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LEGISLATIVE COUNCIL

Tuesday 6 May 2014

The President (The Hon. Donald Thomas Harwin) took the chair at 2.30 p.m.

The President read the Prayers.

The PRESIDENT: I acknowledge the Gadigal clan of the Eora nation and its elders and thank them for their custodianship of this land.

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The PRESIDENT: I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T Bathurst
LIEUTENANT-GOVERNOR

Office of the Governor
Sydney 2000

The Honourable Thomas Frederick Bathurst, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Council that, consequent on the Governor of New South Wales, Professor Marie Bashir, being absent from the State, he has assumed the administration of the Government of the State.

Friday, 28 March 2014

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The PRESIDENT: I report the receipt of the following message from Her Excellency the Governor:

Marie Bashir
GOVERNOR

Office of the Governor
Sydney 2000

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Council that she has re-assumed the administration of the Government of the State.

Monday, 31 March 2014

ASSENT TO BILLS

Assent to the following bill was reported:

Child Protection Legislation Amendment Bill 2014

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The PRESIDENT: I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T Bathurst
LIEUTENANT-GOVERNOR

Office of the Governor
Sydney 2000

The Honourable Thomas Frederick Bathurst, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Council that, consequent on the Governor of New South Wales, Professor Marie Bashir, being absent from the State, he has assumed the administration of the Government of the State.

Sunday, 27 April 2014

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The PRESIDENT: I report the receipt of the following message from Her Excellency the Governor:

Marie Bashir
GOVERNOR

Office of the Governor
Sydney 2000

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Council that she has re-assumed the administration of the Government of the State.

Monday, 28 April 2014

CRIMES AMENDMENT (INTOXICATION) BILL 2014

The PRESIDENT: I report the receipt of the following message from the Legislative Assembly:

MR PRESIDENT

The Legislative Assembly has considered the Legislative Council's message dated 26 March 2014 insisting on its amendments to the Crimes Amendment (Intoxication) Bill, to which the Assembly has disagreed.

The Legislative Assembly informs the Legislative Council that the Assembly insists on its disagreement to such amendments a second time because:

The amendments give courts a discretion not to impose a mandatory minimum sentence. This fundamentally undermines the main purpose of the Bill which is to require the Court to impose minimum sentences for specified aggravated offences.

The proposed "gross violence" offence is unworkable, impracticable and too restrictive in its operation.

The proposed definition of "intoxication" is not appropriate for the offences in the Bill. The degree of intoxication that the prosecution will be required to prove will be too high.

Overall, the amendments do not meet the community's expectations for addressing intoxicated street violence.

Legislative Assembly
27 March 2014

SHELLEY HANCOCK
Speaker

Consideration of message set down as an order of the day for a future day.

**DEATH OF THE HONOURABLE ERNEST LLOYD SOMMERLAD, A FORMER MEMBER OF THE
LEGISLATIVE COUNCIL**

The PRESIDENT: I announce the death, on 17 April 2014, of the Hon. E. Lloyd Sommerlad, aged 95 years, a member of this House from 1955 to 1967. On behalf of the House I have extended to his family the deep sympathy of the Legislative Council in the loss sustained.

Members and officers of the House stood in their places as a mark of respect.

**DEATH OF THE HONOURABLE NEVILLE KENNETH WRAN, AC, CNZM, QC, A FORMER
PREMIER, MINISTER OF THE CROWN, MEMBER OF THE LEGISLATIVE COUNCIL AND
MEMBER FOR BASS HILL**

The PRESIDENT: I announce the death, on 20 April 2014, of the Hon. Neville Kenneth Wran, AC, CNZM, QC, aged 87 years, a member of this House from 1970 to 1973, and former Premier of the State. On behalf of the House I have extended to his family the deep sympathy of the Legislative Council in the loss sustained. A condolence motion will not be moved today, which would follow the usual convention, but in due course.

SOLOMON ISLANDS FLOODS

The PRESIDENT: I inform the House that on behalf of members of the Legislative Council I have sent a message of condolence to the Speaker of the National Parliament of the Solomon Islands expressing sympathies and condolences to the people of the Solomon Islands who have been affected by the recent flooding.

OMBUDSMAN**Reports**

The President tabled the following reports of the Ombudsman:

- (1) Special report entitled "Review of the NSW Child Protection System: Are things improving?", dated April 2014, pursuant to the Ombudsman Act 1974, received out of session and authorised to be made public on 10 April 2014.
- (2) Special report entitled "Causes of death of children with a child protection history 2002-2011", dated April 2014, pursuant to the Community Services (Complaints, Reviews and Monitoring) Act 1993 and the Ombudsman Act 1974, received out of session and authorised to be made public on 10 April 2014.

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

FOREST AGREEMENTS AND INTEGRATED FORESTRY OPERATIONS APPROVALS**Reports**

The President announced the receipt, pursuant to section 69H of the Forestry Act 2012, of the following reports:

- (1) "NSW Forest Agreements and Integrated Forestry Operations Approvals Implementation Report 2010-2011 for the Upper North East, Lower North East, Eden, Southern, Riverina Red Gum and Brigalow-Nandewar regions", received out of session and authorised to be made public on 22 April 2014.
- (2) "NSW Forest Agreements and Integrated Forestry Operations Approvals Implementation Report 2011-2012 for the Upper North East, Lower North East, Eden, Southern, Riverina Red Gum, South Western Cypress and the Brigalow-Nandewar regions", received out of session and authorised to be made public on 22 April 2014.

REGISTER OF DISCLOSURES BY MEMBERS

The President tabled, pursuant to the Constitution (Disclosures by Members) Regulation 1983, a copy of the Supplementary Ordinary Returns by members of the Legislative Council for the period 1 July 2013 to 31 December 2013, as furnished by the Clerk.

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

MINISTRY

The Hon. DUNCAN GAY: I inform the House that on 17 April 2014 Her Excellency the Governor accepted the resignation of the Hon. Barry O'Farrell, MLA, as Premier, and Minister for Western Sydney, and as a member of the Executive Council, which action involved the resignations of his colleagues from their respective offices and as members of the Executive Council. I further inform the House that on the same day the Governor appointed the Premier and the following Ministers:

The Hon. Michael Bruce Baird, MP
Premier

The Hon. Andrew John Stoner, MP
Deputy Premier

The Hon. Gladys Berejiklian, MP
Minister for Transport

The Hon. Adrian Piccoli, MP
Minister for Education.

I inform the House that on 23 April 2014 the Governor appointed the following persons to the offices indicated:

The Hon. Michael Bruce Baird, MP
Minister for Infrastructure, and Minister for Western Sydney

The Hon. Andrew John Stoner, MP
Minister for Trade and Investment, Minister for Regional Infrastructure and Services, Minister for Tourism and Major Events, Minister for Small Business, and Minister for the North Coast

The Hon. Gladys Berejiklian, MP
Minister for the Hunter

The Hon. Michael Joseph Gallacher, MLC
Minister for Police and Emergency Services, Minister for Industrial Relations, Minister for the Central Coast, and Vice-President of the Executive Council

The Hon. Duncan John Gay, MLC
Minister for Roads and Freight

The Hon. Anthony John Roberts, MP
Minister for Resources and Energy, and Special Minister of State

The Hon. Jillian Gell Skinner, MP
Minister for Health, and Minister for Medical Research

The Hon. Andrew James Constance, MP
Treasurer

The Hon. Prudence Jane Goward, MP
Minister for Planning, and Minister for Women

The Hon. Bradley Ronald Hazzard, MP
Attorney General, and Minister for Justice

The Hon. Gabrielle Cecelia Upton, MP
Minister for Family and Community Services

The Hon. Katrina Ann Hodgkinson, MP
Minister for Primary Industries, and Assistant Minister for Tourism and Major Events

The Hon. Kevin John Humphries, MP
Minister for Natural Resources, Lands and Water, and Minister for Western New South Wales

The Hon. John George Ajaka, MLC
Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra

The Hon. Stuart Laurence Ayres, MP
Minister for Fair Trading, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney

The Hon. Victor Michael Dominello, MP
Minister for Citizenship and Communities, Minister for Aboriginal Affairs, Minister for Veterans Affairs, and Assistant Minister for Education

The Hon. Robert Gordon Stokes, MP
Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning

The Hon. Troy Wayne Grant, MP
Minister for Hospitality, Gaming and Racing, and Minister for the Arts

The Hon. Dominic Francis Perrottet, MP
Minister for Finance and Services

The Hon. Paul Lawrence Toole, MP
Minister for Local Government

The Hon. Jai Travers Rowell, MP
Minister for Mental Health, and Assistant Minister for Health

I inform the House that Mr Paul Miller, General Counsel, Department of Premier and Cabinet, has this day provided the Clerk with correspondence informing him of the announcement by the Hon. Michael Gallacher of his intention to resign as Minister for Police and Emergency Services, Minister for the Central Coast, and Vice-President of the Executive Council. As the letter advises, it is expected that ministerial arrangements will be considered by Her Excellency the Governor on Wednesday 7 May 2014. Copies are available from the Clerks at the table and will be recorded in the *Minutes of Proceedings*. I will advise the House of further appointments as they are considered by Her Excellency the Governor tomorrow morning.

MINISTRY

Senior Ministers

The Hon. DUNCAN GAY: I inform the House that, effective from 23 April 2014, the following Ministers were designated as senior Ministers:

The Hon. Gladys Berejiklian, MP

The Hon. Adrian Piccoli, MP

The Hon. Jillian Skinner, MP

The Hon. Michael Gallacher, MLC

The Hon. Gabrielle Upton, MP

The Hon. Andrew Constance, MP

The Hon. Prudence Goward, MP

PARLIAMENTARY SECRETARIES

The Hon. DUNCAN GAY: I inform the House that today the following persons were appointed as Parliamentary Secretaries to the offices indicated:

Mr Daryl Maguire, MP
Parliamentary Secretary to the Premier for Rural and Regional Affairs

Mr Ray Williams, MP
Parliamentary Secretary for Transport and Roads

The Hon. Catherine Cusack, MLC
Parliamentary Secretary for Tertiary Education and Skills

Mr Geoff Provest, MP
Parliamentary Secretary for Police and Emergency Services

Mr Craig Baumann, MP
Parliamentary Secretary for Regional Planning

The Hon. David Clarke, MLC
Parliamentary Secretary for Justice

The Hon. Charlie Lynn, MLC
Parliamentary Secretary for Veterans Affairs

Ms Leslie Williams, MP
Parliamentary Secretary for Renewable Energy

Mr David Elliott, MP
Parliamentary Secretary to the Premier for Youth, Homelessness and the Centenary of ANZAC

Mr Mark Speakman, MP
Parliamentary Secretary for Treasury

The Hon. Melinda Pavey, MLC
Parliamentary Secretary for Regional and Rural Health

Mr John Barilaro, MP
Parliamentary Secretary for Small Business and Rural Development

Mr Matt Kean, MP
Parliamentary Secretary for Communities

REPRESENTATION OF MINISTERS IN THE LEGISLATIVE ASSEMBLY

The Hon. DUNCAN GAY: I inform the House that for today only the Hon. John Ajaka and I will represent all Ministers in the Legislative Assembly. I will further advise the House of ongoing ministerial representations tomorrow.

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

That this House at its rising today adjourn until Wednesday 7 May 2014 at 12.00 noon.

Pursuant to sessional orders Formal Business Notices of Motions proceeded with.**WEST BYRON URBAN RELEASE AREA****Motion by Ms JAN BARHAM agreed to:**

(1) That this House notes that:

- (a) the community and Byron Shire Council have raised concerns about infrastructure and environmental impacts relating to the West Byron Bay urban release area rezoning applied for under the State significant site process,
- (b) the local member for Ballina, Don Page, MP, was presented with a petition of more than 2,000 signatures opposing the rezoning,

- (c) Mr Page noted he would pass on these concerns to Planning Minister Hazzard and Environment Minister Parker, and
 - (d) Mr Page has previously committed to protecting koala habitat in the area.
- (2) That this House notes that:
- (a) the land in question at West Byron has been subjected to three major studies for its development potential over the last 30 years,
 - (b) each study has identified through evidence and consultation that it is not suitable for increased development,
 - (c) this land was identified for rural zoning because of environmental and infrastructure constraints, and
 - (d) the 108 hectare development proposal for residential, commercial and industrial sites could increase the population of Byron Bay-Suffolk Park by 25 per cent.
- (3) That this House notes that:
- (a) the award winning West Byron sewerage treatment plant was designed without provision for the scale of development proposed by the West Byron Bay urban release area,
 - (b) the sewerage treatment plant was designed with the guidance of extensive settlement strategy studies that considered the future growth of the Shire including the recommended rural zoning of the West Byron lands,
 - (c) this sewerage treatment plant does not have the capacity to deal with the proposed intensity of development, and
 - (d) the determination of sewerage infrastructure capacity is the responsibility of local government.
- (4) That this House notes that:
- (a) previously approved development in the shire that proceeded without the necessary infrastructure resulted in the pollution of the waterway of Belongil Creek,
 - (b) development of the West Byron area could result in serious pollution of Belongil Creek, and
 - (c) a sewerage treatment plant upgrade would need to be considered prior to the approval of any future development to ensure the additional capacity does not result in the pollution of the waterway, including the Cape Byron Marine Park.
- (5) That this House notes that:
- (a) the Belongil catchment has previously been determined, in 1996, by the State Government as an acid sulfate hotspot and that 75 per cent of the land in question is acid sulphate affected,
 - (b) the artificial drainage of acid sulfate soils has been noted by the Department of Primary Industries as a cause of toxic water pollution due to the mobilisation of sulfuric acid, iron and aluminium,
 - (c) this pollution ultimately results in fish kills, sometimes massive, and reduced hatching of fish and decline in fish growth rates, and
 - (d) flood and climate change studies have determined increased risks associated with the development of the West Byron land such that new residences would be at risk on flood-prone land.
- (6) That this House notes that:
- (a) the proposed lands are located on Ewingsdale Road, the main entrance to Byron Bay that already has significant traffic congestion issues,
 - (b) the proposal would significantly increase traffic on Ewingsdale Road,
 - (c) a proposed bypass would not resolve increased traffic congestion from the development,
 - (d) increased traffic would have serious consequences for tourism businesses, and
 - (e) increased traffic would have serious consequences for local residents and businesses.
- (7) That this House notes that:
- (a) previous State Government studies and the award winning Biodiversity Conservation Strategy have identified this land is a regional wildlife corridor,
 - (b) this land is recognised as having high conservation value vegetation, and
 - (c) this land is recognised as core habitat for koalas and other species scheduled as vulnerable in the Threatened Species Conservation Act such as the masked owl and wallum froglet which means the West Byron development proposal must be rigorously assessed to ensure protection.

- (8) That this House notes that:
- (a) proponents of the development refused to accept local council assessments and refusal for rezoning and applied to the State Government, and
 - (b) the council has been denied its ability to plan and determine the appropriate locations for development within the shire.
- (9) That this House acknowledges the concerns of the community and local council over the inappropriate and unsustainable proposal relating to the West Byron Bay urban release land.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No 1775 outside the Order of Precedence objected to as being taken as formal business.

ARTHRITIS AWARENESS WEEK

Motion by Ms JAN BARHAM agreed to:

- (1) That this House notes that:
- (a) nearly one in five Australians has arthritis,
 - (b) arthritis is the second most common cause of disability in Australia,
 - (c) there are over 100 types of arthritis and arthritis affects all age groups,
 - (d) Arthritis Australia, Australia's peak arthritis body, is a charitable not-for-profit organisation whose vision is to bring quality of life to all people with arthritis and eliminate their suffering, and
 - (e) among other things Arthritis Australia does this by:
 - (i) providing support and accurate and relevant information to sufferers and their carers,
 - (ii) providing funding for research,
 - (iii) keeping health professionals informed.
- (2) That this House further notes that:
- (a) Arthritis Awareness Week runs from Sunday 23 March 2014 to Saturday 29 March 2014,
 - (b) to promote awareness, Arthritis Australia launched on Monday 24 March 2014, "Time to Move", a key strategy that provides a road map for improving care across Australia for people with arthritis,
 - (c) Arthritis Australia has updated their 65 information sheets in these languages: Arabic, Italian, Cantonese, Greek and Vietnamese, and an additional 30 sheets in Spanish, Korean, Persian, Macedonian and Croatian, and
 - (d) these information sheets and many more resources are available on their website.
- (3) That this House encourages all people of New South Wales to recognise Arthritis Awareness Week and to use the information provided by Arthritis Australia to improve the ability of sufferers to control and manage their condition.

TABLED PAPERS NOT ORDERED TO BE PRINTED

The Hon. John Ajaka tabled, pursuant to Standing Order 59, a list of all papers tabled and not ordered to be printed since 4 March 2014.

LEGISLATION REVIEW COMMITTEE

Report

The Hon. Dr Peter Phelps tabled the report entitled "Legislation Review Digest No. 54/55", dated 6 May 2014.

Ordered to be printed on motion by the Hon. Dr Peter Phelps.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to the Public Finance and Audit Act 1983, of the following performance audit reports of the Auditor-General:

- (1) "Fitness of Firefighters: Fire & Rescue NSW, NSW Rural Fire Service", dated April 2014, received out of session and authorised to be printed on 1 April 2014.
- (2) "Management of volunteers: NSW State Emergency Service", dated April 2014, received out of session and authorised to be printed on 1 April 2014.

SELECT COMMITTEE ON GREYHOUND RACING IN NSW

Report: Greyhound Racing in New South Wales: First Report

The Clerk announced the receipt, pursuant to standing order, of the report entitled "Greyhound Racing in New South Wales: First Report", dated March 2014, received out of session and authorised to be printed on 29 March 2014.

The Hon. ROBERT BORSAK [2.45 p.m.]: I move:

That the House take note of the report.

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

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Report: Inquiry into the 2012 Local Government Elections

The Clerk announced the receipt, pursuant to standing order, of report No. 4/55 entitled "Inquiry into the 2012 Local Government Elections", dated March 2014, received out of session and authorised to be printed on 3 April 2014.

The Hon. ROBERT BORSAK [2.45 p.m.]: I move:

That the House take note of the report.

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

SELECT COMMITTEE ON THE AGISTMENT OF HORSES AT YARALLA ESTATE

Government Response to Report

The Clerk announced the receipt, pursuant to standing order, of the Government's response to the report entitled "Agistment of Horses at Yaralla Estate", dated 24 October 2013, received out of session and authorised to be printed on 24 April 2014.

CROWN LANDS REVIEW

Production of Documents: Return to Order

The Clerk tabled, pursuant to resolution of 6 March 2014, documents relating to the Crown lands review, received on 27 March 2014 from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Production of Documents: Claim of Privilege

The Clerk tabled a return identifying those documents received on 27 March 2014 from the Acting Secretary of the Department of Premier and Cabinet, that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

CROWN CARAVAN PARKS, BYRON SHIRE**Production of Documents: Return to Order**

The Clerk tabled, pursuant to resolution of 26 March 2014, documents relating to the management of Crown caravan parks, received on 9 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Production of Documents: Claim of Privilege

The Clerk tabled a return identifying those documents received on 9 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

Production of Documents: Further Return to Order

The Clerk tabled additional documents received on 2 May 2014 from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Production of Documents: Further Claim of Privilege

The Clerk tabled a return identifying those documents received on 2 May 2014 from the Acting Secretary of the Department of Premier and Cabinet, that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

PROTECTION OF THE ENVIRONMENT OPERATIONS (GENERAL) AMENDMENT (NATIVE FOREST BIO-MATERIAL) REGULATION 2013**Production of Documents: Return to Order**

The Clerk tabled, pursuant to resolution of 26 March 2014, documents relating to Draft Protection of the Environment Operations (General) Amendment (Native Forest Bio-material) Regulation, received on 9 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

NATIONAL PARKS RESERVE SYSTEM**Production of Documents: Return to Order**

The Clerk tabled, pursuant to resolution of 26 March 2014, documents relating to acquisitions of land for the reserve system, received on 16 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Production of Documents: Claim of Privilege

The Clerk tabled a return identifying those documents received on 16 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

BRONTE RSL SITE REDEVELOPMENT**Production of Documents: Return to Order**

The Clerk tabled, pursuant to resolution of 26 March 2014, documents relating to the planning proposal for Bronte RSL, received on 16 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

WESTCONNEX BUSINESS CASE**Production of Documents: Correspondence**

The Clerk tabled, pursuant to resolution, email correspondence with the Department of Premier and Cabinet in relation to documents referred to in the index for the return to order regarding the WestConnex Business Case.

FORMER MINISTER FOR FINANCE AND SERVICES DOCUMENTS**PLANNING SYSTEM REFORM****Production of Documents: Correspondence**

The Clerk tabled correspondence received from the Acting Secretary of the Department of Premier and Cabinet dated 16 April 2014, and attached advice of the Solicitor General in relation to orders for papers agreed to by the House relating to:

- (1) Documents from the office of the former Minister for Finance and Services, and Minister for the Illawarra,
- (2) Reform of planning laws in New South Wales.

FORMER MINISTER FOR FINANCE AND SERVICES DOCUMENTS**Production of Documents: Return to Order**

The Clerk tabled, pursuant to resolution of 19 March 2014, documents from the office of the former Minister for Finance and Services, and Minister for the Illawarra received this day from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

Production of Documents: Claim of Privilege

The Clerk tabled a return identifying those documents received this day from the Acting Secretary of the Department of Premier and Cabinet, that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

PLANNING SYSTEM REFORM**Production of Documents: Return to Order**

The Clerk tabled, pursuant to resolution of 26 March 2014, documents relating to planning laws in New South Wales received this day from the Acting Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

Production of Documents: Claim of Privilege

The Clerk tabled a return identifying those documents received on 16 April 2014 from the Acting Secretary of the Department of Premier and Cabinet, that are claimed to be privileged and should not be tabled or made public. The Clerk advised that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

ORDER FOR THE PRODUCTION OF DOCUMENTS**Ministerial Statement**

The Hon. DUNCAN GAY (Minister for Roads and Ports) [2.50 p.m.]: When this House last sat it passed, in quick succession, six resolutions under Standing Order 52 calling on the Government to produce certain volumes of documents. This followed a spate of such orders in recent times. The Government complied fully and within the time frame specified in respect of four of those orders. Today we have produced documents in relation to the other two orders for papers. Let me make one thing clear at the outset. This Government,

unlike the previous Government, does not dispute the power of this House to compel Ministers and agencies to produce documents and this Government takes seriously its obligation to comply fully with the terms of any order.

However, that being the case, we have in recent times been concerned about the expanding scope of these orders and the consequent resourcing and cost implications for taxpayer-funded government agencies. Dollars and time spent responding to resolutions under Standing Order 52 are, of course, resources that are being diverted from other important public activities. Nevertheless, as I said, the Government respects the authority of this House to make orders as it sees fit and the Government acknowledges its obligation to comply. However, in the case of two recent orders the terms of the orders have gone beyond merely just being unusually burdensome. Rather, the broad and unwieldy terms of the orders have meant that, even with the best will in the world, it has simply been impractical for government agencies to identify and produce all relevant documents within the time frames specified.

On 16 April, which was the date specified in the orders for the production of documents, the Acting Secretary of the Department of Premier and Cabinet wrote to the Clerk to explain the situation. That letter also attached legal advice from the Solicitor General. As I said earlier, the Government does not dispute the power of the House to order the production of documents. It is an important power and one that we take seriously. However, in cases where compliance with an order is simply impractical or unreasonable the Solicitor General has advised the Government as follows:

It would be reasonable in our view, to query or dispute an order that contained an impractical deadline or referred to no specific subject matter in relation to documents sought—but, for example, by location only—or referred to a subject matter that was so broad and unwieldy as to place great practical difficulties on compliance.

In some cases it might not be apparent to the Legislative Council—or, indeed, to the Government—the magnitude of the task that would be required to respond to a particular order. Indeed, the full extent of that task may become apparent only once the relevant departments and agencies have begun the job of seeking to comply with the order. However, at that stage there is limited scope to negotiate changes to the terms of the order, even where the changes are eminently sensible and would be in the interests both of the Government, which is concerned not to unduly waste public resources, and the Legislative Council, which likewise should be concerned about the expenditure of public funds. It also does not wish to be inundated with mountains of documents in which, frankly, it has no real interest.

Unlike a subpoena, a Government Information (Public Access) Act application or a notice issued by a regulatory agency such as the Independent Commission Against Corruption, there is no scope for named agencies to negotiate directly with the Legislative Council to narrow or clarify the scope of an unreasonably broad order. Neither the Clerk nor the member who moved the motion has the authority to agree to change a resolution that has been passed by the House. For that reason, the Government on this occasion has decided that the most prudent course, the course that accords appropriate deference to the authority of the House, is to report back to the House as follows.

