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LEGISLATIVE ASSEMBLY

Wednesday 6 May 2015

The Speaker (The Hon. Shelley Elizabeth Hancock) took the chair at 10.00 a.m.

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Bills

Motion by Mr ANTHONY ROBERTS agreed to:

That standing and sessional orders be suspended to:

- (1) Permit the passage through all stages, at this or any subsequent sitting, of the following bills:
 - (a) Courts and Crimes Legislation Amendment Bill 2015;
 - (b) Independent Commission Against Corruption Amendment (Validation) Bill 2015; and
 - (c) Pesticides Amendment Bill 2015.
- (2) Provide in relation to the Independent Commission Against Corruption (Validation) Bill 2015 for the following speaking time limits to apply on the second reading:
 - (a) Premier's second reading speech – 10 minutes;
 - (b) Leader of the Opposition – 10 minutes;
 - (c) Member for Liverpool – 10 minutes; and
 - (d) Premier in reply – 10 minutes.

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (VALIDATION) BILL 2015

Bill introduced on motion by Mr Mike Baird, read a first time and printed.

Second Reading

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) [10.13 a.m.]: I move:

That this bill be now read a second time.

In simple terms, we will not tolerate corruption in this State, end of story. All previous findings of corruption by the Independent Commission Against Corruption [ICAC] should, and will, stand. While the High Court's recent decision in *ICAC v Cunneen* raises important questions about the ICAC's jurisdiction for the future, it should not provide those who have done the wrong thing in the past with a loophole. We need a strong ICAC, and we

will have one. This Government is committed to upholding and promoting integrity in public administration. A strong ICAC plays a vital role in investigating, exposing and preventing corruption involving or affecting public administration.

Broadly speaking, the ICAC has jurisdiction to investigate and report on allegations or complaints of corrupt conduct by public officials as well as conduct by any person who could adversely affect the exercise of public official functions. However, the recent High Court decision in *ICAC v Cunneen* has determined that the ICAC's jurisdiction is narrower than had previously been understood in relation to conduct that could adversely affect the exercise of public official functions. The majority of the High Court found that for the conduct to be corrupt conduct it must adversely affect the probity of the exercise of public official functions rather than simply the efficacy of the exercise of public official functions.

The High Court decision will potentially affect a large number of past ICAC investigations and findings of corrupt conduct since 1989, which is when the ICAC was first established. This Government has no tolerance for corruption, and where someone has been found to have done the wrong thing they should not be able to get away with it on the basis of a new loophole. The bill does not reverse the High Court's decision; it validates actions and findings of the ICAC before 15 April 2015 where they were based on the previous understanding of the ICAC's jurisdiction. The bill also validates actions taken by other persons or bodies, and legal proceedings, where they rely on the validity of the ICAC'S past actions. This will mean, for example, that the past prosecution, conviction and sentencing of a person, where it arose following an ICAC investigation, will stand.

The bill will also validate the obtaining of evidence and information by the ICAC in the past and will ensure that the ICAC can continue to refer that evidence or information on to other relevant bodies for appropriate action. This will mean that the information gathered by the ICAC can still be used validly by other investigatory or regulatory bodies, such as the NSW Police Force, and used validly in subsequent proceedings, whether disciplinary, civil or criminal.

As I announced yesterday, as well as validating past actions through this bill, the Government has decided to commission an independent panel of experts to review the appropriate scope of the ICAC's jurisdiction. Members will be aware that, following the High Court's decision, the ICAC requested that the Government introduce legislation to broaden the jurisdiction relative to what it had previously understood it to be. In effect, the ICAC recommended that the High Court's decision be reversed, not only to validate past findings but also prospectively.

While the Government appreciates the concerns that have been raised by the ICAC, it is also important to consider the High Court judgement and the issues it raises about the possible unintended consequences if the ICAC's jurisdiction were to be as broad as it had previously thought. Further, the Inspector of the ICAC has cautioned against moving too quickly to change the ICAC's jurisdiction going forward. Accordingly, the Government proposes that a vigorous review be undertaken to assess the impact of the High Court's decision to make recommendations as to what, if any, action is needed to ensure that the ICAC has the most appropriate jurisdiction and powers going forward to prevent, investigate and expose serious corrupt conduct and/or systemic corrupt conduct involving or affecting public authorities and/or public officials.

The independent panel will be chaired by the High Court Chief Justice, the Hon. Murray Gleeson, AC, QC, and will include Mr Bruce McClintock, SC, who conducted a review of the Independent Commission Against Corruption Act in 2005. I thank them both for taking on this task. In light of the High Court's decision in *ICAC v Cunneen*, the panel will be asked to consider and report on: the appropriate scope of the ICAC's jurisdiction, any legislative measures required to provide the ICAC with the appropriate powers to prevent, investigate and expose serious corrupt conduct and/or systemic corrupt conduct involving or affecting public authorities and/or public officials; and whether any limits or enhancements should be applied to the exercise of the ICAC's powers.

The panel will be able to consult with relevant stakeholders and will be specifically requested to consult with the ICAC, the Inspector of the ICAC, the Director of Public Prosecutions, the NSW Police Force, the Police Integrity Commission, the Solicitor-General, and the Crime Commission. The Panel will also consider a report by the Inspector of the ICAC that will include consideration of the conduct of past and current investigations of the ICAC; whether the ICAC's powers, and its exercise of its powers, are consistent with principles of justice and fairness; the extent to which ICAC investigations give rise to prosecution and

conviction; and whether any limits or enhancements, substantive or procedural, should be applied to the exercise of the ICAC's powers. The panel will be asked to report to the Government by 10 July 2015 so that further legislation, if needed, can be introduced later this year.

The bill under review by the independent panel will ensure that we continue to have a strong and effective ICAC. Importantly, the bill before the House will validate not only actions taken by the ICAC in respect of past completed investigations, but also actions already taken by the ICAC in respect of its current investigations. Pending the outcome of the review, it will be a matter for the ICAC to determine whether to finalise and report on those parts of its current investigations that fall within its clear jurisdiction as determined by the High Court, or whether to hold off until the independent panel's review is complete and the Parliament has had an opportunity to consider whether any change to the ICAC's jurisdiction should be made. I appreciate the Opposition's support on this important bill and for removing politics from something that is so important to the future of this State. This legislation has been introduced today because of the urgency of its passage and the Government's steadfast resolve to eradicate corruption from this State. I commend the bill to the House.

Mr LUKE FOLEY (Auburn) [10.20 a.m.]: The Opposition supports the Independent Commission Against Corruption Amendment (Validation) Bill 2015. I concur with the Premier's comments that a degree of urgency surrounds the passage of this bill. It is essential that the Parliament debates and passes this bill in both Houses as swiftly as possible. Indeed, I am advised that yesterday following the Premier's announcement a number of applications were filed in the Supreme Court seeking to overturn past findings of the Independent Commission Against Corruption [ICAC]. That leads us all to understand the urgency of the passage of this legislation through this Parliament.

On 15 April, when the High Court delivered its judgement in the Cunneen case, I said it would be necessary for this Parliament to legislate to ensure that we have a strong and powerful statutory corruption fighter in New South Wales. I also said that the prospect of those characters found to have engaged in corrupt conduct by ICAC forming a conga line to the Supreme Court to have those findings overturned filled me with disgust. I am pleased to say that this legislation will ensure that that cannot happen. As the Premier said, what we are doing here is not overturning the decision of the High Court in the Cunneen matter but acting to validate the decisions taken by ICAC prior to 15 April this year when the High Court delivered its judgement. That is based on the previous understanding that corrupt conduct extended to relevant criminal conduct that adversely affected in any way the exercise of official functions.

With the full support of the Opposition, the Government is establishing a three-step process. The first step is this bill, and the second step is to ask an independent panel, consisting of Murray Gleeson and Bruce McClintock, to examine the powers that ICAC should have from hereon in. The Opposition contends that the Parliament will need to take a third step; that is, it will need to act following consideration of the expert panel's recommendations. This bill is a welcome first step. It ensures that those characters found to have engaged in corrupt conduct cannot wriggle their way out of it; they will not be able to go to the Supreme Court to have their corrupt conduct finding overturned. Indeed, where other legal proceedings have flowed from ICAC's previous reports and findings—prosecutions and convictions in some cases—this Parliament will ensure that they cannot be reversed and that they will be upheld.

There has been much commentary in the three or so weeks since 15 April about what people understand or have understood to be the extent of ICAC's powers concerning corrupt conduct, and a range of views have been put. This is a contested debate; it is not simply the rogues who have put a view that at times ICAC may have gone too far. Many respected members of the legal profession have argued that the commission's powers should be established in a way that ensures they are not almost unlimited. I agree with the Premier that it is sensible to hasten slowly and to ask someone as eminent as Murray Gleeson, together with Bruce McClintock, who previously reviewed the Independent Commission Against Corruption Act in 2005, to examine this debate in great detail and to report back to Parliament with recommendations.

The Opposition is on a unity ticket with the Government on this legislation today and on the establishment of an independent panel. However, it reserves the right to take its own action with regard to future legislation if it thinks that it is warranted. I will seek to work with the Premier in the interests of a strong and powerful statutory corruption fighter in New South Wales. That is very much in the interests of our State. I, as a new party leader, and the Premier, as a newish party leader, have had our challenges arising from the actions of people in and associated with our respective political parties. I feel obliged to ensure that those people from the Labor Party or associated with the party who engaged in conduct held by the Independent Commission Against Corruption to be corrupt cannot get away with it. I take that obligation seriously, which is why I and the party

I lead, the Labor Party, will give full support to this legislation. The shadow Attorney General, Mr Lynch, will make further comments on behalf of the Opposition about some of the legal aspects. I commend the bill to the House.

Mr PAUL LYNCH (Liverpool) [10.27 a.m.]: As the Leader of the Labor Party said, the Opposition supports the Independent Commission Against Corruption Amendment (Validation) Bill 2015. As a preliminary point I acknowledge that the Opposition has raised no objection about the speed with which the bill is being debated.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation.

Mr PAUL LYNCH: On other occasions we might. The Opposition was provided with a copy of the bill yesterday. Given the program yesterday, the Opposition has had time to read it and there is a genuine need to expedite its passage. I understand that an avalanche of applications has been lodged or is about to be lodged in the Supreme Court. There has certainly been media speculation about NuCoal already, so the speed with which this bill is being addressed is entirely appropriate.

The object of the bill is to amend the Independent Commission Against Corruption Act to validate certain previous actions taken by the Independent Commission Against Corruption [ICAC] following the decision of the High Court in the *Independent Commission Against Corruption v Margaret Cunneen and ors* [2015] HCA 14. The starting point for the Labor Party in this debate is that we believe the State needs a powerful anticorruption body with robust powers. The fear is that the High Court decision in Cunneen has the potential to weaken the commission and its necessary role.

This legislation is a good first step in dealing with that danger. It validates the findings of corruption against a range of individuals, many of whom have been associated with previous Ministers and members. The Cunneen matter turned on definitions in the legislation concerning ICAC; in short, whether it had jurisdiction to inquire into the behaviour of not only public officials behaving corruptly but also people who were not public officials but whose behaviour might influence public officials even if those public officials were not themselves corrupt.

The Independent Commission Against Corruption was successful at first instance before Hoeben, Chief Judge at Common Law. That decision, however, was overturned in the Court of Appeal, with Chief Justice Bathurst in dissent. The decision of the Court of Appeal was upheld in the High Court by a four-to-one decision, with Justice Gageler in the minority. The issue was the meaning of the definition in section 8 (2) of the Act. The relevant expression was "adversely affects, or that could adversely affect ... the exercise of official functions by any public official." The core of the High Court decision is set out helpfully at paragraph 2 of the majority judgment by Chief Justice French and Justices Hayne, Kiefel and Nettle, which states:

"Adversely affect" is a protean expression. In this context, however, there are only two possibilities. Either it means adversely affect or could adversely affect the probity of the exercise of an official function or could adversely affect the efficacy of the exercise of an official function by a public official in the sense that the official could exercise the function in a different manner or make a different decision from that which would otherwise be the case.

The High Court clearly preferred the former meaning. The bill before the House, for those who have read it, engages very directly with that language and with those points in the High Court judgement. It validates various actions of ICAC taken before 15 April 2015. That date, of course, is the date of the High Court decision in Cunneen. Validation is achieved through including as corrupt behaviour what is termed "relevant conduct". That is defined to be conduct covered by section 8 (2) of the Act if it adversely affects the efficacy, but not the probity, of the exercise of official functions. That deals very directly with the High Court decision. It applies, as I said, until 15 April and validates the findings of those ICAC reports that have been delivered already. It also validates the processes undertaken in those inquiries that have not been reported, such as Credo and Spicer.

I wish to make several other points. The things that are validated are drafted very broadly. Basically, everything is included. That is a good thing. It means there is no uncertainty, no potential challenge further down the track. New section 35 (4) gives explicit authorisation to refer matters for investigation or other actions to other bodies. So matters that have not yet been reported on may well be the subject of referrals by ICAC to appropriate bodies. That seems to me to be a very sensible approach granted what the rest of the bill will have done. New section 35 (5) removes an obligation to comply with orders, directions or the like after 15 April 2015, if their validity relies upon the amendments in this bill. In practical terms, that means that if an order to produce was served on, say, 10 April but was returnable two weeks later it does not have to be complied with. That is a sensible, but comparatively minor, aspect of the bill.

Of course, a number of objections to the legislation have been voiced already. One of those is that this measure is retrospective and therefore is something that is bad in principle. That objection, it seems to me, is not quite right. The objection to retrospectivity is based upon behaviour that was once legal and subsequently has been decided to be illegal. First of all, the findings of ICAC are not actually about illegality; they are about something different. More than that, they are not now making something inappropriate that was once appropriate. If anything, the High Court is saying that the people or body that can decide whether it is appropriate is no longer the ICAC.

It is not in fact a determination upon behaviour that was the subject of potential findings. To quote former Commissioner Ipp, the High Court has not said that improper or corrupt behaviour has been validated; it is merely making the determination that it is. I note that a range of commentary has been made about that. Gary Sturgess, in particular, said that he would find disturbing any prospect of retrospective changes to section 8 of the type that this bill makes. I think that is entirely wrong, and certainly not an appropriate way to approach the problems that this Parliament now confronts following the Cunneen case.

The other objection that has been given some airing is that, essentially, ICAC got it wrong and should now have to cop the decision that it got from the High Court. There have been various levels of hysteria and over-heated rhetoric around that particular point. I must say that I have found some of the comment particularly inappropriate, or very wrong. Garry Sturgess, once again, described what happened in the interpretation of section 8 (2) as "a phenomenal misuse of their [ICAC's] powers". One of the more conservative commentators described ICAC as a rogue agency that wants to be protected from its unlawful actions. It is almost as though some critics have decided that ICAC actually set out consciously to break the law and had some premeditated plan that it was going to do more than it was allowed to do. That is the tone of some of the commentary. It is absolute nonsense.

It is undoubtedly the case that a large slab of the legal profession thought that ICAC's interpretation of its powers was correct. From my first dealings with ICAC professionally 25 years ago I thought section 8 (2) meant exactly what the minority judgement of the High Court recently said it does. That has been a broad view held by many lawyers and by many, many commentators. It is interesting to note that the 2005 report by Mr McClintock makes very clear that that was his view at the time; and that view was not challenged, as I understand it, by the parliamentary oversight committee or by this Parliament when that report was provided. So to suggest that the overheated rhetoric is accurate is of course entirely wrong. The fact that so many judges adopted a different view from the majority is also an interesting commentary on ICAC's motivations in this matter.

The bill is, as I say, a good first step. The panel inquiry is a very useful way to proceed. There are undoubtedly criticisms of ICAC, and those need to be dealt with in a proper and formal sense. There is also the inquiry by the Inspector of the Independent Commission Against Corruption. I would hope that the report of the panel and the report of the inspector are both made public. I would particularly like the inspector's report to be made public granted he has made a couple of public statements and his statements do not appear to be easily accessible to those who want to get hold of them. Hopefully, that will not apply to his report.

At the end of the process it is essential that we have a robust corruption-fighting body with robust powers. It must also, of course, deal with the issues that are raised in operations Spicer and Credo. I do not believe, for example, that a developer making a donation in breach of the law to an election candidate should not be within the jurisdiction of the Independent Commission Against Corruption. It is frankly ludicrous to suggest to the contrary. This bill is an important first step in dealing with the consequences of the High Court decision in Cunneen. Labor is completely happy to support this bill. We look forward to future steps towards ensuring we have a robust corruption-fighting body with robust powers.

Mr JAMIE PARKER (Balmain) [10.36 a.m.], by leave: I thank the Whips and the House for allowing me to make a brief contribution to debate on the Independent Commission Against Corruption Amendment (Validation) Bill 2015. It is clear that the Independent Commission Against Corruption [ICAC] is a champion of good government and a champion of the people of New South Wales. It is unrivalled in all jurisdictions in this country in terms of its effectiveness and its ability to root out corruption. It is up to us, as the Parliament of this State, to ensure that ICAC can continue in its corruption-fighting role. That is why we Greens—I can now say "we Greens"; hopefully there will be more of us next time—supported ICAC's call to restore its powers. The Government has decided that it will not travel in that direction. We understand that. We will of course support the bill, but we wanted to put on record our views on ICAC because this is a pivotal time for corruption fighting in this State.

I welcome the fact that the bill, introduced by the Premier, will validate the actions of the Independent Commission Against Corruption. That is absolutely critical to ensure integrity in the system and to make sure we do not have a long line of people who have been found by ICAC to be corrupt moving in the courts to have those findings overturned. Also important is the validation of evidence. That is one of the critical elements that the bill deals with. Though it is unfortunate that members have not had time to go through the detail of the bill, as the Premier has outlined, the validation of evidence is critical to our ability to ensure the continued excellent work of the Independent Commission Against Corruption to help uncover corruption in government but also in our institutions.

In our view, it is clear from the terms of reference that there will be some concern. The court indicated that there were problems with jurisdiction and made a ruling to that effect, yet the terms of reference for the panel are very broad. I draw the attention of the House to the breadth of the terms of reference that have been included, not just for the jurisdiction of ICAC but also for whether the ICAC's powers and its exercising of those powers are consistent with the principles of justice and fairness. That kind of language has been used by many in the conservative commentariat who have railed against the ICAC, saying it is a Star Chamber, it is unfair, it is not just and that is why the ICAC's powers should be curbed and limited. The Greens say that the ICAC has proved itself as an effective corruption fighter in this State. We need to maintain not only its jurisdiction but its powers.

Those powers go to the heart of ICAC's ability to root out corruption. In our view the breadth of the independent panel's terms of reference raises some concern, because we fear that it will open the door for more criticism and attempts to potentially limit the substantive or procedural elements of ICAC's powers. As the Premier has outlined, we recognise the very fine members of the panel so we will withhold our judgement until the panel makes its determination. I join the member for Liverpool in calling on the Government to ensure that the panel report is made publicly available so not only the Parliament but also the people of New South Wales can interrogate the report to determine whether the findings are fair and just.

I conclude by thanking the Government for taking action on this matter. The Coalition, including the former Premier, has led on this issue by increasing funding for ICAC to make sure it could undertake its duties, and that needs to be recognised. However, it is important that we get this right. The Greens will support the bill, but it is critical that we do not give space to critics who want to tear ICAC down. We must stand up for ICAC, and it is our view that this Parliament should legislate for what the ICAC requested, which Parliament will not be doing today. Instead of that, let us ensure that this process is clear and accountable, and that the terms of reference are not used as a Trojan Horse to attack this fine institution that deserves the unanimous support of this Parliament.

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) [10.41 a.m.], in reply: I thank the Leader of the Opposition, the member for Liverpool and the member for Balmain for their contributions to the debate, and I note the acknowledgement and support of the Parliament. We note the significance of this moment when a united Parliament is determined to ensure that we have an Independent Commission Against Corruption [ICAC] that is as strong as it can be and when we show that we collectively have zero tolerance for corruption. That is what this State needs, and I am very proud to be part of the Parliament making this principled stand.

The bill in effect validates the past actions of the ICAC, where they have been affected by the High Court decision in *ICAC v Cunneen*. As articulated by the member for Balmain, it also ensures that important information gathered by the ICAC can still be passed on to other appropriate bodies and used for investigation or prosecution on any other relevant actions. This Government will not tolerate corruption in New South Wales, and the bill will make sure that those who have been found to have done the wrong thing will not be able to rely on a new loophole to escape that finding. We look forward to the review and the recommendations that are brought forward by Murray Gleeson, Bruce McClintock and the Inspector of the Independent Commission Against Corruption. We unite in legislating for a stronger ICAC emerging from this process. We are pleased to have the support of all members of this Parliament for the proposals in the bill. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Mike Baird agreed to:

That this bill be now read a third time.

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

CONDUCT OF DIVISIONS

The DEPUTY-SPEAKER (Mr Thomas George): I advise the House that for the purpose of divisions the back two rows of seating of the horseshoe area will be reserved for members supporting the Government, whether voting "aye" or "no".

INAUGURAL SPEECHES

Motion by Mr ANTHONY ROBERTS agreed to:

That the business of the House be interrupted:

- (1) On Wednesday 6 May 2015 at:
 - (a) 12.00 p.m. to permit the presentation of an inaugural speech by the member for Auburn; and
 - (b) 5.50 p.m. to permit the presentation of inaugural speeches by the members for Granville and Londonderry.
- (2) On Thursday 7 May 2015 at:
 - (a) 10.30 a.m. to permit the presentation of inaugural speeches by the members for The Entrance, Gosford and Port Stephens; and
 - (b) 4.30 p.m. to permit the presentation of inaugural speeches by the members for Ku-ring-gai and Seven Hills.
- (3) On Tuesday 12 May 2015 at:
 - (a) 12.30 p.m. to permit the presentation of inaugural speeches by the members for Maitland, Kogarah and Campbelltown;
 - (b) 4.30 p.m. to permit the presentation of inaugural speeches by the members for Upper Hunter and Terrigal; and
 - (c) 5.30 p.m. to permit the presentation of an inaugural speech by the member for Ballina.
- (4) On Wednesday 13 May 2015 at:
 - (a) 11.00 a.m. to permit the presentation of inaugural speeches by the members for Blue Mountains, Lakemba, Oxley and Prospect; and
 - (b) 4.30 p.m. to permit the presentation of inaugural speeches by the members for Macquarie Fields and Summer Hill.
- (5) On Thursday 14 May 2015 at 10.10 a.m. to permit the presentation of inaugural speeches by the members for Swansea, Mount Druitt and Rockdale.

PUBLIC HEALTH (TOBACCO) AMENDMENT (E-CIGARETTES) BILL 2015

Bill introduced on motion by Mrs Jillian Skinner, read a first time and printed.

Second Reading

Mrs JILLIAN SKINNER (North Shore—Minister for Health) [10.46 a.m.]: I move:

That this bill be now read a second time.

I am pleased to bring before the House the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. The bill proposes to amend the Public Health (Tobacco) Act to prohibit the sale of e-cigarettes and e-cigarette

accessories to minors. The popularity and use of e-cigarettes are growing rapidly across the world. Regulators everywhere are faced with the challenge of responding in a way that is balanced and proportionate to the potential risks and possible benefits of these products. There is no conclusive evidence to say whether e-cigarettes help people to quit smoking. And there is a lot we still do not know about e-cigarettes. What we do know, and what we can all agree upon, is that these are not products for minors.

The Government is acting now to protect children and young people from the potential risks that e-cigarettes pose by making sure they cannot be purchased by minors. The New South Wales Government has made great strides in reducing smoking rates and preventing the uptake of smoking by young people. The smoking rate among secondary school students in 2012 was at an all-time low of 7.5 per cent. This is an impressive achievement, which demonstrates the effectiveness of our tobacco control efforts in New South Wales. We need to protect these gains at all costs.

What we are seeing in the United States of America and some other countries across the world is a sharp rise in the use of e-cigarettes by children and young people. Current e-cigarette use tripled among middle and high school students in the United States between 2013 and 2014. Among high school students alone, current use rose from 4.5 per cent to 13.4 per cent in one year, with two million high school students reporting current e-cigarette use in 2014. This figure is of great concern and is a warning to countries like Australia, where e-cigarette use is still low. I am aware of concerns that e-cigarettes will re-normalise tobacco smoking given the similarities that often exist between the two products. While evidence is not conclusive in regard to these concerns, I am sure that we all agree that it is vital that both the Government and the community continue to work to reduce the number of people who smoke and to stop young people and children from becoming addicted to nicotine and smoking.

We must move promptly to protect our young people. To that end, the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015 has been developed. Under the changes it will be an offence to sell an e-cigarette or e-cigarette accessory to a person who is under the age of 18 years. The offence will carry the same maximum penalty as for the sale of a tobacco product to a minor—that is, \$11,000 for an individual or \$55,000 for a corporation, and for repeat offenders \$55,000 for an individual and \$110,000 for a corporation. The bill includes a broad definition of "e-cigarettes" and "e-cigarette accessories" so as to capture any device that releases or generates an aerosol or vapour by electronic means for inhalation in a manner similar to the inhalation of tobacco from a tobacco product. However, the ban will not apply to legitimate stop-smoking aids that meet the definition of "e-cigarette" provided these are registered therapeutic goods or where there is an approval under the Poisons and Therapeutic Goods Act. The definition of "e-cigarettes" under the bill includes devices and liquids that contain nicotine as well as those that do not contain nicotine.

We know there are legitimate concerns that e-cigarettes could cause harm, particularly to children and young people, and the Ministry of Health is monitoring, and will continue to monitor, the evidence about the harms and potential benefits of e-cigarettes. The Government will, if appropriate, bring forward further legislation to regulate the use and sale of e-cigarettes but it is imperative that we act now to ban sales to minors and to prevent children and young people from buying and using e-cigarettes, which could undermine decades of bipartisanship in anti-smoking efforts in New South Wales. I commend the bill to the House.

Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2015

Bill introduced on motion by Ms Gabrielle Upton, read a first time and printed.

Second Reading

Ms GABRIELLE UPTON (Vaucluse—Attorney General) [10.53 a.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Courts and Crimes Legislation Amendment Bill 2015. This bill is part of the Government's regular legislative review and monitoring program, and makes miscellaneous amendments to legislation affecting the operation of the courts and tribunals of New South Wales and other legislation administered by the Attorney General and Minister for Justice. I will now outline each of the amendments in turn.

Schedule 1.1 amends the Children and Young Persons (Care and Protection) Act 1998 to restrict the proceedings in which a risk of harm report can be admitted into evidence before the NSW Civil and Administrative Tribunal [NCAT]. Before the NSW Civil and Administrative Tribunal commenced section 29 of the Children and Young Persons (Care and Protection) Act provided that risk of harm reports could be admitted into evidence only in the Guardianship and Victims Compensation tribunals. Section 29 was unintentionally widened when the Civil and Administrative Legislation (Repeal and Amendment) Act 2013 commenced. As a result, risk of harm reports can now be admitted in all NSW Civil and Administrative Tribunal proceedings. While in practice the NSW Civil and Administrative Tribunal would allow these reports into evidence only where they are relevant, it is important that risk of harm reports remain as confidential as possible. This amendment therefore re-establishes the previous position.

Schedules 1.2, 1.3 and 1.4 contain four amendments to the Civil and Administrative Tribunal Act 2013 and regulations. These amendments were proposed by the President of the NSW Civil and Administrative Tribunal and are minor or technical in nature. The first amendment will allow the NSW Civil and Administrative Tribunal to grant leave for a person to be represented by an Australian legal practitioner without specifying the practitioner by name. Currently, the NSW Civil and Administrative Tribunal Act permits leave to be granted to an identified representative only. This can be inefficient where, for example, a person is represented by Legal Aid and a different solicitor appears on each occasion. The second amendment will permit the NSW Civil and Administrative Tribunal to revoke orders it makes to appoint a person as guardian ad litem for a party to represent a party or that a person be represented separately. There may be situations where it is appropriate to revoke these kinds of orders—for example, if the person is not acting in the person's best interests.

The third amendment replaces references to the "Health Practitioner Division List" with "Health Practitioner List". This clarifies that there is no Health Practitioner Division of the NSW Civil and Administrative Tribunal. It does not make any substantive changes. The fourth amendment to the NSW Civil and Administrative Tribunal Act will allow senior professional members of the Guardianship Division to sit on internal guardianship appeals. The Act currently does not permit these members to hear appeals. This was a drafting oversight. Senior professional members have specialist expertise in guardianship matters and should be permitted to hear internal appeals. Schedule 1.5 contains a minor amendment to section 12 of the Water Act 1912 to correct a drafting oversight. The amendment updates the Water Act to reflect the fact that the NSW Civil and Administrative Tribunal is now responsible for making decisions for the purposes of the section.

Schedule 2 concerns amendments regarding guardianship. Schedules 2.1 and 2.2 contain minor and technical amendments to the Guardianship Act 1987 and Guardianship Regulation 2010 that were proposed by the President of the Guardianship Tribunal prior to its integration with the NSW Civil and Administrative Tribunal. The first amendment will ensure that enduring guardians are included as a party to guardianship applications and reviews of guardianship orders. Currently enduring guardians must make an application for joinder to become a party despite having sufficient interest to be included as a party, partly because their authority to make decisions is suspended by the operation of a guardianship order. This amendment will eliminate the need for these procedural hearings and improve the efficiency of the NSW Civil and Administrative Tribunal.

The second amendment to the Guardianship Act ensures that a person with a power of attorney will be included as a party to applications to review a financial management order or review of an appointment of a manager. Presently attorneys are included in applications for a financial management order but not in applications for a review. An attorney's authority is suspended during the operation of a financial management order and may recommence if the order is revoked. The Government considers they have sufficient interest to be included as a statutory party in relation to reviews.

The third amendment to the Guardianship Act will replace the term "alternative enduring guardian" with the term "substitute enduring guardian". Currently the Guardianship Act allows an instrument of appointment of an enduring guardian to appoint another person to be an alternative enduring guardian who can exercise functions if the original guardian dies, resigns or has an incapacity. The word "alternative" may be misleading to the public as it may imply that either the alternative enduring guardian or the original enduring guardian can exercise functions at any time. This is clarified by replacing the word "alternative" with "substitute".

The fourth amendment to the Guardianship Act 1987 will allow NCAT to proceed as if an application for a guardianship and/or financial management order has been made when reviewing the appointment of an

enduring guardian, without the need to first revoke the appointment. Currently, section 6K of the Guardianship Act provides that on reviewing the appointment of an enduring guardian NCAT may either revoke the appointment or confirm the appointment with or without varying the functions of the enduring guardian. Where NCAT has decided to revoke the appointment of an enduring guardian, it may proceed as if an application for a guardianship and/or financial management order has been made. This amendment will improve section 6K of the Guardianship Act by providing greater flexibility for NCAT to make decisions in the best interests of the appointer, especially where a guardianship or financial management order might be needed for only a short time.

The fifth amendment to the Guardianship Act allows NCAT to renew and vary a guardianship order when reviewing the order. This amendment addresses situations where a person may request NCAT to review a guardianship order close to the end of the term of the order and another review would otherwise be required within a short time period. The sixth amendment to the Guardianship Act will allow people to apply for a financial management order for themselves and will provide that a person subject to a financial management order can apply for the review of an appointment of a financial manager.

The seventh amendment to the Guardianship Act replaces a reference to the now repealed section 68 of the Guardianship Act with a reference to the section that has replaced it, that is, section 61 of the Civil and Administrative Tribunal Act. The eighth amendment to the Guardianship Act will allow for NCAT to review both a financial management order and the appointment of a manager at the same time. Currently, a financial management order and the appointment of the manager are considered to be two separate orders. This causes confusion upon reviews. This amendment will also clarify that the power to vary an order includes the power to insert or remove an exclusion pursuant to section 25E. This will ensure that a tribunal constituted by fewer than three members can insert or remove exclusions upon the review of an order.

The ninth and final amendment to the Guardianship Act will allow NCAT to review the appointment of a manager within a specified time. For example, NCAT may appoint the NSW Trustee and Guardian as a manager to resolve a particular legal and financial issue, with a review within two months if it is considered that a suitable private person could take over once that issue has been resolved. Overall, the amendments to the Guardianship Act will provide NCAT with flexibility to manage guardianship orders by streamlining the tribunal process and will result in improved efficiency.

I turn to schedule 3, which contains amendments concerning acting judicial officers. Schedules 3.1 to 3.8 contain amendments to various court and tribunal Acts. Schedules 3.1, 3.2, 3.3, 3.4 and 3.7 amend the Children's Court Act 1987, the District Court Act 1973, the Drug Court Act 1998, the Dust Diseases Tribunal Act 1989 and the Local Court Act 2007 to enable the Attorney General to appoint a judicial officer who can act as head of jurisdiction for a particular absence or for any absence that occurs from time to time.

All court and tribunal Acts contain provisions that govern who is authorised to act as head of the court during an absence in office. In some cases, either the Governor or the Attorney General must provide a judge with a commission to act. In other cases, default provisions allow the next most senior judge to act if no commission is provided. However, this is not always the case. This can cause difficulties, especially where the head of the court needs to take leave unexpectedly. These amendments will provide the Local Court, the District Court, the Dust Diseases Tribunal, the Drug Court and the Children's Court with consistent provisions regarding acting arrangements. The heads of these courts support the amendments. Not all court and tribunal Acts are being amended. The Coroner's Court, the Workers Compensation Commission and NCAT already have an equivalent provision.

The Chief Justice of the Supreme Court, the Chief Judge of the Land and Environment Court and the President of the Industrial Relations Commission advised that the amendments are not required in their particular courts. Schedule 3.2 to the bill contains an amendment to the District Court Act 1973 that will allow retired judges of the Family Court of Australia to act as judges of the District Court after they reach the age of 72. Currently, section 18 (4A) of the District Court Act permits retired Federal Court judges to act as District Court judges after they turn 72, as well as retired judges of other State and Territory Supreme and County Courts. However, there is no equivalent provision for retired Family Court judges. A number of former Family Court judges hold commissions as acting judges of the District Court. These judges will currently have to leave when they turn 72. This amendment will enable those judges to continue as acting judges after the age of 72 until they reach the age of 77. The Chief Judge of the District Court supports the amendment.

