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LEGISLATIVE COUNCIL

Thursday 30 May 2013

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

The President read the Prayers.

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

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business items Nos 1255, 1297 and 1334 outside the Order of Precedence objected to as being taken as formal business.

HAZEL HAWKE, AO

Motion by the Hon. HELEN WESTWOOD agreed to:

1. That this House:
 - (a) notes the sad passing of Hazel Hawke, AO, national treasure and former wife of Prime Minister Bob Hawke, on 23 May 2013,
 - (b) applauds her for being the first high-profile person to speak publicly about her battle with Alzheimer's disease, and
 - (c) honours Hazel Hawke's hard work and advocacy for people with dementia and her improvement of the quality of dementia care through the Hazel Hawke Alzheimer's Research and Care Fund.
2. That this House calls on the President of the Legislative Council to write to the family expressing condolences for the passing of this remarkable woman whose personal commitment to many causes, especially the disadvantaged, is gratefully acknowledged and appreciated.

NATIONAL RECONCILIATION WEEK

Motion by the Hon. JAN BARHAM agreed to:

1. That this House notes that:
 - (a) 27 May to 3 June 2013 is National Reconciliation Week,
 - (b) Reconciliation Week commences on the anniversary of the 1967 referendum, in which more than 90 per cent of Australians supported recognition of Aboriginal and Torres Strait Islander peoples in the Census and granted the Commonwealth the power to make laws with respect to Aboriginal and Torres Strait Islander peoples,
 - (c) Reconciliation Week concludes on the anniversary of the 1992 Mabo decision of the High Court, a landmark moment in the recognition of native title and the acknowledgement that Australia was first occupied by its Indigenous peoples, and
 - (d) the theme of Reconciliation Week is "Let's Talk Recognition".
2. That this House:
 - (a) congratulates Reconciliation Australia, the NSW Reconciliation Council and the many organisations and individuals contributing to National Reconciliation Week events, and
 - (b) encourages everybody to support greater understanding and recognition of Aboriginal and Torres Strait Islander culture and history, and to address inequality and racism.

BUSINESS OF THE HOUSE**Formal Business Notices of Motions**

Private Members' Business item No. 1363 outside the Order of Precedence objected to as being taken as formal business.

TRIBUTE TO GEORGE PAVLIS**Motion by the Hon. DAVID CLARKE agreed to:**

1. That this House notes that:
 - (a) on 2 January 2013 at a Ceremony in Leros, Greece, Hellenic Australian and Sydney resident George Pavlis was honoured by being bestowed with the Golden Cross of the Ecumenical Patriarchate of Constantinople by His Eminence Paisios, Greek Orthodox Metropolitan of Leros, Kalymnos and Astypalaia, at the instigation and direction of the Ecumenical Patriarch of Constantinople, His Holiness Bartholomew I, and
 - (b) this honour was bestowed for:
 - (i) service as Honorary Ambassador for the Region of Leros to Australia, a position continuously held since his appointment in 2004 by the Regional Council of Leros,
 - (ii) service over many years to the Greek Orthodox Church, the Hellenic Community of Greece and the Diaspora and to Hellenism generally.
2. That this House:
 - (a) congratulates George Pavlis on the occasion of the bestowal upon him of the Golden Cross of the Ecumenical Patriarchate of Constantinople, and
 - (b) commends him for his humanitarian and charitable work for the Hellenic-Australian community and for promoting closer relations between Australia and Greece.

NOTICES OF MOTIONS**Formal Business Notices of Motions**

Private Members' Business item No. 1366 outside the Order of Precedence objected to as being taken as formal business.

PAKISTAN AUSTRALIA BUSINESS COUNCIL**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
 - (a) on 20 May 2013, the Pakistan Australia Business Council [PABC] held a business luncheon hosted by Senior Vice President Kashif Amjad, and attended by the Hon. Shaoquett Moselmane, MLC, and the Hon. Amanda Fazio, MLC, as State Parliamentary Patrons of the Council,
 - (b) the Government of Pakistan was represented by Counsellor Welfare Pakistan Consulate General Sydney Sardar Balakh Sher Khosa who emphasised the importance of the Pakistan-Australia trade relationship,
 - (c) the luncheon was also attended by Mr Iftikhar Rana, President of the Pakistan Australia Business Council, Mr David Landers, Austrade, Mr Zain Sheriff, Mr Sadaqat Siddiq, Mr Awais Ahmad and Mr Wali Bukhari, and
 - (d) the purpose of the luncheon was to discuss business opportunities and improvement in trade with visiting Country Manager of Austrade from Pakistan Mr Azhar Shah.
2. That this House notes the work of the Pakistan Australia Business Council and its endeavours to increase trade between both countries.

YOUNG GLOBAL LEADER JEREMY BALKIN**Motion by the Hon. DAVID CLARKE agreed to:**

1. That this House notes that:
 - (a) on 12 March 2013, the World Economic Forum based in Geneva, Switzerland announced Sydney resident Jeremy Balkin as one of 199 people from 70 countries around the world under the age of 40 making a significant contribution to society and designated by it as Young Global Leaders,

- (b) Jeremy Balkin was the only Australian selected in the Banking and Capital Markets category,
 - (c) in April 2013, he was selected by the World Economic Forum as one of 70 Young Global Leaders around the world offered a scholarship at the prestigious John F Kennedy School of Government at Harvard University, pursuant to an agreement between both bodies, and
 - (d) the World Economic Forum is a non-profit foundation committed to improving the state of the world by engaging business, political, academic and other leaders of society to shape global, regional and industry agendas for the social and economic betterment of mankind.
2. That this House congratulates Jeremy Balkin:
- (a) on his selection by the World Economic Forum as a Young Global Leader, and
 - (b) for being one of 70 of those Young Global leaders to be offered a scholarship to the John F Kennedy School of Government at Harvard University.

PALESTINIAN REFUGEE FUNDING

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

1. That this House notes that:
- (a) on 25 May 2013, the Minister for Foreign Affairs, the Hon. Bob Carr announced \$4.6 million to help Palestinian refugees, particularly in Syria, Lebanon and Jordan,
 - (b) there are at least 235,000 Palestinian refugees displaced in Syria, 53,000 in Lebanon and 6,000 in Jordan, and
 - (c) \$2 million will go towards the health needs of Palestinian refugees from Syria in Lebanon, and \$2.6 million will support education, health and relief services across the region.
2. That this House notes the Federal Government recognition of the plight of the Palestinian people and Australia's obligation to helping refugees, particularly in conflict zones.

SPECIAL ADJOURNMENT

Motion by the Hon. Duncan Gay agreed to:

That this House at its rising today do adjourn until Tuesday 18 June 2013 at 2.30 p.m.

OMBUDSMAN

Report

The President announced the receipt, pursuant to the Ombudsman Act 1974, of a special report of the Ombudsman entitled "A Level Playing Field? HSC Disability Provisions", dated May 2013, and authorised to be made public this day.

Ordered to be printed on motion by the Hon. Duncan Gay.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by the Hon. Luke Foley agreed to:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 1297 outside the Order of Precedence, relating to an order for papers concerning the Yaralla Estate, be called on forthwith.

Order of Business

Motion by the Hon. Luke Foley agreed to:

That Private Members' Business item No. 1297 outside the Order of Precedence be called on forthwith.

YARALLA ESTATE**Production of Documents: Order**

The Hon. LUKE FOLEY (Leader of the Opposition) [11.18 a.m.]: I seek leave to amend Private Members' Business item No. 1297 outside the Order of Precedence for today of which I have given notice by omitting the words "or the NSW Police Force".

Leave granted.

Motion by the Hon. Luke Foley agreed to:

That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of the passing of this resolution the following documents, created since 1 January 2012, in possession, custody or control of the Minister for Health and Minister for Medical Research, the New South Wales Ministry of Health, the Sydney Local Health District, the Minister for Police and Emergency Services or the Ministry for Police and Emergency Services relating to the agistment of horses at the Yaralla Estate, also known as the Dame Eadith Walker and Thomas Walker Estates:

- (a) all documents, including but not limited to reports, briefings, emails and correspondence relating to the agistment of horses,
- (b) all correspondence to or from the Sydney Local Health District or the New South Wales Mounted Police Unit,
- (c) the independent audit of the Yaralla Estate referred to in the 19 April 2013 media release issued by the Sydney Local Health District,
- (d) the agreement signed by the Sydney Local Health District and the New South Wales Mounted Police Unit,
- (e) the eviction notices and any other correspondence sent to the owners of horses currently agisted at the Yaralla Estate,
- (f) the cancellation of the previous tenant's lease, and
- (g) any document which records or refers to the production of documents as a result of this order of the House.

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

The Hon. PETER PRIMROSE [11.19 a.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 1326 outside the Order of Precedence, relating to a select committee on the demolition and replacement of the Windsor Bridge, be called on forthwith.

This matter is urgent because the O'Farrell Government has decided to make it urgent by not listening to either the local community or its advisors. If the Minister confirms to the House that no action will be taken to demolish the historic Windsor Bridge and destroy the heritage value of Thompson Square until my substantive motion to establish a select committee has been considered by the House, then I will withdraw this procedural motion. If the Minister is unwilling to give such an assurance, then that is my argument for why this matter is urgent. My substantive motion proposes that the select committee would report within three months to get this critical issue right. That would hardly seem to be an unwarranted delay. What could be more urgent than saving the unique heritage of Windsor from the bulldozers?

The relevant shadow Minister in the other place, Barbara Perry, has indicated that there are at least five questions that this inquiry would need to look at. First, why is the O'Farrell Government going ahead with a \$65-million option that is not justifiable by any criteria, namely, improved traffic flow or flood immunity? Secondly, why did the O'Farrell Government finalise the tender on construction prior to the commencement of the environmental impact study period allowing for public consultation? Thirdly, why was the winning private tenderer embedded within Roads and Maritime Services and working on the project before a Government announcement was even made that the project would go ahead? Fourthly, why has the O'Farrell Government ignored the strong opposition to the project from both the local community and wider heritage experts? Fifthly, what lobbying has been undertaken by the sand and agate industry, as well as housing developers, regarding this project?

The five reasons for this inquiry that I have outlined can be reduced to three. First, many people in the local community believe strongly that the process surrounding the approval has been marked by serious

irregularities, suggesting that it has been a sham. Some have even suggested that it has been a potentially corrupt process. Secondly, the project itself does not stack up. For a cost of \$65 million, it does not improve traffic flow, it does not significantly improve flood immunity, it does not have public support as evidenced, for example, by the petition with more than 13,000 signatures presented to Parliament, and it destroys heritage. Safety defects could be addressed more cheaply. Thirdly, many people in the community believe the evidence suggests that the project stands to benefit commercial interests associated with the Liberal Party. I believe this matter is urgent, and I ask the House to allow the motion to proceed.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [11.23 a.m.]: The Government is opposing urgency on this matter. We do not believe the matter is urgent, despite the distortions and inaccuracies portrayed by the Hon. Peter Primrose. It is not urgent because currently Roads and Maritime Services is seeking project approval from the New South Wales Department of Planning and Infrastructure to replace Windsor Bridge. The project is being assessed as State significant infrastructure under part 5.1 of the Environmental Planning and Assessment Act 1979. The motion is not urgent because the project is following due process and is now with the Minister for Planning and Infrastructure. It is not urgent because the project has already gone through an extensive planning, assessment and public consultation process over several years, with more to come. The motion is not urgent because the project has received overwhelming support from the local communities, not a petition set up in a market that is attended by visitors. It is not urgent because there is no need for Parliament to intervene in a proper process.

The Hon. Penny Sharpe: Louise Markus is thanking you right now.

The Hon. DUNCAN GAY: It is interesting to hear members opposite say that Louise Markus will thank us. Members opposite are trying to bring this project into the Federal arena. This is not about urgency for the people of Windsor; it is about some grubby Labor political campaign. It is not urgent because the hypocrites opposite were the ones who originally asked for this and promised to transform the community. They talk about a blow-out in costs and say that this Government is doing the wrong thing. The cost has blown out because of the care and consideration from Roads and Maritime Services as it addresses community concerns. That does not come without costs. The fact that we are building a better structure, a lower structure, and addressing those quite proper community concerns, has a cost attached and we must weigh that up. On balance, we believe it is a cost that we should put in place. The motion is not urgent because the point constantly overlooked by members opposite is that the Windsor Bridge replacement project will see the restoration of Thompson Square. The existing road was built in the 1930s.

[Interruption]

Listen to members opposite. They are like a mob of galahs sitting on a fence. They have no idea what they are talking about or that the road destroyed Thompson Square. Many people in the community have spoken to us about this, including parliamentary colleagues from the Christian Democratic Party. Certainly, the concerns they have raised on behalf of the community are important and we are working to address them as we go forward. What we are doing is replacing something that is essential to restore Thompson Square to what it was in the late 1870s. In the 1930s the square was destroyed by a road constructed straight through the middle of it. Thompson Square will be restored to the best condition it has been in for more than 100 years. The existing road that was built in the 1930s divided the park at Thompson Square in two. The preferred option for the replacement bridge will correct this mistake and reunite the two sections of the park, restoring Thompson Square with a new approach road along the northern edge of the park.

The new bridge will maintain views and vistas from existing buildings to the centre of the square. Members opposite do not tell people that, and that is why the matter is not urgent. The design has lowered the southern approach road to bring it further in line with the historic precinct. It is not urgent because the design respects the historic precinct, as well as minimising impacts on the heritage and character of the local area and improving flood immunity. It is not urgent because no doubt we have the balance right. Members opposite are trying to cast aspersions that we were lobbied—*[Time expired.]*

The PRESIDENT: Order! If there is another word from those seated on the left-hand side of the President's gallery they will be removed from the Chamber.

Mr DAVID SHOEBRIDGE [11.28 a.m.]: On behalf of The Greens I give strong support to this motion. The heritage of Windsor—indeed, the heritage of Australia—is at risk, and that is why this motion is urgent.

The Hon. Duncan Gay: Don't overstate it.

Mr DAVID SHOEBRIDGE: I note the interjection of the Minister for Roads and Ports that that is overstating it. Thompson Square is the oldest public square in Australia; it is the first gazetted public square in a beautiful historic setting in Windsor. It is the first instance of genuine town planning by a government at the time with genuine foresight that set out a beautiful public square that has been used as a public square for more than two centuries. No other place in Australia has that history. Unless something is done, Thompson Square will soon be despoiled by a main road that literally cuts off its northern end and separates the square from the beautiful historic buildings that surround it, giving it its context and connection with history. This is the proposal of the monster that is Roads and Maritime Services.

It is just like the bad old days of the sixties, seventies and eighties. This plan would fit in with the days of Askin, when heritage was bulldozed for freeways, bypasses and bland housing blocks. Again, we have a government that is more interested in the cheap option than the option that protects our heritage and respects the wishes of the people of Windsor and the clear sentiments of organisations that are designed to protect our heritage. The National Trust has said repeatedly that option 1—the plan that has the Government's endorsement—is a disaster for the heritage of Windsor, the heritage of New South Wales and the heritage of Australia.

The Hon. Duncan Gay: Point of order: The honourable member is delivering a second reading speech. This debate is about urgency—why the motion is urgent or, more importantly, why it is not urgent. The honourable member has not even made a pretence of addressing the issue of urgency.

The PRESIDENT: Order! So far both speakers, from the Government and the Opposition, put their remarks in the context of urgency. I ask Mr David Shoebridge to do the same.

