I hope he can continue his relentless training schedule and that his spirits rise again. James is the world champion; he has the fastest time for the year. However, he just could not achieve that time in London. Earlier the Hon. Linda Voltz and I were reflecting on the different levels of competition at the Olympics. Australia is proud of James.

The Hon. Niall Blair spoke about his relationship with Brett Parbery. The Parbery family is famous in Dorrig. Brett, who was a rodeo rider, is now competing in the equestrian sport of dressage. I do not think there are two more contrasting equestrian sports. Brett's dressage mount died not long before the Olympics so he was not able to compete. He went to London to help in the management and coaching of the equestrian eventing team and deserves recognition for his efforts. Another beautiful young woman is Emma Moffatt who was born in Moree and went to Woolgoolga High School. Emma is on the right end of a good gene pool as her parents are both triathletes. Emma won a bronze medal in Beijing, was the world champion triathlete in 2009 and again in 2010. Unfortunately that London road got her, she fell off her bike and the accident was not captured on film. Emma had a reasonable swim and had commenced the road race portion of the triathlon when she fell off her bike. I do not know how anyone would deal with that but Emma has. I hope she continues with her sport as she is an inspiration to people on the mid North Coast.

There is nowhere better than the mid North Coast to start training for a triathlon. It is a great place in which to compete. Both Coffs Harbour and Port Macquarie have well supported triathlon clubs. Congratulations go to Emma and her family, who have supported her every step of the way. Road cyclist Cadel Evans, who lived for some time in Woolgoolga and Coffs Harbour, did very well in London following a disappointing performance in the Tour de France road cycling race. Regional sport had a big part to play in Australia's success at the Olympic Games, with New South Wales winning more than half the gold medals. I congratulate the coaches from Australia who helped other gold medallists around the world. I thank the Olympic team and the Olympic movement for engendering such pride in this celebration of sport, which inspires young people to continue on that path.

**The Hon. SHAOQUETT MOSELMANE** [12.12 p.m.]: I join my colleagues in supporting the motion moved by the Hon. Lynda Voltz. I congratulate the Australian Olympic team on its achievements at the 2012 London Olympics. Congratulations go to all athletes, not just the 35 athletes who returned home with a medal. I am proud of them all. They gave it their best and they should be congratulated on their hard work and the sacrifices they made. Their families and supporters should be congratulated on keeping up their spirits during challenging times. I congratulate the Hon. Linda Voltz on moving this motion and I thank all my colleagues who spoke in support of the Olympians.

I congratulate all those who participated in the Olympics. I felt for them as pressure grew for them to win. I felt for the athletes as they pushed themselves to the brink, taking in that last bit of oxygen to push them over the line. This desire to perform leads athletes to compete and spectators to cheer them on to win and defeat their challengers. We tell our children that winning is not everything. Friendship, love, ideals, spirit and enjoyment are the things that are important in sports. It is about enjoying the spirit of sport. It is hard to practice what one preaches. Every Saturday morning I encourage my son, Joseph, when he is playing soccer to win and to score goals. I become stressed when he makes a wrong move and when I raise the issue with him his response to me is, "Dad, it is just a game." It is a game to enjoy, play, watch and, of course, win.

I enjoyed watching the Olympic Games and I congratulate all those athletes who participated in them. I congratulate the athletes on imparting a wonderful spirit of friendly competition which was replicated in local schools. Many speakers referred to the efforts of local schools and communities in embracing the Olympics. I refer to the mini Olympics in which children at the Little Achievers Kindergarten, Penshurst participated. An article entitled "Little achievers learnt about the Olympics" states:

Children at the Little Achievers kindergarten at Penshurst had a fun time last week participating in a mini Olympics.

Director Andrea Borg said the event topped off a week learning about Olympic ideals, creating Olympic flames out of craft materials and learning about different countries.

The toddlers took part in an obstacle course while older children played soccer, did sack races and egg-and-spoon races and competed in running events.

I am proud to say that for the first time in my life I had an opportunity the other day to present Olympic medals at the Al Zahra Kingdom kindergarten—an amazing event that commenced with the Australian national anthem followed by an introduction of the teams for each country and then the games, which consisted of bike racing, long jump, bean bag, shot put, relays, hula hoop and other games. The event was enjoyed by kids at Al Zahra Kingdom kindergarten. I enjoyed presenting them with their medals and I have many photographs of the event, which was a proud time for me. I can understand the spirit and feelings of athletes when they participate in the Olympics and receive medals. It is an uplifting experience and one that athletes strive for years to achieve. I enjoyed the mini Olympics and congratulate the school on staging that event. Congratulations go to all sports men and women of the world, and to our Australian athletes for participating in the Olympic Games and maintaining the Olympic spirit. I again thank the Hon. Linda Voltz for moving this motion.

**The Hon. SARAH MITCHELL** [12.17 p.m.]: I echo the comments made by many of my colleagues on both sides of the Chamber and congratulate the Hon. Linda Voltz on moving this motion today. It is timely to congratulate our many talented Olympic athletes. I am especially proud to congratulate the athletes because I am not known for being a talented sportswoman.

**The Hon. Lynda Voltz:** You did okay the other day.

**The Hon. SARAH MITCHELL:** I did okay in the soccer game between members of Parliament and staff: I kicked the ball, which is more than I anticipated. I enjoy being an armchair athlete and watching the Olympics every four years. My nephew Oscar, who is five years old, watched his first Olympics and worked out fairly quickly that the best thing to do when the Olympic coverage was on was to say, "Go, go, go." It did not matter whether the athlete was Australian or an Olympian from another team—he was excited for all of them. He said to me, "It does not matter who wins as long as they put in their best try in the race"—something that some of the media commentators could have taken on board. Many great stories have come out of the 2012 London Olympic Games, but I will not detail them as they have been covered by previous speakers.

I will focus on one of those athletes whom the Hon. Niall Blair mentioned briefly, and that is Cameron Hammond from Moree. I have previously mentioned Cameron in this Chamber: a few weeks ago I moved a motion to congratulate him on his being chosen for the Australian Olympic team. That motion was passed by this Chamber. So it is wonderful to have the opportunity now to talk about how he went in the Games. Cameron is 22 years old. He made his Olympic debut in London as a member of the Australian boxing team, in the welterweight division.

I met Cameron on only one occasion, when I was working for the Federal member Mark Coulton, based in Moree. We went along to the Moree Boxing Academy, where we had the opportunity to have a chat to Cameron. He is a lovely young man, very proud of what he was doing. He had a great measure of confidence in his abilities as a boxer, without being arrogant. That probably typifies many of our Australian competitors.

Cameron started boxing when he was 14, after going along to the Moree Police and Community Youth Centre with one of his mates, who was training and who convinced Cameron to go along there too. It was lucky he did: Cameron has a raw talent for boxing that I think is unmatched by many others in the sport today.

Under the coaching of Danny Cheetham of Moree, Cameron's talent developed further. Eventually he received a scholarship to the Australian Institute of Sport through the National Indigenous Talent Development Program. When Cameron qualified for the Australian Olympic team heading for London I do not think it was only the town of Moree but the entire north-west of New South Wales that was cheering for him; and that continued when he made his debut. He has been nicknamed "The Hammer"; and the cheer of "Go the Hammer" was certainly ringing round Moree when he won his first bout, on day two of the Olympics. Cameron defeated Nigeria's Moustapha Abdoulaye Hima in that first bout 13 points to six; and that set him up with a last-16 clash with Canadian Custio Clayton, on day seven of the Games. That was an incredibly tight bout, with both boxers tied on points entering the last round. But the Canadian pulled away and eventually won the fight 14 points to 11.

Cameron has since said that he was disappointed not to progress further in the Games. But I think he does himself an injustice, because it cannot be forgotten that his performance was outstanding. Most of the boxers he was competing against were in their second Olympics. It is certain he has a bright future ahead of him: I am sure we will see Cameron in Rio in four years time. Cameron's mother, Vicki, spoke to the local paper in Moree after Cameron was defeated. Her direct quote was:

We couldn't be prouder of Cameron. He did a great service to his town, his family and his country.

I think that sums it up well. I chose Cameron's story to share today because he is a great example of what young people from regional areas can achieve in the sporting field. I think his victory was particularly sweet because, as a young Aboriginal man, Cameron is a great role model for so many others in the region. I publicly congratulate him today on his incredible achievement at the London Olympics, along with all the other members of the Olympic team, who certainly made me proud to be an Australian.

**The Hon. CHARLIE LYNN** (Parliamentary Secretary) [12.22 p.m.]: I congratulate the Hon. Lynda Voltz on bringing this motion before the Parliament. I join the member in congratulating our Olympic athletes and commending their haul of 35 medals. No doubt their hard work and sacrifice in achieving the Olympic dream is to be admired and respected, and I congratulate each and every athlete on their inclusion in the team. As I think the Hon. Steve Whan said, winning is indeed a great achievement; but being an Olympian I think is an outstanding achievement. The great thing about my sport of ultra-marathoning, which is not an Olympic sport, is that everybody in the event knows that they are pushing themselves to their individual limits. But we all have different limits. In ultra-marathoning we say that finishing is winning; the sequence in which participants finish is a separate issue, and everybody congratulates one another. Being an Olympian in itself is indeed one of life's great achievements.

Much of our success came in the water sports, and I would like to highlight some of the outstanding achievements there. Our sailors truly dominated at the Games with a wave of gold medals at Weymouth. Tom Slingsby won Australia's first individual gold medal of our Olympic campaign after winning the Laser class of singlehanded dinghies. This was Tom's second Olympics, and it was great to see his hard work, dedication and determination rewarded with gold. Tom is a very talented sportsman, and earlier this year was named Athlete of the Year at the New South Wales Sports Federation awards, after being named World Sailor of the Year in 2010.

Tom began sailing at just eight years of age at Gosford Sailing Club and has been on the Australian national team for the past seven years, training with the Australian Institute of Sport in Canberra and the New South Wales Institute of Sport in Sydney. Tom's career highlights include winning the Rolex World Sailor of the Year award in 2010 and World Champion Laser singlehanded dinghy in 2007, 2008, 2009, 2010, 2011 and 2012. Tom also won the 2010 Laser World Championship, his third in four years, and took out the 2010 Etchells World Championship. So gold is clearly the icing on the cake for young Tom.

Another sailing success story was that of Malcolm Page and Mat Belcher, who won the sailing 470 class. The boys' successes were on top of their 2010 World Championship victory in Scheveningen and gold medal performances in Kiel and the ISAF World Cup. The win by Malcolm Page meant back-to-back Olympic titles in the 470 class and his selection as flag bearer for the closing ceremony. The victory was all the sweeter as we outsailed Team Great Britain for the gold medal spot on the podium.

Next on the top podium were Dave Smith and Murray Stewart, who won gold in the Men's K4. Murray, a member of the Manly Life Saving Club and the team's coach, Tim Jacobs, a paddler with Freshwater Surf Life Saving Club, again highlight the strength and diversity of our New South Wales athletes when it comes to getting the job done. The sailing success continued for the men with Iain Jensen and Nathan Outteridge winning the gold medal for the Men's 49er. Both Iain and Nathan are members of the New South Wales Institute of Sport and have combined previously to win gold, at the 2009 World Championships. Their performance in building an unassailable lead going into the final race was undoubtedly the result of years of hard work and dedication.

Young Jessica Fox, in her first Olympics at only 18 years of age, won silver in the Women's K1 Slalom Olympic final. Jessica showed tremendous grit and determination to fight back after capsizing in her opening run, and I have no doubt her family helped her recover mentally and go on to silver success. Jessica's father, Richard, is a five-time canoeing world champion, and her mother and coach, Myriam, is an Olympic bronze medallist, also in canoeing. The water sports success saw the Women's Water Polo team win bronze, with the team including three New South Wales Institute of Sport athletes, Nicola Zagame, Alicia McCormack and Holly Lincoln-Smith. I congratulate not only these athletes but of course all our competitors, and look forward to watching these athletes compete again on the world stage, showing just how talented our Australian athletes are.

The Hon. Walt Secord could not hold himself back in his contribution to this debate; he had a bit of a sledge at the New South Wales Government for what he perceived to be a funding cut. I advise the House that the New South Wales Government's funding to the New South Wales Institute of Sport is indexed and increased annually, and for the financial year 2012-13 is \$10.587 million. I stress that there have been no cuts to the New South Wales Institute of Sport budget. It is important to remember that the institute has an independent board charged with developing elite athletes and programs. As such, the institute conducted a review of all programs to determine how best to utilise its funding resources. I am confident a further review will be conducted by the board following the London Olympics.