Schedules 3.2, 3.5, 3.6, 3.7 and 3.8 amend the Local Court Act 2007, the District Court Act 1973, the Supreme Court Act 1970, the Industrial Court Act 1996 and the Land Environment Court Act 1979 to enable

acting judges, magistrates and commissioners of the Land and Environment Court to be appointed for a period of up to five years. Currently, acting judges, magistrates and commissioners of the Land and Environment Court can only be appointed for 12-month terms. These appointments can be renewed each year until the statutory age limit is reached. In the Local Court, the District Court, the Industrial Court and the Land and Environment Court the age limit for judges and magistrates is 75.

In the Supreme Court the age limit is 77 where a judge retires at 72. This amendment will enable acting judges, magistrates and commissioners of the Land and Environment Court to be appointed for up to five years. The provision still allows acting judges to be given shorter terms than five years. In order to authorise five-year appointments, the statutory age limit for all acting judges will also be lifted to 77 years. Lifting the acting judge age limit to 77 years will enable highly talented and experienced judges to keep working when they are able and willing to do so.

Schedule 4.1 amends the Crimes (Administration of Sentences) Act 1999 to enable information exchange between the Commissioner of Corrective Services and the Commissioner of Fines Administration. This is limited to information that assists in the exercise of both commissioners' statutory functions. The amendment will permit Corrective Services NSW to disclose certain details about inmates to help the Commissioner of Fines Administration identify which inmates in custody have outstanding fines. The Commissioner of Fines Administration can then take steps to help those inmates, such as delaying fine enforcement action while they are in custody and offering them appropriate payment options.

The amendments will also enable Corrective Services NSW to help eligible inmates make arrangements to work off the value of the fine by undertaking certain programs, treatment and counselling in custody through a work and development order under section 99B of the Fines Act 1996. This is especially important because we know that when people have outstanding debt on leaving prison their chances of reoffending are increased. To achieve this the amendments are intended to override the Privacy and Personal Information Protection Act 1998, which would otherwise prevent Corrective Services NSW from disclosing personal information about inmates for these purposes without their consent. By permitting the sharing of limited information about inmates this amendment will enable relevant agencies and inmates to identify whether there are outstanding fines and to take steps to resolve them. This amendment is modelled on a similar provision already in the Children (Detention Centres) Act 1987.

Schedule 4.2 to the bill contains amendments to the Jury Act 1977 that will enable Roads and Maritime Services to provide customer identification numbers to the Sheriff's Office for the purpose of determining whether a person should be excluded from jury service. Currently, Roads and Maritime Services is authorised to provide the Sheriff's Office with driver licence numbers, but these are not always the same as customer identification numbers. This amendment will enhance the ability of the Sheriff's Office to identify people who are ineligible for jury service because of their criminal history.

Schedule 4.3 to the bill contains several minor amendments to the Land and Environment Court Act 1979. The first amendment will add class 4 proceedings to the classes of proceedings in the Land and Environment Court where a commissioner may assist judges. Class 4 proceedings relate to civil enforcement and judicial review of decisions under planning and environmental laws. The proposed amendment will permit commissioners to assist and advise the judge adjudicating a matter. Commissioners can already do this in classes 1, 2 and 3 of the court's proceedings and this amendment will ensure that commissioners can provide their specialist, non-legal expertise to the benefit of the court in appropriate class 4 matters. The remaining amendments to the Land and Environment Court Act in schedule 4.3 remove several references to repealed legislation in provisions establishing the court's appeal jurisdiction. These references are obsolete as no relevant appeals can now be brought.

I turn to amendments relating to the New South Wales Trustee and Guardian Act 2009. Schedule 4 to the bill contains an amendment to the New South Wales Trustee and Guardian Act to allow the Mental Health Review Tribunal to revoke a financial management order relating to a person who is or was, or has now ceased to be, a forensic patient if satisfied that the person has the capacity to manage his or her own affairs or it is in his or her best interests. In addition, the amendment will ensure that a financial management order for a person who is or was, or has now ceased to be, a civil mental health patient can be revoked by NCAT if it is satisfied that the person has the capacity to manage his or her own affairs or it is in his or her own best interests. This amendment was suggested by the Mental Health Review Tribunal, in part by including a reference to "forensic patient", and it corrects an oversight that occurred when the forensic patient provisions were separated from the civil patient provisions in 2007.

It also enables the tribunal to revoke an order where a person remains in a mental health facility but has not yet been discharged. Managing one's own affairs can be an important step in a patient's rehabilitation and these amendments go to that policy outcome. The proposal parallels the powers set out in section 25P of the Guardianship Act 1987. I turn to amendments relating to the Oaths Act 1900. Schedule 4.5 to the bill contains three minor amendments to the Oaths Act 1900 and clarifies that New South Wales justices of the peace [JPs] may witness statutory declarations and affidavits for use in tribunals and arbitration in Australian jurisdictions other than New South Wales. Currently, the Oaths Act refers to witnessing non-New South Wales statutory declarations and affidavits for use in court proceedings outside New South Wales.

The Crown Solicitor's Office has advised that the word "court" in the Oaths Act should not necessarily be interpreted as including a tribunal. So the first amendment to the Oaths Act clarifies that New South Wales JPs may witness statutory declarations and affidavits intended for use in a tribunal in an Australian jurisdiction outside New South Wales. The second amendment amends the Act so that the documents may be witnessed in New South Wales by JPs for the purposes of any arbitration where it is held in New South Wales or interstate. This clarifying amendment is to avoid any doubt. Section 26 of the Oaths Act currently only authorises JPs to witness statutory declarations interstate where they are required for court proceedings. The third and final amendment to the Oaths Act will authorise New South Wales JPs to witness in New South Wales all types of statutory declarations required for use interstate to ensure that JPs are authorised to witness statutory declarations required for public administrative purposes, as well as for court proceedings.

The amendments are necessary to ensure that JPs in New South Wales may witness affidavits and statutory declarations required for use in Australian jurisdictions outside New South Wales. They will also apply retrospectively to any oaths, affidavits or statutory declarations made or witnessed before the commencement of the amendments made by this bill. That is appropriate so there is certainty. Finally, I turn to the amendments to the Trees (Disputes Between Neighbours) Act 2006. Schedule 4.6 to the bill contains amendments to part 2A of the Trees (Disputes Between Neighbours) Act 2006 to include land zoned rural residential or its current zoning equivalent. Currently, home owners located in rural residential zoned properties have no recourse under the Trees (Disputes Between Neighbours) Act to minimise the impact of high hedges located on neighbouring properties. The only legal option available to rural residential home owners is to sue their neighbour under the tort of nuisance, which can involve large financial costs and lots of time.

The amendment will enable rural residential home owners to make applications to the Land and Environment Court to resolve disputes with neighbours relating to planted hedges that are over the height of 2.5 metres that are causing severe obstruction of sunlight to a window or views. This amendment implements the sole legislative recommendation of the 2013 statutory review of the Trees (Disputes Between Neighbours) Act. It provides rural residential zoned home owners with the same legal remedies afforded to home owners in residential areas, delivering rural residential home owners with a cost-effective means of resolving disputes regarding high hedges. Overall, the amendments in the bill will improve the administration of justice in this State. They will assist the courts and other agencies within the Department of Justice to perform their work more efficiently. I commend the bill to the House.

Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a later hour.

PESTICIDES AMENDMENT BILL 2015

Bill introduced on motion by Mr Mark Speakman, read a first time and printed.

Second Reading

Mr MARK SPEAKMAN (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) [11.15 a.m.]: I move:

That this bill be now read a second time.

I am pleased to introduce the Pesticides Amendment Bill 2015. This bill was debated and passed unanimously by the Legislative Assembly on 12 November 2014. As there was insufficient time for it to be considered by the Legislative Council before the end of the last Parliament, it needs to be reintroduced to this House. The bill remains the same as the 2014 bill except that the commencement of schedules 1.3 and 2.1, which relate to

administration and enforcement, will now occur later this year. Particularly for the benefit of members who are new to this House, I will outline the key features of the bill and its place in the Government's ongoing program to improve New South Wales' environment protection legislation.

Chemical use is an essential part of modern life, so it is also essential that we have legislation that ensures proper chemical usage, storage and disposal. This bill is the first part of a series of reforms to be introduced by this Government to update and strengthen the specialised legislation that the Environment Protection Authority [EPA] uses to manage and prevent adverse impacts from chemical use on human health and the environment. The bill focuses on making amendments to the Pesticides Act 1999 to transfer the system for licensing pest controllers and aerial pesticide applicators, to implement national harmonisation reforms and to improve protection for landholders from pesticide misuse. The bill also makes a number of necessary amendments to update and improve administrative provisions of the Act.

This is a first step. As a next step in this new reform program, in this Parliament the Liberal-Nationals Government will bring forward a bill to thoroughly modernise and update the Environmentally Hazardous Chemicals Act and to achieve more streamlined and effective controls on transport of hazardous waste. That reform proposal will be subject to consultation with industry and the interested community during 2015. I return to the Pesticides Amendment Bill 2015. Currently in New South Wales aerial pesticide applicators are licensed by the EPA and urban pest management technicians and fumigators are licensed by WorkCover NSW. The first part of the bill deals with consolidating the administration of these licences at a single point by transferring the licensing of pest controllers and fumigators from WorkCover NSW to the EPA. By creating a single system for the licensing of these occupations, all pesticide licensing will be administered by the EPA.

This change is in line with national reforms which New South Wales agreed to in May 2013 when all jurisdictions signed an updated Intergovernmental Agreement on Agricultural and Veterinary Chemicals. It is also required because harmonised national work health and safety laws do not cover the licensing of pesticide users. The bill will also improve the public's access to information about businesses that provide these pesticide services. It will require the EPA to keep a register of all licensees, and to make it available to the public, in a way broadly similar to that already done by the NSW Office of Fair Trading for licensed building trades.

This will replace the current requirement for the details of newly issued aerial licences to be published in the New South Wales *Government Gazette*. For pest management technicians and fumigators, the currently used term "certificate of competency" will be replaced by the more generally understood term "licence". As national harmonisation reforms are progressively implemented by all jurisdictions, the bill allows for future regulation changes to specify enhanced mutual recognition arrangements that would allow automatic cross-border recognition of licences. The aim is to create a seamless national licensing scheme that will benefit these occupations and the border communities they serve.

The Commonwealth Government regulates pesticides up until and including the point of sale. The second part of the bill provides amendments to update links to the Commonwealth's agricultural and veterinary chemicals legislation regarding definitions and notices issued by the Australian Pesticides and Veterinary Medicines Authority. These changes ensure the New South Wales Pesticides Act maintains precise alignment of common definitions and recognises notices that affect the status of products under the national assessment and registration scheme for pesticides.

The third part of the bill includes amendments that will improve protection for landholders from pesticide misuse by other persons. The first of these changes will improve existing protection for agricultural landholders where there is evidence of damage to non-target crops due to another person's pesticide misuse that is proven to be wilful, negligent or a result of lack of due diligence. It will clarify that "damage" can include a situation where, for example, a pasture becomes unusable for grazing because of chemical contamination. The second of these amendments extends existing offence provisions regarding on-premises harm to companion animals. This will better protect working dogs and household pets from deliberate or negligent pesticide poisoning by contractors and third parties. These amendments will come into effect later this year so the Environment Protection Authority can first conduct an information campaign to ensure people are familiar with the changes.

Other amendments in the third part of the bill make improvements to tools that can be used for dealing with suspected pesticide residues in produce and provide for enforceable undertakings as an alternative to court proceedings. The New South Wales Pesticides Act and its regulation provide a well-developed framework for preventing problems with pesticide residues in produce by mandating that users follow approved pesticide label

instructions, avoid off-target harm, keep records of pesticide use and have current training in safe chemical use. The amendments to the Act's existing residue notice and order powers simply clarify that these may be used to require laboratory analysis by the person growing or supplying the affected produce. A complimentary amendment allows for future regulation changes to specify consistent approaches for monitoring and analysis of pesticide residues, for example, to coordinate with national residue monitoring programs.

Turning to the amendment to introduce enforceable undertakings into the Pesticide Act, this change will provide an alternative to court action that has been well proven in other environmental legislation. The Environment Protection Authority will be able to enter into an agreement with a person to remedy or restrain breaches of the Pesticides Act. The negotiation of an enforceable undertaking with a person who has breached the Act can avoid unnecessary legal proceedings and result in direct restorative benefit to the community, commensurate or greater than the damage caused by the offence. When necessary, the court may make orders in response to any noncompliance with the terms of the agreement.

The fourth and final part of the bill makes a few miscellaneous amendments. One amendment is to remove references to the Pesticides Implementation Committee [PIC] which completed its work back in 2004, but the Minister will still be able to convene one or more committees to advise on matters relating to the Act. Other provisions deal with savings and transitional arrangements. These will ensure seamless transfer and continuity of licensing functions between WorkCover NSW and the Environment Protection Authority. In conclusion, this bill will provide an improved single point of contact for managing and licensing pesticide-using occupations and allow implementation of agreed national harmonisation reforms. It will also provide improved protections to property occupiers from pesticide misuse and make a number of necessary updates to the administration of the Pesticides Act. I commend the bill to the House.

Debate adjourned on motion by Ms Jodi McKay and set down as an order of the day for a future day.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2015

Second Reading

Debate resumed from an earlier hour.

Mr PAUL LYNCH (Liverpool) [11.25 a.m.]: I lead for the Opposition in debate on the Courts and Crimes Legislation Amendment Bill 2015. Opposition members do not oppose the bill nor do they object to the truncated period that they have had to debate the bill. Apart from one minor matter the bill is identical in terms to a bill with a similar name that was introduced in November last year and second read but the legislative process was not completed. So effectively the Opposition has had notice of this bill since last November. The objects of the bill are to make a number of disparate and miscellaneous amendments to a significant number of pieces of legislation.

The bill is presented by the Government as part of its regular legislative review and monitoring program. The only common thread to the amendments is that they are to legislation administered by the Attorney General. Many of the proposed amendments are characterised by the Attorney in her second reading speech as technical in nature or resulting from a drafting oversight. There are a number of amendments to the Guardianship Act which provide for the NSW Civil and Administrative Tribunal [NCAT] more efficient and streamlined processes relating to guardianship orders. There are a number of amendments concerning judicial officers. Provisions are introduced to allow the Attorney to appoint an acting head of jurisdiction for a particular absence. Some jurisdictions already have these provisions.

There are interesting provisions relating to acting judges, magistrates and other judicial officers. At the moment they can be appointed only for 12-month terms but that will now be increased to five years. The major criticism of the concept of acting judges and magistrates has been that it strikes at the principle of the independence of the judiciary with judicial officers effectively able to be dismissed every 12 months which some people argued was a theoretical rather than a practical problem. Whilst the extension of 12 months to five years does not altogether silence that theoretical criticism, it nonetheless contributes to mitigating or muting it. The bill also lifts the statutory age limit for acting judges from 75 years to 77 years. Granted many acting judges are as competent at the age of 76 as they are at the age of 74, that makes sense. The one difference between this bill and its 2014 incarnation is that the provisions extending the appointment of acting judicial officers from 12 months to five years apply not only to acting judges of the Land and Environment Court but also to acting assessors.

There are provisions that allow the Privacy and Personal Information Protection Act to be overridden to allow what is claimed to be the sharing of limited information about prison inmates between Corrective Services and the Commissioner of Fines Administration. This is to identify which inmates have fines outstanding and to help take steps to resolve those fines. The Jury Act is amended to allow Roads and Maritime Services [RMS] to provide customer identification numbers, in addition to the current permissible driver licence numbers, to the Sheriff to help identify people ineligible for jury service because of a criminal history. There are minor amendments to the Land and Environment Court Act. The New South Wales Trustee and Guardian Act is amended to allow the Mental Health Review Tribunal to revoke a financial management order for someone no longer a forensic patient. The same power goes to NCAT for a civil mental health patient. There are a number of other proposed amendments about which I do not propose to trouble Hansard. The Opposition does not oppose the bill.

Mr GEOFF PROVEST (Tweed) [11.28 a.m.]: Mr Deputy-Speaker I congratulate you on your reappointment as Deputy-Speaker. The ship is in good hands. I make a brief contribution to debate on the Courts and Crimes Legislation Amendment Bill 2015. As the Attorney General pointed out, this bill, which was introduced in the last session of Parliament, seeks to amend and to remove a number of minor pieces of legislation to ensure that this Government and the legal fraternity are given the best tools to administer justice in New South Wales.

Some of these issues affect my area, and I am sure they affect the great area of Lismore as well. The Government introduced the Civil Administrative Tribunal Bill 2012, which established the NSW Civil and Administrative Tribunal, commonly called NCAT, which merged 23 tribunals, including the Consumer Trader and Tenancy Tribunal, the Administrative Decisions Tribunal and others into a one-stop of tribunal service. NCAT commenced operation on 1 January 2014 delivering prompt and accessible civil justice to the people of New South Wales. In the great electorate of Tweed we have more people living in relocatable homes and caravans than there are anywhere else in the State, and the process that many of my constituents had to go through to appear before the tribunal always concerned me.

Following a review of the Residential Tenancies Act, the Government further streamlined the Residential Tenancies Act and gave greater rights not only to tenants but also to owners. I applaud the Government for taking such action. As the Attorney General said, NCAT aims to provide fair, transparent and quick resolutions to civil disputes, and improve access to justice for New South Wales citizens by providing a single and simple point of access for tribunal services. The key objectives of NCAT include improving the quality of tribunal decision-making through consistency in standards, processes and professional development and prompting greater transparency through accountability.

In the first six months of operation NCAT has received more than 39,509 applications and has finalised 40,873 matters. I am sure a great percentage of those applications would come from the north. Over the next 12 months NCAT will continue to look for innovative ways to improve overall performance and user experience. This is a great bill. It represents the first opportunity for the Government to listen to feedback, which I think this Government is renowned for, and implement practical changes to the Civil Administrative Tribunal Act that will endorse and strengthen the objects of the Act.

Further, the bill contains amendments in relation to guardianship. As the Attorney General said, the bill provides for minor and technical amendments to the Guardianship Act 1987 and the Guardianship Regulation 2010 that were proposed by the President of the Guardianship Tribunal prior to its integration into NCAT. These amendments are valid and relate to the great electorate of Lismore and to our area where issues are arising with guardianship of foster children, particularly if they cross over the border to seek medical treatment or education. Recently I was fortunate to have the Minister for Family and Community Services, the Hon. Brad Hazzard, visit my electorate. He took a very hands-on approach with staff from the Department of Family and Community Services and Housing NSW, particularly in relation to guardianship, which they had raised on a number of occasions. I am very pleased that these amendments have been brought forward.

The bill also contains judicial amendments, as noted and set out by the Attorney General. The amendment provides for retired judges of the Family Court of Australia to act as judges of the District Court after they reach the statutory age of retirement. This amendment will provide the District Court with greater flexibility to ensure judicial officers are able to be appointed beyond the statutory age of 72 up to a new limit of 77 years of age. There is hope yet for us, Mr Deputy-Speaker. This amendment will provide consistency with Supreme Court appointments, and give the Chief Judge wider discretion to appoint retired judges of the Family

Court of Australia to act as judges of the District Court. Once again, this reflects our commitment to provide excellence in decision-making in the District Court. The bill will ensure that the skills and experience of retired Family Court judges continue to be used once they pass the age of 72.

Corrective Services NSW is an integral part of the criminal justice system and is committed to the delivery of quality professional correctional services and programs to reduce the risk of re-offending and enhance public safety. Many of the Corrective Services NSW functions, such as managing correctional centres, arise under the Crimes (Administration of Sentences) Act 1999. The proposed amendment will permit the Commissioner of Corrective Services to share information with the Commissioner of Fines Administration about inmates. The Commissioner of Fines can then identify any outstanding fines of inmates. Once again, this is a very important change.

Finally, schedule 4.3 amends the Land and Environment Court Act 1979 to enable courts to be assisted by the commissioner in class 4 proceedings and removes reference to repealed legislation. I also note that the Attorney General mentioned minor amendments to the Trees (Disputes Between Neighbours) Act 2009, particularly in relation to residential Acts and rural properties. The great electorate of Lismore has many rural properties bordering residential buildings. The Deputy-Speaker's office is probably similar to mine in that often a week does not go by when we are not dealing with a neighbour dispute about a tree overhanging a fence or something of that nature. I applaud that move in that area. As stated earlier, I think it is going to make the law far more accessible, far more transparent and far more simple for the wider population of New South Wales to understand. Therefore, I commend the bill to the House.

Mr DAMIEN TUDEHOPE (Epping) [11.36 a.m.]: It is great to be here to contribute to the work of this place. I also support the Courts and Crimes Legislation Amendment Bill 2015. I endorse the observations that were made by the Attorney General. I compliment the Attorney General's office for the work that it does in constantly reviewing the legislation. Generally these bills are uncontroversial and they simplify many of the issues that arise in the administration of justice.

The NSW Civil and Administrative Tribunal [NCAT] is one of the great success stories of the Coalition Government. Prior to the delivery of NCAT numerous tribunals existed in this State, from the Podiatry Tribunal to the plethora of health tribunals, building tribunals and the like. Many former governments had sought to amalgamate or simplify those tribunals by bringing them under one administration. It is to the great credit of the former Attorney General, the Hon. Greg Smith, that he was able to convince many of the jurisdictions to relinquish their hold on those tribunals and present a simplified system of the administration of justice for the people of New South Wales. We now have a common system with simplified forms and delivery. It is rightly referred to as a one-stop shop.

The Government, correctly, accepts many accolades for the delivery of service to New South Wales. In line with exactly the delivery of that great service, NCAT provides a similar service in relation to the administration of justice. When the President of NCAT, Mr Justice Robertson Wright, seeks small changes to the manner in which NCAT operates, it is a reflection on the teething problems that the new tribunal is currently facing. The figures show that 40,000 matters have been disposed of, representing the second-largest number of matters litigated, outside the Local Court, before any court in this country. Therefore, it is expected that simplifications will need to be made. Another important part of the bill is the amendment to that aspect of NCAT relating to the Guardianship Tribunal, which forms a significant part of NCAT and occupies approximately 14 per cent of the matters that it hears. We live in an increasingly ageing population, and the number of matters involving others needing to look after people's affairs is an increasing and important issue.

In deference to my profession, which is the legal profession, we are not doing enough to encourage people to plan for their future. This gives rise to family disputes where families are often torn apart in seeking to plan for the future of a loved one. That necessitates applications to the Guardianship Tribunal for the purposes of making orders. This leads me to reflect on a matter in which I was involved that was possibly one of the more leading cases on the interpretation of powers of attorney, the case of *Szozda and ors v Szozda and anor*. In that case the person made a power of attorney, but there was a serious dispute as to whether the person had the capacity to do so at that time. The matter ended up in the Supreme Court and cost the parties and family involved in excess of \$200,000 in litigation fees. It is a matter of great concern that families become involved in these sorts of arguments when looking after loved ones in their later years.

I take this opportunity to urge people to make provision for their future in the event that they are incapacitated either through old age or being involved in a car accident or the like. The amendments to the

Guardianship Act and Guardianship Tribunal will give the tribunal more power to resolve disputes between parties by allowing people appointed as enduring guardians to be automatically part of the process. Families in dispute may find themselves in conflict with someone who has been appointed an enduring guardian and an application to the Guardianship Tribunal may suspend the appointment of the enduring guardian and put the person's affairs in a vacuum. The enduring guardian may not be aware that the application is before the tribunal. These amendments make it imperative that the person appointed as the enduring guardian be a party to the proceedings. It short-circuits the process of having to find the person or the person having to make an application to the tribunal to seek to be added as a party to the proceedings.

I encourage people to go to the website *planningaheadtools.com.au*, which assists people to make provision for their future. I refer also to the amendments that relate to the sharing of information between Corrective Services NSW and the Commissioner of Fines Administration under the Fines Act. Work and development orders were another great initiative of the former Government. These allow people who have incurred a large number of fines to work off those fines rather than being involved in a perpetual cycle of licence disqualification. The process gives people the opportunity to obtain counselling or health treatment, and was a serious initiative of the former Government to enable people to get out of the cycle of fines.

There are circumstances in which people involved in driving offences have received fine after fine, lost their licence, have driven unlicensed, incurred more fines for driving unlicensed and ended up in jail. This measure is an alternative to custody. People have the opportunity to work off the fine and receive counselling or health treatment, which gives them the opportunity to start again. The same applies to people in jail. It is dreadful that people leaving jail may find themselves with a significant number of fines that they have not repaid and do not have the resources to repay. If Corrective Services is aware of the fines system it could set up work and development orders within the corrective services system. It is common sense to have such a system so that people leaving custody do not have fines hanging over their heads that could lead them into a cycle of reoffending. There are many other matters covered by the bill. All of them are procedural matters and all of them bear the endorsement of this place. I commend the bill to the House.

Ms MELANIE GIBBONS (Holsworthy) [11.46 a.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015, which makes amendments to court-related legislation and other legislation administered by the Attorney General. This bill is an important part of the Government's continued legislative review and monitoring program, which aims to create greater efficiencies across the portfolios of the Attorney General, Minister for Justice and Minister for Corrections. While the majority of amendments are minor and technical in nature the bill will provide a valuable opportunity for the Government to rectify and improve court and administrative procedures.

I will focus on the amendments relating to the way in which guardianship matters are managed by the Guardianship Act. I note that the Attorney General spent a great deal of her speech talking about guardianship as well. As the Attorney General stated, schedule 2 to the bill provides minor and technical amendments to the Guardianship Act 1987 and Guardianship Regulation 2010 that were proposed by the President of the Guardianship Tribunal prior to integration into the NSW Civil and Administrative Tribunal [NCAT]. People who use the services of the Guardianship Division are some of the most vulnerable members of our community.

Importantly, NCAT aims to ensure clients with additional needs receive the necessary assistance they may need to access its services. This includes promoting flexible hearing options such as wheelchair accessible hearing rooms and hearings by telephone or videoconference, free interpreter services for hearings—including Auslan interpreters—hearing loop access in tribunal hearing venues upon request and the promotion of the National Relay Service for parties with hearing or speech impairments. With my background in the disability sector, I believe this particular amendment is quite significant and one that should make a real difference to those who need it.

Furthermore, the Guardianship Division exercises a protective jurisdiction in relation to people who do not have the capacity to assess important decisions in their lives. It appoints guardians and financial managers and can also provide consent for treatment by a doctor or dentist when a person does not have the capacity to do so themselves. It also deals with enduring powers of attorney and enduring guardianship appointments. All applications in the division are reviewed on receipt to determine whether the application identifies any risk to which the person who is the subject of the application might be exposed.

The Government is committed to ensuring that NCAT has flexible and informal procedures that assist tribunals to provide a quicker and cheaper alternative to the courts for guardianship matters. This includes

ensuring that the Guardianship Division operates an after-hours service to respond to urgent applications that require hearing outside business hours. In its first six months of operation, NCAT has received more than 5,610 applications for guardianship matters, which represents 14.2 per cent of all NCAT matters. Since its integration with NCAT, the Government has monitored and consulted closely with the Guardianship Division, advocacy groups and peak bodies to ensure that NCAT delivers the same high level of service that the community has come to expect from the division.

The minor amendments to the Guardianship Act will enhance the flexibility and efficiency of NCAT, and provide clarity to the public about substitute guardians. In the past enduring guardians and powers of attorney have had to make separate applications to ensure they are included as parties to matters relating to guardianship orders and financial management orders. This is a laborious and frustrating process for enduring guardians and powers of attorney to undertake. The removal of these procedural inefficiencies will enhance the user experience in NCAT, as well as support the whole-of-government policy to reduce the administrative burden for the citizens of New South Wales. Since 1 January 2014, NCAT has improved services for the community in guardianship matters. The Government is committed to improving access to NCAT and the overall quality of our tribunals. I am pleased to see that the amendments in this bill will remove unnecessary procedural hearings and streamline processes. It will enable the Guardianship Division to improve efficiency and ensure that matters are finalised more quickly.

I note other minor amendments to the Children's Court Act 1987, the District Court Act 1973, the Drug Court Act 1998, the Dust Diseases Tribunal Act 1989 and the Local Court Act 2007 to provide authority for the Attorney General to appoint a person to act as head of jurisdiction when appropriate. These amendments will enable courts and tribunals to be more flexible when managing the appointment of judicial officers as well as to ensure that an authorised person can act as head of jurisdiction on a temporary basis when needed. For those incarcerated with fines pending, amendments to the Crimes (Administration of Sentences) Act 1999 will permit information sharing between Corrective Services NSW and fines administration, and will provide for those fines to be suspended while they are in custody. There will also be provisions for those eligible to work off the fines through a work and development order.

This is a positive step towards helping those in custody to get on top of their situation once released, instead of accruing further costs and potentially causing further disadvantage in the future. Once they have done their time, if inmates are able to return to their communities with a clean slate they will have a better future and stronger foundations on which to rebuild their lives. Changes to the Jury Act 1977 will enable Roads and Maritime Services to provide the Sheriff's Office with customer identification numbers to assess their eligibility for jury duty. This amendment was designed to allow the Sheriff's Office to review a person's driver licence number and to determine whether that person has any prior criminal offences. This will enable the Sheriff's Office to determine quickly whether a person should be excluded from jury service. Suitable jurors are not always easy to find, so this amendment will help to reduce the number of those selected who are ultimately ineligible and to improve the efficiency of selecting suitable jurors.

Through my involvement in the Parliamentary Friends of Mental Illness and the Schizophrenia Fellowship I have heard many stories about the need for intervention in times of crisis. This may be to force admission to a hospital for someone's personal safety or to assume control over their finances for their protection. However, once the crisis has subsided and an individual is able to resume responsibility for their own affairs, it is not always appropriate to continue to manage an individual's life. The Government recognises that such orders should not always be permanent and that there should be powers available in individual cases to remove such orders. In response to this, amendments to the NSW Trustee and Guardian Act 2009 will give the Mental Health Review Tribunal the power to revoke a forensic patient's financial management order when it is satisfied that the patient has the capacity to manage his or her own affairs. The bill will provide flexibility to New South Wales courts and tribunals to improve court processes and to apply resources more efficiently.

In line with the Government's commitment to reduce red tape and the administrative burden on the community, this bill will make it easier for people to manage their civil matters in the New South Wales justice system. Overall, this bill will lead to a more positive outcome for the community in dealing with NSW Courts and Tribunal Services. The reforms support the Government's approach to creating a justice system in which the community can have confidence, and one that is faster and more accessible. I am pleased to see that the Government has made these amendments to improve the way courts-related legislation is administered by the Attorney General and to ensure that it is operating as intended. I thank the Attorney General and her staff for their work on this legislation and I commend the bill to the House.

Mrs TANYA DAVIES (Mulgoa—Parliamentary Secretary) [11.54 a.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015. As has been said, the bill makes amendments to courts-related legislation and other legislation administered by the Attorney General to ensure it is operating as intended. This bill was introduced by the former Attorney General on 12 November 2014, but it lapsed on 2 February 2015. It has been re-introduced with an additional amendment to schedule 3.6 to enable acting commissioners of the Land and Environment Court to serve for up to five years like other judicial officers.

This bill makes minor amendments to a number of Acts, but I will focus on only a few that are important to me and my electorate. The Children and Young Persons Care and Protection Act 1998 was enacted to allow risk-of-harm reports to be admitted into evidence in proceedings in guardianship and victims compensation tribunals before the NSW Civil and Administrative Tribunal [NCAT]. This bill remedies a small drafting error relating to those reports being made available to a larger range of proceedings. The amendment will ensure that risk-of-harm reports remain as confidential as possible and re-establish the position before the commencement of NCAT.

In 2012 the Government introduced the Civil and Administrative Tribunal Bill to establish the New South Wales Civil and Administrative Tribunal. That involved the merging of 23 tribunals, including the Consumer, Trader and Tenancy Tribunal, the Administrative Decisions Tribunal and other bodies, into a one-stop shop for tribunal services. NCAT commenced providing services on 1 January 2014. It delivers prompt and accessible civil justice to the people of New South Wales. NCAT aims to provide fair, transparent and quick resolution to civil disputes and to improve access to justice for the citizens of this State by providing a single, simple point of access for tribunal services. The tribunal's establishment has provided the Government with a once-in-a-generation opportunity to create a new and innovative agency that can make a real and positive difference to the lives of tens of thousands of citizens in this State. NCAT's key objectives include improving the quality of tribunal decision-making through consistency in standards, processes and professional development, and providing greater transparency and accountability.

In its first six months in operation, NCAT has received more than 39,509 applications, finalised 40,873 matters and conducted more than 51,400 hearings. That is a phenomenal achievement in its first six months of operation. Over the next 12 months, NCAT will continue to look for new and innovative ways to improve its overall performance and user experience. It will expand online services trialling innovative online dispute resolution tools. It will also provide tribunal users with a cost-effective and efficient internal appeals mechanism, and consistent professional development and training for members. This bill represents the first opportunity for the Government to listen to feedback and to implement practical changes to the Civil and Administrative Tribunal Act that will endorse and strengthen its objectives.

The amendments in schedule 1 to the bill were requested by the President of NCAT and will provide significant improvements to the operation of the tribunal on a day-to-day basis. As the Attorney General has said, the amendments will allow a person to be represented by various legal practitioners, enable NCAT to revoke orders regarding the representation of a party or a person, replace references to the "health practitioner division list" with a "health practitioner list" and permit senior professional members of the guardianship division to sit on appeals. These practical amendments will help to ensure that NCAT continues to be accessible, efficient and accountable. The Government has listened to the President of NCAT and stakeholders and is delivering enhancements to the Act to ensure that NCAT can continue to be at the forefront of positive decision-making for the New South Wales community. The amendments are further evidence of the New South Wales Liberal-Nationals Government's commitment to improving court and tribunal efficiency through practical legislative development.

