

LEGISLATIVE COUNCIL

Wednesday 12 September 2012

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

The President read the Prayers.

LONDON PARALYMPIC GAMES

Motion by the Hon. MARIE FICARRA agreed to:

1. That this House notes that:
 - (a) from 29 August to 9 September 2012, the fourteenth Summer Paralympic Games were held in London, and
 - (b) Australia was one of 164 nations competing where Australian athletes won a total of 85 medals of which 32 were Gold, 23 were Silver and 30 were Bronze.
2. That this House commends the dedication and perseverance of all Australian athletes that competed in these Games.
3. That this House acknowledges the achievements of Australian athletes that were awarded medals in these Games, including:
 - (a) Jacqueline Freney awarded Gold for the Women's 50 metre Freestyle—S7, Women's 100 metre freestyle—S7, Women's 400 metre Freestyle—S7, Women's 50 metre butterfly—S7, Women's 100 metre backstroke—S7, Women's 200 metre individual medley—SM 7, Women's 4 x 100 metre freestyle relay and Women's 4 x 100 metre Medley Relay,
 - (b) Rheed McCracken awarded Silver for the Men's 100 metre—T34 and Bronze for the Men's 200 metre—T34,
 - (c) Evan O'Hanlon awarded Gold for the Men's 100 metre T38 and Men's 200 metre—T38,
 - (d) Scott Reardon awarded Silver for the Men's 100 metre—T42,
 - (e) Simon Patmore awarded Bronze for the Men's 200 metre T46,
 - (f) Russell Short awarded Bronze for the Men's shot put F11/12,
 - (g) Todd Hodgetts awarded Gold for the Men's Shot Put—F20,
 - (h) Richard Colman awarded Gold for the Men's 800 metre—T53, Bronze for the Men's 400 metre T53 and Men's 4 x 400 metre Relay—T53/T54,
 - (i) Kurt Fearnley awarded Silver for the Men's 5000 metre T54, Bronze for the Men's Marathon—T54 and Men's 4 x 400 metre Relay—T53/T54,
 - (j) Brad Scott awarded Silver for the Men's 1500 metre T37 and Bronze for the Men's 800 metre T37,
 - (k) Nathaniel Arkley awarded Bronze for the Men's 4 x 400 metre Relay—T53/T54,
 - (l) Richard Nicholson awarded Bronze for the Men's 4 x 400 metre Relay—T3/T54,
 - (m) Matthew Cameron awarded Bronze for the Men's 4 x 400 metre Relay—T53/T54,
 - (n) Jake Lappin awarded Bronze for the Men's 4 x 400 metre Relay—T53/T54,
 - (o) Kelly Cartwright awarded Gold for the Women's long jump F42/44 and Silver for the Women's 100 metre—T42,
 - (p) Carlee Beattie awarded Silver for the Women's long jump F46,
 - (q) Rosemary Little awarded Bronze for the Women's 100 metre T34,
 - (r) Angela Ballard awarded Silver for the Women's 200 metre—T53, Women's 400 metre—T53 and Bronze for the Women's 100 metre T53,
 - (s) Louise Ellery awarded Silver for the Women's Shot Put—F32/33,

- (t) Christine Dawes awarded Bronze for the Women's 5000 metre—T54,
- (u) Katherine Proudfoot awarded Bronze for the Women's discus throw F35/36,
- (v) Madeleine Hogan awarded Bronze for the Women's javelin throw F46,
- (w) Georgia Beikoff awarded Bronze for the Women's Javelin Throw—F37/38,
- (x) David Nicholas awarded Gold for the Men's cycling individual C5 pursuit and Bronze for the Men's Individual C 1-3 Road Race,
- (y) Nigel Barley awarded Silver for the Men's Individual H 3 Time Trial,
- (z) Michael Gallagher awarded Gold for the Men's cycling individual C5 pursuit and Bronze for the Men's Individual C 5 Time Trial,
- (aa) Susan Powell awarded Gold for the Women's cycling individual C4 pursuit and Silver for the Women's Individual C 4 Time Trial,
- (bb) Carol Cooke awarded Gold for the Mixed T 1-2 Time Trial,
- (cc) Kieran Modra awarded Gold for the Men's cycling individual B pursuit,
- (dd) Bryce Lindores awarded Silver for the Men's cycling individual B pursuit,
- (ee) Simone Kennedy awarded Silver for the Women's cycling individual C1-2-3 pursuit,
- (ff) Alexandra Green awarded Bronze for the Women's cycling individual C4 pursuit,
- (gg) Felicity Johnson awarded Gold for the Women's cycling individual B 1 kilometre time trial,
- (hh) Jayme Paris awarded Bronze for the Women's cycling Individual C1-2-3 500 metre,
- (ii) Joann Formosa awarded Gold for the Equestrian Mixed individual championship test—grade Ib,
- (jj) Erik Horrie awarded Silver for the Men's rowing single sculls—ASM1x,
- (kk) Daniel Fitzgibbon awarded Gold for the Mixed Two-Person Keelboat (SKUD18),
- (ll) Liesl Tesch awarded Gold for the Mixed Two-Person Keelboat (SKUD18),
- (mm) Natalie Smith awarded Bronze for the Women's shooting R2—10m Air rifle standing SH1,
- (nn) Andrew Pasterfield awarded Gold for the Men's 4 x 100 metre freestyle relay, Bronze for the Men's 50 metre freestyle—S10, Men's 100 metre Freestyle—S10 and Men's 4 x 100 metre Medley Relay,
- (oo) Matthew Levy awarded Gold for the Men's 4 x 100 metre freestyle relay, Silver for the Men's 100 metre freestyle—S7, Bronze for the Men's 100 metre breaststroke—SB7 and Men's 200 metre individual medley—SM7 and Men's 4 x 100 metre Medley Relay,
- (pp) Daniel Fox awarded Silver for the Men's 200m freestyle—S14,
- (qq) Matthew Cowdrey awarded Gold for the Men's 50m Freestyle—S9, Men's 100 metre Freestyle—S9, Men's 100 metre backstroke—S9, Men's 200 metre Individual Medley—SM9, Men's 4 x 100 metre freestyle relay, Silver for the Men's 100 metre butterfly—S9, Men's 100 metre breaststroke—SB8 and Bronze for the Men's 4 x 100 metre Medley Relay,
- (rr) Brenden Hall awarded Gold for the Men's 400 metre Freestyle—S9, Men's 4 x 100 metre freestyle relay and Bronze for the Men's 4 x 100 metre Medley Relay,
- (ss) Timothy Antalffy awarded Bronze for the Men's 100 metre butterfly—S13,
- (tt) Blake Cochrane awarded Gold for the Men's 100 metre breaststroke—SB7 and Men's 4 x 100 metre freestyle relay,
- (uu) Rick Pendleton awarded Bronze for the Men's 200 metre Individual medley—SM10 and Men's 4 x 100 metre Medley Relay,
- (vv) Matthew Haanappel awarded Gold for the Men's 4 x 100 metre freestyle relay and Bronze for the Men's 4 x 100 metre Medley Relay,
- (ww) Michael Anderson awarded Gold for the Men's 4 x 100 metre freestyle relay and Bronze for the Men's 4 x 100 metre Medley Relay,
- (xx) Michael Auprince awarded Gold for the Men's 4 x 100 metre freestyle relay and Bronze for the Men's 4 x 100 metre Medley Relay,

- (yy) Maddison Elliott awarded Gold for the Women's 4 x 100 metre freestyle relay, Silver for the Women's 50 metre freestyle—S8, Bronze for the Women's 100 metre Freestyle—S8 and Women's 400 metre freestyle—S8,
- (zz) Prue Watt awarded Gold for the Women's 100 metre Breaststroke—SB13 and Bronze for the Women's 50 metre freestyle—S13,
- (aaa) Taylor Corry awarded Silver for the Women's 200 metre freestyle—S14 and Women's 100 metre backstroke—S14,
- (bbb) Ellie Cole awarded Gold for the Women's 100 metre backstroke—S9, Women's 100 metre Freestyle—S9, Women's 4 x 100 metre freestyle relay, Women's 4 x 100 metre Medley Relay, Bronze for the Women's 50 metre Freestyle—S9 and Women's 400 metre Freestyle—S9,
- (ccc) Katherine Downie awarded Gold for the Women's 4 x 100 metre freestyle relay and Women's 4 x 100 metre Medley Relay,
- (ddd) Annabelle Williams awarded Gold for the Women's 4 x 100 metre Medley Relay,
- (eee) the Men's Wheelchair Basketball team placing second, comprising Bill Latham, Brad Ness, Brett Stibners, Dylan Alcott, Grant Mizens, Jannik Blair, Justin Eveson, Michael Hartnett, Nicholas Taylor, Shaun Norris, Tige Simmons and Tristan Knowles,
- (fff) the Women's Wheelchair Basketball team placing second, comprising Amanda Carter, Amber Merritt, Bridie Kean, Clare Nott, Cobi Crispin, Katie Hill, Kylie Gauci, Leanne Del Toso, Sarah Stewart, Sarah Vinci, Shelley Chaplin and Tina McKenzie, and
- (ggg) the Mixed Wheelchair Rugby team placing first, comprising Andrew Harrison, Benaiah Newton, Cameron Carr, Christopher Bond, Cody Meakin, Gregory Smith, Jason Lees, Josh Hose, Nazim Erdem, Ryan Scott and Ryley Batt.

LEBANESE MUSLIM ASSOCIATION SHARING HUMANITY PROJECT

Motion by the Hon. JOHN AJAKA agreed to:

1. That this House notes that on 30 June 2012, members of the New South Wales Muslim community, particularly young people, gathered for the Lebanese Muslim Association's Sharing Humanity Project at Lakemba, New South Wales.
2. That this House acknowledges:
 - (a) the work of Mr Samier Dandan and Lebanese Muslim Association staff, volunteers and the Lebanese Muslim Association Sharing Humanity Leaders Program participants for bringing the event to fruition,
 - (b) those that attended, particularly:
 - (i) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs,
 - (ii) Mr Samier Dandan, President of the Lebanese Muslim Association,
 - (iii) Mr Aftab Malik, UN Alliance of Civilizations Global Expert on Muslim Affairs,
 - (iv) members of the Muslim community, and
 - (c) the Lebanese Muslim Association for implementing an innovative program providing leadership opportunities for both Muslim and non-Muslim youth.

BLACKTOWN INDIAN INDEPENDENCE DAY CELEBRATIONS

Motion by the Hon. DAVID CLARKE agreed to:

1. That this House notes that, on 10 August 2012, members of the Indian Australian community in New South Wales celebrated India's Independence Day at Blacktown, New South Wales.
2. That this House acknowledges:
 - (a) the work of Mr Subba Rao Varigonda, President of the Council of Indian Australians Inc. for bringing the celebration to fruition,
 - (b) those that attended, particularly:
 - (i) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs,
 - (ii) the Hon. John Robertson, MP, New South Wales Opposition Leader,

- (iii) His Excellency Mr Biren Nanda, Indian High Commissioner,
 - (iv) Dr Stepan Kerkyasharian, AO, Chairperson of the NSW Community Relations Commission for a Multicultural NSW,
 - (v) Mr Nihal Gupta, Chair of the NSW Multicultural Business Advisory Panel,
 - (vi) Mr Subba Rao Varigonda, Council of Indian Australians,
 - (vii) Dr Kanag Baska, President of Sri Venkateswara Temple Inc.,
 - (viii) Mr Tony Colacco, President of Goan Association of Australia,
 - (ix) Mr Neel Banerjee, President of Syd-Kol Australia,
 - (x) members of the Indian Australian community, and
- (c) the significant and positive contribution of the Indian Australian community of New South Wales who foster community harmony and economic prosperity in New South Wales.

AGQUIP FIELD DAY

Motion by the Hon. SARAH MITCHELL agreed to:

1. That this House notes that:
 - (a) AgQuip is the largest agricultural field day event in the Southern Hemisphere and is held annually in Gunnedah, New South Wales,
 - (b) AgQuip was held from 21 to 23 August 2012, which marked 40 years of the event,
 - (c) there were over 3,000 exhibitors at AgQuip 2012 providing access to the latest machinery, equipment and services available to primary industries, and
 - (d) it is estimated that over 100,000 visitors attended AgQuip 2012, providing a boost to the local economy in Gunnedah, particularly in the accommodation, hospitality and retail sectors.
2. That this House congratulates all who have been involved in running AgQuip over the past 40 years, and in particular recognises site manager Mr Dick Catford of Gunnedah who will retire this year after 32 years of service.

INDIA AUSTRALIA FRIENDSHIP FAIR

Motion by the Hon. DAVID CLARKE agreed to:

1. That this House notes that, on 19 August 2012, members of the Indian Australian community in New South Wales celebrated India's Independence Day at the India Australia Friendship Fair, Olympic Park, New South Wales.
2. That this House acknowledges:
 - (a) the work of Mr Amarinder Bajwa, President of the United India Associations [UIA] for bringing the celebration to fruition,
 - (b) those that attended, particularly:
 - (i) the Hon. Julia Gillard, MP, Prime Minister of Australia,
 - (ii) Mr John Alexander, OAM, MP, Federal member for Bennelong, representing the Hon. Tony Abbott, MHR, Federal Leader of the Opposition,
 - (iii) the Hon. Philip Ruddock, MP, Federal member for Berowra,
 - (iv) Ms Julie Owens, MP, Federal member for Parramatta,
 - (v) Mr Laurie Ferguson, MP, Federal member for Werriwa,
 - (vi) Ms Michelle Rowland, MP, Federal member for Greenway,
 - (vii) His Excellency Mr Biren Nanda, High Commissioner, High Commission of India,
 - (viii) the Hon. Barry O'Farrell, MP, Premier, and Minister for Western Sydney,
 - (ix) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs,

- (x) the Hon. Marie Ficarra, MLC, Parliamentary Secretary to the Premier,
 - (xi) Mr John Robertson, MP, Leader of the Opposition, shadow Minister for Western Sydney, shadow Minister for the Illawarra, and member for Blacktown,
 - (xii) Dr Geoff Lee, MP, member for Parramatta,
 - (xiii) Mr Kevin Conolly, MP, member for Riverstone,
 - (xiv) Mr Charles Casuscelli, MP, member for Strathfield,
 - (xv) Mr Matt Kean, MP, member for Hornsby,
 - (xvi) Mr Nathan Rees, MP, shadow Minister for Police and Emergency Services, shadow Minister for the Arts, and member for Toongabbie,
 - (xvii) Mr Robert Furolo, MP, shadow Minister for Roads and Ports, shadow Minister for Citizenship and Communities, and member for Lakemba,
 - (xviii) Mr Craig Laundy, Liberal candidate for Reid,
 - (xix) Dr Stepan Kerkyasharian, AO, Chairman Community Relations Commission,
 - (xx) Mr Amarinder Bajwa, President, United India Associations,
 - (xxi) Mr Logessan Pillay, Vice President, United India Associations,
 - (xxii) Mr Kumar Madappa, Secretary, United India Associations,
 - (xxiii) Mr Jayesh Panchal, Joint Secretary, United India Associations,
 - (xxiv) Mr Anjanappa Dakshinamurthy, Treasurer, United India Associations,
 - (xxv) Mr Surja Gupta, Joint Treasurer, United India Associations,
 - (xxvi) Mr Vijay Halagali, Public Officer, United India Associations,
 - (xxvii) Mr Nihal Gupta, Chairman, Multicultural Business Advisory Panel,
 - (xxviii) members of the Indian Australian community, and
- (c) the significant and positive contribution of the Indian Australian community of New South Wales who foster community harmony and economic prosperity in New South Wales.

JACQUELINE FRENEY SWIMMING ACHIEVEMENTS

Motion by the Hon. MARIE FICARRA agreed to:

1. That this House notes that:
 - (a) Jacqueline Freney was born in Brisbane on 6 June 1992 with cerebral palsy diplegia, which restricts the movement of her legs and body, but from a young age followed in the footsteps of her swimming family and dreamed of becoming a competitive swimmer,
 - (b) Jacqueline first competed internationally in 2007 at the United States Paralympic Championships where she won five gold medals,
 - (c) at the 2008 Beijing Summer Paralympic Games, which were her first, she was awarded three bronze medals for the Women's 50 metre Freestyle S8, Women's 100 metre Freestyle S8 and Women's 400 metre Freestyle S8,
 - (d) in 2010 at the IPC Swimming World Championships, Jacqueline was awarded two silver medals for the Women's 100 metre Freestyle S8 and Women's 400 metre Freestyle S8,
 - (e) Jacqueline achieved three silvers and one bronze at the 2011 Para Pan Pacific Championships,
 - (f) Jacqueline's successes in the swimming pool resulted in her being awarded the Ballina Shire Sportsperson of the Year award on Australia Day, as well as the NSW Young Athlete with a Disability Award this year,
 - (g) before going into the London Paralympics, Jacqueline held the world records in the 100 metre, 200 metre and 400 metre freestyle events in the S7 classification, and
 - (h) as a result of her performance at the London Paralympics this year, Jacqueline Freney is Australia's most successful Paralympian at a single Games with eight gold medals.

2. That this House commend the phenomenal performance and achievements of Jacqueline Freney at the fourteenth Summer Paralympic Games held in London from 29 August to 9 September this year, where she was awarded a gold medal in the following events:
 - (a) Women's 50 metre Freestyle—S7,
 - (b) Women's 100 metre Freestyle—S7,
 - (c) Women's 400 metre Freestyle—S7,
 - (d) Women's 50 metre Butterfly—S7,
 - (e) Women's 100 metre Backstroke—S7,
 - (f) Women's 200 metre Individual Medley—SM 7,
 - (g) Women's 4 x 100 metre Freestyle Relay, and
 - (h) Women's 4 x 100 metre Medley Relay.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 901 outside the Order of Precedence objected to as being taken as formal business.

PARRAMATTA INDIAN INDEPENDENCE DAY CELEBRATIONS

Motion by the Hon. DAVID CLARKE agreed to:

1. That this House notes that, on 15 August 2012, members of the Indian Australian community in New South Wales celebrated India's Independence Day at Parramatta, New South Wales.
2. That this House acknowledges:
 - (a) the work of Dr Yadu Singh, President of Indian Australian Association of NSW Inc., for bringing the celebration to fruition,
 - (b) those that attended, particularly:
 - (i) the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, and Minister for Aboriginal Affairs,
 - (ii) Mr John Robertson, MP, member for Blacktown, Leader of the Opposition, shadow Minister for Western Sydney, and shadow Minister for the Illawarra,
 - (iii) the Hon. David Clarke, member of the Legislative Council,
 - (iv) the Hon. Marie Ficarra, member of the Legislative Council,
 - (v) Mr Kevin Conolly, MP, member for Riverstone,
 - (vi) Dr Geoff Lee, MP, member for Parramatta,
 - (vii) Mr Matthew Kean, MP, member for Hornsby,
 - (viii) Mr Arun. K. Goel, Consul-General of India, Sydney,
 - (ix) Mr Sam Dastyari, General Secretary, NSW Labor,
 - (x) Dr Stepan Kerkyasharian, AO, Chairman, Community Relations Commission,
 - (xi) Mr Yair Miller, President, Jewish Board of Deputies,
 - (xii) Mr Albert Vella, President, NSW Federation of Community Language Schools,
 - (xiii) Mr Tim Cruickshank, New South Wales cricketer, and
 - (c) the significant and positive contribution of the Indian Australian community of New South Wales who foster community harmony and economic prosperity in New South Wales.

TABLING OF PAPERS

The Hon. Greg Pearce tabled the following paper:

Sydney Water Catchment Management Act 1998—The Sydney Catchment Authority Operating Licence 2012-2017—Water—Operating Licence, dated April 2012.

Ordered to be printed on motion by the Hon. Greg Pearce.

BUSINESS OF THE HOUSE

Withdrawal of Business

Private Members' Business item No. 773 outside the Order of Precedence withdrawn by Dr John Kaye.

EDUCATION FUNDING

Adjournment (Standing Order 201)

The PRESIDENT: Order! I have received from the Hon. Penny Sharpe a notice under Standing Order 201 of her desire to move the adjournment of the House to discuss the following matter of urgency:

The Government's decision to cut \$1.7 billion from the education budget in New South Wales.

The Hon. PENNY SHARPE [11.13 a.m.]: It is extraordinary that on a day when people in New South Wales have woken up to find that \$1.7 billion will be cut from the education budget the Government has moved a motion to talk about the Queen's dead dog. This matter is urgent—

The Hon. Dr Peter Phelps: Point of order: The member is misleading the House. The Government has not moved any motion; a private member has given notice of a motion in his capacity as a private member. The Hon. Penny Sharpe should know that.

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

The Hon. PENNY SHARPE: Yes, we do note that the Hon. Dr Peter Phelps read a motion about the Queen's dead dog, as opposed to speaking about the \$1.7 billion education cuts that will impact on every student, family and community across New South Wales.

The Hon. Duncan Gay: Point of order: My understanding is that this debate is to establish whether this matter is urgent. As indulgent as you have been, Mr President, the Hon. Penny Sharpe wants to sledge someone for a private member's motion. That is completely outside what we should be discussing.

The PRESIDENT: Order! The Hon. Penny Sharpe should confine her remarks as to why this motion is urgent.

The Hon. PENNY SHARPE: I put to the House that talking about the cuts to education is far more urgent than the Queen's dead dog.

The Hon. Dr Peter Phelps: Point of order—

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

The Hon. PENNY SHARPE: There can be no matter that is more urgent for this Parliament to consider today than the impact of education cuts on the people of New South Wales. The other matters on the business paper today pale into insignificance when we examine what these cuts will do to the more than 3,000 schools and 10 TAFE institutes across New South Wales. This matter is urgent because \$1.7 billion in cuts to education will fundamentally impact on students, their families and their communities across New South Wales. Not one community will be untouched as a result of these cuts.

Today's *Notice Paper* lists four bills that are pedestrian at best: the Crimes Legislation Amendment Bill 2012, the Industrial Relations Amendment (Industrial Representation) Bill 2012, the Industrial Relations

(Dispute Orders) Bill 2012 and the Retail Trading Amendment Bill 2012. No doubt the Government has worked hard on those bills but they are pedestrian in view of the impact on the people of this State of the education funding cuts the Government is proposing.

The Hon. Duncan Gay: Why is it urgent?

The Hon. PENNY SHARPE: This is urgent because 3,000 schools in New South Wales will lose funding. This is urgent because more than 1,629 primary schools, in every small community across this State, will feel the impact of these cuts. This is urgent because 67 central schools in the smallest villages in this State will not be untouched as a result of these cuts, and 398 high schools. And let us not forget that the 113 schools for special purposes that deal with the most vulnerable children and their families will not be left untouched as a result of the \$1.7 billion in cuts. Let us not forget that every single one of the 906 non-government schools in every community in western Sydney, in regional towns and in small country towns will feel the effects of these cuts.

If this is not an urgent matter for this Parliament to talk about today I do not know what is. Education is one of the most fundamental things that we provide as parliamentary representatives. We can and we should suspend the business today to examine what these cuts mean to every person that we seek to represent. Ten TAFE institutes in more than 130 communities across this State train 90 per cent of the apprentices that we need to make the State run. They provide second-chance education to meet people's aspirations when other education facilities have failed. These cuts will impact on them. The Government will no longer provide funding for Fine Arts. That shows how mean and out-of-touch the Government is.

The Hon. Dr Peter Phelps: Point of order: The Hon. Penny Sharpe should be speaking to urgency and not to the substance of the motion.

The PRESIDENT: Order! While the Hon. Penny Sharpe has been speaking to urgency, she should be careful not to debate the substantive motion.

The Hon. Duncan Gay: Point of order: I draw your attention, Mr President, to animal noises coming from the Opposition. That behaviour does not help at all.

The Hon. PENNY SHARPE: To the point of order: Those on the other side of the House have been carrying on since the ridiculous motion about the Queen's corgi was read this morning. They have been barking across the Chamber. I think that all members should be called to order.

The PRESIDENT: Order! I heard only one member bark. If that member continues to do so he will be called to order.

The Hon. PENNY SHARPE: This matter is urgent. Education is one of the core roles of State government. It is absolutely the responsibility of this Chamber to consider what these drastic changes will mean to every young person and every community in this State, and to every person who has ever aspired to build a world-class education system in New South Wales. It is time for every member in this place to defend education in New South Wales. It is time for The Nationals to stop backing their Minister, who has bumbled his way through this whole process and who clearly is incapable of defending his department's budget. It is time for Liberal Party members to stand up for the non-government schools and parents they claim they represent.

The Hon. Scot MacDonald: We are standing up for everyone.

The Hon. PENNY SHARPE: I note the interjection. The member suggests that the Government is standing up for everyone, but by cutting everyone across this State? That is why this motion is urgent. In opposition the Government had a lot to say about education. I remind the House of how quickly that has changed and how pathetic the Minister for Education is. The Minister previously said in relation to education funding cuts: "Cutting education funding means that schools in Murrumbidgee will have less money to educate disabled students with special needs, will see local public schools such as Beelbanger, Griffith North and East, Junee North lose funding; funding that may have been set aside for continuing future programs ..."

The Hon. Dr Peter Phelps: Point of order: Once again the member is straying into the substance of the motion rather than debating urgency.

The PRESIDENT: Order! I uphold the point of order.

The Hon. PENNY SHARPE: I apologise. The four pieces of legislation listed under Government Business—Orders of the Day on today's *Notice Paper* are largely administrative. They do not address the most substantive issues that members of Parliament should address. They do not address the issues that each of us stood with our hands on our hearts during our inaugural speeches and said we care about. All members have said they care about education—that is one of the reasons why we are members of Parliament. Today is the day to stand up and say, "I will defend education in New South Wales." And the way to do that is to bring this motion on.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [11.21 a.m.]: The Government opposes this urgency motion. It reeks of hypocrisy, double dealing and politics. Those opposite are responsible for the hard actions that the O'Farrell Government is taking to rescue New South Wales.

The Hon. Penny Sharpe: Point of order: The Minister is clearly not making a case as to why this motion is not urgent.

The Hon. DUNCAN GAY: To the point of order: I am very definitely making a case as to why this motion is not urgent. It is rank hypocrisy; it has nothing to do with good governance of this State.

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

The Hon. DUNCAN GAY: If those opposite were absolutely fair dinkum, there is a Minister for Education but he is not a member in this House—

The Hon. Amanda Fazio: Point of order: My point of order is the same as that repeatedly raised by the Hon. Dr Peter Phelps. The Minister is not debating why this matter is not more urgent than the four bills listed on today's *Notice Paper*. He is discussing the substantive issues. The Minister should be called to order.

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

The Hon. DUNCAN GAY: It is quite evident that the Opposition is concerned about the lack of evidence as to why this motion should be given urgency. As I said, if those opposite were fair dinkum and they did not just want to make a political point then this should be raised in the other place, where the Minister for Education is a member—a very good Minister for Education who is prepared to make the hard decisions to protect the State and education into the future.

The Hon. Amanda Fazio: Point of order: The Minister is not discussing why this matter is not more urgent than other matters on today's *Notice Paper*. The Minister has been speaking for 2½ minutes and he has not mentioned it once.

The PRESIDENT: Order! The Minister's comments are directly on point as to whether it is urgent for this motion to be debated this morning.

The Hon. DUNCAN GAY: Those opposite might not like my comments but they are the facts. If they really did care about education and they really did want to raise some points about it then this motion should be moved in the lower House, where the Minister for Education is a member. The Minister for Education has very carefully gone about protecting front-line services and teachers—

The Hon. Amanda Fazio: Point of order: The Minister is definitely not addressing the matter of urgency. He is talking about the substantive motion. He is talking about the actions of the Minister for Education. He is not talking about the importance of other items on today's *Notice Paper*.

The PRESIDENT: Order! It is a little early for me to form that judgement, but I can understand why the member is concerned. I remind the Minister that at all times he must direct his remarks as to whether the motion is urgent.

The Hon. DUNCAN GAY: The matter is obviously not urgent because the Opposition is using this motion in a political sphere rather than trying to work through the issues. Bills are listed on today's *Notice Paper* but the Opposition has indicated that none of those important bills, which have gone through a process, are more urgent than putting in place a potential political hit. If those opposite really care then instead of crying crocodile tears they should be taking this matter to the Minister for Education in the other place. Those opposite are playing political games. The Minister has had to pick up on the legacy left to the O'Farrell Government by them.

The Hon. Amanda Fazio: The Minister is clearly not debating why this matter is more urgent than other matters on today's *Notice Paper*. The Minister is making abusive comments about Opposition members and he is again talking about the Minister's actions. The Minister for Education is not even a member of this House. I cannot see how the Minister's actions can be relevant to this urgency motion.

The PRESIDENT: Order! There is no point of order. I refer the Minister to my previous ruling.

The Hon. DUNCAN GAY: This motion is not urgent. The matter was extensively canvassed in the other place yesterday, where the Minister is a member. The Opposition in the other place did the appropriate thing by raising this with the Minister and the Premier. It is clearly just a joke for those opposite to say this motion should be urgently debated in the Legislative Council today—where the Minister for Education is not a member—when the Opposition raised it in the other place yesterday. That highlights the hypocrisy emanating from those opposite. The people who were responsible for the Solar Bonus Scheme fiasco—

The Hon. Amanda Fazio: Point of order: The Minister is clearly not speaking to urgency; he is abusing Opposition members. The Minister is not referring to matters listed on the *Notice Paper*. The Minister is being generally rude and abusive, which is not helping to establish whether this matter is or is not urgent. I ask that the Minister be reminded that he should be addressing urgency.

The PRESIDENT: Order! The Minister's remarks were tending towards the substantive motion. The Minister should address the issue of urgency in his contribution.

The Hon. DUNCAN GAY: I will not in future mention the Solar Bonus Scheme fiasco or the Rozelle metro.

The Hon. Penny Sharpe: Point of order—

The Hon. DUNCAN GAY: I have just given an undertaking. Those opposite should be aware—but they are obviously not—that their illustrious leader, Mr John Robertson, said—

The Hon. Amanda Fazio: The reading of extracts of yesterday's *Hansard* in the other place cannot have any bearing on whether this urgency motion is more urgent or not than other matters on today's *Notice Paper*. The Minister should once again be directed to speak to the matter of urgency.

The PRESIDENT: Order! I have the gist of the member's point of order. However, without having heard what the member in the other place said I cannot make a judgement as to whether it was relevant to the issue of urgency. There is no point of order.

The Hon. DUNCAN GAY: Clearly it is not urgent because yesterday in the other place the Leader of the Opposition moved:

That this House opposes today's unprecedented funding cuts to New South Wales public schools, Catholic schools, independent schools and TAFE colleges.