I also draw the attention of the House to an article in today's *Australian* by my good friend Peter Kogoy, writing on sailing. In the article he refers to a prediction by Australia's Olympic sailing director, Peter Conde, of more gold medals in sailing. But he did report that the Australian Sports Commission had earmarked a \$1.5 million budget cut for sailing over the next 12 months. He identifies other Olympic sports facing major cutbacks, including \$1.181 million for swimming, \$1.475 million for cycling and \$722,000 for rowing. I urge Wally to refocus on the Federal Labor Government's commitment to winning gold for future sports.

**The Hon. Duncan Gay:** Did I hear you say that he may well have misled the House?

**The Hon. CHARLIE LYNN:** He has, and I am sure he will come back and update the House on a fine job.

**The Hon. Duncan Gay:** What was his role in the former Government?

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! I ask the member to direct his comments through the Chair.

**The Hon. Duncan Gay:** He was chief of staff to a former Premier, wasn't he?

**The Hon. CHARLIE LYNN:** He was also a gold medallist spinmeister, I understand, for the Carr Government.

**The Hon. MICK VEITCH** [12.30 p.m.]: I will avoid the politics of the debate. I congratulate the Hon. Lynda Voltz on moving the motion and providing us with an opportunity to congratulate our Olympic athletes. In the short time I have to speak I will congratulate all the athletes, but first I will give an example of why the Olympics are so important. My next-door neighbour Zoe Johnston is a very good swimmer. Her father, Kim, came from Harden prior to moving to Young. For years I have seen them travel across New South Wales to a whole range of swimming meets. They ended up travelling to Sydney because she is such a phenomenal young swimmer—she holds nearly all the records in Young—and she is now in Melbourne swimming with the Nunawading Swimming Club. She just missed out on Olympic selection this time around. As I watched people winning gold medals at the swimming and other events in the Olympics I thought about all the travel they would have had to do to get to that elite level in their chosen sport.

My next-door neighbour is just one example, but every athlete in the Australian Olympic team who went to London would have that sort of story. But there are also the people who did not make the Olympic

team—those who tried really hard but did not quite get there. I am certain that, like Zoe, they will be even more enthusiastic about seeking Olympic selection for Rio. It is important to remember that in addition to all the winners there were many other people who tried really hard to be selected to represent Australia, and they should not regard it as a failure because they were not selected. There are many kilometres to be travelled and a lot of mum and dad and family support time required in training for the Olympics. Observing Zoe I learnt about the commitment aspiring athletes have to have. I saw Zoe's absolute commitment and the discipline that she applied not just to swimming but also to her academic studies. She had to endure very early morning starts swimming in a cold swimming pool in Young and then she had to go to school.

All the winners are remarkable but we must remember the people who tried hard but did not get there. The athletes who did get to go represented all of us and some of the events were very emotional. That is the wonderful thing about the Olympics. I congratulate each and every one of the athletes, particularly those from country New South Wales, who did very well.

**Pursuant to standing orders debate interrupted to permit the mover of the motion to speak in reply.**

**The Hon. LYNDIA VOLTZ** [12.33 p.m.], in reply: I thank everybody who contributed to this debate: the Hon. Niall Blair, Dr John Kaye, the Hon. Paul Green, the Hon. Dr Peter Phelps, the Hon. Steve Whan, the Hon. Natasha Maclaren-Jones, Reverend the Hon. Fred Nile, the Hon. Melinda Pavey, the Hon. Shaoquett Moselmane, the Hon. Sarah Mitchell, the Hon. Charlie Lynn and the Hon. Mick Veitch, who, unfortunately, did not finish his contribution. I am sure many more members would have liked to contribute to this debate because around New South Wales and around Australia people are proud of the hard work and effort put in by the athletes to get to the Olympics. The medal haul was 35, and that was what the Olympic committee predicted Australia would get in the Olympics. Far from not meeting expectations, the Olympic team came back after achieving exactly what it set out to achieve. It has been a tremendous achievement by every single one of our athletes.

Some members raised the issue of country towns and regional centres and how sport brings communities together. It is undeniably a great way for communities to come together. I have played with the Coonamble women's rugby team when it has been short of a player and I have played rugby union in Cairns in far North Queensland. In every country town I have visited there has always been a sporting team that needs an extra person to play some position or another. I always tell my girls to learn to play sport because it does not matter where you are or where you go in life you will always know people, because sport is a universal language that is spoken everywhere.

Some members have raised the issue of the cost of sport and access to schools. They are complicated arguments that need a far wider debate and hopefully at some stage we can have that because I have some very firm views on how we can address some of those issues, as I am sure other members with experience on the sporting field have. I asked the Minister a question on notice on 12 June in regard to funding for the New South Wales Institute of Sport and I received an answer on 17 July. The answer from the Minister's office was that the New South Wales Government grant was \$9.4 million. I will not get into debate on funding and how we deal with that but we need to go to what is on the record about funding and what are the true figures.

Another area covered in the debate was the individual achievements of people and how competing at the Olympics is a competition within oneself. One athlete who has not been mentioned and who we should mention is Michael Diamond, who did a tremendous job in the shooting events all the way through and got to the final. People say to me, "How do you run? How do you learn to run?" I always tell them it is 80 per cent mental and 20 per cent physical. It is the mind that sets the tone, and sometimes that can be a person's greatest challenge. If a person has the ability it is their mind they have to challenge. In the Olympic arena athletes are competing in the cauldron and it is very difficult, but certainly Michael Diamond put in a great effort.

Schools and the schools' programs were also mentioned in the debate. I love the schools' programs when kids get together to make Olympic teams. My daughter's teacher's name is Mrs Bull so the children got to be "Bullgaria". It also inspires older children. My 15-year-old daughter, who has never gone near a sporting tournament in her life—and I have spoken to Dawn Fraser and she had the same problem with her daughter, who did not want to get involved in sport—last week went to compete in lacrosse. I do not know how she found a lacrosse team, but watching the Olympics inspired her to go and play a sport and for some reason she has picked lacrosse. It is wonderful that a kid who never played sport was inspired by the Olympics to suddenly go and find a sport that I did not know we even had any teams for and compete in it. If the Olympics can get just a few 15-year-old girls out there running that is great.

I want to clear up one thing: I stopped playing rugby when I was 47. It was a bit like the story of Richard Burton, who said that he gave up playing rugby when he was at the bottom of a ruck and he heard someone say, "Where's that bloody Hollywood actor? I'd like to get my hands on him." Richard Burton said that at that stage he knew it was time to give up rugby. At the Ella 7s when the Redfern Aboriginal women's side walked out and said, "Oh good, Lynda is on the field", I decided that was the last rugby tournament I would play. But competing up until the age of 50 has been a great experience and hopefully we will see more people out on the sporting field inspired by the Olympics and the tremendous attainments of our Olympic athletes. I thank everyone who competed in this debate.

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

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Postponement of Business**

**Private Members' Business item No. 4 in the Order of Precedence postponed on motion by the Hon. Lynda Voltz, on behalf the Hon. Luke Foley.**

**Private Members' Business item No. 5 in the Order of Precedence postponed on motion by the Hon. Lynda Voltz, on behalf of the Hon. Adam Searle.**

**Private Members' Business item No. 6 in the Order of Precedence postponed on motion by the Hon. Lynda Voltz, on behalf of Reverend the Hon. Fred Nile.**

## **ORGAN DONATION**

**The Hon. MELINDA PAVEY** (Parliamentary Secretary) [12.39 p.m.]: I move:

That this House notes that:

- (a) DonateLife Week will take place between 19 to 26 February 2012,
- (b) Australia has one of the highest transplant success rates in the world, however New South Wales has one of the lowest organ donation rates in Australia,
- (c) as a result of the low rate of organ donation in New South Wales, the Hon. Jillian Skinner, MP, Minister for Health, released a discussion paper in December 2011 seeking public comment on a range of proposals to boost donation rates in New South Wales, and
- (d) the NSW Police Force and NSW Health have initiated a time saving system for police and medical practitioners to coordinate urgent organ transportation to ultimately save time and lives.

Since 1965 more than 30,000 Australians have received life-saving or life-preserving organ transplants. More than 900 organ transplant operations are performed each year. Many more tissue transplants and grafts are performed, including about 1,500 corneal transplants each year. Transplantation has dramatically improved the lives of recipients and enabled them to be active, healthy members of the community. There are significant cost benefits to transplants when compared with the ongoing cost of treatment for people requiring transplants.

Organ transplantation is a highly effective treatment for advanced organ disease. Australia's organ transplantation success rates are some of the highest in the world, both in terms of survival rates of the recipients, with one-year survival rates for most organs above 80 per cent, and in the number of organs that are retrieved from each donor. However, the need for organ donors has become more urgent in recent years, with waiting lists for organ transplants growing globally. On average 1,700 Australians are on the waiting list at any time, many dying without receiving a transplant. Without an increase in the donor rate, the waiting list will remain long. Those waiting will continue to suffer. Two people will die each week while waiting for a donor organ to become available.

Australia is among the least altruistic nations when it comes to organ donation, ranked twenty-fourth in the world—well below its Olympic ranking—with only 14 donors per million population. That is well behind Spain with 34 donors per million population, Belgium with 28 donors per million population, and France and

the United States with 25 donors per million population. New South Wales compares poorly when measured against other States. In 2010 there were 19.7 donors per million population in Tasmania, 18.8 in South Australia, 17.7 in Victoria, 17.3 in the Australian Capital Territory and only 12.4 in New South Wales.

In 2008 the Council of Australian Governments endorsed the Australian Government's national reform agenda to implement a world's best practice approach to organ and tissue donation for transplantation in a bid to increase donation rates in Australia. The Australian Government committed ongoing funding, including \$151 million over four years to 2011-12, to establish a nationally coordinated approach to organ and tissue donation processes. The key strategic directions of the national reform agenda are to increase the capability and capacity within the health system to maximise donation rates and raise community awareness and stakeholder engagement across Australia to promote organ and tissue donation.

The DonateLife Network was established as a result. At 30 June 2011, 233 staff were employed in 77 hospitals and eight organ and tissue donation agencies across Australia. This dedicated group works tirelessly with the Organ and Tissue Authority right across the country to significantly improve access to life-saving and life-transforming transplants for Australians and educate Australians about the benefits of giving and receiving. This initiative has already made inroads. At the end of September 2011 our national organ donation rate is 11 per cent higher than at the same period in 2010. The growth in 2011 builds upon the 25 per cent increase in national donation rates achieved in 2010 compared with 2009, and the 51 per cent increase in 2010 over the baseline of 205 organ donors, which was the average between 2000 and 2008.

Complementing the significant progress made in the clinical sector, Australia needs more active engagement and awareness within the community in increasing Australia's consent rate. Dealing with the sudden death of a loved one is an extremely emotional and challenging time for families and friends. Being confronted with the decision on whether to consent to donate your loved one's organs at this time for some families would be too much to bear. That is why it is imperative that we start the conversation with family and friends beforehand so we know with confidence their views on tissue and organ donation because one day they could be asked, "Did they want to be an organ and tissue donor?" Hence, the theme for this year's DonateLife Week which was held in February was "Ask and know your loved one's wishes." As part of the new national reform of organ and tissue donation, the family of every potential donor will be asked to give their consent to donation if the situation arises. The request will be made only by trained health professionals.

Almost 4.3 million Australians are currently registered with the Australian Organ Donor Register; however, increases in registrations have not led to increases in organ tissue donation rates. In Australia registering to be an organ and tissue donor is not enough. Even if people register their wish to be a donor, their family will still be asked to give consent. Australia's donor rate could be vastly improved if more people talked about organ donation, and their wish to be a donor, with their family. When families know the wishes of their loved ones they are more likely to consent to their loved one becoming a donor. The most important thing that helps a family's decision is their knowing the wishes of their loved ones.

People have their own reasons for becoming an organ and tissue donor but it is important to ensure that their family or those closest to them understand those reasons and are aware of their decision. In Australia family consent is required before donation can proceed. A total of 98 per cent of Australians agree that organ and tissue donation has the potential to save and improve lives but only 77 per cent are generally willing to become organ and tissue donors. Unfortunately, 43 per cent of Australians do not know the donation wishes of their loved ones and only 54 per cent of Australian families give consent for organ and tissue donation to proceed. The goal is to achieve a national consent rate of 70 per cent. More work is needed to raise public awareness.

The DonateLife Week theme focused solely on this issue of normalising the discussion about organ and tissue donation and knowing the donation wishes of those closest to you, because one day you could be asked. In 2012 and the first quarter of 2011 we have seen the highest donation and transplantation rates since national records began but family consent still remains low. This is one of the issues that led Minister Skinner in December last year to release the discussion paper on ways to increase organ donation. It offers health professionals and the community an opportunity to consider current arrangements with explanations for alternative measures to increasing the current organ donation rate for New South Wales.