Schedule 4.1 to the Courts and Crimes Legislation Amendment Bill 2015 seeks to amend the Crimes (Administration of Sentences) Act 1999 to permit information-sharing between Corrective Services NSW and the Commissioner of Fines Administration to allow fines to be suspended while inmates are in custody and ineligible to undertake a work and development order to work off the fine. This amendment will enable inmates to have a clean slate when they are released from custody and make a more productive contribution to their community. This amendment is particularly important to me as last week I had the pleasure of visiting an organisation called Christ Mission Possible, run by Martin and Georgina Beckett. Christ Mission Possible operates facilities in St Marys, in Kingswood and in Penrith. One of its main aims is to assist in feeding the homeless as well as feeding those on very low incomes or from low socio-economic backgrounds. During my visit I had the pleasure of meeting a number of volunteers, some of who had come to the organisation seeking assistance to get enough food for themselves and their families.

The SPEAKER: Order! Opposition members will come to order.

Mrs TANYA DAVIES: The gentleman I met was volunteering almost every day because he felt warmly welcomed by this community. The community enabled him to participate in one of the work and development order programs to pay off his fines. If Christ Mission Possible had not given him this opportunity, he would still be burdened with his fines and would be unable to find a way to pay them. This gentleman seriously wants to contribute to our community.

Schedule 4.2 to the bill seeks to amend the Jury Act 1977 to provide the Office of the Sheriff with customer identification numbers from Roads and Maritime Services to assess people's eligibility for jury service. This amendment will allow the Office of the Sheriff to review a person's driver licence number and determine whether they have any prior criminal offences. This will allow the Office of the Sheriff to determine quickly whether a person should be excluded from jury service. In totality, the bill will give New South Wales courts and tribunals the flexibility to improve overall court processes and apply resources more efficiently. In line with the Government's commitment to reducing red tape and the administrative burden on the community, the bill will make it easier for people to manage their civil matters in the New South Wales justice system.

Overall, this bill will lead to more positive outcomes for the community in dealing with the New South Wales courts and tribunal services. The reforms support the Government's approach to creating a justice system that the community can have confidence in, one that is faster and more accessible. This bill supports the Government's goal to reduce red tape and increase efficiency by making government departments respond to the people, rather than people being required to respond to government demands. The Government aims to create a seamless interaction between government services and the people of this State to continue to make New South Wales a desirable place to live, work and raise families. I commend the bill to the House.

Debate adjourned on motion by Mrs Noreen Hay and set down as an order of the day for a later hour.

Pursuant to resolution inaugural speeches proceeded with.

INAUGURAL SPEECHES

Mr LUKE FOLEY (Auburn) [12.00 p.m.] (Inaugural Speech): On 1 September 2010 I delivered my inaugural speech as a member of the Parliament of New South Wales. I refer honourable members to it. That speech speaks for itself. It tells a story of my values and what I believe in. I feel no need to retell that story today. What I do intend to do is to make some remarks about the electoral district of Auburn and its people who have sent me to this place as their representative.

My uncle Brian Jackson, my mother's brother, was like a father to me for most of my childhood years. His best mate was Peter Cox. They worked together at the old Department of Motor Transport at Rosebery, before Peter Cox entered this place in 1965. He served eight terms as the member for Auburn. He crafted Labor's transport policy that was such a major vote-winner in the 1976 election campaign that returned Labor to government and brought Neville Wran to the premiership. Peter Cox then served as a Cabinet Minister for every day of Labor's 12-year period in government, until he retired at the 1988 election. Peter Cox was the first Labor politician I ever met. He sat with me at my uncle's funeral; I was 15 years old. I attended Peter's funeral in 2008. Peter Cox is one of the finest men I have ever met, the very best of old Labor. Never did I dream that I would one day succeed him as the member for Auburn. It is an honour beyond words to follow in Peter Cox's footsteps.

Jack Lang also served eight terms in this place as the member for Auburn, in addition to two terms as the member for Granville and three as the member for Parramatta. The contest for history inside the Labor Party between the admirers and the critics of Lang has never ended. Suffice to say that it is Bill McKell's portrait, not Lang's, that hangs on the office wall of the current leader of the State parliamentary Labor Party. But Lang's contribution to the histories of Auburn, the Labor Party and the State of New South Wales can never be denied. Whatever your view of Jack Lang—whether you consider him saint or villain—his place as a giant in the history of our State and its politics cannot be denied. Of course, Lang lies today in his eternal rest at Rookwood Cemetery in the heart of the Auburn electorate.

I want to pay tribute to my immediate predecessor as member for Auburn and dear friend, Barbara Perry. The very first person who suggested to me that I might one day contest Auburn for the Labor Party was Barbara Perry. In fact, she badgered me on the matter for some years and she eventually got her way, although not in the circumstances that either of us envisaged.

For 14 years Barbara was a loved representative of Auburn, the place where she grew up and has spent all of her life. Barbara's commitment to her local community and this State is unquestionable. As a local member she worked her heart out—upgrading Auburn railway station, securing new resources for Lidcombe TAFE and working hard with local religious and community leaders to hold this multicultural cornerstone of our city together in the aftermath of September 11, 2001. When it comes to legacies, they will not have to build a monument to Barbara because it is already there: the Auburn Hospital. When Barbara was elected in 2001 the Department of Health was planning to close the Auburn Hospital. Barbara not only turned around that decision, she secured a \$160 million rebuild of the Auburn Hospital from the ground up. She has been a truly wonderful advocate for her local community, leaving shoes that are impossible to fill. She will continue to be an indispensable source of counsel to me as member for Auburn.

There is not enough time to thank the very large number of people who helped in my Auburn campaign. They were there; I was not—I was everywhere but Auburn for 12 weeks. Very briefly, I want to place on record my appreciation to Barbara Perry, Clayton James, Donna Davis, Felix Eldridge, Michael Ng, Kun Huang, Councillor George Campbell and the many branch members and community members who worked tirelessly on the Labor campaign for Auburn. Today, Auburn is a very different place to the one served by Jack Lang and even Peter Cox. The district is home to the highest proportion of residents born overseas and residents born in non-English speaking countries. Literally scores of diverse multicultural communities exist within the borders of Auburn. A multitude of religious faiths co-exist in harmony. On any given street one might find a mosque, a temple or a church. In its cheerful embrace of multiculturalism, its egalitarian and aspirational culture, Auburn truly reflects the diversity of our great city and nation.

As the local member I am keenly aware that Auburn faces many major health, education, transport and developmental pressures. It is a community that will require careful planning and attention from government. Of the 350,000 additional new school places we will need to find by 2031, 6,000 of them will be in Auburn. I see it as my duty to ensure that as the population expands the investment from government keeps pace, and that new housing must be accompanied by new amenities and infrastructure. No longer can we tolerate unemployment and youth unemployment numbers in Auburn that are well above the State average, or the fact that Auburn has the second-lowest rate of female workforce participation of any electoral district in New South Wales.

The Government's plan to move the Rural Fire Service from its settled headquarters at Olympic Park to make way for an urban activation precinct is ill advised. Our Rural Fire Service is perhaps the best in the world and does not deserve this dislocation. As the Auburn community struggles to get to work on congested roads, we cannot afford the current cuts to rail services at Granville and the overcrowding that now occurs at Lidcombe station. Middle-ring Sydney communities such as Auburn represent the heart of Sydney, and when the heart is strong our city is strong. Delivering services worthy of our growing community and helping the people of Auburn to reach their full potential will be a priority of mine, whatever else I do, over the next four years.

It was with pride and humility that on 5 January this year I was elected to lead Australia's oldest and most storied political party: New South Wales Labor. Labor has governed New South Wales for the clear majority of the past 100 years. Labor governments have achieved humane and civilising reforms that have made New South Wales perhaps the most harmonious, prosperous and fair society anywhere on earth. Yet a glorious past does not guarantee the Labor Party any sort of future, and nor should it. Labor must be relevant to the here and now; Labor must earn its future, and under my leadership we will.

The vision I outlined for New South Wales when I assumed leadership of the Labor Party was this: I want New South Wales to be the great economic powerhouse of Australia, the great employment generator in our nation and, at the same time, Australia's social conscience. The revived and revitalised State parliamentary Labor Party that I now lead will be an effective opposition in this Parliament, and I am determined that we will also become a credible alternative government. As leader of the alternative government of this State, I feel an obligation to offer an alternative program to the people over the years ahead. Over this term we will review our policies and challenge ourselves to develop new initiatives to address the challenges facing our State today. I am determined that the Labor Party I lead will be a party of solutions and never a mere party of protest.

I thank the people of New South Wales for bringing Labor back to relevance at the March election. I am proud to lead a revived New South Wales Labor Party. I am proud of the 20 new Labor members who have entered the Fifty-sixth Parliament. Labor's journey of renewal and change must continue. Under my leadership the New South Wales Labor Party will always be guided by our timeless Labor values: a fair go for all, a decent life for everyone and a helping hand to those who need it most in life. I thank the House for its courtesy.

The SPEAKER: Order! Thank you and congratulations to the Leader of the Opposition.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2015**Second Reading****Debate resumed from an earlier hour.**

Mr JOHN SIDOTI (Drummoyne—Parliamentary Secretary) [12.21 p.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015, which makes a number of amendments to the NSW Civil and Administrative Tribunal [NCAT], guardianship, the judiciary and Corrective Services. The bill will provide flexibility to New South Wales courts and tribunals to improve overall court processes and to apply resources more efficiently. It will also reduce red tape—we talk a lot about that in this place—and remove administrative burdens from our community. I turn now to the NCAT amendments. As the Attorney General said, in 2012 the Government introduced the Civil and Administrative Tribunal Bill 2012, which established the NSW Civil and Administrative Tribunal. NCAT merged a number of tribunals, including the Consumer, Trader and Tenancy Tribunal and the Administrative Decisions Tribunal into a one-stop shop for tribunal services.

NCAT, which commenced on 1 January 2014, delivers prompt and accessible civil justice to the people of New South Wales. That is something we all like to see. NCAT aims to provide fair, transparent and quick resolutions to civil disputes and improve access to justice for New South Wales citizens by providing a single, simple point of access for tribunal services. In its first six months of operation NCAT received thousands of applications, finalised thousands of matters and conducted more than 51,000 hearings. That work will continue over the next 12 months. That is a great incentive to have these issues resolved. NCAT will be expanding its online services and trialling innovative online dispute resolution tools, providing tribunal users with a cost-effective and efficient internal appeals mechanism. In the end, it provides an opportunity to help the most vulnerable in our community.

The bill represents the first opportunity for the Government to listen to feedback and implement practical changes to the Civil and Administrative Tribunal Act that will strengthen the objectives of the Act. These practical amendments will help to ensure that NCAT continues to be accessible, efficient and accountable. The Government has listened to the President of NCAT and stakeholders, and is delivering enhancements to the Act to ensure that NCAT can continue to be at the forefront of positive decision-making for the New South Wales community. I turn now to the amendments to the New South Wales Trustee and Guardian Act. The people who use the services of the Guardianship Division are some of the most vulnerable in our community. NCAT aims to ensure that clients with additional needs receive the necessary assistance for their services. This includes promoting flexible hearing options.

Also, the Guardianship Division exercises a protective jurisdiction in relation to people who do not have the capacity to assess important decisions in their lives. It appoints guardians and financial managers and can provide consent for treatment by a doctor or a dentist when a person does not have the capacity to do so themselves. It also ensures power of attorney and enduring guardianship appointments. The bill makes a number of minor amendments to the Guardianship Act to enhance the flexibility and efficiency of NCAT to provide clarity for the public about substitute guardians. Overall, the amendments in the bill will remove unnecessary procedural hearings and streamline processes to allow the Guardianship Division to improve efficiency, ensuring that matters are finalised more quickly.

Other speakers have referred to the amendments to the judiciary. As noted by the Attorney General, the bill proposes a number of amendments in that area that will lead to greater efficiency in court and tribunal services. These amendments are set out in schedules 3.1 to 3.8 to the bill, and will extend the age limit of retired judges. The bill also does a number of things in that area. The amendments will create consistency across the courts throughout New South Wales and provide greater flexibility to making appointments. This is another example of the Government's commitment to taking steps to improving flexibility in the New South Wales courts system while ensuring that the system retains valuable experience and expertise.

A number of amendments have been made to Corrective Services in terms of information sharing. Corrective Services NSW is an integral part of the criminal justice system, and is committed to the delivery of quality, professional corrective services, including programs to reduce the risk of reoffending and enhance public safety. Corrective Services NSW works in partnership with other government and community agencies to ensure effective service and support for inmates, offenders and their families. Overall, the bill provides many efficiencies and offers flexibility in many different areas. In general, the bill is an important part of the Government's continued legislative review and monitoring program, which aims to create greater efficiencies

across the portfolios of the Attorney General, Minister for Justice and Minister for Corrections. While the majority of amendments in the bill are minor and technical in nature, the bill offers a valuable opportunity for the Government to rectify and improve court processes and administrative procedures. On that note, I commend the bill to the House.

Ms ELENi PETINOS (Miranda) [12.27 p.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015. I thank the House for the opportunity to speak so soon after my maiden speech about this important component of the Government's ongoing legislative review and monitoring program to ensure the most effective operation of the courts and tribunals in New South Wales, in addition to continuing the Government's commitment to fairness in our judicial and corrective services system. Recently the Attorney General was quoted in the *Australian Financial Review* as saying that a critical pillar of our democratic society is a faster, more efficient justice system. I concur with the Attorney General's comments and confirm that her belief is supported and enhanced by the amendments in this bill. I turn now to the amendments in the bill, starting with the NSW Civil and Administrative Tribunal [NCAT] amendments.

As the Attorney General said, the bill is part of the Government's regular legislative review and monitoring program, which aims to improve the efficiency of New South Wales courts and tribunals. NCAT merged 23 tribunals, including the Consumer, Trader and Tenancy Tribunal and the Administrative Decisions Tribunal and other bodies in a one-stop shop for tribunal services. Having had experience with them, I can say that it is a much more efficient and well-supported process for legal practitioners.

NCAT aims to provide fair, transparent and quick resolution to civil disputes and improve access to justice for New South Wales citizens by providing a single, simple point of access for tribunal services. The key objectives of NCAT include improving the quality of tribunal decision-making through consistency in standards, processes and professional development and promoting greater transparency and accountability. It is of note that in its first six months alone NCAT received more than 39,509 applications, finalised 40,873 matters and conducted more than 51,400 hearings. During the next 12 months NCAT will continue to look for new and innovative ways to improve overall performance and user experiences.

The bill represents the first opportunity for the Government to listen to feedback and implement practical changes to the Civil and Administrative Tribunal Act that will endorse and strengthen the objectives of the Act. As outlined by the Attorney General previously, the amendments will allow a person to be represented by various legal practitioners, enable NCAT to revoke orders regarding the representation of a party or person, replace references to the "Health Practitioner Division List" with "Health Practitioner List"; and permit senior professional members of the Guardianship Division to sit on appeals. All those things will help to ensure that NCAT continues to be accessible, efficient and accountable. These are very practical amendments. The amendments are further evidence of the Government's commitment to improve court and tribunal efficiency through practical legislative development.

I turn now to the guardianship amendments. People who use the services of the Guardianship Division are some of the most vulnerable members of our community and it is those people that our Government should protect. NCAT aims to ensure that clients with additional needs receive the necessary assistance to access its services. This includes promoting flexible hearing options such as wheelchair accessible hearing rooms and hearings by telephone or videoconference, free interpreter services for hearings, hearing loop access in tribunal hearing venues upon request, and promotion of the National Relay Service for parties with hearing or speech impairments.

The Guardianship Division exercises a protective jurisdiction in relation to people who do not have the capacity to assess important decisions in their lives. These guardians can be appointed as financial managers and can also provide consent for treatment by a doctor or dentist when persons do not have capacity to do so themselves. It also deals with enduring powers of attorney and enduring guardianship appointments. The Government is committed to ensuring that NCAT has flexible and informal procedures that assist tribunals to provide a quicker and cheaper alternative to the courts for matters about guardianship. In its first six months in operation NCAT has received more than 5,610 applications for guardianship matters, representing 14.2 per cent of all matters heard by NCAT.

I turn now to the judiciary amendments. As noted by the Attorney General, the bill proposes a number of amendments that will lead to greater efficiency in the courts and tribunal services. These amendments are set out in schedules 3.1 to 3.8 to the bill and will extend the age limit for retired judges and acting judicial officers, in addition to allowing flexibility for the appointment of an acting head of jurisdiction when the head is absent.

The first amendment will allow retired judges of the Family Court of Australia to act as judges of the District Court after they reach the statutory age of retirement. This amendment will provide the District Court with greater flexibility to ensure that judicial officers are able to be appointed beyond the current statutory age limit of 72 to the new limit of 77. This will create consistency with the Supreme Court and allow the Chief Judge wider discretion to appoint retired judges of the Family Court of Australia to act as judges of the District Court.

In totality, the bill will provide flexibility to New South Wales courts and tribunals to improve overall court process and apply resources more efficiently. In line with the Government's commitment to reduce red tape and administrative burden on the community, the bill will make it easier for people to manage their civil matters in the New South Wales justice system. Overall, this bill will lead to more positive outcomes for the community in dealing with New South Wales courts and tribunal services. The reforms support the Government's approach to creating a justice system in which the community can have confidence and can be proud of—one that is faster and more accessible. I commend this bill to the House.

Mr ADAM MARSHALL (Northern Tablelands) [12.35 p.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015 and in doing so will focus specifically on the amendments to the NSW Civil and Administrative Tribunal [NCAT]. As other speakers have said, last year the Government introduced a similar bill which lapsed and which is now being presented again. I am pleased that Opposition members are also supporting this bill. As the Attorney General said, this bill is part of the Government's regular legislative review and monitoring program which aims to improve the efficacy of New South Wales courts and tribunals—something that I am sure everyone in this place supports.

In 2012 the Government introduced the Civil and Administrative Tribunal Bill 2012 which established NCAT, which merged 23 tribunals including the Consumer, Trader and Tenancy Tribunal, the Administrative Decisions Tribunal and other bodies into a one-stop shop for tribunal services. NCAT commenced on 1 January 2014 delivering prompt, accessible civil justice to the people of New South Wales. NCAT aims to provide fair, transparent and quick resolution to civil disputes and to improve access to justice for all New South Wales citizens by providing a single, simple point of access for tribunal services.

The tribunal's establishment has provided the Government with a once-in-a-generation opportunity to create a new and innovative agency that can make a real and positive difference to the lives of tens of thousands of citizens in this State. Key objectives of NCAT include improving the quality of tribunal decision-making through consistency in standards, processes and professional development and promoting greater transparency and accountability. In its first six months of operation NCAT has received more than 39,509 applications, finalised 40,873 matters and conducted more than 51,400 hearings. During the next 12 months NCAT will continue to look for new and innovative ways to improve overall performance and user experiences.

NCAT will be expanding online services, trialling innovative online dispute resolution tools, providing tribunal users with a cost-effective and efficient internal appeals mechanism and providing consistent professional development and training for its members. This bill represents the first opportunity for the Government to listen to feedback and to implement practical changes to the Civil and Administrative Tribunal Act that will endorse and strengthen the objectives of that Act. The amendments in schedule 1 to the bill have been requested by the President of the NCAT and will provide significant improvements to the operation of the tribunal on a day-to-day basis. As the Attorney General has said, the amendments will allow a person to be represented by various legal practitioners, enable NCAT to revoke orders regarding the representation of a party or person, replace references to the "Health Practitioner Division List" with "Health Practitioner List", and permit senior professional members of the Guardianship Division to sit on appeals.

These practical amendments will help to ensure that the NCAT continues to be accessible, efficient and accountable. The Government has listened to the President of the NCAT and to other stakeholders and is delivering enhancements to the Act to ensure that NCAT can continue to be at the forefront of positive decision-making for the New South Wales community. The amendments are further evidence of the Government's commitment to improve court and tribunal efficiency through practical legislative development. I commend the bill to the House.

Mr LEE EVANS (Heathcote) [12.38 p.m.]: I am privileged that Sutherland Local Court is located in my electorate. As the Attorney General stated, schedule 2 to the Courts and Crimes Legislation Amendment Bill 2015 provides minor and technical amendments to the Guardianship Act 1987 and the Guardianship Regulations 2010 that were proposed by the president of the Guardianship Tribunal prior to its integration into the NSW Civil and Administrative Tribunal [NCAT]. People who use the services of the Guardianship Division are some of the most vulnerable members of our community. NCAT aims to ensure that clients with additional needs receive the necessary assistance to access this service.

Since the election, one of my constituents has brought to my attention a major issue relating to guardianship. The ageing parents of children with a disability or with special needs must be able to organise guardianship for those children. Unfortunately, parents often pass away prior to organising guardianship for their children and those children are subsequently cared for by the State. In the not too distant future I will be having discussions with the Minister for Disability Services to ensure that vulnerable people in our community are properly looked after. It would be preferable if the families of those children with a disability or with special needs were able to arrange for their guardianship.

My father had guardianship of my mother who suffered dementia. However, as he did not have enduring guardianship—we all thought he was going to live forever—she was left with no financial help when he passed away. As her child I could assist her to a point, but I could not provide her with financial assistance so I subsequently went to the Guardianship Tribunal to obtain guardianship. Everyone in this Chamber should ensure that they have enduring guardianship of every member of their family because when the inevitable occurs they must be able to ensure their wellbeing. This includes promoting flexible hearing options such as wheelchair accessible hearing rooms and hearings by telephone or video conference, free interpreter services for hearings, including Auslan interpreters, hearing loop access in tribunal hearing venues upon request and promotion of the national relay service (NRS) for parties with hearing or speech impairments.

The Guardianship Division exercises a protective jurisdiction in relation to those who do not have the capacity to make important decisions in their lives. It appoints guardians and financial managers and can also provide consent for treatment by doctors or dentists when persons do not have the capacity to do so for themselves. It also deals with enduring powers of attorney and enduring guardianship appointments. All applications in the division are reviewed on receipt to determine whether the application identifies any risk to which the person who is the subject of the application might be exposed. This includes ensuring that the Guardianship Division operates an after-hours service to respond to urgent applications that require hearing outside business hours. In its first six months in operation NCAT has received over 5,610 applications for guardianship matters, representing 14.2 per cent of NCAT matters.

Since the integration of the Guardianship Division with NCAT, the Government has monitored and consulted closely with the division and with advocacy groups and peak bodies to ensure that NCAT delivers the same high level of service that the community has come to expect from the Guardianship Division. The amendments to the Guardianship Act make a number of minor changes to enhance the flexibility and efficiency of NCAT to provide clarity to the public about substitute guardians. In the past enduring guardians and those with the power of attorney have had to make separate applications to ensure they are included as parties to a matter relating to guardianship and financial management orders.

This process is laborious and frustrating for enduring guardians and those with the power of attorney to undertake. The removal of these procedural inefficiencies will enhance user experience of NCAT and support whole-of-government policy to remove administrative burdens for the citizens of New South Wales. Since 1 January 2014 NCAT has improved guardianship services for the community. The Government is committed to improving access to NCAT and it is committed to continuing to improve the overall quality of tribunals. Overall the amendments in this bill will do away with unnecessary procedural hearings and streamline processes to enable the Guardianship Division to improve its efficiency, thus ensuring that matters are finalised more quickly.

Debate adjourned on motion by Ms Noreen Hay and set down as an order of the day for a later hour.

LEGISLATIVE COUNCIL VACANCY

Joint Sitting

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

DAVID HURLEY Government House
Governor

Sydney, 6 May 2015

I, General The Honourable David Hurley, AC, DSC, (Ret'd), in pursuance of the power and authority vested in me as Governor of the State of New South Wales, do hereby convene a joint sitting of the Members of the Legislative Council and the Legislative Assembly for the purpose of the election of persons to fill the seats in the Legislative Council vacated by Ms Penny Sharpe and Mr Steve Whan, and I do hereby announce and declare that such Members shall assemble for such purpose on Wednesday the sixth day of May 2015 at 12.45pm in the building known as the Legislative Council Chamber situated in Macquarie Street in the City of Sydney; and the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

SENATE VACANCY**Joint Sitting**

The SPEAKER: I report the receipt of a message from the Legislative Council agreeing to meet the Legislative Assembly in the Legislative Council Chamber this day to choose a person to fill the seat in the Senate rendered vacant by the resignation of Senator the Honourable John Faulkner immediately following the joint sitting to fill the two casual vacancies in the Legislative Council. I direct that the joint sitting with the Legislative Council in the Legislative Council Chamber for the election of a senator for the Commonwealth of Australia be set down as an order of the day for a later hour.

At 12.45 p.m. the House proceeded to the Legislative Council Chamber to attend a joint sitting.

At 1.05 p.m. the House reassembled.

LEGISLATIVE COUNCIL VACANCY**Joint Sitting**

The SPEAKER: I report that the House has met with the Legislative Council in the Legislative Council Chamber for the purpose of electing persons to hold the places in the Legislative Council rendered vacant by the resignation of the Hon. Penelope Gail Sharpe and the Hon. Steven James Robert Whan, and that Penelope Gail Sharpe and Nitin Daniel Mookhey have been duly elected.

I table minutes of the proceedings of the Joint Sitting of the Houses of Parliament of New South Wales held on Wednesday 6 May 2015 to choose persons to fill the vacancies in the Legislative Council caused by the resignations of the Honourable Steven James Robert Whan and the Honourable Penelope Gail Sharpe.

SENATE VACANCY**Joint Sitting**

The SPEAKER: Order! I further report that the House has met with the Legislative Council in the Legislative Council Chamber this day for the purpose of electing a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. John Faulkner and that Jennifer McAllister has been duly elected.

I table Minutes of the Proceedings of the Joint Sitting of the Houses of Parliament of New South Wales held on Wednesday 6 May 2015 to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable John Faulkner.

Ordered to be printed.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2015**Second Reading**

Debate resumed from an earlier hour.

Dr GEOFF LEE (Parramatta—Parliamentary Secretary) [1.09 p.m.]: First, I acknowledge the reappointment of Madam Speaker and congratulate her on her election and on being the first female Speaker in the House.

Mr Nick Lalich: And such a wonderful person too.

The SPEAKER: The member for Cabramatta is acknowledging your comments.

Dr GEOFF LEE: I thank the member for Cabramatta for also supporting your wonderful appointment.

The SPEAKER: I do not know about that.

Mr Nick Lalich: Hear, hear!

Dr GEOFF LEE: I am sure he meant it with the best intentions.

The SPEAKER: Thank you very much.

Dr GEOFF LEE: I support the Courts and Crimes Legislation Amendment Bill 2015, which is part of the Government's regular review and monitoring of its legislative program that aims to increase the efficiency of New South Wales courts and tribunals. Part of that involves the NSW Civil and Administrative Tribunal [NCAT], which is the merger of 23 tribunals, including the Consumer, Trader and Tenancy Tribunal, the Administrative Decisions Tribunal and other bodies, into a one-stop shop for tribunal services. Parramatta is fortunate to have a large justice precinct, including a District Court and NCAT. The NCAT in Parramatta was established on 30 June 2014 and received a great reception by many people, including those who work in real estate and their industry body. Previously those in that industry had to travel to Penrith or the city to access the Consumer, Trading and Tenancy Tribunal, so the establishment of this body was great news because it will save people a lot of time.

The member for Mulgoa would support the courts at Penrith, but she would equally support the courts at Parramatta, as it is the capital of Western Sydney. It is great to see her feverishly acknowledging the relevance and importance of Parramatta to the whole of Western Sydney. NCAT provides people in Western Sydney with quick and cost-effective access to justice. Tribunal proceedings are typically less formal than a traditional court hearing and often achieve earlier resolution. It is about procedural fairness, timeliness, access to justice and being able to solve important matters at the least cost to all the parties. When NCAT was initially established in Parramatta it sat for three days, but overwhelming demand has meant that it now sits for four days. It certainly assists the legal profession.

Through having the benefit of its own law precinct, Parramatta is the centre of law and justice. Indeed, the Attorney General's Department has about 1,000 staff members in Parramatta and it is a privilege to have that precinct there resolving problems and providing opportunities for the University of Western Sydney [UWS]. Indeed, I congratulate the Dean of the School of Law at the University of Western Sydney, Professor Michael Adams, who has been in that position for seven or eight years and who is achieving fantastic results. I commend the law school for expanding into different regional areas.

Mr Stephen Bromhead: Taree would be good.

Dr GEOFF LEE: I acknowledge the member's interjection that Taree would be an interesting place. I urge the university to consider that important area. The School of Law at the University of Western Sydney has established itself in the profession as a wonderful school that has produced some of our best law school graduates. Its mission is to serve the people of Western Sydney and it is a fantastic addition. The justice precinct includes the Parramatta Justice Clinic, which involves a partnership between the School of Law at the University of Western Sydney and the Macquarie Legal Centre under the fantastic stewardship of Maria Girdler. The legal centre provides the essential practical legal training for UWS students as sometimes they cannot find the placements to do their professional legal training [PLT].

Mr Andrew Gee: It gives them a start.

Dr GEOFF LEE: I acknowledge the interjection of the member for Orange. His legal background allows him to give an informed opinion on the matter and I appreciate his support. Students who may not have professional or social connections to get their PLT can gain them through the Parramatta Justice Clinic. Indeed, it does more than that. It provides, free of charge, services to people who can least afford access to these legal services. For various reasons many people may not qualify for legal aid or may need advice about a dispute. The clinic provides assistance to those marginalised people who need access to fair and qualified advice at no cost. I commend the Parramatta Justice Clinic for its work. The clinic has been around for many years and is a real feature within the justice precinct.

I know the Assistant-Speaker is interested in the NCAT in Parramatta, which typically deals with four specialist divisions—the Administrative and Equal Opportunity Division, the Consumer and Commercial Division, the Guardianship Division and the Occupational Division. Each of those divisions deals with various areas. The Consumer and Commercial Division involves consumer claims and commercial matters, home building, motor vehicles, residential parks, dividing fences, retirement villages, strata and community schemes, tenancy and social housing, boarding houses and retail leasing.

The local community is concerned about the establishment and management of boarding houses in Parramatta. While we acknowledge that the State needs boarding houses as an alternative form of

accommodation, my constituents believe they should be in suitable areas that allow easy access to public transport and that they should not lead to overcrowding. Boarding houses should not be a burden on the local community. Too often people have proposed the establishment of boarding houses in unsuitable locations and their applications are rejected by the council. The proponents then appeal to the Land and Environment Court, which has handed down some variable decisions. Local opposition to the establishment of boarding houses is clear and profound.

Mr Assistant-Speaker, I know that this issue probably does not concern your electorate, but I know of your great interest in boarding houses and affordable housing legislation. Affordable housing is important in Parramatta. Property prices in the area increased by 30 per cent last year, which increases the challenge of providing such accommodation. We are doing our best to offer the residents of Parramatta not only leafy, green suburban streets but also high-rise accommodation close to transport hubs.

Mr Andrew Gee: How are the Eels going?

Dr GEOFF LEE: The member for Orange draws my attention to a sore point. Although we are not happy with the Eels' results so far this season, the club is rebuilding and it has great plans for the future. I commend Steve Sharp for his wonderful chairmanship of the board. The club is going through interesting times with the relocation of its playing fields. We certainly wish them all the best for the rest of the season; it will get better. I commend the bill to the House.

Debate adjourned on motion by Mr Jamie Parker and set down as an order of the day for a later hour.

Pursuant to sessional order community recognition statements proceeded with.

COMMUNITY RECOGNITION STATEMENTS

NEPAL EARTHQUAKE

Mrs TANYA DAVIES (Mulgoa—Parliamentary Secretary) [1.16 p.m.]: On 1 April 2015, I was pleased to join with my family and the Nepalese Community of Western Sydney [NCOWS] to celebrate Nepali New Year 2072. I congratulate all the committee members, performers and organisers of this event. It was another evening filled with music, song, dance, culinary delights and friendship. I acknowledge the President of NCOWS, Kabin Joshi and his family, Sharma, Krisha and Kusal; chef Manju Shrestha and her team; General Secretary Tara P Lama; and Treasurer Suneet Pradhan.

However, no-one could have imagined the humanitarian crisis which would befall Nepal only 14 days later when a magnitude 7.8 earthquake hit the country. To date it has caused 7,673 deaths and thousands more have been injured. I extend to the people of Nepal and especially to my Nepalese friends and the Nepalese community of Western Sydney the sympathy, support and prayers of the New South Wales Government at this time. I encourage people in our community to get behind the humanitarian and fundraising efforts being run by various organisations in support of the Nepalese community.

MARRIAGE EQUALITY

Mr ALEX GREENWICH (Sydney) [1.17 p.m.]: I commend the public efforts of the corporate sector in supporting the lesbian, gay, bisexual, transgender and intersex [LGBTI] community. Corporates have offered support for the Mardi Gras Parade and Fair Day, World AIDS Day and special events on trans awareness, parenting, and the International Day Against Homophobia, Biphobia and Transphobia events. Banks and financial organisations have particularly led the way. My husband and I were pleased to join 180 businesspeople from 60 different national and international companies at a breakfast supporting marriage equality with Qantas Chief Executive Officer Alan Joyce, the Chief Executive Officer of Carnival Australia, Ann Sherry, the SBS Chief Executive Officer, Michael Ebeid, and Diversity Council of Australia Chief Executive Officer Lisa Annese. About 40 companies have signed a letter of support for federal marriage equality, advocating for their employees' equal rights. Increasingly these organisations do not want their LGBTI staff to be told to "wait in the car" for marriage equality and are filling the leadership void created by our federal politicians on this important reform.

BRONSON MACKLINSHAW, 2015 MAN FROM SNOWY RIVER

Mr ADAM MARSHALL (Northern Tablelands) [1.18 p.m.]: I commend Armidale horse breaker Bronson Macklinshaw, who recently won the 2015 Man from Snowy River Championship. It was fourth time lucky for Bronson, who has competed in the festival held at Corryong in the Upper Murray River in Victoria, since 2011. He dominated in the final events—the Paterson Brumby Catch and the Kosciuszko Stock Saddle Buckjump—scoring an overall 676 points to take out the championship. As well as the trophy, presented by Australian actor Bryan Brown, Bronson collected \$15,000 and three saddles. A gifted horseman, his preparation for this event was working his horses hard on his property at Armidale. I congratulate Bronson on his excellent performance and wish him all the best in future competitions.