He then spoke at length and the matter was voted on in the lower House. So their colleagues in the lower House dealt with the matter yesterday, and members opposite were not aware of it. Members opposite were left in the dark; they were left out once again.

The Hon. Amanda Fazio: Point of order: My point of order is the same as before. The Minister is not addressing urgency. Decisions made in the other place have no bearing on whether or not matters are urgent in comparison to the matters on the *Notice Paper* in the Legislative Council. That is the only issue we should be considering, not what took place yesterday in the other place or any comments that were made in the other place.

The Hon. Dr Peter Phelps: To the point of order: Surely it is relevant to whether a matter is urgent if reference has been made to extensive debate about a matter at a previous time in previous places, not necessarily in the other place but even in the community. If there has already been extensive debate it strikes me as strange over time that a matter is necessarily urgent.

The Hon. Amanda Fazio: Further to the point of order: In relation to the comments made by the Hon. Dr Peter Phelps about my point of order, this House has the right to determine its own destiny, to determine whether a matter is urgent. What happens in the other place is irrelevant. I ask you to direct the Minister to be relevant to the matter of urgency in his remaining time.

The Hon. DUNCAN GAY: I am saddened to hear members opposite call their leader irrelevant.

The PRESIDENT: Order! As the member's speaking time has expired, there is no need for me to rule on the point of order.

Question—That the matter is urgent—put.

The House divided.

Ayes, 21

Ms Barham	Dr Kaye	Mr Shoebridge
Mr Borsak	Mr Moselmane	Ms Westwood
Mr Brown	Reverend Nile	Mr Whan
Mr Buckingham	Mr Primrose	
Ms Cotsis	Mr Roozendaal	
Mr Donnelly	Mr Searle	<i>Tellers,</i>
Ms Faehrmann	Mr Secord	Ms Fazio
Mr Green	Ms Sharpe	Mr Veitch

Noes, 16

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

Pairs

Mr Foley	Mrs Pavey
Ms Voltz	Mr Pearce

Question resolved in the affirmative.

Urgency agreed to.

The Hon. PENNY SHARPE [11.39 a.m.]: I move:

That this House do now adjourn to discuss the following matter of urgency:

The Government's decision to cut \$1.7 billion from the education budget in New South Wales.

I thank the House for putting education first. I thank the House for accepting the responsibilities that we have, as members of the Legislative Council, to take a close interest in the matters of this State and to stand up for education when it is under attack. I believe that most people in this House should, and must, oppose today's unprecedented funding cuts to New South Wales public schools, Catholic schools, independent schools and TAFE colleges.

This Government is cutting \$1.7 billion from education in New South Wales—that is, all public and private schools across this State. Over the next four years the department will need to reduce its staff numbers by around 1,800 people. Over 600 jobs will go in the education department. Over the next four years TAFE NSW will lose 800 jobs and 400 school administrative positions will go. The Government claims that these job cuts will be achieved through efficiency savings, thanks to the Learning Management and Business Reform Program—a more Orwellian name we have never heard before. Funding for independent schools will be frozen, in breach of the Government's promises to independent schools before the election. Every school in every community across this State will feel the blow. The Government cannot rip \$1.7 billion out of the education system without impacting on the classroom and seeing resources and programs cut.

Some of the most needy students, such as kids with learning difficulties and students with special needs will be hit hardest by these funding cuts. That is in addition to what has already been cut under this Government.

The HSC Advice Line has been scrapped for year 12 students. Too bad for those poor kids in western Sydney whose mothers and fathers did not go to university or did not make year 12. The advice line—a vital lifeline for students to get the support and help that they needed for the Higher School Certificate—has been canned by this Government. Cleaning hours have been cut back in 601 schools, with south-west Sydney being the hardest hit. Are local members standing up and protesting at the Government's decision? There will be less cleaning in 601 schools, as if our schools can magically clean themselves. Are we going to ask teachers to clean those schools, on top of everything else we are asking them to do?

An amount of \$40.9 million already has been cut from the TAFE and vocational education and training budget. One of the great public policy achievements of governments in this State is TAFE. It provides training for skills that we need across New South Wales and it trains 90 per cent of our apprentices. More importantly, TAFE also provides the vital second-chance education that people need. Most members in this place would have attended TAFE graduations. No-one who attends those TAFE graduations is left untouched by the stories of triumph from those who, for the first time in their lives, experienced education success and have gone on to make better lives for them and their families. Let us not forget also that the school Demountable Replacement Program has been axed. Schools in this State that are bursting at the seams cannot get a new demountable building for love or money. We also know that school recurrent funding is going backwards in real terms for the first time in more than a decade.

There is no commitment from this Government to education, and these cuts come on top of many cuts that are just unsustainable. At a time when we should be investing in the education of future generations, the O'Farrell Government is taking a razor to our schools. Just this week the Organisation for Economic Co-operation and Development [OECD] released a new report showing that we have a way to go to lift our education performance. The report shows that we need to invest more in our schools so that we can reverse the decline in our results and make sure that our disadvantaged students are not left behind. Last week the Federal Government announced its response to the Gonski reforms and a plan for Australia to have a world-class education system—something to which surely all members of this House aspire. At a time when we know we are lagging behind other OECD countries this is the most devastating blow to education in New South Wales in more than 20 years.

Need I remind the House what happened the last time the Liberal-Nationals were in government? Education Minister Terry Metherell scrapped 2,500 teacher positions and increased class sizes. Let us make it plain, as the Government made it plain by its decision today: The Coalition does not value education. Education is not a core value for the Government; it is simply a line item in the budget that needs to be cut. What is the Coalition's policy on education? It appears that its only policy is to put out its hand to the Federal Government. It claims that front-line positions will not be at risk and it states:

Teachers in government schools will be quarantined from these reductions.

The Liberal-Nationals Coalition already has broken its own pre-election commitments so why would we trust it now on this issue? Who will pick up the extra work when this Government cuts 400 administrative positions from schools? Who will phone parents and deal with administrative duties? Who will look after the kids who come to school without any breakfast? Who will provide them with a change of clothes? That is done by support staff, so what are we going to do? Are we going to ask teachers to do it? Teachers do enough. They have one of the most important jobs in this State, which is to educate the kids and the people in our communities. What are we going to do? We will make them do more and we will not provide them with the support that they need. This is a false efficiency that will harm every student in this State.

Members in this Chamber should not forget what the Coalition did to education the last time it was in government. It took years for schools in this State to recover. It is true to form and I suppose it is what we are beginning to expect. The education Minister and the Premier are out on their own. Their own side does not even support what is happening. I would have loved to have been a fly on the wall in the party room yesterday. However, we already have heard. They were quick to contact newspapers and to tell everyone what they said as they stood up meekly for the schools in their communities. Bart Bassett told the education Minister he should sack his chief of staff over lack of consultation. Pittwater member of Parliament, Rob Stokes, was quoted as saying:

I can't see why building the north-west rail link and keeping the [electricity] 'poles and wires' is more important than education.

Government is about choices, and today this Government has chosen to cut education in this State. The Government's announcement also included freezing funding for the non-government sector. The member for

Coffs Harbour, that great maverick, Andrew Fraser, has today written to the Premier Barry O'Farrell—that would have helped—and the Minister for Education, Adrian Piccoli, urging them not to go ahead with the drastic cuts to education funding to independent schools as claimed in representations by those schools. Mr Fraser said that independent schools played an extremely important role in regional New South Wales, providing an alternative to the public education system. Are The Nationals and Liberal Party members now standing up for the very schools that they claim to represent? What is happening to schools in western Sydney? Western Sydney schools are completely abandoned by these cuts. The member for Parramatta nailed it when he said:

These are the people we should be supporting, not cutting down.

Where is the member for Parramatta today? He is hiding, but he was quick to get on the phone and to leak how important he was in that he stood up for schools in the party room. I want to talk also about the cuts to TAFE NSW, the slashing of 800 TAFE teachers and staff, hiking up fees for students by 9.5 per cent, abolishing all funding for fine arts courses and almost doubling the fees for concession students across TAFE—one of the biggest blows that will affect students in this State. People go to TAFE to obtain skills and to find employment. They want to be educated and trained so that they can get good jobs to support their families, improve their lot in life and improve their communities.

For 130 communities in this State TAFE often is the only training option for people after school. It is about making the change; it is about career change; it is about skills development; and it is about second chance education. As all members and those who have been to a TAFE college would know, TAFE teachers go above and beyond what is necessary. They are the people who are helping to fix the youth refuge; building play equipment for people at the women's refuge; and helping to support the Men's Shed with equipment and support. They do much more than just train people. They are the heart and soul of many communities. In fact, they are the last stop for those seeking support and they get things done in local communities. This Government is cutting their numbers.

The Government also is hitting students who can least afford it—the students who need their concessions. What are we doing? We are making them pay more. We know what will happen. It simply means those students will never get to TAFE—the very people we say need to be productive members of our community. We say that we will support them when they need help and that they should be trying to get a job but when they try to do a TAFE course that will allow them to get the job they want they will be left with nothing because they cannot afford the fees.

Also tucked away in the announcement yesterday was the statement that the Government no longer thinks it should be funding fine arts. How short-sighted is that? The arts are an important part of our community and they provide important training. TAFE in New South Wales has some of the best fine arts training in this country, if not the world. To strip away this money and make fine arts some sort of sideline makes members of this Government look like the bunch of philistines that they are. This Government has made TAFE more expensive and it will impact on many students. These cuts come on the back of other cuts, stripping \$29 million from the TAFE budget and a further \$24 million from the vocational education and training budget. Let us look at what the Minister said in opposition:

Cuts to TAFE [are] shortsighted and would cost NSW in the long term... failure to invest in education and training in NSW is a failure to invest in our future.

Studies show that every dollar spent on TAFE returns \$6.40 to the economy, so it makes perfect economic sense to invest in vocational training.

Where is that commitment now, Minister? The then shadow Minister continued:

... the NSW Liberals & Nationals believe that vocational education provides a solid foundation for a strong and vibrant economy.

We believe that a highly skilled workforce is critical to rebuilding a strong economy that delivers jobs, quality services and infrastructure.

Yet in government, Mr Piccoli is more interested in the next quarter's bottom line than he is in the long-term prosperity of this State. He well knows that it takes investment in education and training to build a great working economy in the long run. Mr Piccoli signed the "Invest in TAFE for a Better State" pledge prior to the election, which included his promise to invest in services and plan for the long term. That was not worth the

paper it was written on, was it? Like his promise to the Catholic school sector, clearly this promise by the Minister is absolutely worthless. TAFE teachers and students around New South Wales will rightly condemn his backflip on this pledge.

These cuts are yet another example of the mean-spirited approach that this Government takes to education in New South Wales and it will be the students who rely on TAFE the most to give them a leg up to their working life who will suffer the most. This policy will abolish all funding for visual arts courses. Does the Government really have such a short-sighted view of the world? In the Government's own words previously:

TAFE NSW plays a critical role in supporting the State's economic and social priorities.

Clearly though, this Government does not see the contribution TAFE makes to our State as a priority. There are times in government when one has to stand up for the things one says one believes in. Today and over the past few days we have seen the response of all those who put their hands on their hearts about the importance of education, about the role of special teachers in their lives, about why education is one of the things that drove them into politics in the first place—every single member who went to all the presentation days and said to the school communities before the election, "We will support you. We believe education is fundamental." The writing is on the wall: \$1.7 billion in cuts will impact on every school, every student, their families and their communities. It is time to stand up for education across this State and say no to these cuts.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [11.54 a.m.]: As I indicated when the Opposition was trying to seek urgency, it is rank hypocrisy for the Opposition to try to bring forward this political issue.

The Hon. Walt Secord: Oh, rank hypocrisy?

The Hon. DUNCAN GAY: Walt Secord should know better than most. He is the man responsible for spin over substance in the previous Government; the man who tried to tell people that the failed Rozelle metro would be great for them.

The Hon. Walt Secord: Point of order: My point of order relates to relevance. This is about education cuts.

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

The Hon. DUNCAN GAY: The relevant issue is that hard decisions had to be made because of bad decisions made by the previous Government. Walt Secord is sensitive. He is trying to forget about his role in the failed Rozelle metro—\$500 million up against the wall.

The Hon. Matthew Mason-Cox: The *Mary Celeste* of transport projects.

The Hon. Amanda Fazio: Point of order: If the Minister wants to make imputations about another member in this place he must do so by way of substantive motion and not just throw slurs and insults across the Chamber.

The PRESIDENT: Order! The Minister should be careful not to make imputations about other members. He should confine his remarks to the substantive motion.

The Hon. DUNCAN GAY: Thank you, Mr President. As one of my colleagues just said, the Rozelle metro was the *Mary Celeste* of transport projects. How appropriate that is. And who can forget the Solar Bonus Scheme? We hear the hypocrisy; we see the crocodile tears from the people who have caused it. I will come to that later on. Part of what we are doing here is something that those opposite put in place but are trying to forget. They moved this motion against something that was part of their Government's approach but they have a very short memory. Because they have such a short memory I point out that this is September and yesterday there was a press release from our Minister that referred to making some hard decisions. Interestingly, in September 2003, there was a press release from another education Minister entitled "Detailed plans of education restructure released for final discussion", which stated:

The State Government today released an amended proposal to restructure the Department of Education and Training - taking on board more than 5,000 submissions from staff and community.

Deputy Premier and Minister for Education and Training, Dr Andrew Refshauge, said the Government had taken on board many concerns raised by staff, the Public Service Association (PSA), the Teachers Federation, Principal groups, P & C, industry and other stakeholders—

The Hon. Steve Whan: Is that before or after he reduced class sizes?

The Hon. DUNCAN GAY: Just wait, there is a kicker to this one.

The PRESIDENT: Order! The Hon. Steve Whan will have an opportunity to make a contribution to the debate.

The Hon. DUNCAN GAY: He could not wait for the kicker. It goes on:

Dr Refshauge said the number of job cuts would remain the same at around 1,000 - with an additional 100 staff moving from Head Office into regions to support schools.

When there are hard decisions to be made it is wrong if we make them but it is right if those opposite make them. That is the hypocrisy of this whole matter. The hard decisions we have made today incorporate one of the few hard decisions that those opposite made in government. They jumped up and down about how the whole community is against this.

The Hon. Sophie Cotsis: They are.

The Hon. DUNCAN GAY: There we go. The Hon. Sophie Cotsis said, "They are." I refer to a media release put out yesterday headed, "NSW Bishops regret cuts to all NSW schools."

The Hon. Penny Sharpe: That is not what they are saying.

The Hon. DUNCAN GAY: Listen. I know you will not like it. It states:

"The Catholic bishops of NSW believe the Australian community needs to spend more rather than less on education—

We all agree with that. It goes on to state:

across the board if our young people are to have the opportunities they deserve," the Chairman of the Catholic Education Commission of New South Wales, Bishop Anthony Fisher, said today.

I think both sides of the House would agree with that. It then states:

We therefore regret the cuts to all NSW schools, both government and non-government, that the NSW Government has announced today. The Catholic Bishops recognise that in tough economic times governments need to be fiscally responsible, but trust that as soon as economic circumstances allow the state of New South Wales will restore and increase its contribution to the education of every child in NSW.

The Premier said we will do that and the Minister for Education said we will do that. When times get better, when we overcome the problems they caused—

The Hon. Walt Secord: Point of order. The Minister is misleading the House. He is selectively quoting and he has left out a very important quote—

The PRESIDENT: Order! There is no point of order. I call the Hon. Walt Secord to order for the first time.

The Hon. DUNCAN GAY: Because it is in *Hansard* I can say that I am not selectively quoting. I have deliberately read the first two paragraphs of the media release. I would have read more except the Hon. Walt Secord has taken up too much of my time on frivolous points of order. Everyone knows that we have—

The Hon. Walt Secord: You have eight minutes.

The Hon. DUNCAN GAY: I have a lot to say. We have a \$5.2 billion reduction in GST revenue over the next four years and reductions in other forms of revenue. The State Government has had to make tough decisions to ensure that New South Wales is living within its means. In 2011 the New South Wales Government set efficiency saving targets for the whole public sector. In June 2012 the New South Wales Government put in

place a labour expense cap. In 2011-12 the total required savings in the Department of Education and Communities was \$201 million. All of us have equivalent savings, if not more. This means that over the next four years the Department of Education and Communities will need to make significant changes to meet its budget savings target of \$1.7 billion. Good on the great Minister for Education, my mate Adrian Piccoli, because he took the tough decision to protect the front-line staff, the teachers and the teachers' aides. That is something Walt Secord would not have done. When he was at Cecil Hills High School he was prepared to sacrifice anyone to save his own arse.

The Hon. Walt Secord: Point of order: The Minister is not referring to me by my proper title.

The Hon. DUNCAN GAY: So you are not the Hon. Walt Secord?

The PRESIDENT: Order! I did not hear exactly how the Minister referred to the member. I am sure the Minister will make every effort to refer to members by their correct titles.

The Hon. DUNCAN GAY: I will. In case the member remains angry, I indicate that it was the now Hon. Walt Secord in his previous role as chief spin doctor to the Labor Government who tried to discredit everyone else over Cecil Hills High School. His foray into education is not an honourable one by any stretch of the imagination.

The PRESIDENT: Order! I have previously asked the Minister not to make imputations about other members.

The Hon. DUNCAN GAY: I apologise; he led me astray.

The Hon. Steve Whan: Easily led, aren't you?

The Hon. Walt Secord: You were misled.

The Hon. DUNCAN GAY: I was misled. The Minister for Education is the Minister for all schools. He has taken the decision that the savings—

[Interruption]

The PRESIDENT: Order! The Hon. Walt Secord and the Hon. Steve Whan will have an opportunity to contribute to the debate. I ask them to allow the Minister to make his comments without constant disruption.

The Hon. DUNCAN GAY: As I was saying, the Minister is responsible for all schools. He has taken the decision that savings measures should be spread across all funding programs and grants across the Education portfolio, except teachers in schools, who have been quarantined from the labour expenses cap. The impact of these savings measures has to be shared and the Minister for Education has asked the director general to ensure that the impact on education be minimised as much as possible. These changes include reducing staff, working more efficiently within reduced operating budgets, adjusting non-government school sector funding, and increasing revenue from fees and services. He announced three sets of measures to meet our budget savings: first, in the non-government sector; second, in the government sector savings measures; and, third, in TAFE NSW. Most members are aware of where the savings are in the non-government area, but it is important—

Dr John Kaye: No, we're not. We need details on it.

The Hon. DUNCAN GAY: If I have time left I will go into the detail. The member's colleagues have taken up a lot of my time with frivolous interjections. The member has been remarkably good. I had indicated that I would mention the initiative of the former Government. Prior to the last election, the former Labor Government and the Public Service Association agreed to a reduction of 400 school administrative staff—

The Hon. Dr Peter Phelps: A reduction?

The Hon. DUNCAN GAY: Yes, a reduction of 400 school administrative staff positions as a result of the rollout of the Learning Management and Business Reform program. This was to offset salary increases

already paid to school administration staff and support staff; teachers in government schools were to be quarantined from those reductions. Interestingly, today the Labor Opposition's urgency motion is against this proposition. When Labor members were in government they—

The Hon. Steve Whan: Put more money into education.

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

The Hon. DUNCAN GAY: Mr President, they talk the talk—one can hear them on a daily basis chattering away, some more like chainsaws than conversationalists—but they will not walk the walk. When they put this initiative in place they called it proper management.

The Hon. Sophie Cotsis: There was consultation.

The Hon. DUNCAN GAY: When this Government does exactly the same thing, it is the end of the world. This rabble opposite on the losers lounge left us with a mess when we came into government. We are protecting the people of the State in the most responsible way possible to ensure that we have the funds for continuing proper education. The Minister for Education is willing to stand up against almost anyone. He has been hit by people in Canberra from both sides recently, so he has a huge ticker. This bloke has stood up where others would not stand up. We are taking responsible action so we can help guarantee the supply of services within all our crucial areas. As the Catholic bishop said, and as members in this House acknowledge, there is nothing more important than education.

The Hon. Penny Sharpe spoke about cleaners in her contribution. Cleaners are on a contract that was signed by the former Government and it is not changing. It was a five-year contract. That was a good point. Now schools are bursting at the seams because of 16 years—

[Interruption]

The Hon. DUNCAN GAY: You will get a chance in a moment.

The PRESIDENT: Order! The Hon. Sophie Cotsis will have an opportunity to contribute to the debate.

The Hon. DUNCAN GAY: Schools are bursting at the seams. That is the result of 16 years of neglect by the former Labor Government. This Government is being financially responsible so as to be sustainable into the future. Labor members do not understand what happens in schools. The proposed cuts are directed at the back office in the bureaucracy, not at front-line staff and teachers. Not to put too fine a point on it, but if this State had been left in a better position the hard decisions of yesterday would not be needed. Labor members should hang their head in shame and think twice before they continue with this hypocrisy.

The Hon. STEVE WHAN [12.09 p.m.]: Today the people of New South Wales are condemning the cuts to education. There is anger in every sector of education in New South Wales—in public schools and in private independent schools. This Government has undertaken savage cuts with no consultation and with no real justification. I refer to the attempt at justification we have just heard from the Hon. Duncan Gay. Yesterday we heard the Premier in the other place try to perpetrate the big lie that the Government inherited a \$5 billion black hole when it came to office. That lie has been comprehensively destroyed by the Parliamentary Budget Office and by its own internal assessments by the Premier and the Treasury. He then perpetuated the other big lie that when the Coalition came to office an enormous secret was revealed. The truth is that the Coalition was given full budget briefings well before it came to office and it knew exactly the budget situation in New South Wales.

The Hon. Duncan Gay: Point of order: At no stage did I talk about the budget that we inherited. My only mention of economics related to the falling GST revenue.

The PRESIDENT: Order! As a longstanding member of this House, the Minister knows that that is not a point of order.

The Hon. STEVE WHAN: I was referring to the Premier's comments yesterday. He pretended that the Coalition got a budget surprise when it came to office. In fact, the budget briefings provided to the Coalition in

opposition were more pessimistic than they should have been; the budget outcome was better than was predicted in December 2010. Members opposite had every opportunity to be truthful with the people of New South Wales about their plans for education in this State.

Government members are still perpetuating the myth about a cut in GST revenue. In fact, this Government will receive an extra \$3 billion in GST revenue over the next few years. Members opposite are pinning that statement on a forecast reduction in GST revenue in the last budget. It is incorrect to use that as a justification for these cuts in the education budget. We can proudly say that under the Labor Government every budget included increased education spending. We reduced class sizes in lower primary school, which meant the employment of more teachers. That is in stark contrast to the Greiner Government's sacking of 2,500 teachers.

These budget cuts will hit those people who can least afford to be hit. Public schools will have to endure massive funding cuts and that will impact on front-line services. It is all very well for the Government to say that this will impact only on back office functions. When support staff and front office staff are cut that has an impact on those whose job it is to chase up kids who do not turn up to school. They are often from the least affluent backgrounds and their parents need to be chased up to ensure that their children attend school. It is those jobs that will be impacted. Staff who safeguard our children's welfare and who ensure that they can participate fully in the school community and those who undertake administrative tasks to free up teachers for classroom duties will be impacted. I do not believe for one second that teachers will not be affected by these cuts. If the Government's justification is even remotely correct, these cuts will still hit front-line services.

The Government has reneged on the commitments it made about TAFE funding during the election campaign. We witnessed the appalling hypocrisy of The Nationals members such as the member for Monaro. The *Cooma-Monaro Express* carried a photograph of him and the Minister for Education, Adrian Piccoli, signing the five-point TAFE pledge and offering support for a skills charter.

The Hon. Matthew Mason-Cox: Did you also sign it?

The Hon. STEVE WHAN: Yes, I took great pleasure in signing the five-point TAFE pledge. However, I did so in the full knowledge that had the Labor Party been returned to office it would have honoured that pledge because our Government consistently honoured its pledges. Members opposite hypocritically signed that pledge knowing full well that they would engage in yet another of their ideological crusades and smash public education. TAFE budget cuts will hit country communities more than metropolitan communities. The Standing Committee on State Development recently visited country areas and one of the issues raised most consistently with regard to vocational training was the core role that TAFE colleges play. Private providers cannot service those needs from the city; we need a core TAFE presence in regional New South Wales. This Government is launching another attack on TAFE colleges in country New South Wales and elsewhere in the State.

The Opposition understands that the Government was considering further contestability in the TAFE sector. We have also seen an increase in TAFE fees. Today we heard that the Government will no longer support arts courses at TAFE. While governments can pretend that that area of education is not important, the reality in many regional communities is that arts courses and the arts industry are important to the local economy, let alone to the wellbeing of people in those communities. One of the major tourist attractions in Jindabyne is the Sculpture by the Lake Festival. Many of the artists who participate in that festival did their initial study at the local TAFE and a number of them also run local businesses. Those courses will no longer be subsidised by the Government as a result of these budget cuts.

Everyone knows that education is the key foundation for our engagement in the Asian century. However, we will not be able to compete with the rest of Asia if education funding is slashed and we will not be able to maximise what should be our competitive advantage. As a member of the Labor Party I completely reject the view of members opposite that we should be competing from a base of low wages. That is not the future that any of us want for our children. We want our competitive advantage to be based on our skills and our highly educated community. This Government is driving the State backwards and sabotaging our quest to achieve that goal.

It is outrageous that these budget cuts are being made while the Gonski reforms are being discussed across Australia. The Federal Government has the laudable objective of making Australia's education system one of the top five in the world. It must be an incredible blow to people who are concerned about the education sector to hear the Prime Minister announce that laudable objective and then to have a Conservative State Government smash it back to the starting block by cutting its education budget.

We know that concern has been expressed in the Coalition party room about this issue. Let us hope that some members opposite have the guts to say what they said in their party room yesterday. We heard that Coalition members in the other place were not backward in expressing their views. The member for Pittwater compared spending priorities and asked how education could rate below spending on the North West Rail Link. That is interesting given the way the Government has been talking about that project. We also know from reports in the press that Premier O'Farrell was so worried about the views expressed by his colleagues that he refused to allow a vote on the issue. What an act of cowardice.

The PRESIDENT: Order! The member knows that he should not reflect on members in the other place.

The Hon. STEVE WHAN: It is reported in the press that the Premier would not allow a vote. That is disgraceful.

The Hon. Dr Peter Phelps: Do you know anything about our party room?

The Hon. STEVE WHAN: Only what I read in the newspapers, and that is a great deal. The Catholic Education Office and representatives of other independent schools have expressed serious concerns about these budget cuts. The Catholic Education Office referred to them as unprecedented. There was a minor back-down, but in real terms these cuts represent a severe reduction in independent school funding. [*Time expired.*]

Reverend the Hon. FRED NILE [12.19 p.m.]: I am pleased to speak on this urgency motion about the dramatic cuts the Government is making to its education budget. Obviously that will impact on public schools, but it will also impact on independent schools. Independent schools comprise schools within the Catholic education system and other Christian schools. The Federal Leader of the Opposition, Tony Abbott, has been critical of these two progressive announcement cuts—one of \$67 million and the other of \$1.7 billion—to the State education budget. Mr Abbott is reported as encouraging his "New South Wales members of Parliament to lobby members of the O'Farrell Government over its plans to cut tens of millions of dollars in funding from Catholic and independent schools".

Those remarks were made in a Coalition party room in Canberra, where it is reported that Mr Abbott said he was concerned by the proposed cuts as the Liberal Party had a proud history of funding independent and Catholic schools. Mr Abbott said that supporting the non-government sector is "in our DNA". It is a very serious matter for the Federal Leader of the Opposition to criticise the State Government of the same party. The independent schools, under the banner of Christian Schools New South Wales, has issued a statement through its Executive Director, Stephen O'Doherty, who states:

The NSW Government has confirmed it will make significant cuts to education. Minister Adrian Piccoli has announced the overall cuts to government and non-government schools will amount to 3%. The cuts will total \$1.7b over the next 4 years ...

The Minister has announced that 500 jobs will be axed in the Department of Education—but not teaching positions. TAFE will suffer cuts to staff and courses.

It is thought as many as 1,800 TAFE teachers, and support and departmental staff could lose their positions under these major cuts. Mr O'Doherty continued:

The cuts to non-government schools will be \$166m over 4 years ...

The effect of capping funds, in a growing sector, with costs increasing at well over double the general inflation rate, will be significant over the four years ahead ...

We remain concerned that non-government schools, particularly independent schools, will feel the cuts disproportionately when compared to Government schools over time. This is because, as the Minister has pointed out, cuts to the Government sector are being targeted to departmental positions, not to schools and classrooms.

The cuts to independent schools will have a direct impact on schools and classrooms. There is no fat bureaucracy to cut, as there is in the State education department, in the independent and Catholic schools systems. The cuts will go down the line and affect schools and classrooms. Mr O'Doherty continued:

It is true that the O'Farrell Government faces a big task in reducing state expenditure, the consequence of a significant drop in state revenue on top of budget pressures inherited from the previous [Labor] government.

We know that every department in the O'Farrell Government has to make major cuts. A statement issued by the Catholic Education Commission headed, "NSW Bishops: unprecedented threat to Catholic schools", states:

For the first time ever, all Catholic schools in NSW face a radical and immediate cut to their NSW government subsidy ...

The NSW Bishops reject the projected cut in NSW government funding to Catholic schools from 2013. We are seriously concerned that this decision:

- is an unprecedented withdrawal of government aid to Catholic schools
- breaks the long established trust of parents in continued government support for Catholic schools
- comes without prior consultation or reasonable notice
- impacts potentially on every systemic Catholic school in every diocese across the state
- will require systemic Catholic schools to increase their fees by about \$100 per student beyond planned annual increases, or find other school savings, to compensate for the cut in NSW government grants

That is why I said these cuts will impact on the number of Catholic and independent schools and on the number of teachers. The statement continues:

- will require independent Catholic schools to increase fees by between \$58 and \$496 per student beyond planned annual increases, or find other school savings ...
- may force some families out of Catholic schools, force reductions of teachers and curriculum options, compromise other essential educational provisions or even force school closures
- comes at a time when most Catholic schools have already finalised their key staffing and budgeting decisions ...

I emphasise that it may force school closures. The statement continues:

The Bishops are shocked that such a significant cut in NSW Government funding should come "out of the blue" and precisely when Catholic school authorities and all Australian governments are exploring ways of increasing, not decreasing, government investment in all schools.

The statement then refers to the Gonski report and the proposed expenditure of \$6 billion. This is a serious matter. The Christian Democratic Party calls on the Government to step back from the edge of the precipice and seriously review these decisions, which will impact on the government public sector and the non-government sector.