First, the Government has produced all the documents covered by the terms of the orders that it can practically and reasonably produce today. Second, in relation to those aspects of the orders with which the Government cannot comply, the Legislative Council is invited to consider whether it wishes to press those aspects of the orders in light of advice from the agencies, which I am now able to share with the Legislative Council, as to the costs and resourcing implications. If the Legislative Council does wish to proceed, it is requested to consider amendments that will clarify the scope of the orders and limit the cost burden on agencies.

I will address first the order that was directed to the Planning portfolio. The Government has substantially complied with the resolution of the House under Standing Order 52 relating to the reform of planning laws in New South Wales. However, we propose a minor amendment to the resolution—simply the omission of the word "relates" in paragraph 1 (b). I am advised that 31 boxes containing more than 100 folders have been delivered to the Clerk's office by the Department of Premier and Cabinet, acting on behalf of the Government. These documents have been produced by the Office of the Minister for Planning, the Office of the Attorney General and Justice, and the Department of Planning and Environment.

In responding to the resolution I am advised that the records of 160 departmental staff, including former staff, created since 1 January 2012 have been searched and reviewed by the Department of Planning and Environment. That task involved the department spending more than 1,500 hours of work by 190 departmental

staff, as well as specialist technical expertise and additional staff to retrieve communications from 31 former staff members. I understand that as well as its internal costs, the Department of Planning and Environment has incurred external disbursements of over \$156,000 to date in responding to the resolution.

I am advised that it has not been possible to identify all the documents that relate to communications with the parties listed in paragraph 1 (b) of the resolution. The documents that relate to communications with the parties listed in the resolution could include a broad range of documents that would not necessarily either record or refer to the communications or the names of the parties. I am advised that emails, meeting notes, letters, file notes and other documents that record or refer to communications with the parties listed in the resolution, or their representatives, have been located by the department using keyword database searches and have been produced.

In substantial compliance with the resolution the department has certified that it has produced the documents which fall within the terms of the resolution provided the word "relates" is omitted. Compliance with that part of the resolution that includes "relates" simply remains impracticable. The Government believes it would be improper to continue to direct significant public resources towards further compliance with that aspect of the resolution. In light of the impracticality of full compliance the Government requests that the House amend the resolution to omit the word "relates" from paragraph 1 (b).

The Government has also made a partial return of documents in response to the resolution passed by the House on 19 March 2014 relating to documents from the office of the former Minister for Finance and Services. The Department of Premier and Cabinet, on behalf of the Government, has returned documents relating to an application made to the department under the Government Information (Public Access) Act that are referred to in paragraph (b) of the resolution relating to the former Minister. Full compliance with the terms of the resolution as originally passed was and remains impracticable. It is impracticable because of the sheer volume of documents covered by the request and the absence of any specified subject matter in the request.

The terms of the order relating to documents from the office of the former Minister refer to no specific subject matter. This lack of specificity makes the compliance task impracticable. It means that all documents retrieved by the department from that office must be reviewed to ensure that Cabinet information is not disclosed as well as to protect third party confidential information. As the House is aware, Cabinet information is not produced under Standing Order 52. The fact that the terms of the resolution state explicitly that Cabinet information, office administration information and personal files of the former Minister are not being sought does not help to reduce the size of the task by any reasonable measure. In fact it complicates matters because there are now three categories of information that the Government is not authorised to return to the House.

I am advised that the Department of Premier and Cabinet has conducted an initial review of the Cabinet status of the documents it holds with the assistance of the office of the New South Wales Crown Solicitor, given the size and the scope of the task. I am advised that more than 40,000 documents were involved in this review process and the external cost to date of this work is more than \$180,000. The department advises that thousands of documents still need to be reviewed for information that may be the subject of a privilege claim or otherwise outside the scope of the resolution as drafted. Privilege claims assist in protecting the confidentiality and privacy of third parties as well as protecting the broader public interest.

Unlike freedom of information requests for court proceedings privilege claims are the only way to protect confidential information while ensuring that the Legislature can exercise its oversight of the Executive. Production of documents without considering whether future publication would be contrary to the public interest is not consistent with normal principles of transparency and accountability. A privilege review also provides important support for the integrity of the Standing Order 52 process. It is the only reasonable way members of the Legislative Council can be alerted to confidentiality issues that may attach to the broader publication of a particular document.

The Government believes it would be improper to continue to direct significant public resources towards reviewing the documents without first alerting the House to the scope and expense of the task. The Government believes it has a duty to provide the Legislative Council with an opportunity to reconsider the consequences of pursuing the resolution in the terms in which it was originally passed. In light of the expense and impracticality of full compliance the Government does not propose to provide a further return unless the House resolves to press for the return of the documents; nor does the Government seek to amend the resolution. The lack of specificity in paragraph (a) of the resolution cannot be resolved by a simple deletion of words. The Government cannot suggest how to recast such a paragraph in a way that would make its task a reasonable or sensible one.

It is incumbent upon the member to identify a list of topics of interest in a precise and targeted manner so that the resolution can be redrafted and the Government can search for, and identify, relevant documents without incurring astronomical expense. If the Legislative Council presses for return of the documents under the current resolution the Government proposes at this stage a return date of 1 September 2014 in relation to the resolution relating to the record of the former Minister. While a change of date will not prevent wasteful expenditure of public resources on a fishing expedition it will at least apply a more reasonable time frame to the process.

The Hon. LUKE FOLEY (Leader of the Opposition) [3.07 p.m.]: The Opposition was not aware of the content of the statement just made by the Leader of the Government before it was delivered. The Opposition will consider the words in that statement. I make the important point that a key principle of responsible government is that the Executive is accountable to the Parliament. That will be the starting point when the Opposition considers what the Government proposes. The power to order the production of documents enjoyed by this House derives from the common law. The Opposition is not of a mind to accept advice, as if from a schoolmaster, from the director general or the legal counsel of the Department of Premier and Cabinet because the Opposition believes that the Executive Government is accountable to the Parliament.

As I said, the Opposition will consider the correspondence from the Department of Premier and Cabinet. I am pleased that the Government has reconsidered the position that it seemingly took a few weeks ago when it was suggested that there would not be any attempt to comply with an order for the production of documents. The Opposition will certainly examine what has been returned and consider its response in relation to what has not been returned.

As the Leader of the Opposition in this House I have told the director general of the Department of Premier and Cabinet and his legal counsel that the Opposition is always prepared to negotiate the terms of a proposed order for papers when it puts such an order on the *Notice Paper*. I have raised that with Mr Eccles and Mr Miller. I had a very satisfactory experience last year with the director general of the Department of Family and Community Services, Mr Coutts-Trotter, when we engaged in detailed discussions about an order for papers of which I had given notice. I found that experience satisfactory in meeting my needs and also in responding to concerns raised by the director general and the Minister's office about avoiding unnecessary diversion of departmental resources. I then reported to Mr Eccles and Mr Miller that I had found that a satisfactory experience and that I would welcome their informing the Premier and the Cabinet that the Opposition would always be prepared to negotiate the terms of any proposal and the time frames.

I believe that the Opposition has been reasonable in seeking to work with the Government of the day about orders for the production of documents. The Opposition unapologetically asserts that under our system of responsible government the Executive is accountable to both Houses of Parliament. I note that the power of this House to order the production of government documents is undiminished. They are the principles that the Opposition will bring to bear when it considers the statement of the Leader of the Government and the correspondence from the Department of Premier and Cabinet.

IRREGULAR PETITION

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

Racial Discrimination Act 1975

Petition calling on the New South Wales Government to lobby the Federal Government for the retention of section 18C of the Racial Discrimination Act 1975, received from the **Hon. Shaoquett Moselmane**.

PETITIONS

Dutton Lane Car Park

Petition requesting an investigation into Fairfield City Council's handling of the reclassification of the Dutton Lane car park in 2003, received from the **Hon. Charlie Lynn**.

Public Libraries

Petition stating that libraries are a fundamental part of the educational and cultural vibrancy of community, providing lifelong learning and opportunities for social interaction, and calling on the Government

to recognise the social and economic benefits provided to the community by public libraries and increase funding of public libraries to reinstate the previous percentage level of contribution, received from the **Hon. Jan Barham**.

BUSINESS OF THE HOUSE

Withdrawal of Business

Government Business Notices of Motions Nos 1 and 2 withdrawn by the Hon. Duncan Gay.

BUSINESS OF THE HOUSE

Routine of Business

[During the placing or disposal of business.]

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

BUSINESS OF THE HOUSE

Withdrawal of Business

Private Members' Business item No. 1701 outside the Order of Precedence withdrawn by Mr David Shoebridge.

Private Members' Business item No. 1755 outside the Order of Precedence withdrawn by the Hon. Charlie Lynn.

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997: DISALLOWANCE OF PROTECTION OF THE ENVIRONMENT OPERATIONS (GENERAL) AMENDMENT (NATIVE FOREST BIO-MATERIAL) REGULATION 2013

The PRESIDENT: Pursuant to standing orders the question is: That Business of the House Notice of Motion No. 1 proceed as business of the House.

Question resolved in the affirmative.

Motion by the Hon. Luke Foley agreed to:

That the matter proceed forthwith.

The Hon. LUKE FOLEY (Leader of the Opposition) [3.42 p.m.]: I move:

That, under section 41 of the Interpretation Act 1987, this House disallows the Protection of the Environment Operations (General) Amendment (Native Forest Bio-material) Regulation 2013, published on the NSW Legislation website on 7 March 2014.

In 2003 the Carr Labor Government made it illegal in New South Wales to burn native forests to create electricity. Today I defend Labor's legacy in disallowing this potentially catastrophic use of our native forests and other native vegetation. Labor is proud of its record of forest conservation. Between 1995 and 2011 Labor permanently protected more than one million hectares of native forest, and we set up regulations to ensure that the forests that remained in production were managed to preserve biodiversity. NSW Labor supports the timber industry in this State but will not support the creation of a new, low-value and environmentally questionable use of our mighty forest estate.

The Labor Government's 2003 regulation disallowed the use of native vegetation to create electricity. A number of sensible exemptions were made, including plantation timber, sawmill waste and post-milling woodchip waste. The current Government's new regulation adds to this list of exemptions, allowing native forest products and the product of clearing of native vegetation on private land to be added to the furnace. At the Federal level, Labor in government blocked the use of native forests for electricity generation by not including native forest biomass in the renewable energy target scheme. In March 2012 a motion to disallow this regulation

was defeated on the floor of the House of Representatives. The then Federal Minister for Climate Change, the Hon. Greg Combet, explained why the Federal Government had excluded native forest biomass from the renewable energy target scheme. He said:

Native forests are important for biodiversity and store large amounts of carbon. Excluding electricity that is generated from native forest biomass from eligibility under the Renewable Energy Target Scheme removes the potential for the Renewable Energy Target Scheme to provide an incentive for the additional burning of native forest biomass for bioenergy, even where this burning is a secondary use. In the context of the benefits of bioenergy from the carbon price, the additional incentive from the renewable energy target could increase both the primary and the secondary purpose use of native forest wood, which could lead to unintended outcomes for biodiversity and the destruction of intact carbon stores.

The energy Minister, the Hon. Anthony Roberts, said publicly on 7 March that allowing the burning of forests for biomass will not lead to the destruction of one extra tree or increase the volumes of logging. My concern is that we have heard this before. In 1967 when the export woodchip industry began in Australia we were assured that it was only a use for waste as the inevitable by-product of sawmilling. The community was led to believe that small limbs and crooked trees would be sent to the chipper while the bulk of the timber taken from the forests would support good value-adding jobs in a timber industry creating fine dressed timbers for homes and other specialty products.

By the early 1990s more than 90 per cent of the volume being taken from native forests was ending up in the woodchipper. Allowing woodchipping in Australia's native forests changed the economics of the industry entirely as we harvested this magnificent resource for low-value export, employing very few people, generating poor returns and driving unprecedented forest destruction. The ecological costs of native forest logging are well known. Native forests are important for biodiversity and store large amounts of carbon. The Labor Party is not interested in opening the door on a new low-value use for our forest heritage. What is even clearer is that the arguments to suggest that this is a renewable energy are highly questionable.

Trees regrow; forests are a more complicated proposition. Many of the animals that rely on forests rely on hollows, the holes left in tree trunks when dead branches fall down. Birds, possums and gliders all need these safe havens to survive. Hollows only exist in well-established trees. The destruction wrought by the process of logging is obvious. Koalas, wallabies, possums and birds all lose their homes. But even regrowing forests fails to provide the domestic architecture of hollows that many animals need. Furthermore, regrowing forests tends to have less species diversity and age diversity than an established forest. All this undermines the biodiversity of the forest. A forest is renewable for the biodiversity that relies on it only after hundreds of years.

Further, when we speak of renewable energy we are usually speaking of energy that can renew itself without an increase of carbon in our atmosphere. Our native forests store huge amounts of carbon. Each tree's trunk is a bank of carbon locked away from the atmosphere. The argument is that we can burn this carbon store because as the trees regrow they will sequester that carbon again. The evidence now suggests that the carbon cycle associated with ancient forests is more complex than that simple input-output model suggests. Ancient forests do store more carbon than young forests. Having some of the most carbon-dense forests on the planet, by far the most efficient way for us to benefit from their carbon values is to leave them in the ground.

Furthermore, Labor has health concerns about the burning of forests for electricity. We have all heard reports of the impact of burning wood to heat our homes on air quality: that it increases the incidence of asthma and exacerbates respiratory problems in the elderly. With this change to the legislation, we are talking about far more domestic wood-fired pollution. The Massachusetts Medical Society and the American Lung Association have both commented publicly on the unacceptable health risks associated with biomass power plants because of increased air pollution. Pollutants can include nitrogen oxides, particulate matter and sulphur dioxide.

As I said earlier, this Government's regulation opens the door not only to burn native forests for power but also to burn native vegetation cleared on private property under the Native Vegetation Act 2003. Labor is concerned that with reports coming from across the State about the lack of proper compliance oversight of this Act under this Liberal-Nationals Government, this new regulation provides an incentive for landholders to rot its intention. Cleared native bush should not become simply a resource with monetary value.

Labor opposes this regulation because it is clear that the people of New South Wales do not want their forests logged for electricity generation. They are interested in renewable energy that utilises cutting-edge research, innovation and technology. They are interested in renewable energy that creates skilled jobs and opens new international markets for Australia. They do not want so-called dead koala electricity. They want their forests protected and their electricity clean and genuinely renewable. I commend the motion to disallow this regulation to the House.

The Hon. RICK COLLESS [3.52 p.m.]: I oppose the motion. The Government does not support the motion to disallow this regulation. On 7 March 2014 the Government passed the Protection of the Environment Operations (General) Amendment (Native Forest Bio-material) Regulation 2013 to provide a more flexible regulatory scheme. These new arrangements strike the right balance between a sustainable timber industry and the environment. Waste from timber mills, plantations and other timber waste can already be used to generate electricity. The Government's amendments do not reduce or remove any of the existing obligations on industry when logging in native forests.

The changes take a conservative approach, allowing only logging debris, pulpwood or invasive native species that have been removed to be used to generate electricity. When invasive native species are cleared they are usually burnt on farm anyway, so it does not make any difference. We are better off using the energy contained in those species and putting it to positive use. I have never heard such nonsense as the comments of the Leader of the Opposition about burning dead koalas. There are no koalas in the areas where this policy will be implemented. The changes have been specifically designed so that there will be no increase in the intensity of logging. The Forestry Corporation of New South Wales will keep detailed records of where biomaterial comes, the volumes and the amounts sourced and the corporation will make this information available annually on its website.

These arrangements will be formalised through the current remake of the corporation's logging licences, the Integrated Forestry Operations Approvals. The Environment Protection Authority will also use satellite imagery, where appropriate, to help ensure there is no intensification of logging as a result of the proposed changes. Electricity generators using biomaterial also will be required to keep records. The Environment Protection Authority will audit those records across all facilities to ensure the intention of the regulation is met. As noted by my colleague in the Legislative Assembly Mr Anthony Roberts, these changes strike the right balance between a sustainable timber industry and environment protection. For those reasons, the Government opposes this disallowance motion.

Dr JOHN KAYE [3.55 p.m.]: I support the disallowance motion. In doing so, I condemn the Government for its desperate move to prop up an industry that should have long ceased to exist. This industry should have gone the same way as whaling, an industry with which it bears much in common: heavily subsidised, dangerous, environmentally disastrous, uneconomic and a poor generator of employment. Native forestry woodchipping in New South Wales is on its knees. The international market for woodchips is collapsing because of competition from plantations that produce wood which is more desirable for the pulp and paper industry and is currently providing a large supply of woodchips because of overinvestment from the managed investment schemes debacle.

The O'Farrell and now Baird Government was presented with an opportunity to bring to an end the issue of native forestry woodchipping and to transition the south-east region—the only place where it is still occurring—to sustainable employment based on renewable energy, tourism and more value-added wood products such as furniture. I am finding it difficult to speak with the continued interjections from the Government Whip.

The DEPUTY-PRESIDENT (The Hon. Paul Green): Order! It is disorderly for members to interject and it is disorderly for members to respond.

Dr JOHN KAYE: I was not responding. Each and every one of those sustainable industries would have offered higher employment outcomes, been compatible with other activities and the environment, and been sustainable and compatible with other economic development in the south-east. None of those statements is true of native forestry biomass. Instead, the O'Farrell-Baird Government has responded to pressure from one company to give the industry a new lease of life—a move that will continue to cost the people of New South Wales upwards of \$6 million a year for an industry that is unsustainable. At its peak this industry employed no more than 500 people. An equivalent industry based around genuine renewable energy would have had twice, three or four times that number of employees in the south-east area alone.

This industry takes money out of the public purse away from education, health and transport and puts it into the pockets of a woodchip mill, which is currently running at a \$2.6 million a year loss. The kindest thing to do was to work with the local community and transition the industry to a sustainable base. Instead, Minister Roberts and his predecessor have created an industry that will continue massive exploitation of native forests. The Minister himself in his media release of 7 March 2014 admitted this industry would use trees that might otherwise be made into pulp for paper production, that is, one million tonnes a year coming out of the forests of

south-east New South Wales and north-east Victoria which are currently chipped supposedly for the woodchip market. Those forests will now be connected to the furnaces of power stations and the ecologically and economically disastrous exploitation will continue. Not only that, many of the trees that are either too hard or too red to be made into paper will now be available for exploitation.

Pursuant to sessional orders business interrupted at 4.00 p.m. for questions.

Item of business set down as an order of the day for a future day.

QUESTIONS WITHOUT NOTICE

MINISTER FOR ROADS AND FREIGHT AND MR BEN FRANKLIN

The Hon. LUKE FOLEY: My question is directed to the Minister for Roads and Freight. Has the Minister attended meetings or private functions at the request of New South Wales Nationals State Director Ben Franklin?

The Hon. DUNCAN GAY: I thank the honourable member for his question. In my new capacity I was expecting a tough question. The simple answer to this one is yes. I am a member of The Nationals.

The Hon. Trevor Khan: You were chairman, weren't you?

The Hon. DUNCAN GAY: I am a proud former chairman of The Nationals and a life member of The Nationals, and I am pretty damn proud about that. In a routine manner the State Director of The Nationals puts out an invitation or a direction, as indicated, to attend central council, central executive and other committees of the party. We all get them in various forms and I certainly get them as well.

BOMBALA ROADS

The Hon. RICK COLLESS: My question is addressed to the Minister for Roads and Freight. Will the Minister update the House on the New South Wales Government's support of vital timber roads in Bombala?

The Hon. Steve Whan: Let us hope he tells the truth.

The Hon. Rick Colless: He always tells the truth.

The Hon. Steve Whan: Cost shifting, Duncan.

The Hon. DUNCAN GAY: There was a noise on the losers lounge for the word had got around that Whan had returned from the abyss.

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

The Hon. DUNCAN GAY: The Legislative Council's and the State's most famous glass jaw is opposite me at the moment. He has been twittering across the State and frankly he has got it wrong. Last Friday I was astonished to read a Country Labor media release penned by the Hon. Steve Whan objecting to the New South Wales Government providing a funding grant to Bombala Council to upgrade three roads associated with the transport of timber logs in the region. I think the emphasis is on logs. The Hon. Steve Whan has now been regurgitated yet again by Sussex Street to run for the seat of Monaro. He is desperate to rewrite history to contrive a narrative that he actually did something for country roads when he was in office. Pleas in the past by Bombala Council to Country Labor to help the council upgrade timber roads fell on deaf ears.

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

The Hon. DUNCAN GAY: The roads are crucial to transport logs from State forests near Bombala—such as Craigie and Bondi—to processing facilities at the Visy pulp and paper mill at Tumut, the port of Eden or the mill at Albury. Forestry generates vital jobs in the Monaro, jobs that Labor enthusiastically sacrificed for green votes in marginal inner Sydney electorates. Recently the great Nationals member for Monaro, John

Barilaro, and I had the pleasure of announcing a \$450,000 grant over three financial years to help the council upgrade three key roads. The grant will see Mila and Craigie roads and the Burton-Bucky Springs Road upgraded.

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

The Hon. DUNCAN GAY: Bombala Council has been working its guts out to upgrade these timber roads and I am delighted that the New South Wales Coalition can help fast-track an expansion of existing works with an injection of funding. I congratulate the mayor of Bombala, Bob Stewart, and his council, on working closely with Transport for NSW, Freight and Regional Development and Roads and Maritime Services to deliver this important road safety and freight productivity initiative. As the first Minister for Freight in the State's history I am delighted to be delivering such crucial local productivity initiatives for country communities and businesses. In our first year in office \$3.7 billion was spent on maintaining and building roads, bridges and culverts across country New South Wales. [*Time expired.*]

MINISTER FOR ROADS AND FREIGHT AND MR NATHAN TINKLER

The Hon. ADAM SEARLE: My question without notice is addressed to the Minister for Roads and Freight. Will the Minister advise the House what meetings he has had with Nathan Tinkler or any of his associated companies or representatives?

The Hon. DUNCAN GAY: I thank the member for his question and with a degree of anticipation I forensically examined my diary appointments since April 2011.

The Hon. Shaoquett Moselmane: Why did you do that?

The Hon. DUNCAN GAY: Because you are predictable. I can inform the House that I have never met with the management of either Buldev or Hunter Ports in relation to their proposal to build a coal terminal at the Mayfield site at the Port of Newcastle—that is, "never met". For a member of the New South Wales Labor Party to ask such a question about the Mayfield site is truly audacious. I remind the House that it was the New South Wales Coalition Government, not Jodi McKay, Kristina Keneally or former ports Minister Joe Tripodi, who rejected the Hunter Ports proposal. This decision was announced by the former Premier on Friday 27 January 2012.

As is normal when the private sector has a proposal for government, members of my staff did meet with Buldev and Hunter Ports representatives to hear the details of this proposal. It was quickly established that the Hunter Ports proposal should be subject to the Government's new unsolicited proposals process. If the Labor Party needs a lesson in good governance, due diligence and transparency, this is a perfect case study. Let me now describe this process in detail. On 28 November 2011 Hunter Ports made a formal application for the consideration of its unsolicited proposal for a 100 million tonne per annum coal terminal on the former BHP site at the Port of Newcastle. An assessment group with senior representatives from the Department of Premier and Cabinet, Treasury, Infrastructure NSW, the Department of Planning and Infrastructure, Newcastle Port Corporation, the Department of Trade and Investment, and the Hunter Development Corporation was formed to assess the proposal. A probity adviser was also appointed to that assessment process and was present at all meetings.

The assessment group met on 10 January 2012 to review the written proposal. It identified several points for clarification that were sent to Hunter Ports on 11 January 2012. Hunter Ports and the Tinkler Group made a formal presentation of its unsolicited proposal to the assessment group on 17 January 2012. On Wednesday 25 January 2012 a recommendation was presented to the Cabinet standing committee on infrastructure to not proceed with any further consideration of the Hunter Ports proposal. As history shows this recommendation was approved.

NIMBIN HEMP EMBASSY

Reverend the Hon. FRED NILE: I direct a question to the Hon. Duncan Gay, representing the Minister for Police and Emergency Services. Will the Minister inform the House whether the Government is aware that the Nimbin Hemp Embassy openly displays techniques for using cannabis and sells utensils connected with drug use; that food containing cannabis and hashish is sold openly in Nimbin; and for several

decades people have been accosted walking down the street in Nimbin by dealers wishing to market all manner of illegal drugs? What is the legal basis for these activities in Nimbin? Are they exempt from New South Wales law?