SPACES TO PLAY

Mr JAMIE PARKER (Balmain) [1.19 p.m.]: I congratulate and fully support the Spaces to Play organisation. The organisation is an alliance of inner west sporting clubs, including football, cricket, rugby union, little athletics, netball many other sports clubs. The alliance was formed to advocate for more spaces to play for young people in our community. With increasing development in the area we are seeing fewer and fewer facilities for the burgeoning number of young people who want to play sport. I acknowledge in particular Glen Burge from Balmain District Football Club, Lisa Schaeper from Leichhardt Saints Football Club, Terry Kelly from the Balmain-South Sydney Cricket Club, David Murphy from Balmain Little Athletics, and Hamish Collins from Balmain Junior Rugby Union Club. These people have come together to support our community. I will dedicate my efforts to ensuring that we have new sporting facilities in the area, including at least seven new fields in the bays precinct so that everyone in the community can enjoy sports into the future.

TRUNDLE ABBA FESTIVAL

Mr ANDREW GEE (Orange—Parliamentary Secretary) [1.20 p.m.]: Over the weekend thousands flocked to the heart of the heartland, Trundle, for the 2015 Trundle ABBA Festival. It is Australia's only ABBA festival. This year, the festival was host to Bjorn Again, the world's number one ABBA show. Other highlights included fashions on the field, busking competitions, professional dancing displays and a disco dancing competition. The team behind this year's festival included Garry Crowley; Ruth Crowley; Pam Burke; Pam Crowley; Caroline Keep; Jennifer Skinner; Sandra Stevenson; Andrew Rawsthorne; Sue Crowley; and Alyssa Coursey. Next year's festival will take place on Saturday 7 May 2016 and Bjorn Again will return. For the benefit of the House and members opposite, I display this fetching Trundle ABBA Festival t-shirt, which is a must-have for any discerning member. I invite everyone to attend the Trundle ABBA Festival in 2016.

NEW SOUTH WALES STORM DAMAGE

Ms SONIA HORNER (Wallsend) [1.21 p.m.]: I join with my colleagues to pay tribute to and to thank from the bottom of my heart the hundreds of State Emergency Service volunteers who responded to the thousands of callouts during the recent New South Wales storms, especially those working in the Hunter and my Wallsend electorate. I also thank the tireless Ausgrid crews who worked night and day to reconnect tens of thousands of homes and, in some cases, to rebuild whole electricity networks in areas such as Belmont, Merewether, Medowie and Mayfield. While these terrible storms were tragic for some and greatly damaging for many, a light still shone through the darkness. That light was the inspiring, brave and generous community spirit of Hunter emergency workers, volunteers and residents.

BROCK VAN KAMPEN, SWIMMING CHAMPION

Mr STEPHEN BROMHEAD (Myall Lakes) [1.22 p.m.]: Brock Van Kampen from Manning Point won two ocean swimming races in the Head2Head events held at Black Head Beach in April. Brock, who is 15 years old, won both the 700 metre and 1,500 metre events and led the races from start to finish. He also won the 3.8 kilometre swim from Cape Hawke to Forster Main Beach in March. He is a member of the Cape Hawke Surf Club and the Forster Swimming Club and has gained top 10 placings in all his events in the State Inter-branch Surf Carnival. Brock also gained a place in the 50 metre breaststroke final at the State All Schools carnival that will be swum later in 2015.

ATTIC GROUP

Mr RON HOENIG (Heffron) [1.22 p.m.]: I draw to the attention of the House the phenomenal milestone achieved this year by Mr John Stewart, the founder and chief executive officer of the Attic Group,

which is located in my electorate. Forty years ago, John Stewart identified a niche market for attic ladders and grew his business so successfully that he has now helped to improve the homes of more than 40,000 Australian families. Attic Group now employs more than 30 people and has a turnover of more than \$12 million. The Attic Group held a celebration last month to mark the occasion of its fortieth anniversary and to congratulate John Stewart on his success. I was given a tour of the factory and saw firsthand the brilliant conversions that Attic Group offers to homeowners to make the best use of their space while at the same time helping to increase the property's value. Attic Group's conversions have been so successful that the company has established showrooms across Australia. I congratulate John Stewart, a quintessential Australian businessman, whose vision has transformed the homes of countless families. I wish him much success for the next 40 years.

BEV JORDAN, BAULKHAM HILLS CITIZEN OF THE YEAR

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) [1.23 p.m.]: I draw to the attention of the House the significant achievement of one of the most active and devoted members of the Hills community, Mrs Bev Jordan, who was declared our Citizen of the Year on Australia Day.

Bev moved to the Hills 17 years ago and loves the Hills community. She is a senior journalist with the *Hills Shire Times*, with more than 30 years of industry experience. This professional commitment has not stopped her volunteering willingly for worthy initiatives in my electorate. Bev is a driving force behind The Hills Relay for Life. With the support of Bev and a group of dedicated volunteers, the relay has consistently raised hundreds of thousands of dollars for cancer research every year.

She is also on the organising committees of Christmas in the Hills and the Centenary of Anzac, has raised two puppies for Guide Dogs NSW, writes a column for charity, and mentors students at Crestwood High School. Bev is a great reflection of the volunteering community spirit of the Hills. In Bev's own words, the best thing you can do is to volunteer.

SHIRDI SAI SANSTHAN MANDIR TEMPLE

Ms JODI MCKAY (Strathfield) [1.24 p.m.]: The Shirdi Sai Sansthan Mandir temple in Strathfield South pays homage to Guru Shri Sai Baba of Shirdi, who originated from northern India. I have visited the Baba and I was overwhelmed by the incredible atmosphere and the generosity of the temple's community.

The temple was established in 1997 by Jack Tolani, Mr and Mrs Vijay Kumar and Dr Hemachander Rao. Volunteers play a major part in the functioning of the temple. They devote a few hours of their week to offering seva, which translates to selfless service, including distributing offerings, cooking prashads, making floral garlands and much more. The temple attracts thousands of Hindu devotees from across Sydney and interstate, with more than 500 people attending prayer sessions every Thursday and Sunday.

I am proud to have this temple in my electorate. I congratulate the founders and volunteers for their great contribution to its success and thank them for the very warm welcome that I received. I look forward to spending more time at the temple and again acknowledge Jack Tolani, Mr and Mrs Vijay Kumar and Dr Hemachander Rao and congratulate them for their vision.

LIAM WHYTE AND VICTORIA PEARCE, CHEF'S TABLE COMPETITION

Mr GREG APLIN (Albury) [1.25 p.m.]: Congratulations to head chef Liam Whyte and chef Victoria Pearce of the Corowa RSL Club, who have made it to the finals of this year's Chef's Table competition to be held at the Revesby Workers Club. In honour of the Centenary of Anzac, the key ingredient in the menu is rosemary. The 32 finalists will be judged on taste, preparation and presentation skills as well as their overall innovation and creativity. All the best to Liam and Victoria for the finals on 20 July.

WESTCONNEX ACTION GROUP

Ms JENNY LEONG (Newtown) [1.26 p.m.]: I draw the attention of this House to the dedicated creativity and bravery of the WestConnex Action Group and all those who are standing up to the polluting and damaging WestConnex project. I congratulate them and all community members who have volunteered their time to knock on doors, put up signs, join rallies, attend meetings and talk to their neighbours in opposition to WestConnex. I acknowledge their contribution to the community and wish them the best of luck and success in their future campaigning.

PRINCE HARRY

Ms MELANIE GIBBONS (Holsworthy) [1.26 p.m.]: On behalf of my electorate of Holsworthy, I welcome Prince Harry who has spent some time in the electorate. I believe he was dropped at Wattle Bakery in the Wattle Grove shops yesterday in order to enjoy a pork roll. He is sharing his helicopter training with our commandos and army community, who are sure to be benefitting from that. Holsworthy has a high-quality facility and we are proud of its contribution to the electorate. I am proud to have Holsworthy put on the worldwide stage by hosting the prince.

TIME4KIDS FUNDRAISING

Mr NICK LALICH (Cabramatta) [1.27 p.m.]: I was delighted to take part in the Time4Kids fundraising event hosted by the Police Citizens Youth Club Fairfield-Cabramatta on 24 April 2015. My wonderful colleague the member for Fairfield and I participated in the event held in Freedom Plaza, which raised more than \$20,000. This money will go towards drug and crime awareness programs. I thank the local clubs and committee members who contributed to this event. I acknowledge Mr Tony Cincotta and the team at PCYC for their hard work in making the club such a great and welcoming place. The club supports our youth by providing numerous events, such as sporting activities and awareness programs.

ST MARYS POLICE OFFICER OF THE YEAR AWARD

Mrs TANYA DAVIES (Mulgoa—Parliamentary Secretary) [1.28 p.m.]: On 15 April 2015 I was pleased to attend the Rotary Clubs of St Marys Wallacia-Mulgoa Valley's presentation of the St Marys Local Area Command Police Officer of the Year award. Once again Saint Marys Rugby Leagues Club hosted a fabulous night of great food and service. Thanks to club President Warren Smith for his presentation of a cheque for \$5,000 to Police Legacy. Ten police officers were finalist in this year's awards. To hear the personal stories of the officers who were finalists was uplifting and made one feel immensely proud of our men and women in blue.

"Always a bridesmaid and never a bride" had rung true for Sergeant Garry Salafia as he had been a finalist in every awards evening, but 2014 was his year. Sergeant Salafia was awarded the Police Officer of the Year Community Award. I congratulate Senior Constable Shane Parkinson, who was awarded the Police Officer of the Year Peer Award. I thank the presidents of the Rotary Clubs of Wallacia, Kay Rosano, St Marys, Terry Bulloch, and Mount Druitt, John Telfer, and sponsors St Marys Village, St Clair Shopping Centre, Station Plaza, Penrith City Council, McDonald's St Marys, CBA Banking, *Nepean News*, *St Marys-Mt Druitt Star*, *Western Weekender*, *St Marys Standard*, and St Marys Leagues and Breakaway Travel.

LUNAR NEW YEAR CELEBRATIONS

Mr GUY ZANGARI (Fairfield) [1.29 p.m.]: Throughout February 2015, I had the remarkable opportunity to attend a number of Lunar New Year celebrations hosted by local associations throughout the Fairfield region marking the year of the goat. The Ming Yue Lay Temple, the Phuoc Hue Temple, the Vietnamese Community in Australia New South Wales Chapter and the Chinese Associations of Greater Western Sydney all held remarkable Lunar New Year celebrations, which were all well attended by our local community.

I acknowledge the aforementioned associations and their organising committees for their hard work and dedication to the Buddhist community throughout Fairfield and their work in promoting community harmony and interfaith dialogue. I would also like to congratulate the associations for hosting yet another series of successful Lunar New Year celebrations. Kung hi fat choi; chuc mung na moi; happy new year.

CENTENARY OF ARMENIAN GENOCIDE

Mr JONATHAN O'DEA (Davidson—Parliamentary Secretary) [1.30 p.m.]: Many constituents of Davidson are of Armenian descent. I acknowledge the centenary of the Armenian genocide on 24 April 2015 and numerous related commemoration ceremonies, including at an overflowing Sydney Town Hall on the evening of 24 April.

[Assistant-Speaker (Mr Andrew Fraser) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

VISITORS

The SPEAKER: I welcome to the gallery today Mr George Lemon, Queanbeyan Nationals Branch Chair, guest of the Minister for Regional Development, Minister for Skills, and Minister for Small Business, and member for Monaro.

I also welcome to the gallery today five years 5 and 6 students and their teachers from Wahroonga Preparatory School, guests of the member for Ku-ring-gai.

I also welcome to the gallery 15 students and their teachers from City East Community College, Bondi Junction, guests of the member for Coogee.

CENTENARY OF FIRST WORLD WAR

The SPEAKER: Many nations find their origins arising from periods of war and conflict, but the modern Australian nation as we know it today came into existence by consensus and choice, gradually and peacefully. Although Australian troops served in foreign wars before 1914, notably in the Sudan and South Africa, it was the conflict of 1914-18 which was the first to impact upon every Australian town, community and household. The experiences of Gallipoli and the Western Front left an indelible mark in the defining of the Australian national character. Questions of our role and responsibilities as an independent nation, not just part of an empire—how we thought society, politics and military service should be organised and what it meant to be a "mate"—all grew from this experience.

The current generation of young Australians has embraced the true meaning of Anzac Day and brought about attendances at dawn services, parades and commemorations now in record numbers. It is they who make the pilgrimages to Gallipoli and who seek a deeper and better understanding of what their grandfathers' and great-grandfathers' generations thought, experienced and, above all, hoped for. Throughout this year Mr President and I will continue to commence each week's sittings with some remarks about that time a century past, especially reflecting on the connections to that time of people associated with the Parliament itself. In doing so, we will continue to pay our tribute to their sacrifice.

For today, let us simply reflect on what has become of this nation since those fateful days in April 1915 and be thankful that here, in this place—free and democratic—we are the grateful inheritors and, hopefully, worthy descendants of those who gave so much and whose lives were altered forever.

TRIBUTE TO SARA PARRIS

The SPEAKER: It is with great regret that I have to inform the House of the death of Sara Parris, who passed away from a cancer-related illness on 18 December 2014. Sara served the Parliamentary Reporting Service, or Hansard as we know it, in the New South Wales Parliament from February 1990 until her passing. During the 24 years that Sara served the New South Wales Parliament she worked as a sessional typist, a formatter and a word processing operator.

Sara was a much-loved member of the Hansard team and she will be sorely missed by her colleagues. In particular, she will be missed for her happy personality and her capacity to always light up a room. Sara is survived by her husband, Tony, and her daughter, Katie. I welcome Tony to the public gallery this afternoon for this tribute to Sara. On behalf of the House I extend to Sara's family the deepest sympathies of the Legislative Assembly for their loss sustained.

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

LINDT CAFE SIEGE

Ministerial Statement

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) [2.22 p.m.]: As we gather here today for the first sitting of the Fifty-sixth Parliament all of us are united in our desire to shape our communities and to shape the State of New South Wales and make it a better place. Unfortunately, events have transpired since we last met which have changed us. I am speaking in particular about the two young champions of New South Wales that we lost, Katrina Dawson and Tori Johnson. All of us watched as those events unfolded

and I do not think any of us could imagine in any way what it was like to have been inside the cafe at that time. But I know that every single person in New South Wales was wishing and hoping that every one of those people got out. As we reflect on those events, I think they happened simply to bring about division and hate. Instead, what took place in the following days was testament to who we are as a State. Indeed, people put aside race, religion and backgrounds and united as one in mourning for Katrina and Tori and their families.

As we reflect on those times we want to ensure that the values we hold dear remain so. While they may be challenged, we will do everything we can to protect them. Certainly, we have nothing to say to the families other than that we remain with them. I know that the Dawson and Johnson families are continuing to do it tough. We are now months away from the event, but it is often now that we are needed the most. We simply remind them that we continue to think of them and, collectively as a community, we are alongside them as we mourn the tragic loss of those two lives.

Lastly, I pay tribute to the many State Government services that were involved; on that night our police and emergency services were nothing short of outstanding. I have had the opportunity to meet them. One young man, who was the first into the café, had to speak to his family before he went in because he knew what he was about to do. As we reflect, we cannot believe what the emergency service workers do day in and day out, putting their safety last and those they are trying to save first. We should be proud of them for that. While these tragic events have come upon us, as a State we have grown with them. However, we should never forget Katrina and Tori; they will always remain a central part of the beating heart of this city.

Mr LUKE FOLEY (Auburn—Leader of the Opposition) [2.25 p.m.]: I join the Premier in expressing my condolences to the victims of this tragedy, to recall the difficult and often tireless work of police and emergency services and to reflect on the community's response to this terrible event. Months ago, just walking distance from where we gather today, our city, this State, our country were exposed to the horrendous consequences of one man's criminality. His evil actions tested our commitment to remaining a united, inviting and inclusive community.

With the passing of time, and no little anguish, those two days last December call on us to reflect on the best and worst aspects of the human condition: the callous and cowardly act of an individual inspired by misguided hate, but also the courage and compassion of ordinary Australians in the face of extraordinary circumstances—ordinary Australians like Tori Johnson and Katrina Dawson. Like many of us, Tori and Katrina woke on Monday 15 December 2014 ready to face the mundane rhythms of everyday life. But, along with fellow workers and customers in the Lindt cafe, they found themselves trapped in a horrendous situation. Tori Johnson, a son, brother and partner, gave up his life trying to save others. Katrina Dawson, a daughter, sister, wife and mother, never returned home to her loving family.

We should not forget the deaths of Tori and Katrina. But we should also remember that it was the professionalism and commitment of our police and emergency services personnel that ensured that many hostages returned home to their loved ones. We should remember also that months ago, just walking distance from where we gather today, without prompting or prescription, people of all religions and races in our State gathered in Martin Place to lay flowers and offer messages of support to those affected by the siege. Hour by hour, day by day, floral tributes amassed in Martin Place, a material measure of our moral support. It was spontaneous and startling.

This simple act reminded me that we must not respond to such provocation with insularity and division. Such a response is no remedy for hatred. Instead, across this city and State we must recommit ourselves to the collective responsibility we have to each other. Such a response is the surest remedy to hatred. We owe such a commitment to those who lost their lives in the Lindt cafe and to those individuals and families still recovering from this tragedy.

QUESTION TIME

[Question time commenced at 2.30 p.m.]

ELECTRICITY PRIVATISATION

Mr LUKE FOLEY: I direct my question to the Premier. What advice has the Government received on the likely impact the Australian Energy Regulator's determination will have on the value of the State's electricity transmission and distribution businesses?

The SPEAKER: Order! The House will come to order. The Premier has the call and can answer the question.

Mr MIKE BAIRD: I thank the Leader of the Opposition for his first question in this House. I welcome all the new members to this great Parliament, but on the basis of that question it is going to be very a long four years. I will not share confidential information with the Leader of the Opposition in this place but there is no confidential information about what those opposite did with electricity prices. All of a sudden members of the Opposition have become very interested in electricity prices.

[Interruption]

Don't start talking about the hot water bottles again. Hot water bottles were the electricity solution from the Deputy Leader of the Opposition. What we hear from the Leader of the Opposition is quite simple. Their interest in electricity prices is great—and I will get to what they did in the campaign—but, more importantly, where did electricity prices go under them?

Government Members: Up.

Mr MIKE BAIRD: They went through the roof by 60 per cent. They had no idea what to do. What we put forward to the people of this State was quite simple. We said that if we bring in private investment it will put downward pressure on prices and that is what we are about. We are about looking after the people of this State. We do not look after the Opposition's union mates, which is what they did. We are very proud to stand up for the people of this State. In the campaign I talked a lot about electricity prices and downward pressure on them, but other people also spoke about it. We remember a former Federal Minister—well-respected across the political divide—who did a very good job in the Federal Parliament, Martin Ferguson. We said privatisation would put downward pressure on prices and the Opposition said prices would go through the roof. Martin Ferguson said:

This misinformation we've got, led by my own party, the Labor Party in NSW, that is just a bald lie ...

Mr Michael Daley: Point of order: We love Martin Ferguson too but that does not change the fact—

The SPEAKER: Order! What is the member's point of order?

Mr Michael Daley: It is relevance, 129.

The SPEAKER: Order! That is an irrelevant point of order. There is no point of order. The Premier remains relevant.

Mr Michael Daley: We asked him what advice the Government received.

The SPEAKER: Order! There is no point of order. The member for Maroubra will resume his seat and stop wasting time or I will stop the clock and give the Premier extra time. The answer is relevant.

Mr MIKE BAIRD: We are proud to do everything we can to bring down electricity prices in this State and that is exactly what we will do. The concerns raised with the regulator are quite simple. We have concerns about safety and reliability and the impact on workers. There is no doubt that thousands of jobs will be lost and I would have thought that Labor would be interested in ensuring that they will be transitioned to new jobs. I thought that was in its DNA. We want to ensure we do everything to put downward pressure on prices, to ensure safety and reliability and to ensure there are transition opportunities for the workers. We are proud to do that because that is what a responsible Government does.

I also note the approach of the Opposition: it does not tell truths in election campaigns. When someone like Martin Ferguson does, the old champion of economics, the bastion of all economic knowledge, Senator Dastyari, comes forward and says that Martin Ferguson should be kicked out of the party for telling the truth. That is where Labor has got to. We are proudly standing up for the people of this State.

REBUILDING NSW

Ms ELENi PETINOS: My question is addressed to the Premier. What has been the response to the Government's plans to rebuild New South Wales?

The SPEAKER: Order! The member for Canterbury will come to order and cease interjecting.

Mr MIKE BAIRD: I congratulate the member for Miranda on her election to this Parliament. What a great local member.

The SPEAKER: Order! Members will be placed on calls to order if they continue to interject. The member for Keira will come to order.

Mr MIKE BAIRD: The member for Miranda was elected because the people of New South Wales chose hope over fear. We all know that those opposite stood for fear and if that is what they want we can do it.

The SPEAKER: Order! Opposition members will come to order. It is a bad start to question time from both sides. The House will come to order. Members will be on calls to order almost immediately if they continue to interject. No further warnings.

Mr MIKE BAIRD: We put forward a very comprehensive plan as part of the election to rebuild the State of New South Wales with unprecedented investment in infrastructure—one that those opposite did not want to support but we are proud to support. We announced \$7 billion for the Sydney Rapid Transit. Finally we will get the second harbour rail crossing which gives up to 60 per cent more capacity across the network, impacting electorates such as Bankstown, Lakemba and Strathfield, and we are very happy to provide support to them. There is a \$1.1 billion contribution towards the Western Harbour Tunnel for the benefit of electorates such as Parramatta, Strathfield and Drummoyne; \$1 billion for the Western Sydney rail upgrade for the western line, benefitting consumers across Western Sydney; and \$1 billion for our health system, including new hospitals at Rouse Hill, and finally getting that investment in health that we have been desperately waiting for in electorates such as Riverstone and Hawkesbury.

There is \$1 billion to build new schools across this State. We are proud to be finally delivering new schools across this State, including in Parramatta where there will be a world-class school that will revolutionise the way we deliver education in our new buildings. Billions of dollars will be provided to reduce congestion across the State including \$300 million to provide an improved gateway to the south, taking away congestion on a daily basis for those in places such as Miranda and Cronulla and further south. We are also proud to deliver \$550 million towards the Albion Park bypass—a long overdue project that will provide a reduction in congestion.

We will provide a lot for our regional partners in regional New South Wales, including \$1 billion for long overdue water security upgrades; \$117 million to secure the future of Broken Hill's water supply; and \$3.7 billion for regional roads, including \$500 million for the Newell Highway; and \$200 million to deliver the Pacific Highway bypass at Coffs Harbour—a project that those opposite cancelled on a regular basis. We said before the election what we were going to do. We said how we are going to fund it and so my challenge to the Opposition today is quite simple: Why do you not back it in? Why do you not back in rebuilding the State? The Leader of the Opposition, I use his words, said, "So this election will be a referendum on electricity privatisation in this State." I say, "Bring it on." It has happened and over here we have received the mandate. We ask those in the Opposition, "What have you got against rebuilding New South Wales?" The election is over, the mandate is here; let us get on with the job of rebuilding this State.

The SPEAKER: Order! I call the member for Canterbury to order for the first time.

Mr MIKE BAIRD: If you do not listen to me, why do you not listen to the—

The SPEAKER: Order! I call the member for Canterbury to order for the second time. The member for Newcastle will cease interjecting. Members will come to order.

Mr MIKE BAIRD: Bob Carr says, "I don't care what Labor does. The debate is over. Baird has a mandate." I have not agreed much with Bob Carr, but I love that part, that is perfect. Michael Costa, the member for Liverpool's favourite friend, he said, "Mike Baird has a clear mandate to implement his plan and it is in the interests of Labor to put this issue to bed once and for all." Michael Egan, my favourite, said, "Labor is in denial if it thinks Saturday's election results were good; they were a disaster and it should stop fooling itself that an anti-privatisation policy is a vote winner for Labor and that is the truth."

We went to the people of New South Wales and said openly what we were going to do, how we were going to fund it and now the opportunity is there for the Opposition. Do you want to put politics first or the people of New South Wales first? Do you want to respect the mandates that the people of New South Wales

have given us and back the plan? If you do not you are the ones getting in the way of schools, hospitals, roads, rail and regional water. If that is what you want to stand for, you stand for nothing. We are standing up for the people of this State. We want you to back our plan, because that is exactly what we are going to do.

AUSTRALIAN ENERGY REGULATOR

Mr LUKE FOLEY: My question is directed to the Premier. Will his Government, in order to ensure lower power prices for households and businesses, direct the State-owned electricity companies to accept the recent determination of the Australian Energy Regulator and to not appeal that determination?

Mr MIKE BAIRD: We will consider the implications of the regulator's decision. We are backing in lower prices because that is what we have done consistently. We are the party that has delivered lower prices. At the same time we want to understand the implications for pricing, reliability and safety, but also the transition of where thousands of jobs are going to go. We want to have the capacity to deliver lower prices and do it in the right way. We are considering that, but I can assure you that ultimately there is a difference. There is a difference between that side and this side. One side is about delivering lower electricity prices to the people of this State and you the other oversaw the greatest increase ever seen: 60 per cent increases over five years. That is the difference between you and us.

The SPEAKER: Order! I call the member for Maroubra to order for the first time.

REGIONAL NEW SOUTH WALES

Mr KEVIN ANDERSON: My question is addressed to the excellent Deputy Premier.

Mr Luke Foley: No-one ever described you as excellent.

The SPEAKER: Order! I hope the Leader of the Opposition lives by that. I will point it out to him in the future if he does not.

Mr KEVIN ANDERSON: Will the Deputy Premier outline how the Government intends to deliver on its mandates to regional New South Wales?

Mr TROY GRANT: I thank the member for Tamworth for his question and I take this opportunity to congratulate him and all the other members of The Nationals. Every member of The Nationals from the Fifty-fifth Parliament who stood for re-election was returned to this House. I congratulate you all. That is a great sign of faith from regional New South Wales in the work that was undertaken in those four years. I am also delighted to welcome two new members of The Nationals. First, I welcome the new member for Upper Hunter, Michael Johnsen, who is replacing the Hon. George Souris. I look forward to his contribution. Secondly, I welcome the new member for Oxley who, I believe, is the first female member for Oxley. Welcome to first grade. It is great to have her here. I know she will make an outstanding contribution on behalf of all the communities in the Oxley electorate.

Regional New South Wales has returned us to Government to continue doing what we were doing for the past four years and that was making a commitment and keeping it, delivering what they needed: essential services, essential infrastructure, regional hospitals, regional roads, and increased front-line services to the bush, which were a mirage for some 16 years or so before we came into power. We have funded plans for another \$2 billion to fast-track the duplication of the Pacific Highway from Hexham to the Queensland border, adding to the work that we undertook in the past four years. Since March 2011 the Government has invested an historic \$15.4 billion in roads and bridges across regional New South Wales and another \$2 billion is on its way.

We promised to deliver better infrastructure and services, and we are getting on with the job of fulfilling the mandate that regional New South Wales has given us. We all saw what Labor did. They tried to paint the regions red. How did they go? They went across regional New South Wales in a bus. They had a map and they were out there. Where will we go next? How many electorates did Labor take off The Nationals in regional New South Wales? There were none. Labor was rejected. The Greens say thank you to Labor for their efforts during the campaign; they did really well. Cynically, Labor spent more time in country communities in the final month of the last election than it had spent in the previous 16 years.

In simple terms that side of the House was rejected. We have been returned to the heart of Government to continue doing what we do best. Regional New South Wales once and for all confirmed what I said at the

launch of The Nationals speech: The enemy of regional New South Wales is the Labor Party. They rejected Labor at the gates; they said emphatically they have no faith in Labor and we are proud to continue to represent them. We have heard the ongoing concerns in our community during our campaign. We will continue to invest in regional delivery and we will continue to grow regional economies. We will continue to listen. For example, we are upgrading the Golden, the Kings, Monaro, Newell, Oxley, Pacific and Princess Highways in regional New South Wales. We are unlocking the inland freight route for our agricultural and energy industries, as well as safety upgrades to countless highways, roads and bridges right across the State.

This Government has a proven record of delivering and we will continue to do that, particularly when it comes to modern health infrastructure under the brilliant work of the Minister for Health, the Hon. Jillian Skinner. We saw record investment, unbelievable investment in regional health. That story will continue over the next four years and I thank her for her ongoing support. An amount of \$2.5 billion each year in additional funding to schools, as a result of this State being the first to sign up to Gonski, has been provided by the Minister for Education, which will enable them to employ more teachers and better resource classrooms.

We will renew the 30-year-old XPT fleet with faster, safer and more reliable trains and wi-fi. We will provide modern transport, and offer a full service, which has been long overdue. We understand there is much more to do. The communities of regional New South Wales had a very strong message for us. They appreciated what we did in the past four years. They have absolute faith that we will continue to deliver for them; that is our solemn pledge to them.

AUSTRALIAN ENERGY REGULATOR

Mr MICHAEL DALEY: My question is directed to the Minister for Industry Resources and Energy. Has the Government sought or received any advice on pursuing an appeal against a recent determination of the Australian Energy Regulator?

The SPEAKER: Order! I call the member for Wollongong to order for the first time.

Mr ANTHONY ROBERTS: It is good to hear a question from Her Majesty's loyal opposition in New South Wales, particularly from the member for Maroubra. It is wonderful to have them. I make it quite clear to those present that we on this side understand what makes up an electricity bill. About half of it is networks and the other half is mostly around generation and retail. What we have done and it is part of our DNA, is taken on head to head those ridiculous price increases that those on the other side delivered to consumers and businesses over 16 years, which resulted in people having to decide whether to heat or not. What a disgrace it was.

We have brought in competition, which those opposite said would drive prices up. On the contrary, it has driven prices down on one half of the bill. On the other half, the networks, we have delivered and will continue to deliver some \$5.7 billion worth of savings to New South Wales consumers that those opposite said we would never find. We said we might find \$400 million, but Labor said there were no savings there. We found \$5.7 billion worth of savings. I make it quite clear to the House that this is a responsible Government and when it comes to securing our State's energy needs we are committed to balancing affordability, reliability and safety.

Mr Michael Daley: Point of order: I am not sure what note the Minister is reading, but the question was very specific.

The SPEAKER: Order! What is the member's point of order?

Mr Michael Daley: It is relevance under Standing Order 129.

The SPEAKER: Order! The Minister is being relevant and the member knows it. The member for Maroubra will resume his seat.

Mr Michael Daley: Has the Government received any advice?

Mr ANTHONY ROBERTS: I will tell him what we have received: We have received advice from the Commissioner of Fire and Rescue NSW and the Commissioner of the Rural Fire Service, who said that the

Australian Energy Regulator [AER] determination will put life and property at risk if it comes down immediately and I see my colleague the Minister for Emergency Services nodding his head. We will find these additional savings; we will meet these commitments of the AER but we will do it in a responsible, balanced manner. We will balance affordability, reliability and safety. Did any member who toured parts of New South Wales, particularly the Blue Mountains, to announce its koala park for the second time ask how important bushfire hazard reduction was to the lives and property of the people of the Blue Mountains? No. He complained that they were a bunch of car thieves.

Did anyone grasp the anguish that the victims of bushfires go through once their homes have been destroyed? No, they did not. Bushfires are a significant issue for koalas. The Opposition claims that somehow, retrospectively, we can find these immediate savings, but that is something for the networks in conjunction with the AER. Opposition members did not even make a submission to the AER; it does not even know what it is. However, it knows the need to continue downward pressure on prices that the Opposition delivered to the people of New South Wales.

Mr Michael Daley: Point of order: We have given the Minister almost three minutes and he has gone almost nowhere near the question: Has the Government received any advice?

The SPEAKER: Order! The Minister remains relevant.

Mr Michael Daley: He cannot be relevant because he is going nowhere near the question.

The SPEAKER: Order! That is my decision. The Minister has the call. I call the member for Maroubra to order for the second time.

Mr ANTHONY ROBERTS: If the member had actually read the submission by the networks and the Commissioner of the Rural Fire Service and the Commissioner of Fire and Rescue NSW he would understand why we will not compromise on the lives and safety of the people of New South Wales.

The SPEAKER: Order! The member for Maroubra will cease arguing and interjecting. I call the member for Cessnock to order for the first time.

Mr ANTHONY ROBERTS: We will arrive at a further reduction in power prices, but we will do it in a balanced manner. We will not be lectured by his mob on bringing prices down because that is what we are good at; that is what we have delivered upon. It is all a little bit complex for the member for Canterbury.

Ms Linda Burney: Point of order: My point of order is relevance.

The SPEAKER: Order! I have already ruled on relevance. There is no point of order. I call the member for Canterbury to order for the third time.

Mr ANTHONY ROBERTS: I make it quite clear: Complex network issues are a little too complex for the Opposition to understand. As the Premier said, we are looking at the latest issue of some 2,500 jobs. We have to manage those transitions, look after those people and their families and ensure a safe, reliable and affordable electricity supply for New South Wales, and that is what we are going to deliver.

RAIL NETWORK

Mr DAMIEN TUDEHOPE: My question is addressed to the Minister for Transport and Infrastructure. How is the Government delivering increased capacity on our rail network?

Mr ANDREW CONSTANCE: I thank the member for Epping for his question and I congratulate him on his inaugural speech last night in which he touched on public transport and issues besetting the people of Sydney, our great global city.

The SPEAKER: Order! Members will be removed from the Chamber if they continue to interject.

Mr ANDREW CONSTANCE: During the election we outlined a very clear and positive agenda to tackle congestion with a bold vision to transform the State's road and rail network. Very pleasingly we have been given the green light from the people of New South Wales to do so. Congestion is costing this State in the

order of \$5.1 billion per annum and that will grow to almost \$9 billion by 2020. At the same time Sydney's central business district [CBD] will experience growth in the order of 145,000 additional commuters who will seek to travel to work each day to the Sydney city centre.