The Hon. SARAH MITCHELL [12.27 p.m.]: I make a contribution to this debate at a time when households across New South Wales are tightening their belts because times are tough. The reality is that when times are tough households and governments have to tighten their belts. As the Minister for Roads and Ports said earlier in his contribution, during the next four years the Department of Education and Communities will need to make significant changes to meet its budget savings target of \$1.7 billion. The decision has been made by the Minister for Education that the savings measures should be spread across all funding programs and grants across the Education portfolio, with the exception of teachers in schools because this Government remains committed to protecting our front-line staff.

The impact of these savings measures has to be shared, and the Minister for Education has asked the director general to ensure that the impacts on education will be minimised as much as possible. The director general will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements. It is important for us to put the facts on the table during this debate. The reality is that the Minister has announced three sets of measures to meet our budget savings target. First, for the non-government sector, the per capita non-government school funding pool will be capped for four years at the current level. It will not be capped forever, and the cap will not come into effect until 1 July 2013. Consultation will continue to take place with the sector about how to effect that cap. The intention with these changes is that the impact on non-government schools is the same as government schools of approximately 3 per cent.

Secondly, there will be a number of government sector savings measures. The department will replace the regional model with a leaner structure that will continue to provide educational support services to schools. The Minister for Roads and Ports said that prior to the last election the previous Government and the Public Service Association agreed to a reduction of approximately 400 school administrative staff positions as a result of the rollout of the Learning Management and Business Reform program. This was to offset salary increases already paid to school administrative and support staff. That needs to be taken into account—it has not been mentioned by those opposite.

Teachers in government schools will be quarantined from these reductions. As I said earlier, the Government is committed to keeping teachers in our schools. Importantly, every effort will be made to place

affected permanent employees in positions in the new structures in accordance with the internal-placement processes. Voluntary redundancies will be offered in accordance with the Government's Managing Excess Employees Policy 2011. As I said earlier, the intention with these changes is that the impact on non-government schools will be the same as that on government schools.

I turn now to the changes to TAFE NSW. The labour expense cap will apply to all TAFE NSW staff, including TAFE teachers. Changes will be introduced after a period of engagement and consultation with relevant staff and other stakeholders. Every effort will be made to minimise the impact on frontline services. This will include reviewing education and other central support functions and rationalising some low-demand courses. In addition, TAFE NSW will increase its fees for government subsidised courses from next year. The overall annual increase will range from \$44 for certificate I and certificate II qualifications to \$150 for advanced diploma qualifications. The new fee schedule has been uploaded onto the TAFE NSW website; so plenty of information is available for potential students to make an informed decision. The proposed fee increases are within national averages for TAFE fees.

TAFE NSW will continue to provide generous fee exemptions. Aboriginal students will continue to be exempt from paying fees and students with disability will continue to receive an exemption from the payment of one course fee per year. Institute directors also have the delegation to waive a student's fee in cases of severe financial hardship. From 2013 TAFE NSW will cease subsidising fine arts courses in areas of low-employment growth, including some visual arts programs. The Hon. Sophie Cotsis referred to skills shortages. The Government needs to direct government funding to areas of jobs growth. Many of the visual arts courses offered through TAFE NSW have job prospects but the completion levels in those courses are low when compared with areas of skills shortage such as health, community services, property and business services.

The PRESIDENT: Order! I will not warn the Hon. Sophie Cotsis again.

The Hon. SARAH MITCHELL: It is important that TAFE colleges respond to skills shortages. This decision was made so that TAFE NSW can continue to focus on areas of high-skill needs and provide government subsidies to those skill areas. Not all fine arts courses will be affected. In areas where there is predicted jobs growth, such as graphic design, courses will continue to have their fees subsidised. The Government will determine these courses based on independent labour market forecasts. Exemptions will still apply for Aboriginal students, and Aboriginal cultural arts courses will continue to be supported through government funding for Aboriginal students.

These changes will commence on 1 January 2013. This will give students time to make informed decisions. In 2011 there were approximately 4,000 enrolments in fine arts courses, representing less than one per cent of total TAFE NSW government subsidised enrolments in that year. Importantly, students will still be able to enrol in fine arts courses. TAFE NSW currently offers many fine arts courses on a fee-for-service basis. These courses will be expanded to include some courses previously subsidised by government. Students undertaking fee-for-service diploma and advanced diploma courses may be able to apply for vocational education and training fee help loans. Those are the facts.

Finally, a few other measures will help the department meet its budget savings target. The department will reduce its procurement spending across State offices and TAFE NSW. Operating budgets will also be reduced in State offices. Vocational education and training funding for delivery will be consolidated. This will impact on approximately 2 per cent of our apprentices and trainees. A number of other programs or initiatives that are no longer core business, or which can be undertaken by others in a more efficient way, will be reviewed. The O'Farrell Government has had to make tough decisions to ensure that New South Wales lives within its means. This is an even-handed decision; it is fair.

All sectors are making a contribution to ensure that the Department of Education and Communities meets its budget savings target. As I said earlier, the intention with these changes is that the impact on non-government schools will be the same as that on government schools—around 3 per cent. However, I want to reinforce that the Government will continue the major systemic reforms it has begun in education. The Government is on track with its election commitments, including: the \$250 million Literacy and Numeracy Action Plan, which will provide an additional 900 teachers and will target underperformance in literacy and numeracy across the government and non-government school sectors; the 50 student support officers working with school counsellors in some of our schools of greatest need; Every Student, Every School, improving the way that we support students with disability; the School Certificate has been abolished and the Record of School

Achievement has been rolled out; the \$60 million Public School Upgrade Fund and the extra minor maintenance budget; and, of course, Local Schools, Local Decisions, possibly the single biggest reform to public school education in this State for 50 years.

The Government continues to be committed to the main game in education: quality teaching through our Great Teaching, Inspired Learning discussion paper. Finally, there is the Gonski review of school funding. When there is more money available to schools we would expect that all schools receive greater funding based on need. Today, when there is a need to tighten our belts, all sectors need to play their part.

Dr JOHN KAYE [12.36 p.m.]: Some 132 years ago Sir Henry Parkes, then Premier of New South Wales, passed the Public Instruction Act through both Houses of this Parliament. With the passage of that Act was the creation of a social contract between the government of New South Wales and the people of New South Wales: a promise that every child—no matter who their father or mother was and no matter what the circumstances of their birth were—would achieve a high quality of education. For the 100 years after the passing of that Act the governments elected by the people of this State continued to improve on that model. For example, the creation of the Wyndham model and the guarantee of comprehensive secondary education within the public sector to every child in New South Wales, and the technical and further education system rolled out through the 1960s, 1970s and 1980s—a promise from the State to ensure high-quality vocational education and training for those students not interested in straight academic subjects. That promise has been broken by the O'Farrell Government.

In the lead-up to the last election I sat on platforms with the now Minister for Education, then shadow Minister for Education, Mr Adrian Piccoli. He told every audience that would listen to him, "I am here to tell you that I am not Terry Metherell." He was referring to the former Minister for Education in the Greiner Government who slashed and burnt his way through public schools and TAFE colleges. Today I inform Minister Piccoli that he is, indeed, the reincarnation of Terry Metherell.

The Hon. Dr Peter Phelps: Terry is not dead. Did you kill him?

Dr JOHN KAYE: No, the people of New South Wales got rid of him. Funding of \$1.7 billion is to be cut from the New South Wales education systems.

The PRESIDENT: Order! The Hon. Dr Peter Phelps will contain his enthusiasm for history until he has the opportunity to speak later in the debate.

Dr JOHN KAYE: Funding of \$1.7 billion is to be cut from the New South Wales education systems. Funding of \$1.7 billion is to be taken from the future of this State. I am sure that Terry Metherell would be very proud of that record. What will this mean to public schools? Over the next four years about 1,000 employees will lose their jobs as a result of this. We have been told that they are not teachers. The Government rests on its back office myth. We heard it from Reverend the Hon. Fred Nile when he talked about the "fat" in the department of education. I invite Reverend the Hon. Fred Nile, through the President, to meet with some of the people who work in the Department of Education and Communities and to talk to teachers in the public sector. He may then understand the important role that the regional and head offices play in the delivery of public education.

There is no division between back office and front office. Whenever a teacher stands up in a public school classroom they are supported by their district, region and head offices. When they teach drug awareness they rely on programs from the drug and alcohol unit of the Department of Education and Communities. That unit will no longer exist because of these cuts. When they teach literacy and numeracy they rely on the programs that come from the curriculum learning and information centre within the Department of Education and Communities in Bridge Street. The curriculum learning and information centre will no longer exist because of these cuts.

When teachers stand up in a classroom they are dependent on office staff who answer the phones, maintain the rolls, uniform policy and the basic running of the school. The office staff ensure that science laboratories have the equipment they need for science experiments, that science equipment is ordered, that excursions are properly planned, and that the school runs smoothly. It is as much a part of teaching in a classroom to have support staff in the front office as it is to have a teacher in front of the classroom. Yet the Government is taking away the fundamental support and saying, "It's all okay. That's fine. It doesn't matter. You know why? Because we are not hurting teachers in the classroom."

This plan, this arrangement, will damage classroom teaching as surely as if the Government took teachers out of the classroom, and to pretend otherwise would be simply to put one's head in the sand over what happens inside public school classrooms. It is extremely clear that not only does the Government not care about public education; it does not have the imagination to come up with its own nasty schemes. Indeed, most of what the Government is doing comes from a Boston Consulting report that was commissioned by the previous Minister for Education, the Hon. Verity Firth. That report referred to cutting State and regional offices—some \$50 million to \$100 million a year in total savings within State and regional offices.

The Hon. Dr Peter Phelps: Do you endorse that?

Dr JOHN KAYE: No, we certainly do not endorse it. We opposed it at the time and we oppose it now. All I am saying is that the Government does not have the imagination to come up with its own schemes. Boston Consulting identified, based on the Victorian model, \$750 million that could be found from cutting employees in administration. The blueprint was written by the previous Government and it is being implemented by this Government. This is the view of education of Boston Consulting. It is not the view of education that comes from the teacher workforce, and it is not the view of education that the parents and citizens of New South Wales want. They want quality public schools and they want those schools to be well resourced and supported.

This attack does not stop at the doors of public schools; it goes straight into the TAFE colleges. Some 800 jobs will be lost from TAFE around New South Wales. That is 5 per cent of employees gone from the TAFE system. That means 5 per cent fewer teachers in front of classrooms, 5 per cent less administrative support, 5 per cent fewer courses being offered, 5 per cent less time to look after students, 5 per cent off the value of education and 5 per cent off the economy of New South Wales. That 5 per cent is being shaved off to save a few million dollars because the Government does not care about working-class kids who go to TAFE. TAFE has no fat. The Government cannot cut the fat out of a system that has regularly and repeatedly had its guts cut out.

The previous Labor Government cut 48 per cent per student from the funding for TAFE. If it kept pace with inflation—not only education inflation but raw consumer price index inflation and the number of students—by the time the previous Government left office TAFE would have been getting 48 per cent more. That is about \$1.2 billion gone from TAFE. Now the Coalition Government says, "Labor didn't damage it enough. Let's bang TAFE's head against the wall. Let's see what we can do to undermine the future of vocational education and training, at a time when TAFE is being massively privatised. And not only that: we'll boost TAFE fees by 9.5 per cent."

The previous Government increased TAFE fees by 15 per cent ahead of inflation. This Government wants to increase TAFE fees by another 9.5 per cent. Every study taken on participation in higher education and post-secondary education has found that if fees are increased the kids and young adults from disadvantaged backgrounds are lost. This action is saying, "We don't care about the kids who come from families where there is no history or tradition of educational achievement. We don't care about those kids. We are throwing them into the dust bin. We're consigning their future to the low-waged, low-skilled economy, which is rapidly disappearing."

If the Government cared about the future of the economy, social cohesion, and the words "social justice" it would ensure that TAFE fees were reduced, not increased. It is an investment in a fairer, more successful and more cohesive society. Taking money out of TAFE and imposing higher TAFE fees mean that the Government is asking those kids who get to TAFE to pay more in order to receive less. It is a con job that is purely about the Government's intention to privatise TAFE, to drive students into the private sector and to reduce TAFE to nothing but a shell.

Coalition members have spoken about the idea that hard decisions need to be made, because they like hard decisions. They know full well that the black hole they were presented with was plastic: it was elastic. It was invented by Treasury to drive and shrink the Government's agenda. Every government, when it comes to power, is presented with a budget black hole by the Treasury secretary; and the governments that are silly enough to fall for it end up damaging the future of our society. They are creating a black hole not now but in five and 10 years time by cutting back on education. Some \$300 million in poker machine tax rebates—

The Hon. Dr Peter Phelps: That was Labor doing that.

Dr JOHN KAYE: If the Government was worried about the budget black hole why did it give away \$300 million to the rich pubs and clubs? Over the past decade the previous Government increased funding to non-government schools by some \$250 million—that is a 25 per cent increase in funding—which is way ahead of funding increases to government schools. [*Time expired.*]

The Hon. WALT SECORD [12.46 p.m.]: I support the motion and condemn the O'Farrell Government. I do so with a disappointed heart. I do so because access to education is one of my core principles, and it is a core Labor principle. Education was my way out of disadvantage. Education remains the great leveller in an unequal society. If it were not for public education I would not be standing here in this Chamber. I was the first member of my family to complete high school. For me, education is everything. I see education as our nation's economic development strategy. That is why I am supporting the motion. And that is why I am also calling on the O'Farrell Government to scrap its plans to cut \$1.7 billion out of the public, Catholic and independent education systems.

These cuts are the last thing that any government should be doing. Make no mistake: the families of New South Wales are losing faith in the O'Farrell Government's management of the education system. This motion comes on the very morning when the community is realising that the Minister for Education has embarked on the largest cuts to education in New South Wales in 20 years. The announcement by the education Minister, Mr Adrian Piccoli, has echoes of the destructive and divisive cuts by the Greiner Government education Minister, Terry Metherell, in 1989. That brought tens of thousands of teachers and their supporters and parents onto the streets to protest and express their disgust.

This morning teachers, religious leaders and families are lining up to vehemently oppose the Government's decision to put the axe through the education system. Funding for independent schools—Catholic, Jewish and independent schools—is to be frozen, which will translate into a cut of \$116 million over the next four years. New South Wales Catholic Education Commission Chairman Anthony Fisher said that the cuts betrayed a pre-election promise by the O'Farrell Government. Bishop Anthony Fisher said:

We were told Catholic school funding would be maintained and so we certainly were acting on the assumption it was secure and would continue at least at the levels we had until now. This is very disappointing.

The broken promise on independent schools comes into effect on 1 July 2013. This will be matched by a \$201 million cut over four years to public school budgets. In addition, the Department of Education and Communities will slash 1,800 jobs—half of them from TAFE. The TAFE cuts will hit rural, regional and coastal New South Wales the hardest. Further, the O'Farrell Government will ratchet up TAFE fees by 9.5 per cent. The anger this has created in the community is now so deep that this matter has attracted national attention and crossed party lines. Even the Federal Opposition leader, Tony Abbott, has spoken against it. But the O'Farrell Government backbench is wearing the cuts.

Despite the outcry, despite the community angst and despite the self-evidence of this retrograde step in the education of New South Wales children, education Minister Adrian Piccoli and Premier Barry O'Farrell are in the community defending the indefensible. They are only listening to the Treasury bureaucrats and boffins. The cuts were approved by the O'Farrell Cabinet on Monday and passed by the Liberal-Nationals in their joint party room yesterday. Liberal-National party members such as the member for Campbelltown, Mr Bryan Doyle, and the member for Tweed, Mr Geoff Provest, cannot hide. On Monday 10 September the member for Tweed told the Gold Coast *Bulletin* that he could not comment until after the party room met. Well, it has met, the member for Tweed was there, and he approved the cuts to Tweed independent and public schools.

Teachers are so worried about the quality of education of their students under these cuts that they are willing to put their own jobs at risk: they are willing to stand up to the education Minister and the Premier. They are on radio and they are speaking out. It is the subject of conversation this morning in all corners of New South Wales. I also call on the education Minister and the Premier to listen to the community, which is fed up with the O'Farrell Government ripping essential services, such as doctor and medical services, out of rural, regional and coastal areas. Now we see the O'Farrell Government turning its attention to the education system. As with many issues, the Coalition it promised a lot in opposition and in government it has delivered very little—in fact, it is taking away.

The O'Farrell Government needs to drop these cuts and put away the Treasury axe. The community deserves no less. Parents, students and TAFE apprentices deserve no less. Hardworking teachers deserve no less. New South Wales families who voted for the Government and were misled by it deserve no less. The community expects governments, regardless of their political persuasion, to protect and foster education, not put the axe through it. The O'Farrell cuts come as the Prime Minister tries to reach an agreement on a new school funding arrangement with the States. She is proposing that Canberra and the States and Territories spend an extra \$6.5 billion on education, teacher quality and student performance. I commend the motion to the House.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [12.53 p.m.]: I say at the outset that the blinding hypocrisy of those opposite is only matched by their blinding economic incompetence. The realities of this debate have to be seen in the situation this Government finds itself in with budget outcomes. The reality of that, in turn, is dependent upon the last 16 years during which those opposite, when in government, trashed the economy. When we came to government 18 months ago the triple-A rating was at risk. That is the reality, and the Treasury documents show it. As we have seen time and again, those on the other side adopt the old Foghorn Leghorn approach to economics: they get up and tell lies and pretend it is the truth. The fact is that shouting it and screaming it, as they do, does not make it true.

The Treasury documents in the budgets are very clear. They state categorically, in black and white, that when this Government came to power on 26 March 2011 there was a budget shortfall of \$5.2 billion. Let me just go through and explain it a little more for those opposite, who have no idea about the economic incompetence of their 16 years in power. It is very simple. The figures given to this Government when it came to office were very clear. We had figures not included—\$1.6 billion in relation to the Solar Bonus Scheme. We remember the Sun King, who now finds himself in the other Chamber presiding over that debacle. We had rail grants which were not accounted for properly by the former Government and again not recorded in the budget properly.

We had a decline in revenues as a result of economic factors that impinged on the budget when this Government took power. All those things—along with the gentrader transactions, which were an unmitigated disaster from those opposite, and the contingent liabilities relating to those—may end up costing us billions. That is what we face—potential billions. The reality is that we booked \$600 million, according to Treasury's advice at that time. This is the \$5.2 billion that those on the other side would care to dismiss out of hand, using their wonderful Foghorn Leghorn economics or, dare I say, their ostrich view of the world when it comes to actually admitting the facts.

We need to also understand that if we took no action the triple-A rating of this State would be at risk. We would lose our triple-A rating—Treasury estimates and statements to that effect are unequivocal. I cannot understand why those opposite still dispute it. I just cannot understand why they do not understand why this Government has to take action. The \$5.2 billion figure when we came to government has been compounded by the difficult economic conditions we have seen since. It is very clear from the estimates that have been provided to us by Treasury that there is a revenue squeeze on in New South Wales.

As the Treasurer has said on a number of occasions, we have another \$5.2 billion that has not been forthcoming as a result of changed economic circumstances. They are the facts. In toto we are talking about a \$10.2 billion situation we have had to turn around in the budget, and that is because of the blinding economic incompetence of those opposite, yet they come here today and pretend that nothing has changed. They are used to the rivers of gold. They do not understand that the economics of the situation have changed fundamentally and if this Government does not take action then we cannot have a sustainable budget in this State.

The PRESIDENT: Order! The Hon. Mick Veitch is testing my patience.

The Hon. MATTHEW MASON-COX: These are the facts they wish to ignore. Every portfolio of this Government needs to find savings and efficiencies. That is the cold, hard truth of fiscal competence. Those opposite would seek to deny that, but it is the cold, hard truth of being in government and being fiscally responsible. Those cuts will be applied across the sector. Our first budget reflected the 2.5 per cent cap on public service salaries increases. A wages cap will apply in relation to a range of other cuts that will be coming through in public sector positions. That is applied across the public sector—there are no favourites. It is applied in an equitable way across the sector. This reformist Government has done a range of very exciting things in the educational space.

The Hon. Sophie Cotsis: Exciting?

The Hon. MATTHEW MASON-COX: I will go through some of those reforms for the edification of the member opposite.

The Hon. Niall Blair: Point of order: The Hon. Sophie Cotsis has only just walked into the Chamber and immediately started interjecting. The previous speaker was given the courtesy of making his contribution in silence and I ask that the member be asked to stop interjecting.

The PRESIDENT: Order! The Hon. Niall Blair makes a fair point about the Hon. Sophie Cotsis. A number of members are interjecting to the point of disruption, which is disorderly. I ask them to desist from interjecting.

The Hon. MATTHEW MASON-COX: The budget is in dire trouble: efficiencies must be gleaned from across all government departments. The education department is not dissimilar to any other department of this Government. The cuts that have been put forward by the education Minister are equitable and balanced, and they apply equally in relation to government and non-government schools. In my household I have a child who attends a government school and children attending non-government schools, and I understand the pain in relation to that like every other parent. I also understand that if one is to be fiscally responsible and fair and balanced the cuts have to be instituted in a way that is balanced across portfolios.

That is the reality of fiscal responsibility. That is a reality that we have ensconced at the heart of this Government by changes to the Fiscal Responsibility Act recently passed by this Chamber, which instilled the triple-A rating at the heart of the economic competence of this Government. That is the right course of action, and it is the course of action that the responsible Minister has taken and that this reformist Government will continue to take to ensure that we sustain programs over time rather than accept the basket case that the previous Government left. We need to continue the reform process. I am very proud to be part of the reformist O'Farrell-Stoner Government and very proud of what the Minister for Education has done in relation to the education portfolio.

I will recount some of those major achievements. Over the past 17 months we have brought in the Early Childhood Education and Care Program. We have also delivered a whole range of university governance reforms, which have been long overdue. We have commenced consultation of Smart and Skilled for the TAFE and Vocational Education and Training sector, which will deliver significant reform in that sector. We have carried out the review of tertiary pathways as well, which will provide a clear road map to a better connected and more efficient and effective tertiary sector. Members opposite may scoff about these reforms but they do not understand reform. They do not understand the need to make reform; they just sat there during their terms of government polishing their leather armchairs. This Government has the heart for reform: it understands the need for reform and it has the ticker for reform. That is what we have in this Government and in this education Minister, who has brought in some terrific reforms. I will continue to outline them to the House.

The Every Student, Every School reform has made changes to the way we support students with disabilities so that we can build the capacity of all school staff to support students with special needs in the long term. As the father of a child with special needs I am very proud of those reforms. We also abolished the School Certificate and rolled out the Record of School Achievement, reforms the other side could never be bothered to make. That is the reality and it is pervasive in every reform we are making to the education system. I note in particular that the Gonski review has been released, and there has been a lot of commentary about that. The New South Wales Government is strongly on the record as saying that public schools and low fee non-government schools ought to be the beneficiaries of any decisions made based on that review.

We have reformed the way we deliver capital works in schools, which will deliver millions of dollars more to the school gate. We have empowered school principals, through local schools policies, to deliver programs through local builders and local resources rather than through a centralised system that deprives budgets for local schools. These are the sorts of things that will empower schools, improve teacher quality and improve education over time. It is a reformist agenda. I congratulate the Minister on having the ticker to undertake these reforms and on his courage and capacity. I am very pleased that he is continuing in that way. *[Time expired.]*

[The President left the chair at 1.03 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

EDUCATION FUNDING

The Hon. ADAM SEARLE: My question is directed to the Minister of Finance and Services. In light of the community's concerns about this Government's education cuts, will the Minister now redirect into the State's education system the \$300 million in tax cuts that he gave to poker machine operators last year?

The Hon. GREG PEARCE: Members will know that the O'Farrell Government was left with a \$5.2 million budget black hole, which has been followed by a collapse in GST revenues over the next four years and reductions in other forms of revenue. The State Government has had to make tough decisions to ensure that New South Wales is living within its means. Over the next four years the Department of Education and Communities will need to make significant changes to meet its budget savings target of \$1.7 billion. The Minister has taken the decision that the savings measure should be spread across all funding programs and grants across the Education portfolio except teachers in schools who have been quarantined from the Labor expenses cap. There has to be a shared impact of these savings measures. The directors general have been asked to ensure that the impacts on education will be minimised as much as possible.

Yesterday the Minister announced three sets of measures to meet our budget savings target. Firstly, for the non-government school sector, the per capita non-government school funding pool will be capped for four years at the current level—it will not be capped forever—and the cap will not come into effect until 1 July 2013. Consultation will continue to take place with the sector about how to effect that cap. Secondly, there will be a number of government sector savings measures. It is anticipated that over the next four years there will be a reduction of around 600 staff in State and regional schools. The department will replace the regional model with a leaner structure that will continue to provide educational and support services to schools. Prior to the last election, the previous Labor Government and the Public Schools Association agreed to a reduction of 400 school administration staff positions—400 positions it wanted to get rid of inside the schools—as a result of the rollout of the Learning Management and Business Reform program.

This was to offset salary increases already paid to school administrative and supportive staff. Teachers in government schools will be quarantined from these reductions. Thirdly, there will be changes to TAFE NSW. The Labor expense cap applies to all TAFE NSW staff, including TAFE teachers. Changes will be introduced after a period of engagement and consultation with relevant staff and other stakeholders. Every effort will be made to minimise the impact on front-line services. However, it is estimated that over the next four years these measures may result in a reduction of around 800 positions in TAFE NSW. In addition, TAFE NSW will increase its fees for government subsidised courses by 9.5 per cent next year from 1 January 2013 and increase the concession fee from \$53 to \$100. The New South Wales Liberal-Nationals Government has to make tough decisions to ensure that New South Wales is living within its means. That is what we are doing in the interests of the community to achieve a sustainable budget position.

HEAVY VEHICLE ROAD SAFETY

The Hon. TREVOR KHAN: My question is addressed to the Minister for Police and Emergency Services. Will the Minister update the House on ongoing police and Roads and Maritime Services operations targeting heavy vehicles?

The Hon. MICHAEL GALLACHER: All drivers have responsibilities on our roads. However, because of the size of heavy vehicles, there is very little room for error. The NSW Police Force, in conjunction with Roads and Maritime Services, are continuing their heavy vehicle inspections and operations. Even something seemingly as simple as properly securing items loaded onto a truck can have potentially devastating consequences. For example, in June this year a load shift caused a heavily laden semitrailer to roll over at an intersection in Liverpool, crushing another vehicle. The 33-year-old driver of the other vehicle died at the scene.

I vividly remember sitting through a trial in the Sydney District Court. In that case a roll of paper had broken away from a truck that was going up Stoney Creek Road, rolled down the hill and hit a young boy who was riding a pushbike—another fatality caused by an unsecured load. I remember the trauma occasioned not only to the police but also to the truck driver, the family and the community. Even if an improperly secured load does not lead to an injury or fatality it can significantly disrupt traffic and cause damage to other vehicles or road infrastructure. That is what occurred in July on Tom Uglys Bridge when freight containers fell off a B-double truck. These types of incidents prompted a joint police and Roads and Maritimes Services operation—Operation Steel—targeting load restraints as well as vehicle standards and speed. Operation Steel was conducted on 28 August and investigators concentrated their efforts on freight container carriers, tautliners, truck and dog trailers and Pantech trucks.

Over the course of the operation 345 vehicles were inspected which resulted in more than 160 infringement notices and defect notices being issued for a range of offences, including significant brake and system failures, excessive load dimensions, worn tyres and damaged headlights. A fleet of 12 trucks was grounded after one of the vehicles was found to be carrying a load of unrestrained heavy steel rolls. Another

vehicle was grounded when it was found that its container, which was loaded with tonnes of steel ingots, was restrained only with fencing wire. One vehicle was grounded after 15 separate defects were identified. Three trucks were found to be using non-compliant speed limiters and a 34-year-old truck driver from Illawong was charged after a vehicle search revealed an amount of the drug known as ice. Operation Steel is the most recent of a string of continued police and Roads and Maritime Services operations this year which will target heavy vehicle safety.

Since January police and Roads and Maritime Services officers have been involved in Operation Discovery, Operation Marshall, Operation Overland and Operation Explorer, which have focused on speeding, speed tampering and fatigue-related offences in the heavy vehicle industry. In May police also participated in the month-long Operation Austrans. The results were disappointing because they showed that some trucking companies and employees still think they do not need to take safety seriously, in spite of some eight months of concentrated enforcement activity. A June forum hosted by senior police and Roads and Maritime Services officials, which brought together industry representatives and government officials, suggested that most transport operators support the Government's efforts to reduce the number of heavy vehicle fatalities, to eliminate irresponsible practices and to improve safety and compliance. The NSW Police Force will continue to monitor and stop heavy vehicle operators who continue to ignore the law and who put at risk their lives and the lives of other road users.

EDUCATION FUNDING

The Hon. PENNY SHARPE: I direct my question to the Minister for Finance and Services. Given community concern about the education budget, how does the Government justify spending \$180 million last year on travel for bureaucrats while at the same time cutting \$1.7 billion from the New South Wales education system?

The Hon. GREG PEARCE: As I indicated in answer to an earlier question, when the Government came to office it was faced with a \$5.2 billion budget black hole.

The PRESIDENT: Order! There is too much interjection in the Chamber.

The Hon. GREG PEARCE: Members opposite obviously were not listening. The Government inherited a \$5.2 billion budget black hole and it now faces a collapse in GST revenue over the next four years and reductions in other forms of revenue. That means the O'Farrell Nationals-Liberal Government has had to make tough decisions to ensure New South Wales lives within its means. As was announced yesterday, as part of those government-wide savings that we have had to make to rein in the expenses growth that was endemic under the Labor Government, we have had to—

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the second time. I call the Hon. Greg Donnelly to order for the first time.

The Hon. GREG PEARCE: The Government has had to initiate savings and eliminate waste across the entire public sector. Yesterday the Minister for Education had to announce very significant budget measures to meet the education sector savings target of \$1.7 billion.

The Hon. Greg Donnelly: Make it \$2 billion.

The Hon. GREG PEARCE: How flippant! Good on you, Greg. The Government is grappling with a very difficult budget position, largely as a result of the Labor Government's mismanagement over 16 years. It has had to introduce very serious but very responsible measures and spread savings strategies across the government sector. What is the Hon. Greg Donnelly's flippant response? He says, "Make it \$2 billion." Members opposite do not care. As I indicated, these are difficult measures. Do members opposite support the Government and the public servants who must deliver services within budget? Do they support the people of New South Wales in facing up to these difficult times? No, they react with flippancy. The Government has had to make some difficult decisions about the education budget. I have already outlined the changes that will be made in the non-government and government sectors. I was about to outline the changes in the TAFE sector, but my time has expired. I will provide that information in answer to the next question.

EDUCATION FUNDING

Dr JOHN KAYE: I direct my question to the Minister for Roads and Ports, representing the Minister for Education. What was the total amount paid to the management company Hudson for psychometric testing of senior departmental personnel to assess their emotional and psychological suitability to do their jobs? Why did a department facing massive budget cuts spend money on this activity?