The Hon. JOHN AJAKA: Today I will represent the acting Minister for Police and Emergency Services, the Hon. Brad Hazzard. I will refer the question to the relevant Minister and provide a reply.

CARERS STRATEGY SUMMIT

The Hon. GREG PEARCE: I direct a question to the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra. Will the Minister provide the House with an update on the recent Carers Strategy Summit?

The Hon. JOHN AJAKA: I thank the honourable member for his question. The New South Wales Government recognises the 850,000 carers in New South Wales who make a significant contribution to the community and people they care for and is committed to ensuring that this contribution is recognised, valued and supported. Last year I announced the Government's intention to develop a whole of Government carers strategy. The NSW Carers Strategy will complement other major policy reforms by the Government that support carers, including the NSW Ageing Strategy and the National Disability Insurance Scheme.

The Office for Carers, from the Department of Family and Community Services, is leading the development of the new statewide strategy for carers with assistance from NSW Health and Carers NSW. The strategy is being developed using collaborative and co-design principles. Consultation for the carers strategy has involved workshops with key stakeholders in order to generate solutions to identified problems. Employers, non-government organisations, front-line providers such as nurses and school principals, and consumers have attended workshops. The process is creating practical projects with partners who are already committed to working with Government.

A carers summit was held on 31 March 2014. There were more than 115 participants from all sectors of the community. The summit was held to further develop priorities for inclusion in the NSW Carers Strategy. The objectives of the NSW Carers Strategy Summit were to: firstly, bring together and share the best ideas produced by the collaborative process to date; secondly, develop a set of agreed solutions for carers in New South Wales to include in the NSW Carers Strategy; and, thirdly, seek commitment from summit participants for the key strategies to be included in the NSW Carers Strategy.

I addressed the summit of more than 30 carers hosted by Dr Norman Swan. Participants represented a wide range of key stakeholders including representatives from the Carers Advisory Council, the Human Rights Commission, Aboriginal Affairs and peak organisations such as the National Disability Services and Carers NSW. Private organisations such as the Diversity Council Australia and Westpac and other government departments attended the summit. The summit was a major mechanism for ministerial involvement in the consultation process. It created a listening opportunity for Government to hear stakeholders' considered views about future projects.

Summit participants worked together in key focus areas to develop some of the emerging solutions for inclusion in the strategy. It was clear from the energy and enthusiasm during the day that the emerging solutions generated discussion and planning and I look forward to seeing that work reflected in the strategy. Strategy partners will now work on developing the draft NSW Carers Strategy document for consideration by the New South Wales Government. The release of the NSW Carers Strategy will set the agenda for ongoing support for carers across the entire New South Wales community.

JAMES PACKER AND DAVID GYNGELL PUBLIC ALTERCATION

Mr DAVID SHOEBRIDGE: I direct a question to the Minister for Disability and Ageing, representing the acting Minister for Police and Emergency Services. Will the Minister inform the House what directions, either written or oral, any assistant police commissioner has given to the Eastern Suburbs Local Area Command, or any member of that local area command, regarding the public brawl between James Packer and David Gyngell and was there at any time a direction to the local area command, or any member of the local area command, to take no action regarding the brawl?

The Hon. JOHN AJAKA: I thank the honourable member for the question. I will refer the question to the relevant Minister and provide a reply.

MINISTER FOR ROADS AND FREIGHT AND MR NATHAN TINKLER

The Hon. PETER PRIMROSE: I direct a question to the Minister for Roads and Freight. Will the Minister advise the House what gifts or hospitality he has received from Nathan Tinkler or any company associated with him?

The Hon. DUNCAN GAY: I am not going to provide a running commentary on these matters. I do not believe I have received any gifts, but any gifts that I may have received have been placed on the record as they should be.

The Hon. PETER PRIMROSE: I ask a supplementary question. Given the Minister's response will the Minister elucidate and confirm that he has received no gifts or hospitality that does not appear on the parliamentary register?

The Hon. DUNCAN GAY: My answer stands. Under the requirements of hospitality on the parliamentary record I have fulfilled all my obligations.

PRINCES HIGHWAY UPGRADE

The Hon. SARAH MITCHELL: I direct a question to the Minister for Roads and Freight. Will the Minister update the House on the recently completed upgrades to the Princes Highway?

The Hon. DUNCAN GAY: I thank the honourable member for that question. The New South Wales Government is committed to delivering for business and communities of the South Coast and Illawarra. Last week I had the pleasure of opening the Rose Valley Road Bridge together with the great member for Kiama, the understated Gareth Ward. He was totally understated on the day.

The Hon. John Ajaka: Very loved.

The Hon. DUNCAN GAY: Much loved local member.

Mr Jeremy Buckingham: Point of order: The member is misleading the House and casting aspersions on a member in the other place and I would ask him to withdraw the comment.

The PRESIDENT: Order! I will take the member's point of order in the spirit in which it was intended. There is no point of order.

The Hon. DUNCAN GAY: It was part of the New South Wales Government's \$329 million Princes Highway upgrade at Gerringong. This important milestone provides about 7.5 kilometres of four-lane highway and includes two new interchanges providing access to Gerringong and Gerroa. Last month, together with the member for the South Coast Shelley Hancock, I attended the opening of the \$62 million upgrade of the Princes Highway at South Nowra. This Government is committed to building and upgrading infrastructure. When it comes to the Princes Highway the communities of the Illawarra and South Coast have more evidence the Government is delivering.

The 6.3 kilometre upgrade of the Princes Highway to four lanes between Kinghorne Street and Forest Road is a testament to the efforts of the local member, the Hon. Shelley Hancock, who has delivered for her community. The upgrade will improve road safety and traffic flow and meet the needs of the community and businesses into the future. This \$62 million upgrade is part of the New South Wales Government's allocation of \$202 million for upgrades to the Princes Highway during this financial year alone. This Government is delivering for the South Coast and the Illawarra when for 16 years the Labor Government would not.

Allocations for other upgrades to the Princes Highway this financial year include \$115 million to continue work on the highway at Gerringong between Mount Pleasant and Toolijooa Road; \$19 million to progress planning and preconstruction activities and to award a contract for the Princes Highway, Foxground and Berry bypass; \$1.5 million to continue planning for the upgrade at Termeil Creek; \$3 million to progress planning for the upgrade between Berry and Bomaderry; \$1 million to progress planning for the upgrade at Albion Park Rail; \$5.5 million for a safety upgrade at the Picton Road/M1 Princes Motorway northbound intersection; \$2 million to progress planning for an additional crossing over the Shoalhaven River in Nowra; and \$1.9 million for planning for the replacement of the Burrill Lake bridge. This is in addition to the \$100 million

committed for 2011-12 and \$187 million for 2012-13, giving a total of \$287 million. This is further evidence that the New South Wales Coalition is determined to ensure that the Illawarra and South Coast communities have good-quality transportation links to enable them to flourish.

BENTLEY BLOCKADE

Ms JAN BARHAM: I direct my question to the Minister for Ageing, representing the Minister for Police and Emergency Services. Has the NSW Police Force or the previous or current Minister for Police and Emergency Services received any representations from the member for Lismore or his relatives about the community blockade of a gas drilling site at Bentley?

The Hon. JOHN AJAKA: It will come as no surprise that I do not have an answer to that question today. However, I will refer it to the Minister and obtain a response that I will provide to the House.

MINISTERIAL APPOINTMENTS

The Hon. AMANDA FAZIO: I direct my question to the Minister for Roads and Freight. What prior knowledge did the Minister have that he would be appointed as the Minister responsible for ports after the March 2011 election and who communicated that decision to him?

The Hon. DUNCAN GAY: It is well known that I had absolutely no knowledge of the appointment. No-one was more surprised than me following the election that I lost my beloved shadow portfolio responsibilities for primary industries, mining and energy and fishing and that I was pushed into the Roads and Ports portfolio. I had to pick myself up off the ground because I had made commitments and I wanted to represent the people in those areas. The Hon. Walt Secord will never know the pleasure of being offered a ministry and one as important—

The Hon. Amanda Fazio: Point of order: My point of order relates to relevance. The Minister was asked what prior knowledge he had that he would be appointed as the Minister for Roads and Ports.

The PRESIDENT: Order! The Minister is entirely in order. The member will resume her seat.

The Hon. DUNCAN GAY: For members opposite who are slow on the uptake and hard of hearing, I repeat that I had no knowledge whatsoever. The appointment came as a huge shock to me, and I must say that it was not a pleasant shock. Members know that the ministerial appointment process is not perfect. I thought about whether I would accept the Roads and Ports portfolio for a millisecond—or probably for only a nanosecond. I took it with alacrity and have not taken a backward step yet. I am damned pleased to have retained those responsibilities. I have been trusted again and I have out-served five of the six Labor Ministers responsible for this portfolio area. That is a badge of honour and I am pretty damned chuffed about it.

The Hon. AMANDA FAZIO: I ask a supplementary question. Will the Minister elucidate his answer by explaining why associates of Nathan Tinkler knew in February 2011 that The Nationals would be running the ports despite the fact that he did not know?

The Hon. DUNCAN GAY: To the best of my knowledge that was because the shadow Minister was the Leader of The Nationals. I could be wrong.

The Hon. Matthew Mason-Cox: No, that is correct.

The Hon. DUNCAN GAY: I do not know. To the best of my knowledge it was because the shadow Minister was the Hon. Andrew Stoner. One need not be a rocket scientist to work out that the shadow Minister would probably be the appointed as the Minister. I am sure that that can be checked.

ROYAL EASTER SHOW SENIORS DAY

The Hon. NATASHA MACLAREN-JONES: I direct my question to the Minister for Ageing and Disability Services. Will the Minister update the House on Seniors Day at the Sydney Royal Easter Show?

The Hon. Niall Blair: I saw you there, John.

The Hon. JOHN AJAKA: The member and I did meet each other that day. I am pleased to report that two dedicated seniors' days were held at the Sydney Royal Easter Show on Tuesday 15 April and Wednesday 16 April. New South Wales Seniors Card holders accessed a wide range of discounts and savings available to them around the showground, including two-for-one deals on 55 carnival rides. The Hon. Walt Secord should have gone to the show. The Government established an open dialogue with the private sector to maximise commercial opportunities resulting from the ageing of the population. I am pleased that Telstra has partnered with the Government to establish the Tech Savvy Seniors program, which was an integral part of the seniors program at the show.

Telstra set up the Seniors Hub and seniors who visited it went into the draw to win major prizes such as a trip to Disneyland in California or Telstra mobile phones, iPads and gift vouchers. The hub was a hive of activity with workshops, classes, competitions and events being held throughout the day, including Tech Savvy Seniors demonstrations. The Telstra Seniors Hub attracted more than 20,000 seniors over the two seniors' days. The first 10,000 seniors who attended the hub received a free promotional bag containing information and goodies, including Tech Savvy Seniors DVDs to help them to bridge the digital divide.

I visited the show on Tuesday 15 April and announced that an additional 22 libraries will receive funding to deliver Tech Savvy Seniors training across New South Wales, which will help thousands more seniors to embrace technology and the digital world. The Tech Savvy Seniors program has been very successful and I am pleased to see it being expanded. Seniors are learning how to shop online, to speak to their loved ones on Skype and to use online banking sites to pay their bills. Tech Savvy Seniors programs are now available at 92 libraries and community colleges. I believe local libraries provide an ideal environment for seniors to explore and to connect with technology at their own pace. The feedback from seniors participating in the training has been overwhelmingly positive and we are now encouraging more seniors to get involved. In the past 12 months the program has trained more than 12,000 seniors in New South Wales, which is a great achievement for the program's first year.

Telstra and the New South Wales Government want to make sure that no-one is left behind because everyone, no matter where they live, should have an opportunity to participate in the digital world. The partnership with Telstra is an excellent example of the Government and the business community working together to increase opportunities for seniors and support our ageing population. I thank all those who contributed to the success of the Seniors Day at the Sydney Royal Easter Show, including Telstra and the popular Seniors Hub employees. It truly was a fantastic success.

WILD HORSE CULLS

The Hon. ROBERT BORSAK: My question without notice is directed to the Minister for Ageing, representing the Minister for the Environment. Is the Minister aware of a call by Mr Bruce Jacobs, emeritus professor of Asian language studies at Monash University—who apparently is also a keen bushwalker—to have the wild horse population of Kosciuszko National Park eliminated by the use of helicopters with marksmen to shoot the animals? In light of the previous debacle at the Guy Fawkes National Park, will the Minister rule out the use of helicopter gunships to remove wild horses from Kosciuszko National Park?

The Hon. JOHN AJAKA: I thank the honourable member for his question. I will refer his question to the Hon. Robert Stokes, the Minister for the Environment, obtain an answer and come back to the House.

SEXTON HILL BYPASS

The Hon. WALT SECORD: My question without notice is directed to the Minister for Roads and Freight. What is the Government's response to community concerns about structural damage, including large cracks in family homes at Sexton Hill near the Pacific Highway on the North Coast after the opening of the bypass in 2012? What action has been taken to investigate these claims?

The Hon. DUNCAN GAY: I thank the honourable member for his question. If the community is concerned about any particular possible effects from roadworks, the Government takes them seriously. If there are details the Government is unaware of, I would be more than happy for the honourable member to pass on those details to my office for follow up—if Roads and Maritime Services has not already followed them up.

UNIVERSITY OF WOLLONGONG iACCELERATE CENTRE

The Hon. CHARLIE LYNN: My question is directed to the Minister for the Illawarra. Will the Minister update the House on the University of Wollongong iAccelerate Centre?

The Hon. JOHN AJAKA: I thank the honourable member for his question. Just four months after announcing the successful bidders for the first of the New South Wales Government's Restart Illawarra Infrastructure Fund projects, on 10 April 2014 I turned the first sod of the three-storey iAccelerate Centre at the University of Wollongong's Innovation Campus. This is the region's first high-tech business hub, which is being funded as part of the \$100 million Restart Illawarra Fund.

The Restart Illawarra Fund shows this Government's commitment to transforming the State and rebuilding the Illawarra economy. Through the Restart Illawarra Fund the Government is working in partnership with organisations such as the University of Wollongong to deliver business growth for the region. I was joined at the Innovation Campus by the University of Wollongong's Vice-Chancellor, Professor Paul Wellings, CBE; the Chief Executive Officer of iAccelerate and Director of Innovation and Commercial Research, Elizabeth Eastland; the member for Kiama, Gareth Ward; and the member for Heathcote, Lee Evans.

The iAccelerate Centre will provide a permanent home for the Illawarra's rapidly growing number of start-up businesses. The building features plug-and-go expandable space for more than 280 entrepreneurs. The iAccelerate program will be in prime position to take new and innovative ideas and turn them into high-tech jobs for the region. The iAccelerate Centre provides support, mentorship, professional services and access to seed funding for companies as they develop. The iAccelerate Centre will play a key role in helping students transition their ideas into marketable commodities with limitless possibilities.

This project demonstrates that the New South Wales Government's decision to lease the port was the right one, as it is unlocking further investment in the Illawarra. Since its launch in 2012, iAccelerate has helped 25 start-up companies representing 52 entrepreneurs and has helped to create new jobs. Currently there are only 20 available spaces at any one time in the temporary premises, but when this facility is complete the new iAccelerate Centre will house 10 times as many spaces for entrepreneurs. Reaching the starting point of construction demonstrates support in innovation from the New South Wales Government.

This is an exciting milestone and we will be watching progress on construction. The New South Wales Government support will significantly expand the potential of iAccelerate, and this will flow on to a growth in jobs and a well-diversified economy. Unlocking of the potential of iAccelerate at the University of Wollongong was the first of many transformative projects that this Government has funded thanks to the Restart Illawarra Fund. In the coming months I am looking forward to keeping the House updated as further projects get underway.

MARINE PARKS

The Hon. ROBERT BROWN: My question without notice is directed to the Minister for Ageing, representing the Minister for the Environment. Given the new Minister's recent statement in the media about his passion for the ocean and his pledge to enhance protection of marine parks during his tenure as Minister for the Environment, will the Minister inform the House whether he is about to lift the moratorium on the creation of new marine parks, or tell us which sanctuary zones within the current Marine Parks he intends to expand or where he intends to declare new marine parks?

The Hon. JOHN AJAKA: I thank the honourable member for his question. I will refer the question to the Hon. Robert Stokes, the Minister for the Environment, obtain an answer and come back to the House.

HOMELESSNESS FUNDING

The Hon. SOPHIE COTSIS: My question without notice is directed to the Minister for Ageing and Minister for Disability Services, representing the Minister for Family and Community Services. In light of tenders closing last week for the Government's Going Home Staying Home reforms for homelessness funding, will the Government rule out the closure of any women's refuges and other specialist women's services as a result of these changes?

The Hon. JOHN AJAKA: I thank the honourable member for her question. What a fine new Minister for Family and Community Services we have, my good friend the Hon. Gabrielle Upton. Every member in this

House understands that this portfolio transcends politics. The children and their families are too important to be caught up in political nonsense from those opposite. Irrespective of what side of politics we sit on, we each have a binding moral and political responsibility to work together to ensure we protect the vulnerable in our communities. I know the housing staff on the frontline are committed, passionate and professional.

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

The Hon. JOHN AJAKA: I know they are working to achieve a sustainable social housing system which protects those most in need. Unfortunately, all too often the issue of homelessness is pushed to the margins of the community and the homeless are pushed to the extremes. The homeless are among the most vulnerable, marginalised and disadvantaged in our community. Breaking this cycle requires recognition that there is no quick fix and change is needed to ensure no-one in our community falls through the cracks.

In February 2013 the New South Wales Government announced its new approach to homelessness services, the Going Home Staying Home reforms. Reform is necessary because the nature of the need has changed, but whilst the need has changed, the support has not. Our reforms will better match support with need. Just as there is no single root cause of homelessness, there is no single solution. Support services must be connected and they must be integrated and holistic. Our reform includes a no-wrong-door approach to services and long-term solutions for homeless clients, and streamlined services which ensure that a homeless person or a person at risk of becoming homeless gets the help they need when and where they need it. Our reforms will also seek to ensure the system can respond as early as possible to prevent homelessness becoming an entrenched pattern in a person's life.

The reforms are being developed in partnership with non-government providers. In September 2013 the New South Wales Government announced that funding for the Specialist Homelessness Services program from mid-2014 onwards will be awarded following a two-stage tender process. New contracts for specialist homelessness services will commence soon. Crucially, this will include assistance to ensure a smooth transition to a reformed system. The New South Wales Government is committed to protecting the vulnerable. These reforms will help ensure that their needs and the support available are better matched and that the services are integrated so that, as I said, no-one falls through the cracks of our society.

PORT OF NEWCASTLE LEASE

The Hon. JENNIFER GARDINER: My question without notice is directed to the Minister for Roads and Freight. Will the Minister update the House on the recent \$1.7 billion lease of the Port of Newcastle?

The Hon. DUNCAN GAY: I thank the member for her question. I am surprised that the Opposition has not asked a question about this.

The Hon. Dr Peter Phelps: They don't care about Newcastle.

The Hon. DUNCAN GAY: That is self-evident. On 30 April New South Wales Premier Mike Baird and Treasurer Andrew Constance announced the successful lease of the Port of Newcastle. This is an outstanding result for the communities and businesses of Newcastle and New South Wales. The 98-year lease of these State-owned port assets has been awarded to Port of Newcastle Investments for \$1.75 billion—an excellent result, which exceeded even our best expectations. The scale of this transaction means the people of Newcastle and the Hunter should watch this space for further initiatives in this region, which is a region that was taken for granted by Labor for decades and decades.

This return means an additional \$1.5 billion will be invested in much-needed New South Wales infrastructure, with 30 per cent to be directed towards projects in rural and regional New South Wales. Of the proceeds, \$340 million will be used for the rejuvenation of the Newcastle central business district. This is in addition to the \$120 million the Government has already allocated to the project. Newcastle is the second largest city in New South Wales and this landmark investment will reinforce its role as a twenty-first century regional centre. The remainder of the proceeds—more than \$1.2 billion—will provide a massive boost to the New South Wales Government's dedicated infrastructure fund, Restart NSW.

Port of Newcastle Investments is a consortium comprising Hastings Funds Management and China Merchants, both of whom have the experience and resources to ensure the continued success and development of the port. I congratulate Port of Newcastle Investments on its successful bid and, on behalf of the New South

Wales Government, I look forward to a long and productive working relationship. Newcastle Port Corporation will retain a significant maritime security and emergency response role at the port. This will include responsibility for pilotage services and the Harbour Master, the Vessel Traffic Information Centre and administration of the existing coal framework arrangements.

Significantly, Nobbys Head will also continue to be managed by the State. The New South Wales Government has listened to the community and recognises the importance of this historic headland. Transactions such as this bring enduring benefits to New South Wales communities and the economy and build on the Liberal and Nationals Government's successful track record in recycling mature State-owned assets to deliver major infrastructure projects that will unlock opportunities for growth, jobs and economic development. It is a powerful endorsement of Newcastle and the Hunter and it reinforces the message that New South Wales is an increasingly attractive place to do business under the Liberal-Nationals Government.

BUILDEV POLITICAL DONATIONS

Mr JEREMY BUCKINGHAM: My question without notice is directed to the Minister for Roads and Freight. When did the Minister become aware of the allegedly illegal donations from the Buildev group to the New South Wales Nationals?

The Hon. Dr Peter Phelps: Point of order: That question relates to the operations of a political party, which are outside the bounds of the Minister's ministerial responsibilities. As such the question should be ruled out of order.

The PRESIDENT: Order! I refer to rulings from past Presidents, including President Burgmann, on that matter. I rule the question out of order.

FISHING INDUSTRY REFORM

The Hon. STEVE WHAN: My question without notice is directed to the Leader of the Government and Minister for Roads and Freight, representing the Minister for Primary Industries. Since this House last met, professional fishers have met with the Department of Primary Industries in Sydney, Ulladulla, Ballina, Coffs Harbour, Clarence, Port Macquarie and Wallis Lake. At each meeting they have voted overwhelmingly—in most cases unanimously—to reject the options being presented by the Government for industry reform. When will the Government acknowledge that it has made a mess of these reforms and withdraw the proposals?

The Hon. DUNCAN GAY: That question is a bit rich coming from a former Minister of the former Government, who did absolutely nothing in this area except to kowtow to The Greens and destroy the recreational and the commercial fishing industries in this State. This is absolutely total hypocrisy.

The Hon. Steve Whan: Point of order: I draw the Minister's attention to the question and ask you to direct him to be relevant in his answer. The question is a very serious one about concerns from professional fishers. The Minister debating what he alleges my past position to be is not relevant to the question.

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

The Hon. DUNCAN GAY: Some things are predictable: Day and night, and the glass jaw of the Hon. Steve Whan. I have not been in the country in the recent past and I am unaware of whether his allegations are correct. Given his past record they are probably not, but I will at least take them seriously and refer them to my colleague the Minister for Primary Industries for an erudite and comprehensive answer.

The Hon. STEVE WHAN: I ask a supplementary question. Will the Minister elucidate his answer to also inform the House whether the voice of The Nationals member for Clarence—who has called on the Government to withdraw its commercial fishing industry reform proposals—will be heard in this process?

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

KINGS HIGHWAY UPGRADE

The Hon. NIAL BLAIR: My question is directed to the Minister for Roads and Freight. Will the Minister update the House on the safety upgrades on the Kings Highway?

The Hon. DUNCAN GAY: They are whingeing on the other side of the House.

The Hon. Dr Peter Phelps: Because we are looking after Monaro.

The Hon. DUNCAN GAY: At least we are doing something. The people of Monaro are pretty damn happy that finally something is happening. I am delighted to inform the House that the \$1.8 million safety upgrades to the highway east of the Shoalhaven River commenced yesterday. That great member for Monaro, John Barilaro, was there to turn the first sod. This project is part of the New South Wales Liberal-Nationals Government's commitment to deliver safe, efficient and high-quality infrastructure to the community and the businesses of Monaro.

These upgrades come as a result of the Kings Highway Route Safety Review. The review found that a lack of overtaking lanes was perceived by the community and stakeholders to be the greatest safety issue on the highway. Frankly, I think they have got it right. I have driven on this road numerous times and I use it on many occasions. The New South Wales Government has listened to the concerns of the community and is delivering infrastructure that the community and the businesses in Monaro expected and deserve. For 16 years Labor and its local members neglected what mattered to the community and the businesses in this region. But the New South Wales Liberal-Nationals Government has worked with local communities to deliver a comprehensive program to improve safety along this key corridor. It was difficult for local Nationals members to serve there under the former Labor Government. They got nothing out of it. We are delivering the safety upgrades to the Kings Highway that the former Labor Government was unable to deliver.