Mr DAVID SHOEBRIDGE: This matter is urgent because the people of New South Wales deserve answers. They need to be able to scrutinise the basis upon which option 1 was selected. If the matter is not addressed urgently, that heritage—of Australia, of New South Wales and of Windsor—will be lost by reason of the construction of this totally inappropriate bridge and totally inappropriate highway through the middle of Australia's oldest public square. The people of Windsor are united against this proposal. They do not want the Government to spend millions of dollars building this project in their area. The matter is urgent because, unless we get to see the basis of why the Government selected option 1—

The PRESIDENT: Order! Members will cease interjecting. I remind Mr David Shoebridge that he needs to address why this motion is more urgent than other business on the *Notice Paper*.

Mr DAVID SHOEBRIDGE: The motion is urgent because, unless we receive details such as the recommended height for option 1, there will continue to be real concern that the project is not about finding a transport solution for Windsor but about facilitating other development in the area, such as the extraction of gravel and sand from nearby resources. There is genuine concern—

The PRESIDENT: Order! I have asked the member twice to frame his remarks in respect of urgency. He clearly is not doing so. If he continues to flout my ruling he will be called to order.

Mr DAVID SHOEBRIDGE: This matter is urgent. It should precede other matters on the list because something needs to be done today. The heritage of Australia is at risk unless we deal with the damage about to be done by the proposal supported by the honourable member. The Greens support the motion strongly and wholeheartedly.

The Hon. HELEN WESTWOOD [11.32 a.m.]: I speak today—

The PRESIDENT: Order! The Hon. Steve Whan and the Hon. Duncan Gay can have their conversation outside the Chamber if they wish. I cannot hear the Hon. Helen Westwood.

The Hon. HELEN WESTWOOD: It is disappointing that the Minister has chosen not to listen to my arguments about why this matter is urgent.

The Hon. Duncan Gay: Point of order: I find those comments completely out of order.

The PRESIDENT: Order! I remind the Hon. Helen Westwood that I had just dealt with that matter. She has made a reflection on a member. She should not do so. If she does so again she will be called to order.

The Hon. HELEN WESTWOOD: I wish to speak to the issue of urgency. The fact is that the inquiry that has been called for is needed and it is urgent because some of Australia's most important heritage is on the line and must be saved. Experts, others who value heritage and the people of Windsor are calling for this inquiry. They believe the matter is urgent and we are here to act on their behalf. If we do not bring on this inquiry, we risk losing an important piece of Australia's built history. This matter is urgent because the Government has made this project State significant purely to override heritage implications.

This matter is urgent because the inquiry needs to examine immediately the heritage aspects of this proposal. Roads and Maritime Services has admitted, on the record, that the project was made State significant because it would not have got up on heritage grounds. That is why this matter is urgent. The Government's plans will put an arterial road through Thompson Square—Australia's first public square and the only remaining Macquarie square in Australia. That is why this matter is urgent. We hear all the time about the value of heritage, particularly our colonial history. Yet the Government is willing to demolish it.

[Interruption]

The PRESIDENT: Order! I remind the Minister that 14 minutes remains for the debate. If he has points that he thinks should be made, he might suggest they be made by another Government member.

The Hon. HELEN WESTWOOD: This matter is urgent because this plan will require the demolition of Windsor Bridge. If that goes ahead, one must conclude that nothing is sacred.

The Hon. Trevor Khan: Point of order: Notwithstanding the honourable member constantly using the words "this is urgent", she is speaking to the substantive issue and not to the urgency of the matter.

The PRESIDENT: Order! I was distracted by interjections during the member's remarks. I ask her to ensure that she phrases her remarks in terms of why the matter is urgent.

The Hon. HELEN WESTWOOD: The matter is urgent because we want to bring on an inquiry into the plan, the process, and the decision of the Government. I am addressing the reasons why the motion is urgent. We need to examine the process urgently.

The Hon. Trevor Khan: Point of order: Again, the member is using the word "urgent" but she is not explaining or arguing why this matter is more urgent than other matters.

The PRESIDENT: Order! The member is sailing close to the wind. I will give her the benefit of the doubt at this stage.

The Hon. HELEN WESTWOOD: The matter before us is urgent because we are asking for the establishment of an inquiry into these plans.

The Hon. Duncan Gay: There is a planning inquiry happening.

The Hon. HELEN WESTWOOD: That is nonsense.

The Hon. Duncan Gay: It is not nonsense; it is true.

The Hon. HELEN WESTWOOD: It is nonsense. The project, as we know, does not stack up. That is why this matter is urgent.

The PRESIDENT: Order! The member is now clearly talking about the substance of the motion. I ask her to explain why this matter is urgent.

The Hon. Walt Secord: The wrecking balls are ready.

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

The Hon. HELEN WESTWOOD: This matter is urgent because it needs to be inquired into. The matter is urgent because we need to know why tenders for construction were issued before the environmental impact statement process began. It is urgent because the State cannot afford to lose this significant built heritage. This is the only remaining Macquarie square in Australia and it should not be put at risk.

The Hon. AMANDA FAZIO [11.37 a.m.]: I support my colleague the Hon. Peter Primrose in seeking contingency to bring on item No. 1326 outside the order of precedence. I do so because I have perused the *Notice Paper* and I cannot see a single item in it that I consider to be more urgent than the matter before us at present. It is more urgent than all the other matters because it will be too late to have an inquiry into this project after the roadworks are completed. We have heard from other members about the importance of Windsor Bridge and of Thompson Square. We have heard their concerns about the impact on one of the few remaining Macquarie towns in New South Wales.

We have heard about the loss of built history. And we should have heard about things like the way this Government is allowing the historic Lennox Bridge to be vandalised. Despite what has been said about those important matters—which, Mr President, as you have rightly pointed out, probably go the substance of the motion rather than the need for contingency—I simply say that this inquiry needs to be set in motion today. The inquiry needs to be set in motion today because this matter is more urgent than the other items on the *Notice Paper*. The Hon. Jeremy Buckingham has on the *Notice Paper* an item about things in Hawaii.

Among the items inside the order of precedence is a matter relating to the actions of elected representatives of The Greens—which I am sure we will have time to get to after dealing with this contingent motion, if the House concurs that this matter is urgent. There are only a few other things in the order of precedence. In fact, so few items of private members' business are in the order of precedence that we had to have a draw yesterday to put more matters on the list. That is why this matter is more urgent than the others on the *Notice Paper*. None of the other matters on the *Notice Paper* will have an immediate impact on something that is very important to the people of New South Wales.

The Hon. Duncan Gay: The marriage equality bill, an energy sector bill, environmental activists and global warming.

The Hon. AMANDA FAZIO: That is why I believe this matter is more important than others on the *Notice Paper*.

The Hon. Duncan Gay: The Battle of the Coral Sea.

The Hon. AMANDA FAZIO: I acknowledge the interjection of the Minister. The Minister says he believes a debate on the Battle of the Coral Sea is more important than granting contingency to save Windsor Bridge. That is a disgrace.

The Hon. Duncan Gay: Point of order: I do not mind being quoted, as long as I am quoted accurately. I mentioned marriage equality, environmental activists and global warming.

The PRESIDENT: Order! I presume the Minister was asserting that a reflection was being made on him.

The Hon. Duncan Gay: I suspected so.

The PRESIDENT: Order! I simply say that if the Minister did not interject there would be less material to work with.

The Hon. AMANDA FAZIO: It is more important that this House debate this matter today, and that is why the House should grant contingency. While it is important to recognise, for example, the contributions made in the Second World War, there is no reason why that has to be debated before the Windsor Bridge motion. This motion would have a real impact: it seeks establishment of an inquiry to look into a matter of great controversy for people concerned about conserving the history of New South Wales. This motion is important and urgent because it will set in train a process to review a proposal of the Government. As I said, there is absolutely no point having an inquiry into this matter after the bulldozers have moved in. I refer those who have no understanding of the loss of history in New South Wales to one publication by the Historic Houses Trust, *Demolished houses of Sydney*. Members who look at that yet do not vote for contingency on this matter should hang their heads in shame, because they are nothing more than vandals.

The Hon. MELINDA PAVEY (Parliamentary Secretary) [11.42 a.m.]: I join my leader, the Hon. Duncan Gay, in opposing this contingency motion. It is not an urgent matter and the motion should not jump the queue of motions before us. I note the contribution by the Hon. Amanda Vanstone—

The PRESIDENT: Order! I ask the attendants to remove those to my left in the President's gallery.

The Hon. MELINDA PAVEY: I am sorry; I clearly meant to refer to the Hon. Amanda Fazio. I note particularly the fourth of the items in the list of private members' business. I think that is far more urgent than the contingency motion, which has been part of planning in New South Wales since 2008. The fourth item has to do with transforming the New South Wales energy sector towards 100 per cent renewable energy. I think it is far more important that that motion be accorded urgency. If members opposite want to pick favourites, I think John Robertson would want that motion debated given his comments about wanting to close down the coal industry in New South Wales. I think that is far more important.

The Hon. Penny Sharpe: Point of order: The member clearly is not speaking to urgency, but has strayed well away from the substance of the motion before the House, which is why we should be debating the Windsor Bridge.

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

The Hon. MELINDA PAVEY: My comments are made in the context of what on the *Notice Paper* is most urgent, and certainly more urgent than the matter that the Hon. Amanda Fazio was referring to. One interjection from across the Chamber indicates the reason the Labor Party is putting this up as an urgent matter; someone mentioned Louise Markus. So this is about the urgency of the impending train wreck for Labor at the Federal election on 14 September.

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

The Hon. MELINDA PAVEY: I submit that that is what has prompted Labor to bring on this motion urgently.

The Hon. Lynda Voltz: Point of order—

The PRESIDENT: Order! The Hon. Lynda Voltz rises on a point of order. I apologise for the delay in recognising that the member had risen on a point of order, but there was so much noise emanating from the Opposition benches that I did not hear the member.

The Hon. Lynda Voltz: The Hon. Melinda Pavey is clearly not addressing urgency.

The PRESIDENT: Order! There is no point of order. The Parliamentary Secretary was responding to the contribution of the Hon. Amanda Fazio.

The Hon. MELINDA PAVEY: The arguments put forward by Opposition members were incredible. The truth of the matter came via an interjection; this is about trying to beat Louise Markus in the Federal election on 14 September—less than 100 days away. I would like to give context to this urgency debate. This issue has been around since 2008. It was a project that Labor promised to deliver. I note the comments of the Minister for Roads and Ports that this is one of the few good projects promised by Labor.

The Hon. Lynda Voltz: Point of order: In seeking to establish urgency, a member must argue why one matter is more urgent than another matter on the *Notice Paper*. The Hon. Melinda Pavey clearly is addressing the substantive motion.

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

The Hon. MELINDA PAVEY: The Windsor Bridge replacement project is deemed State significant infrastructure. It is urgent that this project goes forward. Roads and Maritime Services is consulting with the community. This, as the Minister pointed out, adds significantly to the cost of the project. As the original estimated cost of the project was put together by Labor, you could never trust it. It is important there be resolution of this issue and that it not be caught up in petty politics to help a Federal Labor candidate in the

impending train wreck for the Labor Party at the Federal election on 14 September. It is urgent that we get on with the project and support the community. It is most important that we listen to the community. This project has been subject to a lot of community consultation, and that consultation will continue.

Dr JOHN KAYE [11.47 a.m.]: I support the motion. As was stated by my colleague Mr David Shoebridge and Labor members who spoke on this matter, the motion is urgent because we will not be able to build another Windsor Bridge and we will not be able to build another Thompson Square. They will be replaced with a modern structure and modern space that do not reflect this heritage, which is crucial not only to the local community but to all of New South Wales. In the little time I have available I will address the arguments put forward by—

The PRESIDENT: Order! The time for the debate has expired.

Dr John Kaye: I am not sure that is true.

The PRESIDENT: Stop the clock. I will clarify that. The 30 minutes allotted for the debate has expired.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 17

| | | |
|---------------|---------------|-----------------|
| Ms Barham | Mr Primrose | Ms Westwood |
| Mr Buckingham | Mr Searle | Mr Whan |
| Mr Donnelly | Mr Secord | Mr Wong |
| Ms Faehrmann | Ms Sharpe | <i>Tellers,</i> |
| Dr Kaye | Mr Shoebridge | Ms Fazio |
| Mr Moselmane | Mr Veitch | Ms Voltz |

Noes, 18

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

Pairs

| | |
|-----------|--------------|
| Ms Cotsis | Mr Colless |
| Mr Foley | Mr Gallacher |

Question resolved in the negative.

Motion negatived.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Dr JOHN KAYE [11.58 a.m.]: I move:

That standing and sessional orders be suspended to allow Private Members' Business Item No. 1363 outside the Order of Precedence, relating to an order for papers regarding the liquor promotion guidelines, to be called on forthwith.

The urgency of this motion is derived from three key facts. The first fact is a failure of the existing liquor promotion guidelines under section 102 of the Liquor Act to prevent promotions happening in packaged liquor

outlets, bottle shops and liquor stores from being conducted in a fashion that encourages problem drinking. The second fact that supports the urgency of this motion is the significant consequences of these promotions. I draw members' attention to the work of Professor Sandra Jones of the University of Wollongong, who has found that the kind of liquor promotions—

The second fact that supports the urgency of this motion is the significant consequences of these promotions. I draw members' attention to the work of Professor Sandra Jones of the University of Wollongong, who has found that the kind of liquor promotions—

The PRESIDENT: Order! I ask members to take their seats as quickly and as quietly as possible. I am having difficulty hearing Dr John Kaye.

Dr JOHN KAYE: Professor Jones' work is directly relevant to the urgency of this motion. Having conducted a number of studies she has found that these kinds of liquor promotions are creating problematic alcohol consumption. The third fact that the House should consider in determining urgency is that—

The PRESIDENT: Order! I ask that members taking advice from staff in the President's gallery do so as quietly as they can.

The Hon. Duncan Gay: It would not have hurt to speak to us about this.

Dr JOHN KAYE: I have been negotiating with John McGowan for three days. The third fact that is important in determining urgency is that new draft guidelines under section 102 of the Liquor Act have been circulated, but not publicly. They were circulated only to a select group of liquor store and liquor industry representatives, including from the Australian Hotels Association, the Australian Liquor Stores Association and a number of other organisations such as ClubsNSW. The guidelines were not circulated to the public or to those who have expertise in assessing whether they will or will not address the problems created by the shopper docket liquor promotions that are increasingly prevalent in New South Wales. Given those three facts, this matter is urgent.

The draft guidelines, which were circulated in October 2012—seven months ago—are likely to be finalised in the near future despite the fact that input has been invited only from the liquor industry. Experts such as Professor Sandra Jones and organisations such as the Foundation for Alcohol Research and Education, the Police Association and others—

Mr David Shoebridge: And local government.

Dr JOHN KAYE: Yes, and local government. There will have been no input from organisations that are deeply concerned about the impact of inappropriate liquor promotions at packaged liquor outlets and bottle shops. This motion is urgent because New South Wales is in the grip of a problem drinking epidemic. To address that we must look at how alcohol is being promoted. The O'Farrell Government is keeping the guidelines and the negotiations on them behind closed doors. This motion is urgent because it will ensure that the guidelines are the subject of broad public debate and because it will create the opportunity for genuine debate about how this State controls liquor promotion not only in pubs and clubs—which is dealt with in section 102 of the Act—but also in packaged liquor outlets.

I commend the motion to the House and urge members to vote for openness and transparency in the development of these guidelines. This motion urgent because if we get it wrong this time it will be at least another six years before new guidelines are negotiated. That will be six years of continued inappropriate and dangerous promotions, two-for-one deals and giveaway deals at liquor outlets that create yet more problem drinking.

Mr David Shoebridge: And if you support urgency we will give you another Standing Order 52 for free.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [12.03 p.m.]: I will resist the bribe offered by The Greens. We keep them in the glove box with the steak knives. The Government opposes this urgency motion. We are not convinced that just because The Greens have a group of fellow travellers who want to influence liquor and gambling—

The Hon. Steve Whan: Do not mention The Greens' friends. If you do, the Hon. Peter Phelps will speak.