People are fed up with being stuck on train platforms; they are fed up with not being able to get to work on time. They are fed up with not being able to get home at night to see their kids before bedtime. We have a plan to tackle this head-on and build on the achievements of the past four years. Last month the Premier and I announced the start of the geotechnical works on Sydney Rapid Transit [SRT], which is a project that will revolutionise and transform the rail network of New South Wales. It means delivering more trains and faster services for the entire network. SRT will have the capacity to operate 30 trains an hour through the CBD, or one train every two minutes in each direction. It will increase capacity across the entire network by 60 per cent, moving an extra 100,000 people every hour across Sydney.

The Geotechnical work, which is underway, involves drilling up to 70 metres below Sydney Harbour to determine the best location for the railway tunnels before major construction work, which will commence in 2017. It also builds on the construction work that is currently underway for the North West Rail Link. There are four tunnel boring machines now in the ground and the project is running ahead of schedule. That project will involve a completely new way of commuting for the people of the north-west. We will see the building of Australia's longest rail tunnels—twin tunnels extending 15 kilometres from Bella Vista to Epping—eight new railway stations and, importantly for commuters, 4,000 additional commuter car parking stations as we see the advent of the new train system.

This project was promised, cancelled; promised, cancelled; promised, cancelled by those opposite and we are now delivering. At the same time we are also embarking on the Western Sydney upgrade program, which will deliver benefits to train customers right across Western Sydney. This is a package of major works to modernise and upgrade our existing double-deck network. By upgrading signalling and introducing an advanced train control system on the western line, we will unblock major bottlenecks in the network and deliver more and faster benefits for consumers. It is about cutting crowding on the T1 western line, and at the same time tackling platform crowding, particularly at stations in the CBD.

Earlier this year the Premier and the former transport Minister opened to customers the south-west rail network, again a project delivered 12 months ahead of schedule and \$300 million under budget, including major upgrades across the network, rail and bus interchanges, a new 11-kilometre passenger rail line between Glenfield and Leppington and, I reiterate, 1,200 additional car spaces for those commuters so that they can get on the train system to get to work. In its last term the Government delivered 1,730 new rail services across the network. We saw the advent of the Opal card, and we all know the long history associated with that program under those opposite.

I am particularly alarmed about some of the things that were said in relation to Sydney Rapid Transit during the election campaign. During the course of that campaign the shadow Treasurer said that building the second harbour rail crossing was not good economics. It is time that those opposite reflected very carefully on the upcoming vote on poles and wires, did the right thing by the people of New South Wales and backed the Government's planning to transform Sydney's rail network.

AUSTRALIAN ENERGY REGULATOR

Ms KATE WASHINGTON: My question is directed to the Premier. What will the Premier do to ensure that the savings resulting from the recent Australian Energy Regulator determination are passed on in full to the residents and businesses of Port Stephens and New South Wales?

Mr MIKE BAIRD: I congratulate the member on asking her first question and on her election. It is a privilege to represent a great electorate. I have one piece of advice for her: When her colleagues ask her to ask a question, it means they do not want to ask it themselves.

The SPEAKER: Order! I call the member for Keira to order for the first time. The member for Kiama will come to order. I call the member for Keira to order for the second time. I can hear what the member is saying behind his hand.

Mr MIKE BAIRD: Does any member find it ironic that during the first question time of this session members opposite are talking about electricity prices?

The SPEAKER: Order! I call the member for Maroubra to order for the third time.

Mr MIKE BAIRD: Throughout the election campaign they said that electricity prices would increase under private ownership despite the fact that that is not true. I will go through what happened. Members opposite were fighting for electricity prices to increase, but they are now pretending that they want them to be lower. That is what Labor members do best: They say one thing and then do another. We never know where we are with members opposite. That is the truth.

It is great to have some new faces in this place, but members opposite ran a dishonest campaign. In fact, we cannot believe how dishonest it was. We on this side of the Chamber have said that we are about lower prices. We have answered questions about the Australian Energy Regulator and how we will deal with it. I do not think anyone would have seen a more dishonest campaign. There was the potential that with new members the Labor Party would have taken a new direction. It is very interesting that two members were left off the Opposition front bench. One was the member for Blacktown. Why was he not given a shadow portfolio?

The SPEAKER: Order! Members will come to order.

Mr MIKE BAIRD: I know we said some things about him in the last Parliament, but we all like Robbo now. What was even more pointed was that the member for Kogarah was left out of the shadow ministry. It is clear that he would not have led such a dishonest campaign. The poor old member for Heffron was also left out. It is incredible that members of the Labor Party have come into this place to talk about electricity prices. They spent the entire election campaign fighting for them to be higher because they do not accept what all the evidence shows; that is, that private sector investment puts downward pressure on prices. Members opposite opposed that.

Members on this side of the Chamber are the friends of consumers in this State. This Government has delivered lower electricity prices and we will continue to do so. Whether it be in Port Stephens or any other electorate, that is what the people of New South Wales will get under this Government. Our words are followed by actions. We are about reducing the cost of living and putting downward pressure on electricity prices, and that is what has happened under this Government. We are proud of that and we will continue to deliver. That is what the people of this State deserve and that is what they are getting.

In addition, we now have an opportunity to inject \$20 billion to provide the infrastructure that this State needs. Members on this side of the Chamber were proud to put forward a plan for which we now have a mandate. Members opposite said that the election was a referendum on the poles and wires. The Government now has a mandate and members opposite should accept it. They are getting in the way of the Government's building of hospitals, schools, roads and rail that this State desperately needs. We expect that from members opposite, but we will continue to push the mandate that we have been given. We are going to get on with it.

NEW SOUTH WALES STORM DAMAGE

Mr GLENN BROOKES: I address my question to the Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs. What is the Government doing to assist recovery operations following the recent east coast low and the associated severe weather?

Mr DAVID ELLIOTT: I thank the member for East Hills for that question. I am proud of the hardworking member for East Hills. Unfortunately parts of his electorate were damaged in the recent storms. I am talking about a natural disaster of biblical proportions, but members opposite want to interject with ignorance and lies. The member for East Hills is a great supporter of his local State Emergency Service. He hosted the Governor during the crisis and knows many of his local State Emergency Service volunteers. I thank the emergency responders, particularly the volunteers, the interstate personnel and those from other agencies who assisted in the management of this crisis.

I also pay my respects to the affected communities, noting the loss of life that has occurred over the past month. I thank the Deputy Premier, the Premier, and the Federal Minister for Justice, who, within 48 hours, inspected the damaged communities firsthand. I also acknowledge the work of the Parliamentary Secretary for the Illawarra, Gareth Ward, and the Parliamentary Secretary for the Hunter, Scot MacDonald in the other place, who called me immediately when their communities were at risk and who took leadership roles and continue to do so.

The April east coast low storm was the largest storm emergency responded to in the history of the State Emergency Service, with 21,500 requests, 5,000,000 calls and 170 flood rescues. However, critical to the response of the State Emergency Service to this incident was the implementation of the State Recovery Plan, which was endorsed at the December 2014 State Emergency Service Management Committee Meeting. The revised plan incorporated the lessons learnt from the Blue Mountains bushfires. During this Government's time in office it has slashed administrative red tape to make it easier for emergency service personnel to get on with the job. The Government has introduced rapid impact assessment processes, which enable our recovery coordination personnel to see at a glance the areas of greatest impact. During the April east coast low, this allowed us to make natural disaster declarations quickly in 12 local government areas, and another five areas have been declared subsequently.

The Government moved quickly to appoint retired Brigadier Darren Naumann as the Regional Recovery Coordinator. The brigadier is the first regional recovery coordinator to operate under the detailed reference specifically created for this position, and he is well equipped for the post. He has recently retired from 34 years of service in the Australian Defence Force, and is an expert in military engineering and infrastructure management. Brigadier Naumann was on the ground running from 28 April. The Government is working with communities and businesses, and I commend the brigadier for his work.

I am pleased to advise that recovery centres that opened progressively over the past fortnight include a centre that opened today in Wyong. Various agencies, including the Salvation Army, Centrelink and the Department of Primary Industries, are assisting people in accessing information. Additionally, during the storm 2,800 people presented to six evacuation centres, which are managed by Family and Community Services. They were provided with immediate help, including emergency accommodation and food. The disaster welfare line—1800018444—is still operating and as at midday today had received more than 13,000 calls. This has been a significant event. Despite interjections from members opposite, I will pause to thank the shadow Minister responsible, the member for Fairfield, because he was adamant about ensuring that the response to the storm was bipartisan. I have great confidence in our State's capacity to respond to and to recover from disasters. I again thank the emergency services for their work.

NORTHERN LAKE MACQUARIE LEAD ABATEMENT STRATEGY

Mr GREG PIPER: My question is directed to the Minister for the Environment. With the Environment Protection Authority [EPA] appointed Lead Expert Working Group currently reviewing the effectiveness of the Lead Abatement Strategy in northern Lake Macquarie, will the Minister assure the community that the Government will take whatever steps are necessary to ensure that health risks from legacy lead contamination are eliminated?

Mr MARK SPEAKMAN: I thank the member for Lake Macquarie for his question and his continued advocacy on this important issue. The former Pasmenco smelter left a legacy of contaminated land in the north Lake Macquarie area. An area with more than 2,000 properties around the smelter was affected, with many having high levels of lead in soil and in other materials, such as ceiling dust. Many properties also contain lead slag from the former smelter. In many cases, this slag was transported to the properties by the owners before the risks associated with the material were widely understood. Let me make this absolutely clear: Public health is, and always will be, at the forefront of everything the Government does on this issue. To address this historical legacy the Liberal-Nationals Government implemented the Lead Abatement Strategy, which aimed to achieve minimisation or elimination of exposure pathways to lead in private residences. Works were performed by the Pasmenco administrators, Ferrier Hodgson. The works were endorsed by the Environment Protection Authority [EPA] and the Department of Planning, and accepted by NSW Health.

Under the strategy, about 2,500 private residential property owners in the vicinity of the former Pasmenco smelter were eligible to have their properties tested for lead levels. Of these, 1,231 accepted the offer to have testing carried out. The results of the testing were independently reviewed and verified by a third party, independent environmental consultant and provided to the residential property owners. The lead levels were assessed against action levels in the Lead Abatement Strategy. Abatement works were offered to 437 residential properties, of which 359 accepted the offer. Educational materials were provided to the other 784 property owners with lower levels of lead. Recently, there has been increased community concern about lead levels in Boolaroo, Argenton and Speers Point, and about the effectiveness of the Lead Abatement Strategy. In response to these concerns, the EPA has established and chairs a new expert working group.

The group was established in December 2014 and it meets regularly. It includes members who are experts in health, lead research and contaminated site rehabilitation. The members of the group are: Adam

Gilligan, EPA Manager Hunter Region, who chairs it; John Coffey, EPA; Craig Dalton, NSW Health; Dean Chapman, Lake Macquarie City Council; Professor Mark Taylor, Macquarie University; Associate Professor Stephen Cattle, University of Sydney; and Graeme Nyland, EPA-accredited contaminated site auditor and remediation consultant. The group will consider actions taken to date to limit exposure of children to lead and, if needed, actions to provide options for further lead management. The Lead Expert Working Group is overseeing the tender process for a literature review of best-practice lead remediation, to inform decisions about the success of the Lead Abatement Strategy and about future actions required. The group will make recommendations to government on any actions required in the future, informed by new blood test results, to further address lead contamination in the area. This is particularly appropriate where exposure pathways are identified. The group will be responsible for identifying and prioritising future actions.

The Lead Expert Working Group will also review the results of the new blood lead monitoring program being planned by NSW Health. Blood lead testing will take place this year for children under the age of five from the north Lake Macquarie area to ascertain whether children have elevated blood lead levels. Ongoing survey evidence of blood lead levels since the closure of the smelter has not identified elevated blood lead levels in children in the area since 2009. I hope that the new survey will provide evidence that this trend is continuing. Depending on access to new testing equipment, which is the subject of United States Food and Drug Administration approval, the testing will commence in the next few months and be concluded later this year.

All of these are the actions of a responsible Government. The EPA has also established the Lake Macquarie Lead Community Reference group. I am pleased to say that the member for Lake Macquarie was appointed as the independent chair of the group in February. The members of the group are: Karen McCraw, school representative; Nicole Gerrard, community representative; Emma Hale, community representative; Anne Sullivan, community representative; Tony Cade, community representative; Lloyd Hill, business representative; Wendy Harrison, council representative; and Rob Denton, council representative. The community reference group will provide a link between communities in the northern Lake Macquarie region and the Lead Expert Working Group. This is a critical link in ensuring that the people who are affected most directly by the legacy of the Pasmenco smelter are at the forefront of local public health considerations—as they rightly should be. I thank the member for Lake Macquarie for his question and I assure him that public health will always be this Government's first priority.

The SPEAKER: Order! Before I call the member for Kiama, I welcome to the public gallery Mr Stephen Jones, who is a guest of the Leader of the House, and member for Lane Cove.

REBUILDING NSW

Mr GARETH WARD: My question is addressed to the Treasurer. Will she advise the House on how the Government's plan to rebuild New South Wales will turbocharge our State's economy?

Ms GLADYS BEREJIKLIAN: I start by congratulating the member for Kiama on his re-election. We knew he had it in him as he has done a fantastic job for his constituents. I also thank the people of New South Wales for their support in sharing the Coalition's vision for the future of this State. This is a State where businesses and communities thrive, and where individuals have an opportunity to do their best, no matter where they come from or their background. On this side of the House, we know that the great opportunity to govern this State brings great responsibility, and we look forward to the task ahead. In addition to building on the hard work we have put in for the past four years, we know that our Rebuilding NSW Plan will unlock \$20 billion to fund critical infrastructure and set our State on an unprecedented course to support generations to come. As we have said, we will spend on infrastructure to deliver roads, transport, schools and hospitals across the State. This will breathe new life into our cultural institutions and provide a huge boost for sporting facilities, tourism and the environment.

We know that Rebuilding NSW will boost our economy by almost \$300 billion in just over two decades and generate an additional 120,000 jobs. It is now up to the Labor Party to acknowledge the mandate we received at the last election. It is up to those opposite to support our plans; it is not too late. To do otherwise is to disrespect the will of the people of this State and to disrespect the democratic process. We know that, quietly, all the new members want to support our plans because they know they are good for their communities. Unlike those opposite, we took our plans to the community at the last election—no-one can deny that. The election was a referendum on the future of New South Wales. It is now up to the Labor Party to get behind us and support what is best for the people of this State.

Unfortunately, the approach that we have adopted is in stark contrast to that of those opposite. Those opposite have form when it comes to public assets. They go to elections without announcing their true plans and undertake dodgy deals and processes. It pains me to remind members and the community, but who can forget the way those opposite handled the debacle of the gentrader transaction in 2010, when those opposite partly privatised State assets? Did they go to the 2007 election telling people what they were doing? No, they did not. Did they say that they intended to sell part of the electricity assets? They did not. They lacked the integrity and the courage to take their plans to the people of New South Wales. Their plans culminated in the midnight sell-off on 14 December 2010, which resulted in a dud deal for taxpayers of this State. The shadow Treasurer knows all too well about that, and we will discuss it on a future occasion.

Today it is important that those opposite acknowledge that we acted with integrity and openness in dealing with the people of this State. We have laid out plans, we have detailed where the money will go and we have a strong mandate from the people of New South Wales to proceed. During the recent election campaign there was a lot of commentary on the issue and what would happen should the Coalition win the election. I refer to a couple of those commentators. Martin Ferguson said that if the Coalition were re-elected Labor should allow enabling legislation to go through the Parliament. Former Premier Bob Carr said to students privately that if the Baird Government was re-elected Labor should pass the legislation. It is not too late. We have the support of the people of New South Wales, we have the mandate, and we ask the Labor Party to join us in making this State a better place.

Question time concluded at 3.19 p.m.

UNPROCLAIMED LEGISLATION

The SPEAKER: Pursuant to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 6 May 2015.

REGISTER OF DISCLOSURES BY MEMBERS

The SPEAKER tabled the Supplementary Ordinary Returns by Members of the Legislative Assembly as at 31 December 2014.

Ordered to be printed.

JOINT STANDING COMMITTEE ON ROAD SAFETY

Government Response to Report

The Clerk announced the receipt of the Government's response to the Joint Standing Committee on Road Safety (Staysafe) report 4/55, entitled "Speed Zoning and its Impact on the Demerit Points Scheme", received on 4 May 2015 and authorised to be printed.

PUBLIC ACCOUNTS COMMITTEE

Further Government Response to Report

The Clerk announced the receipt of the Further Government Response to the Public Accounts Committee report 19/55, entitled "Examination of the Auditor-General's Performance Audit Reports May 2013—July 2013", received on 5 May 2015 and authorised to be printed.

PETITIONS

The Speaker announced that the following petition signed by more than 10,000 persons was lodged for presentation:

Nurse-to-Patient Ratios

Petition requesting the Government to mandate equal nurse-to-patient ratios in all hospitals in New South Wales, received from **Mr John Barilaro**.

Discussion on petition set down as an order of the day for a future day.

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Public Libraries Funding

Petition calling on the Government to increase recurrent funding for public libraries and to establish a Building Library Infrastructure Program, received from **Mr Adrian Piccoli**.

Sydney Electorate Public High School

Petition requesting the establishment of a public high school in the Sydney electorate, received from **Mr Alex Greenwich**.

Oxford Street Traffic Arrangements

Petition requesting the removal of the clearway and introduction of a 40 kilometre per hour speed limit in Oxford Street, received from **Mr Alex Greenwich**.

Harris Street Walkway

Petition requesting the reinstatement of the Harris Street walkway connection to the central business district and the upgrade of lighting on Darling Harbour walkways, received from **Mr Alex Greenwich**.

Shoalhaven District Memorial Hospital Parking Facilities

Petition requesting additional parking facilities at Shoalhaven District Memorial Hospital, received from **Mrs Shelley Hancock**.

Slaughterhouse Monitoring

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich**.

Pig-dog Hunting Ban

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

Duck Hunting

Petition requesting retention of the longstanding ban on duck hunting, received from **Mr Alex Greenwich**.

Pet Shops

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

Inner-city Social Housing

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

Same-sex Marriage

Petition supporting same-sex marriage, received from **Mr Alex Greenwich**.

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

The Clerk announced that the following petition signed by more than 500 persons was lodged for presentation:

Orange Ambulance Service

Petition requesting additional resources for the Orange ambulance service, received from **Mr Andrew Gee**.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by Mr ANTHONY ROBERTS agreed to:

That standing and sessional orders be suspended at this sitting to provide for the following routine of business after the conclusion of the motion accorded priority:

- (1) Government business;
- (2) Private members' statements;
- (3) Matter of public importance; and
- (4) The House to adjourn without motion moved at the conclusion of the matter of public importance.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Rebuilding New South Wales

Mr RAY WILLIAMS (Castle Hill—Parliamentary Secretary) [3.23 p.m.]: It is with great pleasure and pride that I seek priority for this very important motion—the first priority motion before the Fifty-sixth Parliament—that continues in the same manner as a motion I moved during the Fifty-fifth Parliament. Nothing has changed because this Government will continue to prioritise the rebuilding of New South Wales and provide necessary infrastructure. In the past four years the New South Wales electorate has clearly seen a government it can trust. When we say we are going to do something that is exactly what we do.

If we commit to building the North West Rail Link—which those liars and deceivers on the other side of the House promised for so many years and did not deliver—the people of New South Wales can trust us to deliver it. Whether it is delivering the South West Rail Link in one term—done, tick, accomplished—or whether it is rebuilding roads such as the Pacific Highway, the Princes Highway or many of the roads on the Central Coast, they can trust us. I acknowledge the new member for Terrigal, who is raising important issues in his backyard that this Government will address. I assure the House that this motion should be accorded priority—and, just quietly, I believe it will receive support from those opposite because they know only too well that they depend on the infrastructure that we are going to deliver in their own backyards. If those opposite vote against this priority motion they will be voting against the delivery of that infrastructure.

I am seeking members' support for this important motion because today we commence our agenda to rebuild New South Wales. Those opposite lied to and deceived the people of New South Wales. But the people of New South Wales saw through Labor's election campaign—a campaign that tried to make New South Wales number eight again. The community of New South Wales saw through that campaign and the people elected a government they can trust. Just as I abhorred Labor's neglect of Western Sydney and the whole of New South Wales when it was in government, I also abhor the actions of television station SBS in talking down Mount Druitt and Western Sydney. I will have more to say about that if this motion is accorded priority. This Government is about rebuilding this State. This Government is about providing the infrastructure that the people of New South Wales need, and we are damn well going to deliver on that promise.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Maroubra that he is on three calls to order. I remind the member for Canterbury that she is also on three calls to order.

Electricity Prices

Mr LUKE FOLEY (Auburn—Leader of the Opposition) [3.24 p.m.]: This motion should be accorded priority because it affects every citizen in this State—eight million people who consume electricity—and it is necessary, given the commentary of the Premier and Government Ministers over recent days, for the House to

send a strong message that no appeal ought to be launched against the determination of the Australian Energy Regulator last week that will deliver reduced power prices to every household and business in New South Wales. On 30 April the Australian Energy Regulator issued a final determination on the revenue proposal submitted by New South Wales electricity distribution and transmission businesses.

In late November the regulator issued a draft determination that proposed very substantial cuts to network charges that would inevitably flow through to New South Wales electricity consumers' power bills. The Government and its State-owned electricity businesses sought to contest the draft determination and drive it back—in other words, to substantially reverse the lower network charges delivered by Paula Conboy, Chair of the Australian Energy Regulator. Why is it that I am the only party leader who is on the side of the regulator's determination to drive down power prices? We know why The Nationals will be into a protection racket, but the economic liberals in the Liberal Party will just be embarrassed that their Government is seeking to fight a regulator's decision to drive down power prices.

The Minister for Transport and Infrastructure, as Treasurer, put the position, rightly, that the Government should be on the side of the regulator's draft determination. Unfortunately, he did not carry the day. Today the Minister for Industry, Resources and Energy runs Vince Graham's line. Unlike Minister Hartcher, who did stand against gold plating four years ago, today the Minister stands in favour of gold plating. We know why: The Government is seeking to fatten the pig for market day, to get a higher price for the transaction. That will come from the pockets of every person and business in this State who pays for their power. At all times we should be on the side of lower power prices and back the Australian Energy Regulator's determination. [*Time expired.*]

Question—That the motion of the member for Castle Hill be accorded priority—put.

The House divided.

Ayes, 51

Mr Anderson	Ms Goward	Mr Provest
Mr Aplin	Mr Grant	Mr Rowell
Mr Ayres	Mr Gulaptis	Mr Sidoti
Mr Baird	Mr Hazzard	Mrs Skinner
Mr Barilaro	Mr Henskens	Mr Speakman
Ms Berejiklian	Ms Hodgkinson	Mr Stokes
Mr Brookes	Mr Humphries	Mr Taylor
Mr Conolly	Mr Johnsen	Mr Toole
Mr Constance	Mr Kean	Mr Tudehope
Mr Coure	Dr Lee	Ms Upton
Mr Crouch	Mr Maguire	Mr Ward
Mrs Davies	Mr Marshall	Mr Williams
Mr Dominello	Mr Notley-Smith	Mrs Williams
Mr Elliott	Mr O'Dea	
Mr Evans	Mrs Pavey	
Mr Fraser	Mr Perrottet	<i>Tellers,</i>
Mr George	Ms Petinos	Mr Bromhead
Ms Gibbons	Mr Piccoli	Mr Patterson

Noes, 39

Ms Aitchison	Mr Harris	Mr Parker
Mr Atalla	Ms Harrison	Mr Piper
Mr Barr	Ms Haylen	Mr Robertson
Ms Burney	Mr Hoenig	Ms K. Smith
Ms Car	Ms Hornery	Ms T. F. Smith
Ms Catley	Mr Kamper	Mr Warren
Mr Chanthivong	Ms Leong	Ms Washington
Mr Crakanthorp	Mr Lynch	Ms Watson
Mr Daley	Dr McDermott	Mr Zangari
Mr Dib	Ms McKay	
Ms Doyle	Mr Mehan	
Ms Finn	Ms Mihailuk	<i>Tellers,</i>
Mr Foley	Mr Minns	Ms Hay
Mr Greenwich	Mr Park	Mr Lalich

Question resolved in the affirmative.

REBUILDING NEW SOUTH WALES**Motion Accorded Priority**

Mr RAY WILLIAMS (Castle Hill—Parliamentary Secretary) [3.41 p.m.]: I move:

That this House:

- (1) Notes that the Government is getting on with the job of rebuilding New South Wales.
- (2) Recognises that only with a strong economy you can build infrastructure, improve services and protect the vulnerable.
- (3) Acknowledges that on 28 March 2015 the people of New South Wales delivered a mandate for the Government's plan to rebuild New South Wales.

I appreciate the support for my motion that has been shown by the majority of members in this House but let the record show that every member of the Labor Opposition, all three newly elected members of The Greens and the two Independent members voted against this important motion to rebuild New South Wales. I will continue to hold the Opposition to account because people like the rude member for Wyong, who does not understand how to fund important infrastructure, voted against this important motion. The member for Wyong, who was a member of this House before but who failed and was removed, has now been re-elected. He will not represent the needs of his electorate by voting against the funding of infrastructure in this State.

Government members make no apology for undertaking appropriate economic procedures to fund that infrastructure. This Government could go down the path of borrowing to the extent that this State loses its triple-A credit rating, which is what occurred under the former Labor Government and The Greens. This Government could continue to borrow to such an extent that its debt could not be sustained and infrastructure could not be built. That is what this Government inherited when it came into office. Over the past four years this Government has undertaken responsible measures, lived within its means, trimmed back excesses, restrained wages, got this State's budget back in check and now it can provide important infrastructure. We have an opportunity to retire an asset and to assure the community that electricity prices will not increase if we lease 49 per cent of the poles and wires. The community entrusted this Government safe in the knowledge that once it has leased that asset—

Mr David Harris: Prices will never go up again.

Mr RAY WILLIAMS: Prices will not go up 69 per cent like they did under the previous Labor Government which the former member for Wyong supported. He supported the failed policies of the Labor Government that saw electricity prices soar by 69 per cent. The people of New South Wales are safe in the knowledge that we have already reduced the cost of electricity and we will continue to keep putting downward pressure on electricity prices. This Government will lease 49 per cent of the poles and wires over 99 years but it will still maintain 51 per cent control of our electricity assets which will generate in excess of \$20 billion to invest in critical infrastructure. We will be able to build roads on the Central Coast and in Western Sydney, and build rail for public transport services.

Mr Michael Daley: Maroubra?

Mr RAY WILLIAMS: We will spend a few dollars in Maroubra because this is a caring and sharing Government. We want to ensure that every person in New South Wales receives the benefits of our rebuilding plan and our leasing of 49 per cent of the poles and wires. This Government received that mandate from the people of New South Wales who saw through the lies, deceit and fear campaign of Labor and its brothers in arms—the unions. The people of New South Wales elected this Government for another term to rebuild this great State of ours. [*Time expired.*]

Mr MICHAEL DALEY (Maroubra) [3.46 p.m.]: *Hansard* will reflect the substance of the contribution of the member for Castle Hill who did not treat this motion with the seriousness that he said it deserved. Paragraph (1) of this important motion, which is quite telling, states:

- (1) Notes that the New South Wales Government is getting on with the job of rebuilding New South Wales.

Mr Mark Coure: There is a lot to do.

Mr MICHAEL DALEY: There is a lot to do. For example, the unemployment rate was 5.1 per cent when this Government came to office but it is now 6 per cent. This Government has to repair the health budget which has had \$3 billion ripped out of it. It has to repair the education and TAFE budgets and institutions that have had \$1.7 billion ripped out of them. In particular, this Government is in the midst of absolutely destroying TAFE. Members on both sides of the House would attest to the fact that during the election campaign they were regaled with disastrous anecdotes about what is happening in TAFE, which certainly needs rebuilding. Paragraph (2) of the motion states:

- (2) Recognises that only with a strong economy can you build infrastructure, improve services and protect the vulnerable.

New South Wales has always had a strong economy. The mining States are now coming off and we are continuing to grow at trend. A strong economy and good government policy build infrastructure, improve services and protect the vulnerable. In its first months of tenure this Government destroyed the workers compensation system thus adding to the list of vulnerable people those tens of thousands of people who are injured at work. What I like most about this motion is the reference to a mandate in paragraph (3).

In the words of the Treasurer today, a mandate occurs when in the midst of an election campaign a government or a party goes before an electorate and with full transparency lays everything on the table. In 2013 former Treasurer Baird amended the Parliamentary Budget Officer Act to implement a process that required the Leader of the Government and the Leader of the Opposition to submit all election policies that are likely to impact on the current and relevant forward budget estimates for costing to the Parliamentary Budget Office.

The plan to sell our electricity assets was this Government's biggest election policy. In the last budget the transmission and distribution companies delivered in excess of \$2 billion in various payments for this Government's recurrent annual services and they are forecast to deliver billions of dollars as far as the eye can see which is likely to impact on the forward estimates. I discovered that when the Parliamentary Budget Office issued its report just before the election the Government did not lodge 75 costings with the Parliamentary Budget Office. In fact, this Government lodged only 38 costings with the Parliamentary Budget Office compared to the 131 costings that were lodged by the Opposition.

One of the election promises that was not lodged with the Parliamentary Budget Office related to the scoping study for the sale of the electricity network. The Parliamentary Budget Office advised the Opposition that it was unable to cost the Liberal Party's plan to privatise the State-owned electricity network because the Treasurer would not provide them with a copy of the scoping study. So this Government has no right to claim a mandate. The Treasurer said that he was being transparent by lodging the privatisation plan with the Parliamentary Budget Office but he then refused to provide any of the material that was required to cost it. The Parliamentary Budget Office discussed the scoping study with New South Wales Treasury but it was not provided with a copy of the scoping study. The Government failed to release the scoping study to the Parliamentary Budget Office which provides no basis for its claim of a mandate.

Mr CHRISTOPHER GULAPTIS (Clarence—Parliamentary Secretary) [3.51 p.m.]: It is terrific to be able to support the priority motion moved by the member for Castle Hill. What the member for Castle Hill said earlier is absolutely correct: Opposition members voted against a strong economy and investment in their electorates. They do not want a strong economy and they do not want investment in their electorates.

Mr David Harris: Were they the only ones you convinced?

Mr CHRISTOPHER GULAPTIS: At the end of the day we were not the only ones who were convinced.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Clarence will direct his remarks through the Chair.

Mr CHRISTOPHER GULAPTIS: I advise the member for Wyong that we were not the only ones who were convinced; the voters of New South Wales were also convinced. There is no greater example of rebuilding in New South Wales than in my electorate of Clarence. On 28 April the Deputy Prime Minister and the Minister for Roads, Maritime and Freight, the Hon. Duncan Gay, announced the delivery partner for the Pacific Highway upgrade, most of which will be taking place in my electorate. Over \$4.34 billion will be spent in my electorate alone. As the member for Castle Hill said, that comes from a strong economy and the renewal of assets. The Clarence electorate is grateful for that renewal of assets and for the allocation of \$4.3 billion for the Pacific Highway upgrade.

This Government is getting on with the job. The Deputy Prime Minister and the Minister for Roads, Maritime and Freight visited the Clarence electorate and announced that the delivery partner, Pacific Complete, would be located in Grafton and would employ 200 people, which is terrific for the local economy. By 2017 more than 4,000 people will be working directly and 12,000 will be working indirectly on the Pacific Highway—fantastic news for my electorate—as a consequence of the strong economy that has been built in New South Wales since the Liberal-Nationals came to government in 2011.

This is a prime example of how good government works and this is what happens in an electorate that needs to have good government. We are getting not only \$4.3 billion for the Pacific Highway but also \$185 million for the Grafton Bridge. What did the Labor Party do for Grafton and what did it do for the Grafton Bridge? In 2003 Bob Carr gave an iron clad guarantee that the bridge would be built. A Labor Party promise is worth nothing. We are not only building Grafton Bridge; \$13 million has been set aside for Sportman's Creek Bridge and \$7 million has been set aside for the Grafton Hospital ambulatory care unit.

Ms LINDA BURNEY (Canterbury) [3.54 p.m.]: The motion moved by the member for Castle Hill is in the following terms:

That this House:

- (4) Notes that the New South Wales Government is getting on with the job of rebuilding New South Wales.
- (5) Recognises that only with a strong economy can we build infrastructure, improve services and protect the vulnerable.
- (6) Acknowledges that on 28 March 2015 the people of New South Wales delivered a mandate for the Government's plan to rebuild New South Wales.

Clearly the people in Wyong, Swansea, The Entrance, Port Stephens, Gosford, Londonderry, Summer Hill, Maitland, the Blue Mountains, Campbelltown, Macquarie Fields and Prospect did not agree with the rebuilding plan for New South Wales. Many people in regional New South Wales did not agree with this Government's rebuilding plan for New South Wales. I particularly liked the swing in Goulburn—a 20 per cent against the sitting member. Some people in Goulburn obviously did not agree with this Government's plan for rebuilding New South Wales. The swings to Labor on the North Coast revealed that those voters did not agree with this Government's plan for rebuilding New South Wales, so this Government cannot state that it has a mandate.

Women's domestic violence services will not increase under Rebuilding NSW, TAFE will be destroyed, and the ability for people to enrol in TAFE and to receive certificates will not occur under Rebuilding NSW. Federal and State government cuts to the education budget, a \$9 billion cut to the health budget and cuts to the education budget will not assist in rebuilding New South Wales. Only \$17 million of the \$20 million allocated to the Aboriginal affairs budget was spent—an area of most need—which will not lead to the rebuilding of New South Wales. I put it to Government members that this motion is a fantasy. This Government is all about destroying, pulling down and breaking infrastructure rather than rebuilding New South Wales.

Mr RAY WILLIAMS (Castle Hill—Parliamentary Secretary) [3.57 p.m.], in reply: It was with great pride and pleasure that I moved the first and most important priority motion of the Fifty-sixth Parliament—on the funding of important infrastructure right across New South Wales. Incidentally, some of the areas provided with important infrastructure upgrades in the past four years were in the heart of the Wyong electorate. I announced the allocation of tens of millions of dollars for the upgrade of Sparks Road and the allocation of millions of dollars to upgrade road safety in Toukley and surrounding areas. The member for Canterbury is correct: We did not receive full support in several electorates but we received support from the majority of people in New South Wales.