In fact, earlier this month the Minister released some information in relation to New South Wales hospitals. Last year New South Wales hospitals identified 215 potential organ donors who were medically suitable to donate. Of those, only 77 donated organs. That is rate of just 36 per cent. It is the goal of the Minister



and the Government to see that rate increase to meet the national target of 70 per cent. Minister Skinner's discussion paper and public discussion are important parts of a process to get people and families to have the conversation so that when they have a tragedy in their lives they at least know that the wishes of their family member are being met and respected.

Changes to the current arrangements to register to become a donor are being considered. Currently, as in all other States, people can opt in to become an organ donor upon death, either by registering through the Roads and Maritime Services' drivers licence process or with the Australian Organ Donor Register. New South Wales is the only State to utilise both. Other options up for discussion are advanced care directives whereby people can document their instructions for their life and arrangements after death. Opt in versus opt out has been considered on many occasions since 1970. International research has been inconclusive on the merits of adopting an opt out approach. Spain introduced that type of legislation in 1979, but did not see improved rates of donation until it adopted a national system of organ donation coordination in hospitals, whereas the United States has an opt in system similar to Australia and has managed to achieve higher donation rates compared with higher performing European countries with opt out legislation.

Health professionals can play a pivotal role in this important public health issue since they are typically involved in identifying potential donors and communicating with potential donor families. Assisting families who are considering donor consent appears to have one of the greatest impacts on donation rates. In Spain organ donation blossomed after the Government set up a network of transplant coordinators in 139 intensive care units across the country. Their job was to monitor emergency departments and tactfully discuss the donation process with the families of the deceased. A survey found that of 200 families who declined to have their relatives' organs donated 78 per cent changed their mind after the process was explained in detail.

In an effort to address Australia's low organ donation rates and improve family conversations around organ donations in the hospital setting the national authority for Organ and Tissue Donation and Transplantation Authority has engaged the Gift of Life Institute from Philadelphia to conduct a series of two-day workshops Australia-wide. This team has worked closely with an Australian working group of lead clinicians to develop training sessions on how to sensitively communicate and support bereaved families when requesting consent for organ donation. The dual advocacy program achieves donation rates of 43 per million in hospitals in Pennsylvania, New Jersey and Delaware. Ninety clinicians participated in the New South Wales workshops from both regional and metropolitan areas. To date the workshops have been extremely successful and feedback from participants was positive, indicating that there is a strong need for this training in Australia.

Clinicians are given theoretical knowledge and acquire understanding of the acute grief experienced by families, a greater understanding of family reactions to acute grief and how to support them, skills to plan family conversations about donation as a team, techniques to communicate with families, including guidance on appropriate language, terminology, tone and body language, skills for sensitively communicating with families to provide them with factual information about donation that will empower them to make an informed decision, techniques for sensitively exploring family reluctance and misunderstandings about donation, and a detailed understanding of the complexity of issues associated with conducting family conversations about donation.

The University of Sydney and the New South Wales Organ and Tissue Donation Service recently announced an education partnership to contribute to increase donation rates by improving the clinical skills and knowledge for nurses who are working in hospital critical care areas. This initiative is the first of its kind in Australia and recognises the importance of organ and tissue donation and transplantation in tertiary education in both undergraduate and postgraduate courses, and is being offered by the Faculty of Nursing, Midwifery and Health at the University of Technology, Sydney. This year there will be five postgraduate courses that will incorporate clinical and social issues surrounding organ and tissue donation and two undergraduate courses for third-year nurses. There also will be joint projects to develop teaching tools, DVDs and simulation sessions in the new state-of-the-art University of Technology, Sydney simulation laboratory that will give students and clinicians opportunities for hands-on training sessions.

This collaborative project and agreement between the University of Technology, Sydney and the New South Wales Organ and Tissues Donation Service emphasises the importance of clinical education highlighted by the national reform package introduced by the Federal Government in 2008 and strongly supported by State and Territory Ministers for Health. Enhancing organ donation within Aboriginal and culturally and linguistically diverse communities recognises that these communities face extra challenges in relation to chronic disease, with end stage renal disease being eight times higher among Aboriginal people than among non-Aboriginal people. This condition renders them less likely to receive a renal transplant prior to dialysis treatment, and they are less

likely to receive a well-matched transplant. Several options to increase donation and transplantation within this group are designed around cultural awareness training for healthcare workers and adopting champions within local communities to better support education programs.

Further enhancements to the Living Donor Program also are being considered. A living donor is someone who donates an organ, or part of an organ, while they are alive. In Australia, living donors can donate a kidney or part of their liver. In 2010, 293 people donated a kidney and four others donated part of their liver. Most living donors are relatives or close friends of the recipient. Since 1963, 18,817 kidney transplant operations have been performed. Of those, 23 per cent were living donor operations. In 2009 living kidney donor transplants accounted for 42 per cent of kidney transplants around Australia. Long-term results generally are better than donation from a deceased donor. The Australian Paired Kidney Exchange Program is a nationwide living kidney donor program. The program uses a computer program to search the entire database of registered recipient or donor pairs to look for combinations where the donor in an incompatible pair can be matched to a recipient in another pair. If the computer finds a compatible match two or more simultaneous transplants can occur by exchanging donors.

Consideration in the discussion paper revolves around options for increasing the rates of living donors. As a result of the feedback from the discussion paper a strategy aimed at doubling the States' organ donation rates was launched by Minister Skinner on 7 August. Key initiatives of the strategy include transferring existing donors from the State Roads and Maritime Services organ donor register to the national organ donor register run by Medicare, increasing community education and awareness campaigns to encourage people to have discussions with their families about organ donation, employing specialists in hospitals to help families to deal with difficult decisions about consenting to organ donation, providing guidelines to help them uphold patients desire to be a donor, and promoting living donor programs.

Let us not forget the vital role that the NSW Police Force plays in transporting urgent organs or tissues. Without that partnership essential lifesaving products could not get from the donor to recipient in the most efficient and safe manner. Time is of the essence in organ transplantation: it is literally the difference between life and death. It was the late Dr Victor Chang who, in 1984, asked the NSW Police Force to become involved in the transportation of organs. His aim was to cut the time between the donor organ being harvested and transportation to the recipient to enable a greater chance of survival. Since then, the NSW Police Force has been working with the New South Wales Organ and Tissue Donation Service, Roads and Maritime Services and many hospitals in New South Wales to ensure the successful coordination of emergency medical transfers.

Before each transport, NSW Police Force highway patrol officers and the doctor in charge will discuss the gravity and seriousness of the situation and determine the type of police response that is required. Urgency determinations can be upgraded or downgraded en route. The first emergency medical transfers were completed by now retired police officers, Tony McCue and Daryl Irvin, for the late Dr Victor Chang on 28 October and operated from Sydney's Kingsford Smith Airport to St Vincent's Hospital. On the initial run, New South Wales police officers manned every intersection to ensure the safe arrival of the organs and the medical team. With Roads and Maritime Services becoming involved and technology advancing, police have been able to get a green light corridor to increase safety and minimise disruption to the public.

The emergency medical transfers in which the NSW Police Force now are involved do not always involve organs. On some occasions they may be the transportation of blood of a rare type or a surgical prosthesis for a patient who is already on the operating table. Many of the recipients have no idea that New South Wales police are involved in the organ transport process. Since 1990 Senior Constable Stewart Bailey has been the liaison officer for the medical escorts and plays a key role with stakeholders to ensure a safe and successful transportation. Senior Constable Bailey alone has been involved in more than 200 emergency medical transfers. In December 2011 the NSW Police Force and the New South Wales Ministry for Health launched a one-stop shop for emergency medical transportation, thereby streamlining the important process of organ donation and transport that saves lives.

The joint response will allow for a single point of contact for police to coordinate the urgent transport of organs that will save the lives of people waiting for organ transplantation. This will assist the New South Wales Organ and Tissue Donation service to save time when time is crucial in accessing these valuable services within the State. The New South Wales Ministry of Health will provide accommodation and rest areas for highway patrol officers who are assisting with medical emergency transport for organ donation in regional and rural New South Wales hospitals and also in some outer metropolitan hospitals. This will ensure the safety of the medical surgical teams and the safe delivery of the transplant organs to the transplanting hospital.

Whether we donate our organs and tissues is a personal decision that we all have the right to make. However, when making this choice, we should not leave it too late. People should discover the facts about organ and tissue donation, decide about becoming a donor and discuss their decision with the people closest to them. To donate life, people should know the wishes of their family.

**The Hon. LYNDIA VOLTZ** [12.58 p.m.]: I support the Hon. Melinda Pavey's motion on DonateLife Week, which ran from Sunday 19 February to Sunday 26 February 2012. It is an important motion because this is an area about which there cannot be too much discussion. DonateLife Week's main aim is for families to talk about organ and tissue donation and increase family consent rates so that more Australians will receive organ and tissue transplants. Since 1965 more than 30,000 Australians have received life-saving transplants. These include hearts, lungs, livers, pancreas and kidneys, as well as life-improving tissue transplants—corneas, heart valves, tendons, skin, veins and bone tissue—which can dramatically improve the quality of the recipient's life.

Although Australia has one of the best transplantation success rates in the world, the average Australian has a 10 times greater chance of requiring an organ transplant than becoming a donor. Current rates of organ donation in New South Wales do not meet the needs for transplantation and people in New South Wales are dying because there is a shortage of organ donations which could save lives. Critical factors influencing donations include the consent of individuals and their families and the capacity of the health system to retrieve and transport donated organs.

According to NSW Health, the New South Wales Roads and Traffic Authority donor register has the largest number of registered donors in Australia. Therefore, it is not that people are not consenting to become donors; it is that per capita New South Wales does not compare favourably with other States. In 2010 there were 12.4 donors per million of population in New South Wales. In 2010 there were 19.7 donors per million of population in Tasmania, 18.8 donors per million of population in South Australia, 17.7 donors per million of population Victoria and 17.3 donors per million of population in the Australian Capital Territory.

*[The Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 1.01 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

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### STATE FINANCES AUDIT

**The Hon. LUKE FOLEY:** My question is directed to the Minister for Roads and Ports. Can the Minister inform the House whether he or anyone in his ministerial office made representations, issued instructions or held discussions concerning the removal of recommendations supporting distance-based tolling from the final report of the Commission of Audit on the State's finances?

**The Hon. DUNCAN GAY:** Opposition members are leading with their chins again. Day after day I suggest to members opposite that they should form a question time committee.

**The Hon. Walt Secord:** Answer the question, Duncan.

**The Hon. DUNCAN GAY:** Be quiet, big fellow; it is coming to you. It is coming to a station very close to where you sit. Recently Opposition members asked me to rule out distance-based tolling. My answer to them then and again today is that I will not rule out distance-based tolling. One of the issues that always excite those opposite is the idea of toll roads. They love to push misinformation, to scaremonger, to whinge and to whine. What Opposition members do not like to do is to explain why they failed to deliver the missing motorway links in Sydney during their 16 years in government. Heaven forbid should Opposition members ever return to government, as I do not know how they would deliver the road structure that Sydney so desperately needs. The commission recommended that Infrastructure NSW and Treasury should investigate options to optimise risk transfer arrangements for future toll road public private partnerships [PPPs] with a view to ensuring that associated infrastructure—

**The Hon. Walt Secord:** Answer the question.

**The Hon. DUNCAN GAY:** Just be quiet. The king of glossy brochures, the man that rivalled Australia Post in New South Wales, has pushed the glossy message across New South Wales.

**The Hon. Adam Searle:** At least he had a glossy message to sell.

**The Hon. DUNCAN GAY:** The Government has a real message to sell. Glossy paper was necessary for the message Labor was selling. This Government is getting on with delivering. All that Labor delivered when it was in government was glossy brochures; it never built anything. The Hon. Walt Secord and the Hon. Eric Roozendaal, who is sitting beside him, were responsible for destroying trees in New South Wales for no reason. The tenor of this question is wrong. Why would the Government want to change something when it believes it needs to be examined as part of the process?

#### TRIBUTE TO SERGEANT SAMANTHA BARLOW

**The Hon. NATASHA MACLAREN-JONES:** My question is addressed to the Minister for Police and Emergency Services. Can the Minister inform the House about the retirement today of Samantha Barlow?