The Hon. DUNCAN GAY: I forgot not to mention The Greens' friends and to include the Australian Labor Party. The fact that Dr John Kaye has some friends and confidants concerned about this issue is not a valid reason to deal with this motion urgently.

Dr John Kaye: Point of order: The Minister has cast dramatic aspersions on me that I have confidants who have a vested interest. The implication is that my motivation is not the public interest but the benefit of sectional interests. I take exception to that implication.

The PRESIDENT: Order! While no offensive words were used and I will not require the Minister to withdraw, I caution him to take care in his remarks.

The Hon. DUNCAN GAY: I would be horrified to think that anyone would say that The Greens are beholden to sectional interests.

Mr David Shoebridge: The irony is delicious.

The Hon. DUNCAN GAY: I know that irony is difficult to translate into the written word, so I thank the member for his interjection and for clarifying my message. These issues can be addressed in a professional and balanced manner, and that is what the Minister and the Government have done. We have consulted the Police Force, the Independent Liquor and Gaming Authority and others—

Dr John Kaye: Point of order: I am surprised that the Hon. Trevor Khan is not taking this point of order. The Minister is not debating urgency; he is debating the substance of the motion. If he wishes to do so he should support the motion so that we can have it out, as we should.

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

The Hon. DUNCAN GAY: Urgency should be defined by the number and precedence of motions on the *Notice Paper*. Give that the *Notice Paper* contains a large number of much more important motions, this motion is not urgent.

The Hon. STEVE WHAN [12.06 p.m.]: Mr President—

The PRESIDENT: Order! Only two members may speak on urgency with regard to Standing Order 52 motions.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 17

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

Noes, 18

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

Pairs

Mr Foley
Mr Searle

Mr Colless
Ms Cusack

Question resolved in the negative.

Motion negatived.

BUSINESS OF THE HOUSE**Postponement of Business**

Private Members' Business item No. 3 in the Order of Precedence postponed on motion by the Hon. Amanda Fazio, on behalf of the Hon. Luke Foley.

UNLAWFUL ENVIRONMENTAL ACTIVISM

Debate resumed from 2 May 2013.

The Hon. AMANDA FAZIO [12.16 p.m.]: As I said on the last occasion this matter was debated, I have serious concerns about the implications of paragraph 1 (a) because I believe it could be construed as constituting an infringement on the rights of parliamentarians to support people who peacefully make illegal protests about matters of great social importance. I believe that New South Wales has a long history of supporting illegal peaceful protests. I mentioned a campaign that I supported vigorously in the 1960s.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Members who wish to engage in personal conversations will do so outside the Chamber.

The Hon. AMANDA FAZIO: I wholeheartedly supported the campaign for the right of women to drink in a public bar of a hotel. It was not legal at the time for them to do so. Some women went to the extent of chaining themselves to the foot rails in public bars so that they could not be evicted from them.

The Hon. Dr Peter Phelps: You would have been a child in the 1960s.

The Hon. AMANDA FAZIO: Perhaps that raises another issue that we will not go into at the moment. I support equality for women and, therefore, I supported that campaign. I supported the right of people to march in moratorium protests also, even though sometimes they were illegal. I am not prepared to reject all illegal activities in which people may engage, but I will always condemn things such as what happened in relation to Whitehaven Coal Limited and the ANZ Australia Bank, which was a matter of forgery. Forgery is an illegal act and I do not believe it is a form of peaceful protest. I believe it constituted an illegal action.

That action reduced the value of shares in those companies. To a certain extent, it may well show the capriciousness of the stock market—we read about something happening in another country and all the international share markets drop, and then a retraction is issued or the matter is clarified and the stocks rise again. To a certain extent the value of shares reflects the beliefs of the people who own the shares rather than the innate value of the companies. But deliberating issuing a forged document to try to manipulate the share price to impact a company such as Whitehaven Coal, which is engaged in a business that The Greens do not support, was reprehensible. I believe it was reprehensible for the Federal Leader of The Greens to commend the person for issuing a forged document as it goes well beyond the realm of supporting peaceful protests about matters of great social concern. Accordingly, I move:

That the question be amended by omitting paragraph 1 (a) and inserting instead:

- (a) recognises that there are occasions when oppression or lack of democratic process justifies unlawful protests however this is not the case in New South Wales and the New South Wales public therefore expects its political representatives to reject illegal activities and participate in debate in a lawful manner.

This amendment will overcome my concerns in relation to paragraph 1 (a) of the motion and, if agreed to, it will allow the Opposition to support the amended motion. I turn now to some of the comments that have been made in the debate. Reference was made to the coal seam gas blockades on the Liverpool Plains and it was said that

those blockades were illegal. I found it interesting that a country Liberal Party member made those comments, given that many involved in the blockades were landowners who did not want exploration on their land and who received the support of Coalition members not captive to the coal seam gas lobby. I do not believe that some of those issues should not be captured by this. However, it is a different matter altogether if we are talking about people other than the landowners themselves trying to defend properties.

Mr David Shoebridge spoke about the greater good. I looked very carefully at the Whitehaven and ANZ bank forgery case but I was not able to find any aspect of greater good in relation to that matter. The greater good refers to other types of peaceful protests—which are sometimes illegal. There was no great social issue involved, no pressing concern that had the vast support of the majority of the people, or no legal anomaly being addressed by the protest. It was simply an attempt to attack—whether The Greens like it or not—a legitimate industry in New South Wales: the coal industry.

A lot of people are concerned about fossil fuel and coalmining. Some of those arguments are addressed at where the coalmining is occurring. Some believe coalmining is occurring in the wrong places, such as in national parks or under properties, and there is concern about the effects of longhaul mining on aquifers. We could look at a range of those issues. The Whitehaven-ANZ forgery matter was a blanket attack on coal because a group of environmental extremists did not want fossil fuels used to produce energy. They do not have a viable alternative, yet they are prepared to financially cripple a coal company, which has all of its legal permits to mine and its environmental regulations to abide by. If the company does not do these things it will be fined by the regulators. And this serial hoaxer, as he has been described in more recent days, has forged a document to affect the share price of Whitehaven Coal.

I do not know anyone involved in Whitehaven Coal, and I do not know anyone who works in an executive position in the ANZ bank. But until it is proven otherwise, those companies have the right to be protected with the full force of the law. It is not a good enough reason to commit a criminal offence because someone who wants to be known as a serial hoaxer and an environmental activist wants to highlight a cause. People have climbed on top of coal loaders at Newcastle and hung banners from buildings. That is still an illegal form of protest but I am more comfortable with that than people forging documents to try to cripple companies on the stock market. As politicians we need to be responsible in what we advocate. In my view it is a step too far to say that the actions against Whitehaven Coal and the ANZ bank on 7 Monday 2013 were a valid form of protest. It also demonstrates a lack of maturity on the part of the leaders of The Greens not to understand that this matter is serious.

They can do a range of different things to promote their viewpoint—a viewpoint that I do not support—to shut down the coal industry, including holding blockades and protests, distributing petitions and placing information on websites. There is a plethora of ways that can be done legally. It was stupid to try to garner support for these legal activities by giving it the imprimatur that the Leader of the Greens nationally had said, "It was for the greater good. We were only hoaxing to try to destroy a coal company and destroy the credibility of one of the largest banking institutions in this country." It was politically naïve. Any sensible person in a senior leadership position in a political party that wants to hold the balance of power in the Australian Senate would hang their his or her head in shame. I encourage members to support my amendment in the knowledge that it will allow the Opposition to support the amended motion.

Dr JOHN KAYE [12.26 p.m.]: I begin by thanking Mr Scot MacDonald for the opportunity to exercise a number of the important moral and philosophical issues inherent in this motion. I am not 100 per cent convinced that Mr Scot MacDonald knew he was doing that when he prepared the motion but, nonetheless, I hope I can do justice to some of those issues in my contribution. I do not support the motion and I foreshadow that I will move some amendments to it. The motion clearly comes from the perspective of the gas industry, which is facing massive protests. Indeed, it is almost to a point of community uprising or rebellion against the imposition of coal seam gas in local communities around this State. We are fortunate to have Mr Scot MacDonald in this Chamber because he gives us an insight into the industry that he represents: the petroleum extraction industry in New South Wales.

When I first met Mr Scot MacDonald he was a lobbyist for the citrus industry. We had our first meeting in this building. I was excited when I went to that meeting because I understood that he and I would share a passion about country of origin labelling and the impacts that system is having on citrus growers and consumers around Australia. At the end of that meeting, in the interests of abundant transparency, he told me that he was likely to be a colleague of mine in the upper House. I then became even more excited because

I thought there would be yet another voice in this Chamber concerned about the future of the citrus industry and the way it is being destroyed by cheap imports, particularly the importation of oranges and orange products into New South Wales.

But with all due respect to Mr Scot MacDonald, I have a sense of disappointment that his first big splash in this Chamber—his first item of Private Member's Business—is not about the really important issue of protecting citrus growers from cheap imports; instead, it is a kind of partisan attack on The Greens. But in all things there is good. I see an opportunity for the Chamber to debate at a deeper and more profound level some of the crucial issues surrounding protests: issues of moral imperatives and the law. It is an age-old question: What do people, who are confronted with a moral imperative to act, do when the only action available to them is to violate the local law?

People have mentioned the Nuremberg principles. When an individual is confronted with an intolerable situation, a situation that transgresses the very fibre of their moral being, how do they respond when all legal avenues have been exhausted? What do they then do? There are other questions about the moral dilemma between the supremacy of conscience and the rule of law and order in society, both of which are important social goods. The supremacy of conscience is probably the most important bulwark to dictatorship. The rule of law and order in society is also important in terms of creating a common good. How do we resolve the issue when the two are in conflict?

Another deeper issue in the motion, certainly for me, is that of protecting a common asset that is being destroyed or devalued by exploitation for the purpose of profit. In this case the common asset I am referring to is the environment. Mr Scot MacDonald's motion goes to the heart of one of the biggest environmental issues facing society, which is how we respond to greenhouse gas emissions. I will not be voting for the motion; I do not think any members of The Greens will vote for it. However, I thank Mr Scot MacDonald for giving us an opportunity, from our different perspectives—no doubt the Shooters and Fishers will have their—

The Hon. Robert Borsak: You're the human face of it.

Dr JOHN KAYE: No, I am not the human face of The Greens. It is good to have this debate. Before we get to the substance of the debate we need to go behind some of the issues that are driving the protests referred to by Mr Scot MacDonald in his motion. Those issues largely centre on three things. The first issue is greenhouse gas emissions. The second issue is the local environmental impact. The third issue is the failure of the current legal framework, the planning framework, to deal with those issues in a way that fairly balances the needs of the community. The most recent figures on coalmining in New South Wales that I could find relate to the 2009-10 financial year. Those figures show that 145 million tonnes of coal were extracted in that financial year, producing 350 million tonnes of carbon dioxide when it was burned.

Mr Scot MacDonald: That's 5 per cent of the world.

Dr JOHN KAYE: That is not true. The member's statistics are totally out, but never mind. Mr Scot MacDonald will have an opportunity to respond to the debate, and I look forward to his response. In the meantime I will use my statistics. When burned, that coal produces 350 million tonnes of carbon dioxide, which is 2¼ times the State's total contribution. In fact, our coal exports are creating 2¼ times the amount of emissions in New South Wales. On top of that, fugitive emissions are coming from coalmines. They are largely unquantified at this stage but the figure is growing.

The NSW Department of Industry and Investment website identifies another set of projects which, when added together, will provide 143.6 million tonnes of coal each year. If all of those projects go ahead the existing 145 million tonnes will effectively double. In terms of run-of-mine coal, I estimate that to be about 110 million tonnes of coal each year, which is about 264 million tonnes of carbon dioxide each year. If all those coalmines go ahead, that coal will produce 614 million tonnes of carbon dioxide each year when it is burned around Australia. That is more carbon dioxide than comes out of Australia.

The Hon. Dr Peter Phelps: We wouldn't want the people in India and China having cheap energy, would we?

Dr JOHN KAYE: It is hard to have a sensible debate when I am constantly being interrupted. Madam Deputy-President, I ask you to call the Hon. Dr Peter Phelps to order.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind members that interjections are disorderly at all times. I remind Dr John Kaye not to respond to interjections.

Dr JOHN KAYE: On top of the threat to the global environment, there are local environmental impacts with water, dust and air quality. Each of these threatens the quality of life and health of individuals who live near those coalmines and impacts on the local economy. To this we add the new kid on the block, coal seam gas, with massive resources in New South Wales. Those resources are being exploited with huge impacts on water quality, air quality, farming, the capacity to use arable land and, indeed, human health. A fossil fuel industry that is growing massively is impacting on the local environment, the local community and the local economy.

The next question is: what should people who are concerned about the future of the planet and areas such as Leard State Forest do? How should they react? One could say that they should pursue this through legal channels. These matters have been agitated before the Land and Environment Court and other courts by the Environmental Defender's Office, and they have been agitated by truckloads of submissions to the New South Wales Government through the planning system. What we get in return is an untrammelled expansion of the coal industry. I can only think of one coalmine that has been slowed down by the planning industry.

Mr Scot MacDonald: Warkworth.

Dr JOHN KAYE: During the decade and a half that I have been interested in these matters, Warkworth is the only coalmine I can think of where there has been an impediment to development. Therefore, one can understand why there has been substantial frustration in the community and why many members of the community, myself included, feel that the legal avenues have been exhausted and the only avenues left are protest avenues. I turn briefly to the case of Jonathan Moylan and the Maules Creek mine. At the outset I say that I know Jonathan Moylan personally. I know his father; I have worked with him. His father is an extremely fine engineer. I know his uncle, who is a professor at the University of Leuven in Belgium. I worked with him and I learned a lot from him in terms of his expertise in system engineering. I also know his mother quite well. So I know the family. I have known Jonathan, effectively, since before he was born. Jonathan does not do things lightly.

Mr Moylan would have looked at Maules Creek coalmine and recognised that would produce 325 million tonnes of carbon dioxide over its 30-year life. When the coal is burned in steel mills overseas it will produce about 877 million tonnes of carbon dioxide. That is 60 per cent more than Australia's annual in-country emissions. So Maules Creek coalmine will effectively add more than another year of Australia's annual emissions to the atmosphere. Mr Moylan would also be aware of the economics of this. He would have looked at the various social costs, the real costs of carbon in the atmosphere, and recognised that on even the most conservative figures Maules Creek coalmine would be responsible for about \$68.8 billion in social impacts. Those are real impacts on individuals. Human health, human lives and human economies around the world are being undermined by mines such as Maules Creek. That has a substantial impact on the economy.

Mr Moylan is alleged to have issued a media release which may have allegedly damaged the shares of Whitehaven, which is the company developing Maules Creek. The matter is before the court so I am being guarded in my language; I do not wish to prejudice a court hearing. People have said that what Mr Moylan did is a terrible form of protest. I understand that the net impact on the value of shareholders was less than \$500,000 in a company that is developing a \$32 billion mine. It had a relatively small impact, a tiny impact, compared to the potential impacts of the coalmine costing \$68 billion. Interestingly, people are upset because Mr Moylan allegedly interfered with the marketplace. Maybe he did; maybe he did not. What is not being discussed is the way that the massive profits that Whitehaven will make from this coalmine will interfere with the lives, the health, the wealth, and the welfare of communities around the world, particularly some of the most vulnerable communities which have no say in this.