I will outline some projects with respect to Rebuilding NSW that will be achieved with the proceeds of the 49 per cent lease of the poles and wires, namely, \$2 billion for schools and hospitals and another \$2 billion for sport and culture. I acknowledge that the Powerhouse Museum will find a new home in Parramatta. I endorse that initiative and support the moving of that museum to the heart of Western Sydney. I am sorry for the cafe latte sippers from the eastern suburbs who think Parramatta will be too far for them to travel but we in Western Sydney welcome the arrival of the Powerhouse Museum in our backyard because we have a little more culture than just the bit of yoghurt I spilt down my tie while having breakfast this morning.

As part of the Sydney Roads Renewal program, billions of dollars are being injected into roads, and the good member for Clarence has already acknowledged the upgrade of the Pacific Highway. How many lives were lost on roads during the 16-year watch of the Labor Party when it was governing this State? We are intent

on upgrading those roads. Although the former Labor Government neglected areas of New South Wales and Western Sydney—and I am quite ashamed of that—I am also ashamed of television station SBS, which is trying to "boganise" Mount Druitt, an area of Western Sydney that is close to my heart.

When people seek to talk down Mount Druitt they talk down Western Sydney, and when they talk down Western Sydney they talk down this great State and our great country. If the SBS thinks it is giving people a voice I remind it of the people it interviewed who said that they have been largely deceived by the SBS. I put the SBS on notice. I will be writing to the chief executive officer of the SBS demanding that he front this Government and explain why he and his board support the actions of talking down Mount Druitt and the people of Mount Druitt. We will never do that. We will rebuild New South Wales on behalf of every constituent.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 51

Mr Anderson	Ms Goward	Mr Piccoli
Mr Aplin	Mr Grant	Mr Piper
Mr Ayres	Mr Greenwich	Mr Provest
Mr Baird	Mr Gulaptis	Mr Rowell
Mr Barilaro	Mr Hazzard	Mrs Skinner
Ms Berejiklian	Mr Henskens	Mr Speakman
Mr Brookes	Ms Hodgkinson	Mr Stokes
Mr Conolly	Mr Humphries	Mr Taylor
Mr Constance	Mr Johnsen	Mr Toole
Mr Coure	Mr Kean	Mr Tudehope
Mr Crouch	Dr Lee	Mr Ward
Mrs Davies	Mr Maguire	Mr Williams
Mr Dominello	Mr Marshall	Mrs Williams
Mr Elliott	Mr Notley-Smith	
Mr Evans	Mr O'Dea	
Mr Fraser	Mrs Pavey	<i>Tellers,</i>
Mr Gee	Mr Perrottet	Mr Bromhead
Ms Gibbons	Ms Petinos	Mr Patterson

Noes, 36

Ms Aitchison	Ms Harrison	Mr Parker
Mr Atalla	Ms Haylen	Mr Robertson
Mr Barr	Mr Hoenig	Ms K. Smith
Ms Burney	Ms Hornery	Ms T. F. Smith
Ms Car	Mr Kamper	Mr Warren
Ms Catley	Ms Leong	Ms Washington
Mr Chanthivong	Mr Lynch	Ms Watson
Mr Crakanthorp	Dr McDermott	Mr Zangari
Mr Daley	Ms McKay	
Mr Dib	Mr Mehan	
Ms Doyle	Ms Mihailuk	<i>Tellers,</i>
Ms Finn	Mr Minns	Ms Hay
Mr Harris	Mr Park	Mr Lalich

Pair

Mr Roberts

Mr Foley

Question resolved in the affirmative.

Motion agreed to.

Pursuant to sessional order government business proceeded with.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2015

Second Reading

Debate resumed from an earlier hour.

Mr STEPHEN BROMHEAD (Myall Lakes) [4.13 p.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015. The bill states that its objects are:

- (a) to amend the Civil and Administrative Tribunal Act 2013:
 - (i) to make further provision with respect to the powers of the Civil and Administrative Tribunal (the Tribunal) with respect to the representation of parties to proceedings, and
 - (ii) to rename the Health Practitioner Division List of the Occupational Division of the Tribunal as the Health Practitioner List, and
 - (iii) to enable a person who is a senior member (but not an Australian lawyer) to sit as one of the 3 members of an Appeal Panel determining an internal appeal against a decision made in the Guardianship Division of the Tribunal,
- (b) to amend the Guardianship Act 1987:
 - (i) to make further provision with respect to persons who are to be treated as parties to certain proceedings under that Act, and
 - (ii) to provide for alternative enduring guardians to be called substitute enduring guardians, and
 - (iii) to confer additional powers on the Tribunal in connection with the determination of proceedings under that Act, and
 - (iv) to enable a person to make an application to the Tribunal for a financial management order with respect to the person and to enable a person whose estate is subject to such an order to apply for a review of the appointment of a manager of the person's estate,
- (c) to amend the Children's Court Act 1987, District Court Act 1973, Drug Court Act 1998, Dust Diseases Tribunal Act 1989 and Local Court Act 2007 to enable the Attorney General to appoint an acting head of the Court or Tribunal during a vacancy or absence from duty of the head of the Court or Tribunal,
- (d) to amend the District Court Act 1973, Industrial Relations Act 1996, Land and Environment Court Act 1979, Local Court Act 2007 and Supreme Court Act 1970 to enable acting judicial officers to be appointed:
 - (i) for a period not exceeding 5 years (instead of the current 12 months), and
 - (ii) up to the age of 77 years (instead of the current 75 years),
- (e) to amend the Land and Environment Court Act 1979 to enable acting commissioners to be appointed for a period not exceeding 5 years (instead of the current 12 months),
- (f) to amend the Crimes (Administration of Sentences) Act 1999 to enable the Commissioner of Fines Administration and the Commissioner of Corrective Services to share certain information about inmates so as to identify any of their outstanding fines and to facilitate their participation in work and development orders to satisfy all or part of those fines,
- (g) to amend the Jury Act 1977 to enable the sheriff to obtain a customer identification number allocated to a person by Roads and Maritime Services for the purpose of determining whether the person should be excluded from jury service,
- (h) to amend the Land and Environment Court 1979 to extend the classes of proceedings in which judges of the Land and Environment Court of New South Wales may be assisted by commissioners to include Class 4 proceedings (Class 4 proceedings relate to environmental planning and protection and development contract civil enforcement),
- (i) to amend the NSW Trustee and Guardian Act 2009 to enable the Mental Health Review Tribunal to revoke financial management orders made under the Act in respect of certain current or former patients admitted to mental health facilities,
- (j) to amend the Oaths Act 1900 to enable justices of the peace to witness certain interstate and Commonwealth oaths, affidavits and statutory declarations,
- (k) to amend the Trees (Disputes Between Neighbours) Act 2006 to extend the application of certain provisions relating to court orders in respect of high hedges that obstruct sunlight or views to land within a zone designated "rural-residential" under an environmental planning instrument,

- (l) to make amendments to certain legislation in the nature of statute law revision,
- (m) to make consequential amendments to certain legislation.

As I said, one of the objects of the bill is to amend certain Civil and Administrative Tribunal provisions. First, the bill proposes to remove section 29 (1) (d) (iv), which relates to the protection of persons who make reports or provide certain information and to insert a new subsection, which states:

- (iv) proceedings before the Civil and Administrative Tribunal that are allocated to the Guardianship Division of the Tribunal or are commenced under the Victims Rights and Support Act 2013,

This amendment to the Children and Young Persons (Care and Protection) Act 1998 "clarifies the kinds of proceedings before the Civil and Administrative Tribunal in which a report of harm made by a person concerning a child or young person will be admissible". The bill proposes to amend section 45 (1) (b) of the Act by replacing it with:

may be represented by another person only if the Tribunal grants leave:

- (i) for that person to represent the party, or
- (ii) in the case of representation by an Australian legal practitioner—for a particular or any Australian legal practitioner to represent the party.

The bill also provides for the renaming of the Health Practitioner Division List:

The renaming of the Health Practitioner Division List of the Occupational Division of the Tribunal by the *Courts and Crimes Legislation Amendment Act 2014* as the Health Practitioner List does not affect the continuation of any proceedings entered in the List before its renaming or the appointment of the List Manager for the List.

The bill contains a number of amendments relating to guardianship. Section 3F covers persons who are parties under proceedings of the Act and inserts:

section 3F (7) (d):

- (d1) the person, if any, appointed attorney by the person to whom the relevant financial management order relates under a power of attorney (whether in force or suspended),

Many amendments are made to other pieces of legislation. This bill shows this Government is constantly reviewing legislation, and laws that need clarification are amended. I commend the bill to the House.

[*Business interrupted.*]

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by Mr ANTHONY ROBERTS agreed to:

That standing and sessional orders be suspended on Thursday 7 May 2015 to permit:

- (1) General business to take precedence of the Address-in-Reply.
- (2) Private members' statements to be taken during the period in the routine of business set aside for consideration of committee reports.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2015

Second Reading

[*Business resumed.*]

Mr JAMIE PARKER (Balmain) [4.22 p.m.]: On behalf of The Greens I address the Courts and Crimes Legislation Amendment Bill 2015. I acknowledge the efforts of the former Attorney General, and welcome and congratulate the new Attorney General. I look forward to working with her and her office. As the Government has said, this bill is a compendium bill with a range of different elements and amendments, including changes to the Children's Court Act, the Guardianship Act, the Drug Court Act and the Industrial

Relations Act. I acknowledge most of the amendments have the support of The Greens. However, The Greens are concerned that the proposed legislation extends the maximum term of acting judicial appointments from one to five years in the Local Court, the District Court, the Supreme Court, the Land and Environment Court, and the Industrial Relations Commission. We seek clarification about the intention of this amendment.

The bill increases the maximum age of an acting judge in various courts and tribunals from 75 to 77 years, and allows the Attorney General, rather than the Governor, to appoint acting chief magistrates and judges. It also makes administrative and mechanical changes to many Acts. Of concern to The Greens are the provisions that extend the maximum term of appointment for magistrates, judges and tribunal members from the previous 12-month limit to five years. In our view this is concerning and so we do not support schedule 3.2 [3], schedule 3.5, schedule 3.6, schedule 3.7 and schedule 3.8. The rest of the amendments are fundamentally uncontroversial.

As members of Parliament we should be concerned about these schedules. As I said, The Greens are concerned about the impact of extending the maximum terms for acting judges from one to five years. The bill proposes to increase the maximum term for acting judges in the courts that I have named. In our view five years is not a short-term appointment for judges. There are two troubling aspects to the appointment of long-term acting judges. The first is the loss of security of tenure for judicial officers. The approach of the Government is that members of the judiciary should be independent and fearless. For that they need to be secure in their positions and not have their continued appointment subject to the views of the Government of the day. There is a potential danger that a government could appoint acting judges for a period of two or four years to try them out.

Mr Jonathan O'Dea: It's more secure than 12 months.

Mr JAMIE PARKER: They could appoint them to see what they are like, and if the Government does not like them then they could consider not making them permanent judges. The member opposite said it is more secure than 12 months, but the New South Wales Bar Association expressed its concerns in the 1990s when this crept in to legislation in New South Wales. Also, if a long-term acting judge does not meet the expectations of the Government, there is the possibility of the politicisation of our judiciary along the lines of what occurs in the United States.

Our second concern is that, by allowing the appointment of an acting judge for up to five years, it is increasingly likely the Government will choose younger acting judges from practitioners who are in the middle of their careers. For these acting judges it raises the apprehension that their decisions on the bench could be coloured by the need to return to the profession as practitioners once their acting appointment concludes. This would place acting judges in a difficult situation where a litigant before them is represented by a firm they may intend to join when they leave the bench, or a firm or practitioner who may otherwise be professionally important to their future career at the bar.

An obvious example would be a barrister appointed as an acting judge having to make a decision against a firm of solicitors who are potentially a future source of briefs. If there is a known vacancy in the courts beyond 12 months then that should be filled by appointing a permanent judge. That would resolve the problem. Appointing a permanent judge for a period of longer than 12 months seems reasonable, and the case is even stronger when the Government knows there is a vacancy for up to five years in duration, as that should warrant a permanent appointment.

I draw the attention of the House to some correspondence from the New South Wales Bar Association expressing the association's concerns regarding acting appointments. In recent times the association has reluctantly accepted that the appointment of retired members of the judiciary to these positions is a practical measure to combat court delays. The association would prefer additional resources be allocated to courts to enable the appointment of additional permanent full-time judicial positions to deal with the issue. At the heart of this argument is how we fund our courts and how we approach them. The Bar Association goes on to say:

The Association would be strongly opposed to any proposed system that involves the appointment of current legal practitioners to fixed term, part time acting judicial commissions.

I ask the Government to address that issue. Clarification from the Government on the difference between retired members filling acting positions and current legal practitioners filling those positions would be appreciated. The Bar Association continues:

The issue is one of principle. Such appointments would have the potential to tarnish the reputation of the courts and create at least the perception of conflicts of interest in certain cases.

The Bar Association goes on to say:

The potential to undermine the integrity of the court system and create potential and actual conflicts of interest is very real. It was for these reasons that the then Government—

and it is referring to a Government in the 1990s—

abandoned the practice of appointing legal practitioners as part time acting judicial officers at the turn of the century.

We ask the Government to address that issue because the practice that we have today was adopted in the 1990s and there were cases where part-time acting judges had before them clients who provided substantial amounts of work to them when they were not sitting as acting judicial officers. A litigant could reasonably query whether he or she had a fair hearing in those circumstances. The Bar Association continues:

If such a system is to be reinstated, it would substantially undermine the concept of the independent judiciary. The Association would find such a fundamental and undesirable alteration to this State's constitutional fabric unacceptable.

I acknowledge that the majority of the issues within the bill are mechanical and worthwhile, and that the provisions in the bill are modest and deliver positive changes for New South Wales. As I have stated, our concern is about who will fill these acting roles, whether or not up to five years is a reasonable period for a judge to be acting in that role and what that means for our judicial system. On balance and for those reasons we are unable to support the bill at this time, but we hope the Government will engage in discussions and give some thought to the issues around this measure and find ways to mitigate any potential problems. We hope the Government will fully address the issues raised by the New South Wales Bar Association.

I thank the House for the opportunity to speak on this bill and I look forward to this being resolved in a positive way. I conclude by noting the work of the staff in the Minister's office and in the Attorney General's department. I know there is a bigger workload in that area and I acknowledge the work of not only the Minister but all the people behind the scenes who bring these issues to the House.

Mr KEVIN ANDERSON (Tamworth) [4.32 p.m.]: I support the Courts and Crimes Legislation Amendment Bill 2015. This bill is an important part of the Government's continued legislative review and monitoring program, which aims to create greater efficiencies across the portfolios of the Attorney General, the Minister for Justice and the Minister for Corrections. A couple of issues were brought to my attention by people who came to my office and I will point to a number of areas where this legislation will enhance the lives of those in the Tamworth electorate.

Schedules 2.1 and 2.2 amend the Guardianship Act with a number of minor amendments to enhance the flexibility and efficiency of the NSW Civil and Administrative Tribunal [NCAT] and to provide clarity to the public about substitute guardians. The amendments also reduce the administrative burden on enduring guardians and powers of attorney by acknowledging that they are parties in matters relating to guardianship orders and financial management orders.

The Guardianship Division of NCAT deals with very important, sensitive and complex cases about the authority of substitute decision-makers for people who lack the capacity to make decisions for themselves. The amendments remove some of the procedural complexity associated with people who are parties to applications and with the types of orders that can be made in dealing with applications. As a protective jurisdiction the tribunal must ensure that its paramount consideration is the best interests of the person with the disability when considering any application. Members of the public can visit www.planningaheadtools.com.au for more information about making enduring guardianship and enduring power of attorney appointments. The NSW Public Guardian provides free advice on enduring guardianship appointments. The NSW Trustee and Guardian can also provide advice and can draft applications for members of the public in relation to enduring powers of attorney.

Another issue that is raised quite frequently in my office in Tamworth is in relation to correctional centre inmates and accrued fines. There is a corrective centre in Tamworth and from time to time a number of issues are raised that we deal with locally. I thank the staff of Tamworth Correctional Centre for their excellent service and for the great work they do. I also thank the Attorneys General who have assisted me in sorting out some of the issues raised—namely, the former Attorneys General Greg Smith and Brad Hazzard, and the current Attorney General, Gabrielle Upton.

Corrective Services NSW is an integral part of the criminal justice system and is committed to the delivery of quality professional correctional services and programs to reduce the risk of reoffending and to

enhance public safety. Corrective Services NSW works in partnership with other government and community agencies to ensure effective service and support for inmates, offenders and their families. A number of programs are on offer for inmates at the Tamworth Correctional Centre. Ultimately, rather than just incarcerating them for a period of time and then releasing them with no support mechanisms, the facility wants to ensure that the inmates turn out to be good, reliable and responsible community citizens when they are released. To provide those effective services and that support for inmates while they are serving time certainly bodes well for them to be responsible when they are released back into the community—responsible not only for themselves but also for their loved ones and their families—and to have a worthwhile place in society.

The Commissioner of Corrective Services oversees Corrective Services NSW, and I acknowledge the great work of the commissioner, Peter Severin, who does a wonderful job. We have had a lot of contact with the commissioner and he has always been a very willing and cooperative person in ensuring that we have the best outcomes for inmates in the Tamworth facility. I thank him for his professional cooperation. The Crimes (Administration of Sentences) Act 1999 governs the administration of most sentences in New South Wales and is the legislation under which Corrective Services NSW operates. We look forward to working with the new Minister for Corrective Services on enhancing the functions of Corrective Services and looking after not only those who work at the Tamworth facility but also the inmates. Many Corrective Services NSW functions, such as administering correctional centres, prison sentences, parole orders, home detention orders, intensive correction orders and community service orders, arise under the Crimes (Administration of Sentences) Act 1999.

The proposed amendments to section 257 of the Crimes (Administration of Sentences) Act 1999 will permit the Commissioner of Corrective Services to share information with the Commissioner of Fines Administration about inmates. The Commissioner of Fines Administration can then identify any outstanding fines of inmates. The proposed amendments also will enable Corrective Services NSW, where appropriate, to assist the inmate in making arrangements with the Commissioner of Fines Administration to work off all or part of the value of those fines by way of a work and development order under section 99B of the Fines Act 1996—and so they should pay them. If an inmate has received ill-gotten gains in any way, shape or form they should be paid back, and there is no reason why that cannot happen while they are serving time.

Some personal information about inmates will need to be disclosed in order to enable the Commissioner of Fines Administration to identify any outstanding fines of inmates. The purposes for which information may be shared under the proposed amendments are limited to assisting with the exercise of the statutory functions of the Commissioner of Corrective Services and the Commissioner of Fines Administration. Work and development orders are made by the State Debt Recovery Office. Work and development orders for eligible inmates include undertaking programs, drug and alcohol treatment and counselling in custody.

The community work programs that inmates who are in minimum security are capable of undertaking enable them to go out into the community and perform some work for the community. Last year—and we will be doing it again this year—a group of inmates worked on Graffiti Removal Day cleaning up graffiti. A group of about six or seven will work under close supervision wearing hi-vis vests bearing the words "Giving back to Tamworth". The inmates paint over the graffiti and clean walls, giving back to the community against which they offended. I have met the inmates on several occasions when we have run this program, and they are willing participants in it. Work and development orders are made by the State Debt Recovery Office. The amendments will assist Corrective Services NSW in providing effective services and support for inmates. They can help inmates to reduce or eliminate their fines. This may also prevent the negative impact of enforcement action that some inmates will encounter when released from custody.

The amendments demonstrate the Government's commitment to making the justice system fairer and more efficient. The Government will go a long way to ensure that the right support programs are put in place, and to give local members up-to-date information on what is available and the role of Corrective Services in the community. I note that the member for Epping, who is the former chief of staff to previous Attorney General Greg Smith, is in the Chamber. We welcome him to this place. I place on record my sincere thanks for the support, encouragement and advice about corrective services that he offered when in his former role. The Courts and Crimes Legislation Amendment Bill 2015 takes a common-sense approach. It is getting on with the job of reducing red tape and making life easier for the people of New South Wales. We should continue to do that. I commend the bill to the House.

Mr RON HOENIG (Heffron) [4.41 p.m.]: In contributing to debate on the Courts and Crimes Legislation Amendment Bill 2015 I endorse and adopt the views and reasoning of the shadow Attorney General

and member for Liverpool concerning the bill. Nothing I say should be construed either directly or indirectly as being inconsistent with the views expressed by the shadow Attorney General. The shadow Attorney General has brought to my attention a letter dated 6 May 2015 that he received from Jane Needham, Senior Counsel, who is President of the New South Wales Bar Association. In the letter Ms Needham expressed concern about some provisions in the bill—particularly those in schedule 3—that had not been brought to the attention of the shadow Attorney General prior to his contributing to the debate. Accordingly, the shadow Attorney General has brought the letter to my attention, and I wish to bring it to the attention of the House. I refer to a paragraph that indicates a matter of considerable substance. In relation to the possibility of introducing a system as permitted in this legislation, Ms Needham said:

... it would substantially undermine the concept of an independent judiciary. The Association would find such a fundamental and undesirable alteration to this State's constitutional fabric unacceptable.

Those are quite strong and powerful words for the Bar Association to use in respect of the wording of a bill that is being put through the House on the assumption that its many amendments are simply fixing specific provisions and do not necessarily involve multiple changes to public policy. That was certainly the view of many participants in this debate, and it may well have been my view. However, the concern expressed by the Bar Association must cause the House to consider whether the provisions in schedule 3 to the bill should remain or whether they interfere—

Mr Jonathan O'Dea: Which ones?

Mr RON HOENIG: I will come to that in a moment. We must consider whether the provisions have the potential to obstruct fundamental principles, in particular the principle of the doctrine of separation of powers. The participants in this debate know that the bill proposes amendments to the Supreme Court Act, the Industrial Relations Act, the Land and Environment Court Act, the District Court Act and the Local Court Act to enable judicial officers to be appointed up to the age of 77 years rather than 75 years. That does not pose a particular problem. Many of us recall when the Commonwealth Constitution was amended to require the retirement of High Court judges at the age of 70 years. I venture to say that when the Whitlam Government proposed such constitutional amendments 70 was seen to be the age at which senility approaches. Now age discrimination laws apply.

In the old days there were difficulties getting judges to retire; the United States Supreme Court had the same problem. When judges reached an age at which they should no longer be on the bench, the doctrine of separation of powers prevented anybody from doing anything about it. There is also an obligation to protect the reputation of the judiciary, which is another fundamental function of both this House and the Executive Government. There is no particular problem with the provision; the problem occurs in relation to the appointment of acting judges for periods of up to five years. The Bar Association and probably most of us would oppose acting appointments because they risk infringing on the doctrine of separation of powers. No doubt it is done for financial reasons and to clear the backlog on court lists to enable matters to proceed.

In recent years judges who reach retirement age have been generally appointed as acting judges, and those appointments are renewed on a yearly basis. It does not cause any practical problem because, firstly, those acting judges are remunerated; secondly, they are very experienced judges so the ones who should not be appointed usually are not so appointed—sometimes those at the bar are terrified that a retiring judge might return but generally the selection of acting judges is exemplary—and, thirdly, they already have their judicial pension so have nothing to gain or lose by accepting a temporary appointment. It is not ideal.

What then happens if we adopt something similar to the recorder system of the United Kingdom, where members of the bar are plucked out for acting appointments midway through their careers for periods of up to five years and then face renewal? The Bar Association is concerned that that interferes with the doctrine, and there is a risk that it can do so. When the Labor Government amended the Crown Prosecutors Act and the Public Defenders Act for those reasons I was fearful. I can remember being at the bar cross-examining senior Labor Ministers in a particular trial and putting propositions to them. I thought then it was just as well I had security of tenure because after the trial a Labor government probably would not reappoint me if my appointment were to come up for renewal.

I did not think that had much substance. But when it comes to the judiciary—again, with great respect to Local Court magistrates—we are not talking about magistrates. We are talking about Supreme Court judges, judges of the Court of Appeal or judges of Supreme Court status. It is not appropriate to appoint a practitioner as a Supreme Court judge for five years and then say, "You're not reappointed." One might have served on the

Court of Appeal and overturned amendments to the Independent Commission Against Corruption Act that the Government wanted desperately for whatever purpose. There is a substantial risk, and the Bar Association has, in a far more complex and better way, expressed the relevant concerns. It states:

I do however wish to raise a note of caution. The Association would be strongly opposed to any proposed system that involves the appointment of current legal practitioners to fixed term, part time acting judicial commissions.

The issue is one of principle. Such appointments would have the potential to tarnish the reputation of the courts and create at least the perception of conflicts of interest in certain cases.

The Bar Association refers to examples in the 1990s, and further states:

When this practice was adopted in NSW in the 1990s, there were cases where part-time acting judges had before them clients who provided substantial amounts of work to them when they were not sitting as an acting judicial officer. A litigant in such a case could reasonably query whether he or she had a fair hearing in such circumstances.

There were also instances where acting judges were part-heard as barristers before other acting judges.

Without wishing to impugn the integrity of those practitioners who were appointed as part-time acting judges at that time, there was also a popularly held perception in some quarters that such acting judges might fashion judgments in such a way that might ensure their reappointment at the expiry of their term.

[Extension of time agreed to.]

Ms Needham continues:

The potential to undermine the integrity of the court system and create potential and actual conflicts of interest is very real. It was for these reasons that the then Government abandoned the practice of appointing legal practitioners as part time acting judicial officers at the turn of the century.

I recall a member of the bar who was an acting judge in the District Court being given the responsibility of determining victims' compensation matters. It was indicated to her that she was required to determine a certain number per day—a task that she found impossible. At the time she was a member of some ability, and is now a silk. After 12 months she was not reappointed. Judicial officers should be able to complete their task thoroughly and to the best of their ability without having reappointment held over their heads—and not by the Executive Government. I am also concerned about the appointment of acting judges by the Attorney General rather than by the Governor. We all know that as a matter of practice the Attorney General appoints judges but this occurs via the Executive Council, where there is a checking mechanism in place. There is usually an informal consultation process involving the bar and the Law Society and a Cabinet consultation process involving Ministers of the Crown. So the Attorney General, who can prosecute individual offenders, has some theoretical removal from the actual appointments.

I raise these matters on behalf of the Bar Association, on my behalf and on behalf of the shadow Attorney General in order to bring to the attention of the House and the Government the serious consequences of the provisions in this bill. I ask that the Attorney General rethink these issues, because sometimes provisions can slip through in legislation, particularly when it contains a large number of amendments. I urge her to consider whether perhaps the Bar Association is correct; I think it probably is. I ask that the Government engage in consultation with the Bar Association before this legislation completes its passage through the Legislative Council. As I indicated earlier, in the second-last paragraph of the letter Ms Needham refers to the ability to reinstate the situation that existed in the 1990s, and writes:

... it would substantially undermine the concept of an independent judiciary. The Association would find such a fundamental and undesirable alteration to this State's constitutional fabric unacceptable.

Not one member of this House would agree to any action that risks undermining the alteration of the constitutional fabric of this State. I ask that the Attorney General not allow departmental officials to flush this legislation through because it is convenient. Between now and its passage in the other place the Government must examine the bill carefully and engage in genuine consultation with the Bar Association and Law Society to make sure that there are no errors in its provisions.

Mr JONATHAN O'DEA (Davidson—Parliamentary Secretary) [4.56 p.m.]: While the majority of amendments in the Courts and Crimes Legislation Amendment Bill 2015 are minor and technical in nature, the bill will help to rectify and improve various court processes and administrative procedures. It will provide flexibility to New South Wales courts and tribunals to improve overall court process and apply resources more efficiently, reducing administrative burdens and empowering people. It will deliver better outcomes for people

through our legal system. This in turn works to help generate improved confidence and trust in our public institutions—a goal that I am sure we all strive to achieve. I will focus on two areas: the NSW Civil and Administrative Tribunal [NCAT] and judicial officers. I will respond to some of the concerns raised but I am sure the Attorney General will make more considered responses either in reply or in due course. I do not dare speak for her.

The NSW Civil and Administrative Tribunal was introduced via legislation passed by this Government in 2012. From 1 January 2014 NCAT merged 23 tribunals, including the Consumer, Trader and Tenancy Tribunal and the Administrative Decisions Tribunal, into a consolidated tribunal that provides prompt, accessible services and delivers fair civil justice. NCAT is an innovative agency that is making a real and positive difference for the people of New South Wales, including through improving the quality of tribunal decision-making. There is now greater consistency in standards, processes and professional development, and improved transparency and accountability. As the Attorney General has said, the bill contains practical amendments relating to NCAT that will allow a person to be represented by various legal practitioners; enable NCAT to revoke orders regarding the representation of a party or person; replace references to the "Health Practitioner Division List" with "Health Practitioner List"; and permit senior professional members of the Guardianship Division to sit on appeals.

I understand that those amendments in schedule 1 to the bill were requested by the inaugural President of NCAT, the Hon. Justice Robertson Wright. Prior to his appointment as NCAT president, Justice Wright practised as a barrister for 30 years. His previous appointments included serving as a judicial member of the Administrative Decisions Tribunal from 2007. I remember Justice Wright as a lecturer in Evidence at the University of Sydney Law School when I studied there more than 27 years ago. I have met him a number of times since then and he has always struck me as a very intelligent, decent and personable man. The general community should be grateful for the outstanding service provided not only by him but also by his team at NCAT.

Mr Andrew Gee: Subordinates.

Mr JONATHAN O'DEA: I note the interjection. I turn now to those amendments in schedule 3 concerning acting judicial officers, and particularly schedule 3.2 to the bill, which contains an amendment to the District Court Act 1973. That will allow retired judges of the Family Court of Australia to act as judges of the District Court after they reach the age of 72. Currently section 18 (4) (a) of the District Court Act permits retired Federal Court judges to act as District Court judges after they turn 72, as it does for retired judges of other State and Territory Supreme and County courts. However, unfortunately, there is currently no equivalent provision for retired Family Court judges. I understand that a number of former Family Court judges hold commissions as acting judges of the District Court but they will have to leave their positions upon turning 72. This bill will enable those judges to continue until they reach the age of 77—a situation that has been supported by the Chief Judge of the District Court. Schedules 3.2, 3.5, 3.6, 3.7 and 3.8 amend the Local Court Act, District Court Act, Supreme Court Act, Industrial Court Act, and Land and Environment Court Act to enable acting judges and magistrates to be appointed for a period of up to five years.

Currently appointments of acting judges and magistrates can be only for a maximum term of 12 months, but they can be renewed each year until the statutory limit is reached. In the Local Court, District Court, Industrial Court, and Land and Environment Court the age limit is 75 and in the Supreme Court the age limit is 77 when a judge retired previously at 72. Although there is flexibility for acting judges to receive shorter terms, this legislation will enable acting magistrates and judges to be appointed for up to five years. In order to permit those five-year appointments, the statutory age limit for all acting judges will be lifted to 77 years. This will enable some very talented, able, willing and experienced judges to keep working, thus using their skills and experience for our community's benefit. So the changes will create consistency across New South Wales courts and provide greater flexibility to make acting appointments in a way that utilises valuable human resources in the public interest.

I note that the member for Balmain and the member for Heffron raised various concerns, mainly those articulated by the Bar Association that I acknowledge—albeit I have not seen the letter—indicated a potential to undermine the concept of an independent judiciary. I listened to those arguments and I must say that I do not think they were presented as clearly as perhaps the letter may articulate them. But I am sure that it will be examined. Certainly the arguments put forward by the member for Balmain were not totally logical. He seemed to argue that there was a problem with security of tenure if an appointment is lengthened, but I would have thought extending a term of appointment from 12 months to potentially up to five years creates greater security of tenure. I did not necessarily follow that argument.

The member for Balmain and the member for Heffron advanced an argument about the danger of appointing younger judges or current practitioners. However, that issue does not go directly to the provisions in this bill. Those risks may exist currently but they are not risks introduced by this bill. If the argument is that there is potentially a greater inducement when somebody is offered an appointment of more than 12 months, I do not necessarily agree. In fact, I would have thought there would be a higher risk of potential conflict of interest if a younger or current practitioner judge were appointed for only 12 months and had the potential to return to full-time practice and use that as leverage. But we are getting into hypothetical, conspiracy-type arguments. Although I was not personally convinced by the arguments put forward, they obviously come from a credible source and I am sure they will be considered by the Attorney General, who has just entered the Chamber.

I will make some general comments in relation to age requirements on the bench. But before I do that I must acknowledge that a large amount of the judicial officer reform in this bill was identified by former Labor Attorney General John Hatzistergos. Also, the essence of the legislation that appears before us with slight amendment was embodied in a bill introduced in the last Parliament, but not passed. So relevant proposals have been around for some time for people to consider. This bill was introduced in this Parliament by the new Attorney General, Gabrielle Upton, whom I congratulate on being the State's first female Attorney General. *[Extension of time agreed to.]*

I conclude by making some general comments that go particularly to the appropriateness of changing the somewhat arbitrary mandatory age retirement requirements for the bench. I raise that issue in the context of an environment where life expectancy is increasing, there is a greater societal consciousness of age discrimination and where the societal norm increasingly is to encourage people to work longer where reasonably possible. Certainly it is my view that capacity assessment for judicial officers and others should occur on the basis of a person's ability to perform the tasks involved, without undue reference to their age. Individual capacity-based assessments can account for potential health and safety concerns, and should be preferred, in my view, to imposing a compulsory retirement age. That is not to say age is irrelevant; but it should not be compulsory to retire at a certain arbitrary age, allowing no flexibility.

In early 2012 the Australian Law Reform Commission was asked to identify any changes that could be made to relevant Commonwealth legislation and legal frameworks to remove age barriers for people aged—and this was a little concerning to me—45 years and over. I must admit to falling into that category; I have never thought of myself necessarily as an older worker, but maybe I am. The commission's inquiry was driven partly by concerns about the implications of an ageing population and a recognition that expanding workforce participation by older Australians may assist in that regard. In response, the "Access All Ages—Older Workers and Commonwealth Laws" (ALRC Report 120) was tabled on 30 May 2013. The ALRC recommended that the Australian Government should initiate an independent inquiry to review the compulsory retirement ages of judicial and quasi-judicial appointments. The Law Council of Australia has supported this position.