The overtaking lane will be positioned on a section of the highway that had no formal eastbound overtaking opportunities for about 20 kilometres—20 kilometres on such a road. That is what Labor left there. That is what the former member for Monaro, who is sitting on the losers lounge, left in Monaro. That is his legacy. This 20-kilometre section of the highway has had 62 crashes for the six years between 2008 and 2013. Work will also include widening the Kings Highway, extending three culverts, providing wider shoulders through this section, vegetation clearing and installing safety barriers. Work will be carried out mostly under single lane traffic movements, and both lanes will be open after work each night and on busy weekends.

A number of other works are currently underway on the Kings Highway, including the \$400,000 construction on a shoulder widening project 1.6 kilometres east of the Goulburn Road intersection at Doughboy, which has started. The project will also extend the westbound overtaking lane by 100 metres and provide improvements to the road pavement. That will be completed by the end of June 2014. Some \$130,000 of improvements to road pavements and line marking configuration around the Glenmore Road in Braidwood will start at the end of May 2014. A \$300,000 shoulder widening and upgrades to guardrail near Misty Mountain Road will start in June. A number of other safety upgrades along the highway are also being developed to deliver safer roads for the Monaro.

CYCLIST LICENCES

Dr MEHREEN FARUQI: My question without notice is directed to Minister for Roads and Freight. On what basis is the Minister convinced that issuing cycling licences is an effective solution to reducing accidents and injuries of cyclists on our streets? Does he have any examples of where such schemes have worked?

The Hon. DUNCAN GAY: I am disappointed that some commentators—including the cycling section—have labelled me as anti-cycling, which is a terrible distortion. I think they prefer to put black hats on people who work with people who want to help them. That was epitomised today in an editorial in the *Sydney Morning Herald*, without an author putting their name to it. The editorial was vicious, bitter and, in some parts, inaccurate. I have asked the Centre for Road Safety to develop a cycling action plan for 2014-16. This will be a first for New South Wales. Those who believe that we are opposed to cycling lanes will be surprised to know that we have invested \$33 million in cycling infrastructure this financial year.

My concern is that when we build cycle lanes people do not use them. I refer to George Street, Redfern, where, in a rare situation, Clover Moore has provided one of the best cycle lanes I have seen. One need only stand there for half an hour to see that fewer than 50 per cent of cyclists actually using that lane. We want to protect people. We want to save their lives. I am a supporter of Amy Gillett's "A metre matters". But my comments about that on radio have been distorted by some people. The Hon. Walt Secord should stop grinning; I will get to him in a moment.

The Hon. Walt Secord: Go ahead. Knock yourself out.

The Hon. DUNCAN GAY: The Hon. Walt Secord is hanging out there, ready for one. If we want motorists to comply with "A metre matters", we have an ability under the licensing arrangements, with demerit points and fines, to make them comply. The trial in Queensland shows that it is not working as they had hoped because there is no equal ability to get the small number of cyclists who do the wrong thing to comply. That is why I said that I have asked my department to examine whether licensing should be part of that. I have been overseas for three weeks on family leave. While I was away everyone said, "Walt will be out there working." I said, "Don't worry about it because he never has a new initiative." And I was right. Nothing came from the Opposition spokesman on roads and freight while I was away because he never has any initiatives. I was hoping that something might happen when I got back. And something did happen last Friday. When these distorted comments that I supposedly made about licensing were made public, the Hon. Walt Secord issued a press release. What did the press release say? The Government should not bring in registration.

The Hon. Walt Secord: We said it was a silly idea.

The Hon. DUNCAN GAY: Registration—the Hon. Walt Secord was not listening.

The Hon. Walt Secord: We said it was silly and a thought bubble.

The Hon. DUNCAN GAY: He was not thinking. He included the name of the shadow Minister for Transport as well.

The Hon. Walt Secord: Point of order: For clarity and for the benefit of the House, I described it as a "thought bubble".

The PRESIDENT: Order! The Hon. Walt Secord knows the forms of the House if he wishes to correct the record. He should not abuse points of order to try to do so. The Minister's time has expired.

TANGARATTA CREEK BRIDGE PROJECT

The Hon. MICK VEITCH: My question without notice is directed to the Minister for Roads and Freight. When will construction begin on the \$5 million Tangaratta Creek bridge on the Oxley Highway, given that the member for Tamworth has already included the project in his "Achievements" document?

The Hon. DUNCAN GAY: I do not have those details with me, but I can assure the House that if the member for Tamworth has said something like that—

The Hon. Walt Secord: But it's wrong.

The Hon. DUNCAN GAY: How does the Hon. Walt Secord know that it is wrong?

The Hon. Walt Secord: Because I monitor every move he makes.

The Hon. DUNCAN GAY: This is the bloke who issued a press release on the "registration" of cyclists when no-one said "registration". Every day I wake up and hope that Hon. Walt Secord gets it right, and every day he gets it wrong.

The Hon. Mick Veitch: Point of order: My point of order relates to relevance. The question is about the Tangaratta Creek bridge. It has nothing to do with the Hon. Walt Secord.

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

The Hon. DUNCAN GAY: I understand that that is certainly happening but I do not have the details of every project in the State. I undertake to come back to the House with a detailed answer on that project.

The time for questions has expired. If members have further questions I suggest they place them on notice.

DEFERRED ANSWERS

The following answers to questions without notice were received by the Clerk during the adjournment of the House:

WALLARAH 2 COAL PROJECT

On 4 March 2014 the Hon. Luke Foley asked the Minister for the Central Coast, representing the Minister for Planning and Infrastructure, a question without notice regarding the Wallarah 2 coal project. The Minister for Planning and Infrastructure provided the following response:

Your question that the Government has "green-lighted" the Wallarah 2 Coal Project is a complete fabrication. The development application is being subjected to the same full and complete due process as for any other State significant development application under the Environmental Planning and Assessment Act 1979. Independent merit review is a further demonstration of the arm's length approach that this Government has taken to deal with this application. This is in stark contrast to how former Labor Ministers made decisions behind closed doors, including the decision in 2011 to which you refer.

On 16 January 2014, I requested that the independent Planning Assessment Commission [PAC] review the merits of the project, paying particular attention to potential water and biodiversity impacts, and hold public hearings to give the community an additional opportunity to comment on the proposal.

In mid-February, NSW Planning and Infrastructure finalised its initial assessment of the merits of the project and referred this initial assessment to the PAC.

The PAC has since commenced its own merit review and will hold a public hearing into the project in Wyong on 2 April 2014.

Once the PAC completes its merit review, NSW Planning and Infrastructure will finalise its assessment of the merits of the project and send its final report and recommendations back to the PAC for independent determination.

WALLARAH 2 COAL PROJECT

On 4 March 2014 the Hon. Jeremy Buckingham asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding the Wallarah 2 coal project. The Minister for Police and Emergency Services provided the following response:

I am advised:

Proposed resources developments are subject to transparent and rigorous assessment under the planning system which includes the review of a development application and environmental impact statement. These are determined on their merits by the independent Planning Assessment Commission [PAC].

NSW PLANNING SYSTEM REVIEW

On 4 March 2014 the Hon. Robert Brown asked the Minister for Police and Emergency Services, representing the Minister for Planning and Infrastructure, a question without notice regarding the NSW planning system review. The Minister for Planning and Infrastructure provided the following response:

The Ashfield heritage review is being undertaken in response to the level of community concern raised regarding additional heritage items and heritage conservation areas that were listed when the draft Ashfield Local Environmental Plan was placed on public exhibition. When the Ashfield Local Environmental Plan 2013 [Ashfield LEP] was notified on 23 December 2013, I advised council that it needed to address the concerns of landowners affected by the heritage listings by way of further consultation and assessment.

Council did not agree to undertake this additional work and I therefore commissioned an independent heritage review. Ms Shelley Penn and Ms Helen Lardner have been engaged to further consider heritage matters in Ashfield. Their Terms of Reference are:

- (a) To advise on the appropriateness of the additional heritage items and heritage conservation areas in Ashfield LEP made on 23 December 2013.
- (b) To advise on the appropriateness of the heritage land use controls in Ashfield LEP in their role of aiding further appropriate development of the heritage items and heritage areas.
- (c) To provide advice on the appropriateness of the manner, extent and language used in conducting consultation with landowners during the notification of the then draft Ashfield LEP.
- (d) To review and advise on any heritage listing issues raised in submissions to the then draft Ashfield LEP.

SOUTHERN RIVERINA RED GUM FOREST MANAGEMENT

On 4 March 2014 the Hon. Robert Brown asked the Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding southern Riverina red gum forest management. The Minister for the Environment provided the following response:

I am advised as follows:

The Office of Environment and Heritage [OEH] is currently working with its Victorian counterparts and an independent cross-border scientific committee to oversee an ecological thinning trial in the river red gum reserves in both states. The trial is planned to occur at 22 sites across 396 hectares spanning the New South Wales-Victorian border.

A draft Public Environmental Report for the Ecological Thinning Trial in New South Wales and Victorian River Red Gum forests has been prepared in response to the previous Australian Government determining the trial to be a controlled action under the Environment Protection and Biodiversity Conservation Act 1999.

This Public Environment Report provides comprehensive information on the design of a proposed ecological thinning trial for the New South Wales Murray Valley National Park and Barmah National Park in Victoria. It includes detailed measures to be adopted to mitigate any impacts from the trial.

The Public Environment Report was on exhibition until 27 March 2014. Further details can be found on OEH's website at www.environment.nsw.gov.au.

All of the submissions received as a result of the exhibition of the Public Environment Report will be carefully reviewed prior to the New South Wales and Victorian governments submitting a final report to the Australian Government for approval.

WALLARAH 2 COAL PROJECT

On 4 March 2014 the Hon. Jan Barham asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding the Wallarah 2 coal project. The Minister for Police and Emergency Services provided the following response:

I am advised:

The Premier reaffirmed that the New South Wales Government is committed to delivering a merit-based major project assessment process.

Under the new major project assessment process introduced by the Government, all major project applications for mining projects in New South Wales will be transparently assessed in accordance with predetermined criteria.

The assessment will be conducted by an independent panel of experts known as the Planning Assessment Commission.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES CASEWORKER VACANCIES

On 4 March 2014 the Hon. Paul Green asked the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra, representing the Minister for Family and Community Services, a question without notice regarding Department of Family and Community Services caseworker vacancies. The Minister for Family and Community Services provided the following response:

Information concerning the number of caseworker vacancies is published on the Community Services caseworker dashboard which is available on the Department of Family and Community Services' website. The dashboard also includes the number of non-government caseworker positions funded by the New South Wales Government.

LOCAL LAND SERVICES

On 4 March 2014 the Hon. Steve Whan asked the Minister for Roads and Ports, representing the Minister for Primary Industries, a question without notice regarding Local Land Services. The Minister for Primary Industries provided the following response:

It is not possible to indicate with any accuracy the percentage of eligible electors who registered to vote in this inaugural election.

This difficulty arises as many individuals own more than one rateable landholding in a region, where they are only entitled to one vote, irrespective of how many landholdings that person may own in that region.

Depending upon the nature of the ownership and management structure, in many instances the rateable landholdings held be an individual or entity over and above the first landholding, will not be eligible to attach a voting entitlement due to the restriction of one vote per person, per region.

BUNNERONG AND BOTANY ROADS TRAFFIC MANAGEMENT

On 4 March 2014 the Hon. Paul Green asked the Minister for Roads and Ports a question without notice regarding Bunnerong and Botany roads traffic management. The Acting Minister for Roads and Ports provided the following response:

I am advised:

Roads and Maritime Services has carried out improvements to the intersection of Bunnerong Road and Botany Road over the years, including:

- modifications to the alignment of the intersection;
- the provision of a slip lane for vehicles heading north on Bunnerong Road to turn west into Botany Road; and
- upgrade of stop signage and line marking at the intersection.

Roads and Maritime Services is planning a two-lane roundabout at this intersection to improve safety and heavy vehicle access to Port Botany. Safety at the intersection will continue to be monitored while the investigations are taking place. Community consultation will be carried out before a preferred option is announced.

VIOLENT DOMESTIC CRIMES TASKFORCE

On 4 March 2014 the Hon. Sophie Cotsis asked the Minister for Police and Emergency Services a question without notice regarding the Violent Domestic Crimes Taskforce. The Minister for Police and Emergency Services provided the following response:

On 25 February 2014 the Minister for Family and Community Services and Minister for Women, announced that she will chair the Violent Domestic Crimes Taskforce which will examine a range of matters including supports for witnesses, links between alcohol and domestic violence, sentencing options for perpetrators and reducing recidivism.

I am advised that the NSW Police Force may provide input to the taskforce on matters that are specific to police.

ELECTRICITY ASSETS SALE

On 4 March 2014 Dr John Kaye asked the Minister for Police and Emergency Services, representing the Treasurer, a question without notice regarding the electricity assets sale. The Treasurer provided the following response:

The New South Wales Government will not consider a sale unless any bid exceeds the State's retention value, and has competition clearance.

This is in contrast to the previous New South Wales Government and its Gentrader transaction, which sold assets under retention value to the detriment of New South Wales taxpayers.

INDUCED ABORTION AND BREAST CANCER RISK

On 5 March 2014 Reverend the Hon. Fred Nile asked the Minister for Police and Emergency Services, representing the Minister for Health, a question without notice regarding induced abortion and breast cancer risk. The Minister for Police and Emergency Services provided the following response:

I am advised by the Minister for Health, and Minister for Medical Research:

The findings of peer-reviewed studies relating to cancer are under regular assessment by the cancer control community, including the Cancer Institute NSW. The more reliable cohort and record-linkage studies showed no evidence of an association between premature pregnancy termination and risk of breast cancer.

BLUE MOUNTAINS SMALL BUSINESS ASSISTANCE

On 5 March 2014 the Hon. Helen Westwood asked the Minister for Police and Emergency Services a question without notice regarding Blue Mountains small business assistance. The Minister for Police and Emergency Services provided the following response:

I am advised:

In line with my recent media release (issued jointly with the Federal Attorney-General), a range of disaster assistance measures, including concessional-rate loans of up to \$130,000, have been activated for small businesses and primary producers who have suffered direct physical damage to their assets from a number of bush fires. This includes the Blue Mountains bush fire events beginning on 10 September 2013 and 16 October 2013.

On 14 February 2014, the New South Wales Government and the Commonwealth announced \$1.8 million in addition to the \$11.4 million provided to support the ongoing recovery effort. This Community Recovery Fund includes \$200,000 for a Regeneration Marketing Campaign to promote tourism and approximately \$450,000 for economic recovery grants, in addition to a further \$450,000 in grants to support community-led socio-economic recovery and local resilience building activities.

These assistance packages demonstrate both the Commonwealth and New South Wales Governments' commitment to assist the recovery of Blue Mountains communities.

SOCIAL HOUSING STRATEGIES

On 5 March 2014 the Hon. Jan Barham asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for Family and Community Services, a question without notice regarding social housing strategies. The Minister for Family and Community Services provided the following response:

The Government is considering a new policy approach that will respond to issues raised by the Auditor-General. It will be released in 2014. The Government is considering the Auditor-General's report. Any changes in Government policy will be publicly communicated.

MURWILLUMBAH DISTRICT HOSPITAL CHILDREN'S WARD

On 5 March 2014 the Hon. Walt Secord asked the Minister for Police and Emergency Services, representing the Minister for Health, a question without notice regarding Murwillumbah District Hospital children's ward. The Minister for Police and Emergency Services provided the following response:

I am advised by the Minister for Health, and Minister for Medical Research:

There is no \$3 billion cut to Health. The 2013-14 health budget was \$17.9 billion, recurrent expenditure, an increase of \$884 million or 5.2 per cent compared to the previous year.

The Northern NSW Local Health District has requested consultation be undertaken in reviewing the Model of Care for Paediatrics at Murwillumbah District Hospital. The consultation process is to ensure that the Paediatric Model of Care supports the provision of high quality and safe services for children presenting to the Murwillumbah District Hospital.

Two local board members are to facilitate this process, which will involve meeting with clinicians and the community.

NATIONAL PARKS FUNDING

On 5 March 2014 the Hon. Robert Borsak asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding national parks funding. The Minister for the Environment provided the following response:

I am advised as follows:

Information on Government revenue and expenditure is provided in the Budget Papers. For the four years to 2013, revenue from national parks in NSW was approximately \$250 million.

NATIVE VEGETATION CODES

On 5 March 2014 the Hon. Robert Brown asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding native vegetation codes. The Minister for the Environment provided the following response:

Yes, I am aware of the public comments made by Mr Rowntree.

I approved the three draft priority native vegetation orders, often referred to as self-assessable codes, for public exhibition on Thursday 27 March 2014.

A draft native vegetation Order for grasslands in the Monaro region has been prepared. The Monaro region, in southern New South Wales, was chosen as the pilot area for the grassland Order. Stakeholder consultation, including with NSW Farmers, will be undertaken on the draft Monaro order before it is put on public exhibition. The draft Monaro grassland order is scheduled to be publicly exhibited later this year. Orders for other grassland areas of New South Wales will follow the Monaro grassland order.

ELECTRICITY ASSETS SALE

On 5 March 2014 Dr John Kaye asked the Minister for Police and Emergency Services, representing the Treasurer, a question without notice regarding the electricity assets sale. The Treasurer provided the following response:

The total cost to the Government of consultants and other services has not been finalised.

Consultancy costs are reported in department and agency annual reports.

TRANSPORT FOR HEALTH

On 6 March 2014 the Hon. Paul Green asked the Minister for Police and Emergency Services, representing the Minister for Health, a question without notice regarding transport for health. The Minister for Police and Emergency Services provided the following response:

I am advised by the Minister for Health, and Minister for Medical Research:

NSW Health has prime responsibility for the development and management of non-emergency patient transport [NEPT] which requires stretcher transport and some clinical oversight and support during transit. The current

NEPT reforms being developed are recognition of this critical role. These include development of a centralised booking system to manage all requests for NEPT across the state; and engagement of an expanded range of providers, including not-for-profit, private and existing public sector providers. The NEPT reforms will improve co-ordination of services, increase utilisation of vehicles and provide a better service to clients.

NSW Health also provides subsidies to assist with the cost of travel and/or accommodation for people who have to travel significant distances to access specialist medical treatment through the Isolated Patients Travel and Accommodation Assistance Scheme [IPTAAS]. The IPTAAS budget for 2013/14 is \$20.2 million.

Transport for NSW is responsible for community transport services in NSW. I am advised that in 2013/14, over \$53 million in recurrent funding was allocated to 122 community transport services across NSW, of which \$50 million was allocated via the Home and Community Care Community Transport Sub-program. Under this program, community transport services are funded to provide a range of transport services, including health-related transport. Health-related services include health services that are the responsibility of and funded by the Commonwealth Government.

The NSW Ministry of Health will continue to work closely with Transport for NSW to improve the coordination of the delivery of health related transport services to meet demand.

ROYAL NORTH SHORE HOSPITAL RURAL PATIENTS ACCOMMODATION

On 6 March 2014 the Hon. Mick Veitch asked the Minister for Police and Emergency Services, representing the Minister for Health, a question without notice regarding Royal North Shore Hospital rural patients accommodation. The Minister for Police and Emergency Services provided the following response:

I am advised by the Minister for Health, and Minister for Medical Research:

Master planning of the Royal North Shore Hospital campus has identified an on-site location for patient and carer accommodation. Work is expected to begin on the new patient and carer accommodation in 2015.

In the interim, Royal North Shore Hospital Social Work Department will continue to provide support and guidance to patients, carers and families who require accommodation.

DRUG AND ALCOHOL EDUCATION

On 6 March 2014 the Hon. Paul Green asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for Education, a question without notice regarding drug and alcohol education. The Minister for Education provided the following response:

The Board of Studies, Teaching and Educational Standards NSW [BOSTES] is responsible for developing the curriculum to be taught in New South Wales schools. As acknowledged, the New South Wales curriculum in personal development, health and physical education currently includes alcohol and drug education. It explicitly addresses binge drinking and the short and long term consequences of alcohol and drug use on the individual and community.

The curriculum was developed in consultation with a range of relevant agencies, experts and academics, including in the area of alcohol and drug education. Future curriculum reviews undertaken by the BOSTES will continue to involve consultation and collaboration with experts in the area of alcohol and drug education to ensure the New South Wales curriculum reflects national and international best practice in school education in this important area.

Members of the BOSTES are selected to ensure a balance of skills and expertise in a range of areas, and across all sectors. Members include parent representatives.

At a national and state level there are a range of resources and programs that support the implementation of drug and alcohol education. States and Territories share resources and approaches to a wide range of health and physical education curriculum issues, including drug education.

The Department of Education and Communities provides drug and alcohol education support to schools through personal development, health and physical education advisors. These advisors work with local educational services teams to provide additional advice and support to schools.

In New South Wales government schools, principals in association with their school communities are responsible for choosing appropriate teaching and learning materials and programs for implementation in their schools. These decisions are based on local context, taking into account the suitability of the materials, student needs and the available resources of the school.

DEAF AND HEARING IMPAIRED STUDENT SERVICES

On 6 March 2014 the Hon. Helen Westwood asked the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra, a question without notice regarding deaf and hearing impaired student services. The Minister provided the following response:

As I previously advised, issues regarding Technical and Further Education [TAFE] funding is the responsibility of the Minister for Education, the Hon. Adrian Piccoli, MP.

BEACH DISABILITY ACCESS

On 6 March 2014 the Hon. Jan Barham asked the Minister for Ageing, and Minister for Disability Services, a question without notice regarding beach disability access. The Minister provided the following response:

The Community Inclusion Project for People with Disabilities will focus on a number of beach precincts across NSW. I am advised Surf Life Saving [SLS] NSW will be approaching a number of Local Councils to explore interest in this project including Randwick, Eurobodalla, Pittwater, Coffs Harbour, Wollongong and Gosford councils and the Byron shire.

I am further advised by Ageing, Disability and Home Care that SLS NSW is currently conducting an audit of all the Surf Life Saving Clubs across NSW to assess physical accessibility and equipment available at the clubs including a number of beach wheelchairs available.

I understand SLS NSW has recruited a Disability Inclusion Officer to manage the project which aims to increase access to beaches for people with disability by providing beach wheelchairs and looking at other ways to improve beach access and participation.

SLS NSW and the Project Advisory Group will work with local stakeholders and people with disability to:

- increase consultation when planning and prioritising resources;
- improve access and participation for those wanting to access their local beach precincts and/or participate in SLS clubs and activities;
- provide greater awareness within the communities to improve the beach experience;
- increase beach safety;
- better disseminate information to people wanting to access beach precincts; and
- increase participation in sport and recreational activities.

NATIONAL PARKS AND FORESTRY INDUSTRY

On 6 March 2014 the Hon. Robert Borsak asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding the national parks and forestry industry. The Premier provided the following response:

The New South Wales Government does not support commercial logging in national parks.

REGIONAL ECONOMIC DIVERSIFICATION PROGRAM

On 6 March 2014 the Hon. Robert Brown asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding the Regional Economic Diversification Program. The Premier provided the following response:

The New South Wales Government is working with the Commonwealth to finalise details for this part of the Murray Darling Basin Plan [the plan]. Details of where and how the funding will be allocated are yet to be finalised.

ROADSIDE TRIBUTES AND MEMORIALS

On 6 March 2014 the Hon. Walt Secord asked the Minister for Roads and Ports a question without notice regarding roadside tributes and memorials. The Minister for Roads and Ports provided the following response:

I am advised:

Roads and Maritime Services developed roadside tribute guidelines in December 2011, and these guidelines remain in place.

TAXI SAFETY INSPECTIONS

On 18 March 2014 the Hon. Luke Foley asked the Minister for Roads and Ports a question without notice regarding taxi safety inspections. The Minister for Roads and Ports provided the following response:

I am advised:

Information on taxi inspections is available on the Transport for NSW website at <http://www.transport.nsw.gov.au/atis>.

CENTRAL COAST HOSPITALS FUNDING

On 18 March 2014 the Hon. Adam Searle asked the Minister for the Central Coast, representing the Minister for Health, a question without notice regarding Central Coast hospitals funding. The Minister for Health provided the following response:

The Central Coast Local Health District is funded under an activity based funding model which is applicable across all of NSW Health. As part of the funding arrangement, the Central Coast Local Health District received an increase of \$27.6 million—4.4 per cent—in the expenditure budget for 2013/14.