**The Hon. MICHAEL GALLACHER:** This morning I was honoured to attend the retirement ceremony of Sergeant Samantha Barlow who today is leaving a distinguished career in policing after 17 years of dedicated service. I wish Samantha, Laurence and their family all the best as they wake up tomorrow to a new reality of having mum around a lot more often. Samantha joined the NSW Police Force in 1995 and initially was stationed at Maroubra police station before moving to Mascot patrol. In 1997 she then made a sensible decision to join the highway patrol, working with the Metropolitan Crash Investigation Unit before moving on to Griffith Local Area Command and highway patrol duties as a supervisor. One can always tell a police officer who has the courage to take on important roles in policing as he or she always leaps at an opportunity to join the highway patrol.

In 2006 Samantha returned to the city working for five years at Kings Cross Local Area Command and spending the past two years as a supervisor in the Surry Hills highway patrol. It was there in 2009 that Samantha, tragically, was attacked on her way to work. That attack brought her service to the community to the attention of the people of this State and nation. Her bravery and commitment to regain her health and to return to work had her colleagues, senior officers and me in awe. For those who do not recall, Samantha was the police officer who in 2009 was attacked by a person who used a brick to injure her severely. Unbelievably, the attack did not take her life. I have a sneaking suspicion that Samantha's motivation to regain her health and her life was far closer to home. As important as the job of policing is and always will be to Samantha, I suspect that her husband and her kids motivated her recovery.

Before the attack Samantha was highly thought of by her colleagues. From that moment on their views, estimations and belief in her have only grown. For those who do not recall, after being attacked Samantha was taken to hospital and placed in an induced coma because of the extent of the brain damage and other injuries that were occasioned to her. A week later, when she awoke from that coma, her first words were, "When can I get back to work?" Her experience showed the community firsthand the very real risks that our officers face every day as they protect our community. Today we came together to celebrate Sergeant Barlow's dedication to her work and to commemorate her last day of service with the NSW Police Force.

Today at her farewell ceremony her husband revealed that when she awoke to find her face completely wrapped, with drips hanging out of her and machines beeping, she was told what had happened to her. After having to be restrained from dragging herself out of bed, her next words were, "Let's go and get him." It was testament to her character and her commitment to have this story told today and to see the number of police who attended to wish her farewell. Today I had the honour of representing three groups at Samantha's farewell. Representing the Parliament gave me an opportunity to express our gratitude and her colleagues' gratitude for the job she performed day in and day out. At today's ceremony I said, "Sadly, every person in this room potentially could walk in your shoes." I also represented former police officers.

**The Hon. NATASHA MACLAREN-JONES:** I ask the Minister to elucidate his answer.

**The Hon. MICHAEL GALLACHER:** I told Samantha that she would soon join the Retired Police Association of NSW Inc.—an organisation that is proudly celebrating its 150 year history and one that would be

proud to welcome her. More importantly, at Samantha's farewell I represented the people of New South Wales and the good people of Kings Cross who are often maligned. A lot of good people might have different views but in 2009 they were united in their support for Samantha and her family. They remain supportive of Samantha. On behalf of the community I wish Samantha well in her continuing recovery. No doubt she will still struggle. Despite the attack, she fought her way back to full operational work and, as we were told today, she only realised the extent of her injuries not so long ago when she tried to pull over a car that subsequently tried to run her down. She said that she could not get out of the path of that car quickly enough. When she woke up the next day she found that she could not get out of bed. Samantha is an example of the men and women who represent the NSW Police Force. We are proud of the service that Samantha has given and the legacy that she will leave to policing in this State.

#### STATE FINANCES AUDIT

**The Hon. ADAM SEARLE:** My question is directed to the Minister for Finance and Services. Did the Minister or anyone in his office have discussions with Kerry Schott or other persons involved in preparing the final report of the Commission of Audit on the State's finances about removing earlier recommendations on distance-based tolling?

**The Hon. GREG PEARCE:** I am the Minister for Finance, so I definitely have discussions with Dr Kerry Schott. I do not recall a discussion on that subject, but I stand by the answer that my colleague gave earlier. I will have a look; and, if there were any discussions, I will come back and let the member know.

#### HUNTERS HILL RADIOACTIVE WASTE

**The Hon. CATE FAEHRMANN:** My question is directed to the Minister for Finance and Services, representing the Minister for the Environment. Can the Minister provide an update on the decontamination of 7, 9 and 11 Nelson Parade, Hunters Hill, and the nature of any radioactive, hazardous and other waste found; how much will be transported to facilities at Lidcombe and Kemps Creek respectively; and is there a timetable for this to be completed?

**The Hon. GREG PEARCE:** I thank the member for her question and for her interest in this very important matter. I am advised that the remediation project at Nelson Parade, Hunters Hill, anticipates the removal of all of the soil, contaminated or otherwise, so that this longstanding legacy can be resolved once and for all. Waste will be tested on site at Hunters Hill under the supervision of the Commonwealth agency, the Australian Nuclear Science and Technology Organisation, under a world's best practice monitoring regime.

On the basis of numerous independent surveys undertaken, all of the soil removed from these residential properties in Nelson Parade is expected to comply with the Restricted Solid Waste classification. It can then be appropriately transported to a landfill approved for such material. On the basis of the numerous independent survey results, it is not anticipated that any of the material from these residential lots would be hazardous and therefore require long-term storage at Lidcombe. However the Lidcombe facility, as the properly licensed facility to store such hazardous waste, is available as a contingency. The Lidcombe storage facility is operated by the New South Wales Office of Environment and Heritage; it is properly licensed and it was recently subject to a \$4 million upgrade under the previous Labor Government. This is a problem that the previous Labor Government had 16 years to deal with and it did absolutely nothing.

The State Property Authority will undertake remediation on 7, 9 and 11 Nelson Parade and manage the future sale of the sites. The authority is working closely with the Environment Protection Authority, NSW Health, the New South Wales Department of Planning and Infrastructure, NSW Maritime and specialist consultants to plan and manage the remediation plan. The authority appointed Parsons Brinckerhoff, one of the world's leading planning and environmental firms, as lead environmental consultants for the remediation project. The environmental consultant will prepare the environmental assessment for lodgement with the New South Wales Department of Planning and Infrastructure, which will then place the environmental assessment on public exhibition and seek comments.

Parsons Brinckerhoff has completed a range of background studies, which together with the remediation action plan will allow an assessment of the impacts of the remediation works. The authority and Parsons Brinckerhoff are developing a range of safety and management plans to monitor, manage and mitigate any impacts during the works. Once complete, they will be included in the environmental assessment. I understand the environmental assessment is anticipated later this year; and, following the consultation period and proper approvals, I expect remediation to commence in 2013.

## MARITIME POLICY AGENDA

**The Hon. JOHN AJAKA:** My question is directed to the Minister for Roads and Ports. Can the Minister update the House on the New South Wales Government's Maritime Policy Agenda?

**The Hon. Penny Sharpe:** Is this a ministerial statement?

**The Hon. DUNCAN GAY:** If the Hon. Penny Sharpe were there, she would have heard it. I thank the Hon. John Ajaka for this very important question. At the start of August I attended the Sydney International Boat Show, which is in its forty-fifth year.

**The Hon. Mick Veitch:** Were there free tickets?

**The Hon. DUNCAN GAY:** No. They are selective about who they give them to. The Hon. Mick Veitch missed out. Held at Sydney Convention and Exhibition Centre and Cockle Bay Marina in Darling Harbour, this is always a great event for boating enthusiasts, and good fun for the family. At the opening morning breakfast I launched the Maritime Policy Agenda, which will guide the maritime-related work of Transport for NSW over the next three years. At last year's boat show, the President of the Boating Industry Association, Darren Vaux, called for strengthened advocacy with government. Well, we have listened, and the Maritime Policy Agenda reflects 12 months of consultation and engagement with the maritime community.

From all the feedback and advice, the outcome is a focus on boating safety, improving boat storage and waterways access, and cutting red tape in maritime property and planning. It is estimated that more than 1.5 million people go boating each year in New South Wales, making the safe use of our waterways a key priority for the New South Wales Government. Over the past 10 years, 167 lives have been lost in boating incidents in New South Wales and, while the overall trend in the fatality rate is improving, frankly there is still a lot of work to do. Too often the person who has lost his or her life while boating was not wearing a life jacket. Our focus in the next few years will be to encourage more awareness of the difference a life jacket can make.

Boat ownership is forecast to increase at almost 3 per cent a year in New South Wales, and that is creating a challenge in the availability of vessel storage and access to our waterways. We will therefore be focusing on delivering new and improved vessel storage solutions and waterways access statewide. Industry feedback has also suggested a frustration with some maritime regulations and policy, which is why we will review processes and work to deliver improvements in efficiency and responsiveness, especially in the maritime property area. The New South Wales boating sector generates about \$2 billion annually for the State's economy and supports thousands of jobs and businesses, which form the backbone of our communities. Listening to stakeholders and providing support to the industry is vital to its sustainability.

The New South Wales Government's Maritime Policy Agenda includes 16 specific actions to reduce red tape, improve boating safety, and improve access to waterways and maritime infrastructure. The majority of these actions will be carried out by Roads and Maritime Services and the Office of Boating Safety and Maritime Affairs in Transport for NSW over the next two to three years. I would like to thank the members of the Maritime Advisory Council for their work in contributing to the development of these policies, and the many waterways users who have had their say over the past 12 months. The Government is determined to deliver improved services and capabilities for waterways users, and to reduce red tape to encourage investment in the boating industry in New South Wales. I acknowledge my colleagues from the Shooters and Fishers Party who were at the Sydney International Boat Show.

## YOUNG PEOPLE IN RESIDENTIAL AGED CARE PROGRAM

**The Hon. JAN BARHAM:** My question without notice is directed to the Minister for Finance and Services, representing the Minister for Disability Services. I refer to the fact sheet published by the Department of Ageing, Disability and Home Care regarding the Young People in Residential Aged Care Program. Can the Minister advise how many individuals are currently on the needs register for service allocation under the program and what services are provided to them as they wait?

**The Hon. GREG PEARCE:** I thank the member for the question. As it seeks considerable detail, I will take it on notice and obtain the information for the member.

### MOTOR REGISTRY DRIVER TESTING

**The Hon. MICK VEITCH:** My question is directed to the Minister for Roads and Ports. Page 176 of the Schott review report states that the Government should implement measures, including "Removing the driver testing function from certain registries." Which of the 126 motor registries in New South Wales will lose driver testing functions?

**The Hon. DUNCAN GAY:** At this stage nothing has crossed my desk—absolutely nothing. If Opposition members want to hear that answer again, I repeat that nothing has crossed my desk.

### QUAD BIKE SAFETY

**The Hon. RICK COLLESS:** My question is addressed to the Minister for Finance and Services. Will the Minister outline to the House what the New South Wales Government is doing to reduce the number of quad bike deaths across the State?

**The Hon. GREG PEARCE:** I thank the member for that important question and inform the House that on 23 July I announced that the New South Wales Government will spend \$1 million to fund research into vehicle safety and to improve quad bike protective devices and accessories. According to Farmsafe Australia, more than 150 people have died in quad bike accidents in the past 10 years, with almost nine out of 10 rollover deaths occurring on farms. Quad bikes are used extensively on farms for weed control, mustering, property inspections and maintenance work. However, a number of concerns have been raised in the community about their safety and their uses. In July this year a 13-year-old girl tragically died after falling off a quad bike near Wollongong, and last year the oldest victim of a quad bike fatality was a 94-year-old man. It is an alarming fact that quad bikes are the leading cause of death on Australian farms, accounting for one-third of fatalities. Every quad bike fatality is a tragedy and it is time for researchers, regulators, manufacturers and the farming community to work together to improve safety for all quad bike users.

The research will be conducted at the Transport and Road Safety research facility at the University of New South Wales. Through this \$1 million research project, experts in vehicle safety will conduct a series of crash tests to identify engineering and design enhancements that could improve quad bike safety. Most fatalities are the result of head injuries or from being trapped under overturned vehicles. For the first time anywhere in the world the role of protective systems in the prevention of asphyxia and serious chest injuries when a quad bike rolls over will be tested. The project will also consider the recommendation of a national safety standard for all quad bike manufacturers and suppliers. WorkCover and the university expect to begin the research shortly. The Government's announcement has been welcomed in the community. Fiona Simpson, President of the NSW Farmers Federation, stated:

As employers, we have an obligation to ensure the safety and safe working conditions of all of our workers. NSW Farmers fully supports the government's decision to conduct this independent research and we hope that it will bring some clarity to the issue of crush prevention.

Ms Simpson said that the research will assist farmers to make well-informed decisions on suitable vehicles for their farms. Dr Tony Lower, the Director of the Australian Centre for Agricultural Health and Safety, stated:

This is a welcome announcement by Minister Pearce as the study will provide genuinely independent and robust analysis on the stability of quad bikes and the effectiveness of Crush Prevention Devices.