As was alluded to earlier, under section 72 of the Australian Constitution the maximum age for justices of the High Court and any court created by the Commonwealth Parliament is 70 years. While the section provides that Parliament may make a law fixing a lower age, it does not make provision for a higher age. The Constitution can be changed only through a referendum, which potentially could flow from the findings of the recommended independent inquiry. The ALRC preferred to recommend such an inquiry over an immediate removal of compulsory retirement ages. That was particularly in light of potential complexities, such as those constitutional requirements to which I have referred and public policy arguments for compulsory retirement.

The ALRC suggests that such an inquiry should be conducted in cooperation with State and Territory governments and consider current inconsistencies and alternatives to compulsory retirement ages. I acknowledge that there is jurisdictional inconsistency in the compulsory retirement provisions, partly as a result of provisions for the appointment of acting judges and magistrates in some jurisdictions like New South Wales. National consistency in the compulsory retirement ages of judicial and quasi-judicial appointments is desirable, but that does not mean that New South Wales should sit on its hands in advance of more uniform reform across Australia. New South Wales has led and continues to lead the debate and, I think, sensibly make reforms. In the future there is scope for greater consistency across Australia. In the meantime I commend this bill to the House.

Ms GABRIELLE UPTON (Vaucluse—Attorney General) [5.10 p.m.], in reply: I thank all members for their contributions to the debate today. I thank members on this side of the House who have spoken for the

first time in this Chamber, particularly the member for Miranda and the member for Epping who made great contributions to debate on the Courts and Crimes Legislation Amendment Bill 2015. I thank them and congratulate them both. I thank also the members representing the electorates of Menai, Tweed, Myall Lakes, Mulgoa, Drummoyne, Parramatta, Heathcote, Northern Tablelands, Tamworth and Davidson, the shadow Attorney General and member for Liverpool, and the members representing the electorates of Heffron and Balmain. It is pleasing that this administrative bill has brought about significant debate. The bill focuses on creating a fairer, faster and more efficient justice system.

I make it clear that this bill in no way intends to compromise the integrity of our court system. As the new Attorney General I am acutely aware of the need to preserve the separation of power and the integrity of the legal system. I have a healthy respect for the legal system and will now focus on the intent behind the bill. It is an administrative bill that seeks to create greater flexibility in the functioning and operation of our courts. It will enable the judiciary, in many cases, to continue to hear matters faster and in a more timely fashion than currently is the case. I refer to two issues raised by the member for Balmain and the member for Heffron. One relates to the appointment of acting judges for up to five years. Currently acting appointments can be made for up to one year.

It is proposed that the appointment of acting judges for up to five years can be made in the District Court, the Industrial Relations Commission, the Land and Environment Court, the Supreme Court and the Local Court. The process of appointing up to a maximum of 12 months currently places an administrative burden on the courts as all acting appointments need to be renewed every year, impacting on the ordinary business of the courts. Not all acting judges will want a five-year appointment but we are allowing courts the flexibility by providing for up to five years. We know that some acting judges simply step in to help the courts for short periods. This amendment does not mandate a five-year term; it merely allows some flexibility by providing for an acting appointment of up to five years where it is considered appropriate because, of course, acting appointments are made in consultation with the Government and the heads of courts.

The other matter I wanted to address in reply relates to the assertion that the flexibility of allowing appointments for acting judges of up to five years instead of one year somehow creates a greater perception of a conflict of interest. However, this amendment helps to support the independence of people appointed to these acting positions for whatever period is considered appropriate up to five years because it gives them tenure for that period; it gives more certainty to their appointment or remit within the court. I commend the bill to the House. It is about assisting our courts to do their job better. The bill has been drafted in consultation with the courts; indeed the bill does many other things.

The debate has focused around particular provisions of the bill but the bill has a very broad remit and contains sensible provisions. It allows the sharing of information between Roads and Maritime Services and our courts to ensure that the people who serve as jurors have the appropriate qualifications and credentials. It allows applications for the revocation of financial management orders where the Mental Health Review Tribunal is convinced that the persons making application or the persons who are subject to the application are of sound mind and should have their financial affairs management returned to them. I thank the House for the opportunity to introduce my first bill in this House. It is a wide-ranging, primarily administrative bill and I commend it to the House.

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

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Ms Gabrielle Upton agreed to:

That this bill be now read a third time.

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

Pursuant to resolution private members' statements proceeded with.

PRIVATE MEMBERS' STATEMENTS

CENTENARY OF ANZAC

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) [5.16 p.m.]: I draw to the attention of the House the exemplary Anzac centenary of Gallipoli commemoration program that The Hills community benefited from, thanks to the tireless efforts of The Hills Centenary of Anzac Committee and, in particular, its Chairman, Colonel Don Tait, OAM. In the first official report on the landings at Gallipoli to reach Australia, writer Charles W. Bean described the bravery of the Anzacs, who swiftly and defiantly traversed the steep terrain of the peninsula. For the covering force seizing the ridges around the landing he said:

Each ridge was higher than the last, and each party that reached the top went over it with wild cheers.

For those of us today who benefit from their sacrifice, the challenge is different. There is always the risk that as time passes we will leave the memory and appreciation of their service behind. Each milestone we reach—50, 75, 100 or 200 years—represents a greater challenge, a higher ridge, to which we must carry the memory of their bravery and the loss that is our tragedy. I am proud to say that The Hills community went over this historical 100-year ridge with many cheers for our service men and women, as well as mourning for those who have given the ultimate sacrifice in the service of their country.

Leading The Hills community through these commemorations as Chairman of the Hills Centenary of Anzac Committee was Colonel Don Tait, OAM, Castle Hill RSL Sub-Branch president. I thank Colonel Tait in particular for his organisational skills, with the support of Major General Warren Glenney, AO, President of the Castle Hill RSL. The Hills community is greatly appreciative of their service in every capacity. The entire Hills Centenary of Anzac Committee deserves mention, including Bill Dokter, Councillor Jeff Lowe, Bev Jordan, Bill Strutton, Bryan Mullan, Dave Wood, Craig Colbert, David Cronan, Gareth McCray, David Hand, Melanie Morson, George Cartledge, Grahame Handley, Dr Jim Taggart, Mike Yeo, Keith Rowntree, Tony Eades, Steve Brown, Councillor Michelle Byrne, and my parliamentary colleagues the Hon. Dominic Perrottet, MP, Mr Ray Williams, MP, as well as our Federal colleague Mr Alex Hawke, MP.

More than 20 events were planned in The Hills for the week leading up to the Dawn Service on Anzac Day. His Excellency the Governor of New South Wales, General the Hon. David Hurley, AC, DSC, launched The Hills Centenary of Anzac Week celebrations on Saturday 18 April at Bella Vista farm. The family day at the farm treated Hills residents to displays of armoured vehicles, light horse and brass bands. At a service held on 19 April at the Centenary of Anzac Reserve at Castle Hill, flags—each with a single name of a World War I digger from the Hills—were solemnly placed in the earth by local school students. The Anzac address was graciously delivered by Major General Paul Symon, AO.

The Hills community enjoyed many other great events. Students also benefited from a visit to the Nambus, which features an extensive collection of Vietnam War memorabilia. Writing prize winners enjoyed a civic lunch organised by students and the Castle Hill RSL provided a Centenary of Anzac Gallipoli Display curated by the Powerhouse Museum. Rain was the only hindrance to a Centenary of Anzac Golf Day at Muirfield Golf Club, which raised money for Legacy NSW, and a synchronised pyrotechnics display accompanied by a recital of Tchaikovsky's famous *1812 Overture* to be performed by the Castle Hill RSL Youth Orchestra is now planned for later in the year.

Among his many other contributions, Colonel Tait directed the stage show *Gallipoli Letters*. The show featured Hills residents in lead roles and was narrated by Hills resident and 2CH broadcaster Gareth McCray, OAM. On the eve of Anzac Day, veterans from The Hills shire attended Anzac services at schools across the area. There is no denying that the full narrative of the Anzac legacy is often understated in our schools and, while Gallipoli is certainly the most well-known aspect of the Anzac story, the efforts of Australian soldiers on the Western Front, be it in Villers-Bretonneux, Ypres or Passchendaele, played just as significant a role in shaping our national values and spirit.

Equipping our youth with the whole Anzac narrative will enable them to pass on those values to younger people. In turn, this ensures that our next generation will be able to meet the next commemorative challenge—the next temporal "ridge" that keeps getting higher—with dignity and pride in the Anzacs and all they represent. All these events organised by the Hills Centenary of Anzac Committee cannot be praised highly enough for meeting this challenge. I commend the Hills Centenary of Anzac Committee to the Parliament.

Mr GARETH WARD (Kiama—Parliamentary Secretary) [5.21 p.m.]: I am delighted that the member for Baulkham Hills has been returned to the Parliament. I am also delighted about his elevation to the ministry. I remember when he met with my local RSL branch in Kiama. The diggers were appreciative of the fact that he had served in the Australian Defence Force and could talk about his experiences with them. The Minister mentioned Legacy NSW, which is a great organisation that plays an important role in our community. In fact, it played a role in assisting to raise my father and his two younger brothers after my grandfather died from war-related injuries. I commend the Minister's comments. It is evident that his is not simply a job, it is a passion. That is demonstrated by his contribution to the veterans' community not only as a member of Parliament but also now in his privileged position as a Minister in commemorating this important time in our nation's history. I congratulate the Minister.

CENTENNIAL PARKLANDS STADIUM

Mr RON HOENIG (Heffron) [5.22 p.m.]: I am outraged that, according to Fairfax Media, a report being prepared by John Brogden into Sydney stadiums for the Government will propose the construction of a 65,000-seat stadium at Moore Park. According to media reports, former Liberal leader John Brogden—for whom I have enormous respect—is preparing a report for the Government recommending that such a stadium be built on Centennial Park and Moore Park Trust land. Of course, residents in my electorate are up in arms about that news. They are still reeling from the \$38 million white elephant that is the Albert Tibby Bridge. That gross overspending is currently being investigated by the Auditor General to "assess whether the business case was sound, governance arrangements were adequate, and its construction was economical". The residents of Centennial Park, which is in my electorate, have a distinct lack of trust in this Government.

In 1811, Governor Macquarie gifted the Centennial Park and Moore Park lands to the State for the benefit of the people of Sydney and future generations. This Government seems to completely disregard this vital part of our history. Through the lens it sees any bit of green, open space in the parklands as dollar signs. Centennial Parklands, which includes Moore Park, is the quintessential people's park and for both historical and moral reasons it must remain public space. Locals are already worried about the constant loss of open space as the Government keeps edging closer and closer to parkland and rapidly commercialises the park for the exclusive use of those who can pay. At the same time that the Government talks about taking open space that is held in trust for the people of Sydney, it is considering building a 65,000-seat stadium to benefit private and corporate interests.

Furthermore, the Government is permitting Centennial Park and Moore Park Trust to charge the Public School Sports Association an astronomical amount of money for students to use these fields to play sport. Last year, the fee went from \$3,640 per semester to \$15,040. That is a fourfold increase. If we have any questions about where the Government's priorities lie, they are clearly not with our residents and children—they lie at the big end of town. These news reports have substance and legitimise my constituents' fears because the chairman of the Centennial Park and Moore Park Trust, Tony Ryan, is quoted as saying the proposal is "fundamentally inappropriate for Moore Park" because it would lead to a loss of green space, it would have an impact on heritage, and because of the area's existing traffic gridlock. Mr Ryan said:

It is ironic to note that in the lead up to the 150 anniversary celebrations of Moore Park as a place for public, we are instead talking about building over it for permanent private and commercial use.

As the local member, I have on occasion requested information from the administration of the Centennial Park and Moore Park Trust administration to no avail. It has even refused to provide me with a briefing prior to its meeting with residents without ministerial consent. This is in addition to the gouging of schoolchildren for the use of the park. The parklands increasing commercialisation has led me to believe that the Minister for the Environment should conduct an investigation of the administration of the trust. Our park simply must be returned to the people. Over time the message that accompanied Governor Macquarie's gift seems to have been lost and governments and individuals have taken the park for their own agenda.

What all local people have always called the "Sydney Football Stadium" is a great football facility. Why do we need another stadium of similar or increased capacity in the middle of the city surrounded by congested roads and limited parking options? It defies logic. The Minister must understand that Western Sydney desperately needs more sporting facilities. Parramatta Park cannot accommodate even Sydney Wanderers matches; it is at capacity. Another stadium in the eastern suburbs might have some benefits, particularly for people who support members opposite. However, unlike the people of Western Sydney, they do not need another stadium.

OUR RIVERS OUR HISTORY

Mrs LESLIE WILLIAMS (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) [5.26 p.m.]: Mr Deputy-Speaker, I congratulate you on your re-election to that position. It is great to have you in the chair. I draw the attention of the House to an important initiative that has been implemented at Port Macquarie and on the mid North Coast, which has a wonderful history, much of which is centred on our river systems along the coast. Whether it is the Manning River, the Camden Haven River, the Hastings River or the Macleay River, these waterways were the main transport route for people, timber and produce to get to Newcastle and Sydney in days gone by. To celebrate this fascinating history, I had the pleasure last week of launching the Our Rivers Our History online program. I was joined by the new member for Oxley, Melinda Pavey. I congratulate her on her election. It is fantastic to have her in this place.

Our Rivers Our History is a collaborative project, managed and led by Museums Australia, Mid North Coast Chapter, involving seven museums on the lower mid North Coast: Wingham Museum; Tinonee Museum; Camden Haven Museum; Mid North Coast Maritime Museum; Port Macquarie Museum; Wauchope Museum; and Kempsey Museum. These museums reveal so many stories highlighting the rich history of the mid North Coast, including our rivers and maritime past. The museums accommodate extensive collections that reveal the fascinating lives of local people and local communities as well as stories of the Manning, Camden Haven, Hastings and Macleay rivers. All participating museums are run by volunteers, they own their collections and none receives government operating funds.

Our Rivers Our History, under the working title "Waterways", was awarded one of two Regional Museum Networking Grants in 2013, the first year of the grant program. The Regional Museum Networking Grant program is an Arts NSW-devolved funding program, administered by Museums and Galleries NSW on behalf of the New South Wales Government. The grant provided the funds to engage appropriate consultants to advise and assist the museums and their volunteers to develop a web-based exhibition showcasing local museum collections and a river-based heritage trail.

Led by Waterways Project and Chapter President, the wonderful Debbie Sommers, and using the unique talents of consultants Kevin Williams and Kylie Winkworth, 18 museum volunteers have contributed in excess of 3,000 hours over the past 12 months to create an innovative and groundbreaking project. While traditionally going to a museum and viewing objects and displays to learn about history, with the technology of today it is no longer the only way.

A new wave of online and interactive museum sites can bring the stories told by objects and museums into our home, our office or online space wherever we are. The Our Rivers Our History online exhibition and website seeks to showcase some of the most significant objects held in these museums relating to our rivers and coastal waters, which are such an integral part of our history. Fifty-eight objects were identified and documented through to a statement of significance. Each has its own story but is also part of a larger story. It is hoped that such an insight obtained online will encourage people to then visit the museums and discover even more of our stories. The website also includes a heritage tourism trail encouraging people to get out and explore our rivers assisted by quick response [QR] codes, GPS tracking references and Google maps for each of the four rivers top 10 places to visit. A related tourism brochure has also been printed to drive traffic to both the website and the museums.

As I said, this outstanding project would not have been possible without the hardworking volunteers whom I acknowledge: from the Port Macquarie Museum, Margaret Blight and Anne Oud; from the Camden Haven Museum, Athlea Sullivan; from the Wauchope Museum, Mary Wagg, Jean Hegarty and Sue Frost; the Mid North Coast Maritime Museum's Ted Kasehagen, Zsolt Newby and Jan Howison; from Kempsey Museum, Phil Lee, Garry Munday, Sue Munday and Peter Ryan; Wingham Museum volunteers Terry Tournoff, Bob Berry, Robyn Greenaway and Barbara Waters; and from the Tinonee Museum, Jenny Cherry. I encourage members interested in exploring this wonderful project Our Rivers Our History to explore it online.

MULGOA AND WALLACIA RURAL FIRE BRIGADE VOLUNTEERS

Mrs TANYA DAVIES (Mulgoa—Parliamentary Secretary) [5.31 p.m.]: Last month it was my privilege to join in celebrating the seventy-fifth anniversary of the Mulgoa and Wallacia Rural Fire Brigades. In attendance at this important milestone event were Rural Fire Service [RFS] Superintendent Richard Petch; Inspector Tony Gray; Director of the Rural Fire Service Association, Alan Holley; Captain of the Wallacia

Rural Fire Brigade, Jody Preston; Captain of the Mulgoa Rural Fire Brigade, Ian Walther; Penrith Mayor, Ross Fowler, OAM; Penrith City Councillor Kevin Crameri, OAM; and many friends and families of the RFS volunteers. Also present at this significant event were life members of the Mulgoa Rural Fire Brigade Margaret Yates, Yvonne and Keith Redman, Sue and Kevin Walther, Jason Yates, Mark Steer, Phil Steer and Shane "Tug" Wilson. Life members from the Wallacia Rural Fire Brigade present included Denise and Dave Glaves, Colin "Tiny" Bartlett, Christine Fisher and Shona and Steve Hackett.

Furthermore, there was a great turnout of former brigade captains, with Kevin Walther, Jason Yates and Shane Wilson from Mulgoa, and Steve Hackett from Wallacia, along with current group officers Clinton Jessop-Smith, AFSM, and John Foster. Mayor Fowler addressed this special event, speaking highly of the Mulgoa and Wallacia Rural Fire Brigades and acknowledging the sacrifices made by the volunteers and their families and loved ones. The mayor congratulated these volunteers on their hazard-reduction efforts, depth of experience, skill, knowledge, professionalism and loyalty to their brigades. These volunteers truly are a very special part of our communities.

Mayor Fowler also recognised on the night that many of these volunteers have full-time employment in addition to their brigade responsibilities. Some of the volunteers are 70 and older, and many of the volunteers have served for 30 years or more. I commend and honour these men and women who put themselves on the line in the service of and for the safety of our society. I spoke to some of the people who attended and congratulated the loved ones and family members who remain at home when their loved ones get the call to say there is an urgent need to help our community. I thanked the family members for supporting the work of the volunteers and for letting their loved ones face danger and often unknown hazards. Without their support we would not have the number of volunteers we have in our communities.

Captain Ian Walther of the Mulgoa Rural Fire Brigade, who has served as captain for 10 years, thanked the past members for the foundation they had established within the current members of the brigades regarding many aspects of the role, including knowledge of reading a fire. Finally, Superintendent Richard Petch presented the commissioner's plaques and proudly declared that although Mulgoa and Wallacia RFS are classified as city brigades within the eastern region, they operate as a country brigade with the family-orientated camaraderie that was evident on the night and in their activities and training.

Captain Jody Preston of the Wallacia Rural Fire Brigade spoke of the essence of the RFS, which has remained unchanged during 75 years of operation—that is, that all sorts of people from all sorts of backgrounds come together for a common cause: to protect the community. The challenge for the RFS, Captain Preston noted, is to keep our community at the heart of what we do so that in 25 years we can all get together to celebrate the next milestone, 100 years. I congratulate the Mulgoa and Wallacia Rural Fire Brigades on 75 years of service and dedication to our community, and I thank all New South Wales Rural Fire Service brigade volunteers and their families for their tireless commitment to our communities in times of crisis, hazard reduction and need.

TRIBUTE TO JANICE KERSHAW

Mr RYAN PARK (Keira) [5.36 p.m.]: Janice Kershaw has served as a councillor in local government for 20 years, a great achievement. My background is not in local government, but many of my colleagues have served in local government, such as the member for Summer Hill. They know just how tough local government is. It is where the rubber hits the road as people experience the infrastructure in their local community. I pay tribute to Janice for her tireless work, particularly for the northern suburbs in and around the Keira electorate. She has made a great contribution to our local community by focusing on local issues and always being approachable. She always lends a hand and has been a mentor for councillors.

Some years ago Wollongong City Council went through a dark time. The Independent Commission Against Corruption found that some councillors and council staff had behaved in a shocking way, to say the least. Through that time, Janice held her head high, as did some other councillors. After three years under administration, the council was returned and Janice Kershaw could again make a positive contribution. As her colleague Dave Brown said, "She is a fine example of what it takes to be a successful councillor." She has seen many aspects of community life including the perils of floods, the challenges brought by Mother Nature to coastal communities, tragedy and great triumph. The council has gone through dark days but now it is developing and serving the community. I thank Janice Kershaw on behalf of the local community for her two decades in local government, a great achievement.

It is not an easy achievement. Local councillors and mayors do not do it for income and they do not do it for glory; they do it because they love their community. I think the very best representatives are those who do it for that reason. This is a person who epitomises that and is very much about doing the best for her local community. She mentioned that some of her proudest achievements were upgrades to the bike track, which is important in our neck of the woods; street revitalisation in East Corrimal and Balgownie; upgrades to public amenities in Towradgi; and upgrading local pools in Bellambi and Towradgi.

This is a lady focused on local issues and it is with great pleasure that I spend a few minutes in this country's oldest Parliament reflecting on someone who, through two decades of services, has done an outstanding job for the community and the Illawarra, and who has been a great support to members of Parliament, including me and my predecessor, David Campbell, who also received great support from Janice. I pay tribute to her work and her commitment to the region, and I thank her for the sacrifices she has made to improve our great community.

TRIBUTE TO JENNY HAWKINS

Mr ADRIAN PICCOLI (Murray—Minister for Education) [5.41 p.m.]: Tonight I speak with some sadness about the death of Jenny Hawkins from Finley, a dear friend of mine and a dear friend of The Nationals. Jenny Hawkins passed away after a brief battle with cancer. Her funeral, held in Finley a couple of weeks ago, was attended by hundreds of people whose lives Jenny touched. I pass on my deepest condolences particularly to her husband, John—affectionately known by many people in Finley and, indeed, across Victoria as "Jumping Jack" Hawkins—and to their children, Jane, Tom, Edwina and Charlie.

I have known the Hawkins family for more than 16 years—since I was first pre-selected for the New South Wales Nationals. At that time Jenny was the chairman of the Finley branch of The Nationals and the chairman of the Farrer Federal Electorate Council. In my early travels as a candidate, every time I went through Finley I would catch up with Jenny and, post-election in 1999 as the local member for eight years when Finley was in my electorate, almost every time I went to Finley I would phone Jenny and see what she was doing and pop in for a cup of tea. I got to know her very well and I also got to know her children very well. I have fond memories of Charlie as a very young boy but he is now more than six feet tall. One day when he came home I was eating baked beans on toast at their place. He thought that was the funniest thing he had ever seen; he joined me in eating some baked beans on toast.

I know that Edwina and Jane, now two lovely young women, are deeply saddened by the death of their mother. Many people would know Tom Hawkins as a great star currently of the Geelong Football Club. I recall fondly when Tom was playing for Finley and he was at boarding school in Victoria. He was being touted as one of the first draft picks by the Geelong Football Club and I said to Jenny and John at the time that if he got drafted I would join the Geelong Football Club. He did get drafted under the father-son rule, and it was a great day for the Hawkins family. I subsequently joined Geelong Football Club, which went on to win a couple of premierships whilst Tom was playing for them.

All the children loved their mother very deeply, which was evident at the funeral. My thoughts go out to them. They are a very close family. I promised, or maybe threatened, John that when I go through Finley in my travels as the member representing Finley I will ring him up and pop around for that cup of tea or maybe even baked beans. Jenny was such a well-known person across New South Wales and was well regarded in the New South Wales Nationals. She was the chairman of the Southern Riverina branch of the National Party, chairman of the Murrumbidgee State Electorate Council, State Delegate to the NSW Nationals Central Council, Farrer Federal Electorate Council Trustee, a member of the NSW National Party's Central Council, Council Central Executive, and chair of the Farrer Federal Electorate Council.

Jenny was elected to the Berrigan Shire Council for four years. She was very much involved in the Finley Football Club and the Geelong College board, and she was president of the Country Women's Association Murray Hut branch, which she started up again during the drought to support women and their families in that part of New South Wales. Jenny did many other things, particularly in support of women involved in agriculture. I know that she will be dearly missed by her family and friends. I will miss her dearly. With Finley coming into the new electorate of Murray I was looking forward to another few years of a good and close relationship with Jenny. That relationship cannot be with Jenny, but it certainly will continue to be with the Hawkins family. I send them my deepest condolences.

OATLEY ELECTORATE ACHIEVEMENTS

Mr MARK COURE (Oatley) [5.46 p.m.]: This afternoon I speak in this House for the first time since being re-elected as the member for Oatley at the recent election. I take this opportunity to thank my constituents

for placing their trust in me to be their representative in this place for another four years. I have worked very hard for our community over the last term, and I do not intend to let them down. We achieved a lot for my electorate over the past four years, including the widening of the M5 West, on time and under budget; the delivery of WestConnex, which will widen the M5 East and reduce commute times; the commencement of upgrades to Oatley and Narwee railway stations—and I note the member for Lakemba is in the House; and a commitment to keep Mortdale fire station open, with more firefighters. Over the last term we put more funding into cleaning up the Georges River and we have delivered more than \$1 billion in funding for the local region.

I am proud of all of these achievements, but I am most proud of our commitment to the rebuilding of St George Hospital, which was left in rack and ruin for 16 years under those opposite. The buildings were ageing and falling apart, conditions for patients continued to deteriorate and nothing was being done about it. In 2011 we committed to the people of my electorate and the region that they would see a brand new emergency department at St George Hospital in our first term of government. I was pleased to secure this commitment and be there last October to witness the opening of the brand new \$41 million emergency department at the hospital. I put on record my thanks and appreciation to the Minister for Health and the Premier. As a team we worked tirelessly to deliver this project for my community, and I am particularly grateful to them and the staff involved behind the project.

Walking through the old hospital building to the new emergency department is like a change from night to day. Each time I visit the hospital, the staff, including Theresa Jacques, chair of the Staff Council, rave about how the new building allows them to provide better and more efficient treatment. But that was only stage one of a much longer process to rebuild St George Hospital. For the past four years I have lobbied the Premier and the Minister constantly to set aside funds for stage two of the hospital's redevelopment. As part of last year's budget, I was pleased to announce with the Minister that we would spend more than \$300 million to start stage two, which began last December.

Stage two of the redevelopment of St George Hospital will cost \$307 million and a new seven-storey acute services facility will be built on top of the new emergency department. The new building will include facilities for intensive care, high dependency care and cardiac intensive care, and extra operating theatres. Over the years we have delivered \$1.5 million to the St George Cancer Care Centre, which relies on fundraising in the community to stay open. The money will expand facilities for patients undergoing chemotherapy and will allow the centre to provide much better treatment.

I also pay tribute to Phil Bates, who lobbied me and the Minister for Health very hard to secure funding for this vital facility. I am proud to have been re-elected to this place to continue the fight for the very best health facilities in the St George community and I look forward to continuing to do so over the next four years.

CENTRAL COAST VOLUNTEER RESCUE ASSOCIATION FORTIETH BIRTHDAY

Mr DAVID HARRIS (Wyong) [5.49 p.m.]: I am pleased that my first contribution on my return to this House is to share the story of the Central Coast Volunteer Rescue Association based in my electorate of Wyong. The Central Coast Volunteer Association started in the mid-1970s and recently hosted the State conference of the NSW Volunteer Rescue Association. On 18 July 1975 a public meeting was held and a basic constitution was agreed upon, and the Central Coast Volunteer Rescue squad was officially formed. Subsequently, the founding members of the squad took part in further training courses, including the necessary first aid courses for affiliation with the Volunteer Rescue Association [VRA].

With the support of local businesses, local lions clubs and Hymix quarries, the squad obtained its first vehicle, which was an AB148 series international truck. With the help of Morson Engineering, the back of an old milk truck was rebuilt and fitted to the truck, and was commissioned for rescue in September 1975. The Central Coast Volunteer Rescue Association is the primary responder for rescues such as motor vehicle accidents, vertical rescues, animal rescues, salvage operations, and land search and rescue. It also assists police and ambulance with medical gain entries and crime scene lighting.

The Central Coast Volunteer Rescue Association works in cooperation with all other emergency services and assists wherever needed. This month alone, under the leadership of Mark Constable, the Central Coast Volunteer Rescue Association has worked with Wyong State Emergency Service in more than 140 rescues during the recent super storm. The Central Coast Volunteer Rescue Association averages about 35 rescues a month. One can imagine that over 40 years it would have made thousands of rescues and attended many accident scenes. Its purpose is to preserve the quality of life and provide the Central Coast with a small army of unpaid professionals who are ready to respond at a moment's notice.

I was honoured to attend the association's State conference dinner last Saturday night, in very wet conditions, with my new colleague the member for The Entrance, and hear the stories the volunteers had to share about their experiences over the years of assisting our community. I acknowledge the Commissioner of the Rural Fire Service [RFS], Shane Fitzsimmons, for taking time out of his busy schedule to deliver the keynote address to the volunteers. Shane gave an excellent outline of his history in the RFS and the value of volunteers in our community. The commissioner answered several challenging questions from the floor, generating spirited discussion.

This year is the Central Coast Volunteer Rescue Association's fortieth birthday. Recently the team has fundraised hard to upgrade one of its trucks to ensure that it has the best equipment to service the Central Coast community. The organisation fundraises by providing parking at local events, holding barbeques, et cetera, as volunteer organisations do. It is tough, hard work. However, the association needs another truck. I look forward to working with the Central Coast Volunteer Rescue Association, local community groups, businesses and, hopefully, the Government to ensure that the Central Coast VRA is able to best service the people of the Central Coast in years to come. No doubt across the Wyong electorate volunteers make a significant contribution to the life and safety of our community. I commend all the volunteers over the past 40 years for the job they have done in servicing our community.

Private members' statements concluded.

Pursuant to resolution inaugural speeches proceeded with.

INAUGURAL SPEECHES

The SPEAKER: On behalf of the member for Granville, I acknowledge the presence in the gallery of the Federal member for Werriwa, Mr Laurie Ferguson, MHR, as well as family, friends and supporters of the new member.

Ms JULIA FINN (Granville) [5.54 p.m.] (Inaugural Speech): I am honoured to stand here as the member for Granville and as a representative of the Australian Labor Party. Labor has a long and proud tradition of local representation in Granville, and I am pleased and honoured to recommence that representation after the recent election. The possibilities open to parliamentarians to improve the lives of others by creating opportunities and providing protections for the vulnerable has been a great motivation. The electorate of Granville was created in 1894. It elected the Labor candidate, George Smailes, who was born in Durham and who started work at the age of 10 in coalmines at Newcastle. He studied at night to educate himself and eventually became a minister. Some time after migrating to New South Wales he was appointed Pastor of the Primitive Methodist Church at Parramatta.

The next Labor representative, elected in 1913, was former Premier J. T. Lang, who represented the electorate of Granville until 1920. He was instrumental in the introduction of valuable social legislation to implement the 44-hour working week; advances in workers compensation, including compulsory insurance; establishment of the Industrial Relations Commission; and the elimination of fees for secondary education. It was a privilege to know Jack Ferguson, the former Deputy Premier and member for Merrylands, which now falls within the Granville electorate, whom I came to know after his retirement. Admired by so many, Jack devoted himself to the service of his community, along with his wife, Mary, even in retirement. His loyal and effective working partnership with former Premier Neville Wran is well known. He is credited with both Wran's ascendancy to the leadership, and the longevity and success of his Government.

Having left school at 13, Jack was largely self-educated and was a great champion of public libraries from his time as a councillor on Parramatta City Council. I am sure he would commend the changes to libraries in recent years that have ensured that they continue to make knowledge and information accessible and affordable online, as well as through books and other publications. His humility was reflected in his request not to have a State funeral and instead to have his funeral at his local parish, St Patrick's, Guildford, which of course could not fit all those who came to farewell him.

I acknowledge the former member for Granville, Laurie Ferguson, Jack Ferguson's son and a close friend of mine, who is here this evening. Laurie went on to become the Federal member for Reid and now serves as the Federal member for Werriwa. A tireless advocate for human rights, Laurie is widely respected for his work with ethnic communities and his longstanding relationship with many groups, which did not cease when

he moved to the Werriwa electorate. He is still a member of the Granville East Labor Party branch and was also a strong supporter and trusted advisor during my election campaign, as well as those of the candidates for electorates in the Werriwa area.

Kim Yeadon also made an outstanding contribution to the Granville electorate and to New South Wales as a Minister. Locally, he achieved many things, including the construction of new police stations, the Merrylands transport interchange and a school hall at Granville Boys High School. As a Minister he introduced the first native vegetation management legislation, as well as restructured the timber industry, allowing it to transition sustainably to focus more on plantations while many significant forests were rightly included in our national parks. He also introduced a pioneering greenhouse gas emissions trade between the Tokyo Electric Power Company and State Forests. I worked with Kim Yeadon in both his electorate and ministerial offices, and deeply respect his intellectual curiosity, interest in policy detail and unwavering commitment to his principles.

I acknowledge the tremendous support I received during the election campaign from many people, but particularly from my family and from Labor Party members and activists. My husband, Dr Leigh Martin, has been a tremendous support during a very long and arduous election campaign. His advice and assistance have been invaluable. My mother has also been a great supporter, despite my inability to visit her as much as I would have liked over the past year. While my father passed away in 2004, the values he taught me were a great source of strength and inspiration during the campaign. I make special mention of David Voltz and David Halliday. David Voltz organised much of the campaign at the same time as caring for his partner, Toni, after her diagnosis with melanoma. After Toni's illness deteriorated rapidly earlier this year, David Halliday proved to be invaluable in taking the reins of the campaign, supported by Felix Eldridge and Ashley Buck.

Activists from the union movement also assisted, particularly Alison Rahill, Rita Malia and Jennifer Glass. I also mention the enormous contributions made by Alex Peck, Ian Pandalovski, Alex Tak Tak, Steve Christou, Maurie Campbell, Ting An Zhang, Janaki Poudel, Prabir Maitra, Vasee Rajadurai, Rafah and Kassem Chalabi, Councillor Glenn Elmore, Councillor Lisa Lake, Durga Owen, Arunesh Seth, Mustafa Hamed, Clovis Batti, and Elie and Sandra Khaltoum, among many dozens of others.