There are different moral imperatives at play here. It is a valid moral decision to say that, while I recognise the importance of the law, I also recognise that the law is failing to deal with a moral imperative. The failure of the legal system, the regulatory system, to deal with this leaves individuals of conscience with no choice. In the same way, individuals protested—in some ways, illegally—against slavery because they recognised that the legal system was failing them; and protested illegally about the denial of the rights of women to vote, because they recognised that it was a matter of moral conscience. I am fascinated by the history of the

battle against slavery and the role played by Christians of the time, particularly the non-conformist Christians. For those reasons, I believe that paragraphs 1 (a) and 2 of the member's motion are misleading. I therefore move:

That the motion be amended by deleting paragraphs 1 (a) and 2.

I recognise the truth of paragraph 1 (b) and I am proud of that truth, but what I do not accept is that, in all situations, the law overcomes one's individual conscience. When people act in good conscience and attempt to do the right thing that should be respected. [*Time expired.*]

The Hon. NIALL BLAIR [12.41 p.m.]: I want to make a small contribution to this debate and to talk about a couple of matters that have been raised. Firstly, I refer to the illegal actions of Mr Moylan and the consequences those actions have had for people who have done nothing wrong throughout this process. The company affected by those actions was operating within the law and had gone through all the required approval processes. It contributes to the economy of New South Wales by employing people in a number of direct and indirect jobs throughout the State. The shareholders are also to be considered. Dr John Kaye thought that losing half a million dollars from the share price of the company was no big deal. It is a big deal if you are a self-funded retiree or someone who has worked with a financial adviser to invest in that area. It is a big deal when one is suffering because of the illegal activities of Mr Moylan. It is something about which we should all be concerned.

I take offence to the comparison made between Mr Moylan and people in regional communities who have exercised their right to peaceful protest. Recently in my electorate members of the community sat in peaceful protest to try to stop drilling in their local area. They sat there until a judgement was made by the referee. The matter was put to the court and they sat in peaceful protest and did not try to mess with anyone else. Once the referee made the decision, they packed up and said, "Okay, we accept the referee's decision; will go and look at other legal avenues." They did not take it upon themselves to do what Mr Moylan does. This is the same Mr Moylan who recently asked John Robertson questions in a public forum.

The Hon. Steve Whan: He was lying.

The Hon. NIALL BLAIR: He was misleading in his comments because he was referring to the Hon. Luke Foley's comments. I think they were actually the Hon Steve Whan's comments from a speech made in this Parliament, so he did lie. People take illegal actions to make known their point of view in a way that is not acceptable to many members on both sides of this House. They are a law unto themselves and their actions should be condemned because of the intended and unintended consequences of what they do. They believe it is for the greater good, but their actions impact upon good people who are doing the right thing and following the law in New South Wales.

Mr SCOT MacDONALD [12.43 p.m.], in reply: I thank all members who made a contribution to this debate. It does flush out where members stand and our attitude to the law. First of all, I address the amendment from the Labor Party. The Government will not be supporting that amendment, particularly because the motion does not make a judgement, good, bad or indifferent, about unlawful protests. The motion is fairly clear and deliberate. It is about the role and responsibility of elected representatives. A number of members on both sides are sympathetic to the thrust of the amendment moved by the Hon. Amanda Fazio that there is sometimes justification for unlawful protests. But I think it misses the mark of the original motion. It is about the standards and behaviour of elected representatives, so we will not be supporting it.

We will not be supporting The Greens amendment, either. I think I have covered that pretty well. I thank the Hon. David Clarke, the Hon. Jeremy Buckingham, the Hon. Robert Borsak, the Hon. Peter Phelps, the Hon. Steve Whan, Mr David Shoebridge, the Hon. Amanda Fazio, Dr John Kaye and the Hon. Niall Blair for their contributions. A lot of them touched on similar points. People understand why others get frustrated and want to protest. The Hon. Niall Blair covered that point well.

The Hon. Peter Phelps talked about the selectivity of The Greens and which laws they want to have apply or not apply. His comments were colourful when he said that The Greens are religious zealots and transcend the need to follow the law. The Hon. Robert Borsak made some strong points about The Greens being hypocrites and bigots who assist in breaking the law. He said they should have another look at the illegal activities in the south and north forests. I have had representations to that effect.

The New South Wales Greens' response to this motion confirms their political immaturity. As many speakers noted, the motion did not say there is not a place for dissent, advocacy or robust debate in our society.

It clearly condemns The Greens members of this Parliament for failing to demonstrate support for the laws of this State. It confirms that they have not evolved from a protest movement. It demolishes any reason for taking seriously any of their proposed bills or amendments. Why listen to any legislative idea coming from The Greens if they believe the law is to be treated as discretionary? Signing up to the logic of The Greens NSW, there is no point in free and fair elections or Parliament or an independent judiciary or a police force to enforce the regulations. They have abrogated their leadership role and responsibilities as elected representatives. I urge the House to support the motion as it originally stands.

Question—That the amendment moved by the Hon. Amanda Fazio be agreed to—put and resolved in the negative.

Amendment of the Hon. Amanda Fazio negatived.

Question—That the amendment moved by Dr John Kaye be agreed to—put and resolved in the negative.

Amendment of Dr John Kaye negatived.

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

Motion agreed to.

VICTIMS RIGHTS AND SUPPORT BILL 2013

Protest

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): I inform the House that the following protest has been signed and lodged with the Clerk of the Parliaments:

Protest against the passing of the bill entitled "An Act to establish a new Victims Support Scheme to replace the compensation scheme established under the Victims Support and Rehabilitation Act 1996 and to repeal that Act; to provide for a Commissioner of Victims Rights; and to repeal and re-enact (with minor modifications) provisions of the Victims Rights Act 1996".

Dissentient:

1. Because, if enacted, this Bill will undermine the rule of law by making substantial retrospective changes to the existing rights of victims of crime and legal obligations of the State.
2. Because the bill offends certainty in the law and predictability in the outcome of existing legal disputes.
3. Because the bill will, in addition to the above, have a significant adverse impact on some of this State's most vulnerable people who should be protected by our laws, not injured by our lawmakers, being victims of crime.

Jeremy Buckingham
Jan Barham
John Kaye
Cate Faehrmann
David Shoebridge

Legislative Council Chamber
30 May 2013

According to standing order, a copy of the protest will be forwarded to Her Excellency the Governor.

BUSINESS OF THE HOUSE

Postponement of Business

Private Members' Business item No. 7 in the Order of Precedence postponed on motion by the Hon. Steve Whan, on behalf of the Hon. Penny Sharpe.

Private Members' Business item No. 8 in the Order of Precedence postponed on motion by Dr John Kaye.

Private Members' Business item No. 10 in the Order of Precedence postponed on motion by the Hon. Mick Veitch, on behalf of the Hon. Lynda Voltz.

The Hon. PAUL GREEN [12.52 p.m.]: I move:

That Private Members' Business item No. 11 in the Order of Precedence be postponed to the next sitting day on which Private Members' Business takes precedence.

[Interruption]

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Does the Hon. Paul Green seek leave to withdraw his motion?

The Hon. PAUL GREEN: Yes, Madam Deputy-President.

Leave granted.

Motion, by leave, withdrawn.

[Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 12.52 p.m. The House resumed at 2.30 p.m.]

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

QUESTIONS WITHOUT NOTICE

SYDNEY HARBOUR FLOATING HELIPORT

The Hon. LUKE FOLEY: My question without notice is directed to the Minister for Roads and Ports. On 27 February, in relation to a review of the decision-making and consultation process for the Sydney Harbour helipad this year, the Minister said, "I expect the review to be completed by April 2013. I will ensure its findings will be made public." Given that that review is now overdue, when will it be made public?

The Hon. DUNCAN GAY: I thank the honourable member for his question. I certainly remember that statement. That report will be made public soon.

FIRE AND RESCUE NSW CHRISTCHURCH EARTHQUAKE CITATIONS

The Hon. NIAL BLAIR: My question without notice is directed to the Minister for Police and Emergency Services. Will the Minister inform the House about the upcoming visit by the New Zealand Fire Commissioner and the Christchurch earthquake citations and medals?

The Hon. MICHAEL GALLACHER: I thank the honourable member for his question and interest in firefighting in New South Wales. Members of the emergency services across New South Wales do an amazing job in the most trying circumstances. Fire and Rescue NSW is one of the most professional, well-equipped and highly trained firefighting and rescue organisations in the world. It continues its vital role of protecting the community around the clock and across the State. Early this morning I was delighted to attend the most recent graduation ceremony of Fire and Rescue NSW. There were an impressive 22 new firefighters, which included electricians, childcare workers, teachers, IT workers, an arborist, a chartered accountant, former retained firefighters, and Sam Rouen, the 2008 winner of *The Biggest Loser*, was also on the parade ground. Congratulations to him. I thanked him on behalf of the Government and the entire community. There were two women. The good news is that 50 per cent of the next two classes will be women, the likes of which have never been seen. Congratulations to Fire and Rescue NSW.

Fire and Rescue NSW officers have been requested to help the community throughout Australia and the world in times of crisis and emergency. On 4 June 2013 Paul Baxter, the Chief Executive and National Commander of the New Zealand Fire Service, will visit Australia. As part of his visit, Fire and Rescue NSW will host a ceremony where Mr Baxter will present the 2011 Canterbury New Zealand Earthquake Citations to members of the urban search and rescue task force that was deployed to Christchurch in response to the devastating earthquake in 2011. Martin Dunn, the New Zealand High Commissioner, will also be in attendance. Members will recall that on 22 February 2011 an earthquake with a magnitude of 6.3 hit Christchurch, New Zealand, which devastated the city and the community and had a significant impact on the surrounding suburbs.

Within hours of the earthquake hitting Christchurch, the offer was made by Australian authorities to send specialist urban search and rescue task forces to assist in the difficult work of finding survivors amidst the collapsed buildings and destruction. Shortly afterwards, Fire and Rescue NSW led two heavy urban search and rescue task forces, followed by another from the Queensland Fire and Rescue Service. New South Wales maintains a standing air-deployable urban search and rescue capability that can keep a self-sustaining team in the field for 10 days anywhere in the world. The two heavy rescue task forces each comprise more than 70 disaster assistance specialists from Fire and Rescue NSW, the NSW Police Force, the Ambulance Service of NSW, engineers from the NSW Public Works, NSW Health and the Australian Capital Territory firefighters. They were assisted by a further 30 New South Wales officers who were part of a second Australia-wide urban search and rescue team, also led by Fire and Rescue NSW.

Fire and Rescue NSW personnel were in Christchurch for 23 days after being the first international rescue team to arrive, and the two teams completed more than 400 individual tasks, including searches and rescues. The task force comprised New South Wales search and rescue team members, personnel to deal with hazardous materials, engineering personnel, and personnel who had advanced medical and logistics support capabilities. The task force was to perform rescues and, sadly, body recovery. A milestone on day one of the deployment was the rescue of Mrs Anne Bedkin, who had been entombed for more than a day. The second task force comprised urban search and rescue personnel and medical specialists, led by New South Wales, which concentrated more on community support and carrying out damage and risk assessments. [*Time expired.*]

The Hon. NIALL BLAIR: I ask a supplementary question. Will the Minister elucidate his answer about the Christchurch citations?

The Hon. MICHAEL GALLACHER: The officers of these task forces have trained for such events for many years and, in the past, have been deployed to areas such as Banda Aceh, the Maldives, Sri Lanka, Yogyakarta, Taiwan and Turkey. Fire and Rescue NSW developed its first-class capability, which is recognised and accredited by the United Nations, following the Oklahoma bombing in 1995. It was first put to good use in Thredbo in 1997 when Stuart Diver was rescued by our firefighters and paramedics. I am delighted that I will have the opportunity to witness these officers receive their citations and will personally thank them for their commitment and duties throughout this time, not just on behalf of the House but also the wider community. Their dedication is a fine example of what our urban search and rescue teams are capable of. I am sure all members of the House will join me to thank all officers for serving the community with courage, integrity and distinction.

SYDNEY HARBOUR FLOATING HELIPORT

The Hon. ADAM SEARLE: My question without notice is directed to the Minister for Roads and Ports. Given the Minister's answer to the question asked today by the Leader of the Opposition, has the review report concerning the floating helipad been received or is he still awaiting it?

The Hon. DUNCAN GAY: I am pleased that the Hon. Adam Searle has asked me that question because I have an answer for it. After receiving an application for a heliport on Sydney Harbour, I directed Roads and Maritime Services to review its processes and procedures concerning assessment and approval of aquatic licence applications. Peter Loxton was appointed by Roads and Maritime Services to carry out the review. Mr Loxton is an independent consultant who retired from the New South Wales Government at the end of February 2008 after more than 10 years as Assistant Director General in the Department of Premier and Cabinet. He has more than 40 years experience in the public service.

The terms of reference for the review required Mr Loxton to consider a number of things, including how Roads and Maritime Services process the heliport application and the existing regulatory regimes relevant to the application and the licence, which is the most appropriate way of regulating a proposal of this nature from a Roads and Maritime Services and a whole of government perspective. On 10 January 2013 Mr Loxton started the review and held more than 30 interviews with staff from Roads and Maritime Services and other government agencies. Representatives from Newcastle Helicopters, the proponent of the heliport, were also interviewed. Mr Loxton has submitted his report to the Chief Executive of Roads and Maritime Services and a copy has also been provided to my office.

The report refers to a number of individuals, organisations and businesses, and Roads and Maritime Services is consulting with these people. The consultation is expected to be completed by the end of May 2013 and recommendations from the review will be considered by Roads and Maritime Services in determining how to process future similar proposals and aquatic licence applications—as I said to the earlier question—soon.

F3 TO M2 ORBITAL LINK

The Hon. ROBERT BORSAK: I direct my question to the Minister for Roads and Ports. Are there any strings attached to the Federal Government's provision of \$400 million for a three-year to four-year project to build a link between the M2 and F3 motorways? Is the Minister aware that the Federal Minister for Infrastructure and Transport, Anthony Albanese, says he wants to see shovels in the ground from next year to guarantee the swift delivery of the link? Does the State Government expect the project to start next year and what is the latest estimate of the total cost of the tunnel?

The Hon. DUNCAN GAY: I congratulate the honourable member on asking a question about a positive issue. There is good news, but one would not think so from listening to members opposite. Contrary to my comments about the Hon. Anthony Albanese's provision of funds for the WestConnex project, he has been entirely honourable with regard to the F3-M2 connection. Importantly, given that we are facing a Federal election in September, that funding commitment has been matched by the Federal Opposition. That \$400 million has been included in the Federal budget when it can be used for this project. Likewise, the State Government's funding commitment is on the table. Importantly, the money will still be there after the change in government that everybody is eagerly anticipating. That is important seed money that will allow this project to go ahead.

SYDNEY MOTORWAYS PROJECTS

The Hon. JOHN AJAKA: I direct my question to the Minister for Roads and Ports. Will the Minister update the House on motorway projects in progress in New South Wales?

[Interruption]

The Hon. DUNCAN GAY: Members opposite do not care about the north-west or the Central Coast. They never ask questions about those areas. I am sure that the connection between the M2 and the F3 is of interest to some members opposite, although they appear to be asleep at the wheel. Today the New South Wales Government announced that the unsolicited proposal for a motorway link between the F3 and the M2 has progressed to stage three of the unsolicited proposal assessment process. Today's announcement is not the final go-ahead.

[Interruption]

Members opposite think this is a joke. There is only one joke in this State—the demise of members opposite and their Federal colleagues. Although today's announcement is not the final go-ahead, it is an important step forward. The Government received the unsolicited proposal from private motorway operator Transurban and the Westlink M7 shareholders last year. Their proposal is to construct the eight-kilometre link along the Pennant Hills road corridor connecting the F3 at Wahroonga to the M2 exit at Pennant Hills Road. This is the key missing link in Sydney's motorway network. An F3-M2 link has the potential to significantly relieve traffic congestion on one of Sydney's busiest road corridors. It could save up to 15 minutes travelling time in each direction for motorists and remove thousands of trucks every day from Pennant Hills Road.