The research is part of a National Quad Bike Safety Strategy by the Heads of Workplace Safety Authorities, which will examine design features to improve vehicle safety, as well as protective devices and accessories. I look forward to seeing the results of this study and the national strategy. I hope that they lead to better safety outcomes for quad bike users.

### THE GREENS NSW

**The Hon. ROBERT BORSAK:** My question without notice is directed to the Minister for Roads and Ports in his capacity as Leader of the House in the Legislative Council. Given that Mr David Shoebridge and Dr John Kaye have a record of moving amendments which mostly only they support, thereby wasting the time of the House, is it feasible that they can be given extended leave for the remainder of this Parliament while adding their two votes to whatever the remaining three Greens do, so that the Government, the Christian Democrats, the Shooters and Fishers and Labor can get on with the business of debating serious issues and passing sensible legislation?

**The PRESIDENT:** Order! Sadly, I rule that question out of order.

**SNOWY HYDRO LIMITED**

**The Hon. STEVE WHAN:** My question is directed to the Minister for Finance and Services. I refer to recommendation 74 of the Schott review, which suggests that the Government consider divesting the public ownership of Snowy Hydro. Will the Government rule out selling Snowy Hydro?

**The Hon. GREG PEARCE:** That is a very good question coming from a former Minister whose Government tried to sell Snowy Hydro. Am I missing something?

**The Hon. Duncan Gay:** And the former member for Monaro.

**The Hon. GREG PEARCE:** I seem to remember that the Snowy Hydro scheme is at least partly in Monaro.

*[Interruption]*

I acknowledge the interjection of the Hon. Steve Whan; it is more than partly in Monaro. How much of it is in Monaro, Steve?

**The Hon. Duncan Gay:** He was in favour of it in the beginning.

**The PRESIDENT:** Order! I remind members that they must address other members by their correct titles.

**The Hon. GREG PEARCE:** I hope that the Hon. Steve Whan refers to me as a Minister in future. I remember having a look at the scheme and being welcomed by the local community, who were outraged at what the previous Labor Government was trying to do.

**The Hon. Duncan Gay:** He was their local member initially.

**The Hon. GREG PEARCE:** He was their local member.

**The Hon. Duncan Gay:** He was initially in support and then he wasn't.

**The Hon. GREG PEARCE:** He supported it; then he did not support it. Did he rock and roll? He was like a little cork bouncing down the river, changing his mind as he went. Now here he is: His own electorate threw him out and what does he do? He joins the Hon. Eric Roozendaal on the losers' lounge.

**The Hon. Greg Donnelly:** Point of order: The Minister knows that this side of the House is not the losers' lounge. He spent many years on this side of the House so he should refrain from using that term.

**The PRESIDENT:** Order! There is no point of order. I have ruled on this matter previously.

**The Hon. GREG PEARCE:** That is what happened. Does everyone remember—

**The Hon. Melinda Pavey:** He wouldn't even cross the floor.

**The Hon. GREG PEARCE:** He would not cross the floor.

**The Hon. Luke Foley:** Point of order: The Minister has clearly cast aspersions on a member of this House. If he wants to do that he should move a substantive motion and then we can all reflect on the heroic campaign that the Hon. Steve Whan ran successfully to stop the sale of the Snowy Hydro.

**The Hon. Duncan Gay:** To the point of order: I seek clarification from the Leader of the Opposition. Which campaign? Was it the campaign he ran when he was in favour of it, or was it the campaign he ran when he changed his mind?

**The PRESIDENT:** Order! Members will not make debating points while taking points of order.

**The Hon. STEVE WHAN:** I ask the Minister a supplementary question. Will the Minister elucidate his answer specifically by stating whether the Government will rule out selling Snowy Hydro, which was the initial question he was asked and which so far he has failed to answer?

**The PRESIDENT:** Order! The supplementary question is out of order because it restates the original question.



### NSW POLICE FORCE DOG UNIT

**The Hon. NIALL BLAIR:** My question without notice is directed to the Minister for Police and Emergency Services. Will the Minister inform the House on the decentralisation of the NSW Police Force's dog unit?

**The Hon. MICHAEL GALLACHER:** The NSW Police Force dog unit regionalisation program was launched in December 2011. The dog unit regionalisation program will provide the opportunity for rural police to access the specialised services provided by police dogs, such as searching for offenders and drug detection, in a timely manner. This will benefit regional New South Wales in the reduction of crime, apprehension of offenders and search for missing persons.

Following a trial in 2010 at the Tweed-Byron local area command, eight locations have been selected for placements of dog handlers based on regional crime trends. Tweed-Byron, Richmond, Coffs-Clarence, mid North Coast, Orana and New England local area commands are now each serviced by two dogs with a general purpose capability and/or detection capability in drugs, or firearms and explosives. General purpose dogs are used to track and search for missing persons, suspected offenders or property connected to crime scenes. They also support police at high-risk confrontations, crowd control, and search and rescue. Drug detection dogs search houses, cars, people and personal property to detect illegal drugs, while firearms and explosive detection dogs locate guns, ammunition, bombs and explosive materials.

Wagga Wagga local area command is in the process of filling two police officer dog handler positions. On 9 August I took part in the official opening of the Southern Region Dog Unit Office quite aptly located at Dapto. Unlike their skinnier canine colleagues, these dogs do not chase hares; they will be putting the bite on criminals. The Dapto office will be staffed by four dog handlers. I can hear The Greens saying, "We want more dogs." We will get to it. All four officers have each been assigned a general purpose dog, and three of the four have also been assigned a drug detection dog. I note the "Hear! Hear!" from The Greens. The remaining officer is training a drug detection dog. I know the mayor of Byron would love to see more police dogs in her region. I have given her an undertaking that we will get more up there as quickly as we can.

**The Hon. Duncan Gay:** We will put them up there on council election eve.

**The Hon. MICHAEL GALLACHER:** Yes, that would be a great day. Future regional capabilities will include cash detection and cadaver dogs. All regional dog handlers remain attached to the NSW Police Force's dog unit; however, they also receive supervision and office space from the local area commands. Throughout 2012 and 2013 an additional officer will be trained for each location. All police dog handlers have completed a minimum of 16 weeks training in their respective disciplines, and have been deployed in the Sydney metropolitan area prior to their transfers to regional locations.

The dog unit regionalisation program complements other initiatives by this Government to enhance policing in areas outside of metropolitan Sydney. I again remind members that in December 2011, 300 of the 500 new police officers that graduated from the Goulburn Police Academy were allocated to local area commands outside the Sydney region. That allocation was the result of this Government commissioning, and acting on, an audit of police resources across New South Wales. This Government listened to the clear findings that communities in regional areas were in need of a more consistent police presence. The Government is also making sure that regional and rural areas are serviced by modern police facilities. As I will address further in the coming weeks, significant amounts of money will be spent to ensure that police have good areas to work in. I congratulate the dog unit for its ongoing work and for the regionalisation program, which will be a huge success.

### FIREARMS REGISTRY

**The Hon. ROBERT BROWN:** My question without notice is directed to the Minister for Police and Emergency Services. Are hard copies of names and addresses of firearm owners due for storage inspections downloaded from the firearms register in police stations and then placed in pigeonholes for officers not then currently on duty to collect when they resume work? If this is so, are the hard copies of these names and addresses and relevant firearms details securely destroyed after the inspections or are they disposed of in the general waste from the station?

**The Hon. MICHAEL GALLACHER:** As the honourable member would be aware, there are 80 local area commands throughout New South Wales. At this stage I cannot give an answer as to whether the same

methodology is used in all local area commands. I am not aware of whether the methodology that the member put to the House in his question is the methodology employed, or indeed whether they are tasked electronically. I will seek some advice from the NSW Police Force in relation to the member's question and report back to the House as soon as possible.

### ROAD TOLLS

**The Hon. SOPHIE COTSIS:** My question is directed to the Minister for Roads and Ports. In light of the Minister's earlier refusal to rule out a new tolling regime in New South Wales, will the Minister rule out placing additional or increased tolls on roads such as the M5, M5 East, the Eastern Distributor and the Sydney Harbour Bridge?

**The Hon. DUNCAN GAY:** The premise of the question is incorrect because I did not earlier refuse to rule it out. Correct me if I have got it wrong, but the question asked of me was whether we had changed the Schott report into distance tolling.

**The Hon. Steve Whan:** That was the second question.

**The Hon. DUNCAN GAY:** No, the first question was about Schott and it was about distance tolling.

**The PRESIDENT:** Order! The Opposition has asked the question. Opposition members will listen to the answer.

**The Hon. DUNCAN GAY:** As I indicated earlier, why would I try to change something that I have said quite publicly has to be examined as part of the tolling mix? It has to be examined as part of the provision of infrastructure in this State. It might come as a shock to members opposite who pretend that they did not leave the State in a mess that in fact they did leave it in a mess. For the Government to provide infrastructure in the future where they failed to provide infrastructure the Government has to properly examine every avenue of providing that infrastructure.

**The Hon. Sophie Cotsis:** On existing roads.

**The Hon. DUNCAN GAY:** No, just listen for a moment. I have been quite clear in my statements on tolls.

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

**The Hon. DUNCAN GAY:** We need those double earmuffs. Unlike members opposite that used double talk, double speak and spoke with forked tongues—

**The Hon. Michael Gallacher:** And two faces.

**The Hon. DUNCAN GAY:** And two faces, we have been clear on this. My public statements are out there. Frankly, the question is without foundation.

### VEHICLE EMISSIONS

**The Hon. JENNIFER GARDINER:** My question is addressed to the Minister for Roads and Ports. Will the Minister update the House on initiatives to promote environmentally friendly vehicles?

**The Hon. DUNCAN GAY:** I thank my colleague for her question which is of great importance to the Parliament. The question focuses on down-to-earth measures that the Government is taking to help reduce vehicle emissions in New South Wales. I stress the phrase "down-to-earth" as opposed to the extraterrestrial-inspired policies that come from The Greens and their former Federal leader. Frankly, when it comes to reducing carbon emissions the hypocrisy of The Greens is truly staggering.

**The Hon. Jeremy Buckingham:** Why would you do it?

**The Hon. DUNCAN GAY:** Just be quiet and listen to this one, Jeremy. The Hon. Jeremy Buckingham's recent tour to the United States with two staffers in tow is an excellent case in point. If members will indulge me for a moment, it is a fracking good story. First Jeremy's tour website shows him looking like Corncob Joe at the wheel of what I accurately picked as a 1972 Ford Country Squire station wagon—the

quintessential American gas guzzler. We have all seen the fracking site. Of late the honourable member has been attempting to ingratiate himself with farmers, so it is no surprise that he selected the Country Squire model. It is an aspirational vehicle for those who want to get in with the farming community.

This particular vehicle sports a 351 Cleveland motor. Members of this House would know that the 351 Cleveland powered the XY Falcon GTHO Phase 3—a vehicle which, in the hands of North American Allan Moffat, won Bathurst in 1971. It was a vehicle capable of a speed of 250 kilometres an hour or, in old terms, more than 150 miles an hour. The vehicle's fuel consumption equates on average to 12.6 miles a gallon, which is approximately equal to a whopping 22.5 litres per 100 kilometres travelled. That would easily use up a tankful of fuel each week when fully loaded with green tea.

By stark comparison, the normal Greens staff car, the Toyota "Pious", consumes just 3.9 litres per 100 kilometres, so Jezzer's yank tank is consuming seven times the quantity of fuel consumed by the ute. I doubt whether the Country Squire would have made the grade in the New South Wales cleaner car fleet. If the Hon. Jeremy Buckingham had availed himself of the DriveGreen Calculator on the Roads and Maritime Services website, he would have known that filling up a Country Squire with fuel each week results in carbon dioxide emissions of approximately 11 tonnes each year. To put that into perspective, 11 tonnes of emissions equates to the carbon sequestered by approximately three football fields of mature trees each year. Roads and Maritime Services offers free emissions testing for petrol, diesel and liquefied petroleum gas [LPG] vehicles.

**The Hon. JENNIFER GARDINER:** I ask a supplementary question. Will the Minister elucidate his answer?

**The Hon. DUNCAN GAY:** To put it simply, properly maintained vehicles have emissions that are close to new vehicle standards, whereas high emissions indicate the existence of a problem that a tune-up or repairs could fix. But this is just the tip of the melting iceberg. The Hon. Jeremy Buckingham's tour itinerary had him crisscrossing the United States like a frenzied poncey presidential candidate. From Fort Worth, Texas, to Denver, Colorado, on to Pavilion, Wyoming, on to New York and on to Washington DC, it was no Forrest Gump style of running a marathon. I suspect that large planes were used for most parts of the trip. At a bare minimum, a return flight from Sydney to Los Angeles Airport for three passengers generates 21.5 tonnes of CO<sub>2</sub> emissions, but when flying directly in and out of Dallas Forth Worth International Airport, nearly 25 tonnes of emissions is ramped up for three people—the Hon. Jeremy Buckingham and two staff members.