The Hon. DUNCAN GAY: I am sure that Dr John Kaye, being a generous man, would acknowledge that the question involves detail that I may not have with me today. I undertake to get him a detailed response as soon as possible, hopefully by the end of question time.

BLACKMORES SYDNEY RUNNING FESTIVAL

The Hon. JOHN AJAKA: I address my question to the Minister for Roads and Ports. Will the Minister update the House on the new live traffic app and the Blackmores Sydney Running Festival?

The Hon. DUNCAN GAY: I am pleased to advise the House that this Sunday the Blackmores Sydney Running Festival will be held in the central business district. The weather is changing and the running season is here, so it is time to rejoice. However, people should be wary of coming into the central business district because it will not be pretty. It would be sensible to avoid Sydney Harbour Bridge between 4.00 a.m. and 11.00 a.m. because it will be closed. Anyone wanting to come to the central business district should travel by bus or train. Those assisting with and participating in the marathon—and I am sure the Hon. Mick Veitch would like to be a competitor—will be able to travel free on public transport.

Today I had the pleasure of launching the newest app from Roads and Maritime Services. We are great little innovators and we have many boffins working every moment to deliver real-time traffic information. Like me, the Hon. Mick Veitch sometimes has trouble getting home and this app is better than some of the apps we have previously downloaded. My granddaughter has already downloaded the app for me. It is available through Google for Android devices or through iTunes for iPads. These are exceptional apps. One outstanding feature is that when users enter the site they must first sign a pledge to be a better driver. I encourage the Hon. Eric Roozendaal to do that. He should stay out of bus lanes, drive carefully and get the app so that he can access traffic information. The app will help people to avoid problem areas.

I have two messages: First, Roads and Maritime Services has a new app for iPads in addition to the iPhone app and the Android app; and, secondly, everyone should avoid the central business district because it is the running season and the bridge will be closed. Anyone wishing to cross the harbour should use Anzac Bridge or the Gladesville Bridge, but traffic will be a little slower than normal. People should also avoid coming to the central business district in the early hours of next Sunday. The event will be terrific, but those who want to watch it should travel to the city by public transport. I was joined for the last time at the launch of the app by my fabulous press secretary, Emma Logan—who is in the Chamber. Emma is leaving me.

Dr John Kaye: What a sensible person.

The Hon. DUNCAN GAY: Yes, she is. Emma will be continuing the good deeds that she has done in my office. She has already worked in East Timor and will do terrific work with a non-government agency. Apart from the other nice things we have said about Emma Logan, she leaves knowing that we think she is now "St Emm".

MINISTER FOR FINANCE AND SERVICES

The Hon. SOPHIE COTSIS: My question is directed to the Minister for Finance and Services. What consultations took place with the Premier before he removed the Minister from his ministerial responsibilities for industrial relations?

The Hon. GREG PEARCE: There we go. Opposition members revert to type, do they not? We remember that the New South Wales population threw them out so savagely at the last election because of what they are interested in. They are not interested in the electorate or the public service.

The Hon. Sophie Cotsis: Point of order—

The PRESIDENT: Order! I cannot hear the Hon. Sophie Cotsis because of the level of noise from Opposition members and crossbench members.

The Hon. Sophie Cotsis: My point of order relates to relevance. The Minister should be directed to answer the question. We have a right to know.

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

The Hon. GREG PEARCE: Those are the issues Opposition members go straight to; they are interested in their own jobs, their own titles and the benefits that they claim. These are the people who invented the rostered day off—the day that people are supposed to work, and for which they get paid, but they have that day off.

The Hon. Amanda Fazio: Point of order: My point of order relates to relevance. The Minister was asked a specific question but he is not answering that question; he is sledging members of the Opposition. The Minister should be asked to be relevant to the question that was asked.

The PRESIDENT: Order! It is difficult to know what is relevant with respect to the member's question. If the Minister has any more relevant information to provide he should do so.

The Hon. GREG PEARCE: As I was saying, the question I was asked was about jobs. I am keen to talk about jobs; I am always keen to talk about jobs. I draw the attention of Opposition members to yesterday's *Australian Financial Review* and to the advertisement that appeared seeking an adviser to the Hon. Kevin Rudd, MP. This one will really get members—

The Hon. Penny Sharpe: Point of order: My point of order relates to relevance.

The Hon. Michael Gallacher: How many calls to order are you on today?

The Hon. Penny Sharpe: One, so far. The Minister clearly was asked about his own demotion and what consultation he had with the Premier relating to that. The question asked by the Hon. Sophie Cotsis had nothing to do with anyone else's job other than that of the Minister. We are seeking a proper response.

The PRESIDENT: Order! The Minister has now well and truly strayed from what is germane to this question. The Minister has indicated that he has no additional information.

POLICE RECRUITMENT AND COMMUNITY ENGAGEMENT DAY

The Hon. NATASHA MACLAREN-JONES: My question is addressed to the Minister for Police and Emergency Services. Will the Minister provide the House with information on recent community engagement activities run by the NSW Police Force?

The Hon. MICHAEL GALLACHER: On Saturday 8 September Fairfield Local Area Command hosted the second annual Police Recruitment and Community Engagement Day. I am advised that the day, held in the grounds of Fairfield High School in Sydney's south-west, attracted approximately 3,000 locals. I congratulate Local Area Commander, Superintendent Peter Lennon, and his team, on putting on a great day. Those in attendance were able to enjoy a number of displays and demonstrations put on not only by local officers but also by a number of our specialist commands. Members of the Aviation Support Branch, or Air Wing, brought PolAir 3, one of our police helicopters, which landed at the school during the day. There were displays also of specialist equipment from the Police Rescue Squad, the Public Order and Riot Squad, the Mounted Police, the dog squad and police divers. Only one hour ago I attended a wonderful medal ceremony at the mounted unit.

Also popular on the day was a special performance by students from Bonnyrigg High School. I understand that Fairfield Local Area Command put on a fabulous show for the children who also attended. There was face painting, giant slides, as well as a special guest appearance by Constable Charlie. For those members who do not know, Constable Charlie is the crime fighting penguin of the NSW Police Force, who educates young children about safe adults and safe places. Some great photographs and videos of the day are available on the Fairfield Local Area Command Eyewatch page on Facebook. I encourage all interested members to have a look, and those who have Facebook accounts should avail themselves of the opportunity to "Like" the page.

Also in attendance on Saturday were a number of officers from the NSW Police Force recruitment branch. These officers were on hand to give attendees—particularly those from culturally and linguistically diverse communities—information and insights into what it is like to be a police officer, perhaps encouraging people to consider a career in the force. The latest data shows that a career in policing is as popular as ever. New South Wales is in the enviable position of being one of the few jurisdictions in Australia that has no difficulty in attracting potential recruits from a variety of backgrounds. As members are aware, only last month 437 new probationary constables entered the Police Force following their graduation from the Goulburn Police Academy.

I am advised that 44 of our new probationary constables were born overseas, from places as far afield as India, South Africa, Libya, France, Thailand or Wales. Forty-three of the probationary constables are fluent in a language other than English, including: Cantonese, Arabic, Korean, Polish, Portuguese, Greek, Urdu, Nepali, Spanish, Dari, Filipino, Russian and Punjabi. The Government recognises the importance of having a Police Force that is reflective of the diverse communities in which they serve, and we will continue to support initiatives like the Police Recruitment and Community Engagement Day.

SEXUALLY TRANSMITTED DISEASES

Reverend the Hon. FRED NILE: My question is directed to the Minister for Police and Emergency Services, representing the Minister for Health. Did former Brigadier Jim Wallace, head of the Australian Christian Lobby, and Archbishop Peter Jensen recently make statements on the high health risks for homosexual sexual activity? Will the Government provide the latest health figures for comparison between heterosexuals and homosexuals who engage in same-sex sexual activity, particularly relating to HIV-AIDS, gonorrhoea, syphilis, and other sexually transmitted diseases?

The Hon. MICHAEL GALLACHER: I will refer the question to the Minister for Health for a response.

MINISTER FOR FINANCE AND SERVICES

The Hon. STEVE WHAN: My question is directed to the Minister for Finance and Services. What is the Minister's response to the Premier's comments on radio 2SM this morning when the Premier denied it was the Minister's inability to communicate through the media that led to his removal as the Minister responsible for industrial relations?

The Hon. GREG PEARCE: I seem to recall that when Opposition members were in government they had a reshuffle every week or so.

The Hon. Duncan Gay: Point of order: I question the appropriateness of a question that uses an untested statement that was rolled out in the media and that forms the basis of a question relating to public affairs in this State.

The PRESIDENT: Order! I call the Hon. Jeremy Buckingham to order for the second time. While there may have been some substance to the point of order of the Deputy Leader of the Government, the Minister had commenced his answer. It is a long-standing practice in the House that even if a question is ruled out of order, once a Minister starts to answer the question the answer is in order. Under the standing orders the Minister may answer the question in whatever way he wishes.

The Hon. GREG PEARCE: This mob has only been out of government for 18 months. They have already forgotten that duties and allocation of duties are often changed. Let me give the example of responsibility for Sydney Water. From April 1995 to April 1999, Craig Knowles, Minister for Urban Affairs and Planning Affairs; April 1999 to April 2003, Kim Yeadon, Minister for Energy; April 2003 to August 2005, Frank Sartor, Minister for Energy and Utilities—he was a good bloke; he wrote a good book; August 2005 to February 2006, Carl Scully, the Minister for Utilities—Sparkles did not even make it a year; February 2006 to April 2007, David Campbell, the Minister for Water Utilities—how could we forget him; April 2007 to February 2008, Nathan Rees, the Minister for Water Utilities—one of the few competent Ministers for Water Utilities on the other side; February 2008 to September 2008, Nathan Rees, the Minister for Water—they even changed the name of the ministry.

The Hon. Walt Secord: Point of order: The Minister is reading a list of Ministers in previous Labor governments. That is not relevant to the question.

The Hon. Duncan Gay: To the point of order: The question contained an inference that the Minister had not been in the Ministry all that long. The Minister was indicating that a lot of changes had occurred under previous Labor governments and that changes in portfolios are not uncommon.

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

The Hon. GREG PEARCE: To finish the point I was making: From September 2008 to March 2011, Phillip Costa was the Minister for Water. Those on the other side do not even understand those changes in allocations, and that shows just how far out of touch they are.

STRIKE FORCE EMBLEMS REPORT

Mr DAVID SHOEBRIDGE: I direct my question without notice to the Minister for Police and Emergency Services. Given the recent revelations about police wire-tapping operations that were reviewed in the Strike Force Emblems report, has the Minister asked the Commissioner of Police why he has not read this critical report on past police practice? If not, why not?

The Hon. MICHAEL GALLACHER: Members are aware of the response I have given thus far in relation to this matter. I can recall telling members some years ago that I would release the recommendations contained in the Emblems report. But I realised, having read the recommendations when I became the Minister for Police and Emergency Services, that if those recommendations were released in the form in which they are recorded in that report, it would not be possible for anyone to determine them as conclusive. For that reason, in May of this year I asked the independent Inspector of the Police Integrity Commission, Mr David Levine, QC, to examine whether the recommendations contained in the Emblems report had been satisfactorily implemented and whether those recommendations may be made available to the public. The Inspector of the Police Integrity Commission is the appropriate authority to conduct such a review—

Mr David Shoebridge: Point of order: My point of order is relevance. The question is about why the Commissioner of Police has not read the Strike Force Emblems report. It is not about a referral history to the Inspector of the Police Integrity Commission.

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

The Hon. MICHAEL GALLACHER: The Inspector of the Police Integrity Commission is the appropriate authority to conduct such a review—a fact supported and accepted by the New South Wales Police Association. The Premier, who was responsible for the Police Integrity Commission Act, has further asked the Inspector of the Police Integrity Commission whether the Emblems report can be publicly released in its entirety. This request has been made in the interests of openness and transparency and to put to rest lingering concerns over this decade-old matter.

The Government has no intention of changing its timetable because of dangerous leaks to the media. Justice Levine will consider the Emblems report in whatever time frame he requires and with whatever support he requests from the Government. My priority is to ensure that, whatever happens, investigations into serious organised crime and corruption are not compromised, that the identity of human sources—informants—is protected, and that the lives of officers who investigate serious crimes are not threatened by the release of highly protected information concerning police investigations. I imagine all members would share those priorities. With that in mind I ask that Justice Levine be given the time he needs to complete his inquiries. In response to Mr David Shoebridge's point as to why the Commissioner of Police has not read the report, I suggest that he take the opportunity to ask the commissioner that himself during the estimates hearings.

Mr DAVID SHOEBRIDGE: I ask a supplementary question. Will the Minister elucidate his answer by advising the House whether or not the Government will commit to releasing Justice Levine's report in full when it is received?

The Hon. Matthew Mason-Cox: Point of order: That was not a supplementary question. It was a new question.

The PRESIDENT: Order! The question is in order.

The Hon. MICHAEL GALLACHER: As Mr David Shoebridge well knows, the Inspector of the Police Integrity Commission is able to print, publish and publicly release his or her own report. I will await Mr Levine's finding, but Mr David Shoebridge can take it from me that I want to make sure that this matter is put to rest once and for all. I am sick and tired of the innuendo, the suggestions of conspiracies. I want to see this matter put to rest just as much as Mr David Shoebridge and all the parties involved do. But I want to ensure that is done by a significant figure who will look at the evidence and make the determinations, not by politicians or others who may well have an interest in the matter.

GOVERNMENT PROCUREMENT

The Hon. MATTHEW MASON-COX: I address my question to the Minister for Finance and Services. Will the Minister update the House on the New South Wales Government's procurement reforms and how they are benefiting New South Wales businesses?

The Hon. GREG PEARCE: I thank the member for his question, which is relevant to the people of New South Wales and to service delivery. The New South Wales Government is committed to making it easier, simpler and more attractive to do business in New South Wales. It is implementing reforms that drive efficiencies across government, that improve opportunities for business, and that will ultimately lead to better outcomes for New South Wales taxpayers through better prices and better products. Earlier this year legislation was passed that established a new direction for procurement in New South Wales. A key component of this was the formation of a New South Wales Procurement Board to replace the old State Contracts Control Board.

Today I can inform the House that the new Procurement Board met last month and has already begun driving the way the Government does business. The board consists of the director generals of the Department of Finance and Services and six other key agencies. The group is tasked with developing and implementing a government-wide strategic approach to procurement; ensuring best value for money in the procurement of goods and services by and for government agencies; improving competition and facilitating access to government procurement business by the private sector, especially small and medium enterprises; reducing administrative costs for government agencies associated with procurement; and simplifying procurement processes while ensuring probity and fairness.

The board has wasted no time in getting on with the job. It has already issued its first directions to government agencies. One of these was the abolition of the requirement that a supplier must have done previous government work for the Government. This ridiculous requirement had restricted suppliers, particularly small businesses and start-up companies, from providing goods and services to government and starved the Government of new innovative ideas and products.

The Hon. Dr Peter Phelps: Hear, hear! A good move.

The Hon. GREG PEARCE: It was a good move. With this and other reforms the Government has implemented in recent months, including changes to indemnities and insurance requirements, new simplified contracts and terms and conditions, new pre-qualification schemes and a new online registration system, businesses are starting to see the change. Only a few weeks ago the Government awarded the first goods and services contract free of management fees. The contract for businesses supplying photocopiers and printers to government agencies does not include a requirement to pay an extra 2.5 per cent fee to government, which was levied under Labor. The management fee has been a barrier to doing business with the New South Wales Government. It has potentially led to higher prices for government purchases, it has acted as a disincentive to small and medium-size businesses seeking government goods and services contracts, and it has potentially blocked innovative service delivery outcomes.

The fee has also been a red tape burden on industry, which had the task of recording, collecting and paying the fee. Its removal is expected to save the New South Wales economy about \$15 million per annum. Over the past 12 months government agencies purchased more than \$40 million worth of photocopiers and printers. The change in the contract and the abolition of the management fee will save those businesses thousands of dollars and is a win for New South Wales taxpayers. This is another practical step the Government has actioned to reduce red tape for business and expense for the Government for the benefit of New South Wales residents. I look forward to working with the Procurement Board, the procurement leadership group and industry to overhaul our procurement landscape.

MINING LICENCES

The Hon. JEREMY BUCKINGHAM: My question without notice is addressed to the Minister for Police and Emergency Services, representing the Premier. Before the last election the Premier, Barry O'Farrell, said:

The next LIB/Nat government will assure that Mining cannot occur in any water catchment area and will ensure that mining leases and mining exploration permits reflect common sense ... No ifs, no buts, a guarantee.

Yesterday the Government renewed Apex Energy's Petroleum Exploration Licence 444 in the Sydney drinking water catchment. Why did the Premier lie to the people of New South Wales?

The Hon. Michael Gallacher: Point of order: The last line of the question contained argument in terms of referring to the Premier as a liar. I ask that the question be ruled out of order.

The Hon. Jeremy Buckingham: To the point of order: It is not an argument; it is a statement of fact.

The Hon. Duncan Gay: To the point of order: Calling the Premier a liar is argumentative.

The PRESIDENT: Order! The question is out of order because it contains argument.

TAFE FEES

The Hon. GREG DONNELLY: My question is addressed to the Minister for Finance and Services, and Minister for the Illawarra. Given that youth unemployment in the Illawarra is 16.8 per cent, why is the Minister supporting the decision to increase TAFE fees for young people in the Illawarra by 9.5 per cent?

The Hon. GREG PEARCE: I am pleased that the Hon. Greg Donnelly has gone back to asking a question that in some way relates to the administration of government in New South Wales. The problem is that this is the third time members opposite have asked me the same question. They do not seem to grasp the concept that when revenues decline—

The Hon. Steve Whan: Point of order: The Minister is debating the question. I ask you to direct the Minister to answer the question.

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

The Hon. GREG PEARCE: The simple fact is that when revenues are declining the Government cannot keep spending at the same level or increase spending. I was troubled by youth unemployment in the Illawarra for the entire time I was a shadow Minister and I have been troubled since I became a Minister. We have been working hard to try to address the problem, but another area we have had to address is meeting our savings targets to ensure that going forward we have a sustainable budget and the opportunity to continue to provide services that the people of New South Wales require. In relation to the matters announced yesterday, yes, changes will be made to TAFE because we need to reduce the amount of money being spent in the TAFE system. I will take members through the TAFE changes.

First, the labour expense cap applies to all TAFE NSW staff, including TAFE teachers. Changes will be introduced after a period of engagement and consultation with relevant staff and other stakeholders. Every effort will be made to minimise the impact on front-line services. However, it is estimated that the measures may result in a reduction of about 800 positions in TAFE NSW over the next four years. In addition, TAFE NSW will increase its fees for government-subsidised courses by 9.5 per cent from 1 January 2013, and increase the concession fee from \$53 to \$100. However, TAFE NSW will continue to provide generous fee exemptions. From 2013, TAFE NSW will cease subsidising fine arts courses, including sculpture, visual arts and ceramics, in areas of low employment growth.

That is what the Labor Government was providing—visual arts classes in areas of high unemployment. But fine arts courses such as graphic design will continue to be subsidised by the New South Wales Government in jobs growth areas. Finally, a few other measures will help us meet the budget savings target. The department will be reducing its procurement spending across the State Office and New South Wales TAFE, and grants programs will also be reviewed. The joint group training scheme will cease to operate from 2013. These tough decisions were forced on us. We have done it in such a way that the community understands the necessity and that we have to do these things to ensure that going forward we have a sustainable budget and we are able to provide the services that the people of New South Wales want and need.

The Hon. GREG DONNELLY: I ask a supplementary question. Will the Minister elucidate his answer by outlining the specific reasons that he supports the decision to increase TAFE fees?

The Hon. GREG PEARCE: I am happy to do that. Again, I would have thought the Hon. Greg Donnelly had been around long enough to have read a couple of the reports that we have received since we came to Government. The audit report, the Schott report and other reports show that over the last 10 years of the Labor Government expense growth was 6.2 per cent and revenues grew at only 5.6 per cent. Expenditure grew from \$56 billion, with a \$500 million gap, to a gap of \$1.8 billion in 2010-11. The result under the Labor Government—it is one reason we must make these changes—was a significant deterioration in the fiscal position of the State, evidenced by a blowout in net lending from \$900 million in 2006-07 to \$3.6 billion in 2010-11. How did these things happen? The summary decision of the reports is that it was a failure of financial leadership of the State and major deficiencies in public administration. Those are the reasons.

SPORTS BETTING

The Hon. NIALL BLAIR: My question without notice is directed to the Minister for Police and Emergency Services, representing the Minister for Sport and Recreation. Will the Minister explain what is being done to protect the integrity of sport?

The Hon. MICHAEL GALLACHER: As we all know, professional sport is big business. Technology, together with Australians' love of a bet, has seen substantial growth in gambling on sporting events. This growth and, in many instances, the types of betting available in the marketplace have the potential to lead sport down a path towards corruption and organised crime. To date the majority of match-fixing activities have largely been confined to overseas. This Government yesterday passed legislation that detailed penalties for match fixing and illegal betting. In the passing of the legislation a clear message was sent to criminal elements in our community that this behaviour would not be accepted. My colleague the Minister for Sport and Recreation has long held the view that, unless appropriate control mechanisms are put in place, gambling will be the single biggest threat to the integrity of sport. I am told that during a meeting of all Australian sport Ministers last year a national policy on match fixing was agreed upon.

I am proud to say that the New South Wales Government is leading the way as the first State to pass legislation to ensure that the integrity of sport is protected. With the co-operation and support of my colleagues from the other place, the Attorney General and the Minister for Tourism, Major Events, Hospitality and Racing, tough new legislation passed yesterday, with new offences and penalties of up to 10 years imprisonment imposed on any person found to have engaged in or facilitated conduct that corrupts the outcome of an event. The legislation allows for information to be shared across State and Territory borders with networking between governments, major sports, betting operators and law enforcers focused on ensuring that sport in New South Wales and Australia is the envy of the world.

I am told that the consultation process was an exhaustive and deliberate one, and involved stakeholders from major sporting codes, betting agencies, the legal fraternity and government agencies. The process identified that if a person intentionally fixes or influences the outcome of a sporting event, they will face the full force of these new laws. Examples include deliberate underperformance, tanking and tampering with the playing surface. Even match officials who deliberately influence the outcome of a sporting event by not applying the rules will be subject to the same penalties. Similarly, if a person provides or uses insider information to directly or indirectly place bets on a sporting event in the knowledge that the outcome of the sporting event has been fixed, they will be prosecuted to the letter of the law.

A person who offers or accepts a benefit for the purposes of fixing or influencing an outcome of a sporting event will, if convicted, face jail time. Should a betting agency or bookmaker accept a bet on a sporting event where they know the outcome of the sporting event has been fixed, they too will be punished. The maximum penalty is 10 years imprisonment. Each case will be judged on its merits. I am pleased that all members were supportive of the legislation. The new penalties will ensure every person involved in sport and or gambling is left in no doubt as to the penalties they will face if convicted of match fixing.

REGIONAL TOURISM CAMPAIGN

The Hon. ROBERT BORSAK: My question is directed to the Minister for Police and Emergency Services, representing the Minister for Tourism, Major Events, Hospitality and Racing. Can the Minister inform the House which regional areas have benefited most from the latest supermarket advertising campaign to get people from metropolitan Sydney to spend a short break outside of the city? How many individual packages have been taken up so far; how much has the advertising campaign in some of the major shopping centres cost; and will the campaign be run again next year?

The Hon. MICHAEL GALLACHER: I thank the member for his question. I am sure that all members, given the rich diversity of representation of regional and country areas of New South Wales, have a genuine interest in this issue.

The Hon. Dr Peter Phelps: On this side.

The Hon. MICHAEL GALLACHER: Yes, on this side anyway. I realise the Hon. Sophie Cotsis has an interest in Hay; it is in a lovely part of the State. I have been to Hay on a number of occasions. The Hon. Greg Pearce and I will be ensuring through our respective responsibilities that people are encouraged to

take part in this positive program and to take short breaks in the Illawarra and the Hunter. The Hunter is well represented by a beautiful community in Newcastle, fantastic local members for a change, the vineyards, Port Stephens—it is endless.

The Hon. Greg Donnelly: What about the Central Coast?

The Hon. MICHAEL GALLACHER: I do not have representation for the Central Coast.

The Hon. Duncan Gay: What about the Mediterranean climate of Crookwell?

The Hon. MICHAEL GALLACHER: There you go, yes; that too. I thank the member for his question and will get an answer for him as soon as possible.

NATIONAL ART SCHOOL FUNDING

The Hon. SHAOQUETT MOSELMANE: My question is directed to the Minister for Police and Emergency Services, representing the Minister for the Arts. In light of the Government's decision to stop funding for fine arts courses in New South Wales, will the Minister guarantee that the National Art School will be protected from cuts?

The Hon. MICHAEL GALLACHER: I do not think I have ever been asked an arts question before.

The Hon. John Ajaka: There is always a first time.

The Hon. MICHAEL GALLACHER: There is always a first time.

The Hon. Mick Veitch: Are you an artist?

The Hon. MICHAEL GALLACHER: The Hon. Mick Veitch is an artist. His many years of artistry have been rewarded by a seat in this place. To assist the member who is obviously seeking important information, I will get an answer from the Minister for Arts and respond to the member as soon as I can.

HEAVY VEHICLE ROAD USE

The Hon. CHARLIE LYNN: My question is directed to the Minister for Roads and Ports. Can the Minister update the House on the New South Wales Government's financial assistance package for heavy vehicle operators?

[Interruption]

The Hon. DUNCAN GAY: I did not hear the interjection by the Hon. Amanda Fazio, but I am sure it was offensive. Earlier this year the National Transport Commission advised Federal and State governments that an increase in heavy vehicle registration charges was needed to ensure that industry continued to pay its share of the cost of providing and maintaining the road network. In March, the Standing Council on Transport and Infrastructure—strangely called SCOTI—ratified those increases. This reform was also designed to address industry concerns about the cost of registering an A-trailer, that is, the front trailer of a B-double truck, the workhorse of the road freight industry. The changes in registration charges vary between different heavy vehicle types. A-trailer charges, and by extension B-double charges, decreased by 49 per cent, whereas road train and rigid truck charges increased by 21 per cent and 11 per cent respectively. The changes also required the Commonwealth to increase the fuel-based road user charge paid by all heavy vehicles by 2.4¢ per litre.

To assist sections of the industry adversely affected by the increased charges, notably small road train operators in western New South Wales and rigid truck operators servicing the struggling building sector, the New South Wales Government announced an industry assistance package in July. The assistance package includes three major initiatives. The first initiative is a full rebate of the charges applied to tri-axle dollies and a 50 per cent rebate of charges applied to all types of tandem axle dollies. Members opposite should listen; I will be asking them questions on this soon. For the benefit of members opposite, a tri-axle dolly—

The Hon. Mick Veitch: I know what a tri-axle dolly is.

The Hon. DUNCAN GAY: The Hon. Mick Veitch may, but his colleagues would not. A tri-axle dolly is not a camp follower of the Tasmanian Greens; rather it is a piece of machinery designed to help take the sway out of the rear trailer of a road train and to spread mass over an extra axle. The second initiative is a 50 per cent rebate of the charges applied to spare trailers owned by operators with one or two prime movers and no more than five trailers. The first two initiatives were implemented on 1 September, with operators who paid the new registration charges from 1 July to 1 September eligible for a discount.

The third and final initiative is a proposed exemption from the payment of stamp duty for the purchase of new truck trailers in New South Wales. The exemption will only apply after legislation has successfully passed the Parliament as it involves a minor amendment to the Duties Act 1997. The objective of these three initiatives is to encourage the take-up of newer and safer heavy vehicles on New South Wales roads, and to progress more direct pricing principles within the heavy vehicle sector where smaller, low-kilometre operators pay less for road user charges such as registration and stamp duty. It is simple common sense. There is a business plan behind this. We not only save the operators who registered in New South Wales we also are looking to encourage people to come here who currently register interstate. It is sensible. For years they turned our people away— [*Time expired.*]

BEEHIVE DESTRUCTION

The Hon. ROBERT BROWN: My question without notice is directed to the Minister for Police and Emergency Services. I refer the Minister to my question yesterday about the deliberate destruction of 1,600 beehives on the far South Coast earlier this year. Is the Minister aware that the national parks policy of the New South Wales Greens advocates the prevention of grazing, horses and beekeeping within national parks estates? Have police been able to ascertain whether any of these 1,600 hives were targeted because they were in the vicinity of national park estate land?

The Hon. MICHAEL GALLACHER: I will take the honourable member's question and seek some advice. I am concerned about—

The Hon. Trevor Khan: And get some fingerprints.

The Hon. MICHAEL GALLACHER: On the bees. We are going to fingerprint each of the bees very slowly with a pair of tweezers. I was concerned recently to see some reports in the *Newcastle Herald* of criminality by members not too far away from where we are right now. If you are going to stand for the Senate you should have your name under your photograph rather than just "blockade supporter". You at least want people to know who you are. There is a sign in one photograph saying "Lock the gate". An elderly lady of 95 said her granddaughter was tied up. I go back to my fifty shades of green. Here we go again. Even the elderly have concerns about The Greens. She is saying she is all tied up—

The Hon. Mick Veitch: I am worried about your bedside reading material.

The Hon. MICHAEL GALLACHER: I would be more worried if you were in my thoughts of a night-time. Luckily you are not. I will take that very important question on notice and I might even refer it to the police as the Hon. Robert Brown may well have stumbled onto something that the rest of us have missed.

Thankfully, the time for questions has expired. If members have further questions, they should place them on notice.

EDUCATION FUNDING

The Hon. DUNCAN GAY: Earlier in question time Dr John Kaye asked me what was the total amount paid to the management company Hudson for psychometric testing of senior departmental personnel for their emotional and psychological suitability for their jobs, how many personnel were tested and why a department facing massive cuts spent money on this activity. One of my colleagues sent me a note saying, "Dunc, I have two daughters in human resources at a large bank in town and a health organisation. They both told me previously that psychometric testing is a routine procedure in HR now. Both had to do it prior to being appointed in their departments." The Minister quite properly tells me that this is a matter for the Public Service Commissioner.

Questions without notice concluded.

MINISTRY

The Hon. MICHAEL GALLACHER: I inform the House that today Her Excellency the Governor appointed the Hon. Michael Bruce Baird, MP, as Minister for Industrial Relations.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2012

Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Michael Gallacher, on behalf of the Hon. Duncan Gay.

Motion by the Hon. Michael Gallacher agreed to:

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

Second reading set down as an order of the day for a later hour.

TABLING OF PAPERS

The Hon. David Clarke tabled the following paper:

Coroners Act 2009—Report by the New South Wales State Coroner into Deaths in Custody/Police Operations 2011.