The district is effectively managing surgery times within the national elective surgery targets.

The Central Coast Local Health District has the ability to stream or network surgical services across both Gosford and Wyong Hospitals. In 2012, 75 per cent of the ophthalmology and cataract surgery waitlist was transferred from Gosford to Wyong Hospital. This was a strategic decision to create operating theatre capacity at Gosford Hospital and to increase utilisation of spare capacity at Wyong Hospital. This has significantly increased the volume of cataract surgery at Wyong Hospital. This has had a positive impact on this patient group on the Central Coast.

In December 2013, the New South Wales Government announced \$1.8 million in planning money for both Gosford and Wyong Hospitals for future upgrades.

NATIONAL SUMMIT ON FEMALE GENITAL MUTILATION

On 18 March 2014 Reverend the Hon. Fred Nile asked the Minister for Police and Emergency Services, representing the Minister for Health, a question without notice regarding the National Summit on Female Genital Mutilation. The Minister for Health provided the following response:

The Government recognises that female genital mutilation is a violation of the human rights of women and female children, as well as being a legal, social and health issue.

The Government is committed to ending the practice of female genital mutilation. The Government has introduced the Crimes Amendment (Female Genital Mutilation) Bill 2014. The bill amends the Crimes Act to increase the maximum penalty for performing female genital mutilation from seven years to 21 years imprisonment and to create a new offence of removing a person from New South Wales with the intention of having female genital mutilation performed on that person.

Questions regarding the issue of female genital mutilation are more appropriately answered by the Hon. Pru Goward, MP, in her capacity as the Minister for Women and should be referred accordingly.

LOCAL LAND SERVICES

On 18 March 2014 the Hon. Steve Whan asked the Minister for Roads and Ports, representing the Minister for Primary Industries, a question without notice regarding Local Land Services. The Minister for Primary Industries provided the following response:

Local Land Services has placed a comprehensive election summary on their website at <http://www.lls.nsw.gov.au/about/community-consultation/final-election-summary>.

A full review of the election process is underway.

PAEDOPHILES

On 18 March 2014 the Hon. Paul Green asked the Minister for Disability Services, representing the Minister for Family and Community Services, a question without notice regarding paedophiles. The Minister for Family and Community Services provided the following response:

The Department of Family and Community Services [FACS] takes any allegation of harm to children seriously, including those children in Out-of-Home Care [OOHC]. When allegations of harm arise, Community Services undertakes an investigation.

I am advised any allegation identifying the targeting of children in OOHC for the use of sex by organised groups would be investigated by FACS. As part of this process any allegation of a criminal nature would be referred to NSW Police. FACS works collaboratively with police in instances where allegations of sexual harm have been made.

BARANGAROO DEVELOPMENT

On 18 March 2014 Mr David Shoebridge asked the Minister for Police and Emergency Services, representing the Minister for Planning and Infrastructure, a question without notice regarding the Barangaroo development. The Minister for Planning and Infrastructure provided the following response:

Any State significant development application for the proposed Barangaroo development will be assessed and determined consistent with applicable legislative and policy provisions.

PORT OF NEWCASTLE LAND SALE

On 19 March 2014 the Hon. Luke Foley asked the Leader of the Government, representing the Minister for Planning and Infrastructure, a question without notice regarding the Port of Newcastle land sale. The Minister for Planning and Infrastructure provided the following response:

I am advised that the primary purpose of the recent Newcastle Port SEPP amendment is to give effect to a Government decision to lease the Port of Newcastle to a private port operator under similar planning controls to those for port operators at Port Botany and Port Kembla.

TAXI DRIVER ENTITLEMENTS

On 19 March 2014 the Hon. Adam Searle asked the Minister for Roads and Ports, representing the Minister for Transport, a question without notice regarding taxi driver entitlements. The Minister for Transport provided the following response:

There have been four prosecutions of taxi operators in the seven months to the end of March 2014.

RUSA DEER CULLING PROGRAM

On 19 March 2014 the Hon. Robert Borsak asked the Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding the Rusa deer culling program. The Minister for the Environment provided the following response:

The alleged incident referred to was previously investigated and relevant procedures are being reviewed.

NATIONAL LAND TRANSPORT NETWORK

On 19 March 2014 the Hon. Robert Brown asked the Minister for Roads and Ports a question without notice regarding the national land transport network. The Minister for Roads and Ports provided the following response:

I am advised:

Correspondence has been received seeking information to assist in an update of the National Land Transport Network being conducted by the Federal Government.

The New South Wales Government is separately seeking Federal Government funding for a range of transport infrastructure projects. The outcome will be announced as and when agreed.

We also have regular meetings with the Deputy Prime Minister and maintain an excellent relationship between offices as is customary with good government.

TAXI DRIVER ENTITLEMENTS

On 19 March 2014 the Hon. Penny Sharpe asked the Minister for Roads and Ports a question without notice regarding taxi driver entitlements. The Minister for Roads and Ports provided the following response:

I am advised:

NSW Industrial Relations has commenced an extensive education campaign for taxi operators and taxi drivers, to ensure each is aware of their rights and responsibilities.

Roads and Maritime Services has been working with NSW Industrial Relations in mounting this campaign. Following consultation with the industry, new fact sheets have been published for taxi owners/operators and taxi drivers. These are available in hard copy and are being distributed to operators and drivers. The fact sheets are also available on the NSW Industrial Relations website. In addition, a compliance audit campaign has been planned by NSW Industrial Relations which will include checking that operators are calculating and paying the annual leave, sick leave, long service leave and downtime entitlements of each driver.

PARRAMATTA BUS INTERCHANGE

On 19 March 2014 the Hon. Greg Donnelly asked the Minister for Roads and Ports, representing the Minister for Transport, a question without notice regarding the Parramatta bus interchange. The Minister for Transport provided the following response:

I am advised:

Transport for NSW works with bus operators on an ongoing basis to identify solutions to address congestion at the Parramatta Bus Interchange.

The Parramatta Precinct Planning Group is also examining initiatives to improve the facility. The group is made up of representatives from several New South Wales Government agencies, bus companies and Parramatta City Council.

Current initiatives expected to be completed soon include:

- widening the intersection of Argyle and Church streets to provide an additional left turning lane for buses, which will allow buses to exit the interchange faster; and
- moving the B1 bus stand to provide additional drop off and pick up points for the T80 service.

NEWCASTLE LIGHT RAIL PROJECT

On 19 March 2014 Dr Mehreen Faruqi asked the Minister for Roads and Ports, representing the Minister for Transport, a question without notice regarding the Newcastle light rail project. The Minister for Transport provided the following response:

I am advised:

Ticketing arrangements and fares policy for the proposed Newcastle light rail are yet to be determined.

PARRAMATTA BUS INTERCHANGE

On 19 March 2014 the Hon. Ernest Wong asked the Minister for Roads and Ports, representing the Minister for Transport, a question without notice regarding the Parramatta bus interchange. The Minister for Transport provided the following response:

I am advised:

Three dedicated bus driver facilities are available in the vicinity of Parramatta Transport Interchange.

Permanent buildings in Argyle and Darcy streets provide facilities exclusively for bus drivers.

OUTLAW MOTORCYCLE GANGS AND COMBAT SPORT

On 19 March 2014 the Hon. Lynda Voltz asked the Minister for Police and Emergency Services a question without notice regarding outlaw motorcycle gangs and combat sport. The Minister for Police and Emergency Services provided the following response:

I am advised:

The Combat Sports Act 2013, to commence this year, is the product of close consultation between the NSW Police Force, the Ministry for Police and Emergency Services, Sport and Recreation and the Department of Attorney General and Justice. It aims to promote the health and safety of combat sport participants and the integrity of combat sport contests. The reforms contained in the new Act also address public order and safety risks, including concerns about outlaw motorcycle gang involvement in combat sports.

Applicants for registration under the Act as a promoter, match-maker or manager will be subject to a comprehensive "fit and proper persons" test. This will involve Police deciding whether a person is suitable for registration based on a national criminal records check, intelligence reports and other criminal information, and advising the Combat Sports Authority.

If the Commissioner of Police makes an adverse security determination against an application, he or she must be refused registration. Where an adverse security determination is not made, the Combat Sports Authority can make an assessment based on any national criminal record information and other relevant information it holds.

Police will have an ongoing role in monitoring registered promoters, managers and match-makers and if they make an adverse security determination, the person's registration must be cancelled. Police will also have a role in determining whether permits to hold contests should be granted.

The Act prohibits an industry participant or a promoter from being registered if they are a controlled member of a declared organisation under the Crimes (Criminal Organisations Control) Act 2012. Prohibition orders may be made based on security concerns. Such orders can prohibit people from participating in or promoting combat sports.

CANNABIS USE FOR MEDICINAL PURPOSES

On 19 March 2014 Dr John Kaye asked the Minister for Police and Emergency Services, representing the Minister for Health, a question without notice regarding cannabis use for medicinal purposes. The Minister for Health provided the following response:

The Minister for Health and the Minister for Medical Research wrote to the Hon. Peter Dutton, MP, Federal Minister for Health and Minister for Sport, on 28 November 2013 in relation to the issue of medicinal cannabis.

A letter of response was received from Senator the Hon. Fiona Nash, Assistant Minister for Health, on 16 January 2014 advising that since 2009 the National Health and Medical Research Council [NHMRC] have committed over \$1.4 million in funding for research specifically on the use of cannabinoids for the management of chronic pain.

The correspondence from Senator Nash notes that any clinical trials of substances intended for a therapeutic purpose are subject to the requirements of the Commonwealth's *Therapeutic Goods Act* 1989, administered by the Commonwealth Department of Health's Therapeutic Goods Administration [TGA].

This supports the New South Wales Government's response to the Inquiry that clinical trials of any substances used for medical purposes must go through the TGA's robust regulatory regime for the regulation of medicines.

MEMBERS OF PARLIAMENT PECUNIARY INTERESTS

On 20 March 2014 Reverend the Hon. Fred Nile asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding members of Parliament pecuniary interests. The Premier provided the following response:

The New South Wales Government is currently considering the issue.

MURDER TRIAL JURY DISCHARGE

On 20 March 2014 the Hon. David Shoebridge asked the Minister for Police and Emergency Services a question without notice regarding a murder trial jury discharge. The Minister for Police and Emergency Services provided the following response:

The NSW Police Force understands that this matter was being reviewed by the Office of the Sheriff, NSW Courts and Tribunal Services.

The member may wish to direct any further questions to the Attorney General for his consideration.

COASTAL PROPERTY PROTECTION

On 20 March 2014 the Hon. Robert Borsak asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding coastal property protection. The Minister for the Environment provided the following response:

I am advised as follows:

1. The paper has not been the subject of a request for advice.
2. Not applicable.

NATIVE VEGETATION LEGISLATION

On 20 March 2014 the Hon. Robert Brown asked the Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding native vegetation legislation. The Minister for the Environment provided the following response:

I am advised as follows:

The Minister for the Environment is unaware of any correspondence by the NSW Farmers Association, addressed specifically to the Minister for the Environment, about this issue.

STONEY CREEK ROAD ROADWORKS

On 20 March 2014 the Hon. Shaoquett Moselmane asked the Minister for Roads and Ports a question without notice regarding the Stoney Creek Road roadworks. The Minister for Roads and Ports provided the following response:

I am advised:

Roads and Maritime Services commenced pavement rehabilitation works along Stoney Creek Road from Melvin Street to Austin Avenue, Beverly Hills on 9 March 2014. The works were stopped on 10 March 2014 when Roads and Maritime Services became aware residents had not been given prior notice of the work.

Roads and Maritime Services acknowledges its error and apologises for any inconvenience caused. Work will not resume until proper consultation has been carried out and notice given to residents.

LOCAL LAND SERVICES

On 20 March 2014 the Hon. Steve Whan asked the Minister for Roads and Ports, representing the Minister for Primary Industries, a question without notice regarding Local Land Services. The Minister for Primary Industries provided the following response:

It is not possible to indicate with any accuracy the percentage of eligible electors who registered to vote in this inaugural election.

This difficulty arises as many individuals own more than one rateable landholding in a region, where they are only entitled to one vote, irrespective of how many landholdings that person may own in that region.

Depending upon the nature of the ownership and management structure, in many instances the rateable landholdings held be an individual or entity over and above the first landholding, will not be eligible to attach a voting entitlement, due to the restriction of one vote per person, per Region.

Local Land Services has placed a comprehensive election summary on their website at <http://www.lls.nsw.gov.au/about/community-consultation/final-election-summary>.

HOME SCHOOLING

On 20 March 2014 Reverend the Hon. Fred Nile asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for Education, a question without notice regarding home schooling. The Minister for Education provided the following response:

The research will explore the academic attainment of students who have been home schooled compared to students attending school. In particular, the research will include:

1. A literature review of existing research on academic outcomes of home schooled students, both in Australia and overseas.
2. Achievement of home schooled students in NAPLAN tests.
3. Participation, completion and achievement of students who were previously home schooled and subsequently attended school, including (where applicable) NAPLAN tests, Record of School Achievement and Higher School Certificate.
4. If available, university entrance information for home schooled students.

NEWCASTLE URBAN RENEWAL STRATEGY

On 25 March 2014 the Hon. Luke Foley asked the Leader of the Government, representing the Minister for Planning and Infrastructure, a question without notice regarding the Newcastle Urban Renewal Strategy. The Minister for Planning and Infrastructure provided the following response:

The 16-day exhibition period, which was in addition to the four month exhibition in 2012, provided time for people to consider the available information and approximately 200 submissions were received. Current planning controls require that development applications undertake an assessment of heritage impacts. Given this, any potential impacts on local heritage items will be considered through the development assessment process.

AUSTRALIAN WATER HOLDINGS

On 25 March 2014 Reverend the Hon. Fred Nile asked the Minister for Roads and Ports, representing the Minister for Resources and Energy, a question without notice regarding Australian Water Holdings. The Minister for Resources and Energy provided the following response:

I am advised:

Sydney Water is taking steps to protect its legal position. At this stage it is inappropriate to comment about the steps Sydney Water is taking to ensure that any funds that may have been wrongfully appropriated are returned.

ANIMAL WELFARE

On 25 March 2014 the Hon. Luke Foley asked the Minister for Roads and Ports, representing the Minister for Primary Industries, a question without notice regarding animal welfare. The Minister for Primary Industries provided the following response:

The New South Wales Department of Primary Industries is coordinating this national initiative between government, industry and animal welfare groups on behalf of all national, state and territory jurisdictions.

The proposed Australian Animal Welfare Standards and Guidelines [S&G] for Exhibited Animals aim to create improved and nationally consistent rules for the care of animals kept for exhibition purposes.

If adopted they will apply to animals kept for exhibition at facilities such as zoos, wildlife or fauna parks, aquariums and museums with live animal exhibits. It will also apply to animals temporarily removed from such facilities and those being transported between facilities.

The proposal covers a range of animal keeping practices where welfare is a consideration, including: security, the design of enclosures, diet and water requirements, health and wellbeing, reproductive management, euthanasia, capture and restraint, training and transportation, all of which have been developed following extensive stakeholder engagement.

There is emphasis on appropriate training of carers, keepers and staff and improved procedures and record keeping.

The General Standards and Guidelines document is extensive and applies to all exhibited animals. There are five other supporting S&G documents which apply to exhibition of specific animal groups that have management needs additional to those covered by the General S&G. These animal groups are: koalas, wombats, macropods (i.e. kangaroos and wallabies), crocodilians and ratites (i.e. flightless birds such as the emu and cassowary).

The objective of the proposal is to strengthen protection for exhibited animals. A number of Australian jurisdictions currently do not have any standards and guidelines that address animal exhibition. Others do not have standards and guidelines as comprehensive as those proposed. For example, New South Wales currently has no prescribed standards specifically addressing the exhibition of ratites and crocodilians.

The proposed standards and guidelines and the national Exhibited Animals Regulation Impact Statement, are now available for public comment on the Department of Primary Industries website.

This public consultation process provides an important opportunity to work with the community and the industry to get these standards and guidelines right so that community expectations regarding the welfare of exhibited animals can be accurately reflected, and the operational issues facing facilities can be recognised.

Public consultation is open until Wednesday 22 May 2014.

WALLARAH 2 COAL PROJECT

On 25 March 2014 the Hon. Jeremy Buckingham asked the Minister for the Central Coast a question without notice regarding the Wallarah 2 coal project. The Minister for the Central Coast provided the following response:

I have not met with any lobbyist, lobbying in relation to the Wallarah 2 Coal Mine, since being appointed as Minister in 2011.

LOCAL GOVERNMENT AND BEACHFRONT LAND DEVELOPMENT

On 25 March 2014 the Hon. Robert Borsak asked the Minister for Disability Services, representing the Minister for Local Government, a question without notice regarding local government and beachfront land development. The Minister for Local Government provided the following response:

I am advised that this matter falls within the portfolio responsibilities of my colleague, the Minister for Planning, the Hon. Pru Goward, MP.

CATTLE GRAZING IN NATIONAL PARKS

On 25 March 2014 the Hon. Robert Brown asked the Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding cattle grazing in national parks. The Minister for the Environment provided the following response:

I am advised as follows:

1. Yes.
2. The Office of Environment and Heritage is currently undertaking a scientific study to ascertain whether grazing may be useful in protecting the long-term survival of certain plant species or enhancing the overall ecology of certain forests.
3. As above.

RACISM AND BIGOTRY

On 26 March 2014 the Hon. Luke Foley asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for Citizenship, a question without notice regarding racism and bigotry. The Minister for Citizenship provided the following response:

Please refer to the New South Wales Government's submission to the Federal Government.

TRAIN DOUBLE-DECK CARRIAGES

On 26 March 2014 Dr Mehreen Faruqi asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding train double-deck carriages. The Premier provided the following response:

In compiling its Sydney's Rail Future strategy, the New South Wales Government looked at 15 options for the future of the rail network. These options were refined through rigorous engineering analysis, testing a range of customer benefits, cost analysis and sustainability testing.

The government sought the advice of an expert panel and undertook international peer reviews of systems operating in Europe, Asia and the United States. The result was a plan for a three-tier rail network operating a mix of single and double-deck trains.

AFFORDABLE HOUSING TASKFORCE

On 26 March 2014 the Hon. Paul Green asked the Minister for Police and Emergency Services, representing the Minister for Planning and Infrastructure, a question without notice regarding the Affordable Housing Taskforce. The Minister for Planning and Infrastructure provided the following response:

The Affordable Housing Taskforce was appointed in mid-2011 and has provided valuable advice to the Government on ways to deliver affordable and seniors housing that meets community needs and respects local character. The taskforce delivered an interim report in 2012.

Planning and Infrastructure is actively considering how the taskforce can best provide advice to the Government on housing choice and affordability matters as the planning reforms are progressed. This may include updating the interim report of the taskforce.

ANTI-DISCRIMINATION BOARD OF NEW SOUTH WALES

On 26 March 2014 the Hon. Sophie Cotsis asked the Minister for Police and Emergency Services a question without notice regarding the Anti-Discrimination Board of New South Wales. The Minister for Police and Emergency Services provided the following response:

The NSW Police Force has advised me that an arrangement has been made with the Anti-Discrimination Board of NSW for complaints of serious vilification to be forwarded to the Bias Crimes Coordinator for review and assessment, in consultation with Police Prosecutions. The NSW Police Force is also represented on the working group for the New South Wales Government response to the New South Wales parliamentary inquiry on racial vilification laws.

SHIPBUILDING INDUSTRY

On 26 March 2014 Reverend the Hon. Fred Nile asked the Minister for Police and Emergency Services, representing the Minister for Planning and Infrastructure, a question without notice regarding the shipbuilding industry. The Minister for Planning and Infrastructure provided the following response:

I am advised that this question should be directed to the Deputy Premier.

PETROLEUM EXPLORATION LICENCES

On 26 March 2014 the Hon. Jeremy Buckingham asked the Minister for Police and Emergency Services, representing the Premier, a question without notice regarding petroleum exploration licences. The Premier provided the following response:

Information in relation to the announcement on 26 March 2014 regarding "Petroleum Exploration Licence applications frozen" can be found at <http://www.nsw.gov.au/news/petroleum-exploration-licence-applications-frozen>.

GREY NURSE SHARK PROTECTION

On 27 March 2014 the Hon. Luke Foley asked the Minister for Roads and Ports, representing the Minister for Primary Industries, a question without notice regarding grey nurse shark protection. The Minister for Primary Industries provided the following response:

I am advised that there are a total of 15 Fisheries officers based in four Fisheries compliance districts adjacent to the grey nurse shark critical habitat sites at Fish Rock/Green Island, Magic Point, North Solitary Island, South Solitary Island and Mermaid Reef. Each of the four districts maintain offshore patrol vessels used to conduct overt and covert patrols that create an effective deterrence to illegal fishing activities.

In addition the State-wide Operations and Investigations Group operates throughout the State, also undertaking overt and covert patrol, targeting illegal fishing activities.

Fisheries officers conduct other duties to support these arrangements such as educating the community and attending community meetings to increase the knowledge amongst fishers of the special rules in place at grey nurse shark critical habitat sites. They also conduct inspections of commercial fishers, recreational fishers and fish retailers to identify any illegal activity that may harm grey nurse sharks.

CALTEX KURNELL REFINERY OIL SPILL

On 27 March 2014 the Hon. Robert Borsak asked the Minister for Roads and Ports a question without notice regarding the Caltex Kurnell Refinery oil spill. The Minister for Roads and Ports provided the following response:

I am advised:

Sydney Ports Corporation attended the oil spill for more than 16 hours over a two-day period. After further monitoring by Sydney Ports Corporation, there was no evidence of oily water remaining at sea.

CALTEX KURNELL REFINERY OIL SPILL

On 27 March 2014 the Hon. Robert Brown asked the Minister for Disability Services, representing the Minister for the Environment, a question without notice regarding the Caltex Kurnell Refinery oil spill. The Minister for the Environment provided the following response:

I am advised as follows:

1. Under section 148 of the Protection of the Environment Operations Act 1997 [POEO Act], Caltex has a duty to report pollution incidents causing or threatening material harm to the environment. Caltex provided the Environment Protection Authority [EPA] with a self report as required.

I am advised that on Monday 24 March 2014, during the initial phase of the incident, the EPA relied on information from Caltex's self-report and from the combat agency leading the response, Sydney Ports. The EPA also liaised with Department of Primary Industry (NSW Fisheries), National Parks and Wildlife and community members including a number of recreational fisher groups to further inform decision making during the incident.

The EPA commenced a detailed investigation of the incident after receiving the self- report from Caltex.

2. No. The EPA, not the Minister, is the appropriate independent authority investigating the pollution incident at Kurnell.
3. The Ministry of Health was notified by Caltex of the pollution incident in accordance with the "Duty to Notify" provisions of the POEO Act.

WOMEN'S REFUGE FUNDING

On 27 March 2014 the Hon. Sophie Cotsis asked the Minister for Ageing, and Minister for Disability Services, representing the Minister for Family and Community Services, a question without notice regarding women's refuge funding. The Minister for Family and Community Services provided the following response:

Information regarding the Specialist Homeless Program is available at <http://www.housing.nsw.gov.au/Help+with+Housing/Homelessness/Specialist+Homelessness+Services+Program/>.

WOMEN'S REFUGE FUNDING

On 27 March 2014 the Hon. Mehreen Faruqi asked the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra, representing the Minister for Women, a question without notice regarding women's refuge funding. The Minister for Women provided the following response:

As this question falls under the administration of Family and Community Services, I refer this question to Minister Upton.

HOME SCHOOLING

On 27 March 2014 the Hon. Paul Green asked the Minister for Disability Services, representing the Minister for Education, a question without notice regarding home schooling. The Minister for Education provided the following response:

In 2010-11, the number of withdrawn and refused applications for home schooling registration were 169 and eight, respectively. In 2012-13, the number of withdrawn and refused applications for home schooling registration were 335 and 43, respectively.

The reasons for refusing the applications were: an Authorised Person finding that the requirements for registration were not met; the provisions of a court order precluded home schooling; the unavailability of the applicant for an assessment of the application to be conducted; or, the child was ineligible, for example the child was not of compulsory school age.

Applicants are not required to provide a reason for withdrawing an application for home schooling registration.

In 2010-11, the number of registration periods of three and six months were seven and 99, respectively. In 2012-13, the number of registration periods of three and six months were 49 and 242, respectively.

Questions without notice concluded.

Pursuant to sessional orders debate on committee reports proceeded with.