The Roads and Maritime Services DriveGreen Calculator also acts as a useful guide in deciding how many carbon offsets should be purchased. Once people have calculated a vehicle's carbon footprint, they can visit the Carbon Offset Guide Australia website for a directory of carbon offset providers. We really look forward to the Hon. Jeremy Buckingham informing the House in the next couple of weeks how he purchased offsets to compensate for his and his staff's recent high-intensity carbon trip.

#### BYLONG VALLEY LAND USE

**The Hon. JEREMY BUCKINGHAM:** My question is directed to the Minister for Finance and Services, representing the Minister for Planning and Infrastructure. I have been contacted by constituents in the Bylong Valley who are concerned that the Government is considering removal of strategic agricultural land in their area under the draft Strategic Regional Land Use Policy. Can he assure the Bylong Valley community and the New South Wales thoroughbred industry that that is not the case and that the land will remain designated as strategic agricultural land?

**The Hon. GREG PEARCE:** Obviously, the question does not relate to my portfolio, but I will obtain for the member a detailed answer from the Minister for Planning and Infrastructure. I compliment the Minister for Roads and Ports on his previous answer in relation to the Hon. Jeremy Buckingham's trip. The only image I had seen on the web was of the Hon. Jeremy Buckingham outside Walmart on the rocking horse, moving his hat up and down. I thought that was a lovely image.

#### PENSIONER DRIVER LICENCES

**The Hon. HELEN WESTWOOD:** My question is directed to the Minister for Roads and Ports. Given the Government has formally supported recommendation 125 of the Schott review, which states that the Government should "periodically review all concessional arrangements across government", will he rule out any increased cost for pensioners' drivers licences?

**The Hon. DUNCAN GAY:** When politicians are short of material, they take a general report and apply it to everything to create disquiet and distrust among the most susceptible people in our community. It is page one out of Labor's "Scare the Pensioners" handbook. That is what Opposition members are doing. It is a disgraceful scare tactic and they ought to be ashamed of themselves. This Government is making things better for pensioners.

**The Hon. Helen Westwood:** Point of order: My point of order relates to relevance. My question was very specific. It related to the increased cost for pensioners of their drivers licences.

**The PRESIDENT:** Order! The Minister was being relevant. Past President rulings are quite clear: The Chair cannot direct a Minister as to how to answer the question. There certainly was a nexus between the question asked and the answer given by the Minister. The Minister is in order. The Minister has concluded his answer.

### INDEPENDENT WATER ADVISORY PANEL

**The Hon. MATTHEW MASON-COX:** My question is addressed to the Minister for Finance and Services. Will he update the House on the progress of the Independent Water Advisory Panel?

**The Hon. GREG PEARCE:** I thank the Hon. Matthew Mason-Cox for his important question. I inform the House that the panel appointed by the New South Wales Government to provide independent advice on the development of the Lower Hunter Water Plan recently held its first meeting in Newcastle. I also inform the House that I attended that meeting on 31 July. As well as overseeing the Lower Hunter Water Plan, the panel will oversee the review and implementation of the Metropolitan Water Plan for greater Sydney.

The Independent Water Advisory Panel combines local knowledge of the Hunter and Sydney regions with leading industry expertise. The panel comprises experts in urban water and water systems planning, water resource management and community consultation, and is chaired by an acknowledged leader in the water industry. Let us not forget that the former Labor Government railroaded through ill-conceived plans for the lower Hunter without proper discussion with the community. By contrast, the New South Wales Liberals and Nationals are focused on ensuring the supply of vital water services for the benefit of the community and the environment.

As I have noted on other occasions, the planning process for the Lower Hunter Water Plan will be conducted in accordance with the National Urban Water Planning Principles and will involve consideration of all options, except the previously rejected Tillegra Dam. The recent meeting was an important milestone in an extensive planning process to ensure the lower Hunter has adequate water supplies to meet future demands for a growing community. It also will examine ways in which the region can deal with any drought conditions that may occur in the future.

During this water planning process, the panel will provide expert advice on analytical approaches as well as review key bodies of work, and provide input at specific points. It will do the same in continuing reviews of the Metropolitan Water Plan for greater Sydney. The panel is just one part of a governance structure that includes a multiagency Metropolitan Water Chief Executive Officers Committee, two senior officers groups and the Metropolitan Water Directorate within the Department of Finance and Services which is leading the whole-of-government approach to these plans. Work on the Lower Hunter Water Plan is continuing. I give a commitment that throughout the development of the Lower Hunter Water Plan, all key stakeholders and the general community will be consulted. A comprehensive engagement strategy is being finalised. There will be many opportunities for residents to have their say as the plan proceeds.

I remind the House that the panel members include Mr Chris Davis as Chair, who has extensive experience in water management and is a National Water Commissioner; Professor George Kuczera, who has leading expertise in hydrology and water engineering as well as the Hunter; Dr Wej Paradise, who is also from the Hunter and who has an extensive background in natural resource management and river health; Ms Kylie Cochrane, who has expertise in communication and community engagement, including in the urban water sector; Mr Ross Chapman, who has extensive experience in water resource economics; Professor Cynthia Mitchell, who has broad experience in water planning and decentralised water systems; and Dr Tony Church, who has a strong background in environmental flows and water quality. I will ensure the House is kept up to date with the progress of the Lower Hunter Water Plan.

### SHARK FINNING

**The Hon. CATE FAEHRMANN:** My question is directed to the Minister for Roads and Ports, representing the Minister for Primary Industries. Following the recent incident involving the slow death of a live critically endangered grey nurse shark that washed up on a New South Wales beach at Evans Head after being illegally finned at sea, will the Minister outline how NSW Fisheries is working to improve compliance issues in the ocean trap and line fishery? Will the Minister reveal the appropriateness of allowing a fishery to target sharks for their fins?

**The Hon. DUNCAN GAY:** This is an important question. I am sure everyone was disturbed by that recent incident at Evans Head. The finning of live sharks and the deliberate killing of any critically endangered grey nurse shark is unacceptable. The New South Wales Government and the community will not tolerate such incidents. All steps possible are being taken to track down those responsible for the shark washed up on a beach at Evans Head and to bring them before the courts. The Department of Primary Industries is investigating this incident and is determined to track down those responsible.

A number of fishers have been interviewed, boats have been inspected and searched, and premises have been inspected. The Department of Primary Industries will initiate prosecution action if an offender can be identified and sufficient evidence found to bring the offender before the courts. Those responsible could receive penalties of up to \$220,000 and two years imprisonment for this incident. For removing the shark's fin at sea they could also face a fine of up to \$220,000 and 12 months imprisonment. The practice has been illegal in New South Wales for a number of years and they know it.

Fisheries compliance in New South Wales operates under a national compliance strategy, a State operational plan and annual district compliance plans. These are designed to maximise voluntary compliance and create effective deterrents to illegal fishing activity. A risk-based compliance model is used to target offenders who pose the greatest risk to a fishery and this is certainly being applied in the ocean trap and line and other fisheries. Information and intelligence obtained through a range of sources is analysed to target high-risk offenders and the Government is committed to driving rogue operators out of all fisheries sectors. Department of Primary Industries fisheries officers regularly undertake inspections of fishing vessels for illegal activity, including the illegal taking of sharks and shark fins.

There are ongoing campaigns aimed at fishers to reinforce the rules and target those who choose to engage in illegal shark finning. NSW Fisheries officers have detected 33 offences over the past decade relating to the illegal possession of shark fins and have seized approximately 100 kilograms of shark fin. We must take into account that there is a legitimate market for shark products, and not just the fins. For example, flake, which comes from sharks, is commonly sold in fish and chip shops across the State. The key focus for the future management of this fishery has to be ensuring that harvest rates are sustainable. To ensure the main fishery catching sharks in New South Wales remains sustainable and that acceptable practices are followed, precautionary catch limits are in place. I assure the House and the honourable member that the Government will take all necessary steps to promote sustainable shark populations and enforce compliance with current regulations.

### SYDNEY WATER PENSIONER REBATE PROGRAM

**The Hon. LYNDIA VOLTZ:** My question is directed to the Minister for Finance and Services. Given that the Government has formally supported recommendation 125 of the Schott review, which states that the Government should "periodically review all concessional arrangements across government," will the Minister rule out any cut to assistance under the Sydney Water pensioner rebate program?

**The Hon. GREG PEARCE:** I refer to the previous answer by my colleague.

### NEWCASTLE PORT OPERATIONS CENTRE

**The Hon. TREVOR KHAN:** My question is addressed to the Minister for Roads and Ports. Will the Minister update the House on the opening of the Port of Newcastle's trade performance and new operations centre?

**The Hon. DUNCAN GAY:** Two weeks ago I officially opened the Port of Newcastle's new \$3.5 million operations centre with that outstanding local member, Tim Owen. The three-storey port centre has

been built on the eastern side of the pilot station near the entrance to Newcastle harbour and has been designed to provide greater functionality for operational activities. It houses a vessel traffic information centre, marine pilots' office, port services offices, a training room, workshops and other facilities. Vessel traffic information officers have been familiarising themselves with new equipment and systems to maintain 24-hour-a-day communication with vessels and port operators. The Port of Newcastle is recognised as being the world's largest coal export port and an economic driver for the Hunter region. The construction of this modern building ensures Newcastle Port Corporation will maintain its operational excellence and be able to handle increasing exports and imports.

I also had the pleasure of announcing that Newcastle Port Corporation has delivered a twelfth consecutive trade record and about 4,150 vessel movements on an annual basis. This record was achieved thanks to the fantastic staff, management and board direction at the port. It was an honour to be able to thank them in person for their ongoing hard work over the past 12 months. Total trade throughput for the 2011-12 financial year amounted to 128.6 million tonnes, or an increase of 12.2 per cent on 2010-11. Continuing strong demand for coal by Asian markets has dominated the financial year trade statistics. Coal exports reached 121.9 million tonnes, which was 13.6 million tonnes more than was achieved in the 2010-11 financial year. The total value of trade through the port for 2011-12 was just over \$20 billion. It is this type of momentum that deserves modern facilities for a highly competent and professional group of operational employees.

Increased trade was recorded for aluminium, coal, fuels, general and bulk cargoes, grains, mineral concentrates and steel products. Imports and exports are forecast to reach 250 million tonnes in more than 40 commodities by 2020. The Asian region market was again the main export destination for coal with Japan, China, South Korea and Taiwan being the major customers. The volume of trade shows that the port of Newcastle continues to be an important and improving facility in the Hunter region. The continued development of the coal terminals on Kooragang Island coupled with future development of the former steelworks site at Mayfield place Newcastle in a great position to take advantage of further infrastructure development that will benefit the region. The New South Wales Government is determined to restore the State's economy and to do this we need to have a strong and healthy Hunter region. A key to this is the growth of Newcastle port.

Of interest to members was the location of this new centre. It is right beside an old Cornish port. As honourable members who have visited England would know, a Cornish port is a fully enclosed port. This is the only one in Australia. [*Time expired.*]

### **BUS VANDALISM**

**The Hon. PAUL GREEN:** My question without notice is directed to the Minister for Roads and Ports, representing the Minister for Transport. I refer to my question without notice regarding bus vandalism on 14 March 2012. Has the Minister obtained an answer?

**The Hon. DUNCAN GAY:** I assume from the tone and wording of the question that the implied answer is no. If that is the case I certainly apologise. I am not saying it is the case because it would be highly unusual for my friend and colleague to have missed one of those questions, but given the busy time of running the State's transport and lifting it up from the mess we inherited from members opposite, she may have just missed this one. We will certainly be talking to her office this afternoon and will make sure we get a response as soon as possible.

**The Hon. Greg Donnelly:** And give him some movie tickets.

**The Hon. DUNCAN GAY:** Don't get too excited. You remember what happened when you got excited last time. It wasn't a pretty sight.

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

**Questions without notice concluded.**

### **EXECUTIVE OFFICER DAVID COPELAND RESIGNATION**

**The Hon. MICHAEL GALLACHER:** David Copeland, an officer who has been with the Parliament for a few years, is leaving this week to pursue a career outside the Parliament. On behalf of all members I wish

him all the very best. I ask Reverend the Hon. Fred Nile and the Hon. Paul Green to pass on to him our thanks for his professionalism and preparedness to work with all members of this Chamber to achieve a better outcome for New South Wales.