Ordered to be printed on motion by the Hon. David Clarke.

EDUCATION FUNDING**Adjournment (Standing Order 201)**

Debate resumed from an earlier hour.

The Hon. SHAOQUETT MOSELMANE [3.36 p.m.]: I support the New South Wales education sector and the people it serves and I oppose the O'Farrell Government taking the axe to education in New South Wales. Cutting funding to the magnitude of \$1.7 billion has sent a shiver down the spine of the New South Wales education sector, enraged the Federation of Parents and Citizens Associations NSW as well as the many public and private schools, including Buddhist, Islamic, Sikh, Jewish and Coptic religious schools, and other schools throughout New South Wales. Cutting \$1.7 billion in funding is a kick in the guts to the education sector but more so to the teachers, parents and, most significantly, the children of New South Wales.

It is only through education that we build a better future for our children. By cutting the resources they need the Government is cutting their capacity to learn and to build a decent future. It is an absolute shame that we came to know about this draconian policy only because of a leak. What happened to consultation, engagement and transparency? When was the Government planning to tell us? When was the Government planning to tell the parents and the hundreds of thousands of children in New South Wales that the funding they rely on for their education was about to be slashed?

The Hon. Paul Green: At Christmas.

The Hon. SHAOQUETT MOSELMANE: I acknowledge that interjection. Members opposite can talk about fiscal responsibility as much as they want. It will not help the children they are about to kick in the guts by taking away the funding they rely on for a decent education. The hallmark of this Government since it came to power has been lies and cuts and more lies and cuts, by stealth. It is a shame that in a democratic society such as ours, where a government is elected based on election promises, this Government in an undemocratic and savage fashion and without warning has swung the axe on education in a manner unprecedented in the history of New South Wales.

Parents and teachers already struggling to make ends meet due to the cost of living now face the additional burden of a spike in school and TAFE fees and cuts of \$1.7 billion, of which \$116 million has been lost to Catholic and independent schools. Catholic and independent schools could lose between 700 and 1,000 jobs. This, with other cuts, will have a devastating impact on the entire school community. In addition, the O'Farrell Government is slashing 1,800 jobs in teacher and administrative support staff in New South Wales

TAFE. Rather than skill up our up-and-coming workforce the Government is about to set them adrift through funding cuts that will sap life from TAFE institutions. Is it any wonder that everyone—other than Government members—is outraged about such a malicious policy? This is why New South Wales bishops state in their press release:

NSW Bishops: unprecedented threat to Catholic schools

For the first time ever, all Catholic schools in NSW face a radical and immediate cut to their NSW government subsidy.

The press release continues:

The Bishops are shocked that such a significant cut in NSW Government funding should come 'out of the blue' and precisely when Catholic school authorities and all Australian governments are exploring ways of increasing, not decreasing, government investment in all schools

In this press release the bishops of New South Wales outline the impact of the proposed cuts on Catholic schools. They say that it:

- is an unprecedented withdrawal of government aid to Catholic schools
- breaks the long established trust of parents in continued government support for Catholic schools
- comes without prior consultation or reasonable notice
- impacts potentially on every systemic Catholic school in every diocese across the state
- will require systemic Catholic schools to increase their fees by about \$100 per student beyond planned annual increases ...

The bishops mention a number of other points, some of which were referred to in the speech of the Assistant-President. I refer members to his speech. Not only are Catholic school bishops and teachers outraged, so are the private schools. I will read in part an email I received as a parent from the headmaster at Newington. I note that the Hon. Duncan Gay is a former student of that school. On 10 September the headmaster, Dr David Mulford, wrote:

Dear Newington parents, it is with deep concern that I inform you of the possibility that the NSW State Liberal Government will slash funding to the non-government school sector in NSW as immediately as 2013. Perhaps, like me, you too have been reading and listening to the press coverage since last Friday, with apprehension as to how this will impact on your family and your decision to choose an independent school education for your sons.

The Hon. Matthew Mason-Cox: What are you going to do about Rockdale?

The Hon. SHAOQUETT MOSELMANE: I will come to Rockdale. He continued:

While we have not received any communication from the NSW Government, the NSW Association of Independent Schools (NSW AIS) has detailed to us the proposed cuts over the next four years.

He also wrote:

Most immediately, I am appalled at this Government's decision and take immediate issue with:

1. the lack of communication and consultation with our sector
2. the magnitude of the cuts and their immediate side effects
3. the timing, which has most schools like ours committed to staffing and budgets for 2013 and
4. complete lack of attention to the Gonski Report which most firmly advocates increases in funding for all schools across all sectors.

If private schools are feeling the threat, how must the public school sector feel? I can only feel the pain of all the Catholic, independent and public schools throughout the State. For instance, in my duty electorate of Rockdale many schools will feel the pinch, including the Arncliffe Public School, the Rockdale Public School, the Athelstone Public School, and the many schools in Kyeemagh, Bexley, Ramsgate and Brighton-Le-Sands. Many independent schools in that area—including the Al Zahra College, the Arkana College, the Marist College, the Mater Dei School, Our Lady of Fatima School, St Dominic Savio School, St Francis Xavier School, St Gabriel's School, St Joseph's Primary School, St Mary and St Mina's Coptic Orthodox College, St Mary's Star of the Sea

Primary School and many others—will feel the pinch as a result of the \$1.7 billion cut to their funding. It is a shame that this Government has not had any consultation with these schools. Not only is it shameful that this Government has not consulted the schools, but this is an atrocious policy for it to enforce.

The Hon. PAUL GREEN [3.43 p.m.]: On behalf of the Christian Democratic Party I speak to the motion moved by the Hon. Penny Sharpe. I commend the Opposition for drawing this issue to the attention of the House. Yesterday the Minister for Education, Adrian Piccoli, announced the overall cuts to government and non-government schools will amount to 3 per cent. The cuts will total \$1.7 billion over the next four years. Five hundred jobs will be axed in the Department of Education and Communities, but not teaching positions. TAFE will suffer cuts to staff and courses, and experience an increase in pricing of those courses.

The cuts to non-government schools will be around \$116 million over four years. The early reports indicate that this would be achieved through a cap at 2012-13 levels for four years on the pool funding for non-government schools. With education costs increasing well over double the general inflation rate, the effect of capping funds will be significant over the four years ahead. Although it has been claimed that the effect will not be felt immediately, the true impact remains to be seen.

It is true that the O'Farrell Government faces a big task in reducing the State expenditure as a consequence of a significant drop in State revenue on top of budget pressures inherited from the previous Government. Every department has been told by the NSW Treasury that it has to find savings. If these cuts are made, schools may be forced to raise their fees by hundreds of dollars per student per year to compensate, on top of expected increases in inflation. Some of my friends who choose to send their kids to an independent school can hardly cope now with the fees. It has been noted in the media over the past months that parents are even taking out loans to educate their children. This is not helpful. The Catholic bishops of New South Wales are concerned. They stated:

The recent Gonski report on funding for all Australian students relied upon Commonwealth and State governments negotiating future funding in good faith. Unfortunately, this NSW government decision erodes its credibility in such negotiations. It also repudiates the public positions of both the Commonwealth Government and the Federal Opposition that no school—government or non-government—will be worse off financially from 2014.

A spokesman from the Sydney Anglican Schools Corporation stated:

Besides the loss of staff and huge impact this would have on the lives of those affected and their families, schools may also need to limit curriculum options and significantly increase class sizes.

Parents in schools should not be singled out to bear the pain of the New South Wales budgetary cuts. The Sydney Anglican Schools Corporation welcomes the Government's change of mind on the additional funding reductions of \$67 million per year for the next four years.

He noted that freezing funding will still have an impact, but a manageable one for most independent schools. Of course, I imagine that if push comes to shove that is what they will do, as normally happens with budget cuts. The spokesman continued:

Where some of our 17 schools in Sydney, the Illawarra and Shoalhaven could have seen losses of up to almost \$500k, this will now more likely be around \$30k for next year and increasing in real terms for the three years after that. Independent schools still need assurances of the capital contribution to the building of schools that was hit hard under the Carr Government with the abolition of the Interest subsidy scheme. The O'Farrell Government did pledge to support the continuation of the replacement scheme which was funded to around \$70M per year. However, new and growing independent schools need the assurance that this funding for school facilities will continue.

I believe that the interest subsidy scheme has dropped from that figure down to about \$4 million per year. That is just ridiculous if we want to grow the best schools in Australia. He continued:

Our state needs the cooperation of the non-government schools in the task of education our children with parents contributing up to \$2 billion a year in after tax dollars that this or any Government could not otherwise find. More than 250,000 new student places will need to be found over and above the current schooling capacity in New South Wales over the next 20 years. Is the government going to undertake to resource that expansion on its own or will it work cooperatively with the independent sector to encourage a private contribution to save the New South Wales taxpayer?

Earlier today I met with Dr Dan White, the Director of the Catholic Education Office. He expressed grave concerns about any funding cuts, considering the Gonski review clearly stated that more investment is required into our schools. Dr White also expressed concern about the effects of marginalised and specialised education for disadvantaged and vulnerable students. He stated:

History tells us any cuts to education usually effects specialised education such as refugee, transitional, indigenous, disability and special needs education.

He further stated:

We are not content with freezing cuts. This will compound interest and cause a cumulative effect which schools cannot absorb. It will mean cutbacks on staffing or increasing school fees, and it will push families out of Catholic Schools into Government schools which will cost the Government more.

The freeze on accumulated cuts will mean greater costs in the long term. That is short-term gain for long-term pain. This is similar to the problems faced by local government. We have had rate pegging for years and local government authorities can no longer meet their asset maintenance bills or build any new roads. Rates revenue no longer reflects local government infrastructure needs. It would be nice to impose a freeze, but it will have a cumulative impact on our schools. We will lose teachers and the most vulnerable students in our education system will be abandoned because suitably trained teachers will not be available to help them.

Catholic and independent schools do have capital liabilities. As I said, interest rate subsidies were cut from \$60 million to \$40 million. How on earth can we have the best education system in Australia if we are not investing in it? These budget cuts will deliver a short-term gain but we will suffer long-term pain. It does not make sense to impose a freeze; it will not help schoolchildren, parents or teachers. The Christian Democratic Party is most concerned about this measure. Dr White is also concerned about whether the Government modelled the impact of these cuts on Federal methodologies. He stated:

NSW schools make up 40% of the pool in Australia, so these cuts will lower the pool by about 3% which in turn will reduce the Federal Government supplication down to about 1 or 2% ... If we cap or freeze for 4 years it will take 10 years to recover—that is a student's entire school life.

Dr White is a member of the Board of Studies and he alerted us to the fact that the Government is introducing four new syllabuses in New South Wales based on the Australian curriculum. He stated:

History shows every time there is an introduction of a new curriculum and syllabus there is dip in performance due to transitional issues such as new teaching programs. Therefore cuts at the same time as introducing new teaching programs creates the perfect storm.

This is not the time to cut the New South Wales public education budget; it is the time to invest in it and to offer support during the turbulence that will be felt in the transition to the new syllabuses. Our education system should be supported, not eroded. The Christian Democratic Party is very concerned about the proposed \$1.7 billion reduction in the education budget and looks forward to receiving further information from the Government explaining its strategy, not only the short-term goals but also the long-term goals.

The Hon. SOPHIE COTSIS [3.52 p.m.]: Education is the great leveller in our society. Across our great State of New South Wales parents send their children to government and non-government schools in the expectation that they will have quality teachers who will encourage them to reach their potential. Education is a fundamental human right. It is the foundation of all the other rights that we in a democracy hold so dear. The freedom and empowerment that knowledge brings increases living standards across the community.

The Labor Party has always understood the value of a good education and it has always been committed to delivering quality education to everyone. If it were not for the Labor Party I would never have had the opportunities that I have had. I grew up in a working class family with its many challenges and adversities. I am the daughter of migrant parents for whom English is a second language. Education was a source of great pride in my home. My parents did not have the opportunity to get an education so they instilled in us the important role it plays in life. Education means a better job and better opportunities in life.

The Labor Party's education policies meant that people like me, my friends and my schoolmates had quality teachers and a quality education. We were supported by passionate and highly skilled teachers. It is thanks to them that I was able to attend university, to expand my horizons, to get a job that allowed me to use my skills, to support my family and to give back to the community. It has also enabled me to ensure that people from low-income families, from non-English speaking backgrounds and the disadvantaged have the opportunity to access education to improve their lives and the lives of their children.

As we move through the Asian century we can and must ensure that our citizens have the skills they need to reach into Asian markets. One of our main competitive advantages is that we are located at the heart of the Asia-Pacific and are surrounded by trading partners with whom we have very good work relationships. Our other advantage is that we speak more than 200 languages. We must draw on the strengths of our multicultural community to foster the language skills of children who grew up speaking a second language. The O'Farrell Government has slashed funding for language classes in our schools. That is a lazy attitude.

We must reach out to our Asian friends, to speak their language, to understand their culture and to forge stronger relationships. The Organisation for Economic Co-operation and Development [OECD] figures show that Australia is falling behind in the education arena. We must spend more money not less; we must invest more in education. At a time when the Federal Government is working to increase its contribution to the future of education, Liberal governments across the country are slashing education funding. The O'Farrell Government has already cut the wages of public sector teachers by limiting pay increases to 2.5 per cent.

The Hon. Melinda Pavey: Is limiting increases to 2.5 per cent slashing wages?

The Hon. SOPHIE COTSIS: It is. The Government has capped increases at 2.5 per cent.

The Hon. Dr Peter Phelps: It was your policy.

The Hon. SOPHIE COTSIS: It was not. This Government removed the independent umpire; it removed the Industrial Relations Commission's power to decide. The Hon. Peter Phelps should read his Government's policy. The 2012-13 budget cut TAFE funding by \$40 million and the Government is now slashing \$1.7 billion from the budgets of government and non-government schools and TAFE colleges. We rely on them to deliver quality education. As a result of these cuts, 1,800 TAFE teachers and support staff will be sacked.

Earlier this year the Minister for Women announced a new push to get more women into trades. Now there will be nowhere for them to start their training. There are not enough teachers and there is not enough funding. TAFE fees are about to be increased by 9.5 per cent. When we have a shortage of plumbers, engineers and electricians the O'Farrell Government is exacerbating the problem. The Government cannot fix a skills shortage by creating a training shortage. Each time a support staffer is sacked a teacher must spend more time dealing with administration tasks. That means they will spend less time in the classroom doing the job we need them to do.

Each time a teacher is sacked class sizes increase and each child's learning experience is diminished. Children with learning difficulties will not get the support they need. The O'Farrell Government is destroying the potential of our next generation simply because it is a captive of Treasury. Members opposite are being bullied by bureaucrats who are earning \$500,000 a year and who have no idea what it is like to be a single parent working two jobs to afford to send their children to a non-government school that reflects their values and beliefs.

The Hon. Melinda Pavey: Why would they do that?

The Hon. SOPHIE COTSIS: Members opposite are in government and they should make education a priority. Treasury officials have convinced the Premier and his Minister for Education that the Government cannot afford to maintain funding for non-government schools. They have convinced the Government to slash millions of dollars worth of funding from Catholic and independent schools. We know these parents and we know that they work hard. They work at two or three jobs so that they can send their children to non-government schools. This might sound like good economic sense but it is terribly short-sighted. To boost the productivity of our workforce we need to increase investment in education.

These cutbacks will come back to haunt this Government when the next generation graduates from what will be the O'Farrell Government's substandard education. It will mean more money in the long term to overcome the problems this Coalition Government has created. Non-government education will become prohibitively expensive for many parents who will have to take their kids out of school, interrupting their studies. The Premier is not leading when he says he has no choice but to cut school funding. This Government has spent \$182 million in the past year on executive travel for Ministers and bureaucrats, which is an outrageous amount to spend at a time when the Minister for Education could not deliver school transport for children with disabilities. To date the O'Farrell Government has cut funding for children with special needs, intensive reading recovery programs, curriculum support and teacher training.

The Hon. Melinda Pavey: That's rubbish.

The Hon. SOPHIE COTSIS: Go out and talk to them. I have been speaking to them. They are desperate. You go and talk to them.

The Hon. Helen Westwood: Point of order: Members of the Government are constantly interjecting as the Hon. Sophie Cotsis is trying to address this very significant issue before the House.

The ASSISTANT-PRESIDENT (Reverend the Hon. Fred Nile): Order! I remind members that interjections are disorderly at all times.

The Hon. SOPHIE COTSIS: I have more to say but I know other members have very important contributions to make. These cuts were not canvassed before the election. Now we are seeing the real bottom drawer policies—or rather bottom-of-the-barrel. This is a disgraceful policy. It will be repudiated and the people of New South Wales will not wear it because they will be marching on the street. This is a disgrace. We should be investing in education.

The Hon. MELINDA PAVEY (Parliamentary Secretary) [4.02 p.m.]: I oppose the motion moved by the Opposition. At the outset I say that the things that join us in this Chamber are more than those that divide us. We all believe in the value and importance of education, and between us we are all fabulous supporters of our public education system. Like the Hon. Sophie Cotsis, I am very proud of the education that I received in the public education system in Victoria and New South Wales and that my children continue to receive in New South Wales. I will pick up on many of the points made by the Hon. Paul Green, who delivered a very passionate response and approach to the motion.

To put this matter into context, yes, we all support education. We want it to succeed and we want to see improvement in front-line services. The Hon. Sophie Cotsis said that some parents work very, very hard to put their children through independent, Catholic, systemic and even public schools, where school fees, canteen costs and sporting costs have to be paid. She is right: parents do work really hard to do the very best for their children. This Government is also working very, very hard to ensure that we live within our means so that we do not create a much greater catastrophe 10 years down the track with this State's finances.

Members will believe that I am being partisan but I am very genuine and honest in my approach. Over the past 10 years the New South Wales economy has had rivers of gold run through it. If the Hon. Sophie Cotsis and the Australian Labor Party had lived within their means over the past 10, or 16, years we would have had an extra \$20 billion to invest in infrastructure and services. This Government is trying to live within its means by taking away some money from the 600 back office jobs around the State and in city offices of the bureaucrats because we want to ensure that money is available for the front-line jobs, for the teachers in our public education. It is vital for us to restore faith in public education and support the independent and the systemic schools in the magnificent jobs they do. We should be very proud of public education.

I also point out that I believe the Hon. Sophie Cotsis misled the House—I do not know whether it was intentional. This Government is committed to spending \$250 million on a record Reading and Recovery Program. We know that is vital, especially the many families that live in rural and regional communities. We need to ensure that that money is there to help kids read. Some kids are not lucky enough to have a parent who reads one, two or three books every night. The Government put the stake in the ground and said that we need to improve outcomes because too many kids go from primary to high school—public schools in particular—not even being able to read. The Government is committed to fixing that problem, especially in western Sydney, the North Coast, the South Coast and western New South Wales, as a matter of priority.

This Government is about living within its means. It would have had something like \$20 billion for extra infrastructure and services had the Labor Party lived within its means when in government. If we do not make these cuts now the impact on public education, public hospitals and all the other things that State governments deliver would be much more profound. To put it into context, the State education budget is approximately \$13 billion, the cuts are approximately \$425 million for the next few years until the Government gets things under control and until the State's finances bounce back. We all know that the State is short \$2.5 billion a year now in GST receipts. We would be very happy if Julia Gillard and Peter Garrett were able to come forward and say to us, "We realise you are a bit short in your GST receipts. We will top up that money so that you do not have to make these difficult decisions." This Government is making these difficult decisions with a genuine desire to improve education in New South Wales, because if we do not tighten the belt now and live within our means we will have much bigger problems into the future.

Mr DAVID SHOEBRIDGE [4.07 p.m.]: It is a matter of extreme public importance to see the O'Farrell Government now openly declare its war on public education and on TAFE. This plan by the O'Farrell Government to so-called "balance the budget" at the direct expense of students in public schools and TAFE

colleges across New South Wales is not only mean and dangerous it is also extremely short-sighted for the future of the State. If we are to have any economic future we need to be a clever economy, we need to be a clever State and we need to lift our education standards, not slash and burn as the Government is intending to do. If the Government seriously thinks that public schools and TAFE colleges can take cuts in the order of \$1.7 billion over the next four years then it has lost sight of what is actually happening on the ground in our TAFE colleges and public schools.

I and all my family are privileged to have been educated in the wonderful New South Wales public school system: I think most members of this Chamber had that great benefit. But it is this school system that is under enormous threats because of its existing level of funding. Some school buildings are not weatherproof, some heaters in schools partially gas students in winter, some schools are grossly untended and some schools look as though the last time they got a paint job was in 1965. It is from that system that this Government thinks it can rip out more than \$1 billion during the next four years. These cuts will be felt directly on the ground in public schools and in TAFE colleges.

In a discussion on education at a Federal level the Federal Government talked about the obvious and real need to substantially increase funding. There are many faults with the Gonski report—for example, its failure to properly prioritise public education and TAFE—but one key thing which the Federal Parliament seems to be agreed on is that education needs a great injection of money. Public education in New South Wales with these cuts will suffer an enormous detriment which will be felt for more than a generation. One cannot take 5 per cent of the workforce from TAFE—800 jobs—without seriously impacting upon the vocational education and training sector. At the same time as 5 per cent of the teaching staff are taken out the Government will ask TAFE students to cough up even more for a lower standard of education in vocational colleges.

Class sizes will increase, the range of courses will be reduced and less time will be devoted to individual students who need help in their vocational education. But this round of losses and cuts under the O'Farrell Government does not come without a historical context. Over 16 years Labor cut TAFE colleges to the bone. In that time student funding went down by 48 per cent in real terms and student charges rose by more than 15 per cent above the inflation rate. TAFE colleges are not a part of the public education system that can bear further cuts. TAFE has an extraordinarily casualised workforce. Something like 80 per cent of the face-to-face hours taught in TAFE colleges is by casual teachers. The Government now wants to cut a further 800 permanent jobs from TAFE colleges. This will kill the vocational training sector as a quality institution. A century-long tradition of high-quality publicly provided vocational education will finally die from the death of a thousand cuts by the O'Farrell Government.

It will also impact on some of the State's most disadvantaged young people. The evidence is clear that with increased fees and lower service potential students from disadvantaged backgrounds will be driven away from TAFE colleges. They will lose the opportunity to gain skills and contribute to the State's economy. That will happen as a result of these cuts. Teachers at public schools and TAFE colleges somehow will have to manage to do their work, attend to a full classroom and get on top of the curriculum at the same time as they are answering the phone in the office, filling out paperwork for stationery acquisitions and doing all the basic reporting requirements of a public school teacher—which are quite extraordinary. All of those additional tasks will take away from the time those teachers have to prepare for lessons and to work individually with students, particularly those in need of extra attention.

The Government keeps raising the false division about back office staff and front-line staff. It will eventually come home and bite them. The intellect, experience and talents of those hardworking administrators in the Department of Education and Training cannot be stripped out without having a real and meaningful impact on the quality of teaching. If the Government thinks differently it is just plain wrong. Every dollar lost in these so-called savings will be felt by school and TAFE students. Undoubtedly there will be larger class sizes, distracted teachers and a lower quality of public education. Over the past decade there has been an increasing divide between funding of public education and private education. In that time New South Wales Government funding of Catholic and independent schools has grown by more than 25 percent above the inflation rate. That is a huge diversion of funds to schools that, for the most part, have vastly better resources than their public counterparts.

I find it extraordinary that the private and Catholic sectors have created such a fuss over what was a relatively minor setback, given the enormous growth in funding they have received over the past decade. But the Government has caved into that pressure and directed more cuts to our public schools and TAFE colleges that are already struggling. Disgracefully, the Leader of the Opposition has sought to appease the Catholic church

and the wealthy private school lobby by attacking the Government's modest initial proposals to restrain funding to the independent and private school sector and he has threatened to block even those modest reductions in funding. We have not heard anything like that passion from the Leader of the Opposition in standing up for the public schools and TAFE colleges that will face the brunt of the \$1.7 billion in funding cuts.

Why can The King's School and similar schools afford to spend three times more on individual students than public schools do? Because of the massive subsidies they receive at Federal and State level. The O'Farrell Government has said that in order to balance the budget it needs to make cuts. This cut to public education and TAFE colleges is the most short-sighted way of bringing the budget back into surplus. If New South Wales is to have a resilient, intelligent and highly productive workforce going forward it needs world's best practice in our TAFE colleges, not further cuts to an already struggling public system. If New South Wales is to have the highest outcomes for student teaching in schools we need more funding of our public schools and better quality administrators so that when our teachers are at work they can devote every possible hour to interaction with their students and lesson planning. Our public teachers can give that high-value teaching and they will continue to do their best to give it despite the O'Farrell Government abandoning them and their students.

The Hon. HELEN WESTWOOD [4.15 p.m.]: Yesterday when I spoke on budget estimates in this House I referred to the importance of investment in education. The Liberal-Nationals Coalition Government must be the only government in an Organisation for Economic Co-operation and Development [OECD] country that is disinvesting in education, and serious consequences for the children of this State and the State's economy will result. Jessica Irvine, in a recent article in the *Herald Sun*, talked about the importance and outcomes of investment in education. I quote from that article:

Returns from investment in education are evident in secondary education and post-school graduates.

A person who completes year 12 will enjoy a 30 per cent higher annual pre-tax income than a person who left school after year 10 ...

In turn, a person with a bachelor's degree will earn 49 per cent more a year than someone who finishes their education at year 12.

The debate about education funding is not some feel-good, airy-fairy debate about spending money on kiddies. It must be based in the economic reality that better-educated children earn more money later in life, enabling them to enjoy a higher standard of living.

Education is a key driver of national productivity, producing more output from a given set of inputs and the only sure-fire path to higher living standards in the long term.

From a personal finance point of view, a dollar invested in attaining a quality education can yield a higher investment return than any savings account, super nest egg or share management plan. Forget fat-cat investment bankers: the real people with the ability to create or destroy wealth in this country are teachers.

Teachers are the ones who create wealth. I continue the quote:

There are social dividends from education too. Across her lifetime, a female graduate's higher earnings mean she will pay \$240,000 more in tax than a year 12 finisher. A male university graduate will pay around \$360,000 more tax.

Education also reduces crime, reducing the need for spending on police. This works in three ways. First, there is an incapacitation effect—the fact that teenagers are in school rather than on the streets.

Second, education, by lifting students' income-earning capacity, increases the opportunity cost of crime—they could earn more through legitimate sources.

Third, attending school has a socialisation effect in helping kids adopt sociable behaviours. Education also improves health outcomes, lowers teen pregnancy rates and lifts workforce participation and productivity. Of course, the quality of spending matters too.

Government investment in education has risen rapidly in recent decades. And yet, school test results have been slipping. In part, this may reflect a long lag time between investments in education and outcomes.

What does this mean when we have disinvestment by the New South Wales Government in education? What will we see in five years from now? What will we see in 10 years from now? The O'Farrell Government should hang its head in shame. I continue the quote:

Studies in the United States have demonstrated a wide divergence between teacher performance and the impact on student outcomes. Being taught by the best teacher can lift a student's lifetime earnings by hundreds of thousands of dollars.

After all, the nation's stock of human capital, the knowledge and knowhow of our people, is one of the most important inputs to the economic growth equation.

Investments in quality education yield dividends for generations to come.

Yet the Government is disinvesting in our children's education. In effect, it is disinvesting in the economy. The Grattan Institute has done further studies and one of its reports states:

All Australians want to improve the quality of school education. This ensures our children and the next generation have successful lives. And there are growing concerns about how to prepare the economy for the end of the mining boom. Where will our new sources of economic growth come from? What will boost productivity and well-being?

A disinvestment in education is the last thing we need. I turn to the issues relating to TAFE. Many members have raised concerns about TAFE and the way that funding has been axed from important programs. In particular, I refer to students with disabilities. TAFE plays an important role in allowing young people with disabilities to attain qualifications that will make them job ready. Indeed, overwhelmingly, students with disabilities do not go to university. Where do they get their qualifications so that they can earn a decent living and get off the disability support pension? They go to TAFE. That is where they get their qualifications and are made job ready. Yet the Government is ripping the guts out of TAFE.

The Hon. Dr Peter Phelps: Nonsense.

The Hon. HELEN WESTWOOD: It is not nonsense. I acknowledge the interjection by the Hon. Dr Peter Phelps. I note that he has "Dr" in front of his name. Why? Because he had the privilege of education. There was an investment, a transfer of taxpayer funds, in education for people such as the Hon. Dr Peter Phelps. I should not use him as an example of good education. It is imperative that we continue to invest in education for our future. We need more funding, not less. I return to my point about TAFE students with disabilities.

I have an example from a TAFE in western Sydney which is attended by many students with disabilities, in particular children who are deaf. Those students need specialised support. Yet they are being told that specialised support, such as sign language interpreters and note takers, will be devolved to the faculty providing the course, whether it is hairdressing, accounting or hospitality. Classroom teachers who have vocational qualifications are not necessarily able to understand the unique issues faced by students with disabilities and the impact of their particular disability on their understanding and learning. They need that specialised support.

These funding cuts to TAFE absolutely risk these positions being funded. Much of the TAFE workforce has been casualised. Many staff are on contracts and they will be the first to go. As a result students with disabilities will not be able to complete their courses to ensure they can then earn a living rather than having to remain on the disability support pension for the rest of their lives. Surely that is not an objective that members in this place support.

I turn to the issue of funding of non-government schools. I know that The Greens love to wave this issue around and have accused Labor members of not being supportive of public education. However, we have realised the role that the non-government education sector plays in providing education in local communities. We are not talking about the Kings or the Knoxes; we are talking about the sort of school I attended, Immaculate Heart of Mary Primary School at Sefton. Children from diverse backgrounds, children whose parents are factory workers and children whose parents do not speak English attend local schools. If those parents cannot afford the fees at those schools, which will necessarily increase as a result of the Government's action, what will they do? Their children will go to government schools.

The Hon. Dr Peter Phelps: Where they will receive a quality education.

The Hon. HELEN WESTWOOD: Will government schools receive increased funding? Despite the objection of the Hon. Dr Peter Phelps, it is clear that the Government has not made a commitment to increase funding to government schools so that they can cope with increased enrolments as poor families leave the non-government sector and turn to the government sector to educate their children. I support the motion. Government members should hang their heads in shame. To be the only government in an OECD country that is disinvesting in education is absolutely shameful, and it will have detrimental impacts for generations.