The proposed link will improve efficiency along Sydney's north-south freight corridor by linking the Hume Highway with the F3 via a continuous motorway. Not only will that deliver economic benefits to the State but it will also provide real relief for long-suffering motorists and residents. It has the potential to benefit commuters from the Central Coast, the Hunter and western Sydney. Moving to stage three means that the proponents can start working with the Government on detailed plans to determine the final cost and route. Stage three will include Roads and Maritime Services and Transport for NSW working with the proponents to commence community consultation, including exhibition of an environmental impact statement, and lodgement of an application for environmental and planning approval. The proponents will also work with the Government to undertake a competitive tender process to select a design and construction contractor. The proposed project is expected to cost \$2.65 million and will be funded by Transurban and the Westlink M7 shareholders, the New South Wales and Federal governments and tolls.

The Hon. Greg Donnelly: M-a-a-te!

The Hon. DUNCAN GAY: I cannot stand by and listen to members of the Labor Party scream "m-a-a-te" across this Chamber. That cry was the genesis of a corrupt organisation that destroyed this State. People of goodwill in this State were affected by people like Walt Secord—

The PRESIDENT: Order! The Minister will resume his seat.

The Hon. Lynda Voltz: Point of order: I have two points of order. Earlier today the Minister took a point of order about members casting aspersions on him. He has just done that with regard to the Hon. Walt Secord. I ask that he be directed to withdraw. The Minister should also address the question and stop responding to interjections.

The PRESIDENT: Order! The Minister was being entirely relevant, although he did respond to interjections that were making it almost impossible for him to be heard. Nevertheless, I counsel him, as I have previously, not to respond to interjections as far as possible. In terms of the reflection on the Hon. Walt Secord, I remind all members that it is inappropriate to reflect on other members when they are making contributions to the House. The Minister's time has expired.

The Hon. JOHN AJAKA: I ask a supplementary question. Will the Minister elucidate his answer?

The Hon. DUNCAN GAY: This is an important issue for the State and while some members do not want to listen I know that many do. This project must deliver value for New South Wales taxpayers and for motorists. It must also deliver real benefits for local residents. Taxpayers need no reminder of how the Labor Government approached these major projects. It squandered \$500 million of taxpayers' money on the Rozelle metro because it drew the plans for the project on the back of an envelope.

The PRESIDENT: Order! I call the Hon. Amanda Fazio to order for the first time.

The Hon. DUNCAN GAY: Unlike the Labor Government, this Government will do the detailed work and it will get it right. The same approach is being taken to WestConnex, which will be the biggest road project in Australia. This Government is also delivering the largest rail project in the nation, the North West Rail Link. The South West Rail Link continues to track along on schedule and we are getting on with the job of widening the M5 West—a project that the Labor Government failed to deliver after years of talking about it. The Coalition Government got it up and running after just nine months in office. I am a frequent traveller on the M5—

The PRESIDENT: Order! I remind members who were called to order this morning that they are still on those calls to order.

The Hon. DUNCAN GAY: I am pleased to report that not only was the Labor Government wrong about the M5 but also that great progress is being made. The Government it is getting on with road construction across New South Wales and thereby easing congestion— [*Time expired.*]

COAL SEAM GAS

The Hon. JEREMY BUCKINGHAM: I direct my question to the Minister for Roads and Ports, representing the Minister for Resources and Energy. The Minister for Resources and Energy addressed the Australian Petroleum Production and Exploration Association annual conference this week and said that opposition to coal seam gas was caused by "ignorance in the community". Does the O'Farrell Government believe that the NSW Farmers Association, the Country Women's Association, the New South Wales Irrigators Council, Thoroughbred Breeders New South Wales, Hunter Valley vignerons and millions of citizens of this State are ignorant?

The PRESIDENT: Order! The question is clearly out of order.

The Hon. Jeremy Buckingham: On what basis?

The PRESIDENT: Well, let us see. What does the member want me to pick? There are several reasons why the question is out of order. I will not detail them all and take up the time for questions.

FISH BAG LIMITS

The Hon. STEVE WHAN: My question is addressed to the Minister for Roads and Ports, representing the Minister for Primary Industries. What consultation did Minister Hodgkinson have with recreational fishers before she made the decision on 3 May to remove catch limits and some other species?

The Hon. DUNCAN GAY: I will refer this detailed question to my colleague, that great Minister for Primary Industries in the Legislative Assembly. It is important to remember that one of the reasons why we have had a change in government is because of her predecessors in the Primary Industries portfolio, including the Hon. Steve Whan, who is on the losers lounge, and his predecessor who has been down in Castlereagh Street recently. They failed to consult with the community and with recreational fishers. Instead of basing decisions that affect recreational and commercial fishers on proper and real science they used political science. They were sucking up to their friends in The Greens while at the same time those friends were sucking up to the union movement to try to undermine them.

The Hon. Michael Gallacher: It was a conga line.

The Hon. DUNCAN GAY: It was a conga line. My understanding is that a problem may have existed, but it has been fixed. As it is not my portfolio, I will get a detailed answer from the excellent Minister for Primary Industries.

The Hon. STEVE WHAN: I ask a supplementary question. Will the Minister elucidate his answer in respect to his claims of the Minister relying on science to make her decisions in this area in view of the fact that since she made her decision she has been forced to backflip on it because she failed to consult at all with recreational fishers?

The Hon. Michael Gallacher: Point of order: The word "backflip" contains argument.

The Hon. Steve Whan: To the point of order: The word "backflip" is in common usage around Australia. It clearly describes a situation in which a Minister or any other person changes their mind. Therefore, I suggest that the word "backflip" is not argumentative.

The PRESIDENT: Order! The word "backflip" is a colloquialism.

The Hon. DUNCAN GAY: In his supplementary question the Hon. Steve Whan clarified that my answer was right when I said that I thought the Minister had changed a decision. They only supplied half the information, which is the way he operates—he is a little bit tricky. The clear difference is that the former Ministers would have done something and would not have listened to the community. Our great Minister for Primary Industries has had a decision made within the department and she has listened to concerns from the community. There is a clear difference and it was detailed in this supplementary question. He was just being too tricky and he was hoist with his own petard. I retract my undertaking to obtain an answer from the Minister because the Hon. Steve Whan has already answered the question.

SHOALHAVEN SMALL BUSINESS SUPPORT INITIATIVES

The Hon. MARIE FICARRA: My question is addressed to the Minister for Finance and Services. Will the Minister update the House on the Government's initiatives to assist small businesses in the Shoalhaven area?

The Hon. GREG PEARCE: I am pleased to inform members of another Government initiative to assist small businesses in New South Wales.

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

The Hon. GREG PEARCE: During June and July 2013 businesses in the Shoalhaven area can take advantage of an innovative after-hours safety program from WorkCover. WorkCover recognises that many small businesses can be time and resource poor, making prioritising safety a challenge. Under the Small Business Assistance After-hours Program local small businesses will be able to make an after-hours appointment with a WorkCover inspector and receive practical work health and safety advice in relation to their business. The program is open to businesses with up to 20 full-time workers. The program gives local businesses the opportunity to meet one-on-one with a WorkCover inspector and receive advice and assistance on how to make their business more productive, healthy and safe.

Meetings will be held at WorkCover's Nowra office, enabling attendees to get away from workplace distractions and focus on how they can make their business safer. Inspectors can discuss a range of issues including work health and safety management, workers compensation and risk management. Any business that

participates in the program may also be eligible for a rebate of up to \$500 to help purchase and install safety improvements at their workplace under WorkCover's Small Business Rebate Program. Small businesses that cannot make an after-hours appointment can also book a visit to their workplace from the WorkCover Safety Bus during June and July. During the visit the WorkCover inspector can provide practical advice on issues such as recent changes to licensing laws. The Small Business Assistance After-hours Program builds on a range of other WorkCover initiatives to help small business taking effect from 1 July 2013.

Members will recall that I recently announced the Small Employer Package, which will help employers save money on their premiums. Under the package, an additional 25,000 employers will now be classified as small employers and will benefit from simpler and more predictable workers compensation premium calculations. As a result 96 per cent of the State's employers will have the certainty of having their premiums set before the policy renewal to help them budget more effectively. The package will also reward employers of small business for looking after their workers' health and safety. The initiative includes the introduction of incentives for employers of small business to keep their workplaces safe and encourage injured employees to return to safe, durable employment.

All employers with annual premiums less than \$30,000 will receive an up-front employer safety incentive discount of 10 per cent as long as there is no injury during that period which results in an employee being off work for more than four weeks. The employer safety incentive discount gives employers the opportunity to invest the money saved in safety improvements. By ensuring their employees work safely, they will retain skilled, motivated and productive staff. If an employer loses their employer safety incentive discount they will be eligible for a return to work incentive discount of 10 per cent if they help all employees injured within that period return to work within 13 weeks. These incentives are in addition to the recently announced premium rate reduction of up to 15 per cent, which will improve the bottom line of many small businesses. These initiatives, together with last year's reforms to workers compensation and the introduction of the work health and safety laws, will help make workplaces in New South Wales the safest in the country.

AGEING, DISABILITY AND HOME CARE COMMUNITY COMPLAINTS POLICY

The Hon. JAN BARHAM: My question is directed to the Minister for Finance and Services, representing the Minister for Disability Services. In response to a question on notice on 14 June 2011 I was informed that the revised community complaints policy of Ageing, Disability and Home Care will strengthen the principles regarding threats and retribution. In budget estimates on 8 October 2012 I was told that the complaints management process review was expected to report its outcomes during October 2012. Will the Minister advise why the web page of Ageing, Disability and Home Care on complaints procedures still does not have a revised community complaints policy available? What is the Government doing to protect people with disabilities from mistreatment by service providers?

The Hon. GREG PEARCE: I thank the honourable member for her question. I do not have an answer to a question asked in June 2011 with me. I will take the question on notice.

PROSPECT WATER FILTRATION PLANT

The Hon. WALT SECORD: I direct my question to the Minister for Finance and Services. In 2012 how many times was cryptosporidium detected in the water supplying the Prospect Water Filtration Plant and was NSW Health notified on all of those occasions by Sydney Water?

The Hon. GREG PEARCE: The Hon. Walt Secord knows the protocols and requirements of Sydney Water's licences. He is also aware that its website includes relevant information.

EMERGENCY SERVICES CADETS OF THE YEAR

The Hon. TREVOR KHAN: I address my question to the Minister for Police and Emergency Services. Will the Minister advise the House of recent events in our emergency services' cadet programs?

The Hon. MICHAEL GALLACHER: This is obviously a very exciting question for some members; hopefully my answer will be equally as exciting. I can advise the House that the NSW Rural Fire Service and NSW State Emergency Service have recently chosen and honoured their 2012 Cadets of the Year. I had the pleasure of presenting the NSW Rural Fire Service and NSW State Emergency Service cadet awards on 16 May in this very building. These awards were established in 2009 in both agencies to acknowledge the outstanding

efforts of young people in their respective cadet programs. Since the inception of these programs a total of more than 6,000 secondary school students have participated in them, with nearly 4,800 young people participating in the NSW Rural Fire Service program and a further 1,500 or so joining up to the NSW State Emergency Service programs.

These cadetships promote learning, leadership and the values of volunteering and community service. The Cadet of the Year awards recognise the cadet from each agency who has exhibited the most exceptional teamwork, leadership skills and initiative, personal growth and commitment to volunteering, in addition to positively representing their high school. I am advised that the panel of NSW Rural Fire Service members established to assess the nominations was unanimous in its decision this year. The panel recommended Bryce Reardon from South Grafton High School as its 2012 NSW Rural Fire Service Cadet of the Year. Bryce was chosen, with the endorsement of his deputy school principal, as he had not only excelled in the program but had also applied his newfound commitment to his schoolwork. Bryce also helped to motivate his fellow NSW Rural Fire Service cadets and has acted as a mentor to them.

Just as deserving is Ruby Barnes of Hay War Memorial High School, the 2012 NSW State Emergency Service Cadet of the Year. This school was one of 17 schools that participated in the program last year. Ruby, who is now in year 12, was in year 11 during her cadetship. Like Bryce, Ruby excelled in her chosen cadetship and demonstrated a high degree of leadership, teamwork and enthusiasm in her participation with the NSW State Emergency Service. As Cadets of the Year for 2012, Ruby and Bryce were understandably proud and happy to receive a trophy and certificate signifying their achievements, with an additional trophy awarded to their respective schools. I can inform the House that their parents and family were even more proud than they were.

There is no doubt that our State emergency services are all the richer for nurturing such good youngsters and for encouraging them to give their time, efforts and the boundless energy of youth to support their community and emulate the good work of our older volunteers. I congratulate these winners and all of this year's graduates on their participation and fine efforts. I encourage all of these fine, committed young people to take that commitment a step further and seriously consider a future role with our outstanding NSW Rural Fire Service and NSW State Emergency Service.

BRAVEHEARTS EDUCATION PROGRAM

The Hon. PAUL GREEN: I address my question to the Minister for Roads and Ports, representing the Minister for Education. Minister, when will the evaluation of the Bravehearts school program be reported to the House?

The Hon. DUNCAN GAY: I thank the honourable member for his question. I am aware that a Bravehearts evaluation is underway. Unfortunately I do not know when that will be finalised so I will refer the question to the Minister for a detailed response.

MENTAL HEALTH EMERGENCY RESPONSE TEAMS

The Hon. LYNDA VOLTZ: I direct my question to the Minister for Police and Emergency Services. On Monday 27 May 2013 police called the family of a man who was in a psychotic state on the floor of a Hunter fast food restaurant and asked if they could attend and transport the man to the Mater hospital as they were unable to. Can the Minister assure the House that Newcastle police have adequate access to mental health response teams and whether his office has received any complaints regarding a lack of mental health resources?

The Hon. MICHAEL GALLACHER: I will take that question on notice and examine the details relating to it.

HUNTER WATER CAPITAL INFRASTRUCTURE

The Hon. NATASHA MACLAREN-JONES: I address my question to the Minister for Finance and Services, and Minister for the Illawarra. Can the Minister update the House on Hunter Water's capital infrastructure program for the lower Hunter since March 2011?

The Hon. GREG PEARCE: I thank the honourable member for her question. Hunter Water is one of the largest water utilities in Australia, providing water and wastewater services to over half a million people in the lower Hunter region. There are more than a quarter of a million properties connected to the water network

and almost that many again to Hunter Water's wastewater network. The House will recall that earlier this year the National Performance Report recorded Hunter Water as having the lowest household water bill among water utilities with more than 100,000 customers in Australia. Hunter Water has managed this important achievement at the same time as undertaking a record capital infrastructure program. I am proud to say that in the two years since the Coalition was elected to Government, Hunter Water has invested more than a quarter of a billion dollars in new water and wastewater infrastructure.

The lower Hunter is Australia's sixth largest urban area and enjoys one of New South Wales's fastest growing populations—in particular growth is occurring in the areas around the historic town of Maitland. Just last week Hunter Water commenced construction of a new water pumping station and supply main at Telarah—this will be done at a cost of \$4 million. This construction follows the completion of a 10-megalitre reservoir at nearby Lochinvar and supply main from Rutherford to Lochinvar. Recognising the growth occurring now and forecast to continue for the next decade, Hunter Water has invested \$46 million in the Maitland electorate since March 2011. Hunter Water has also informed me that the largest project in the Maitland electorate—an upgrade of the Farley Wastewater Treatment Works—is nearing completion.

I visited the plant last year when Hunter Water had just commenced construction of the project. This \$29.5 million upgrade increases the plant's capacity so that it can cater for the population projected to move to the area over the coming years. A major component of the upgrade is also the installation of a new ultraviolet disinfection system to replace the existing maturation ponds. The upgrade of the Farley plant comprises a largely biological, rather than chemical, treatment process, resulting in a lower carbon footprint than other potential options and with minimal impact on the community. Hunter Water is already preparing for a further upgrade of the Farley plant—I understand this is likely to occur in 2018.