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

### ADJOURNMENT

**The Hon. MICHAEL GALLACHER** (Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council) [3.32 p.m.]: I move:

That this House do now adjourn.

### NATIVE VEGETATION REGULATIONS

**The Hon. SCOT MacDONALD** [3.32 p.m.]: Last month I attended two forums reviewing the native vegetation regulations, conducted by the New South Wales Office of Environment and Heritage and the Border Rivers-Gwydir Catchment Management Authority. I thank Leanne Savage, acting chair of the catchment management authority at the time and board member Grahame Marriott for welcoming me at the meetings and allowing me to make a contribution. The issue of native vegetation clearing is complex, confronting and difficult. The meetings I attended in Inverell and Tenterfield were robust and passionate. I thank the catchment management authority staff and board members for conducting positive and productive forums.

At both meetings motions were passed calling for the repeal of the Native Vegetation Act and rejection of the amendments of the vegetation regulations. I understand the anger directed at the Native Vegetation Act. Nearly 17 years ago I attended a meeting relating to State environmental planning policy 46—the predecessor of the Act—held in Glen Innes where the then Minister for the Environment, Kim Yeadon, was in attendance. Bob Carr and Kim Yeadon ambushed farmers with an overnight ban on vegetation clearing. Farmers had purchased properties expecting to be able to improve their productivity and value by clearing vegetation and improving pastures. With little warning this opportunity was removed.

However, as I said at both meetings, I do not think it is practical or desirable to wind back the Native Vegetation Act. We need vegetation clearing controls. It is important to retain biodiversity and environmental services delivered by our native vegetation. It should be acknowledged that at all the meetings I attended, including the Moree meeting held by the New South Wales Farmers Association last year addressing this issue, farmers spoke up saying that we could not go back to the bad old days of broad-scale clearing with bulldozers and heavy chains. Nevertheless, the forums were an important opportunity to improve the regulations underpinning the Act.

I believe the Minister, the Hon. Robyn Parker, and the Government have put forward useful proposals to improve the regulations. The draft amendments include a more consultative approach to compliance, red tape reductions, changes to the clearing of scattered trees in cultivation, changes to managing invasive native species, the broadening of routine agricultural management activities and an undertaking to speed up property vegetation management plans. These matters were debated at the forums and were useful suggestions that could improve the regulations.

I raise the misguided and unproductive commentary from Jeff Angel of the Total Environment Centre. He has claimed in the regional and city media that the vegetation debate has been hijacked by the extremists, to use his words. I reject that statement. As I said, the meetings were robust and heartfelt. However, as I mentioned, the attendees rejected the idea that we should go back to the days of a free-for-all. Mr Angel should give credit for that and acknowledge that this is incredibly difficult for many landholders. Unquestionably, they have seen their management options constrained, with consequences for their profitability and value.

As a society we have decided that we value native vegetation for a range of environmental reasons but we have ignored the equity challenges. Who pays? We insist that farmers shoulder the load of vegetation controls, even though everyone in the community benefits. If Mr Angel and the Total Environment Centre want to be taken seriously, perhaps they should suggest proposals as to how all beneficiaries, both in the city and the country, can contribute to the cost of native vegetation management. Finally, I thank Leanne Savage for her work as Acting Chair of the Border Rivers-Gwydir Catchment Management Authority. I also congratulate Mr Hans Hietbrink of Guyra on his recent appointment as Chair of the Border Rivers-Gwydir Catchment Management Authority.

## AUSTRALIA-CHINA RELATIONS

**The Hon. SHAOQUETT MOSELMANE** [3.36 p.m.]: I quote in part Shane Maloney's take of Gough Whitlam and Zhou Enlai's first meeting, as reported in his column "Encounters" in *The Monthly*, June 2006:

Early in 1971, the Australian Wheat Board was worried that politics were getting in the way of business. To the Coalition government in Canberra, Red China was a downward-thrusting threat to be contained and isolated. To the AWB, it was a market at risk.

Enter Gough Whitlam, leader of an ALP that hadn't seen power for twenty years. Staking his electoral chances on his supreme self-assurance, he sent a message to the Chinese premier. Could they, he wondered, meet to discuss "matters of mutual concern"?

Zhou was a busy man. CEO of a nation mired in the chaos of the Cultural Revolution, he was hatching a scheme of world-changing audacity. *Come in July*, he cabled.

They met at midnight in the Great Hall of the People. To Whitlam's astonishment, the Australian press contingent was also invited ...

As the meeting ended, Zhou dispensed with his interpreter. In perfect English, the elegant 73-year-old remarked on Whitlam's comparative youth. Whitlam replied that he was about to turn 55, the age at which Zhou represented China at the Geneva Conference ...

Two days later, in Shanghai, Zhou sent Whitlam a birthday cake ... By the time Whitlam returned to Australia, the Labor leader's high-risk gamble seemed like an act of sublime prescience.

Eighteen months later he went back to China as Australia's prime minister. This time, there were bands and banquets and fulsome toasts.

Thus was the beginning of a flourishing Australia-China diplomatic relationship that we now celebrate four decades later. It was also the beginning of a trade relationship that grew our economy and helped us leap over the hurdles of the global financial crisis. In the foreword to the *Australia-China Business Insight* journal, the Hon. Julia Gillard, Prime Minister of Australia, said:

The Australia-China relationship is stronger and more broadly-based than ever before. China is now Australia's largest trading partner, and our commercial and investment relationship continues to go from strength to strength.

The two-way trade between China and Australia is reported to have exceeded \$100 billion, predominantly in Australia's favour. The strength of our relationship is not only about trade and business but also about people, with nearly 500,000 Chinese visiting Australia last year and more than 126,000 Chinese students choosing to study in Australia. Today's China is shifting into a higher gear, with a new generation of leaders focused on maintaining the delicate balance between national and international politics and a domestic and competitive global market. Australia's engagement with China will require continued open dialogue on all levels to avoid any adverse shifts in the way we treat or perceive one another.

Celebrating 40 years since our diplomatic relationship should not simply be a time for fanfare but a time where we can all reflect on the past with a view to improving our future in all facets of human endeavour. It is no secret that I have developed a special admiration for the Peoples Republic of China and the lifting of its people from poor rural to a first world economy. I express my deepest respect to all Chinese people around the world for their warmth, their hospitality and their friendship. I am therefore keen to ensure that we remain alert and maintain a relationship based on mutual respect and understanding.

Last week I attended two Chinese events celebrating 40 years of diplomatic relationships between our two nations, and I am proud of the significant friendships that I have forged with our Australian-Chinese community. This fortieth anniversary also invites us to reflect on the leaders who initiated the relationship we have today. I express my personal love and respect for Gough Whitlam, a true blue Australian icon. Gough is now 96 years old. He is frail and without Margret. He is and always will be a giant of a statesman, a forever shining light on the hill. As Malcolm Fraser said at the Gough Whitlam oration in June 2012:

By any standards Gough Whitlam is a formidable political warrior. He has inspired an undying loyalty amongst his supporters. He is an historic figure who has made a significant impact on the life of Australia. He had grand ideas, many of which left their mark on Australia...

I salute you, Gough, and wish you well, and I look forward to a stronger more vibrant and trusting Sino-Australian future.



## AUSTRALIAN FILM INDUSTRY

**The Hon. LYNDIA VOLTZ** [3.41 p.m.]: The recent serialisation of the 1981 movie *Puberty Blues* reminds me of the important role that the film industry has played in recording and interpreting the culture and history of Australia. In particular, memories of the movie *Breaker Morant*, which was made in 1980, always remind me of my teenage years. The movie opened my eyes to Australia's history and its place in the world. Even now when I think of the movie I hear as clear as day the words, "Shoot straight, you bastards".

Successive governments, recognising the unique role the film industry plays in this nation, have provided support in varying ways, not only to ensure the film industry's important place in the cultural life of Australia, but also to ensure that we continue to maintain a viable film industry and our technical know-how. In 2001 the Federal Government introduced a 12.5 per cent offset to attract high-budget foreign productions to Australia. This offset was introduced to encourage large budget films and, later, television productions to locate in Australia. It was an opportunity to increase opportunities for Australian casts, crew and other services such as post-production and to showcase Australian talent. Since the offset was introduced, the average number of offshore productions in Australia has increased from three to seven and offshore production expenditure has increased by 194 per cent. The total annual production expenditure in Australia from offshore productions has increased from 38 per cent to 64.5 per cent. One large budget offshore film can bring in up to \$US110 million and represents a significant injection into the economy.

At the time of the introduction of the offset in 2001, the Australian currency was sitting at around 52¢ compared to the United States dollar. This represented a fall of about 33 per cent against the United States dollar over the previous five years. Since that time the dollar has begun to climb and has reached heights not seen since the dollar was originally floated. This increase has impacted on the film industry and the level of offshore production began to slow in 2000 and stall in 2005. The drop in overall production in Australia fell from 92 productions in 2001 to 64 productions in 2004.

However, it is not only the strength of the Australian dollar that has had an impact on the film industry. In the past, Australia's competitive advantage has been driven by our range of locations, our English language, our developed infrastructure and a range of State-based incentives and support mechanisms. The globalised film industry is now a very competitive market, with Ireland, Brazil, New Zealand and the United States offering significant offsets and rebates. New Zealand in particular is a direct competitor with Australia for films, as it has easy access to the skill base of film crews that Australia has developed. Larger budget film producers are aware that in this competitive market they can easily export their technical requirements from Australia to New Zealand.

To build the film industry in Australia significant investments have been made by the industry. For example, one survey revealed that, on average, film technicians invest \$733,846 each in equipment. For the 39 technicians surveyed this represented an investment of \$28,620,800. Yet as technicians have invested more, the industry has faced a downturn that threatens the viability of this skills base. Technicians are faced with selling equipment between large productions to meet commitments, leaving a smaller skills base for the next big production.

Since the introduction of the 2001 offsets the Federal Government has made a number of changes to the location offsets. As a result of the 2006 review of the refundable tax offset, scheme the offset was increased to 15 per cent. Again in 2008, in response to another review by the Federal Government, the offset was increased to 16.5 per cent. However, there is no doubt that incentives and rebates of other film location nations have made Australia less competitive. The Media Entertainment and Arts Alliance has argued that the offset has to be increased to 30 per cent to make Australia competitive with other nations. Recently the Federal Government provided \$12.8 million to attract the film *Wolverine* to Australian shores. This effectively represents a 30 per cent offset for this production and is indicative of the level of offset required to attract large productions.

I understand the Federal arts Minister, Simon Crean, is preparing a new National Cultural Policy to be released later this year. To build on the work of successive governments in this area, this document needs to include a 30 per cent offset to ensure that Australia remains internationally competitive. This is important, not only to protect our skills base and technical know-how but also to continue to underpin the unique role of the film industry in our nation.

## COAL SEAM GAS EXPLORATION

**The Hon. JEREMY BUCKINGHAM** [3.46 p.m.]: During the recent winter recess of New South Wales Parliament I undertook a three-week tour of the coal seam gas and shale gas fields of the United States of

America. It is a new industry in Australia, but coal seam gas has been operating across dozens of American states for more than a decade. Both proponents and critics of this controversial industry have used the United States' experience to bolster their arguments. I thought that a member of the New South Wales Parliament should take a look. Travelling across 11 States I saw and heard firsthand how tens of thousands of gas wells had impacted the community and the environment. After everything I witnessed and heard, I can capture the fully fledged coal seam gas industry with one word: domination.

In a failing effort to win a social licence and the confidence of a sceptical public, the slick public relations machine of the Australian coal seam gas industry extols at every turn the notion of win-win and balance and, crucially, that coal seam gas can coexist within urban and rural environs. Coexistence may be possible—in the way that one may for a time coexist with a debilitating virus or tumour—but mutual prosperity is certainly not the ultimate outcome. The externalities of the coal seam gas industry—such as water and air pollution, disruption to existing land use and massive infrastructure footprints—are substantial impacts that undoubtedly diminish the wellbeing of community and ecological health. One exists at the expense of the other.

The urban nightmare of Fort Worth, Texas, is a case in point. This city and its surrounds have been invaded by tens of thousands of gas wells, massive whirring compressor stations, polluted containment ponds of saline water and chemicals, powerlines, vents, separators and pipelines. Over a decade a creeping industrialisation has enveloped the community. There are endless truck movements, giant frack rigs, noise, lights and roughnecks 24 hours a day, seven days a week. Apartment blocks, soccer fields, museums, parks, the car park of Hooters restaurant and homes are dominated and diminished by industry unconstrained by limits to its greed or by effective government regulation.