The Hon. SCOT MacDONALD [4.25 p.m.]: Members would be aware that South Australia lost its triple-A rating yesterday: it has been downgraded to double-A plus. That is a big blow to South Australia. If that happened to New South Wales we would be faced with a bill for extra interest costs of nearly \$400 million a year. That would mean that this State would not be able to provide many teachers, nurses and government services. This debate is not about private education versus independent education. It is not about which

particular courses can be provided. It is not about any particular school. It is about fiscal responsibility. Members opposite simply do not get it. The Government is faced with a decline of about \$2.5 billion a year. Do we put that on the credit card, as members opposite suggest? The Government can do that but all it would be doing is shifting the load to future generations.

Members opposite can feel good about the politics today. They can get their headline and their marches in the street, but what they would do is cripple future generations. We have seen what happened in Europe and the United States of America. These are difficult decisions. We have been transparent and we have consulted about it. However, we must freeze education expenditure, increase TAFE fees and accept back-office job cuts. If we do not do that we will pay the price with future generations. I will not be a party to a government that looks for the short-term political fix, as we are seeing from members opposite. I condemn the motion.

The Hon. GREG DONNELLY [4.27 p.m.]: I speak in favour of the motion before the House. I was utterly surprised this morning that we had to debate whether this matter was urgent, given the significance that the issue is attracting not only inside the New South Wales Parliament but among the citizens of this State. I will address a small number of issues and, as much as I can, seek not to repeat matters that have already been canvassed in the debate thus far. The first matter is the mythology—"mythology" is probably the best word I can use—that continues to be used by the Government in terms of GST revenue. We continue to hear about this. I think the Treasurer and the Minister for Finance and Services have taken the approach that if they keep repeating what they assert is the position eventually people will start to believe it.

The truth of the matter is that people in this State are not that silly. Certainly, Labor members are not silly. Simply repeating a position time and again will not persuade the people of this State that black is white or white is black. I draw the attention of Government members to the budget documents. I will not go through them in detail. However, specifically, the amount of GST revenue received by the New South Wales Government will increase steadily over the next four years.

The amount of GST revenue received by the State will be up by \$358 million this year and that figure will increase by \$8.3 billion over the next four years—an average increase in GST revenue of 4 per cent per annum. This is not fiction or a calculation that I have just made up. If Government members want to know where this information comes from I draw their attention to New South Wales Share of GST Revenue (\$ billions), New South Wales Treasury Budget Papers 2011-12, and specifically the New South Wales Treasurer's Economic Update—May 2012. They will see tables and a graph outlining what I have just explained. Government members are wrong if they think they can keep repeating a fiction and Opposition members will believe them. Equally, people outside this Parliament will not be fooled by the fallacious rhetoric of the Minister for Finance and Services and the Treasurer.

Let us bear in mind also that the budget in this State was published on 12 June 2012, which is barely three months ago. Any reading of the media release by the Minister for Education, Mr Adrian Piccoli, reveals that it speaks in extraordinarily glowing terms of this Government's record in education, and in particular what it plans or intends to do in the forthcoming 12 months. I will not read it in detail—I draw it to members' attention so that they can read it themselves—but the second paragraph states:

Building on last year's budget, Minister for Education Adrian Piccoli said the Budget for education, training and early childhood education has increased by \$383 million to a record \$13.83 billion. The proportion of total government expenses spent on education will increase from 22 per cent in 2011-12 to 22.4 per cent this year.

Barely three months ago the relevant Minister spoke in the other place and boasted in his media release about the fact that expenditure on education had increased from the previous year. Not even three months later we have an announcement out of the blue that education expenditure in this State will be reduced by \$1.7 billion. I find that an extraordinary turnaround in less than three months. I comment also on the conduct of negotiations by this Minister and refer to the famous quote of Premier O'Farrell on Monday relating to the sectional interests of this State, that is, mums and dads and their representative organisations, the Catholic Education Office and the New South Wales Parents Council. As I understand it, last Tuesday there was a briefing of sorts with the Catholic Education Office. This briefing, which is no secret, has been referred to in media releases and elsewhere.

The Hon. Melinda Pavey: Everyone has told everyone.

The Hon. GREG DONNELLY: I acknowledge the interjection of the Hon. Melinda Pavey. We are not getting anything out of the Minister. Trying to get information from him is like pulling wisdom teeth without

anaesthetic. It is painful. It is painful also for the people of New South Wales—the mums and the dads who make a decision to send their children to Catholic and independent schools. This Minister seems to forget that the education sector in this State comprises three parts—the public sector, the largest sector, the Catholic sector and the independent sector. The sectors are all important because they provide the parents of children in this State with a choice. They have a fundamental right to decide where to send their children.

Last Tuesday, in a briefing that came out of the blue, the Minister said, "I want to have a bit of a yarn with you about something. Things are pretty tight in New South Wales and we are going to reduce your recurrent grants by \$66.7 million, or 8 per cent of the total 2012 grants by the State Government." Does the Minister seriously expect that after casually telling the non-government sector there would be cuts of this magnitude there would not be some serious pushback? You bet there was. Last week there was a serious pushback. The respective parties in the non-government sector came out with their guns blazing because they smelled something they did not like. What went through the mind of the Minister when he announced that he would alter the percentage in the Education Act that is set at 25 per cent, that deals with payments relating to non-government schools? Without any clear explanation to non-government players, he announced a cut and was pretty vague about what impact it would have on public schools.

Fast-forwarding to Friday and to the weekend, we are aware that there was significant pushback. No-one would be surprised by that fact, given the vague way in which the Minister said it would be introduced and the comparative changes with respect to the public school sector. On Monday morning the Premier and the Minister tried to come to terms with what they would do next. Instead of the Premier sensibly trying to progress this matter he referred to non-government sector representatives and essentially the non-government sector as being a sectional interest in this education debate. The Premier and the Minister for Education made a huge mistake when they implied that the non-government sector and parents were a sectional interest. They are not, and he has well and truly found that to be the case. Yesterday I would have loved to have been a fly on the wall in the Coalition party room. Yesterday the Minister for Police talked about bullet-proof vests. The Minister for Education would have needed a bullet-proof vest to get him through yesterday's meeting. As I understand it he was shredded.

The Hon. Melinda Pavey: Are you the fly?

The Hon. GREG DONNELLY: A number of Government members to whom I spoke explained it to me. The percentages are still being determined. [*Time expired.*]

The Hon. PENNY SHARPE [4.37 p.m.], in reply: I thank members for their contributions to an incredibly important debate about the future of education in this State. This afternoon we have been discussing the importance of funding for education. Let us look at the facts. Under Labor the education budget in New South Wales was 29 per cent of the budget. It is now down to 22 per cent of the budget and it is slipping. I wish to put on the record the mistruths spoken by the Treasurer when he referred to New South Wales's share of GST revenue. The Treasurer is reported in the *Daily Telegraph* and the *Australian* as saying that we face a massive drop in GST revenue from the Federal Government and that State revenues already are under intense pressure due to a massive drop in GST revenue. The Treasurer's own budget figures tell the truth. The amount of GST revenue received by the New South Wales Government will increase steadily over the next four years. The amount of GST revenue received by the State will be up \$358 million this year and that figure will increase by \$8.3 billion over the next four years—an average increase in GST revenue of 4 per cent per annum.

The Treasurer is being tricky with the truth. His last budget included an unrealistic 9 per cent increase in GST revenue. He is now crying poor—it is just a smokescreen—to cut \$1.7 billion from the education budget. It was disappointing today to see the number of Government members who were willing to speak about education and its importance. I commend those who were prepared to stand up and speak, particularly those who got the hospital pass to defend the indefensible. I have spent some time looking back on what some members have said previously about education and wish to share their comments with the House so that we know where they stand. The Hon. John Ajaka, in his inaugural speech on 29 May 2007, said:

My mother believed passionately in education, and for that my whole family will always be deeply grateful.

This year during an adjournment debate he talked about the importance of the Illawarra TAFE Wollongong Campus and said:

New South Wales needs skilled workers who can adapt quickly to technological change. This new facility, with the latest equipment, will help us to meet that need. It will support future economic and employment opportunities by providing a more effective learning environment for students in the Illawarra region.

That is, of course, if they can afford the fees. The Hon. Niall Blair said in his inaugural speech:

The other way in which my parents have contributed to my being here today is through their strong belief in the importance and value of education, and in ensuring that everyone has the same opportunities to better themselves through learning and vocational training. ... I come from a strong family of educators. As mentioned, my father was a maths teachers and my mother was a home economics teacher. ... My real ambition whilst at school was to follow my parents into teaching and become a physical education teacher.

The Hon. David Clarke said this in his inaugural speech:

We all agree that the future of our State rests on the quality of education and the standard of our institutions of learning ... I support the democratic right of parents to choose to send their children to a government school or an independent school.

The Hon. Jenny Gardiner in her inaugural speech in 1991 said this:

We [the National Party] believe that all Australians, no matter where they live, have the right to the best possible education.

More recently, in 2000, she talked about the importance of education to the regions and said:

The important regional cities of Tamworth and Lismore had regional headquarters of the education department. They were an important part of the regional economies of all three centres ... The closures and job losses that went with them caused great concern in each of the regional cities and the areas surrounding them.

She clearly has not listened to her own advice. I also want to quote the Hon. Trevor Khan, who said in his inaugural speech:

... there can be no doubt that it is the teachers in the early years of my education who are owed the greatest debt ... As a result of my university years I became a firm believer in the values of the State public education system. This belief in the public education system arose for a number of reasons, but principally because of the significant contribution that the public education system plays in ensuring the homogeneity of our society.

Let me add also, for those who believe in the dreams of Menzies, that a quality education system is one of the great levellers in our community. A quality public education system can help lift those who are less fortunate from their poverty and disadvantage and give them the chance to share in the wealth and opportunity of our community.

The Hon. Scot MacDonald had a bit of a go earlier today. This is what he said on 4 September:

Strategies planned to achieve key goals of strengthening the New South Wales skill base and improving the education and learning outcomes for all students include a 50 per cent increase in the proportion of people between the ages of 20 and 64 with qualifications by 2020, a 20 per cent increase by 2020 in higher level vocational education and training qualifications by women and students in rural and regional New South Wales, and reducing the gap between Aboriginal and non-Aboriginal students in reading and numeracy by 50 per cent by 2018.

Good luck trying to meet that target when the fees for the most disadvantaged students in this State have just been bumped up. The Minister for Finance made this contribution in 2002:

The goal of building world-class schools is also a noble aim of the current Government and something the Coalition fully supports.

He has shown his true colours here today. There are two final contributions that I wish to place on record. The arts doyenne of the Coalition, the Hon. Natasha Maclaren-Jones, said in her inaugural speech:

I also believe a vibrant arts sector fosters innovation, creativity and diversity—helping to define and shape who we are. It is through our words, images and music that Australia establishes its unique identity. Art touches aspects of our daily lives in a way that no other medium can. It allows us to tell stories and connect with other people on all levels. It can offer new perspectives, challenge our beliefs, and make us think about things bigger than we are.

What a pity that all the funding for fine arts is going out the door. The final contribution I wish to share with the House is from the Hon. Catherine Cusack during a debate on public education on 22 May 2003 when she said:

No other area of government is of greater significance to the Liberal Party than education. Our commitment is very much to a vibrant and diverse public education system. We believe that strength and credibility of our public schools, in particular, are best achieved through a devolved system of decision making, and diversity in what is offered, so that the system is centred on the individual needs of students. For the relatively few years we have had in office, the Liberals have twice saved public education from oblivion. I fear that the time is fast approaching when we will be called on to save it again.

Cutting \$1.7 billion out of the education system in New South Wales is doing more harm than good. Government is all about choices. The O'Farrell-Stoner Government and its hapless Minister have made their choice today. Their choice is to put education last in New South Wales and it is the students, families, schools and communities who will be paying the price in the future.

Discussion concluded.

Pursuant to standing orders motion lapsed.

BUSINESS OF THE HOUSE**Postponement of Business**

Government Business Order of the Day No. 1 postponed on motion by the Hon. Greg Pearce.

INDUSTRIAL RELATIONS AMENDMENT (INDUSTRIAL REPRESENTATION) BILL 2012**Second Reading**

Debate resumed from 6 March 2012.

The Hon. GREG PEARCE (Minister for Finance and Services, and Minister for the Illawarra) [4.45 p.m.], in reply: I thank all members who participated in the debate. I have already summed up the debate on the bill and I commend it to the House.

Mr David Shoebridge: You commend it quite a lot.

The Hon. GREG PEARCE: I did commend the bill but I think I should say a few more words about it. There has been quite a bit of discussion since debate on the bill was adjourned.

Mr David Shoebridge: It was in 2010.

The Hon. GREG PEARCE: No, it was not 2010. Debate was adjourned earlier this year and since then there has been considerable discussion and cooperation between various members of the House. Virtually everyone in this House wants to see the bill finalised and for there to be choice and competition for employees who may wish to take advantage of the processes that the bill will put in place to allow an application to the Industrial Relations Commission for registration. Of course, the Government has always been concerned to ensure that if this process is put in place it will provide a genuine opportunity for the commission to examine the applicant to make sure he or she has the capacity to properly represent workers. We support that principle; it is a very important one. It will also ensure that there is no unnecessary opportunity for demarcation disputes or other poor industrial relations practices to occur. I thank members for their participation in the debate and look forward to the Committee stage and hopefully resolving the bill. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

In Committee

Clauses 1 and 2 agreed to.

Mr DAVID SHOEBRIDGE [4.50 p.m.], by leave: I move The Greens amendments Nos 1 to 5 on sheet C2012-044D in globo:

No. 1 Page 3, schedule 1 [1], lines 3–6. Omit all words on those lines. Insert instead:

[1] Section 218 Criteria for registration

Insert "(other than an organisation referred to in paragraph (n) during the period referred to in that paragraph)" after "organisation of employees" where firstly occurring in section 218 (1) (m).

[2] Section 218 (1) (n)

Insert after section 218 (1) (m):

, and

- (n) in the case of an organisation of employees to which schedule 5 applies that made an application for registration before, or makes such an application within 6 months after, the date of assent to the *Industrial Relations Amendment (Industrial Representation) Act 2012*—the organisation satisfies the requirements of subsection (1A).

No. 2 Page 4, schedule 1 [4], lines 7–13. Omit all words on those lines. Insert instead:

Insert after section 245 (3):

- (3A) The Industrial Registrar must not consent to an alteration of the rules of an industrial organisation of employees to which schedule 5 applies relating to eligibility for membership of the organisation (being an application for consent made before, or within 6 months after, the date of assent to the *Industrial Relations Amendment (Industrial Representation) Act 2012*) if, in relation to persons who would be eligible for membership because of the alteration there is, in the opinion of the Industrial Registrar, another organisation:

No. 3 Page 4, schedule 1 [4], line 17. Omit "subsection (3)". Insert instead "subsection (3A)".

No. 4 Page 4, schedule 1 [4], line 24. Insert "an application referred to in subsection (3A) for consent" after "refuse to consent to".

No. 5 Page 6, schedule 1. Insert after line 19:

[11] Schedule 5

Insert after schedule 4:

Schedule 5 Registration of similar organisations

Application of schedule

This schedule applies to the following organisations:

the Emergency Medical Service Protection Association (NSW) Inc (EMSPA NSW),
the Australian Salaried Medical Officers' Federation (NSW).

By leave, I wish to make three minor typographical clarifications to those amendments as follows:

That amendment No. 1 on sheet C2012-044D be amended by omitting "6 months" in paragraph 2 (n) and inserting instead "12 months".

That amendment No. 2 on sheet C2012-044D be amended by omitting "6 months" in paragraph (3A) and inserting instead "12 months"

That amendment No. 4 on sheet C2012-044D be amended by inserting "to" after "for consent".

The intent of these amendments is to limit the application of this bill to applications made by the Emergency Medical Service Protection Association [EMSPA] and the Australian Salaried Medical Officers Federation to allow those two organisations to take advantage of the changes to the law, give them 12 months from the date of assent to bring an application under these relaxed rules for industrial representation, but to limit the application of the bill to applications being made by those two organisations.

The clear intent of The Greens amendments is not to allow competitive unionism to be used to break up some of our great public sector unions; not to allow competitive unionism to hive off the bulk of the teaching staff in the NSW Teachers Federation from the principals; not to hive off registered nurses from enrolled nurses; not to hive off one government department from another and therefore break up the Public Service Association and remove the capacity of those great public sector unions to represent the interests of their members.

The Greens acknowledge that both the paramedics and the junior doctors in New South Wales have a valid case to run an application under more relaxed rules in the commission to allow for their separate representation. For the better part of a decade both junior doctors and paramedics have sought to separate from the Health Services Union and its predecessors. The paramedics and the junior doctors do not believe that they have been well served by their current industrial organisation. They have made a strong case to be treated separately and to have the right to make an application with a more relaxed set of rules.

On many occasions I have met with officials from the Australian Medical Association and the Emergency Medical Service Protection Association and they made it clear to me that their members would greatly appreciate an opportunity to make an application to the Industrial Relations Commission under a more relaxed set of rules so that they can break away from the Health Services Union. Every member of this House would be aware of the dysfunction in the Health Services Union. For the better part of a decade a large number of paramedics in New South Wales have become members of the Emergency Medical Service Protection Association even though it is greatly limited in its industrial representation in the Industrial Relations Commission. Even with those limitations, in large part the paramedics have voted with their feet to become members of the Emergency Medical Service Protection Association.

The same could be said for junior doctors who believe that they are not well served by the Health Services Union and that it is not looking after their interests when they are doing the hard work that we expect of them. The Greens do not defend, and have never defended, the actions of those officials of the Health Services Union who clearly were milking the union for personal benefit as opposed to using members' funds to improve the working conditions of their members and advance the rights of collective labour in New South Wales.

The Greens, acknowledging that the Emergency Medical Service Protection Association and the junior doctors have a special case, crafted these amendments in such a way that it would enable those two organisations, and only those two organisations, to make an application under this law. We seek the support of the House in supporting these amendments which will give relief to paramedics and to junior doctors who deserve it and protect other great institutions such as the NSW Teachers Federation, the NSW Nurses Association, the Public Service Association and public sector unions that should not be exposed to the kind of dog-eat-dog mentality that is contained in this competitive unionism bill. I commend the bill to the House.

The Hon. ADAM SEARLE (Deputy Leader of the Opposition) [5.00 p.m.]: The Opposition supports The Greens amendments. However, we have a slightly different perspective in that we believe that legislation in this area should have general application. We would prefer it not to cherry-pick or to cater to the needs of specific sectors of the workforce. However, we accept the argument that paramedics and young doctors have a special case and should be treated a little differently. Only in the extraordinary circumstances that apply to those limited sectors of the public sector workforce do we accept the need for such specific provisions in legislation. With that caveat, the Opposition supports the amendments.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [5.01 p.m.]: The Government opposes these amendments. The outcome would be far too restrictive on healthy representational competition and they are contrary to the objects of the bill.

Dr JOHN KAYE [5.02 p.m.]: I support the amendments moved by my colleague Mr David Shoebridge. Without these amendments the legislation would create a free-for-all in the industrial environment of New South Wales. The freedom that I support is the freedom to bargain collectively and to do so without the involvement of unions that have been created specifically to undermine the bargaining process. There are huge concerns about free-for-all competitive unionism across New South Wales. Those concerns would be impossible to explain to someone with the ideological bent of the Hon. Dr Peter Phelps. He loathes the idea of people working together for the common good.

Clearly, for those who believe in the right of individuals to bargain collectively and to work for the common good to achieve a common outcome, the free-for-all that the legislation would create without these amendments would be a good thing. However, it would not be in best interests of the working people of New South Wales. There are three basic reasons for that. First, competitive unionism creates the opportunity for two unions to go head to head during enterprise bargaining or award negotiations. I have had the misfortune of being in an industrial environment involving two unions and one union—for malign or other reasons—

[Interruption]

Madam Chair, there seems to be a problem with the microphone. All I can hear is random noise coming from the Government benches.

The CHAIR (The Hon. Jennifer Gardiner): Order! The Hon. Dr Peter Phelps will desist from interjecting.

Dr JOHN KAYE: Those situations are not in the best interests of employees. In fact, they advantage the employer, which is possibly why the Coalition is so enthusiastic about them. It is not in the best interests of employees to have two unions in the one industrial environment undermining each other in the bargaining and negotiation process. Secondly, without these amendments, the legislation would reduce the size of many unions and as a result diminish their economic and industrial power, and weaken their capacity to bargain for their members. Thirdly, it would create an environment in which unions could be manufactured by employers for the sole purpose of undermining industrial representation.

Those of us who have lived in America and who have been involved in the industrial environment in that country understand the negative impact of yellow dog unionism. I have grave concerns about this legislation if it is not amended and about the impact it would have on the Teachers Federation and the Nurses and Midwives' Association of New South Wales, in particular. There are those who would seek to split the unions to reduce their capacity to represent their members and in so doing advantage their employer—the New South Wales Government.

There are those who would like to see the representation of principals and teachers separated. They want them forced into separate award negotiations, which would have diabolical consequences for both teachers and principals. More importantly, it would mean that we would not have a single voice for public education. The result would be a weaker voice. That might suit the agenda of some individuals, but it is certainly not in the interests of the teacher workforce or the people of New South Wales, who rely on a strong public education system.

Likewise, this legislation unamended would allow nurse unit managers to be split from the nursing profession and be represented by a separate union. The two unions might then collide and undermine each other in award negotiations and thereby weaken the voice of the nursing profession. That is unacceptable. These amendments remove that risk from the legislation and allow both emergency medical professionals and young doctors to form their own industrial organisations, and that should be strongly supported.

Reverend the Hon. FRED NILE [5.07 p.m.]: The Christian Democratic Party supports these amendments with reservations. We support the Government's desire to allow flexibility in this area, but we accept the reality and we want the bill to be passed. We have had many meetings with representatives of the paramedics and young doctors and we made a commitment to do everything we could to deliver a bill that addressed their concerns. There may be other groups that wish to be involved in this process, but they have not lobbied the Christian Democratic Party and I am not aware of them. We are responding to two genuine requests and we are pleased that the Government has introduced this legislation, which addresses their concerns.

I am surprised about the way in which The Greens deal with these issues. Mr David Shoebridge and Dr John Kaye said that if the Teachers Federation were split and the principals had their own union, it would not represent its members. If the federation were split, principals would have more direct representation. We all know that the Teachers Federation's main concern is classroom teachers. The division between principals and teachers was evident in the recent debate about the Government's proposed reforms—the principals supported them but the Teachers Federation did not.

I have no fears about the Parliament revisiting this issue and allowing genuine flexibility. However, I will not support any process that is designed simply to create conflict between unions. If there are groups within a monolithic organisation such as the Teachers Federation that wish to form their own union, that should be facilitated. I have not been approached by the principals and they may not want a separate union. However, if the majority decide that they do wish to go down that path, they should be able to do so.

I am also pleased that The Greens amendments proposed to change the period during which an application can be lodged from six months to 12 months. That is a practical approach that will allow ample time for those concerned to make the appropriate arrangements. Unlike unions, the paramedics and young doctors do not have full-time staff and I am pleased that that concession has been made. The Christian Democratic Party supports the amendments, but would prefer an arrangement whereby genuine groups could apply for alternative representation. That may be dealt with at some later date.

Mr DAVID SHOEBRIDGE [5.09 p.m.]: I want to clarify another aspect of the amendments. They are clearly intended to allow for the existing application lodged by the Emergency Medical Service Protection Association to be covered. They are crafted with that in mind and the clear intention is to allow that application to be roped in.

Question—That The Greens amendments Nos 1 to 5 [C2012-044D] be agreed to—put.

The Committee divided.

Ayes, 21

Ms Barham	Mr Moselmane	Mr Veitch
Mr Borsak	Reverend Nile	Ms Westwood
Mr Brown	Mr Primrose	Mr Whan
Mr Buckingham	Mr Roozendaal	
Ms Cotsis	Mr Searle	
Mr Donnelly	Mr Secord	<i>Tellers,</i>
Ms Faehrmann	Ms Sharpe	Ms Fazio
Mr Green	Mr Shoebridge	Dr Kaye

Noes, 16

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

Pairs

Mr Foley	Ms Cusack
Ms Voltz	Mr Harwin

Question resolved in the affirmative.

The Greens amendments Nos 1 to 5 [C2012-044D] agreed to.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [5.20 p.m.]: I move:

That the Chair do now leave the chair, report progress and seek leave to sit again at a later hour of the sitting.

Question put.

The Committee divided.

Ayes, 18

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

Noes, 19

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

Pairs

Ms Cusack	Mr Foley
Mr Harwin	Ms Voltz

Question resolved in the negative.

Motion negatived.

The Committee continued to sit.

The Hon. ADAM SEARLE (Deputy Leader of the Opposition) [5.32 p.m.]: I move Opposition amendment No. 1 on sheet C2012-040E:

No. 1 Page 3, schedule 1 [1]. Insert after line 6:

, and

- (n) in the case of an organisation of employees—the organisation is free from control by, or improper influence from, an employer or by an organisation or other association of employers.

The amendment addresses concerns raised by me during the second reading debate about the possibility that organisations seeking registration are not genuine employee organisations or may be improperly influenced or controlled by employer interests. Dr John Kaye also made mention of this matter both in his contribution to the second reading debate and in debate on The Greens amendments with his reference to so-called "yellow dog unions". Whatever the colour of the animal, it must be a genuine organisation that seeks to represent the interests of employees, the workforce, and it must be free from control or improper influence by an employer or an organisation or association of employers.

This provision exists, for example, in the Fair Work (Registered Organisations) Act 2009, which is the Federal regulatory apparatus that deals with the registration of all unions and employer organisations. As I indicated in my contribution to the second reading debate, the provision has been missing from the New South Wales Act, largely because it had not been a practical problem. Given that the legislation before the Committee at least potentially liberalises the approach taken to the registration of new industrial organisations, it is time and, indeed, imperative that such a provision goes into the legislation so that the registry can properly scrutinise applicant organisations to ensure that, to the extent that they seek or purport to be unions, they are genuinely so and that they are not improperly controlled or influenced by employer interests. So I urge all spectrums of opinion in this Chamber to embrace this provision in order that the workforce may be properly protected.

Mr DAVID SHOEBRIDGE [5.34 p.m.]: The Greens support Opposition amendment No. 1. The amendment is designed to make it clear that any union that is established cannot be under the control of the employer. The provision should already be in the Act. I hope that the Government supports the amendment, because no-one wants to see a union under the thumb of the employer. There should be that statutory criteria: it makes sense.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [5.35 p.m.]: The Government does not oppose the amendment. However, it notes that the Act contains relevant provisions that require an organisation seeking registration to be a genuine organisation seeking to represent workers.

Question—That Opposition amendment No. 1 [C2012-040E] be agreed to—put and resolved in the affirmative.

Opposition amendment No. 1 [C2012-040E] agreed to.

The Hon. ADAM SEARLE (Deputy Leader of the Opposition) [5.36 p.m.], by leave: I move Opposition amendments Nos 2 and 3 on sheet C2012-040E in globo:

No. 2 Page 3, schedule 1 [2]. Insert after line 23:

- (1B) In determining under subsection (1A) (a) whether an existing organisation would more effectively represent members than the applicant organisation, the Industrial Registrar must have regard to the resources and representative infrastructure of the applicant.

No. 3 Page 4, schedule 1 [4]. Insert after line 23:

- (3B) In determining under subsection (3) whether an existing organisation would more effectively represent members than the applicant organisation, the Industrial Registrar must have regard to the resources and representative infrastructure of the applicant.

These amendments address another concern I raised in my contribution to the second reading debate: the bill seeks to remove or water down the barrier to new entrants, new unions, being registered where an existing organisation already represents or covers a particular part of the workforce. It turns on the issue of whether a new body would more effectively represent the membership. We style these amendments as consumer protection provisions, that is, we are concerned that if new entrants, new unions, are registered one criterion is that the registry must have regard to the resources and the representative infrastructure of the applicant organisation.

That means that if an organisation is holding itself out as able to represent the workforce in an industrial sense and is receiving money for holding itself out, before it can be permitted to do so the registry must consider the organisation's resources and what structure it has in place whereby it can go into the workforce, hear from its members about their concerns or issues and represent them in difficulties or disputes with their employer in industrial courts and tribunals and in all the different ways that registered industrial organisations represent their members. In the amendments we do not specify that an applicant for registration must necessarily have the same resources as a potential competitor, even pro rata, given its size of membership.

The Hon. Dr Peter Phelps: What resources did the AWU have in 1890? This is a lockout?

The Hon. ADAM SEARLE: I note the interjection by the Hon. Dr Peter Phelps. This is not a lockout provision.

The Hon. Dr Peter Phelps: It's an obstacle.

The Hon. ADAM SEARLE: This is not an obstacle. This is simply to say that when an applicant organisation comes knocking on the door requesting registration as a union or an employer association the commission must ask, "What resources do you have?", "What infrastructure do you have?", "Do you have organisers?", and "Do you have industrial officers?" Do you have even a telephone system? Are you able to do the job that you hold yourself out to the membership as being able to do?

We urge these two amendments on the Committee because without this protection for potential consumers, potential new members of organisations that seek registration, there is the possibility that sham organisations will seek registration and possibly be registered. Organisations, without seeking to perpetrate a fraud on the membership, in fact do because they simply do not have the capacity to represent their members even in the most basic way. We think that would be a most regrettable step, one that would call the whole of this legislation into disrepute and would undermine what the Government says it is seeking to do, that is, to permit people to have some choice of union membership.

The Opposition does not oppose that, subject to some safeguards—not onerous ones, not ones that say, "You have to have the same number of industrial officers or the same number of organisers adjusted for the size of your membership." None of that is there. It is simply saying that the industrial registrar must have regard to the resources and infrastructure of a representative nature that an applicant organisation has before such an organisation can be registered. It is not an obstacle to registration; it is simply a sensible and very cautious safeguard to protect members, and potential members, of organisations that seek registration as unions and other industrial organisations. Without provisions such as this, we say that the legislation in its current form is open to abuse and is open to registration of organisations which are simply set up to fail, which simply have no capacity to do the job that they seek to do, and if they fall over it again calls into question the system of registration of industrial organisations. It undermines the capacity of workforces to be organised and collectively represented.

As I indicated in my second reading contribution, perhaps that was one of the hidden objectives of the legislation, that the Government was in fact setting up an apparatus that might fail the workforce. I hope that is not the case. This is the opportunity for the Government and indeed the whole of this Chamber to come together and say, "We are not going to put obstacles in front of new organisations seeking to be registered, we are just seeking to have some consumer protection, if you like, so that when people join an organisation that has just been registered they know that the proper authorities have at least turned their mind to what resources and what representative infrastructure this new body has, and that it is fit for purpose. That is all."

The Hon. Dr Peter Phelps: It is protection—

The Hon. ADAM SEARLE: It is not protection for existing unions. This happens in sale of goods Acts and in consumer protection legislation. There is simply some potential protection for potential consumers. Surely the Government must see the good sense and wisdom in that, because without it there is a potential flaw at the heart of its own legislation. I urge all honourable members to support these sensible and very cautious amendments.