GENERAL PURPOSE STANDING COMMITTEE NO. 3**Report: Budget Estimates 2013-2014**

Debate resumed from 25 March 2014.

The Hon. NATASHA MACLAREN-JONES [4.50 p.m.]: On the last occasion that we debated the report of General Purpose Standing Committee No. 3 entitled "Budget Estimates 2013-2014" I referred to the Skilled Regional Relocation Incentive. In the time remaining to me I will focus on the portfolios of Roads and Ports and Transport. When the committee examined the portfolio of Roads and Ports a variety of topics were covered, including the Community Road Safety Fund, WestConnex, road maintenance and design restructure, highway upgrades, seatbelts on regional school buses and the M5 East tunnel. The New South Wales Government has committed \$5.1 billion for roads and maritime in the 2013-14 budget, including investing \$1.5 billion to maintain and improve the State's existing roads, \$238 million for road safety, \$62 million to ease Sydney's congestion and \$17 million for maritime wharf upgrades at Balmain East Darling Street Wharf, McMahon's Point Henry Lawson Avenue Wharf and Mosman Bay Avenue Road Wharf. A further \$2.6 billion has been allocated for new roads infrastructure to boost productivity, to grow the economy and to create jobs.

The Government has committed a further \$1.8 billion from Restart NSW—the State's new infrastructure fund—to finance the WestConnex project; \$111 million has been allocated for the 33-kilometre motorway, which will ease congestion and improve travel times on the city's major transport routes between Sydney's west, south-west and the Sydney Airport and Port Botany precinct; \$145 million has been committed to continue the work on the dual carriageway upgrade of the Pacific Highway between Coffs Harbour and Woolgoolga; a further \$140 million is committed to continue work on the dual carriageway upgrade of the Pacific Highway between Nambucca Heads and Urunga; \$134 million has been allocated for upgrades of the Princes Highway and \$5 million for the Newell Highway; \$47 million has been allocated to continue work on the four-lane upgrade of the Great Western Highway; and \$1 million has been allocated to commence the Bells Line of Road Corridor Improvement Program.

Roads around Western Sydney have also received a boost in funding with a total \$62 million to continue work on the upgrade of Camden Valley Way to four lanes. The Central Coast and Hunter regions have had a significant injection of funds: \$4 million for planning work of upgrades of the Pacific Highway Wyong Road intersection; \$800,000 to begin the upgrade of the Wyong Road Enterprise Drive intersection; another \$800,000 to begin the upgrade of Wyong Road from Mingara Drive to Tumby Road; \$222 million to complete work on the Hunter Expressway between the Pacific Motorway, F3, at Seahampton and the New England Highway at Branxton; and \$30 million to complete the Newcastle Inner Bypass between Shortland and Sandgate.

Whilst examining the portfolio of the Legislature the following issues were raised: the expansion of wi-fi access to all areas of Parliament; the restructure of the Engineering Work Group; information technology support and the effect of the AusAID review of funding on the twinning project. It is important to note the comments that were made regarding the Spring Ball, which raised close to \$150,000 over two years for charities in New South Wales—at no cost to our budget. In 2011 the Spring Ball raised \$60,000 for our charity partners,

including the Royal Flying Doctor Service, Camp Kookaburra, Royal Far West, the Schizophrenia Research Institute and Shine for Kids. Last year a further \$85,000 was raised for the Bush Children's Education Foundation, Can Assist, Making a Difference, Noah's Ark Toy Library for Children with Special Needs and Alzheimer's Australia NSW. Enormous credit should go to the Hon. Melinda Pavey and to the Hon. Helen Westwood for this successful event. I note the significant contribution of the committee and in particular Ms Ann Lewis from the office of the Hon. Melinda Pavey who managed the Spring Ball on behalf of the committee. I pay tribute to Mr Philip Freeman, Director, Parliamentary Catering, who made a major contribution and enabled us to showcase Parliament as a function centre.

During the committee's examination of the portfolio of Transport the following issues were raised: rebranding Sydney trains; the North West Rail Link; light rail; ferry wharf upgrades; the Newcastle rail line; the Kings Cross strategy and the Public Transport Information and Priority System. It is important to note the significance of the Transport portfolio to the New South Wales economy and to residents and businesses in New South Wales. The Government is delivering an integrated, modern and commuter-focused transport system, after years of failed projects and neglect by the previous Labor Government. We have committed more than \$53 billion for the first four years of the NSW Long Term Transport Master Plan.

In the first year since the release of the master plan there has been a vast increase in transport services, including air-conditioned trains, road upgrades, and the Opal rollout. The sustained progress towards building the North West Rail Link and South West Rail Link is a hallmark of the New South Wales Government's determination to focus on delivering quality transport for New South Wales. The \$8.3 billion North West Rail Link—Australia's biggest public transport infrastructure project and the first stage of Sydney's new rapid transit network—has achieved significant progress with many sites being cleared and construction well underway at 16 major sites across north-west Sydney. I commend the report to the House.

The Hon. MICK VEITCH [5.07 p.m.]: In participating in the take-note debate on the report of General Purpose Standing Committee No. 3 entitled "Budget Estimates 2013-2014" I refer at the outset to the atrocious, disgusting and unconscionable treatment of Paul Parker. During the budget estimates committee hearing my initial questions were directed to the Deputy Premier and Minister for Trade and Investment. I asked the director general of the department whether he would apologise to Paul Parker and to the community of Young for the manner in which an external investigation of Mr Parker was conducted. Unfortunately, and quite disgracefully, the director general said he would not apologise. In the past I have spoken at length about the matter in this Chamber. I think any decent and fair-minded member would agree that the treatment of Paul Parker and the people of Young was a disgrace.

When I questioned the use of external investigators in similar matters the Hon. Niall Blair took a number of points of order. I was unaware of the extensive use by government departments of external investigators for matters relating to minor breaches of the code of conduct for public servants. In answers to questions on notice I discovered that in the relevant financial year there were 16 external investigations of employees in the Trade and Investment portfolio area—seven by the Internal Audit Bureau, four by the Ali Group, three by Wise Workplace, including Mr Parker, one by Grace Consulting, and one by Edicar Pty Limited. I am certain that other government departments also use external investigators.

However, I am concerned about the process used to engage Wise Workplace and the cost involved. I repeat that Mr Parker, who was treated poorly, is owed an apology by the Minister and by the director general. He still has not received an apology. No public servant should be treated in that way. I also questioned the Minister about the implementation of the SAP Business ByDesign program across that cluster. Of course, for those who are unaware, the SAP project was a cloud-based program. During budget estimates committee hearings the Deputy Premier was quite excited by this program and took a heap of questions on notice because he was not fully acquainted with it.

The Hon. Steve Whan: He was in the clouds.

The Hon. MICK VEITCH: He was in the clouds. The original budget for the project was \$14 million, being \$10 million for phase one and \$4 million for phase two. We were advised that the cost for phase one was just under \$10 million, but phase two was still underway and was due for completion on 31 October 2013. A number of issues also came to light regarding the implementation of SAP Business ByDesign that I believe has led to non-payment of superannuation for some employees within the department during the transition process. However, questioning during the budget estimates hearings revealed that the situation may not have been as serious as I may have implied and my source may have overstated the position.

Because of the budget estimates hearing timing we were unaware of the final cost of phase two and it is likely that I will continue that line of questioning during this year's budget estimates hearings. The business operators and accountants in the Chamber would be significantly concerned that for the second consecutive year the Auditor-General delivered a qualified statement on the annual report of Trade and Investment. The Deputy Premier was asked what was being done about that and he took that question on notice. However, he said that they have been working extensively with the Audit Office to resolve any issues and at the time of the budget estimates it was not clear whether all items would be resolved for the next financial year. If a business is given a qualified audited statement there is a problem and it needs to be fixed. Two in a row indicates a real problem but this did not appear to be a problem for the Department of Trade and Investment, which seemed to think everything was okay and that it might get it right by the third year.

The Hon. Steve Whan: It might be like the new Premier's budgets—billion dollar mistakes.

The Hon. MICK VEITCH: Billion dollar mistakes; that could well be the case. Questions were also asked about Resources for Regions, in particular, the process by which the independent audit assessment was conducted. I wanted to know how the company was engaged. It would appear that the company was engaged following an established process of a panel. The fact that the company had donated to the Coalition did not come into it and in fact the company did not disclose that potential conflict of interest in the appointment process. When Labor was in government the Coalition bagged it extensively during budget estimates for that type of behaviour. It has raised eyebrows now and there were certainly raised eyebrows when I mentioned it during budget estimates. The position does not change on coming to government. If Coalition members thought it was a problem then they should have done something about it. They did not and it will get them into serious trouble. I asked questions about the Crown land laneways expedited sell-off—and I know that the Hon. Steve Whan is interested in this. Apparently Fisheries employees are now conducting assessments.

The Hon. Steve Whan: Funded by the licence fees.

The Hon. MICK VEITCH: Funded by the licence fees. I am not sure whether the fishermen knew that was going to happen. It is an internal budgeting process that apparently is hunky-dory and should not cause panic. The Hon. Steve Whan will probably want to talk about the expedited Crown land laneways sell-off, which feeds into the Crown lands review about which I asked some questions. In the 2013 budget estimates I asked the Minister whether he was considering involving local government in the management of Crown lands. The Minister could not give a response at that time but when the white paper was released we noticed one of the proposals is for local government to run Crown lands in New South Wales. It was not a suggestion by me, it was merely a question, but apparently it was well and truly underway.

A number of questions were put to the Cross-Border Commissioner and the Hon. Steve Whan asked a question about the cross-border agreement on health between the Australian Capital Territory and New South Wales. Last year the Cross-Border Commissioner undertook a listening tour. I asked whether he intended to conduct another such tour this year but apparently not; matters will be raised with the Cross-Border Commissioner as people see fit. I am certain that in the lead-up to the election a number of matters will arise for the consideration of the commissioner. Questions were put relating to the regional relocation grants scheme, which apparently was not working. I have raised this matter during a number of budget estimates, with people moving across the street essentially to get the grant. I was told that everything was okay and that I should not be concerned about it. However, a bill was then introduced apparently to fix all the problems.

The Hon. Steve Whan: The Mick Veitch bill.

The Hon. MICK VEITCH: Thank you very much. Apparently the matters raised during budget estimates may well be a problem because they required legislative change. I am glad the Deputy Premier acknowledged I was right and he was wrong and that maybe he implemented the program poorly. However, the reality is that there has been a very slow take-up of the scheme. Originally, 7,000 places were budgeted for, but it is nowhere near the 7,000 for the Coalition's entire term in office, not just one financial year. The scheme has been a terrible waste of money—money that should have been used to retain jobs in country New South Wales and could well have been used to save jobs in the Central West. Even Andrew Gee, the member for Orange, has said that the Government's plan for the Central West is too long, too slow and is failing.

The Hon. PAUL GREEN [5.16 p.m.]: The Hon. Mick Veitch is passionate about regional relocation grants because he understands the need for jobs in western New South Wales. There should be some enticement for housing opportunities in those regions also, given the trip around the State by the Select

Committee on Social, Public and Affordable Housing. I speak briefly to report No. 28 of General Purpose Standing Committee No. 3 entitled "Budget Estimates 2013-2014". Budget estimates ensure parliamentary oversight of the budget and provide an important mechanism for the accountability of Executive Government to the Legislative Council.

Firstly, I thank the committee secretariat for its exceptional job in organising the budget estimates. I thank the chair, the Hon. Natasha Maclaren-Jones, fellow committee members and non-substantive members for their participation and input. I acknowledge the Ministers, who were very helpful. General Purpose Standing Committee No. 3 covered several important portfolio areas, including Tourism, Major Events, Hospitality and Racing, The Arts, Roads and Ports, Trade and Investment, Regional Infrastructure and Services, The Legislature, and Transport. I will focus on the portfolios of Roads and Ports, Regional Infrastructure and Services, and Transport.

The Hon. Mick Veitch: Nothing on regional relocation?

The Hon. PAUL GREEN: I note that interjection. That is secondary to what was happening. A lot of the funds were unused and I am sure the Government is trying to work out where it could better utilise those funds. From memory, I said from day one that the funding would have been far better distributed to the 152 councils to provide equity. Local government areas would have benefited more from that funding and it would have achieved a better result than the Government was anticipating.

The Hon. Steve Whan: Because they would have spent the money.

The Hon. PAUL GREEN: I am sure it would have been ring-fenced for such initiatives. Due to the cost shifting that is occurring across different government sectors those funds would have been appreciated by any local government area. I asked the Minister about progress on Grafton Bridge and was informed that while building had not started in real terms it had been decided to proceed with option C. At present a motorist must wait for a truck to come around the bend on the bridge. I cannot conceive why that bridge has not been dealt with prior to this. I note that the 2013 budget allocates \$7.4 million for continued planning. I am sure that the community of Grafton would be happy to see the commencement of construction on that bridge.

At the time the Minister updated the committee on the progress of the Hunter expressway. Members would be aware that recently it was opened and I have heard only good reports concerning its efficacy. Recently the Minister for Roads and Freight and I attended the opening of the Princes Highway at south Nowra—a fantastic project completion. At Christmas that stretch of the highway is usually a bottleneck for 10 kilometres in either direction but it now flows. The difference that project has made is unbelievable. The Government has committed to replacing Shoalhaven Bridge. The Minister for Roads and Freight spoke earlier of the small contribution the Government allocated for the third crossing of the Shoalhaven River. We look forward to that because it is complementary to the dual carriageway to the Jervis Bay turnoff.

The committee noted that North Richmond Bridge had reached its preliminary stages and that work continues with the option process. I have extended family in that area and at nearly every family function I am reminded that North Richmond Bridge is well overdue a capacity increase. My family members cannot wait for that to happen. There is also the odd comment concerning the Government's need to be aware of costing for future crossings for the private racecourse behind St John of God Hospital and the need to ensure under section 94 that developers carry part of that load. The Government has delivered a timetable for bus companies to install seatbelts that will ensure the safety of children in rural areas while they travel to school.

The Minister addressed the lack of long stay parking at the White Bay terminal. The taxi transport subsidy voucher system checks and balances were to be addressed by the Minister for Transport, and Minister for the Hunter by the end of last year. The protocol for disallowed vouchers is under review but requires further action by the Minister. The Opal card has been rolled out. The Minister informed the committee of the number of people using the Opal card and that the rollout is going well. The extended Inner West Light Rail service began operation in March 2014 following testing and commissioning.

An issue has been raised relating to the South East Light Rail running from the central business district to Randwick. It seems crazy not to have a stop at the hospital. During budget estimates available car parking and possible future charges were raised with the health Minister. This morning either Nick Rheinberger on ABC Illawarra or 2GB spoke of the cost of car parking for people visiting relatives in hospital. If relatives are in hospital for long periods the cost of parking becomes ridiculous. It would be wise to enable the light rail to stop

at the hospital door. Healthcare needs per head of population will boom in the future. The Government must ensure that people are able to disembark at the door rather than 300 metres away, potentially causing an accessibility issue.

The subject of safe and quiet carriages was raised. Real-time tracking on buses is a great initiative. The House is aware of the proposal for the second Sydney airport and the very fast train concept. The committee spoke of standardisation of motorcycle helmets. The Minister has a working group that is addressing the issue of helmet certification and the need for standard guidelines for safe and secure helmets. People will no longer have to assess helmet safety themselves. The committee addressed Highway 123 in Newcastle and the need for the Government to place that on the agenda as it has been unresolved for 50 years. The outcomes need to be discussed. The threshold for small business payroll tax rebates was increased but the Government is attempting to include in the Job Action Plan a payroll rebate program. All those initiatives will help as long as the Government keeps its word.

The Hon. NIALL BLAIR [5.26 p.m.]: I make a contribution to the take-note debate on the report of General Purpose Standing Committee No. 3 entitled "Budget Estimates 2013-14" and thank the chair of the committee, the Hon. Natasha Maclaren-Jones, for another fine performance during budget estimates. This evening I will touch on the portfolios of Tourism, Major Events, Hospitality, Racing and the Arts. I pay tribute to the Hon. George Souris, the Minister who had carriage of that portfolio. Any member who has attended budget estimates over the past three years would agree that his passion and dedication to those portfolios has been demonstrated by the regard with which New South Wales is held in those areas, in particular, Major Events.

For a long time Melbourne has been chosen ahead of New South Wales for major events. I am not criticising anyone but Melbourne has had the advantage. One of the things we touched on during budget estimates related to the major activities and economic job drivers that have been drawn to New South Wales through initiatives of former Minister George Souris. Major stage shows such as *The Lion King* and *Strictly Ballroom* demonstrate that success. Sydney now hosts at least one test of the Bledisloe cup each year, Manchester United played the A-League All Stars in Sydney and Rory McElroy placed the Australian Open on the international stage with the coverage of his win. Unfortunately that was at the expense of Adam Scott winning the triple crown in Australia. Some of those major events were attracted to New South Wales because of the Hon. George Souris's passion and drive.

The Sydney Autumn Racing Carnival, known as The Championships, concluded last week. In 10 years we will look back on the rebranding of the carnival and acknowledge that it has delivered an event that is as good as the biggest racing carnivals in the world. It will be every bit as competitive as Melbourne's Spring Racing Carnival. The Hon. George Souris was one of the driving forces behind that rebranding and he has been just as passionate about attracting events to Sydney. We should celebrate the racing industry. It employs many people throughout the State, particularly in regional areas, as stablehands, veterinarians, farriers, trainers and track riders.

The Hon. Lynda Voltz: Declare your interest.

The Hon. NIALL BLAIR: I will declare that I have an interest in the industry because my wife is a former track rider and jockey. I am proud that the Hon. George Souris and I are members of the same party. He understands and recognises the importance of the racing industry to New South Wales and he has been driving The Championships for a long time. We had an insight into his interest in the industry during the budget estimates committee hearings last year.

We could probably talk for two hours about the Hon. George Souris's contribution to the arts. Although it is not something we would normally do, my family and I attended a couple of Sydney Festival events in Hyde Park and the Domain this year. We should all be proud of the free entertainment that was available during the festival, including opera and other concerts in the Domain—including one featuring Chaka Khan. Everyone in this State can enjoy those events. Once again, they occurred under the leadership of the Hon. George Souris. I have no doubt that the Ministers now responsible for those portfolio areas, including the Hon. Troy Grant, the Hon. Andrew Stoner and the Hon. Katrina Hodgkinson, will do an outstanding job. However, when considering the 2013 estimates committee hearings we should acknowledge the great performance of the Hon. George Souris and his staff. The former Minister has done a stellar job for New South Wales. We will enjoy his legacy for many years and I thank him for his efforts.

The Hon. STEVE WHAN [5.32 p.m.]: I will commence my contribution to the debate on the report of General Purpose Standing Committee No. 3 by dealing with the Tourism portfolio. I acknowledge the Hon. Niall Blair's comments about the Hon. George Souris. Although I did not agree with everything he did, I acknowledge that he did a good job as Minister and I wish him luck in the future. As the shadow Minister for Tourism and Major Events I found him to be a good Minister and his heart was certainly in the right place. He was always generous in allowing his staff to provide the Opposition with briefings. His ditching from the ministry was poor form. It remains to be seen whether appointing the Deputy Premier as the Minister for Tourism and Major Events and the Hon. Katrina Hodgkinson as assistant Minister will be effective and whether they will display the same dedication that the Hon. George Souris devoted to the portfolio. The Hon. Andrew Stoner is well known within his own party as not being a particularly hardworking Minister.

The Hon. Mick Veitch: He has gone from the Chairman's Lounge to the corporate box.

The Hon. STEVE WHAN: Yes. The estimates committee hearings dealt with a number of important areas and there were extensive discussions with the then Minister about Sydney Airport and the need for a second airport. The Hon. George Souris did not feel that a second airport was necessary. He said:

Whether or not a second airport is ultimately needed really is the issue. The State Government does not support the immediate development of a second airport. We appreciate the need to identify the site and quarantine the land for a future decision. Until the Federal Government is genuine and serious about operating one of the world's best assets—

That is Kingsford-Smith Airport. He went on to say that it was not needed. The Labor Party decided that the second airport was important and once again led the way by saying that it was important to plan for an airport at Badgerys Creek to facilitate more tourism, which is vitally important, and to develop and provide jobs in Western Sydney, which has become more and more important. We are facing a major jobs deficit in Western Sydney and the second airport will help to alleviate that. A second airport is the first project on tourism operators' wish lists. The Government's report states that access to the airport is a key issue for tourism in New South Wales. The Government also has not addressed the congestion around Sydney Airport. A committee established by this House has inquired into the fares charged on trains servicing the Sydney Airport and the Opposition believes that more needs to be done in that area. That was also discussed at some length during the estimates committee hearings.

General Purpose Standing Committee No. 3 also deals with transport and roads. The Minister responsible for that portfolio area spent some time talking about expenditure on rural roads. Once again in question time today he spoke about the Princes Highway and listed the many projects that are being undertaken. However, he always forgets to acknowledge that many of those projects were initiated by the Labor Government, including the South Nowra project and the Kiama to Bomaderry project.

The Hon. Rick Colless: You had not turned a sod.

The Hon. STEVE WHAN: I will give the member a lesson. These projects involve many years of planning; one does not simply turn up with a bulldozer and start to build a road, although members opposite would like the public to believe that. A large number of projects underway in rural New South Wales were started by the Labor Government. I point out to the member that 62 per cent of the Princes Highway was duplicated by Labor governments. That is a massive achievement and it was delivered because those governments made a much greater funding commitment, although the Howard Government did provide a small amount of funding in the latter years.

The Minister referred to the Kings Highway during question time today. One of the sad things we have seen since the Coalition came to office is a massive decline in funding for that road. It is all very well suddenly to find money to provide an overtaking lane in the 12 months before the election, but the Labor Government allocated more than \$10 million each year in its last four years in office. During the first year of its term this Government decreased new funding for the stretch of that highway in the Monaro electorate to less than \$2 million. This year it has allocated half of the amount allocated during our last term in office. That is disgraceful given that it is a vital road. The Minister spoke about rural roads during the estimates committee hearings and today in question time he referred to the \$450,000 that has been allocated to Bombala Council to repair logging roads. However, in doing so he misled the House by saying that I had opposed that funding allocation. He said:

Obviously every cent for rural roads is welcome. However, I question whether this funding should be coming at the expense of other rural roads or whether it should really have come from the Forestry Corporation.

It has been the responsibility of State Forests, now the Forestry Corporation, to provide funding towards regional roads that are heavily used during logging events. Under the previous Government, when I was the member for Monaro, \$1.7 million came from State Forests for upgrading roads around Bombala that were used by logging trucks. I compare the \$450,000 over three years that the Minister bragged about today to the \$1.7 million from State Forests under the previous Labor Government. In addition, while I was the local member \$6.7 million went to the Bombala shire for State road funding. That is far above current amounts.

Mr Scot MacDonald: Point of order: The trip down memory lane is interesting but it has no relevance to the budget estimates or to the report. The honourable member should do a campaign media release in his own time and not waste the time of this Parliament.

The Hon. STEVE WHAN: To the point of order: Previous speakers had significant latitude to talk about issues in various portfolios and I seek that latitude as well.

DEPUTY-PRESIDENT (The Hon. Jan Barham): Order! There is no point of order. However, the member will confine his speech to the committee report.

The Hon. STEVE WHAN: Earlier the Hon. Mick Veitch spoke about Crown road sales. Since the budget estimates there has been what is called an expedited process, which is causing concern for recreational fishers in New South Wales. As part of the expedited process the Government has stopped notifications for affected roads and people now have to make searches and discover those roads. That has caused significant concern for recreational fishers, and rightly so. The expedited process should not have been at the expense of proper consultation with the people concerned. During the budget estimates it was first revealed that fishing licence fees were being used to fund work by the department to inspect these roads. That is outrageous and a betrayal of the guarantees that fishing licence fees would be used to benefit the recreational fishers of New South Wales. That should not be allowed to continue.

I acknowledge that The Nationals strenuously opposed recreational fishing licence fees, but in government they have kept the fees and are diverting funds from their proper uses. It is a disgrace. I turn to the definition of budgets. A video on the Liberal Party website states that the Government has delivered a balanced budget in each of its three years in power. The definition of "balanced" must have changed. In my language "balanced" means revenue equals expenditure. In fact, this Government has delivered three deficit budgets in a row. Yet again, the Liberal Party website has more spin and deceit, features that are becoming the hallmark of this Government after only three years in office.

Mr SCOT MacDONALD [5.42 p.m.]: It was my pleasure to become a member of the General Purpose Standing Committee No. 3 at a fairly late stage.