This upgrade will further expand the capacity of the plant, reduce reliance on chemicals and, importantly, cater for future recycling opportunities identified in the Hunter River Catchment Effluent Management Master Plan. Next month the Independent Pricing and Regulatory Tribunal will deliver its final price determination for Hunter Water for the coming four years. I look forward at that time to updating the House on how Hunter Water will continue to invest in infrastructure for the people of the lower Hunter between now and 2017-18.

NURSING GRADUATE POSITIONS

Dr JOHN KAYE: I direct my question without notice to the Minister for Police and Emergency Services, representing the Minister for Health. Minister, how many New South Wales 2012 nursing graduates were placed on the eligibility list for positions with NSW Health and of that number, how many have yet to receive a position with NSW Health?

The Hon. MICHAEL GALLACHER: I will take that question on notice and get a detailed response from the Minister for Health.

BIG BANANA ICE SKATING RINK CLOSURE

The Hon. GREG DONNELLY: I direct my question without notice to the Minister for Roads and Ports, representing the Minister for Resources and Energy. What is the Government's response to the decision on 22 May by the world-famous Big Banana ice rink in Coffs Harbour to close down due to escalating power prices, removing the only ice rink between Newcastle and the Gold Coast?

The Hon. DUNCAN GAY: Hold the presses. Members opposite are back on song. Finally we have a question relevant to a community. We have gone through a week of question times. The Hon. Walt Secord has issued six glossy brochures and worn out a pair of Hush Puppies between here and the press gallery.

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

The PRESIDENT: Order! There was so much noise coming from the Opposition benches, I was unable to hear whether or not the Minister was being relevant, but I am sure he was. The Minister has the call.

The Hon. DUNCAN GAY: I am informed by a person in another place that the Leader of the Opposition is working on a plan, and it may well include the Coffs Harbour ice rink. It could be a victim of

global warming. That could be the problem when the Hon. Luke Foley shuts the coalmines and the price of electricity gets even dearer. I would have thought it was obvious to all members that the cost of electricity in this State is a direct result of 16 years of bad management by the team sitting on the losers' lounge. Frankly, it is silly to try to blame us. We are doing the best we can to fix the problems caused by Labor. No member is working harder than the great member for Coffs Harbour, my friend Andrew Fraser.

The Hon. GREG DONNELLY: I ask a supplementary question. Will the Minister elucidate his answer about the specific actions the Government will take in response to the announcement of the Big Banana Ice Skating Rink closure?

The Hon. DUNCAN GAY: As I indicated, we are working on lowering the cost of energy. Energy in this State is dear because of 16 years of mismanagement by the Labor team. That mismanagement cannot be reversed overnight. We are working to try to bring that cost down. The Hon. Greg Donnelly said that the problem with the ice rink is the cost of energy. We cannot lower the cost of energy overnight, but we are doing our damndest to make it better.

The Hon. Amanda Fazio: Point of order: My point of order is relevance. The Minister was asked a supplementary question about what he would do about the closure. The closure has happened on his watch.

The PRESIDENT: Order! I have the gist of the point of order. In the first instance the Minister was being generally relevant. In the second instance that was not the supplementary question asked of the Minister. Has the Minister concluded his answer?

The Hon. DUNCAN GAY: Yes.

HEAVY VEHICLE AUTHORISED INSPECTION STATIONS

The Hon. MELINDA PAVEY: My question is directed to the Minister for Roads and Ports. Will the Minister update the House on measures to improve customer services for truckies and bus operators?

The Hon. DUNCAN GAY: I thank the Hon. Melinda Pavey for her question in this important area. Yesterday I was delighted to announce that the New South Wales Government will make it easier for approximately 5,000 heavy vehicles to obtain their annual registration renewal inspections. Several classes of heavy vehicles which were previously required to attend a Roads and Maritime Services inspection site will now be able to visit an authorised inspection station. This reform is yet another example of the Government's sharp focus on improving customer service for truck and bus operators—the people and businesses that help drive our economy. It is also a great example of how the Government gets the small stuff right—the stuff that Labor members considered was beneath them; the stuff that Labor neglected for 16 years.

In the past, heavy vehicle operators had access to 180 inspection sites. Under this reform they will have the choice of about 900 inspection stations. Under the Coalition it was 900; under Labor, 180. That is a stark comparison in terms of trying to help people. This equates to a massive 400 per cent increase in the number of heavy vehicle inspection sites now available in New South Wales. It will reduce inspection waiting times by dramatically increasing the number and choice of providers authorised to inspect trucks and buses, especially in country New South Wales. Members are aware that many existing rural and regional sites operate for only a few months of the year and can regularly get swamped with a large number of trucks in need of inspection, particularly in harvest season.

The new authorised stations will typically be motor repair businesses available to carry out inspections during regular business hours. The reform applies to two-axle rigid vehicles of more than 12 tonnes gross vehicle mass that are less than five years old and truck-trailers with a gross vehicle mass of between 4.5 tonnes and nine tonnes, for example, small to medium size delivery trucks, such as the Fuso Canter. That is an interesting vehicle because it is a hybrid. Recently I had the pleasure of attending the launch and I was taken by this vehicle. I felt that it was a worthy replacement to The Greens' staff car. As members are aware, they have outgrown the Toyota "Pious".

The Hon. Greg Pearce: It was the Prius.

The Hon. DUNCAN GAY: Pious. They have outgrown it because they are in groups of three and two. As we know, advertising of the Fuso Canter shows three sumo wrestlers sitting in the front. If three sumo

wrestlers can fit in the front of a Fuso Canter, three vegans can certainly fit in the front. However, the two Greens would probably have to go in the back. Currently there are three Greens, and the North Korean section can go in the back. It is important to have the North Korean section in the back because we would prefer to have the environmental Greens in charge, rather than the North Koreans. I have moved away from my answer. Small buses registered to an individual which are less than or equal to 4.5 tonnes gross vehicle mass with 12 or fewer seats, including the driver, are also included. It is a great innovation. [*Time expired.*]

GUN CRIME

Reverend the Hon. FRED NILE: I ask the Minister for Police and Emergency Services a question without notice. Is it a fact that 10 people were shot in New South Wales over an 11-day period in May—one of the worst spikes in gun crime? Does that bring the total number of shootings in the State this year to 40 and a total of 220 shootings since the election of Premier O'Farrell? What measures is the Government taking to reduce the number of shootings, on the streets of Sydney particularly, to protect the citizens of Sydney?

The Hon. MICHAEL GALLACHER: No doubt we were all shocked by that spate of gun crime in May. It is important to put on the record that sadly much of what we witnessed was domestic or interpersonal related. Members opposite got all upset last time I raised this matter, but the facts are the facts. Sadly, we lost the opportunity to reflect on the nature of the violence in domestic or family related incidents, and the community lost the opportunity to take stock of that tragedy because of political commentary at the time by some people who suggested that it was gang related, which somehow blurred the lines.

[*Interruption*]

Again we hear the gasps of members opposite. I have not mentioned any names this time.

The Hon. Steve Whan: If we had asked this question—why don't you accuse him of being unsupportive to police the way you do with us?

The PRESIDENT: Order!

The Hon. MICHAEL GALLACHER: If they want me to clarify who made those claims about gang-related crime being out of control in Sydney, I am happy to go down that path. The comments were made during a time when we were all shocked at domestic violence and interpersonal relationship violence and murders. However, I will resist naming them because this is a serious issue. The member rightly asked a question on a serious issue. Those opposite should understand that that period of violence offers an opportunity for the community to discuss the issues of violence in a domestic framework or interpersonal relationship framework. It should not be glossed over as being part of ongoing issues between organised crime groups or outlaw motorcycle gang groups.

The NSW Bureau of Crime Statistics and Research has identified a significant downturn in gun crime in New South Wales. The most recent statistics—and I am sure the honourable member would be aware of these and would not mind me quoting them—show that violent crime has reached its lowest point since 1990. Don Weatherburn, the Director of the Bureau of Crime Statistics and Research, said: "New South Wales is a far, far safer place than it was in 1990 or indeed in 2000." That is how far we have come because of the strategies employed by the NSW Police Force.

Of course, there are those in our midst who do not want that message to get out. But there can be no-one in this place who would suggest that Don Weatherburn is anything but independent. He says it as he sees it and when he talks about New South Wales being a "far, far safer place"—I know it does not fit with the political spin of the Hon. Steve Whan, but the sad reality for him is that New South Wales is a safer place now than it was in 2000 or 1990. Surely, I do not need to reinforce that. There is more to be done because one drive-by shooting is one too many; one outbreak of domestic violence resulting in death, or any domestic violence, is one instance too many.

The New South Wales Government is working within the various government departments involved in areas of domestic violence and working with our agencies as well to continue to drive down crime. I again take an opportunity to congratulate not only police but the other agencies that are working in this environment of violence—
[*Time expired.*]

MILLERS POINT PUBLIC HOUSING

The Hon. SOPHIE COTSIS: My question is directed to the Minister for Finance and Services. When will a final decision be made about the future of Land and Housing Corporation's properties in Millers Point?

The Hon. GREG PEARCE: I thank the honourable member for the question. I think the member knows that the Government inherited a significant series of problems in our social housing stock. The Government is currently reviewing its housing strategy and in particular is looking at the housing estates. Millers Point is one of over 100 housing estates being reviewed. The Government will work its way through that process as quickly as it can.

OPERATION JAVELIN III

The Hon. DAVID CLARKE: My question is addressed to the Minister for Police and Emergency Services. Will the Minister inform the House about Operation Javelin III being undertaken by the Police Transport Command?

The Hon. MICHAEL GALLACHER: I thank the member for his question. On Monday 15 April 2013 the NSW Police Force commenced Operation Javelin III, a high-visibility policing operation targeting crime and antisocial behaviour across the New South Wales public transport network. Operation Javelin III ran for six weeks and concluded on 24 May. The Government is aware that the visible presence of police on our public transport network is an effective deterrent against crime, and provides reassurance to public transport customers. Operation Javelin III is just one example of the constant structured operations undertaken by the Police Transport Command that targets specific crime types, antisocial behaviour and fare evasion.

Operation Javelin III focused on the greater Sydney metropolitan area and was designed to ensure a safe and secure environment for the people travelling on the public transport network in that area. Police Transport Command officers were deployed on foot, on bikes and in plain clothes. They were supported by Transit Officers from RailCorp and the State Transit Authority. In Operation Javelin III, officers were deployed in and around major transport interchanges and specifically targeted robbery, assault, antisocial behaviour and fare evasion.

The Police Transport Command and Transit Officers targeted people who misuse concessions and zone ticketing, produce fake concession products and tickets and bypass ticketing gates. Fare evasion is a crime and those individuals who used transport without paying the appropriate fare were fined in excess of \$200 for adults and \$50 for juveniles. Operation Javelin III resulted in 57 arrests, 102 charges and the issuing of 2,539 infringement notices. Offences detected included assault, goods in custody, weapon possession, fare evasion, drug detection and street offences.

Operation Javelin III succeeded two other successful and related operations. Operation Javelin II was conducted between 22 October and 29 November 2012. It resulted in 465 searches and 45 arrests for offences, including drug supply, drug possession, malicious damage, theft and indecent assault. Operation Javelin I occurred between 16 July and 31 August 2012. It resulted in 707 searches, 75 arrests and 112 charges for offences, including goods in custody, assault and possession of an illegal weapon. During Javelin II, 1,198 rail infringement notices were issued for offences, including fare evasion. During Javelin I, 1,386 infringement notices were issued.

The objectives of Operation Javelin are clear: To keep commuters safe and to catch and charge those who think that they can break the law on public transport. The results of Operations Javelin I, II and III are testament to this. This operational tactic will continue to be employed when and where appropriate. I encourage all members, including the shadow Minister for Transport, the Hon. Penny Sharpe, to do something different, to jump on to a train, bus or ferry with the intent of seeing with her own eyes the positive impact the Police Transport Command personnel are having on improving safety and security on our public transport system.

The Hon. Steve Whan: Haven't seen one of your people on a train in a year.

The Hon. MICHAEL GALLACHER: The Hon. Steve Whan says he hasn't seen one. The problem is that one has to travel on public transport in order to see those officers. If he does not travel on a train, he is not going to see them. But the Hon. Steve Whan needs to be assured, they will see him when he eventually travels on public transport. He may not see them but they will have their eyes fixed on him, well and truly.

MARRICKVILLE PUBLIC SCHOOL ROAD SAFETY

The Hon. PENNY SHARPE: My question is directed to the Minister for Roads and Ports, representing the Minister for Education. Why has the Minister refused the Marrickville Public School P & C's request for flashing lights outside the school?

The Hon. DUNCAN GAY: Some days those opposite really do need a question committee because that question is directed to me—

Mr David Shoebridge: Point of Order: The Minister is debating the question in exactly the same way he has debated questions in this same form. You have made rulings on this maybe 20 or 30 times.

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

The Hon. DUNCAN GAY: I was about to point out that the question is addressed to the wrong person. The question was asked of me, representing the Minister for Education.

The Hon. Steve Whan: And it is actually for you, as Minister for Roads.

The Hon. DUNCAN GAY: Exactly. The Hon. Steve Whan should be on the question time committee, when those opposite form one. I have been asked a question so I have to take that question. I will appropriately refer it to the Minister for Education. The Minister for Education will refer it back to me and when it comes back to me, I will give you an answer.

The Hon. PENNY SHARPE: That is an incredibly foolish response from the Minister. I ask a supplementary question: Given that the Minister can answer the question, will he elucidate his answer as to why Marrickville Public School will not get flashing lights?

The Hon. DUNCAN GAY: I give up! The shadow Minister for Transport has not got a clue who does what in this place, so I will help her out. I do not make the choice about where flashing lights are installed. The number of flashing lights that we have installed in this State is beyond the wildest imagination of those opposite. The Centre for Road Safety, appropriately, makes the decision on where those lights should be. Local members refer matters to me, or straight to the Centre for Road Safety, and the centre makes the evaluation. There is a greater chance of getting flashing lights at schools in New South Wales now than there ever was under the failed Labor regime.

The Hon. MICHAEL GALLACHER: The time for questions has expired. If members have further questions, they should put them on notice.

BRAVEHEARTS EDUCATION PROGRAM

The Hon. DUNCAN GAY: Earlier in question time the Hon. Paul Green asked me a question on the Bravehearts program "Ditto's Keep Safe Adventure". The Minister has provided the following response:

The Premier allocated \$100,000 for an evaluation of *Ditto's Keep Safe Adventure*, developed by Bravehearts Inc. The evaluation is being conducted in 20 public schools that are representative of the range of schools operating in New South Wales, both metropolitan and rural. The evaluation is assessing the appropriateness, effectiveness, efficiency and scalability of the program. An evaluation steering group has been established and includes representatives from the Department of Premier and Cabinet, NSW Treasury, the Department of Education and Communities, Learning and Engagement Directorate and Bravehearts Inc. Urbis has been engaged to undertake the evaluation. The steering group is working closely with Bravehearts to progress the evaluation, including negotiation of timeliness. The final report of the evaluation is scheduled to be available in September 2013. The project design for the evaluation relies on the collection of pre- and post-program data and information.

Questions without notice concluded.

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

The House continued to sit.

Pursuant to sessional orders Government business proceeded with.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS**Government Response to Report**

The Hon. Michael Gallacher tabled the Government's response to report No. 2/55, entitled "Administration of the 2011 New South Wales Election, and related matters", tabled on 11 December 2012.