**The Hon. Dr Peter Phelps:** How was Hooters?

**The Hon. JEREMY BUCKINGHAM:** I was just seeing if you were awake. In the Powder River Basin of Wyoming—a wild, beautiful region with big ranches and bigger sky—I sat and talked with farming families. I smelt their well water, which reeked of diesel and tasted like hell.

**The Hon. Dr Peter Phelps:** What does hell taste like?

**The Hon. JEREMY BUCKINGHAM:** It tastes like diesel. I will get some for the member. The families told me about neuropathy. They said that the district's women had lost their sense of smell and taste and then the feeling in their hands from a condition associated with exposure to gas and heavy metals. They said that their children's noses bled and their heads ached. According to the United States Environmental Protection Agency, there are communities where the drilling of tens of thousands of gas wells, fracking and the injection of chemicals into the watertable had left their once pristine water so unsafe and polluted that drinking water had to be trucked in. The local water was so unsafe they did not wash their dishes in it but ate off paper plates. As I flew over this region, everywhere I saw waste produced from coal seam gas wells pouring toxic saline, untreated and unchecked, into the last wild rivers of the American prairie. I met ranchers who were promised prosperity but after the collapse in the international gas price were left with salted river flats, dead cottonwood trees and the quickly rusting legacy of leaking wells and an industry going broke. The farmers call it "Rape, ruin and run", and that is how the industry is operated.

In Pennsylvania I saw the last great remnants of oak, hemlock and elm forest on the east coast of the United States; I saw the water catchments of the great cities of Pittsburgh and Philadelphia being dissected and cleared for corridors of gas pipelines and powerlines; and I saw well pads next to barns, massive trucks and tankers roaring along country roads, tankers coming and going all the time, and vapours pouring into valleys. This voracious, rushing gas industry was intent on sucking every last drop of gas and dependant on externalising its pollution in the lungs and rivers of the Appalachians. I met with a couple of truth-telling senators and activists in Washington, DC. As happens here, weak legislators, held in dominion by campaign donations from energy multinationals, delay, deny, obfuscate and hobble regulation. Big gas and their big buckets of cash bully their way into the heart of policy. Does that sound familiar? Big gas means domination.

## PLANNING REFORMS

**Mr DAVID SHOEBRIDGE** [3.51 p.m.]: If people think the New South Wales planning system under Labor was bad, just wait until they hear what Barry O'Farrell has planned for their local neighbourhood. In July the O'Farrell Government released a planning green paper which proposes radical changes to New South Wales planning laws. The proposed reforms read like a developers' wish list, which will see communities and the

environment being run over to deliver profits for the big developers. Planning can be different. We should be planning for cities, towns and regions to meet the ongoing needs of this generation and future generations, rather than simply aiming to fill the coffers of property developers. A progressive planning system for New South Wales can create local jobs, protect fragile environments, meet the challenges of climate change and respect the fundamental right of people to participate in decisions that affect themselves, their community and the environment. The O'Farrell Government's green paper fails on all of these counts.

The Government's plan, if implemented, will see the creation of a developers' paradise in New South Wales. First, it will take democracy out of planning. It will do that by removing our right to have a say about almost all developments in our neighbourhood. For the great majority of developments, we will not even know they are proposed until construction starts next door or down the road. It also will take planning away from communities by having most significant developments in a local area not decided by elected local councils but by State-dominated joint regional planning panels. It will remove democratic oversight of planning decisions by prohibiting elected councillors from having a say on individual development applications and handing over all planning decisions to bureaucrats and private certifiers. The Greens know that for most people their home is their biggest investment in life. We all must have the right to have a say on any development that will impact on our home, our local community and the environment. This right must be embedded in any new planning law.

The second major outcome the green paper delivers for developers is a set of watered-down planning controls. It will introduce "enterprise zones"—developer free-for-alls with few, if any, planning controls, potentially the size of an entire local government area, where local councils and residents will have no say at all on the size, nature or type of development in their area. It will take away most "measurable" development controls, such as height restrictions, limits on the number of storeys and building bulk controls, and it proposes to replace them with generalised "merit-based" controls, which will be open to widespread abuse by developers. It will remove key environmental and heritage protections from State planning laws, including the almost complete obliteration of any environmentally sustainable development principles. It will establish regional planning boards, which will have the ability to force unpopular rezonings on local communities. It will give developers a statutory right to be on these boards while environmental groups will, at best, be "invited to participate".

The gutting of planning controls may well see a burst of building activity, but it will come at an unacceptable cost to the environment, destroy residential amenity and produce a tangle of mismatched development across the State. The Greens believe in clear planning laws that hold developers to account and protect the environment and local residents. Environmentally sustainable design principles must be central to the planning system, not an attack on it.

The third major proposal of the Green Paper is a new assessment process that delivers for developers at every level, first of all by letting developers provide private certifiers to approve the great majority of new housing, industrial and commercial development—most of it approved within 10 days, without any external review and with no right of appeal for affected neighbours. Further, it will allow developers, but not local residents, to appeal unfavourable zoning decisions by a local council to State-dominated joint regional planning panels. It will remove any independence from State-dominated joint regional planning panels by requiring them to meet with developers behind closed doors, to look for ways to approve developments, even when community consultation has indicated opposition. It also will expand the role of the bureaucratic State Planning Assessment Commission to decide State significant development. The Planning Assessment Commission is a developer's dream, with a staggering 94 per cent approval rate.

With developers selecting and paying for their own private certifiers and meeting behind closed doors with planning bodies, there will be no protection for the community or integrity in the system. Community control means returning powers to local councils to certify development and giving the community an equal say to that of developers in the assessment process. The Planning Assessment Commission, as we know, is not independent enough, nor does it have the resources to freely and fairly consider State-significant development projects.

The fourth major proposal of the green paper is to shift new development costs to existing residents. It plans to let developers off the hook by reducing the amount they pay for new infrastructure and requiring the rest of the community to meet this cost through compulsory levies on existing home owners. Further, it intends to prohibit councils from requiring developers to pay for the cost of green open space in developments; this will produce new suburbs with no parks or open play areas for children.

It should be an accepted principle that those who profit from development should be responsible for its true cost. It is simply unacceptable to see existing residents subsidising developer profits by paying for the drainage works and green open space needed to service new developments. If developers cannot afford to pay for the open spaces and service works required to service their developments, then such developments should not be considered viable. This green paper is an extraordinary proposal. But it is not yet law. The Government's green paper is open for submissions from the public up to 8 October 2012. The community has two choices: get involved or see our planning laws become a developer's paradise.

### RSL ANZAC ART AWARDS

**The Hon. CHARLIE LYNN** (Parliamentary Secretary) [3.56 p.m.]: The New South Wales RSL Anzac Art Awards were launched last month by Premier Barry O'Farrell at the Department of Education's Bridge Street headquarters in Sydney. The awards, which are open to all New South Wales school students from years 1 to 12, celebrate Anzac values, such as respect and remembrance, in a visual context. Students are being asked to paint a picture of what the Anzac spirit means. Premier O'Farrell said the web-based project had helped foster modern interpretations through the eyes of this generation of young Australians. The Premier said, "The RSL Art Awards Council has carefully crafted this new scheme to encourage all young people to think about what previous generations of soldiers, sailors and airmen have done to serve and defend this great country of ours."

This year's theme, "The Poppy", relates to the Flanders poppy, which has long been a part of Remembrance Day and marks the Armistice of 11 November 1918. It is increasingly being used as part of Anzac Day observances. During the First World War, red poppies were among the first plants to spring up in the devastated battlefields of northern France and Belgium. In soldiers' folklore, the vivid red of the poppy came from the blood of their comrades soaking the ground. The sight of poppies on the battlefield at Ypres in 1915 moved Lieutenant Colonel John McCrae to write the immortal poem *In Flanders Fields*:

In Flanders fields the poppies blow  
Between the crosses, row on row,  
That mark our place; and in the sky  
The larks, still bravely singing, fly  
Scarce heard amid the guns below.

We are the Dead. Short days ago  
We lived, felt dawn, saw sunset glow,  
Loved and were loved, and now we lie,  
In Flanders fields.

Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders fields.

In English literature of the nineteenth century poppies had symbolised sleep or a state of oblivion; in the literature of the First World War a new, more powerful symbolism was attached to the poppy—the sacrifice of shed blood. Moina Michael, who worked for the United States YMCA, read McCrae's poem just before the Armistice. She was so moved by it that she wrote a poem in reply and decided to wear a red poppy always as a way of keeping faith, as McCrae had urged in his poem. At a meeting of YMCA secretaries from other countries, held in November 1918, she talked about the poem and her poppies. Anna Guerin, the French YMCA secretary, took the idea further by selling poppies to raise money for widows, orphans and needy veterans and their families.

The poppy soon became widely accepted throughout the allied nations as the flower of remembrance to be worn on Armistice Day. The Australian Returned Soldiers and Sailors Imperial League—the forerunner to the RSL—first sold poppies for Armistice Day in 1921. For this drive, the league imported one million silk poppies, made in French orphanages. Each poppy was sold for a shilling: five pence was donated to a charity for French children, sixpence went to the league's own welfare work, and one penny went to the league's national coffers. Today the RSL and Legacy continue to sell poppies on Remembrance Days to raise funds for their welfare work. The Roll of Honour is dotted with red poppies. The poppy has also become very popular in wreaths used on Anzac Day. An early instance took place in Palestine, where poppies grow abundantly in the spring.

At the Dawn Service in 1940 each soldier dropped a poppy as he filed past the Stone of Remembrance. A senior Australian officer also laid a wreath of poppies picked from the slopes of Mt Scopus. Poppies adorn the panels of the memorial's Roll of Honour, placed beside names as a small personal tribute to the memory of a particular person, or to any of the thousands of individuals commemorated there. Today I would like to acknowledge the great work of the New South Wales Division of the RSL, its State President, Mr Don Rowe, OAM, its Communications Manager, Mr Mark Lee, and its members for their efforts in ensuring the legacy of our service men and women and the sacrifices they made are never forgotten. I would also like to congratulate the 2011 winner, Gabriele Picard, from Northern Beaches Secondary College for her insightful artwork in capturing the essence of Remembrance Day.

Competitions such as these are a way of engaging our younger generations to ensure the memories of our fallen soldiers and their legacies live on. I would encourage each and every member to spread the word of this competition to their schools and communities. Details of the competition, which closes on 2 November, can be found on *rslanzacartawards.com*. I also take this opportunity to thank Gilbert Lee, who is our work experience student for the week. Gilbert is sitting in the President's gallery today. Gilbert is a fantastic young man with a bright future; he attends Baulkham Hills High School, which is one of our best selective schools in New South Wales. I understand that Gilbert is one of the school's most outstanding students.

#### **TRIBUTE TO PETER JOHN TRUELOVE**

**The Hon. NATASHA MACLAREN-JONES** [4.00 p.m.]: Today I pay tribute to Peter John Truelove who passed away on 9 August, leaving Wily, his wife of 42 years, his daughter, Ingrid, and his granddaughter. My thoughts go out to his family, particularly to Mark, his godson, who is also a friend. Peter was known to many in the Liberal Party; he was a supporter and an advocate for a number of people in this Chamber and also for a number of former and current Liberal Party members in the Federal Parliament. He was dedicated to defending and fighting for Centre Right politics not only for New South Wales but also for all Australia.

Peter served on the New South Wales State Executive for a number of years, rising to the position of Treasurer. Peter was a good organiser and a numbers man. Although an accountant, his passion was politics as well as aviation. His memorial service was held yesterday, 15 August, at North Ryde. The service was attended by a number of people, including Rosemary O'Farrell, the Premier's wife, and four former State presidents—Senator Bill Heffernan, Gary O'Gorman, Nick Campbell and me. I know that a number of members in this Chamber as well as in Canberra would have liked to have attended the memorial service but they were unable to because of sitting days. However, their thoughts were expressed. Peter was a very good man and he will be missed by many.

#### **TRIBUTE TO PETER JOHN TRUELOVE**

**The Hon. Dr PETER PHELPS** [4.01 p.m.]: I associate myself with the remarks made by the Hon. Natasha Maclaren-Jones. Peter Truelove was an incredible man, a wonderful individual and a strong supporter of mine. At a time when it was unfashionable to be a conservative in the Liberal Party, Peter and others—the late Judith Barton, the late Les Wallace and the Hon. David Clarke—carried the torch for conservatism within the party. He will be sorely missed. He was a great friend of mine and he was the first Liberal who intimated that my then girlfriend and I would eventually be married. Peter Truelove, you were a great man and I will miss you dearly.

*[Time for debate expired.]*

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

**Motion agreed to.**

**The House adjourned at 4.02 p.m. until Tuesday 21 August 2012 at 2.30 p.m.**

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