The Hon. Natasha Maclaren-Jones: We welcome you.

Mr SCOT MacDONALD: I acknowledge the committee chair, the Hon. Natasha Maclaren-Jones, who did a sterling job on important portfolios. I will restrict my comments to the Trade and Investment and Regional Infrastructure and Services portfolios. It was obvious that the Opposition did not understand the Resources for Regions program. The questions from the Hon. Mick Veitch and the Hon. Steve Whan showed their obvious lack of support for the regional and rural resources communities and very little appreciation for the resources industry. They had little appreciation of the royalties and revenues that come back to the Government and the community. They had a weak understanding of how the Resources for Regions program works, even though it had been clearly explained by the Minister and was on the public record. A little bit of research would have provided answers to questions about the source of the money and the eligibility requirements. The members opposite purport to be country Labor members, but they seem to be a vanishing breed. No doubt, they will be extinct after March 2015.

I expected wholehearted support for the Resources for Regions. I was glad that the chair was able to draw this out and I was particularly impressed by Minister Stoner's explanation that it was a pre-election commitment. The Opposition members of the committee seemed to forget that. The program started at \$10 million and in subsequent years it has grown to \$120 million. The Opposition seemed to think it was royalties for the regions and that seemed to be the gist of their questions and their confusion. It is not like the Western Australian model. The funding included a range of sources, such as Restart NSW and the Waratah bonds.

The Hon. Steve Whan: It is not from royalties, it is from asset sales.

Mr SCOT MacDONALD: Are Waratah bonds assets? Those opposite seem to become more and more confused, even though the information is in the public domain. Unlike prior governments, this Government is giving back to rural and regional communities from the resources industry. It is a transparent process: royalties are used as one of the means of assessment but not as funding. It was disappointing that a fairly straightforward funding program was not understood by the Opposition.

The range of local government areas is expanding. I believe the sum of money will expand in the future. We recognise the importance of the resources industry to electorates such as Wollongong and those in the north-west of the State. The local government areas do a great job in supporting regional communities. I look forward to the budget estimates where I hope the Minister will talk about an expansion of the program. The program expires at the end of our term in government in March 2015 and it will then become part of a campaign package. I will add my voice to an expansion of resources for the regions. It is a shame that the Opposition members of the committee did not understand this and did not seem to support it. That gave us insight into their priorities and where their support will lie in next year's campaign. Obviously, resources and regional communities will not be a priority.

The Minister for Transport was inspirational. She is probably the best transport Minister this Parliament has seen for a long time. She enunciated the list of infrastructure programs which will be delivered—unlike the Metro project at a cost of \$450 million. We can only imagine what we could have done with that money. The North West Rail Link is commencing; the borer will be in the ground by the end of this year. During the budget estimates hearings it became obvious that this Government announces and delivers programs, as opposed to the previous Government which announced programs, spent a phenomenal amount of taxpayer money—half a billion dollars—but did not deliver. People know that this Government and the previous Government are like chalk and cheese: we deliver and the Opposition issues media releases and wastes taxpayer money. I am looking forward to this year's budget estimates when the Hon. Gladys Berejiklian, Deputy Leader of the Liberal Party, will give us an update on all the infrastructure programs around transport, which will put to shame any work done by the former Government. I support the report on the Budget Estimates 2013-14 and commend it to the House.

The Hon. LYNDIA VOLTZ [5.49 p.m.]: I too speak on the report of the General Purpose Standing Committee No. 3 on the Budget Estimates 2013-2014. I sat on the committee during the Tourism and Arts hearing alongside the Hon. Steve Whan, who was the shadow Minister for those portfolios. I am surprised that Mr Scot MacDonald spoke about the effectiveness of the Resources for Regions program. I note that at no stage did he mention the Newcastle-Hunter region. If one was going to talk about resources that would be a good place to start.

Mr Scot MacDonald: Funding of \$340 million.

The Hon. LYNDIA VOLTZ: That is good, but he did not talk about that because Lake Macquarie got zilch from the program. Apparently Lake Macquarie is not affected by all the coal trucks and the resources that go through its electorate but somehow Sutherland is. People in the city down near Sutherland come under the Resources for Regions program but people in a region where coal is actually dug up get absolutely nothing.

The Hon. Steve Whan: Who holds those seats?

The Hon. LYNDIA VOLTZ: It used to be Graham Annesley. I think it is now held by Barry Collier, but I could be wrong.

The Hon. Dr Peter Phelps: Which faction is Barry in at the moment, the left or the right?

The Hon. Charlie Lynn: You need Ikea.

The Hon. Dr Peter Phelps: You need *Rugby League Week* to work out which team Barry is playing for.

The Hon. LYNDIA VOLTZ: He is in with Charlie Lynn; he has got his Ikea key out. The Resources for Regions program is typical of this Government and its approach to the Newcastle region is similar to its approach to the arts. Before the election the Coalition promised it would give \$7 million to the Newcastle Art Gallery, as did the Federal Government and the local council. But the money was never produced so the art gallery project could not go ahead.

The Hon. Steve Whan: Who promised it?

The Hon. LYNDIA VOLTZ: That would be Tim Owen who said it would be delivered. Tim Owen said:

Our plan for Newcastle is to see greater investment in cultural development. I am focusing on securing funding for the Newcastle Regional Art Gallery. I do not believe that enough money or attention has been invested into harnessing the talents of creative men or women.

Tim Owen was absolutely right: money was not being invested and it is still not being invested. Despite his promises that this money would be delivered and despite commitments made by the other levels of government that they would match that funding it has not happened and, as a result, the art gallery project is not being delivered. It is a similar story across other parts of the Arts portfolio. The grants and contributions to the New South Wales Film and Television Office, now Screen NSW, have been reduced from \$11.69 million to \$9.87 million, a reduction of \$1.82 million. The grants and subsidies available for distribution by the New South Wales Film and Television Office have been reduced from \$8.77 million in 2012-13 to \$6.9 million in 2013-14, a reduction of \$1.844 million. These reductions include the cessation of the interactive media fund.

When the Government put together its six-point industry action plan one of its points was that it was going to grow the digital economy. The Government's way to grow the digital economy seems to be to take all the funding away from it. The Government committed \$3 million over two years to the interactive media fund. If it wanted to grow the digital economy and the interactive media, which is the growth part of the arts industry, one would have thought that it would continue that funding. Under this Government that funding ceased.

Another area of reduction is wage cuts. One of the important cultural icons of New South Wales is the Sydney Opera House, which perhaps defines Sydney and who we are, yet 85 per cent of the revenue from the Sydney Opera House comes from a public trading enterprise. The money raised through its commercial activities comes from the most highly skilled and experienced staff in the global arts industry. However, this Government's wage cap includes Sydney Opera House staff, and the Government does not pay the running expenses. Whilst 85 per cent of staff wages are not paid from the public purse, the staff is not exempt from the wage cap. That creates a significant constraint on an entity which has to raise its funds outside the government sector. People working in the commercial arts sector want highly skilled workers. The ability to work outside of wage caps allows entities that work on a commercial basis to attract highly skilled and experienced staff. That is why there has always been flexibility in wage caps.

I am greatly surprised that this Government has significantly reduced funding to the film industry. The film industry not only is significant in relation to local employment, it is culturally significant in relation to its representation of Australia overseas and important to our State's tourism industry. I am surprised that the portfolios of Tourism, the Arts and Racing have been separated. The Hon. Niall Blair spoke about the significant number of jobs created by the racing industry and particularly the tourism industry. I wonder how those industries will operate when major events money is not sitting with the Gaming and Racing or the Arts portfolios. Major events are not only about rugby league and rugby union matches; they are also about musicals, theatre shows and attracting visitors to regional areas. Major events make a significant contribution to the tourism dollar and it is a big surprise that those portfolios have been separated.

The former Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts George Souris always has been very generous with his time. It is disappointing that he does not have a ministry. I had questions to ask him, but I am sure we will bang them on to someone else. I thank George Souris for the work he did as Minister and for the contributions he made to the budget estimates committee.

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

GENERAL PURPOSE STANDING COMMITTEE NO. 4

Report: Budget Estimates 2013-2014

Debate resumed from 23 October 2013.

The Hon. SARAH MITCHELL [5.58 p.m.]: I am pleased to speak to report No. 28 of General Purpose Standing Committee No. 4 entitled, "Budget Estimates 2013-2014", dated October 2013. The inquiry consisted of

two hearings held on 14 August 2013. Altogether the committee received five hours and 30 minutes of evidence to examine the portfolio areas of Attorney General, Justice, Police, Emergency Services and the Hunter. I begin my remarks by thanking the Ministers and their officers who assisted the committee during this important inquiry. I note that both the relevant Ministers at the time, the Hon. Greg Smith and the Hon. Michael Gallacher, no longer serve in those portfolios, but I thank them for the time they gave the committee during the estimates hearings.

I also place on record my gratitude towards my fellow committee members and the secretariat staff for their contributions to the inquiry process. In particular I acknowledge the Hon. Robert Borsak, who is in the Chamber tonight. He is the deputy chair of the committee but he also took on the role of Acting-Chair for the day of the hearings. I was not able to attend the hearings because I had just come home from hospital, having given birth to my daughter a week earlier.

The Hon. Niall Blair: A good reason.

The Hon. SARAH MITCHELL: As I said, for fairly obvious reasons I was unable to attend but I appreciated the Hon. Robert Borsak taking on the role of Chair for the day of the proceedings. Whilst not being in attendance but having read *Hansard* shortly thereafter—

The Hon. John Ajaka: With nothing else to do.

The Hon. Niall Blair: Not getting any sleep.

The Hon. SARAH MITCHELL: It is amazing what one can do at two o'clock in the morning if one has to. It was clear to me that there was robust questioning and the Ministers involved provided comprehensive and informative answers. With regard to the committee's examination of the Attorney General portfolio, issues raised included the number of positions in the Magistrates Court, the District Court and the Supreme Court, the use of courts in Parramatta, the Sydney Drug Court, and penalties for child sexual offences. There was also information provided by the Attorney General in relation to crime rates dropping in New South Wales over the past 10 years. There has been a 16.9 per cent drop in adults charged over the 10 years up to 2012, according to the Bureau of Crime Statistics and Research, and a 7.3 per cent drop in children charged with criminal offences. Since 2008-09 Local Court workload volumes have seen a decline in matters of about 10 per cent. The issue of victims compensation was also raised, with the Attorney General confirming that there has been no reduction in the amount of money the Government is putting into victims compensation. He also noted that the Government has made improvements to a failed system which was nearly three years in backlog.

The Government introduced the new Victims Support Scheme, the primary purpose of which is to deliver faster and more effective practical and financial assistance to victims at a time when they need it most. The variety of support measures include up to 22 hours of counselling, which can be increased where appropriate; a tailored package of support of up to \$5,000 to meet victims urgent and immediate needs, including emergency medical and dental treatment; home security measures and/or relocation costs from a situation of continuing or potential violence and crime scene clean-up; funeral costs of up to \$8,000 for family members of homicide victims; financial assistance of up to \$30,000 for longer-term expenses, including ongoing medical and dental treatment; costs associated with criminal or coronial proceedings, loss of earnings and out-of-pocket expenses; and a modest lump sum of between \$1,500 and \$15,000 to acknowledge victim trauma.

The issue of challenges with social media and the courts system was also raised, in particular the problem of pre-exposure and discussion in relation to criminal matters. The Attorney informed the committee that social media brings with it some unique legal challenges, particularly its potential to undermine the integrity of the criminal trial process. At its meeting on 5 October 2012 the Standing Council on Law and Justice, of which the Attorney General is a member, noted the particular potential for social media to compromise a jury trial, and agreed to seek a coordinated national approach. A national working group has been established and consultants from Bond University were engaged to prepare a research paper to assist in the deliberative process.

The consultants produced a report, which is available on the standing council's website, that recommended that specific "do not research jury directions" should be included in the judge's address to the jury. The committee was also told that these should be clear, detailed, repetitive and include visual aids, if possible. Secondly, focus groups should be used to determine what form of written guidelines and judicial directions are most comprehensible and most likely to be taken seriously by jurors. Thirdly, jurors should be required to complete a brief pre-trial training module on their role and responsibilities once they have been empanelled. These recommendations are currently being considered by the working group.

The Attorney General also informed the committee that the Government has also made amendments to the Court Security Act 2005 to restrict the use of electronic devices in courts, to forbid it and prohibit use of any electronic device to transmit sounds, images or information of court proceedings from a courtroom to a place outside without authorisation. This includes posting the sounds, images or information on social media or other websites. The prohibition does not apply to people prescribed in the Act or regulations, including journalists who are making a media report on the proceedings, any transmission that a judicial officer expressly approves, transmissions by lawyers appearing in the proceedings, or any transmission authorised by a court practice note or court policy.

I turn now to the Justice portfolio. Issues raised during the committee's examination of this portfolio included community corrections officers, Aboriginal employment within Juvenile Justice and community offender support programs. In terms of Aboriginal employment in Juvenile Justice, the Government goal or standard is approximately 2.6 per cent. Though the number varies between 6.6 per cent and 9 per cent, it is clear that the Government has always been above the initial goal. The Government has a clear recruitment strategy on how to attract and retain staff. This has primarily been achieved through the mentoring program implemented last year whereby Aboriginal staff are mentored by very senior staff, in most cases regional directors. The Government also has a series of identified positions for Aboriginal and Torres Strait Islander staff, as well as placement of selected staff to Tranbie College to help further expand their potential so they remain with the department as a career. Furthermore, as a result of protective training, incentive-based schemes and the introduction of the Detainee Behaviour Intervention Framework, there has been a 42 per cent decrease in assaults by young people on staff since 2007-2008.

I turn now to the portfolio area of Police and specifically the issues of the child abuse squad, outlaw motorcycle gangs and the Police Officer Death and Disability Scheme, all of which were topics covered in the day's hearings. In July 2012 the NSW Police Force child abuse squad submitted a futures paper to the police human resources command outlining a number of issues affecting the squad, including issues around workload and staffing levels. A review of the child abuse squad was subsequently undertaken, and in March 2009 the Bourke Joint Investigation Response Team was established and funded under the former Government's Safe Families Program.

There has been a considerable investment made by the Police Force working between two governments in relation to this area of child abuse. The Minister also informed the committee about activities regarding outlaw motorcycle gangs. At the time of the hearings the NSW Police Force had issued consorting warnings to 462 people, 47 of whom were members or associates of outlaw motorcycle gangs. Furthermore, 15 people were charged with consorting with five of those believed to be members or associates of outlaw motorcycle gangs. The Police Force took more than 9,000 guns, including 729 handguns, off our streets last year. Operation Apollo, established in February of 2013, made 371 arrests at the time of the hearings. Operation Apollo had also seized illegal drugs with an estimated value of more than \$500,000 and more than 80 firearms. Operation Spartan seized and located 57 firearms and searched 7,345 people.

The previous Government established the death and disability scheme for police back in 2005. Again, the committee discussed this issue on the day. The scheme was to provide compensation to police officers employed after 1988 who were forced to leave the NSW Police Force due to injury. Quickly, however, it became financially unaffordable. The scheme was fundamentally flawed in that it encouraged officers to leave work due to their injury rather than supporting officers' rehabilitation. When this Government took over in 2011 about 600 to 800 officers were on long-term sickness benefits with a high turnover. The projected expenditure for 2011-12 for the death and disability scheme and workers compensation had increased to \$781 million and was approaching 50 per cent of the total police salaries at the time. Urgent reform was required, and the Government has started to see a significant turnaround in bringing police back to work by addressing this issue through injury management.

The committee spoke about the Holmesville fire station. This is an important issue and I was glad the Minister had the opportunity to alleviate any concerns. The station was opened in May 2010, replacing the West Wallsend fire station. At the time of its planning and development, future urban growth was projected in the area. Unfortunately, the pace of growth did not match the development. The recent Fire and Rescue NSW operational review concluded that the 24-hour staffing arrangement there would be better replaced by day shift permanent staffing supplemented with retained firefighters, with the remaining 16 permanent firefighters utilised as relieving firefighters on day shift to reduce overtime and keep retained stations in the Hunter online. I note that this was also supported by the New South Wales Emergency Services review.

Finally, I will look at a couple of issues regarding the Hunter that were discussed. The Hunter is of paramount importance to the New South Wales Government and will share in the Government's \$10 million plan to increase access to palliative care. Budget allocations include \$1.6 million to complete the Raymond Terrace GP Super Clinic HealthOne at a total estimated cost of approximately \$15.2 million; \$6.8 million towards the planning and land acquisition for the new Hunter Valley Hospital; and \$4 million to upgrade the emergency department of Muswellbrook Hospital. In addition, \$340 million has been provided for the revitalisation of the Newcastle City Centre, including construction of the new Wickham transport interchange, a light rail service and the provision of eight new connections to the harbour. This is a fantastic investment in the second largest city in New South Wales. In closing I say once again budget estimates was a very informative process and I thank all of the Ministers, staff, departmental representatives, committee staff, Hansard staff and members of General Purpose Standing Committee No. 4 who were involved in the hearings. I commend the report to the House.

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

SELECT COMMITTEE ON THE AGISTMENT OF HORSES AT YARALLA ESTATE

Report: Agistment of Horses at Yaralla Estate

Debate resumed from 24 October 2013.

The Hon. ROBERT BORSAK [6.10 p.m.]: I am pleased to speak to the report of the Select Committee on the Agistment of Horses at Yaralla Estate. The committee was established on 27 June 2013 by the Legislative Council to inquire into and report on the current and future agistment of horses at Yaralla Estate, and was in response to a motion moved by the Hon. Luke Foley. Members would by now be aware of the passion of the Leader of the Opposition for equine transport, despite the fact that when he brought one into the gardens at the back of Parliament House for a media opportunity, he got more than he bargained for, and so did the media. At the outset, I thank my colleagues the Hon. Trevor Khan, the Leader of the Opposition, Dr John Kaye, Mr Scot MacDonald, the Hon. Dr Peter Phelps and the Hon. Ernest Wong for their diligence in their work. I also thank Teresa McMichael, Rebecca Main, Anna Perkins and Vanessa Viaggio from the committee secretariat for their assistance throughout the inquiry and for their professionalism in the preparation of the report.

It is disappointing that this House was forced to conduct this inquiry because of the tendency in government, and among some bureaucrats, not to reveal the full facts. In the end, the horses were moved out, health services did not get what they wanted, and the Police Mounted Unit could not transfer to the area. The committee held two public hearings on 5 and 7 August 2013. In addition, the committee conducted a site visit on 5 August and held a public forum that evening at Concord RSL and Community Club. On behalf of the committee I thank all the stakeholders who provided submissions to the inquiry; the NSW Police Force, Blue Visions Management, City of Canada Bay Council and Sydney Local Health District for giving evidence during the two public hearings; and the people who participated in the public forum.

Yaralla Estate, also known as the Dame Eadith Walker Estate and the Thomas Walker Estate, is located on the Parramatta River at Concord. Following the deaths of Thomas Walker, and his daughter, Dame Eadith Walker, Yaralla Estate became vested in the Crown under the Walker Trusts Act 1938. The Act provides that the Sydney Local Health District, as trustee of the land vested in the Crown, is responsible for the management, control and administration of Yaralla Estate. Section 19B of the Act relates to the lease or licence of the trust land. It provides that Sydney Local Health District must lease or license part of the land for particular purposes. One of the particular purposes is for the agistment of horses.

Up until late 2012, Yaralla Estate had been subject to a licence agreement between Sydney Local Health District and a private individual for the purpose of providing horse agistment, predominantly to local horse owners. For many years, city kids could experience a bit of the country without having to travel a long way. Many children in the Concord area have grown up being able to see these horses. Even people as renowned as Bart Cummings will say that those horses are more than horses to their owners and handlers. In fact, horses are very emotional animals. We were asked by one local community member in her submission to the inquiry to imagine how these horses must feel not seeing their human and equine friends now that they are scattered all over Sydney.

The immense joy that the agistment of horses at Yaralla Estate has provided to hundreds of people in the Concord area over many years would be an understatement to say the least. Yet, in late 2012, Sydney Local

Health District made a decision to change the arrangements and terminate the licence, leading to the eviction of horses on the estate. In April 2013 Sydney Local Health District entered into an agreement with the NSW Police Force to allow the NSW Police Mounted Unit to agist horses at the estate. This resulted in a lot of anger and concern among local residents. This subsequent agreement was later cancelled.

After this select committee was established further decisions regarding the use of the estate for the agistment of horses have since been made by the Sydney Local Health District. They have spitefully taken their bat and gone home. They have announced that the estate will become public parkland with no plans for horses on the site. The report consists of five chapters and contains seven recommendations. It also contains two dissenting statements from The Nationals and the Liberal Party, who audaciously claim that this has been the most useless inquiry in the history of the New South Wales Parliament, and reject outright any criticism of the Sydney Local Health District about its lack of proper management. This is contrary to findings by the committee which suggest that Yaralla Estate was poorly managed by the Sydney Local Health District and its decision-making processes were short of what would be expected from such an important organisation. Maybe if this Government were more open and transparent in its dealings with people of this State this inquiry would not have been necessary.

Recommendation No. 1 was that the Legislative Council consider referring the claims in respect to Blue Vision Management and Conrad Capital to the Independent Commission Against Corruption. Recommendation No. 2 calls on the Government to ensure that public access is maintained at the Yaralla Estate and that there is no further change made to the Walker Trust that would limit public access or public ownership. Recommendation No. 3 calls on the Government to ensure that any future plans or proposals for changes in management or operations of Yaralla Estate are clearly communicated to the local community well in advance and that there are adequate opportunities for community engagement. Recommendation No. 4 calls on the Government to commission a full heritage report on the Yaralla Estate, including buildings, structures and lands, and that this report is made public.

Recommendation No. 5 calls on the Government to amend the Walker Trust so as to provide for a change in management of the Yaralla Estate to a more appropriate agency, but at the same time any changes ensure that the Sydney Local Health District still has use of buildings such as the Yaralla Mansion for the purpose of providing health services. Recommendation No. 6 calls on the Government to ensure that the agistment of horses is restored to the Yaralla Estate, with a proposal that the NSW Police Force Mounted Unit and horses owned by members of the community share the use of paddocks under a co-tenancy arrangement, and that commercial rates be charged for the agistment of horses on the estate.

A key finding of the committee was that Sydney Local Health District did not undertake genuine community consultation before making decisions about the future of the Yaralla Estate. Therefore, recommendation No. 7 calls on the New South Wales Government to abandon its plans to convert the Yaralla Estate paddocks to public parklands and enter into genuine public consultation before developing any further plans for the future of the paddocks. It is very disappointing that this Government never dealt with this committee in good faith. Even after the committee was established, Sydney Local Health District continued to make decisions about the future of the Yaralla Estate without waiting for the recommendations of the committee's report.

Once again, I thank my parliamentary colleagues and the committee secretariat for their assistance and professionalism during the inquiry. I again thank all the stakeholders who provided submissions to the inquiry, to all those people who gave evidence during the two public hearings, and all who participated in the public forum. I urge the Government to act on all the recommendations as soon as possible. I commend the report to the House.

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

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Report: Review of the 2011-2012 Annual Report of the Commission for Children and Young People

Debate resumed from 24 October 2013.

The Hon. NIALL BLAIR [6.19 p.m.]: It is with pleasure as a participating member of the Committee on Children and Young People that I make a contribution to the Annual Report of the Commission for Children

and Young People. At the outset, I congratulate the Chair of the Committee, Mr Andrew Cornwell, the member for Charlestown, and the secretariat on their fine work in assisting the committee to review the 2011-2012 report. One of the biggest changes the committee considered was how the commission was going to handle the transition of the Working with Children Checks from the commission to the Office of the Children's Guardian, which made a significant change to the functions of the commission.

As a result of that change the committee has been given an additional function under the Commissioner for Children and Young People Act 1998 to monitor the Children's Guardian's administration of the Working with Children Checks. The committee's review found that the commission was making substantial efforts to engage with children and young people throughout New South Wales to involve them in decisions that have an impact on their lives. It is fair to say that these are significant changes for the advocacy of children and young people in New South Wales. Hopefully the overseeing of the new Working with Children Checks by the Children's Guardian will result in better protection not only for children but also for those who work with children. For example, employees can now take their Working with Children Checks with them from employment to employment; they do not have to reapply for the checks. That was a good initiative by the Minister.