I have lived in Rosehill and Granville for more than 20 years. I have served on Parramatta City Council for the past 15 years, which provides a strong insight into the area, its people and their needs. I note that when Jack Ferguson delivered his inaugural speech, he spoke of the need for better planning and cheaper housing in Western Sydney. Those needs are still pressing today, with apartments, townhouses and duplexes replacing homes on quarter acre blocks, but without additional classrooms, train services or improved access to the M4. At the local level, I am strongly opposed to plans to close Wentworthville and Guildford swimming pools at the same time as the populations of these suburbs is rapidly increasing—density allows and necessitates local community infrastructure like swimming pools. You should not have to drive so that you can have a swim to cool off on a really hot day.

The Granville area has a great legacy of Victorian and Federation architecture that should be preserved and considered carefully in accommodating our growing population. The suburb of Granville was originally established as Parramatta junction when the first western railway line was constructed. Industry and housing followed, and Granville served as a major rail interchange until around 18 months ago, when the current timetable removed 100 services a week from Granville station. Those services and more need to be reinstated if Granville is to accommodate the 19,000 additional apartments suggested by the Parramatta Road Revitalisation Strategy.

While large million dollar homes are not uncommon now in the Granville electorate, the average income is around \$200 per week less than the New South Wales average, yet rents are close to the Sydney average. Houses costing less than \$550,000 are extremely rare, poorly located and in poor condition, as are apartments under \$350,000. In addition, Granville has above average numbers of people working in industries with high rates of casual employment such as construction and hospitality, resulting in a lack of job and financial security. Granville also has above average concentrations of social housing, although many people and families who qualify for social housing can wait more than a decade to be housed, paying rents that are not affordable.

During the election campaign, I came to work closely with Holroyd Community Aid and its dynamic coordinator Narelle Morris. Holroyd Community Aid has assisted people in the Merrylands area since 1966 and recently lost a tender for the provision of emergency relief, which has caused great community angst. In recent years, Holroyd Community Aid provided an average of around \$180,000 in emergency relief to almost

1,000 clients each year, along with Energy Account Payment Assistance vouchers, food vouchers, nappies and assistance with phone bills. These are the necessities of life and it is deeply concerning to me that families can be forced to choose between paying for food and electricity bills not only in a wealthy country like Australia but in a suburb with homes that can cost in excess of \$1.3 million.

Public education and universal healthcare are great achievements of the Labor movement and the people of Granville certainly benefit from them. Despite below average incomes, the people of Granville have higher than average levels of university and TAFE education—this is certainly a remarkable transformation in recent decades. The social mobility and job opportunities that have been provided by affordable education cannot be taken for granted and should not be taken away from the less well off. Granville TAFE is the second largest TAFE campus in New South Wales and provides great opportunities for school leavers and people retraining to improve their skills. It must continue to provide affordable quality vocational education. Similarly, the University of Western Sydney provides great opportunities for its students, many of whom are the first in their families to attend university.

Granville benefits from its proximity to the employment centres of Australia's largest medical precinct at Westmead and Sydney's second central business district at Parramatta. Both require government support and private sector investment to continue to grow and thrive. Quality local jobs go some way to addressing the traditional disadvantages of suburbs like Granville, Merrylands and Guildford, but also make accommodating Sydney's growing population and its commuters easier if workers do not have to travel far to find good jobs. In relation to Westmead, there is a trend to rely more on the private sector for the delivery of health services in our hospitals. I am concerned about what this means for my constituents in Granville as patients, and for employees at Westmead Hospital and Westmead Children's Hospital.

The electorate of Granville is extremely culturally diverse, with more than 42 per cent of residents born overseas in countries where English is not the most commonly spoken language, particularly Lebanon, India, Sri Lanka, China and Afghanistan; and Granville has much larger than average Hindu and Muslim populations. Supporting and celebrating our cultural and religious diversity is important, and I have been honoured to be invited to share in significant religious and cultural celebrations for many of these communities. As a councillor, I have tried to make it easier for faith-based communities to come together and pray. I recognise that when my faith, Catholicism, and other traditional Christian faiths established churches, land in Sydney was plentiful and cheap, and most parishioners walked to church so did not require allocated car parking to be set aside to be used for only a few hours every week. I intend to maintain my commitment to supporting religious freedom and diversity as a member of this Parliament.

Many people have settled in Granville after fleeing wars or being forcibly relocated to build a better and safer life for their families. Lebanese families first settled in the area during the Ottoman period, but many more came during and after the civil war. They have made a great contribution to the local community and to Australia in business, politics, sport and charity work. I note my predecessor, Tony Issa, was the first Lebanese Australian member for Granville as well as the first Lebanese Australian Lord Mayor of Parramatta. Through my close association with local Tamil and Palestinian families, my concern about their displacement and decades of discrimination has grown. I am hopeful that the recent change in the Sri Lankan Government will lead towards national reconciliation and end decades of discrimination against the Tamil people. I would also like to see those responsible for war crimes brought to justice.

In the case of Palestine, the displacement continues and the frequent conflicts are a great source of sorrow and pain for Granville's Arabic-speaking communities, especially the Palestinians. I support the recognition of Israel and Palestine, and believe that the security of Israelis and Palestinians is of equal importance and value. I recently joined the local Palestinian community in welcoming the Palestinian national football team to Australia for the Asian Cup and saw how much pride the community had in the team and the hope they give for Palestinian statehood. While these are international issues and usually reserved for the Federal Parliament, they have a strong impact on the local diaspora communities. You cannot know those communities without appreciating the hardships they have faced.

I come to this Parliament having worked for many years in public policy within the New South Wales public service as well as the private sector, so I have a strong interest and experience in many policy areas as diverse as transport, housing, energy and superannuation. In particular, I have a strong commitment to the promotion and growth of renewable energy as an increasingly cost-effective alternative to coal-fired electricity that can assist in reducing greenhouse gas emissions. I accept the views of the overwhelming majority of scientific experts that climate change is real. A comprehensive response is both necessary and overdue. In the

modern era, energy is an essential service and governments have a responsibility to ensure its continued supply and to ensure that the public interest is not undermined by the monopolistic nature of supply. I also believe it is necessary and responsible to secure affordable gas supplies for local business and residents as Australia becomes a gas exporter from the east coast. This can be done without the risks associated with coal seam gas.

Furthermore, I am increasingly concerned that within sections of the media and public policy debate, scientific expertise and evidence is no longer valued as it should be and opinion in many cases is considered superior to fact. Disregard for the science and evidence of climate change is but one of many examples of this. I am glad that both sides of politics have taken measures to cease recognising those who celebrate ignorance by refusing to vaccinate their children against debilitating and sometimes deadly diseases. I hope that this is the first step back to valuing knowledge, reinvesting in the sciences and being able to honestly describe ourselves as the clever country.

I also come to this Parliament with the benefit of having grown up in rural New South Wales. My mother still lives in Canowindra, where she practised as a solicitor. Canowindra is a great place with which my family has a long relationship. I grew up on a farm, which my father worked until I was 30 years old. Contrary to conventional farm management, my father maintained many beautiful trees on the farm as he loved the native birds that nested in them. Maintaining habitat is one of many important reasons to keep protections for native vegetation on private land. I understand the current conflicts between traditional farming and both mining and large scale irrigation. I am very concerned about animal rights and deplore the suggestion of "ag gag" laws—disturbing footage of animal cruelty is evidence of a crime and collecting it should not be criminalised.

At the same time, I am equally concerned about PETA's current campaign against wool. Having assisted with shearing on my father's farm every six months from a young age, I never saw shearers mistreating sheep and saw only occasional tiny nicks and cuts; nothing like the bloodbath PETA presents. I cannot imagine the situation is particularly different elsewhere, but where there is evidence of it, it should be investigated and prosecuted. It should not be presented as typical.

Come 2019 I want to see a Granville electorate that is not ignored by Government; where educational opportunities are cherished; where transport is improved through more train services and improved access to the M4; where Westmead hospital staff are supported and emergency waiting times reduced; and where local roads do not become rat runs due to excessive WestConnex tolls. I want to be a part of a Parliament that values diversity, where we welcome people with backgrounds different from our own and ensure they share the opportunities that we, as Australians, benefit from. There will be times when as parliamentarians we are forced to make hard decisions. But I reassure my constituents in Granville, Westmead, Wentworthville, South Wentworthville, Merrylands, Merrylands West, Mays Hill and Guildford that I will be accessible and they can rely on me to represent them in this Chamber in our country's oldest Parliament.

The SPEAKER: Order! I thank the member for Granville and congratulate her. Before I call the member for Londonderry, I welcome her family and friends in the public gallery to the Legislative Assembly Chamber.

Ms PRUE CAR (Londonderry) [6.15 p.m.] (Inaugural Speech): I begin this evening by acknowledging the Gadigal people of the Eora nation and I pay my respects to their elders, past and present. I also acknowledge the Darug people, whose ancestors walked the lands on which now sits the electorate of Londonderry. It is an honour beyond compare to be in this historic chamber in the oldest Parliament in Australia to represent the people of my community.

In December 2013 I was not long Labor's candidate in the upcoming election. I was getting out and about, knocking on doors, meeting local residents and campaigning on the issues. In the suburb of Whalan one day I met a young mother. She had recently moved into a house owned by Housing NSW. She had two young children. Like so many other properties owned by Housing NSW, the house next door had been vacated, but it had been vacant for such a lengthy period that it had been completely destroyed—vacant for well over six months while tens of thousands of families wait on the list.

To add insult to injury, when she moved in this young mum found syringes in her backyard where her children wanted to run and play—as every young child should have the opportunity to do. But when she contacted the department, seeking help, they actually asked her to clean it up. What I did not know then was how many times I would see and hear different variations of this same story; time after time people being left on their own to fend for themselves—forgotten.

After knocking on doors every single day for more than 17 months, I come to this place not on my own; I come with thousands and thousands of personal stories just like that one, told to me by the people of my wonderful community—honest, passionate and generous people. They have placed their faith in me to fight for their issues in this, the epicentre of government in the nation's first State. Now it is time for me to repay their trust. Tonight is the first of many occasions on which I will be rising to my feet to champion their cause. Before I begin I want to acknowledge previous members for Londonderry and its various iterations—suburbs that were sometimes in electorates called Mulgoa, Nepean or St Marys. To Alan Shearan, I know how hard you worked for the community. To two of my personal mentors, Diane Beamer and Faye Lo Po', I am so proud to follow in your footsteps as strong women from our area who forged their careers fighting for the western suburbs of Sydney. And last year we said goodbye to our beloved Ron Mulock, a giant of our region. After I ran in the 2011 election he sent me a handwritten note. It said:

Never give up, never give in, and keep fighting.

Thank you, Ron. I took your advice. Most especially, I want to acknowledge a man I did not really know—the late Jim Anderson. Twelve years after his tragic passing on election day in 2003 people still talk to me at their front door about what an incredible local member he was. All over the electorate there are memories of him: signs bearing his name in parks and at schools. I did not know you, Jim, but I can think of no better person to look up to.

In the 1970s the future Labor Prime Minister of Australia, Bob Hawke, led the Australian Council of Trade Unions. Legend has it that he would inspire large crowds of people at rallies on issues affecting the daily lives of working people, motivating whole generations of people to take action. My grandfather, Les, was in these audiences a few times at Bankstown Town Hall with his daughter, my mother. He was a working man, a union man and a Labor man. He died a short time before I too felt a pull towards an involvement in politics to pursue change. Over the years my mother has often commented to me that he would have loved to have been with me, making a difference, getting stuck into the issues. I suppose it would have been incomprehensible to him at the time, at those rallies, that his daughter's daughter would be a Labor member of Parliament, 45 years on.

Maybe it is in my blood, but it is no wonder that I gravitated towards Labor when that interest first sparked. In fact, when I first told my mother, she was the one who suggested that I join the Labor Party and she drove me to the local campaign office. They told me Kim Beazley was coming to Werrington the next day. I rang my English teacher and took the day off school. Thank you, Mrs Elborough. That school had a strong emphasis on fighting for social justice, and I personally thank them for that. What I believed then, and what I believe now more than ever, is that Labor is the party of social justice, the party of opportunity. Labor brought us Medicare, compulsory superannuation and the reformist governments of Wran and Carr. In 2015 Labor has a challenging but essential responsibility in this Parliament on behalf of the people of New South Wales. Every one of those 499 days I campaigned to come to this place I became more and more convinced that government has a powerful role to play in improving people's lives—the provision of quality health care, access to educational opportunities that are not based on postcode or income and a helping hand to those who need it most. These are all ways that State government can and should have an impact.

I am a child of the western suburbs of Sydney. Like so many others of their generation, when my parents were newly married they set up their first home in this city's booming outskirts. For them, it was Morris Street, St Marys. The newly drawn electorate of Londonderry is a diverse one—from the semi-rural northern suburbs around Londonderry, Berkshire Park and Llandilo, some without town water, to the burgeoning new releases of Jordan Springs and Ropes Crossing—two of the fastest growing suburbs in New South Wales. There are suburbs around Werrington County and Cambridge Park that have been there a little bit longer, and some, like St Marys, that have been there for some considerable time indeed. This is a town steeped in the stories of early Australian history, where a teacher from St Marys Public School, Peter Dodds McCormick, wrote a patriotic song that would later become known as the Australian national anthem. In the east the towns around Mount Druitt are home to some of the most generous and welcoming people I have ever met—people I am proud to call my friends and who have a pride in their suburbs and communities that runs so deep.

I am grateful every day that my parents chose to raise my sister and me in the western suburbs where I am now bringing up my own son. It is a place where parents will work two or three jobs for a better life for their children and where small business owners strive to succeed but is consistently denied its fair share. Since 2008 I have been working to represent this community, where I grew up, as a councillor on Penrith City Council. I have loved every day that I have worked with community groups and residents to improve the impact

of local government on our area. I am most proud of my work with the local community in advocating against this Government's plans to transport radioactive waste from Hunters Hill to the western suburbs—an issue still hanging over our heads after a four-year battle. It is exactly the sort of reason why I wanted to do the same here: to fight for a better deal for us in the west.

They say that education is the great equaliser—the one mechanism that truly has the power to circumvent generations of poverty, disadvantage and injustice. But, shockingly, in 2015 only half of all public schools in Western Sydney even have air-conditioning in their classrooms. This means that children at schools in suburbs like Colyton and Willmot swelter in temperatures of over 40 degrees in the middle of boiling hot Western Sydney summers. Surely we cannot expect our children to be learning productively in these environments or should force our teachers to work in these conditions. As a mother this angers me. As a member of Parliament it furthers my resolve. I put the Minister for Education on notice that this will be a personal priority of mine.

One in 11 Australians calls Western Sydney home. Western Sydney is the third largest regional economy in Australia. Suburbs like Caddens, Claremont Meadows, Jordan Springs and Ropes Crossing are rapidly expanding. This growth must be met with investment in local infrastructure. It is not good enough for the Government to plan for primary schools in suburbs like Jordan Springs, with construction to begin five years from now when 2,000 homes have already been sold and plans for many more. It is outrageous that residents living in suburbs like Claremont Meadows are promised recreational parks that remain unfunded decades on. And while State governments place growth targets on regions like Penrith to expand, we are left lobbying for multimillion-dollar hospital redevelopments because mothers are being forced to have babies in emergency department car parks. Significant upgrades must take place urgently at Nepean and the dramatic de-funding of Mount Druitt Hospital must cease immediately.

Governments make the mistake of forgetting about Mount Druitt Hospital, but we cannot deny people health care based on where they live. In areas where many people do not have access to a car, they are presenting at their local hospital only to be told to go to another. Locals have a right to their local hospital. The housing affordability crisis facing New South Wales, and Sydney more specifically, is palpably felt most in Western Sydney. With property prices skyrocketing, parents question whether their children will ever be able to afford that great Australian dream—ownership of their own home. This challenge is significant, but it must be addressed. Young families need government to assist them with getting their foot in that door, including with stamp duty.

One of the biggest challenges facing the western suburbs of Sydney lies in the ever-increasing employment deficit. It is simply too large. While there is no arguing that congestion on our arterial motorways, like the M4, must be addressed urgently, governments must look at long-term, strategic ways to address the problem. Every day mums and dads from suburbs like Werrington Downs get into their cars and travel east for the only work that can pay their mortgage and support their families. Their trip can take up to three hours each way. By the time they get home at night, their children are already tucked in bed and fast asleep. This has devastating impacts on families. Government must get serious about its role in encouraging business to invest in moving to the new central business districts such as Penrith and Blacktown. That could be started by the Government setting the example and moving its own departments in a westerly direction.

The recent election campaign has had many impacts on me. But the most heartbreaking has been the way my eyes have been opened to the true state of public housing in New South Wales. My opening story is only the tip of a very large iceberg. More than 120,000 people are lingering on the waiting list. There is often a two-year wait for emergency housing. Waiting a decade for urgent maintenance is unacceptably commonplace. I am talking about serious safety concerns: windows with no glass panes, collapsing walls and holes in floors. The sad reality is that there is a maintenance backlog of more than \$300 million. The Auditor-General found that in 2012-13 the Government delayed \$85 million worth of scheduled maintenance work because of savage budget cuts. Something must be done urgently.

Every day people's lives are being impacted by the lack of action. They are living in substandard conditions. We are failing this test. These decisions are difficult, but must be taken. We need new housing stock, a better way to address maintenance and reinvestment in areas that have been forgotten. People simply deserve better than this. The things I have seen with my own eyes cannot simply be unseen. I cannot have listened to so many of these stories and now stand here and fail to act. Therefore, I intend to use the opportunity my community has given me to advocate for change.

Election victories occur because of teams, not individuals. No-one can knock on 20,000 doors and make 35,000 phone calls alone. I have many, many people to thank, and I am happy that many of them are in the gallery tonight. To the loyal and passionate members of the Labor Party, thank you for embracing me and fighting alongside me every day of a very long campaign. Thank you for the early mornings at train stations and for the mammoth effort every weekend. I thank the Londonderry State Electoral Council, led by Peter Clapham and Brad Bunting, Andrew Peach, Derek Margerison, Joe Fisher, Bengt Fredriksson, David Bentham, Tony Woolgar, Gai and Michael Maskell, Tony and Celine Smullen, Bill and Linda Armstrong, Rika Kaula, Sophie Young, Ian and Shirley Watt, Samara Phillips, Leigh Russelle, Kath Presdee, Ri Joseph, Mark Phillips, Mark O'Toole, Ben Bryan and Kanwal Dhillon. I am forever grateful for your efforts.

To Lois Fisher, thank you for coming on board in my electorate office and bringing your years of experience to the team. To my friend and constant source of advice—I call him the "mayor of Mount Druitt"—Blacktown Councillor Charlie Lowles, thank you. To my mate and confidante, and the reassuring voice on the end of the phone, Penrith Councillor John Thain, I could not have done it without you. I want to say a special thank you to the groups in our community that I have come to know over the past two years for always making me aware of all your concerns and for the amazing work you do in giving a voice to so many people in our areas.

To Georgie McCann and Di Mularvey and the Tregear Public School Parents and Citizens Association, Haylee Brown and the Bennett Road Public School Parents and Citizens Association, Ivy Roberson and the Whalan Community Action Group, Peta Kennedy and the Willmot Community Group, the Jordan Springs Residents Group and to the best friend that Ropes Crossing ever had, Derek Margerison, thank you. To my friends in the Filipino community, the Philippine Language and Cultural Association of Australia, Rissa McInness and the Prue Car dancers, maraming salamat po! I also thank my friends in the subcontinent community.

I thank my friends with whom I worked with at MS Australia. My experience there taught me so much about what people can achieve against serious odds. I thank the most professional campaigners in the country: the team at New South Wales Labor. Thank you Jamie Clements, Kaila Murnain and David Latham for your constant support. My organiser, Dom Ofner, is probably the most talented campaigner in the country, and he got me through the campaign. Thank you. My friends in the union movement should know that I will always be proud of our connection. I am so proud to have campaigned alongside you in defence of our public assets. I thank Tony Sheldon, Michael Aird and all my friends at the Transport Workers Union, Bob Nanva, Alex Klassens and the Rail, Tram and Bus Union, Gerard Hayes and the Health Services Union, Russ Collison and the Australian Workers Union, Graeme Kelly and the United Services Union. I also thank Mark Lennon, Mary Yaager, and the team at Unions NSW for that amazing campaign. Thank you Mary Court and the ever enthusiastic team at Penrith Valley Community Unions.

I thank my new colleagues—the Labor Party shadow Ministers. Particular thanks must go to the Hon. Sophie Cotsis, the Hon. Walt Secord, the Hon. Adam Searle, Ryan Park and Guy Zangari. Most of all, I thank the Leader of the Opposition, Luke Foley, for his personal support of me and for standing with me for four years arguing against the transfer of that radioactive waste. I have so much confidence in you and your intelligent and compassionate vision for New South Wales. I am so proud to be part of your team. People sometimes say to me that if I want a friend in politics I should get a dog. I do not subscribe to that opinion. Thank you to all the lifelong friends I have made from our time way back in Young Labor: Bob Nanva and Sally Deans, Gerard Gilchrist and Elizabeth Scully, Sam Crosby and Rose Jackson, Senator Sam Dastyari and his wife, Helen, Daniel Mookhey and Tamsin Lloyd. I am so proud that Daniel has been appointed to the other place today. We have had some great times together and always supported each other.

I turn now to my campaign team, affectionately self-titled the "Prue Crew". Their enthusiasm, dedication and commitment will be the stuff of legends. My compliments to the best campaign director in NSW, Aaron Duke. What an operation! I am so proud of my outstanding volunteer coordinator, Paul Mills, and Geeth Geeganage, Luke Heffernan, Lizzie Green, Liam Rankine, Sean Sotheran, Michael Elliot, Wihartati Kartika, Nick and Daniel Harrison, Ashlee Gardener, Geoff Brown, Megan Sturges, Malithi Geeganage and Corey Matthews. Please know that nothing you ever did went unnoticed by me—not the freezing cold train stations nor the boiling days door knocking. The Labor Party in Western Sydney has a bright future in you.

I turn now to the two people who set up their home in Morris Street in 1977, my parents. Words could never express my gratitude for what you have done for me. Your sacrifices have been so many. You have

supported me every single day, not only during the campaign but also from that very first day when I joined the Labor Party as a teenager with a burning desire for the power of government to change people's lives. You are a shining example of the love and commitment of parenthood. My victory is also yours.

To the most important person in my life—whom I hope will one day read this speech—my Max. When you were born one of my friends remarked that you would make my politics personal. How right she was. You inspire me in ways you will never know. Every day I will strive to make the society you and your generation inherit a better place, a fairer place, a place where people do not get left behind. Each and every day that I have this job will be a true honour—a privilege that comes with a heavy responsibility. To the people of Londonderry I say that each and every one of those days I will be fighting as hard as I can for you in this place, because that is exactly what you deserve. Thank you.

Pursuant to resolution matter of public importance proceeded with.

INTERNATIONAL DAY OF THE MIDWIFE

Matter of Public Importance

Mrs TANYA DAVIES (Mulgoa—Parliamentary Secretary) [6.42 p.m.]: As the largest healthcare profession in the world, we recognise that nurses and midwives are key to safe and compassionate care in our hospitals and healthcare system. Each May, we commend the contribution of nurses and midwives through celebrations on International Midwives Day, 5 May, and International Nurses Day, 12 May. In New South Wales more than 48,000 nurses and midwives are working tirelessly and with compassion in our healthcare services. In addition we are employing more than 1,800 new graduate nurses and midwives in 2015. These new graduate nurses and midwives are employed in a range of settings in metropolitan and rural areas. A metro-rural exchange program facilitates new graduates to gain clinical practice experience in both settings.

The New South Wales public health system nursing workforce has increased by 4,600, or 3,400 full-time equivalent positions, since March 2011. This Liberal-Nationals Government has met its 2011 election commitment to increase the nursing workforce and it has exceeded its target. The Government has again given a commitment to support and strengthen the nursing and midwifery workforce, with funding for a further 360 positions. The first 85 of these positions will be delivered in 2015. Enrolled nurses are a valuable part of the NSW Health nursing workforce and are in demand across the system. The New South Wales Government provided 600 scholarships in 2013 and 2014 for enrolled nurse training. A further 300 scholarships are being offered in 2015.

The New South Wales Aboriginal Nursing and Midwifery Strategy, in partnership with NSW Health, implements a number of major initiatives to increase the Aboriginal nursing and midwifery workforce, including cadetships, scholarships and supported training programs. Currently, 34 students are enrolled in the cadetship program. Recruitment is underway to offer a further 10 cadetships in 2015. This year marks the 100th anniversary of the start of the public service to promote infant, child and family health in New South Wales. An integral part of these services are the child and family health nurses. Over the past 100 years, almost 7.4 million babies have been born in New South Wales, most of whom have been seen and cared for by NSW Health's child and family health nurses, or the equivalent at the time.

This year we rolled out the next stage of the Take the Lead program, which aims to assist nursing and midwifery unit managers to develop a high-performance culture and enhance the ability of these managers to deliver quality patient-centred care to the local community. This year's International Nurses Day theme is "Nurses: A force for Change: Care Effective, Cost Effective". This theme provides synergy with more than 700 wards and units engaged in the Essentials of Care program across the State. The Essentials of Care program aims to engage healthcare teams in collaborative processes that utilise evidence from patients and their families, workplace data and research to inform improvements that impact on patient quality and safety at the point where care is experienced.

The various Essentials of Care initiatives that occur across New South Wales continue to have positive impacts on improving the patient experience, improving staff satisfaction and reducing adverse outcomes such as falls, pressure area injuries and medication errors. The Nursing and Midwifery Office piloted the Productive Ward program in 2013. The program aims to empower clinical teams by giving staff the information, skills and time they need to improve the way they work, and releasing time to care for patients. With some very positive outcomes achieved so far, a further rollout of the program, with a focus on mental health services, is being delivered in 2015. In my reply, I will speak about the Government's election commitments and highlight a fabulous nurse at the Nepean Hospital who received the award.

Ms JODIE HARRISON (Charlestown) [6.47 p.m.]: We love midwives, because midwives always deliver. International Day of the Midwife is an important occasion for us to reflect on the great fortune we experience in Australia and, indeed, in New South Wales. Women in New South Wales have a comparatively high life expectancy, and their risk of dying in childbirth remains at historically low levels. Australian women experience a risk equal to women in Switzerland, Japan and Belgium. This risk is so low that most Australian women do not even consider it when choosing whether or not to have children. It is a great luxury that we experience, but we should be mindful that not all women are so lucky. Around the globe approximately 290,000 women and over three million infants die as a result of complications from childbirth.

The risk faced by women in countries that do not have a modern health system is immense. In Somalia, Chad and the Central African Republic, maternal mortality is more than 800 deaths per 100,000 births. In Chad the figure is almost 1,000 deaths per 100,000 births—that is one in 100 women die while giving birth. If one in 100 Australian women died in childbirth we would be outraged. That this is allowed to exist anywhere on earth is a tragedy. The only comforting part of this statistic is that rates of maternal death in childbirth continue to fall around the globe. Belarus and Israel currently are the top two nations with the lowest rate of maternal mortality—a position that any nation should covet.

The low risk faced by Australian women is largely due to the efforts of midwives. In Australia there are more than 30,000 midwives, the majority being both nurses and midwives. However, in recognition of the community demand for specialist midwives, it is now possible to complete a stand-alone degree as a midwife. Midwifery, like other care-based industries, continues to be a female-dominated industry. In recent years there has been increased discussion around choice in childbirth and a growing number of women are choosing to give birth at home, supported by a midwife. A midwife's support during childbirth is incredibly important. While deaths during childbirth remain rare in Australia, women do face the risk of embolism, thromboembolism, haemorrhage and eclampsia, which are the cause of more than three-quarters of all direct maternal deaths.

I benefited from the care of midwives and their expertise and skills when giving birth to my two children at John Hunter Hospital. After my first child was born I suffered a postpartum haemorrhage. I am truly thankful to the midwives who looked after my daughter for the following four hours. To celebrate International Day of the Midwife the Australian College of Midwives organised a series of Walk with Midwives events across the country. These events raised money for the Rhodanthe Lipsett trust, established in honour of long-serving midwife Rhodanthe Lipsett who spent more than 40 years assisting mothers in Adelaide, Broken Hill and Canberra. Rhodanthe had a particular interest in supporting mothers in regional communities, including Aboriginal and Torres Strait Islander mothers. Since 2000, Rhodanthe has assisted 23,000 new mothers. Her trust provides a scholarship for Aboriginal and Torres Strait Islander women to be trained as midwives to boost the number of Indigenous midwives, which is currently under 100. This is a vital goal.

In New South Wales, while most women face few risks, Aboriginal and Torres Strait Islander women remain at an increased risk of death during childbirth. Aboriginal and Torres Strait Islander women are almost three times more likely to die during childbirth than non-Indigenous women. This is not the only area where Aboriginal and Torres Strait Islander women face higher health risks than their non-Indigenous peers and we must remain committed to closing the gap in all stages of life. Achieving this goal will take time, but an essential component of meeting this goal is supporting professional midwives to support women in an environment that is welcoming and caring. I fully support this matter of public importance.

Mr ADAM MARSHALL (Northern Tablelands) [6.52 p.m.]: Mr Deputy-Speaker, I congratulate you on your re-election to the position of Deputy-Speaker. It is with great pleasure that I speak in debate on this matter of public importance on International Day of the Midwife. I thank the member for Mulgoa for bringing this important matter to the attention of the House. I also congratulate her not only on her re-election but also on her appointment as Parliamentary Secretary. Every year on 5 May we recognise the contribution of midwives through celebrations on International Day of the Midwife. International Day of the Midwife highlights the enormous contribution midwives make to the experience of women and their families in their journey from pregnancy to parenthood. The World Health Organization recognises midwives as the health professionals best able to provide safe and cost-effective maternity services to the majority of families.

In New South Wales there are around 10,000 registered midwives working in both public and private hospitals and I acknowledge their invaluable work. Kindness and compassion shown by midwives to women and their loved ones can live on for years to come. This year the Government is employing more than 1,800 new graduate nurses and midwives in New South Wales public health facilities, of which around 70 will be new graduate midwives. To support the sustainable provision of midwives for New South Wales maternity services, NSW Health undertakes a centralised recruitment process for postgraduate midwifery student positions within

all New South Wales public hospitals. I am pleased to hear that 144 postgraduate student midwife places have been offered for this year, with demand remaining high for registered nurses wishing to undertake midwifery training.

Support for the rural midwifery workforce has been a priority for the Government, with NSW Health funding rural postgraduate midwifery student scholarships since 2011. A total of 42 scholarships have been provided to rural maternity facilities—including, I am pleased to say, some in the Northern Tablelands electorate—with a further 10 scholarships to be awarded this year. As part of this commitment to increasing the employment of graduate midwives in rural and remote areas of New South Wales, a metro-rural exchange was offered to new graduate midwives as part of the 2015 graduate recruitment program. This initiative enables our new midwives from across the State to experience midwifery practice in both large and small maternity units. This initiative will continue in 2016. It is my hope that once they discover how good life is in rural New South Wales they will never look back.

I acknowledge all our wonderful midwives for the work that they do. They are special—as any woman who has had a baby and any partner who has supported them would know. Midwives are resourceful and skilled health professionals who work bloody hard to provide the best possible care that they can provide to mothers, babies and their families. I thank them for the enormous contribution they make every day to care for women and their families.

Mrs TANYA DAVIES (Mulgoa—Parliamentary Secretary) [6.55 p.m.], in reply: I thank the member for Charlestown and the member for Northern Tablelands for their contributions to this important debate on the matter of public importance. I put on the record the acknowledgement of everyone in this place that we in this State and in this country live in what is an enviable, blessed and fortunate nation. The centenary of Anzac Day is not to be taken lightly or for granted; it is a legacy that we should hold carefully and responsibly and we should take great care to ensure that we project this nation and this State forward to the next generation better and stronger.

To that end I am proud to put on the record that the New South Wales Liberal-Nationals Government election commitment for nursing and midwifery industries prior to the 2015 election was an increase of at least 2,100 nurses and midwives over the next four years. Funding for 360 new specialised nursing, midwifery and support staff positions will be in addition to the commitment to increase front-line health staff by at least 3,500 full-time equivalent positions over four years and includes 120 clinical nurse-midwife educators, 20 mental health clinical nurse educators, 60 nurse practitioners, 20 clinical nurse consultants, 20 clinical midwifery consultants and 120 clinical support officers.

I highlight how incredibly pleased I was to see in today's local *Western Weekender* newspaper that Karen Topping, a local midwife based in Nepean Hospital, had received not only the State award for Midwife of the Year but also the national award for her excellence in midwifery in 2014. Yesterday she was presented with her awards for International Day of the Midwife in front of her fellow midwives and colleagues. Most midwives and nurses are humble and they defer often to their colleagues. Karen said this:

I feel very honoured and very privileged but I really am just one of many midwives who deserve this award.

She has given 25 years of her life as a midwife and she enjoys the experience she has with every new mother. Bridget Byrne, the lady who nominated her for the award and who hailed from Ireland, was not familiar with our health system but basically said that Karen took her by the hand and walked with her step by step through the process until the safe delivery of her son, Callun. I congratulate Karen Topping. I am proud of her achievements and I am proud that achievements such as that are being made not only by Karen but by all the midwives at Nepean Hospital. I acknowledge all the midwives across the State for the continuing and excellent work that they do and for the care, the compassion, the love and the professionalism that they provide to their clients, to the partners and to the babies that they help to bring into this great country of ours.

The DEPUTY-SPEAKER (Mr Thomas George): I am sure every member of this House endorses those comments, as midwives are certainly appreciated. All I can say is, thank you and happy International Day of the Midwife.

Discussion concluded.

**The House adjourned, pursuant to resolution, at 6.59 p.m. until
Thursday 7 May 2015 at 10.00 a.m.**