TABLING OF PAPERS

The Hon. Greg Pearce tabled the following papers:

- (1) Annual Reports (Statutory Bodies) Act 1984—
 - (a) Reports for year ended 31 December 2012:
 - Charles Sturt University
 - Department of Education and Communities
 - Macquarie University—Volumes 1 and 2
 - Southern Cross University
 - University of Newcastle—Volumes 1 and 2
 - University of New England
 - University of New South Wales—Volumes 1 and 2
 - University of Sydney—Volumes 1 and 2
 - University of Technology, Sydney—Volumes 1 and 2
 - University of Western Sydney—Volumes 1 and 2
 - University of Wollongong—Volumes 1 and 2.
 - (b) Report of Technical Education Trust Funds for calendar year ended 3 December 2011.

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

MONARCH AIR DISASTER TWENTIETH ANNIVERSARY**Ministerial Statement**

The Hon. DUNCAN GAY (Minister for Roads and Ports) [3.32 p.m.]: I wish to make a ministerial statement.

The PRESIDENT: Order! I would appreciate members' complete silence during this ministerial statement.

The Hon. DUNCAN GAY: On 11 June 1993, just after 7.00 p.m., Monarch Airlines Flight 301 approached the aerodrome in Young, New South Wales, preparing for its final approach. It was the Queen's birthday holiday weekend. In addition to the pilot and co-pilot, five passengers were on board, eager to meet their waiting family and friends in Young. It was an awful day; visibility was poor, complete with low cloud cover, heavy rains and winds gusting up to 19 knots on a hill near the airport. Tragically, the last sighting of Flight 301 was 2.2 kilometres south-east of the aerodrome. The Monarch Airlines Piper Chieftain crashed, killing six people instantly, and seriously injuring one young girl, who sadly also died the following day in hospital.

Twenty years on, those who lost friends and family—including me—have not forgotten this dreadful tragedy. I lost two beautiful young cousins: Jane Gay, daughter of Graeme and Karen Gay, and Alanda Clark, daughter of Fred and Janene Clark. Their school friend from Pymble Ladies College, Prue Papworth, died the next day, along with Sydney barrister Bill Caldwell, well known and respected and a member of a family that had been part of the Young community for generations. Well-known and respected Cootamundra grazier and past president of the New South Wales Shires Association and political candidate for the Liberal Party, Stephen Ward, also died. Pilots Wayne Gorham, who with a degree of separation was a relation of mine, and Brynley Baker also lost their lives in the crash.

It is important that we remember those who died, and recognise the enormous impact this tragedy had on the lives of their families, friends and the local community in Young. In July 1994 the Bureau of Air Safety Investigation, now part of the Australian Transport Safety Bureau, released its report on the crash, revealing that Monarch Airlines Flight 301 was destined for tragedy. Aircraft equipment defects, inadequate company procedures, and deficient regulation and licensing of the company's operations by the Civil Aviation Authority

all contributed to the disaster. The report also found Monarch Airlines placed its revenue operations ahead of safety considerations. That was no surprise to any of us who had the misfortune to use this airline. It was an issue that had been pursued by the local members, John Sharp and Ian Armstrong, for some time.

According to Dr Rob Lee, who was Director of the Bureau of Air Safety Investigation at the time, this disaster marked a significant turning point in Australia's air safety history. The findings and recommendations from this investigation provided the catalyst for a range of safety actions by the Civil Aviation Authority. In 1995 the Commonwealth Government split the Civil Aviation Authority into two distinct organisations. Airservices Australia became the regulatory authority for airspace, and the Civil Aviation Safety Authority was formed to provide safety regulation and enforcement for the bulk of aviation activity.

Changes to Annex 13 of the Chicago Convention, which sets international standards for the investigation of serious incidents, came into effect in late 1994. It became an international requirement for organisational and management information to be formally addressed in accident reports. Significantly, this was the first fatal investigation in Australia where a systemic approach to air accident investigation was used to prevent future disasters. A review of the regulator's surveillance activities resulted in changes to a more proactive, risk-based approach. Until then, investigation would occur only after something went wrong—which was way too late.

Between 1996 and 2000, Air Operators Certificates for specified periods started to replace "open-ended" certificates. Certificate renewals are now based on an operator's previous performance and demonstrated capacity to continue to meet specified standards. Air Operators Certificate holders' financial viability was also taken into account as an indicator of their ability to conduct safe operations. That was an absolute key to the problem of Monarch Airlines; they were an accident waiting to happen because they did not have financial viability.

We now have an improved approach to investigation—to which governments of all shades have contributed—and many of the reforms have greatly improved air safety. Air safety must not be compromised. The 20-year anniversary of the Monarch Airlines disaster on 11 June is a solemn reminder of the Federal Government's responsibility to continue to ensure the safety of air passengers and deal with the frustration that the families went through after that disaster. We need to ensure the lessons learnt from this disaster are not lost. The Air Transport Act 1964 provides for the licensing of intrastate air transport routes in New South Wales. The New South Wales Government regulates intrastate air routes by limiting competition on low-volume routes and licensing these routes on a one-route, one-licence basis. That is one of the keys to addressing that particular problem.

Last year the Minister for Transport approved the continuation of this regulatory framework with the new five-year licence term that commenced in March 2013. There are currently 14 licensed intrastate routes. The application process for these routes requires operators to demonstrate that they have current insurance cover—Monarch did not—provide a valid air operator's certificate issued by the Civil Aviation Authority, including a safety management system; and provide updated copies of this information in order to retain the licence. Each of these measures contributes to the safety of passengers flying intrastate in larger numbers every day. This 20-year anniversary underlines the enormous responsibility that the Government has as a regulator of intrastate air routes in New South Wales and that we have as legislators. We will never forget those people or their families.

The Hon. MICK VEITCH [3.40 p.m.]: The Opposition supports the Minister's statement. On 11 June 1993, just after 7.00 p.m., Monarch Airlines flight 301 approached the aerodrome in Young, New South Wales, in preparation for its landing. It was the Queen's birthday holiday weekend and I remember the night well: The winter weather in Young was atrocious. The Monarch Airlines Piper Chieftain crashed, instantly killing six people and seriously injuring one young girl, who, sadly, passed away the following day in hospital. It is hard to believe that the tragedy was 20 years ago. As honourable members know, Young is my home town. Everyone in Young knew someone on that plane. I remember the impact that terrible night had on the community of Young, its community services personnel—police, ambulance, and State Emergency Service—who attended the accident, the local council, council workers and the community as a whole.

The sad thing about this tragedy is that it involved the loss of young people who were coming home from school, together with well-respected citizens in our community. It is clear that the tragedy could have been averted. The Bureau of Air Safety Investigation highlighted a number of contributing factors to this accident, and all of them could have been avoided. The most damning aspect of the investigation is that Monarch Airlines

put money ahead of safety. Unfortunately, the community of Young bore the consequences of that approach. Since the Monarch Airlines accident at Young, the issue of air safety has been a stark reminder of our obligations as legislators to the people who fly in New South Wales. As the Minister said, people who had flown on Monarch Airlines were in no doubt as to who was at fault for this accident.

The twentieth anniversary of the Monarch Airlines accident at Young is a timely catalyst for us all to reflect on the significant advancements that have been made in airline safety regulation in New South Wales and Australia. It will be a sad time for those families who lost loved ones in this tragedy. It will also be a sad time for the community of Young, which will reflect upon that terrible night, the impact it had on our community, and the impact it has had on the families who lost loved ones. My thoughts, and I am sure the thoughts of all honourable members, are with those families who lost their loved ones in the tragic Monarch Airlines disaster in Young.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads and Ports) [3.43 p.m.]: I move:

That this House do now adjourn.

HIGHER EDUCATION FUNDING

The Hon. CATE FAEHRMANN [3.43 p.m.]: Today I speak about the ongoing crisis in our higher education sector, which was recently exemplified by the industrial action taken by staff and their supporters at the University of Sydney on 14 May, and the numerous rallies that have taken place across the nation to protest the \$2.3 billion in funding cuts that have been proposed by Federal Labor and that are supported by Tony Abbott's Coalition. I remind members of the ongoing struggle by staff at the University of Sydney who are still in dispute with the university's administration over their most recent round of enterprise bargaining. In March my colleague Dr John Kaye urgently sought to draw to the attention of this Parliament the fact that the dispute had escalated to a point where a 48-hour strike was called, causing a virtual shutdown of teaching over this period.

The University of Sydney's administration seeks to whittle away the rights and protections of university staff, to the detriment of their working conditions and the quality of education they deliver to their students. They have proposed substantial changes to workloads, general staff classifications, consultations in the managing change process, staff representation, intellectual freedom, anti-discrimination protections, casual employment and leave provisions. Perhaps not surprisingly, given their success in organising this recent industrial action, the university's administration has also sought effectively to remove unions from all negotiation processes, which would weaken the ability of staff to organise and bargain collectively. University staff overwhelmingly voted to reject these proposed changes, and I am proud to support their campaign. In an open letter to University of Sydney's administration, Professor Raewyn Connell stated:

... a strike rarely has a single cause. It generally grows from a build-up of frustrations, setbacks and conflicts that result in a loss of trust in management. That is the case at the University of Sydney. It is the same in much of the Australian university system, which has become more troubled, and more tense and distrustful, than in previous generations.

As Professor Connell suggests, the University of Sydney is not an isolated incident in a sector that is otherwise undisturbed by discord. Rather, this is just the most recent example of increasing dissatisfaction with the direction that our universities have taken in recent years. Professor Connell argued:

... university managers across the country are increasingly resembling the executives of big corporations—in pay and conditions, in language, in techniques of running an organization, and in hard-handed approaches to the workforce.

This is a change in managerial style that can be attributed largely to a system of government funding that has forced our universities to become increasingly corporatised because they have been left to fend for themselves or fail. Despite Australia consistently ranking as a top five performer in the higher education sector, our universities are underfunded—we are ranked twenty-fifth out of 29 advanced economies. The numbers speak for themselves. It is clear that the success our universities have seen on an international scale has not been due to an overabundance of financial support, but rather, as Genevieve Kelly in a piece for *New Matilda*, stated:

... achieved through the hard, dedicated work of university staff who have proven they are passionate about contributing to a bright future for Australia.

I doubt that anyone would try to deny the truth of this statement. However, Genevieve goes on to state:

... there is only so much we can do without the funding to back us up.

There is an obvious argument to be made about the effect that underfunding in our universities has on the quality and quantity of resources that students receive. Parallel arguments have been made by the Prime Minister in regard to the positive impacts of the Gonski reforms. In September 2012 she said the reforms were about putting a child's needs at the heart of our funding decisions. What often receives less attention is the impact that these decisions have on the staff working in our universities—people who have dedicated their lives to furthering the education and careers of others. Nour Dados, an early career researcher, in her open letter to the University of Sydney's administration stated:

I can tell you that our lives offer us no such flexibility—rent still has to be paid, bills still have to be paid, and food has to be put on the table. No-one I know has a *casual* life, nor do they have a *casual* attitude to their work. Giving those of my generation no choice other than to accept precarious work conditions in order to have work at all marginalises and devalues our contribution to the collective knowledge that *all of us* benefit from.

It is an indictment of both the major parties that, regardless of the outcome of the Federal election, we face a situation where at least \$2.3 billion is set to be ripped out of a sector whose staff, both academic and general, is already struggling to meet the requirements of ever-increasing teaching, research and administrative workloads. It is an indictment that, in the name of securing the future of our children during their secondary school years, we are degrading the education and career opportunities of those who are currently studying at university and those who wish to take that path in the future. It is an indictment that the staff who have dedicated their lives to helping others with their education are suffering the effects of the draconian administrative measures brought about by a culture of increasingly corporatised places of higher education. It is a travesty that those who are set to be hit the hardest by these cuts are, once again, those who are already the most vulnerable and disenfranchised in our society.

RESERVE FORCES DAY 2013

The Hon. NATASHA MACLAREN-JONES [3.48 p.m.]: I speak about Reserve Forces Day 2013 and the parades that will be held in the first weekend of July in all capital cities and most major centres throughout Australia. Reserve Forces Day is an opportunity to raise the profile of the navy, army and air force reserves, to recognise the 1.25 million former and serving reservists, including those who served in the citizen military forces and the citizen air force, and to thank partners and employers for their support. There are now about 45,000 Australian reservists, both in service and on standby, making up 45 per cent of the total Australian Defence Force.

Under the chairmanship of the Hon. Sir Laurence Street, AC, KCMG, QC, the Reserve Forces Day Council was formed in New South Wales in 1998 and the inaugural national chairman was the late Sir Roden Cutler, VC, AK, KCMG, KCVO, CBE. The council is made up of former members of the Royal Australian Navy, the Australian Army and Royal Australian Air Force who give of their time voluntarily to run the Reserve Forces Day activities. Its motto is "Recognising the Value of Reserve Service to the Nation". I also note that the Patron in Chief is Her Excellency Ms Quentin Bryce, AC, the New South Wales Patron is Her Excellency Professor Marie Bashir, AC, CVO, and the National Chairman is the Hon. Tim Fischer, AC.

The first parade was held on Wednesday 1 July 1998, with 8,000 serving and former members marching along George Street, Sydney. Parades were held across Australia in 12 cities, and 22,000 serving and former members took part. A special parade will be held in Sydney this year to celebrate the sixty-fifth anniversary since the Reservists Forces were formed in 1948. This year is also the fifteenth anniversary of the first Reserve Forces Day parade in 1998. Furthermore, this year we celebrate the 100th anniversary of the Royal Australian Navy. The parade in Sydney will be held on Sunday 4 July and will be led by five armoured vehicles and unit association banners moving to holding ground positions.

The Australian Army Band Sydney will lead flag parties and the Royal Australian Naval Reserve. They will be followed down Macquarie Street by the other formations, which will assemble in front of Parliament House. Flagpoles carrying Australian and our allied national flags will be placed in the front of Parliament House. A unit association reunion will follow the formalities. I also note that free transport will be available in Sydney, Newcastle and Wollongong, as it is on Anzac Day. This year seven cities in New South Wales will conduct parades to celebrate the day, including Armidale, Broken Hill, Murwillumbah, Newcastle, Parkes, Taree and Wagga Wagga.

Each year a theme is selected for the day. In 2012 the 110th anniversary of the end of the 1899-1902 Boer War was acknowledged. Two special medallions were struck: one for Boer War descendants and the other an in-memory medallion. Where possible, the medallions were presented during Reserve Forces Day celebrations throughout Australia. Furthermore, funds raised from the sale of the medallions go to fund the National Boer War Memorial to be built in Canberra. The Boer War Memorial Association hopes to raise funds to build the memorial during 2015 in honour of the centenary of Anzac Day. It is disappointing that the Federal Labor Government has yet again refused to provide funding.

The Reserve Forces are an instrumental partner in the defence and security of our country, and reservists have served in theatres of conflict, on peacekeeping missions and in areas affected by natural disasters at home and abroad. Reservists are now serving overseas in Afghanistan, the Solomon Islands and East Timor. They also serve in Malaysia as part of Australia's commitment to the Five Power Defence Arrangement. They also offer humanitarian relief to communities in Pakistan, Thailand, Rwanda and Somalia, and served alongside their full-time counterparts to increase security and stability in Bougainville. The Hon. Anthony Roberts and the member for Baulkham Hills served in Bougainville.

At a local level, reservists make valuable contributions to the community by providing assistance in times of natural disasters such as floods, tropical cyclones and fires, and in emergency rescue operations. In early 2009, more than 1,300 reservists helped to rebuild lives through Operation Victoria Fires Assist, and again in 2011 they helped people in Queensland and Victoria to recover from the floods. I thank those men and women who have given of their time freely to Reserve Forces and I acknowledge our nation's gratitude to the reservists for their courage and distinguished service. Finally, I wish the Reserve Forces Day Council every success on 4 July.