The committee acknowledges Ms Kerry Boland for her work as the Children's Guardian and for her role as Acting Commissioner for Children and Young People. I thank Ms Mitchell for her work as the former Commissioner for Children and Young People. She has moved on to a new role and I wish her all the best in that role. Other members will make contributions about the different roles of the Commission for Children and Young People, but the committee has actively sought to find ways to engage with the commission, particularly now that there is a new commissioner, to see whether other inquiries, such as the present inquiry into volunteering and unpaid work placements among children and young people in NSW, can be undertaken as a result of the review of the 2011-12 annual report.

Although it was somewhat limited, the next annual report will be more extensive because of the increased level of involvement by the Commission for Children and Young People, particularly with the additional responsibilities relating to the Children's Guardian. It will be advantageous to see the progression of the Working with Children Checks since the 2011-12 report. I commend the report to the House.

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

BUSINESS OF THE HOUSE

Postponement of Business

Committee Reports Order of the Day No. 5 postponed on motion by the Hon. Dr Peter Phelps, on behalf of the Hon. Catherine Cusack, and set down as an order of the day for a future day.

Committee Reports Order of the Day No. 6 postponed on motion by the Hon. Dr Peter Phelps, on behalf of the Hon. Robert Brown, and set down as an order of the day for a future day.

Committee Reports Orders of the Day No. 7 postponed on motion by the Hon. Dr Peter Phelps, on behalf of Reverend the Hon. Fred Nile, and set down as an order of the day for a future day.

Pursuant to standing orders business interrupted and set down as an order of the day for a future day.

Pursuant to sessional orders debate on budget estimates proceeded with.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2013-2014

Debate resumed from 18 March 2014.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [6.28 p.m.], in reply: Last year the Liberal-Nationals Government delivered its third budget with the aim of making New South Wales number one

again. I am delighted to be able to tell the House that we are well on the way to achieving that goal. The themes of the budget were jobs, housing and infrastructure—and we have delivered those in spades. In the Roads portfolio the Government delivered a budget of \$5.1 billion, the third record budget in a row. This includes \$1 billion for the continued upgrade of the Pacific Highway. Other key features of the budget included: \$2.6 billion for new roads infrastructure to boost productivity, grow the economy and create jobs; \$1.5 billion to maintain and improve the State's existing roads; \$238 million for road safety; \$62 million to ease Sydney's congestion; and \$17 million for maritime wharf upgrades.

The Government also invested \$111 million to get WestConnex started as part of the \$1.8 billion State Government commitment to the project. WestConnex is a desperately needed project that Sydney really wants, and we will deliver it in conjunction with our Federal Government colleagues. The Liberal-Nationals Government delivered a record \$14.6 billion investment in Transport and Roads, including more than \$1 billion to build new rail and light rail lines. It included \$1.1 billion for the North West Rail Link and the South West Rail Link. One hundred and thirty million dollars was provided for the rollout of the Opal card, which I am pleased to say is now available on all Sydney trains and ferries and is progressively being rolled out to buses. This is another example of the Liberal-Nationals Government delivering something that those opposite could not deliver in 16 years.

Other highlights include: \$314 million for the North Sydney Freight Corridor Program, a plan to improve capacity and reliability of freight trains and make commuter services more reliable; and \$75 million towards the new central business district and South East Light Rail linking the city with Randwick. In Health the Government increased the budget by \$844 million, or 5 per cent. The recurrent budget for Health was \$17.9 billion, plus an additional \$1.2 billion on capital works. Other highlights include: \$1.2 billion in capital funding to upgrade and redevelop hospitals and health facilities across the State; \$51 million for continued and new investment to bring to market new medical research, innovations and lifesaving devices; and \$30 million for integrated care building new partnerships with the not-for-profit sector to deliver better care in the community.

In housing the Government allocated \$141 million to new infrastructure projects that will result in almost 43,000 new homes in Sydney and the Hunter region. That allocation is in addition to the \$181 million invested last year to support 76,000 new homes. When we came to office in 2011 we said we would make New South Wales number one again. The Government is well on the way to transforming New South Wales from the basket case it was three years ago to the economic and employment powerhouse of the nation. I commend the motion to the House.

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

Motion agreed to.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads and Ports) [6.34 p.m.]: I move:

That this House do now adjourn.

ROYAL EASTER SHOWGIRL COMPETITION

The Hon. NIALL BLAIR [6.34 p.m.]: On 8, 11 and 13 April I attended a number of events at Sydney Olympic Park in my capacity as an associate judge for *The Land* Sydney Royal Showgirl Competition 2014. This marked the fifty-second anniversary of this prestigious event. Over 500 young women enter the competition annually throughout New South Wales, with local competitions run by around 120 show societies. This year's winner took home \$10,000, the first runner up \$5,000, and the second runner up \$2,500. The prizes are possible only because of generous contribution by *The Land* newspaper, the Agricultural Societies Council of NSW and the Royal Agricultural Society of NSW.

My fellow judges included Mr David Palmer, former chief executive officer of Meat and Livestock Australia and Chairman of the NSW Rural Assistance Authority; Dr Ellen Downes, a clinical specialist based in Orange, and a former State showgirl finalist and second runner up in the year 2000; and Mrs Janine Dwyer, representing *The Land* newspaper. The aim of the competition is to find the person most suited to represent the young rural women of New South Wales during her term as *The Land* Sydney Royal Showgirl. This covers

many official and informal situations during the Sydney Royal Easter Show as well as her travels within New South Wales and interstate. The Royal Agricultural Society defines a local showgirl as a person with strong family, personal, educational or business associations within the local community. She must also be approved and nominated by her local show society and have a genuine interest in and understanding of rural and regional issues.

My fellow judges and I were asked to select the winning showgirl out of 16 finalists who were selected from a range of different zones throughout New South Wales. The finalists spanned a number of professions including doctors, teachers, nurses, agronomists and farmers. The contestants are judged on personality, confidence, ambition and life goals, general knowledge, rural knowledge, presentation and speech. Finalists are also asked to demonstrate knowledge of their local community and current affairs. Apart from their potential ambassadorial qualities contestants are also judged on their involvement in and experience of rural affairs. These prerequisites have not changed since the inception of the showgirl competition in 1962, as the value of these skills has not diminished. The contestants continue to be young rural women with purpose and ambition.

I would like to recognise this year's winner of the Royal Showgirl Competition, Brodie Chester of Bega. Brodie and her partner, Kevin, began their dairy venture in the South Coast town of Bega in 2011 starting with five cows and a single portable cow milker. They now operate a 250-head dairy herd. Brodie is an extraordinary young woman with a lot of passion for the dairy industry and her local area and is a truly deserving winner. I would also like to recognise the two runners-up of the competition: Sally Newton is a 22-year-old medical student from Walgett in north-west New South Wales. Sally is currently studying a Bachelor of Medicine Bachelor of Surgery through the University of New South Wales and last year relocated to the university's clinical school at Wagga Wagga to complete the remaining years of her degree in a rural setting. Sally wants to become a rural generalist and would also like to work with the Royal Flying Doctor Service in the future.

Second runner-up, Sarah Clift, is a 24-year-old agronomic consultant from Gunnedah and has recently started a job working for a Quirindi company. Sarah is the seventh generation of Clifts to live and work in the Gunnedah district. The Royal Easter Showgirl Competition is a terrific opportunity to showcase some of the many achievements of regional women and the different areas of the State they represent. It was my privilege and pleasure to be a part of this event as an associate judge in 2014 and I look forward to continuing to contribute as a judge for the next three years through my involvement with the Royal Agricultural Show Society.

I congratulate all of the 16 finalists. I thought being a member of Parliament had some tough moments but picking a winner out of those 16 finalists from the 500 who entered the showgirl competition was one of the hardest things I have had to do. There were so many deserving women who could have taken out the event on the day. I commend the Royal Agricultural Show Society and particularly Alison Hamilton for her dedication and hard work in putting the event together. All of the finalists made their regional towns proud and they should hold their heads high.

WHITE BAY CRUISE TERMINAL

The Hon. LUKE FOLEY (Leader of the Opposition) [6.39 p.m.]: The White Bay cruise terminal opened a little over 12 months ago. On 15 April 2013 the P&O cruise liner *Pacific Pearl* became the first vessel to berth at the new terminal, which is now Sydney's second cruise terminal. I want to bring to members' attention the significant impact that the cruise ship activities are having on the residents living on the south-eastern arm of the Balmain peninsula in the suburb of Balmain. I will propose some measures that could be taken by our Government to ameliorate these significant impacts on surrounding residents.

I recently met with a delegation of citizens from that part of the world. The cruise ships that berth at White Bay emit fine particles—PM₁₀ and PM_{2.5}—nitrogen and sulphur dioxide. These pollutants have known adverse health effects in humans. The ships that berth most frequently at White Bay use bunker fuel, which has a very high sulphur content of 3.5 per cent. I note that the European Union has required 0.1 per cent sulphur or less in fuel in ships at berth from 1 January 2010. The ships that berth at White Bay use fuel with a sulphur level 35 times greater than that. The United States requires ships to switch to fuel with a sulphur rate of 0.1 per cent within 200 kilometres of its coast.

The ship that most frequently visits White Bay, the *Pacific Jewel*, has 1,068 passenger rooms and weighs in at the equivalent of 125 A380 aircraft. When it is at berth for nine hours it emits sulphur dioxide

equivalent to that coming from 28.5 million diesel-fuelled cars. Allowing for the provision of shore power was mandated in the 2011 project approval for the White Bay cruise terminal. Shore power, also known as "cold ironing", involves switching off auxiliary engines while at berth and supplying ships with electricity from shore. The use of shore power would avoid extremely large emissions of nitrogen, sulphur dioxide and air particles. It would also have the significant added benefit of protecting nearby residents from the noise of the generators.

The two steps that I have outlined—mandating a lower sulphur content in ship fuel and the use of shore power—would go a long way towards improving the lives of the people living on the south-east arm of the Balmain peninsula and cheek by jowl with Sydney's second cruise terminal. I am an optimist and I believe that it is possible for industrial and residential neighbourhoods to coexist. Sydney wants to continue to attract the shipping industry and it should be possible for the Government to take steps to regulate the activities of ships berthing at White Bay in the interests of nearby residents. In addition to the two major steps that I have advocated, I believe that other steps must be considered by the Government, including air filtration, noise minimisation, and regulation of ship arrival and departure times to minimise community disturbance. I intend to continue to advocate in the coming months on behalf of the residents of Balmain living close to the White Bay cruise terminal, who I believe are suffering unreasonably from the impact of the ships visiting that terminal.

BENTLEY BLOCKADE

Ms JAN BARHAM [6.44 p.m.]: Democracy is alive and well in regional New South Wales, where communities are showing up and speaking up for their land, their water and their future. They are the protectors and this is people power. The blockades at the Pilliga, Maules Creek and Bentley represent communities uniting to take a stand where the Government appears too weak to do so by stopping coal seam gas production. I applaud the brave and committed people of the North Coast and beyond who for three months have maintained a camp site and ensured an ongoing presence at the Bentley blockade. I am so proud of my community. When I showed up with my colleague Jeremy Buckingham at the blockade I, too, was inspired. It was a wonderful show of strength and commitment by many who believe that the Government is not listening to them.

I acknowledge the long-term local member of Parliament Don Page, who has been the member for Ballina for 26 years and who has recently announced his retirement. He has served his community well and has always listened to all views and showed respect. That is what country people expect and that is the sort of politician he has been. For a born-and-bred Nationals member the thought of going to an election when so many of his long-term supporters now feel that they have been betrayed by his party's coalition with the Liberal Party may have been a consideration in making that decision. It would have been a tough election but, Don, the community thanks you for your service.

I applaud the brave and committed people who are also travelling to Maules Creek and the Pilliga blockades. I supported my colleague Jeremy Buckingham by co-sponsoring a visit to this country by John Fenton, a cowboy from the United States, who issued warnings about what has happened in Wyoming. Thousands of people across the State flocked to country halls to hear him speak about his experience with unconventional gas and the way that fracking has ruined his farm, his health and his family's and community's wellbeing.

I also offer my condolences to the family and friends of Neville Wran, Premier of New South Wales from 1976 until 1986. His lasting legacy is the protection of some of the State's finest biodiversity through the dedication of national parks and wilderness. He will be long remembered by environmental activists for his respectful acceptance of the will of the people of the North Coast with regard to the Terania Creek rainforest. The people of the North Coast have a proud history of protecting our heritage and it was in the rainforests of the north-east that Premier Wran's environmental awakening occurred. Premier Barry O'Farrell will be remembered respectfully for taking a stand against alcohol-fuelled violence.

Premier Mike Baird now has an opportunity to show leadership by respecting the will of the people and by embedding a legacy. He should respect the protectors of our land, water and future who are gathering at these blockades. They are the people who live on the land under threat and who care about the future. They understand the precautionary principle and intergenerational equity. They are rural landholders who are willing to stand side by side with the first peoples of the land and conservationists. I ask the Premier to take a look and to listen. He will see farmers, country business people, dairy and cattle farmers, tourism operators, doctors, nurses, teachers and many more who are saying "CSG No Way". They are engaging in non-violent direct action; they show up and show their commitment to a gas-field-free future.

I implore the Premier to respect the people who took the initiative to survey their communities. Lismore City Council conducted a poll at the last council election and 87 per cent of the people said no to coal seam gas. The mayors of the Tweed, Kyogle, Byron and Lismore have visited the Bentley blockade to show their support. They are listening to their communities and this morning more than 1,000 people turned up. In his inaugural speech, delivered on 29 May 2007, the now Premier stated that he expected the Liberal Party to lead the restoration of a community-based party in this place. He said:

We should never be ashamed of listening to our conscience nor to our community—in essence this is why we are here.

Will the Premier now deliver on that expectation, or will he do the unthinkable and send in the riot police to deal with citizens of this State who are protecting the future? I ask him to listen to the people and to stop coal seam gas production. He must respect the will of the people and protect the public interest. He must protect the future and return trust, honesty and respect to democracy in New South Wales.

RACIAL DISCRIMINATION

The Hon. Dr PETER PHELPS [6.49 p.m.]: Last Friday I was surprised to receive in my email inbox a joint media release stating:

The NSW and Victorian Governments today announced they lodged formal submissions opposing changes to the protections against racial vilification contained in the *Federal Racial Discrimination Act 1975*.

This is sometimes known as the repeal of section 18C. I was quite surprised by this media release, considering that one of the fundamental tenets of the Liberal Party is the right to free speech—in fact, in the list of four items which it counts as essential for parliamentary democracy, free speech is there. I think there is something even worse at hand, and that is the assumption that removing the ability of a person or a group of people to take legal action against speech that offends, insults, humiliates or intimidates on the basis of race would somehow licence racist speech and unleash the streak of prejudice thought to perpetually run through the Australian character. It is a very shallow, very unfair and very small-minded belief that that is the true nature of Australia for which legislation is required.

The assumption is that the law, as it currently stands, is the only thing restraining racial hatred and keeping public discourse civil in Australia, as if there is a racist or a bigot hiding behind the aspidochelone waiting to burst out with a metaphorical cutlass of discrimination the mere moment that section 18C is removed. What defenders of section 18C ignore is that social sanctions already exist to enforce culturally accepted standards of behaviour. A truly civil society has ways of self-regulating and condemning racist speech without resorting to the lawyers and the apparatchiks of the Human Rights Commission. A good example of this can be seen in that a self-regulated civil society provided the necessary opprobrium for Donald Sterling, the owner of the Los Angeles Clippers basketball team. President Obama resisted the pressure from the media to bring the authority of the Government to bear and do something about Sterling. Instead, President Obama said:

When ignorant folks want to advertise their ignorance, you don't really have to do anything, you just let them talk.

This has a lot to do with the First Amendment in the United States, but the Sterling controversy has shown also that free speech does not license racist speech at all and that modern societies can and do impose social sanctions for racism. If an Australian leader in politics, business or sport expressed the same kind of racist sentiments as Sterling, a similar fate of exile and ostracism would await them. For decades Australians of diverse background have spoken about how hurtful it is to be singled out based on their creed or colour, and have said that in the bad old days racial insults were common.

Over time this lesson has deeply penetrated Australian culture. Proof of the zero-tolerance approach to racism has taken hold in virtually every Australian school. Even the dimmest pupil knows that it is offensive, and schools are very prompt in promoting the antiracism message. One simply has to look to Australia, where Eddie McGuire, a multimedia personality, multimillionaire and president of the Collingwood Football Club, made an off-colour and racially-tinted remark about Australian of the Year Adam Goodes. The powerful and influential McGuire was castigated by virtually every media outlet in the land and forced to make a grovelling apology explaining how terrible racism is and how he was not a racist.

What we have in section 18C and the construct of the Human Rights Commission is the creation of an Orwellian doublespeak in the modern world. The Human Rights Commission has in its name the issue of rights and yet in practice this vast bureaucratic outfit, funded by government to the tune of \$25 million a year, does far

more to thwart freedom than it does to promote it. The debate about section 18C is a key ideological clash between whether the State should have the authority to tell individuals what they can think and say and whether it should be left to individuals and society. Alan Borovey, founder of the Canadian Civil Liberties Association, was just as scathing. He said:

You are running a terrible risk that someone's thin skin could be the limit of someone else's free speech.

Professor John Furedy, a Holocaust survivor said:

There is what I call a velvet totalitarianism creeping in. I call it that because the punishments are less severe but people still try to censor themselves and each other. ... There can be no contest of ideas if we go too far down this path. ... The only protection against stupid speech is better speech.

Professor Alan Dershowitz said:

Once a government gets into the business of banning one type of bigoted speech, the circle of censorship inevitably expands.

Finally I go to Israel—one country whose very existence faces an existential threat every day. The Association of Civil Rights in Israel said:

Freedom of expression does not only mean the expression of views that are widely accepted by the public reflect the government's policies, but also minority views and views that are considered irritating, extreme and unacceptable.

I entirely agree with these sentiments and I reject the media release put out by the Minister for Citizenship and Communities who has responsibility for multicultural affairs.

PUBLIC SECTOR WAGES POLICY

The Hon. ADAM SEARLE (Deputy Leader of the Opposition) [6.54 p.m.]: Today's decision of the New South Wales Court of Appeal regarding public sector wages in particular decided whether federally mandated superannuation is inside or outside the Government's legislated wages cap. When it put forward the legislation in the Parliament in 2011, the Government in the form of the Premier, then Treasurer, Michael Baird, and then Minister for Finance and Services, Greg Pearce, appeared to make a commitment that the wages policy would guarantee wage and salary increases of 2.5 per cent per year. The regulation when made appeared to include superannuation as a guaranteed minimum condition, which was therefore placed outside the Government's own wages cap. This uncertainty led the Industrial Relations Commission to rule in June last year that Federal increases in superannuation, payable from 1 July last year, were outside the Government's 2.5 per cent wages cap.

In December Justice Boland, then president of the Industrial Relations Commission, in his final decision awarded a full 2.5 per cent wage increase to public sector workers. This was only after the Government had attempted to move the goalposts by changing the regulation, which was done on 28 June last year when Parliament had risen for the winter recess. On 21 August last year this House disallowed that regulation, believing the Government had reneged on its commitment to this Chamber on its wages policy. After Justice Boland's ruling in December the Government again sought to change another regulation seeking to achieve the same outcome, folding superannuation into the wages cap and thereby effectively cutting public sector wages and making public sector workers pay for their own increased superannuation. That new regulation was disallowed in March, but the Government soldiered on to the Court of Appeal and today's decision appears to have resolved the legality of the issue. The Court of Appeal found that superannuation was very much within the cap.

The effect of this decision is to cut by more than 9 per cent the wage increase awarded last year by Justice Boland to public sector workers, which means that the 400,000 public sector workers subject to the award will now receive a pay increase of 2.27 per cent this year and 2.04 per cent in the following two years, which is much lower than the 2.5 per cent increase awarded by Justice Boland and, indeed, far lower than inflation, which is running at 2.9 per cent. This shows that the Government is cutting the wages of public sector workers by giving them pay increases well below the consumer price index and making them pay for their increased superannuation. Any other employer that sought to pay increased superannuation by cutting wages would be rightfully criticised, and so should be the New South Wales Government. The employees subject to the award will be receiving total benefits lower than the Government concluded in the recently published pay arrangement, where the Government, in my view, got around the pay cap by providing financial

benefits outside an award. This demonstrates that there are now two classes of public sector worker in this State—those with the clout and the capacity to get a better deal than the pay cap, and those who are caught by it and have to make do.

Today's outcome is subject to appeal to the High Court, but until then it settles the legality of the matter. It throws into stark relief the unfairness of the Government's wages policy. I believe the majority in this Chamber holds the view that the wages policy implemented by the Government was not what the Parliament believed it was getting when it approved the authorising legislation. This Parliament, and this House in particular, believed that the Government's wages policy would provide wage and salary increases to public sector workers of 2.5 per cent each year without trade-offs. That is not correct: it is the total increase of that margin of remuneration, which is a very different proposition. The impact is that public sector workers will receive increases that are far lower than inflation, effectively cutting their pay and conditions. This is not acceptable. The fact is prices are not going down, but the Premier and his Government seem to believe that public sector wages should continue to go down. That sets a very interesting debate for the election next year.

NATIONAL PARKS ESTATE

The Hon. ROBERT BORSAK [6.59 p.m.]: I was delighted to read the report by General Purpose Standing Committee No. 3, which found that national parks should host more tourism ventures such as accommodation, camping, mountain bike trails and fossicking. It also calls for streamlined planning approvals for development in the Kosciuszko National Park and for the Government to "investigate further opportunities for tourism development in national parks" because of suggestions that highly protected areas are underutilised and that more should be done to encourage visitors. What an eminently sensible report, and one I hope that the Government accepts and adopts.

One of the key points to emerge during evidence to the committee was the claim by the Perisher Ski Resort Chief Executive, Peter Brulisauer, that Kosciuszko National Park, within which the resort is located, lacks tourist facilities. He is right. Mr Brulisauer went on to explain that the resort was managed under the National Parks and Wildlife Act despite the fact, as he pointed out, that Perisher resort was a tourism industry, not a nature conservation exercise. I loved his quotes about the fact that "we blow up rocks, and cut down trees, we put a pipe in the ground, we take water and make snow, people come here by the thousands". Again, he is right. There can be no real argument about his call for a special zoning to recognise the resort's tourism status.

Another witness was the mayor of Broken Hill, who said environmentally sound tourism development in national parks could range from "five star down to camping" because "Isn't a national park there for people to actually understand and have access to the environment rather than locking it up and having no access to it?" Those are just two examples of common-sense suggestions and comments made to the committee. No doubt there are many more good suggestions which, as I said earlier, I hope the Government will accept and adopt—and quickly.

As delighted as I was to read that report, I was equally flabbergasted by a report on our Australian Broadcasting Corporation [ABC] that attacked what it said was "interest groups who are eyeing off our national parks". Apparently, the story was penned by a Victorian man, Mr Peter Lawrence, who was described as an environmentalist and who went on to claim that, "No longer are national parks primarily there to preserve and protect our country's precious natural heritage, but now they must be a venue for a vast array of potentially harmful activities". So who are these people and what are these harmful activities? The story tells us:

Single issue political parties—

Is that the Shooters and Fishers, I wonder?—

some recreationalists and commercial interests are mounting concerted campaigns to promote access to national parks.

Bugger me—access. He said that these campaigns:

... seem to have at their core the presumption that our protected public land is there for their own individual use as they see fit and it is un-Australian to suggest otherwise.

One may ask who these people are. According to Mr Lawrence they include:

... some members of the more radical recreational groups of four-wheel drivers, motor cycle riders, prospectors, hunters and fishermen.

Radical recreational groups—really? He goes on to say that these groups think, "We have a right to be in our parks and we need to unlock these areas for all to use". What is wrong with that, I ask? I often wonder just what planet people who make these sorts of statements come from. I do not think they have a grasp on reality at all. Their idea is that national parks should be declared and locked up and only greenies or fellow travellers allowed in. But according to this story it is not just the radical recreationalists who want to get into national parks. He goes on to say:

We are increasingly seeing areas under threat from commercial interests such as logging, mining and commercial fishing and these groups are generally motivated by the need to make a profit.

He says that as if "profit" was a dirty word. He then dismisses the claims of these companies that they provide jobs in rural areas and that we need to grow the economy if Australia is to survive in the global economy. In closing, perhaps the best thing I can do is to recommend to our ABC that it get a copy of the General Purpose Standing Committee No. 3 report into tourism in New South Wales and stop calling inner-city latte sippers to give supposed expert advice on what is best for others.

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

Motion agreed to.

The House adjourned at 7.04 p.m. until Wednesday 7 May 2014 at 12.00 noon.