Progress reported from Committee and consideration set down as an order of the day for a future day.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2012

Second Reading

The Hon. JOHN AJAKA (Parliamentary Secretary) [5.45 p.m.], on behalf of the Hon. Duncan Gay:
I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The Prevention of Cruelty to Animals Amendment Bill makes important amendments to the Prevention of Cruelty to Animals Act 1979 that will significantly benefit the welfare of stock animals and regional communities.

The bill achieves this by introducing a new mechanism to assist both animal welfare agencies and those in charge of stock animals to achieve better outcomes in cases where stock are not receiving adequate care.

The amendments will provide for practical and cost-effective intervention in stock welfare cases so that the stock are either restored to good health, or sold, with the net proceeds of sale going to the stock owner.

The amendments are designed to prevent situations developing where the condition of the stock deteriorates to such an extent that it is considered cruel to keep them alive. In such a case, the stock are destroyed.

The amendments will also provide an opportunity to educate and assist the person in charge of stock animals to implement measures to restore the health of the stock—without the need for direct prosecution action.

The objects of the Act are to prevent cruelty to animals and to promote the welfare of animals.

It does this by requiring those in charge of animals to care for them appropriately and treat them in a humane manner.

The Act prescribes offences which constitute cruelty to animals. These include offences for failure to provide animals with food, drink or shelter where it is reasonably practicable to do so. These are known as 'failure to provide' cases.

Animal welfare agencies are charged with the responsibility of investigating the condition of animals where the welfare of the animal is alleged to be at risk.

As the enforcement agencies under the Prevention of Cruelty to Animals Act 1979, the Royal Society for the Prevention of Cruelty to Animals, universally known as the RSPCA, the Animal Welfare League, and the police, are the front-line troops enforcing the standard of care we expect for animals.

In 'failure to provide' cases involving certain stock animals, inspectors from the enforcement agency must seek advice from the Department of Primary Industries as well as a Livestock Health and Pest Authority before commencing prosecution action.

The advice can include an assessment of the state of the stock, the adequacy of the feed and water available and options to improve the condition of the stock.

This bill relates specifically to the welfare of stock animals. It makes further provision for inspectors and those with expertise in animal welfare and livestock management to work with the person in charge of stock that have been assessed as being at risk, to return the stock to good health.

Significantly, it contains a new power for the director general of the department to authorise the seizure and disposal of distressed stock following the failure of the owner or person in charge of the animals to take notified remedial action in relation to the stock.

There are currently two provisions in the Act that provide for the seizure and sale of animals. However, both require court intervention.

The first is an interim disposal order that may be granted by the local court in circumstances where an inspector has taken possession of an animal in relation to an alleged offence.

The second is where a person has been convicted of an animal cruelty offence and the court orders the disposal of the animal. Such an order is on the basis the court considers the convicted person would be likely to commit another cruelty offence if that person were to be in charge of an animal.

These existing provisions respond well to a case involving a single companion animal such as a dog or a cat. However, they do not address the challenges of a stock welfare case that may involve large numbers of cattle or sheep.

The process under the existing provisions can also be costly and time consuming. Taking possession of stock animals can be expensive.

The animals must be cared for by the welfare agency until court action is finalised. Or the animals must be nursed back to health by the agency and returned to the owner.

Whilst costs are recoverable, quite often the stock owner will not be able to meet these costs.

Further, there is no guarantee that if the stock are returned to the owner they will be adequately cared for. This could potentially result in a cycle during which the health of the stock continues to deteriorate until they are in such a poor condition that it is deemed cruel to keep the stock alive and the welfare agency is left with no choice but to humanely destroy the stock.

The bill seeks to address this limitation in the Act.

The new mechanism in the bill provides the director general of the department with the power to authorise the seizure and sale or other disposal of stock animals in certain circumstances, without the inevitable expense and delay involved in court proceedings.

Firstly, the seizure and sale powers may only be used in relation to stock animals that are kept on land that is rateable by a Livestock Health and Pest Authority.

'Stock animals' are defined in the Act to mean cattle, sheep, pigs, poultry, horses, goats, deer and any other animal species that may be prescribed in the regulations.

Further, the seizure and sale powers may only be used in cases where the director general reasonably suspects that stock animals are distressed or likely to become distressed, because they have not been provided with necessary veterinary treatment or proper and sufficient food, drink or shelter.

In this context, the bill defines a stock animal as being in distress if it is suffering from exposure to the elements, debility, exhaustion or significant physical injury.

In determining whether to exercise the power to seize and dispose of stock animals, the bill requires the director general to establish a Stock Welfare Panel and to consider the reports of that panel.

The role of the Stock Welfare Panel will be to investigate and assess the situation and report to the director general on the state of, and appropriate care for, the stock animals and other relevant matters concerning the welfare of the stock. This may include such matters as feed and pasture availability and the seasonal outlook for the animals.

The panel will consist of an inspector authorised under the Act, an officer of the department and at least one representative of a Livestock Health and Pest Authority with expertise in animal welfare or livestock management.

The panel may also include other persons as prescribed in the regulations such as a person with skills in animal nutrition or a representative of New South Wales Farmers.

The expert panel will also work with the stock owner or person in charge of the stock to develop a plan to manage the welfare of the stock—known as a management plan. The goal of the management plan will be to restore the stock to good health.

However, if the stock owner or person in charge is unable or unwilling to comply with the management plan, the amendments will allow the director general to issue a written notice—known as an official warning—to that person.

The official warning will inform the person that the director general intends to authorise the seizure and disposal of the stock if the remedial action set out in the official warning is not complied with in the specified time period.

The action set out in the official warning will be consistent with the management plan developed by the panel, in consultation with the stock owner or person in charge.

If an official warning is issued, the panel must monitor compliance with it. At the expiry of the period of time specified in the official warning, the panel will reassess the situation and provide a further report to the director general with recommended action.

If the stock owner has complied with the official warning, the panel's recommendation may be that no further action is required. However, if there has been a continued failure to comply and the condition of the stock is deteriorating, the panel may recommend that the director general seize and dispose of the stock.

A recommendation to seize and dispose of the stock would generally only occur after the panel has worked with the stock owner or person in charge under a management plan and it has become evident that the person is unwilling or incapable of rehabilitating the stock.

If, after considering the panel's further report, the director general is satisfied the required remedial action has not been taken and the stock remain in distress or are likely to become distressed, the director general can authorise an inspector to seize and dispose of the stock.

In those unfortunate instances where stock are seized and sold, the proceeds of the sale, less the costs associated with the care, seizure and sale of the stock, will be paid to the stock owner. No compensation will be recoverable by the owner.

Where the sale proceeds do not meet the costs associated with the care, seizure and sale of the stock, those costs may be recovered from the owner.

These amendments are a significant addition to the Act and will provide more options and flexibility when confronted with stock animal welfare cases. These amendments do not remove an inspector's power to destroy stock in a humane manner if it has been determined that the animal is in such a condition that it would be cruel to keep it alive.

Inspectors do not make such decisions lightly. Where possible, advice is sought from a vet and other experts on the condition of the stock. Sometimes, however, immediate action is required to prevent the ongoing suffering of the animal.

We all know that the farming community does an excellent job of caring for their stock, even when conditions are very challenging. You will recall the prolonged and devastating drought that we suffered between 2002 and 2010. During that period animal welfare agencies sought advice from the Department and Livestock Health and Pest Authorities in a number of "failure to provide" cases involving stock animals.

In most instances those responsible for the stock complied with directions aimed at rehabilitating the stock—a good outcome was achieved for the welfare of the animals and the stock owner.

Cases did occur however where the condition of the stock deteriorated to such an extent that it was cruel for them to be kept alive.

When this unfortunate situation occurs, the stock are destroyed, and the owner is usually prosecuted for failure to provide and aggravated cruelty. This is the worst outcome for all involved.

Valuable stock will have suffered and their value will be completely lost. The stock owner, and often the nearby farming community, endures the emotional stress of seeing the stock destroyed.

The owner also endures the stress and expense of prosecution action.

This sequence of events can be traumatic for all involved. In extreme cases, police officers have had to be called to ensure the safety of those destroying the animals.

The process is not just traumatic, it is expensive, time consuming and, at the end of the day, fails to protect the welfare of the animals.

Frankly, this is a scenario we do not want to recur.

Situations such as this are the reason for making the amendments in the bill—so that the relevant authorities can work with the stock owner or person in charge to achieve a better welfare outcome without the need for prosecution action.

I believe we can provide for better outcomes for our farming communities and the welfare of their animals. These amendments will empower the director general of the Department to authorise animal welfare agencies to sell seized stock under certain circumstances without needing to obtain a court order. This is a simpler, more straightforward, and more effective process.

The New South Wales Government is committed to working with animal welfare experts, the community and industry to continually improve animal welfare standards in our State. Most farmers in New South Wales take the welfare of their animals very seriously. Where this has not been the case, it is timely that the Government makes the proposed amendments to safeguard against the unnecessary destruction of these animals. The amendments in the bill are supported by both the RSPCA and the New South Wales Farmers Association. This bill aligns animal welfare interests with the interests of the livestock industry.

I commend the bill to the House.

The Hon. STEVE WHAN [5.46 p.m.]: The Opposition will support the Prevention of Cruelty to Animals Amendment Bill 2012. We understand The Greens are foreshadowing some amendments, a couple of which we would be happy to consider, based on the Government's comments on them as well. This bill is a positive step. It makes a number of amendments to the Prevention of Cruelty to Animals Act relating mainly to the way that inspectors go about removing animals that are not being properly cared for, particularly after an owner has refused or been unable to act on previous directions to improve their care. The objects of the bill, as outlined in the bill, are as follows:

- (a) to enable the Director-General of the Department of Trade and Investment, Regional Infrastructure and Services to authorise the seizure and disposal of distressed stock animals following the failure of the owner or person in charge of the animals to take notified remedial action in relation to them,
- (b) to require the Director-General, in determining whether to authorise the seizure and disposal of stock animals, to consider the reports of a Stock Welfare Panel in relation to the animals' state and welfare, and implementation of the notified remedial action,
- (c) to provide for associated matters (including the constitution and functions of Stock Welfare Panels, the recovery of costs and expenses incurred in connection with the seizure and disposal of stock animals, and the exclusion of personal liability in the exercise of proposed functions) ...

It also enables the director general's powers to be delegated. This legislation addresses some issues that arose during drought, particularly in relation to the care of animals that were in poor condition for a number of reasons, often the lack of fodder. It addresses circumstances where sufficient steps have not been taken to care for those animals, particularly where the owner has refused or been unable to follow the directions of welfare officers who have visited and given directions as to better care of those animals. In the past it has been difficult for visiting RSPCA inspectors to remove stock. They have always had power to destroy stock in certain circumstances and they retain that power under this legislation—

The Hon. Dr Peter Phelps: But not the power to save them.

The Hon. STEVE WHAN: It has been difficult in some cases, as the Government Whip has interjected, to save them. This will make it more practical for inspectors, following a process which I will come to shortly, to have the stock removed so that they can be saved and sold. One of the difficulties for the RSPCA in removing the stock was that it then had to pay for its ongoing long-term maintenance. Obviously we want to give some protection to the landowners who own the stock to ensure they feel the decision to remove the stock is fair. In that regard the Opposition supports the Government's move to establish welfare panels. I have spoken to the RSPCA's chief inspector about this and I understand that organisation also supports the measures being introduced. The RSPCA has had practical difficulties in the past and it believes these measures will save them from the difficulties that have arisen in some cases where they have had to go to court to get orders to remove stock.

There were some examples of this during the drought when the RSPCA had difficulties but there were also some complaints from farmers about the measures that inspectors were taking. The Opposition acknowledges that creation of the panels will provide the opportunity for a balanced consideration of the issues involved. The Opposition is positive about the make-up of the panels as detailed in the bill. We also do not have a problem with the way the Government proposes to establish these panels in part through regulation. It is important for the panels to include experts but it is also important to enable representatives of farmers to be involved in the process at times to ensure farmers are given some say. The Opposition certainly does not have an issue with that aspect of the bill. It is a sensible thing to do. I believe this is a measure that will be generally welcomed. Certainly the RSPCA seems to be quite positive about it. I believe the farming community also will be quite positive about the bill. The bill will enhance the welfare of stock around New South Wales. I commend the bill to the House.

The Hon. NIAL BLAIR [5.51 p.m.]: I support the Prevention of Cruelty to Animals Amendment Bill 2012. Enforcing the Prevention of Cruelty to Animals Act 1979 in New South Wales is a very important aspect of law enforcement in our society. This is in part because much of the law enforcement under the Act is provided by two dedicated charitable organisations. While the NSW Police Force also plays an important part, the two charitable organisations are the Royal Society for the Prevention of Cruelty to Animals NSW—the RSPCA—and the Animal Welfare League NSW. Both of these organisations are approved by the Minister for Primary Industries to enforce the provisions of the Prevention of Cruelty to Animals Act 1979 under section 34B.

The two charitable organisations have inspectorates that carry out their compliance and enforcement roles. Their inspectors have a wide range of backgrounds. They may have worked in occupations such as defence, wildlife care, veterinary nursing, zookeeping, farming, or local government; and they can and do include former members of the police force. Their backgrounds are often helpful in their animal welfare compliance work. The inspectors can remove animals from owners who are neglectful or indifferent or even cruel to the animals within their care. Further, they have extensive investigative and compliance powers under the Act. Inspectors investigate complaints every day about all types of animals in all kinds of situations. They work with and in pet shops and saleyards, and on farms and hobby farms. They particularly work with those who hurt and do not adequately care for animals, either intentionally or unintentionally.

Following their investigative work, inspectors, as well as the police, can provide advice on the appropriate care of an animal. They can also issue official warnings and directions to address welfare concerns or issue infringement notices if certain offences against the Act have been committed. In more serious cases the RSPCA, the Animal Welfare League NSW and police have the power to prosecute owners who treat animals cruelly. It is vital that the welfare of the animal is the foremost consideration and that we have legislation in place that makes an inspector's job as workable as possible.

The bill before us today proposes an important amendment to support the process whereby decisions are made by inspectors and others about the management, seizure and sale of stock animals that are not being adequately cared for. The clear intent of the bill is to minimise the need for compliance action in relation to stock welfare issues where the person in charge of the stock is willing to take action to rehabilitate those animals. The bill will allow the Director General of the Department of Primary Industries to establish a panel of experts—to be known as the Stock Welfare Panel—who will provide advice and a recommended course of action on the situation to the director general. The Stock Welfare Panel will aim to work with the person in charge of the stock to implement remedial action under an agreed management plan. This important step provides an intermediary mechanism to consider the situation and all the available options to ensure optimal animal welfare outcomes can be achieved when making decisions about the fate of the animal or animals.

Sometimes it may be determined that the stock can be rehabilitated but the person in charge of the stock may refuse or be unable to work with the panel to implement remedial action. In these cases the panel may recommend to the director general that the stock be seized and sold or disposed of in another way. The proceeds of the sale, less the costs associated with the care, seizure and sale of the stock will be returned to the owner. I support the comments about the panel made by the Hon. Steve Whan and I am glad the Opposition supports the make-up of the panel. One of the amendments that I understand The Greens will move relating to the make-up of the expert stock panel is to prevent organisations such as NSW Farmers being included. This is from an organisation that has for many months been trying to claim it is the farmers' friend while cherry picking some of the issues that have arisen. I am glad that the Hon. Jeremy Buckingham has turned up to listen to this part of my speech. The Greens have been cherry picking one or two issues to claim to be the advocate—

The Hon. John Ajaka: Point of order: Notwithstanding I am sitting next to the Hon. Niall Blair, I cannot hear him while the member opposite is screaming.

The DEPUTY-PRESIDENT (The Hon. Jennifer Gardiner): Order! All interjections are disorderly. The Hon. Niall Blair will be heard in silence.

The Hon. NIALL BLAIR: For The Greens to move an amendment that would prohibit organisations such as NSW Farmers from being on an expert panel that would give advice about the welfare and handling of stock is ludicrous. It shows the hypocrisy of The Greens in that they will use NSW Farmers when they see fit but when it comes to matters of substance—and NSW Farmers want to be included on this expert panel—the Greens have no hesitation in moving an amendment to prevent that from happening. NSW Farmers is now being labelled by The Greens as not being expert in stock handling. That is what The Greens are ultimately saying with their amendment. NSW Farmers is working with its members, some of whom may be going through difficult circumstances.

The DEPUTY-PRESIDENT (The Hon. Jennifer Gardiner): Order! Members will cease interjecting. The Hon. Niall Blair has the call.

The Hon. NIALL BLAIR: We have seen some unfortunate cases in the past throughout our State where the mental health issues that some in the farming community may have been suffering flowed over into animal handling and unfortunately some animal cruelty. Organisations such as the NSW Farmers Association have supported and advocated for farmers through the tough times. It is ludicrous to suggest that those organisations and their members should be precluded from appearing on these expert panels. I am glad that Opposition members have come to their senses and recognise the importance of having organisations such as the NSW Farmers Association on these expert panels.

The Hon. Amanda Fazio: We've always had an excellent relationship.

The Hon. NIALL BLAIR: I acknowledge the ongoing relationship of the NSW Farmers Association with all major parties. Unlike The Greens, who are trying to prevent New South Wales Farmers from appearing on this expert panel, at least Opposition members are showing their support for this bill which will introduce measures to help to achieve better animal welfare outcomes for stock animals that are not receiving adequate care. These amendments include preventive measures for the management of stock animals before they deteriorate to such an extent that it is considered cruel to keep them alive and they have to be destroyed. Victoria already has enacted such legislative provisions, so it is only appropriate for New South Wales to enact similar legislation, in particular, as we will be dealing with cross-border issues. I commend the bill to the House. I am confident that other members will voice their dismay at the amendments proposed by The Greens which will prevent farmers in New South Wales from appearing on these expert panels.

The Hon. WALT SECORD [6.04 p.m.]: I contribute to debate on the Prevention of Cruelty to Animals Amendment Bill 2012. The shadow Minister for Resources and Primary Industries, the Hon. Steve Whan, has already indicated that Labor supports the bill. On 5 September the Minister for Primary Industries, Ms Katrina Hodgkinson, said in her second reading speech that this bill is supported by both the RSPCA and the NSW Farmers Association. The Minister said that this bill aligns animal welfare interests with the interests of the livestock industry. It is a straightforward piece of legislation.

The Prevention of Cruelty to Animals Amendment Bill 2012 will make important amendments to the Prevention of Cruelty to Animals Act 1979. These amendments are intended to improve the welfare of stock animals in rural and regional communities, particularly during times of drought and other hardships such as bushfires, storms and flooding. This bill originates from the unfortunate events during the recent drought which eased in December 2010. In its 2010-11 annual report, the RSPCA advised that it had been involved in euthanasing 417 livestock in New South Wales and that it had taken a further 234 livestock into its care during the same period.

Under this bill stock animals are defined as cattle, sheep, pigs, poultry, horses, goats, deer and other animal species that may be prescribed in the regulations. Put simply, this bill is about reducing the unnecessary destruction of those animals. Through the Prevention of Cruelty to Animals Amendment Bill 2012, both animal

welfare agencies and those in charge of stock animals will be able to respond more quickly on those occasions when livestock is not receiving adequate care. The bill will provide for practical and cost-effective intervention in stock welfare cases. These animals either will be restored to health or will be sold, with the net proceeds of sale being returned to the farmer.

I have been advised that these amendments were designed to prevent situations where the state of the animals deteriorates to the point where it would be considered cruel to keep them alive. Unfortunately, in the recent drought there were cases in which animals had to be destroyed. Under existing laws it is difficult for an RSPCA inspector simply to remove livestock from properties if it is warranted. During the last drought this caused problems and a number of animals had to be euthanased rather than removed. Currently, two provisions in the Act provide for the seizure and sale of animals but they are cumbersome and both require court intervention.

In the first provision an officer has to obtain an interim disposal order that may be granted by the Local Court in circumstances where an inspector has taken possession of an animal in relation to an alleged offence. The second provision is where a person has been convicted of an animal cruelty offence and the court orders the disposal of the animal. Such an order is on the basis that the court considers the convicted person would be likely to commit another animal cruelty offence if that person were to be in charge of an animal. In her second reading speech the Minister said that these existing provisions respond well if we are dealing with a pet such as a dog or a cat. However, they do not address large numbers of cattle or sheep. Further, the current process will be costly and time-consuming for animal welfare officers. The animals must be cared for by the welfare agency until court action is finalised or the animals must be nursed back to health by the agency and returned to the owner.

While costs are recoverable, quite often the stock owner, especially during times of drought, will not be able to meet those costs, and this is not practical. In addition, there is no guarantee that if the stock is returned to the owner it will be adequately cared for. The Minister also said that this could potentially result in an unenviable cycle. This could cause a situation where the health of the stock continues to deteriorate until it is in such a poor condition that it is deemed cruel to keep the stock alive and the welfare agency is left with no choice other than to humanely destroy it, which is simply cruel and unnecessary.

I turn now to the specifics of the bill. I support the fact that the Prevention of Cruelty to Animals Amendment Bill 2012 gives the Director General of the Department of Trade and Investment, Regional Infrastructure and Services significant powers and responsibilities. The new powers for the director general are fourfold. Firstly, they will enable the director general to authorise the seizure and disposal of distressed stock animals following the failure of the owner or person in charge of the animals to take notified remedial action in relation to them. Secondly, it will require the director general, in determining where to authorise the seizure and disposal of stock animals, to consider the reports of a stock welfare panel relating to the animals' state of welfare, and implementation of the notified remedial action.

Thirdly, it will provide for associated matters, including the constitution and functions of the stock welfare panel, the recovery of costs and expenses incurred in connection with the seizure and disposal of stock animals, and the exclusion of personal liability in the exercise of proposed functions. Finally, it will enable the director general to delegate the powers under the Act. The Minister has assured the Legislative Assembly that the seizure and sale powers may be used only in extreme cases. The Minister is referring to situations where the director general reasonably suspects that stock animals are distressed or are likely to become distressed because they have not been provided with necessary veterinary treatment or proper and sufficient food, drink or shelter.

I have said in debate on other animal welfare bills that my views on animals and animal welfare have shifted from my days of growing up in rural Canada. I support the New South Wales agricultural sector and the challenges it faces, but we also have a responsibility to reduce the suffering of animals and, at the same time, balance that with the need to produce food for those who wish to consume meat. Further, I abhor unnecessary cruelty to animals. If this bill reduces or aims to reduce animal cruelty in New South Wales it has my support. In conclusion, I commend the bill to the House and thank the House for its consideration.

The Hon. CATE FAEHRMANN [6.08 p.m.]: The Greens support the Prevention of Cruelty to Animals Amendment Bill 2012 but foreshadow that we will be moving five reasonable amendments in Committee to tighten and clarify three areas. I will deal with my proposed amendments at the appropriate stage. This bill will enable the Director General of the Department of Trade and Investment, Regional Infrastructure

and Services to authorise the seizure and disposal and sale of stock animals where the director general reasonably suspects that stock animals are distressed or likely to become distressed because they have not been provided with necessary treatment by a veterinarian or with proper and sufficient food, drink and shelter.

In her second reading speech the Minister for Primary Industries, Ms Katrina Hodgkinson, said that court intervention was required to exercise provisions for the seizure and sale of animals and that the process would be costly and time-consuming because the animals must be cared for by a welfare agency until court action is finalised. This is particularly problematic in cases of stock welfare involving large numbers of cattle and sheep. The powers that will be given to the director general will be available only for stock animals kept on land that is rateable by the Livestock Health and Pest Authority. Stock animals are defined in the Act; therefore, this bill is not aimed at companion animals.

The director general will need to consult with a stock welfare panel established in each circumstance when determining whether to exercise the seizure and sale powers. The panel will include an inspector authorised under the Act, an officer of the department, and at least one representative of the Livestock Health and Pest Authority with expertise in animal welfare or livestock management. A clause in the bill will enable regulations to provide for any other person to be appointed to the panel. I foreshadow that I will be moving an amendment to that clause. The panel will give the director general advice on the rehabilitation prospects for the animals and the care that is needed. The panel will work with the stock owner on a management plan to restore stock to good health. If the stock owner does not comply with the management plan, the director general can issue a written notice, which is an official warning. If there is continued failure to comply with the warning notice, the panel may recommend seizure and sale.

The bill is primarily aimed at failure-to-provide cases, that is, failure to provide animals with food, drink or shelter. The Minister says drought situations prompted the Government to develop these provisions. In essence, this bill will allow for a shift in enforcement from a punitive approach to a collaborative approach. That is demonstrated in the ability of a stock welfare panel, working collaboratively with the stock owner, to develop a management plan to remediate welfare problems. Stock owners will be issued with warnings and given the opportunity to address their non-compliance with the Prevention of Cruelty to Animals Act before offence proceedings are launched.

There are advantages and disadvantages in collaborative and punitive enforcement approaches. The Greens support the opportunity to provide for a collaborative approach and we ask the Government to do it well. However, the punitive action provisions will remain in the bill and we trust that they will be exercised with vigour whenever appropriate—which should be a lot more often than is currently the case. Most importantly, the Government must seriously lift its game across the board when enforcing compliance with this Act to prevent cruelty to animals and because compliance and enforcement efforts currently leave a lot to be desired and many animals are suffering. Much greater resources should be provided to the RSPCA and the Animal Welfare League to assist them in their enforcement role. The resources provided to the RSPCA and the Animal Welfare League, given their responsibilities under the Act, are paltry; in fact, they are appalling. The Greens and animal welfare activists have been calling for more resources so that they can undertake their important enforcement and compliance work more effectively. Responsible agencies such as the Department of Primary Industries and the Food Authority must develop a much stronger enforcement culture when it comes to animal welfare.

I have been told of a travesty of lax enforcement that preceded the current investigation into Wally's pig farm. Valenti Perenc, who is known as "Wally", is said to have been illegally slaughtering pigs at his premises and illegally selling the meat. Footage shows that he used a sledgehammer to slaughter the pigs and hacked at their throats while his staff drank beer and watched. Sometimes the pigs took as long as six minutes to die. Desmond Sibraa, a barrister and former meat inspector for the Federal and New South Wales governments, has made a statement about the history of enforcement action taken against Wally's piggery. He says the Meat Industry Authority—its functions have since been transferred to the New South Wales Food Authority—first started taking an interest in Wally's piggery as long ago as 1984. Wally was investigated and convicted of animal welfare offences twice between then and 1993. Mr Sibraa believes that the Food Authority has not inspected the piggery since 1993 and asks why. One can well ask why a person with Wally's record on animal welfare was allowed to continue in the piggery business. We can certainly ask why he was allowed to do so without any oversight. I would like an answer to the questions on that issue that I have put on notice.

Given the egregious nature of animal welfare offences we repeatedly see in this State, the overall limitations of the Prevention of Cruelty to Animals Act and the inadequacy of resources for its enforcement and compliance, the Government's legislation is very modest and so, too, are The Greens' amendments. Animal

welfare stakeholders like The Greens would like to see much more extensive reform to strengthen the much-needed protection of animals that suffer cruelty on a daily basis in this State. Regrettably, that is for another day. I have consulted animal welfare stakeholders—including enforcement agents—about the legislation and the Greens' modest amendments are the product of that consultation. As I said, The Greens support the bill and I thank the Minister for introducing legislation that improves the welfare of animals in New South Wales.

The Hon. RICK COLLESS [6.14 p.m.]: I support the Prevention of Cruelty to Animals Amendment Bill 2012. Australia has some of the most variable rainfall in the world. The main cause of that variation is the southern oscillation, and its most extreme effect is known as El Niño. In recent years a strong El Niño resulted in a nine-year drought in New South Wales and across the eastern seaboard—the worst drought in more than a century. During El Niño events, large parts of eastern Australia are typically drier than normal during winter and spring. Planning for contingency action in the case of drought is critical for farm management, including livestock welfare management. It is vital that farmers make early management decisions to ensure the welfare of their livestock in drought. Many summer rainfall areas also experience regular dry periods in the winter. With heavy frosts, feed quality rapidly deteriorates and stock loses condition quickly.

Most farmers take good care of their livestock and those who can afford it provide their animals with supplementary feed as they lose condition. In my former life I was a consulting agronomist and I did a great deal of work on drought and winter feeding of cattle. We would analyse the feed available in the paddock and design a ration. We could design a ration taking into account what the farmer could afford and what he wanted. For example, if he wanted to maintain the condition of dry cows they would be given a certain ration. If they were young stock and the farmer wanted them to gain weight we would give them a different ration.

However, situations do arise where livestock owners are unable or unwilling to feed and manage their livestock adequately and livestock welfare becomes an issue. Currently, if an enforcement agency authorised under the Prevention of Cruelty to Animals Act 1979 receives a complaint regarding poor livestock welfare, it seeks advice from the Department of Primary Industries and a Livestock Health and Pest Authority veterinarian or ranger about the best way to manage the stock. Under the Act, the owner or person in charge of the stock will be issued with a notice setting out measures to be taken to improve the welfare of the stock. That can include, for example, directions for feeding or appropriate veterinary treatment. Usually, the person in charge will comply with the directions, the stock animals will regain condition and the matter is resolved.

While all attempts are made to assist stock owners or persons in charge of stock during this process, in some cases the person involved may not be willing or able to comply with the inspector's directions and the animals may continue to deteriorate. If this occurs, prosecution action is instigated and the stock is either seized or humanely destroyed if it has been determined it would be cruel to keep it alive. If the animals are seized, an inspector may retain possession of them for only up to 60 days or until proceedings commenced in relation to the matter are finalised. This can be very difficult and expensive in situations involving, for example, a herd of cattle or a flock of sheep. No provisions in the Act allow for the sale of the seized stock without prosecution action having been taken or without involving the court. If the stock is returned to the owner or person in charge and that person continues to be recalcitrant the welfare of the animal will again be compromised and the process continues in a cyclical manner until the stock either dies or has to be destroyed. That is a poor outcome for all involved and it can result in considerable stress and anxiety for the people involved and across local communities.

This bill allows for earlier intervention where stock animals are suffering, are in distress or are likely to become distressed. This is to be provided for by the establishment of a stock welfare panel. The panel will include an inspector for the RSPCA, the Animal Welfare League or the NSW Police Force. It will also include at least one officer from the Department of Primary Industries with expertise in animal welfare or livestock management, and at least one representative of a livestock health and pest authority with expertise in animal welfare or livestock management. The panel will also include such other person or persons as the regulations may prescribe.