HAZEL HAWKE, AO

The Hon. HELEN WESTWOOD [3.53 p.m.]: I pay tribute to a great Australian woman, the inspirational Hazel Hawke, AO. Born Hazel Masterson in 1929 in Perth, she was the younger of two daughters who grew to be dux of her school and a gifted pianist. I cannot tell Hazel's story without mentioning Bob Hawke. They first met in 1947 at a church social and subsequently became engaged in 1950. In her 1992 autobiography, *My Own Life*, Hazel bravely laid bare her courtship and marriage. She also described the internal conflict and isolation she suffered at terminating a pregnancy in 1952. She never wavered from believing it was the only option available for her at that time. Hazel married Bob in 1956, just three weeks after they returned from England where Hazel had supported Bob in his studies at the University of Oxford.

Hazel highly valued traditional family life, which she singlehandedly maintained despite her husband's presidency of the Australian Council of Trade Unions and gaining the Prime Ministership in 1983. She remained stalwart in her support of Bob. I am in no doubt that Hazel was the rock behind Bob's success. The Lodge became home for the next eight years and Hazel excelled in the role of first lady. She said she may have been there because she was someone's wife, but she had a strong sense of purpose and responsibility and truly put it to good use. Throughout her life, Hazel never lost sight of her strong principles of social justice and continued that passion in Canberra. She campaigned on women's issues, reconciliation, education, welfare and the arts.

During her Lodge years, Hazel became patron of an astonishing 60 organisations and lent her name in support of hundreds more. She was actively involved in them all. Apart from all the official duties, she most enjoyed participating in grassroots community activities and was always on the lookout for ideas on how to provide people with a better quality of life. Anne Summers said of Hazel as Australia's first lady:

I think she came to realise that she could use the fact that she had some clout, and people would listen to her, and she used that very wisely.

After politics, Hazel transitioned from a wife of nearly 40 years to an independent single woman with great dignity and grace. Her popularity soared. She continued to campaign for the Australian Labor Party at elections, maintained her charity work and was an esteemed public speaker. She was appointed chairwoman of the New South Wales Heritage Council, served on the board of the Australian Children's Television Foundation and as a patron of the World Wide Fund for Nature. In 1999 Gough Whitlam said of Hazel:

She is the only person born in Western Australia to have resided in the Lodge. If she had enjoyed the opportunities for women provided by my Government she might well have spoken as the first Prime Minister born in Western Australia.

A further measure of her popularity is evidenced in her election from the unwinnable twelfth position on the Australian Republican Movement's New South Wales ticket to a seat at the 1999 Constitutional Convention. In

2000 she instigated the Hazel Hawke Scholarship at Curtin University. This annual scholarship is for mature age women whose finances would not normally allow them to study at university. Hazel remained at the heart of the community and always worked for the community. She was justly recognised for this work with an Order of Australia in June 2001. The citation read:

For service to the community, particularly through the promotion of the reconciliation process, support for continued improvement in the quality of children's television, as a contributor to the preservation of heritage items, and involvement with environmental and wildlife preservation groups.

In 2006 Hazel was thrilled when John Curtin University awarded her an honorary doctorate of letters. When she was diagnosed with what she described as the "Big A"—Alzheimer's disease—instead of despairing Hazel, in her indomitable way, saw it as a real opportunity to change the conversation in the community about what Alzheimer's meant and its impact on people's lives. Courageously, she went public in 2003 on *Australian Story*. She relished the opportunity to fight the stigma and shame associated with Alzheimer's disease, which she felt was completely unfounded. She co-founded the Hazel Hawke Alzheimer's Research and Care Fund with Alzheimer's Australia. Sadly, on 23 May Hazel Hawke passed away and Australia lost a national treasure. In tribute, Governor-General Quentin Bryce described her as one of the most admired Australians in public life. She said:

She was gutsy, compassionate, and had a fierce intelligence and a wonderful sense of humour.

Ita Buttrose, Australian of the Year and National President of Alzheimer's Australia, said:

Her courage to speak openly about her dementia journey has left a lasting legacy in raising the profile of Alzheimer's disease and reducing the strong sense of isolation that thousands of Australians with dementia experience.

Her daughter Sue Pieters-Hawke wrote:

[She] was a woman of her times who was aching for change. She eagerly grasped the imports of feminism as it appeared, thought deeply about the quest for more equal relationships, and, rather than feeling sorry for herself, became determined and courageous in forging a new way of life.

I offer my deepest condolences to her children, Susan, Stephen and Rosslyn, and her six grandchildren. Vale Hazel Hawke.

WORLD CONGRESS OF FAMILIES

Reverend the Hon. FRED NILE [3.58 p.m.]: The World Congress of Families is the largest international gathering of pro-family leaders, activists, scholars, religious figures, professionals and parliamentarians, and it cuts across religious and national boundaries. The seventh World Congress of Families is now being held in Sydney. Past congresses have been held in Prague, Geneva, Mexico City, Warsaw, Amsterdam and Madrid. The eighth World Congress of Families will be held from 10 to 12 September 2014 in Moscow at the Kremlin. In Sydney the congress featured more than 100 leaders from academia, business, law, politics, religion, media, health, education, entertainment and activists, who presented data and reasoned arguments for strengthening the natural family. The 600 delegates learnt a great deal as they listened to excellent speakers.

At a special ceremony at World Congress of Families VII, in Sydney, Australia on 17 March Dr Janice Shaw Crouse and Ignacio Arsuaga were presented with the first Natural Family Man and Woman of the Year Awards, and Babette Francis of Endeavour Forum and her husband, the late Charles Francis, were presented with the first World Congress of Families Lifetime Achievement Award. Those awards are presented to individuals who have made outstanding contributions to promoting a greater understanding of the centrality of the natural family and the sanctity of human life to a prosperous, stable, and free society and civilization. At the conclusion of the congress a declaration of the World Congress of Families VII was adopted by all the delegates by affirmation. It states:

We, the delegates of the World Congress of Families VII assembled in Sydney Australia this 18 May 2013 reaffirm that the sustained prosperity and happiness of nations rests on the foundation of strong natural families.

Articles 16.1 and 16.3 of the 1948 Universal Declaration of Human Rights, signed by every nation on earth, state:

... men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family ... The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

In agreement with earlier World Congresses and with the Universal Declaration of Human Rights, we hold that the natural family is the basic unit on which human societies are built and is the best environment for the moral, social and emotional development of children.

The natural family is the most efficient way of nurturing and educating children, of looking after the health and welfare of its members, of creating a vital domestic economy, of building cohesive communities, and of extending a compassionate hand to individuals and households, whatever their situation.

We affirm that the productive economy is sustained by strong families, which reliably shape the virtues needed for healthy economic exchange. Social and economic research overwhelmingly demonstrates that children born into stable loving homes have the best prospects for growing into healthy, intelligent, creative and morally grounded adults. On average, they become the most productive and engaged citizens and are the least likely to become dependent on the welfare state.

Accordingly, we declare that a family-centred economy requires the following basic framework:

- The economy should serve the family rather than the family being a servant of the economic system and the state ...
- Employers and governments need to respect the needs of natural families in their wage and labour policies.
- Market policies should support and encourage entrepreneurial innovation, ensure low barriers of entry into small business, and guard against excessive concentration of economic power and financial instability.
- Family-owned businesses should be encouraged as part of a market economy.
- Gross Domestic Product must be defined to include the economic value of unpaid work done in the home and the community by families, so that society can recognize the contribution of this form of labour.
- Governments must pursue policies of affordable housing, particularly for young first home buyers.

From these principles, we also affirm:

- Marriage is being the union of one man and one woman, voluntary entered into for life;
- The protection of human life from conception to natural death;
- The right of children to be raised by their biological parents, wherever possible;
- That the root causes of hunger, poverty and environmental decay are the breakdown of the natural family and political and economic failures ...

[*Time expired.*]

VIVID SYDNEY

The Hon. AMANDA FAZIO [4.03 p.m.]: I remind members about a controversy in Sydney in the 1960s, something that now seems quite quaint and that most people would probably regard it as a thing of the past. I am referring to 30,000 people who queued outside David Jones in Elizabeth Street in 1966 to gaze at the unveiling of Michelangelo's statue of David. In order to promote Italian goods the Italian Government arranged for five plaster of paris copies of the statue David to be made for display around the world. So what was the controversy? The statue did not have the male genitalia covered with a fig leaf. A few wowsers were upset but most people were happy to have the chance to see a replica of one of the most famous statues in the world. People probably think we have come a long way since then, but I do not think we really have. Now we are reapplying the fig leaf.

I want to talk about the Vivid Festival. Vivid Sydney was first held in 2009 and has become Sydney's major winter festival. It is supposed to be a festival of light, music and ideas. This year's Vivid Festival will be remembered for something else. The event has drawn controversy not from its culturally diverse musical selection but over a photography exhibition in which several renowned photographers have withdrawn their work in protest over claims of censorship. Those photographers have had their images removed from the Reportage Festival after representatives for Destination NSW, the presenter of Vivid Festival, deemed them "too distressing" to be shown in a public space. The images were to be shown in a public exhibition at Circular Quay as part of this year's popular Vivid Lights program.

Andrew Quilty and Jodi Bieber, two of the exhibiting photographers, have both been reported as describing the action as censorship. South African photographer Jodi Bieber, whose work was featured on the cover of *Time* magazine in 2010, told ABC News that after one of her photos of a bare-breasted woman was removed from the exhibition she decided to withdraw her work in protest. She stated:

If I look at all the photographs that are not allowed to be shown, I feel that there is a huge censorship ...

Australian Andrew Quilty had 30 of his photographs removed before the public launch on 25 May. His photographic essays document the aftermath of recent natural disasters: the Victorian bushfires, the Queensland

floods and Cyclone Yasi. None of the photographs show deceased or wounded people, yet have been included among the images deemed too distressing. Andrew Quilty told ABC Arts this runs counter to the ethos of the Reportage Festival. He said:

Reportage Festival presents a great opportunity to show to a very broad cross section of the public, who may not necessarily see this kind of imagery without this festival ...

Putting it in this place [Circular Quay], one of the most heavily populated areas in the country brings some of these important issues to light. Issues that are often kind of neglected in a public sphere that is overrun with advertising and images that we are told are pretty and aspirational.

Jodi Beiber stated:

I come from South Africa which is a country that is not perfect. But when you have such protection of a society, how are your children going to be when they go out into the real world, if they're not allowed to experience or see or make up their own mind about what happens in the world?

The Reportage Festival and Vivid organisers were in consultation with Destination NSW leading up to the opening of the festival. I commend the organisers of Sydney's Reportage Festival for responding to the ongoing controversy over the decision to ban images considered not family friendly by promising they will show all the images at indoor events. Reportage director Stephen Dupont said his festival would not censor the work of photographers "who have often risked their own lives in the pursuit of their art" and announced more indoor screenings where viewers could choose to come and see the photo documentary essays that would be exhibited. I have taken the time to research the images that have been deemed too offensive to be included in the outdoor displays and they are anything but offensive or too distressing. They are photographs of great merit that deserve to be on public display.

Destination NSW Chief Executive Officer Sandra Chipchase has rejected criticism of this censorship saying the photographs in question were inappropriate for public display at a family friendly festival such as Vivid. She said, "We think it is threatening to families." I remind Ms Chipchase that Vivid is supposed to be a festival of light, music and ideas. How this has mysteriously morphed into a family friendly festival I do not know. It is being reduced to a supposed artistic equivalent of the David Jones Christmas displays in the windows of its flagship Elizabeth Street store. Ms Chipchase told ABC Arts that Destination NSW is contractually entitled through its agreement with Vivid and the Reportage Festival to have final say over which images are projected. Those excluded from the public display are on show at Customs House. Ms Chipchase says Andrew Quilty's images were omitted because of the potential to cause distress to members of the public affected by natural disasters. This is utter rubbish. I object strenuously to an arm of the New South Wales Government exercising such censorship over an artistic festival. Destination NSW must not be allowed to become the arbiter of public taste for artistic festivals that it sponsors.

MACQUARIE STEM CELLS

The Hon. MARIE FICARRA (Parliamentary Secretary) [4.08 p.m.]: Today it is with much pleasure that I inform the House of the outstanding work of Dr Ralph Bright and his son Matthew in the use of autologous stem cells to assist patients with sporting injuries, muscular dystrophy, multiple sclerosis, osteoarthritis and other degenerative neurological diseases. Dr Bright, a director of Macquarie Stem Cells, practices autologous stem cell therapy—which means the cells come from a person's own tissue. Stem cells are a type of regenerative cell and form part of the body's repair mechanisms.

Dr Bright graduated from Otago University, New Zealand, in 1973. He then worked at the plastic surgery unit of the Burwood Hospital, Christchurch, where he helped patients who had suffered burns and other tragic disfigurements. In June 1974 he moved to Australia, where he worked as a registrar on medical and surgical teams until the end of 1978. In 1979 he joined general practice and for the next 30 years he worked at Liverpool. Dr Bright eventually became Chair of the Liverpool Division of General Practice. During the Kosovar war he coordinated the general practice medical coverage for the safe haven of the Kosovar refugees at Sanctuary Point. His work with Liverpool Hospital and the South West Area Health Service gave him a unique opportunity to help improve community medicine, both locally and interstate.

In April 2009 Dr Bright injected his first patient suffering from osteoarthritis with autologous adult stem cells that had been isolated from the patient's adipose tissue. To this day Dr Bright has treated more than 300 patients with a variety of diseases, and autologous stem cell treatment can be life changing. He has also taught at workshops and presented papers at national and international conferences to raise awareness amongst

the medical profession about the safety and efficacy of adult autologous stem cell treatments. He is currently serving on a national steering committee that is writing a future code of conduct for autologous stem cell therapy.

There are many examples of his success in using stem cells derived from a patient's fat tissue. For example, I refer to a police officer who was medically retired and ruled unfit for duty. The officer had suffered constant pain and this had rendered him significantly disabled. After treatment he was able to return to suitable work and he is now back playing cricket. Another example is that of a young 20-year-old man with muscular dystrophy who was bound in a motorised wheelchair, surviving with a respirator attached to the back of the wheelchair. He would spend two weeks in intensive care and two weeks at home before his treatment. Since being treated a year ago that man has not been readmitted to hospital and his treating physician recently decided that he no longer needs a mechanical respirator to breathe. Finally, a young mother with multiple sclerosis had given up her social life and was housebound but after treatment she is more mobile and social. She has even returned to teaching singing at her local Sunday school and has opened a successful business from home. I could cite many more examples but time does not allow me to.

I note that Dr Bright has generously provided his services free of charge to several patients who could not afford continuing treatment. His paramount consideration has been, and always will be, the care of his patients. Dr Bright's son Matthew has always been an exceptional sportsman. Indeed, he was selected for an international ice hockey sporting scholarship in Vermont, United States of America, at the age of 15. However, Matthew decided to follow in his father's footsteps. Matthew recently graduated from the University of Sydney, with first-class honours in medical science, and now works closely with patients at his father's surgery. Matthew is part of his father's research team that is working with Prince of Wales Hospital, University of New South Wales and University of Technology, Sydney, and has been instrumental in uncovering changes and tracking improvements in those patients. Matthew always shows great care and compassion to patients and as a research officer he is currently preparing clinical trials and articles for publication.

The work of Dr Ralph Bright and his son Matthew promises great hope, with further research underway in Australia and internationally. Not only has autologous stem cell treatment helped patients suffering from the most painful and tragic conditions, but this research, dedication and tenacity will give great hope to many. I commend Dr Ralph Bright and his son Matthew for their extraordinary work and wish them much success in their ongoing research endeavours.

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

Motion agreed to.

The House adjourned at 4.13 p.m. until Tuesday 18 June 2013 at 2.30 p.m.