It is important that "such other persons" include people who have the appropriate qualifications to deal with very delicate issues that are faced during periods of drought, particularly in relation to drought-affected livestock and the stock owners who are also traumatised by the drought. In the past all too often inspectors have not shown sufficient sensitivity in such delicate situations which further traumatises livestock owners and certainly does nothing towards helping livestock. I think that a stock welfare panel is a good idea as it will handle such situations delicately.

The amendments also aim to minimise the need for prosecution action. When New South Wales enters another drought, despite the fact that the soothsayers and doomsayers have said it will not happen because of climate change—which most of us do not believe—at some stage we will have either floods or another 10-year drought, as has occurred in this country for the past 200 years. When we are in another period of long and deep drought and welfare concerns arise on a property, this bill will prove valuable in achieving optimal animal welfare outcomes. This bill will provide more and better outcomes for the welfare of livestock. I commend the bill to the House.

The Hon. AMANDA FAZIO [6.21 p.m.]: I concur with the comments of my colleague the Hon. Steve Whan who led for the Opposition in debate on the Prevention of Cruelty to Animals Amendment Bill 2012. I also support the bill. I have supported and I will support in the future any measures that are introduced that will improve animal welfare. I was concerned by the earlier statement of the Hon. Cate Faehrmann that The Greens are the only party concerned about animal welfare. That simply is not the case. The Greens do not have ownership of that issue; they are not the only people concerned about animal welfare.

Ethical farmers are concerned about the welfare of stock on their property, in particular, some families that have kept the same strain of breeding stock for generations. They get terribly upset when they have problems as a result of drought, bushfires or anything else that causes them to lose stock or that causes them to keep stock in less than optimal conditions. I support this bill. I also deny the assertions that have been made in this debate. Animal welfare is a cause for concern for all members and all major parties in this State. It cannot be claimed as being the domain of only one group. Animal welfare is our responsibility collectively. For those reasons I support the improvements outlined in this bill.

The Hon. SARAH MITCHELL [6.23 p.m.]: I support the Prevention of Cruelty to Animals Amendment Bill 2012 and commence my contribution in a similar vein to the contribution of my colleague the Hon. Rick Colless by talking about the effects of droughts. During climatic extremes, whether droughts or flooding rains, those on the land feel it most. Agriculture always suffers first and most severely. Some droughts are long-lived and some are short and intense and they cause significant damage. Some droughts can be localised and others can spread across different regions of New South Wales. Some regional droughts are not related to El Niño events and therefore are harder to forecast.

Drought reduces breeding stock numbers, disrupts cropping programs and erodes the capital and resource base of farming enterprises. Declining productivity affects rural New South Wales and the national economy. Agriculture plays a vital role in the New South Wales economy and contributes around \$8.4 billion to the New South Wales economy each year. Our livestock, wool and dairy industries account for almost half that figure. New South Wales produces high quality meat which we export all over the world. The combined value of our State's beef, sheep, pork and poultry industries is approximately \$2.9 billion. We should all be proud of those industries—and we must continue to support them—not only for the money that they contribute to our economy but also for the jobs and communities they create in our regional areas.

In order to ensure the continuation of the livestock industry in New South Wales, and the high standard of meat, dairy and wool that we produce, we need to take the welfare of livestock seriously. Animals that are mistreated are not as productive, and reproduce much less. In simple terms, unhealthy and unhappy animals produce poor quality meat and dairy products. It is widely recognised that all farmers take good care of their stock. However, in times of severe drought or other adversity, occasionally the condition of stock animals is allowed to deteriorate until their welfare becomes an issue. The clear intent of this bill is to minimise the need for compliance action relating to stock welfare issues where the person in charge is willing to take action to rehabilitate those animals.

The bill proposes an important amendment to support inspectors who are required to make decisions about the management, seizure and sale of stock animals that are not being adequately cared for. The bill will allow the Director General of the Department of Primary Industries to establish a panel of experts—to be known as the Stock Welfare Panel—that will provide advice to the director general on the recommended course of action without necessarily having to instigate prosecution action immediately. The bill will allow earlier intervention where stock animals are suffering or are in distress, or are likely to become distressed, and it will provide for their management and/or sale. It will provide a better outcome for animal welfare. I commend the bill to the House.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [6.26 p.m.], in reply: It is with great pleasure that I speak in debate on the Prevention of Cruelty to Animals Amendment Bill 2012. As many members would be aware, before the election I was shadow Minister for Primary Industries.

The Hon. Amanda Fazio: That is because you like cows.

The Hon. DUNCAN GAY: I did not hear what the Hon. Amanda Fazio said but, as usual, I suspect it was offensive.

The Hon. Amanda Fazio: No, I said that you liked cows.

The Hon. DUNCAN GAY: I like cows, sheep, sheepdogs and everything else about my farm. I am sure that those who are on the farm probably like it better when I am not there. The welfare of stock is important to many people in regional New South Wales. Recently I was approached by Peter Carter, a veterinary surgeon and farmer from Wellington and a long-time advocate for New South Wales farmers.

The Hon. Rick Colless: A good bloke.

The Hon. DUNCAN GAY: As the Hon. Rick Colless said, he is a good bloke. Peter was frustrated by the fact animals in drought conditions were not being properly examined. He wanted to approach farmers who had animals in drought conditions and advise them on the best way to protect those animals and thus benefit their business enterprises. People from veterinary backgrounds, people with a comprehensive knowledge of livestock and people from the retail side of farming must be appointed to these expert panels. Only in that way will we prevent sad incidents such as those that occurred in the Pilliga and in other parts of New South Wales. Farmers do not want to see their livestock hurt. This bill will ensure that those animals are properly protected.

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

BUSINESS OF THE HOUSE

Suspension of Standing Orders: Rescission of Order

Motion, by leave, by the Hon. Matthew Mason-Cox agreed to:

That standing orders be suspended to allow:

- (a) rescission of the order of the House this day relating to the further consideration in Committee of the Whole of the Industrial Relations Amendment (Industrial Representation) Bill 2012 on the next sitting day on which Government business takes precedence, and
- (b) that the order of the day be considered forthwith.

Rescission of Order and Consideration in Committee of the Whole of the Industrial Relations Amendment (Industrial Representation) Bill 2012

Motion by the Hon. Matthew Mason-Cox agreed to:

1. That the resolution adopted by the House this day ordering the further consideration in Committee of the Whole of the Industrial Relations Amendment (Industrial Representation) Bill 2012 be set down for the next sitting day on which Government business takes precedence, be rescinded; and
2. That the order of the day be considered forthwith.

INDUSTRIAL RELATIONS AMENDMENT (INDUSTRIAL REPRESENTATION) BILL 2012

In Committee

Consideration resumed from an earlier hour.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [6.33 p.m.]: The Government does not oppose Opposition amendments Nos 2 and 3. The effect of these amendments is to add a further issue to the Industrial Registrar's consideration of such an application.

Question—That Opposition amendments Nos 2 and 3 [C2012-040E] be agreed to—put and resolved in the affirmative.

Opposition amendments Nos 2 and 3 [C2012-040E] agreed to.

Dr JOHN KAYE [6.34 p.m.]: I will not move The Greens amendments on sheet C2012-045A.

The Hon. SOPHIE COTSIS [6.34 p.m.], by leave: I move Opposition amendments Nos 1 to 3 on sheet C2012-042 in globo:

No. 1 Page 5, schedule 1 [7], lines 24–31. Omit all words on those lines.

No. 2 Page 5, schedule 1 [8], line 32 on page 5 to line 9 on page 6. Omit all words on those lines.

No. 3 Page 6, schedule 1 [9], lines 10–15. Omit all words on those lines.

In the second reading debate I spoke extensively about these amendments. I was concerned about the transport industry being included in the bill. Members from both sides of the House have received representations from the transport industry, the Transport Workers Union [TWU], Veolia and the Australian Road Transport Industrial Organisation [ARTIO], which is one of the leading transport industry groups. They strongly objected to the changes that affected their industry. The Opposition is moving these amendments to prevent unnecessary complications and disruption in the transport industry. I commend these amendments to the Committee.

Dr JOHN KAYE [6.36 p.m.]: The Greens support Opposition amendments Nos 1 to 3. This is a sensible way forward.

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [6.35 p.m.]: The Government does not oppose Opposition amendments Nos 1 to 3. The effect of these amendments is as enunciated by the Hon. Sophie Cotsis.

Question—That Opposition amendments Nos 1 to 3 [C2012-042] be agreed to—put and resolved in the affirmative.

Opposition amendments Nos 1 to 3 [C2012-042] agreed to.

Schedule 1 as amended agreed to.

Title agreed to.

Bill reported from Committee with amendments.

Adoption of Report

Motion by the Hon. Matthew Mason-Cox, on behalf of the Hon. Greg Pearce, agreed to:

That the report be adopted.

Report adopted.

Third Reading

Motion by the Hon. Matthew Mason-Cox, on behalf of the Hon. Greg Pearce, agreed to:

That this bill be now read a third time.

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

ADJOURNMENT

The Hon. MATTHEW MASON-COX (Parliamentary Secretary) [6.37 p.m.]: I move:

That this House do now adjourn.

INTERNATIONAL UNION FOR CONSERVATION OF NATURE WORLD CONSERVATION CONGRESS

The Hon. ROBERT BROWN [6.37 p.m.]: I speak tonight about the International Union for Conservation of Nature World Conservation Congress, which is currently being conducted in the Republic of

Korea. Australia is a signatory to the International Union for Conservation of Nature [ICUN]. Indeed, the World Parks Congress is to be held in Australia in 2014, which was part of the reason our Minister for the Environment, and Minister for Heritage was in attendance along with departmental officials. For years now, but only when it suited their own selfish purposes, Green groups, who oppose almost everything, have used the International Union for Conservation of Nature standards and principles to block, delay or defer any number of initiatives.

So I hope they will have the good grace to concede that sustainable use and conservation can and do go hand in hand. It has been something that the Shooters and Fishers Party has talked about for years, but in those same years The Greens have decried the idea. They will now have to face facts because of motion 151, which has been discussed by the International Union for Conservation of Nature and is expected to be passed. In case The Greens missed it, motion 151 relates to sustainable use of abundant biological resources. And once we have similar motions adopted here, there should never again be any "conservation" argument or threat against our kangaroo industry, for example.

The Hon. Jeremy Buckingham: They taste good.

The Hon. ROBERT BROWN: They do taste good. I acknowledge the interjection by the Hon. Jeremy Buckingham. Motion 151 recognises that wild fauna and flora are vital to human survival and have significant cultural and biological value. Decisions on whether or not to use living natural resources should always be consistent with the conservation of biological diversity. It also recognises the importance that the international community has attached to achieving and supporting the sustainable use of renewable natural resources under various intergovernmental instruments and agreements. The motion urges the adoption of supportive policies and laws to allow the sustainable use of a resource to proceed from collection or harvest through to final use, without unnecessary impediments. It also recognises that where use of wild species occurs, whether consumptive or non-consumptive, sustainability and an ecosystem-based approach are goals of sound resource management.

I look forward to the New South Wales Government moving quickly to adopt and draw up any necessary legislation to eliminate all barriers currently preventing the adoption of "sustainable use" in this State. It is interesting to see who sponsored this motion to the conference. Not surprisingly, the Fur Institute of Canada put up the motion, but it was co-sponsored and/or endorsed by the following groups: the Inuit Circumpolar Council of Greenland, the Republic of Namibia's Ministry of Environment and Tourism, the Federation of Associations for Hunting and Conservation of the European Union, the European Bureau for Conservation and Development, the International Council for Game and Wildlife Conservation, the Swedish Hunters Association and the Nordic Hunters Cooperation. Hardly a group one would describe as rabid ratbags or redneck good ol' boys.

Sustainable utilisation is a primary principle of conservation. The sooner we in Australia adopt the concept, the better will be our overall success with conservation outcomes. As I said, we particularly need to have our kangaroo industry on a solid footing so that it can continue to grow with confidence and not be subject to the whims of such groups as People for the Ethical Treatment of Animals [PETA]—some people say that PETA stands for "people eating tasty animals"—and its fellow travellers every year or so. Let us get sustainable use policies in place as soon as we can.

LOCAL GOVERNMENT ELECTIONS

The Hon. RICK COLLESS [6.42 p.m.]: Tonight I put on the record a few thoughts about the local government elections last weekend. The media reports were particularly interesting in relation to the intense battle between the Australian Labor Party and The Greens, with media commentators pointing out that The Greens went backwards. Let us look at what the commentators said. Phillip Coorey of the *Sydney Morning Herald* said:

The Liberal Party did very well, Labor made small but encouraging gains and the Greens went backwards.

...

The Greens took big hits, especially in their heartlands of Marrickville and Leichhardt, where they have power. As one Labor strategist noted: "The Greens copped a big hit in areas where they make decisions."

Damien Murphy of the *Sydney Morning Herald* said:

The Greens' surging popularity has come to an abrupt halt after the party's vote collapsed at Saturday's council elections.

Four years after more than 70 Greens candidates were elected, the party is struggling to win half that number of seats ...

The Greens suffered losses in heartland inner suburban councils and the Blue Mountains, and even lost one of two seats on City of Sydney.

...

The Labor MP Luke Foley said ...

"They are deluding themselves if they think they're doing well," ... "This weekend's vote for the Greens, coming after by-elections in Melbourne and Heffron, is sure proof that since Bob Brown's retirement they are going backwards."

The Greens control Leichhardt Council—their candidate Jamie Parker became the state MP for Balmain last year—but the Labor councillor Darcy Byrne said the Greens were poised to lose two seats.

The headline in the *Daily Telegraph* stated:

The Greens were humiliated and the Liberals conquered the west.

The article stated:

... Greens, which suffered swings against of 15 per cent in the Blue Mountains, 8.8 per cent in Randwick, 11 per cent in Leichhardt and 13 per cent in Marrickville ... handing the ALP up to 45 per cent of the primary vote.

...

The Greens were decimated in Waverley, lost track in Manly ...

In Parramatta, the Liberals enjoyed a swing of up to 20 per cent and 11 per cent in Auburn as the party marched into Labor heartlands. The Liberals even won Ashfield at the expense of the Greens.

...

On the Central Coast, the Green rout continued as its primary vote slipped to 10.78 per cent at Gosford and into single figures in Wyong.

David Crowe of the *Australian* said:

Federal Labor will sharpen its attack on the Greens over core policy disputes after weekend elections that heartened ALP supporters angry at the concessions made to their allies in the minority government. Voters turned on the Greens in some of the party's local government strongholds as part of a shift to the Right blamed in part on federal policy rows over asylum-seekers and climate change.

...

Labor suffered big blows in parts of NSW, its vote down as much as 25 per cent in one ward in the Parramatta council area in western Sydney.

And it goes on and on. Let us look at what happened in some of the duty electorates I have looked after over the years. In the Bathurst electorate Bathurst Regional Council has no Greens; City of Lithgow Council, no Greens; Oberon, no Greens; and Blayney, no Greens. In the Murray-Darling electorate Broken Hill City Council has no Greens; Deniliquin, no Greens; Central Darling, no Greens; Murray, no Greens; Wakool shire, no Greens. I now refer to the Northern Tablelands electorate. In Armidale—lo and behold—there was a Greens ticket for Armidale Dumaresq Council, where they got 13.4 per cent of the vote. But that is only one council. Inverell Shire Council has no Greens; Gwydir, no Greens; Glen Innes, Uralla, Guyra and Tenterfield, no Greens; and Barwon, no Greens.

In the electorate of Orange, Orange City Council—lo and behold—is the second council I found where the Greens had a ticket. The Greens got 9.8 per cent of the vote or 1.27 quotas. It appears that the Hon. Jeremy Buckingham's wife scored a whopping 95 votes in that election. The conservatives, including Russell Turner—a well-known former Nationals member from Orange—looked like controlling the council in Orange again. Reg Kidd, the independent member, beat The Greens by himself. Reg got 1.54 quotas and The Greens could only manage 1.27 quotas. I put it to the House that The Greens suffered an enormous defeat at the local government elections.

The Hon. Dr Peter Phelps: An embarrassing defeat.

The Hon. RICK COLLESS: An embarrassing defeat at the hands of not only the Liberal Party and The Nationals but also the Australian Labor Party. It is putting a bit of balance back into the political debate in this State.

EDUCATION FUNDING

The Hon. STEVE WHAN [6.47 p.m.]: As tempting as it is to follow on from that contribution by the Hon. Rick Colless, I will not do so. I almost changed my speech on the spot.

The Hon. Dr Peter Phelps: Congratulate Tim Overall.

The Hon. STEVE WHAN: I congratulate Tim Overall, as well as the two Labor candidates who have been elected, which is excellent for the Queanbeyan City Council. Over the past nine years in this place and in the other House I have spent many occasions talking about the wonderful work of the public schools in the Monaro area where I live. I have often spoken about the great work that the teachers at Karabar High School do, particularly in putting on things such as the Queanbeyan school districts performing arts nights. I have spoken also of Queanbeyan High School, which has made changes to the way students sit their Higher School Certificate to give them an opportunity to do exams in each of the two finals years of school. I have talked a lot about Monaro High School and its terrific work over the years with its rock eisteddfods and many other things.

I have talked about the great presentation nights at places such as Adaminaby, Ando and Bibbenluke before Ando school was closed. At Jerangle school they get four times more parents and supporters than students to their presentation. All the schools in the region do terrific work. That is why it has been disappointing today to have to condemn the Government over the savage cuts it has made to education in New South Wales. This is the first time since the Greiner Government that we have seen such savage cuts to education—\$1.7 billion in cuts. The cuts come at a time when all of us who think about the future of New South Wales know that for us to be a part of the Asian century and to be competing properly we need to be investing in education, not cutting spending.

We will feel the impact of the cuts particularly in country New South Wales. I am extremely concerned about what will happen in small schools. The previous Government ensured that single-teacher schools had extra non-teaching staff to assist the teachers to better cope with the level of work they had as principals and teachers of a single class. I wonder what will happen to that support as a result of these cuts. I wonder what will happen to those people who work in offices, who are so critical to making sure that parents are kept in touch with what is going on at schools, following up on people who do not turn up at school, and making sure that notes or SMS messages are sent to parents of kids who are not at school.

There are some terrific schools around the area in which I live. I have little confidence in the current member for Monaro standing up for the area. I remember well a letter that the current member sent to people in the Monaro electorate when he was running for council in the previous election. He stated that, because there was no local high school, he had been forced to send his child to Canberra for education—despite the fact that there were two high schools within a couple of kilometres of where he lived. I do not think that is a great sign of the support that we will get for local public schools in the Monaro electorate.

I am concerned about what is happening to TAFE. The member for Monaro and the Minister for Education sat in Cooma and signed the TAFE pledge. Now they have broken that pledge—one that they both signed willingly and happily with their photos shown in the *Cooma-Monaro Express* and other newspapers. I remember well the comments in this place by the Hon. Melinda Pavey when in opposition condemning the then Government for what she said were cuts in ceramics and fine arts courses. At the time we said—I think quite reasonably—that people who were doing the same course two or three times should pay the fee because clearly it was a hobby. This Government is forcing people to pay full fees all the time—if the arts course exists at all.

We have seen gross hypocrisy from the Government when it comes to some issues. TAFE is the key to skills development in country New South Wales, and the Monaro area is no exception to that. Cooma TAFE, which benefited from substantial capital works under the previous Government, will see increased fees, including for hospitality courses. How many children who want a career in hospitality in the Monaro area will be put off by those increased fees, particularly kids from lower-income families? How many migrants who have used Queanbeyan TAFE to gain skills will now be barred from accessing courses by these heartless changes? From time to time I have given a lift to immigrants attending the local TAFE. I know they cannot afford increased fees for the courses they are doing. It is a tragic day and week for education in New South Wales. This has been thrust on us by an uncaring, ideologically driven Government. [*Time expired.*]

TRIBUTE TO DUDLEY NICHOL

The Hon. ROBERT BORSAK [6.52 p.m.]: Tonight I pay tribute to shooter, hunting guide, bushman, family man extraordinaire and mate, Dudley Nichol, of Canberra. Dudley died suddenly a couple of weeks ago.

The shooting and hunting fraternity has lost a great colleague and friend. I am proud to have called him a friend and I hope tonight to pay fitting tribute to him. Dudley was a man who always pushed himself to be the best person he could be. From an early age he had a work ethic: he was pumping petrol at a service station by the time he was a young teenager. He was a swimmer and marathon kayaker, pushing himself to elite competitive levels in both sports. He eventually bought and ran the Deakin indoor pool in Canberra.

In his early days Dudley became a public servant and worked in the Foreign Minister's office. He was posted to Malaysia, where he took up boxing—successfully. It was in Malaysia that he met his wife, Margaret. They were married for close to 40 years. Along with participating in his sports, Dudley was a keen hunter and, through his public service work, he developed an interest in politics, working behind the scenes on legislative matters to do with firearms ownership and hunting. He was a members' delegate on the Council of the Sporting Shooters' Association of Australia, ACT branch. Eventually he threatened the public service that if he was not promoted and paid properly for the work he was doing he would leave. Someone apparently did not take that threat seriously and, when the next Tuesday came around and there was no extra money, he left.

Dudley became self-employed in the building industry and began his pursuit and interest as a hunting guide. It has been said—and I have no doubt about it—that Dudley was the best and most successful sambar deer hunting guide we have ever seen. He had a key role in setting up the Australian Capital Territory and Southern Highlands branch of the Australian Deer Association and took on the role of president for a number of years. Dudley knew that such branches depended on renewing and expanding membership bases and he was very energetic in making sure that the branch was viable. He set the ethical standards for members and educated them in deer matters. He also encouraged them to enjoy spending time in the natural environment, getting to know more about all animals, vegetation and the seasons of the year.

Dudley was deeply concerned about conservation of the natural environment. Hunting and conservation concerns can and do go hand in hand. Dudley was proof of that fact. He was horrified by the use of poisons such as 1080 in our national parks. He was of a mind, like many hunters, that poisons that could not be made humane and absolutely species specific had no place in conservation areas. From all the years he spent in the bush observing animals and the environment Dudley was disturbed by what he saw as the disastrous management of national parks over the last 20 years or so. He saw that neglect as the cause of major bushfires which ravaged national parks when most of the community had expectations that the authorities would be conserving them through proper management.

Indeed, the big fire of 2003, which destroyed most of the vegetation and animal populations over an area of four million acres in the high country of southern New South Wales that he doted on, highlighted his fears. Since that fire soil erosion has taken hold in many areas as the roots of the mountain ash and other dead vegetation rot. Dudley believed that, once started, that process would be almost impossible to stop. It is worth noting his observation, backed by years of experience in all sorts of bushland environments, that authorities within NSW Forests were much better at conservation of national environments than national parks administration people would ever be. Dudley leaves behind his wife and family, and many friends and colleagues who will miss him for many different reasons. The common bond for most will be hunting and the outdoors. At Dudley's funeral last week a tribute was given through a reading of *The Highland Welcome*, written by Robbie Burns:

When death's dark stream I ferry o'er,
A time that surely shall come;
In Heaven itself I'll ask no more
Than just a Highland welcome.

I expect that is exactly what has happened to Dudley. Vale, Dudley.

LOCAL GOVERNMENT ELECTIONS

The Hon. SOPHIE COTSIS [6.57 p.m.]: Last Saturday ratepayers across 150 local government areas went to the polls to choose their local representatives for the next four years. Most ratepayers went to the polls, and most who went to the polls did make a choice, but an alarming number of voters did not turn up and a significant number voted informally. A range of factors is at play here, and hopefully we will find out more of the reasons when people provide evidence to the select committee down the track. Some people are simply disillusioned with politics and feel disengaged. Others were not aware that the elections were on, so we have to do something to improve awareness of local council elections. But that does not explain the number of voters who put ticks or crosses on their ballot paper instead of numbers. One tick or cross is fine in cases where the voter's intention is clear, but putting a cross in three boxes means your vote is wasted. There were a number of other examples of informal votes.

Each level of government has a different system of voting, which people only encounter every three or four years. In State and Federal elections the informal rate is usually around 10 per cent. In local government elections this year, according to the New South Wales Electoral Commission, so far the following informal rates have been detected: 16.5 per cent in Campbelltown; over 24 per cent in three out of five wards in Blacktown; an average of 15.5 per cent across all wards in Willoughby; and 26.75 per cent in one ward in Parramatta. That is an extraordinarily high number of people who have missed out on having a say. We have compulsory voting in this country so that all adult members of our community have a say in how they are governed, and what infrastructure and services they receive. It is very disappointing to see this high number of informal votes at this election. A number of media outlets have reported this. In Ashfield, just 60 per cent of residents voted, and 17 per cent of those votes were informal. In fact just 43 per cent of Ashfield residents got to pick their new council.

Many people were not aware elections were on. Others were not aware that they had to vote in their own ward. Unlike at State and Federal elections, there is no absentee voting in local government. This makes it very difficult for anyone who is not going to be close to home during polling hours to cast their vote. It may be they have to go hospital or there may be an emergency. In the whole of New South Wales there was only one booth where voters could vote absentee, at Sydney Town Hall. It is something we have to look at. I attended at Sydney Town Hall on Saturday afternoon and the reports I was given said that the queue went along George Street to Druiitt Street and past Clarence Street—about 1½ kilometres. I spoke to many people as I was handing out cards for the Labor candidate and most of them were from out of town. We have to do something about that problem to give everyone an opportunity to vote absentee.

Many people were working on the weekend and were not able to duck out at lunchtime to vote absentee at their nearest school so they missed out on voting altogether. We need to provide voters with more opportunities to vote absentee and to look at other ways of engaging with the community. This is probably a good opportunity for all of us to look at how this can be done with new technology such as i-voting. I am not saying which one is better but we have to look at this when the committee takes evidence. We also need to do more to inform the public about pre-polling and we need to increase the number of places for absentee pre-polling. If people work six days a week on the other side of Sydney from where they live pre-polling is impossible because of the hours in which it can be done. That is all the more reason why people in that position need to have their say so they can pick the council services they need to make their busy lives work. Postal voting was available but we also need to increase it. Many elderly people missed out.

In addition to making it easier for ratepayers to exercise their right to vote we should also consider expanding the pool of eligible voters. NSW Young Labor has put forward a proposal to extend voting rights on an opt-in basis to 16- to 18-year-olds. Many of our council services cater to the needs of our youth, including traineeships, employment services, libraries and sport and recreational facilities. Young people deserve to have a say in how these services are provided and how their communities are run. People over the age of 16 can live independently, own property, pay council rates and declare themselves legally independent. It is something we can have a look at.

SOVEREIGN ORDER OF ST JOHN OF JERUSALEM KNIGHTS OF MALTA

The Hon. MARIE FICARRA (Parliamentary Secretary) [7.02 p.m.]: It is with great pleasure I acknowledge the investiture ceremony of the Sovereign Order of St John of Jerusalem Knights of Malta commemorating the order's 20 years of humanitarian service in Australia, which was held on Sunday 19 August at Curzon Hall, Marsfield. The ball was presided over by the Grand Prior of Australia, His Excellency Chevalier Pasquale Pedulla.

This Sovereign Order can be traced back in history to a hospital caring for the poor, sick and injured pilgrims to the Holy Land around 1050AD. The Order of St John transferred to Rhodes, then Malta in 1530, becoming known as the Knights of Malta, before settling in Russia in 1798. The order has adopted ecumenical practices over the years and became open to charitable Christians. Twenty years ago Australia became the newest continent to establish a grand priory. Since the eleventh century the order has worked tirelessly to establish facilities to care for the sick, aged, poor, needy, invalid, impoverished children and refugees regardless of their race or religion.

As part of the investiture night, eight Knights of Grace and two Dames of Grace were inducted as esteemed members of the order: Chevaliers John Carabetta, Dr Alan Carless, Paul Dracakis, Dr John Gullotta, Stefano Laface, Dr Angelo Mazzaferro, Commissioner Claudio Nigro, Reverend Father Lauro Rufo, Lady Nina

Mirabito and Lady Maria Stillone. I note the ongoing support of the order's sponsors, particularly: Chevalier John and Lady Maria Stillone, Chevalier Dr Alan Carless, Lady Nina Mirabito, Bowerhaus, Lina Gullotta, Canterbury BMW, Chevalier Natale Zanardo, Chevalier Leonardo Scundi, Lady Santina Macaluso and family, Lady Rosaria Cusumano and family, Chevalier Anthony and Lady Maria Rosa Bonanno, Dawn Trading, Chevalier Carl Melvey, and Ladies Annette Scaturchio, Anna Maria Cirene, Wendy McGirr and Maureen Pancia.

I extend sincere congratulations to the organisers of the investiture ball: Dame Caterina Pedulla for coordinating the ceremony assisted by Dames Maria Rosa Bonnanno, Angela Panzarino and Anna Maria Cirene. I extend thanks to Father Paul Crowley from St Mary's Church Concord and the order's Prelate, Reverend Father Lauro Rufo, for their invaluable services during the Investiture Church Service. Thanks also go to the master of ceremonies, Chevalier Dr Sam Sorrenti, and the wonderful entertainers esquire, Mark Vincent, Helen Zerefos, OAM, and Alfredo Malabello. The Sovereign Hospitaller Order of St John of Jerusalem Knights of Malta is engaged in supporting many charity projects in Australia and I commend them for their work. Some of these projects include: the Sydney Children's Hospital at Randwick, with a five-year pledge to assist Professor David Zeigler's leukaemia research.

The order, through the generosity of Anthony Romeo and family, is committed to purchasing a minibus for the Helping Hand organisation in Adelaide, along with donations to countless organisations such as Australian Red Cross, Australian Heart and Lung Transplant Association, Boys Town, CareFlight, Camp Quality, the Cerebral Palsy Alliance, the Child Abuse Prevention Services, the Children's Leukaemia and Cancer Institute Australia, the Epilepsy Association, Giant Steps, Lifeline, Life for Africa Foundation, Professor David Morris Liver Cancer Research Fund, Royal Alexandria Hospital for Children and the Children's Hospital in Westmead, Sydney Head and Neck Cancer Research Institute at Royal Prince Alfred Hospital, Royal North Shore Hospital, Royal South Sydney Community Health, Scalabrini Village Nursing Homes, SpineCare Village Foundation, Starlight Children's Foundation, St George Hospital, St Vincent's Hospital, St Vincent's Blood and Cancer Research Unit, Sydney Children's Hospital Randwick, Sydney City Mission, the Smith Family and the Victor Chang Cardiac Research Institute.

I commend these men and women of the order for their inspirational charitable work and the profound impact they have left on the lives of individuals in need. I conclude with the motto on the Order of Saint John of Jerusalem Knights of Malta coat of arms "Ut Unum Sint"—an abridged version of St John's Gospel, chapter 17, verse 21, Christ's prayer for Christian unity—"That they may be one".

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

Motion agreed to.

The House adjourned at 7.07 p.m. until Thursday 13 September 2012 at 9.30 a.m.
