

LEGISLATIVE ASSEMBLY

Tuesday 18 September 2012

The Speaker (The Hon. Shelley Elizabeth Hancock) took the chair at 12 noon.

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

HAWKESBURY ELECTORATE EVENTS

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [12.10 p.m.]: I advise the House of recent events in my electorate of Hawkesbury. On 19 August the annual Maroota Muster was held. This time-honoured event gives people in the north-west areas of the Hawkesbury an opportunity to come together to raise funds for Maroota Public School. The muster is held on the school's grounds and on this day included the opening of the new children's play equipment for which I had helped to raise funds from the New South Wales Government through the community building partnership with the Maroota Public School Parents and Citizens Association and my great friend Bernie Treibe from the Bendigo Bank, Galston. In a three-way partnership we chipped in to provide outstanding playground equipment for the school, which I am sure the children will enjoy for many years.

I left the Maroota Muster and travelled to Macquarie Park, Windsor, to represent the Minister for Police and Emergency Services at the New South Wales Rural Fire Service Twenty-fifth Anniversary Championship presentation at which all Rural Fire Service brigades meet to compete in a friendly atmosphere. This innovation was the brainchild of Ron Gavin, who was present on the day. As a child I had the great pleasure of growing up with Ron Gavin. Through his insistence many years ago I became a member of the Box Hill Nelson Fire Brigade in 1973, which continues to protect the area from bushfires.

On 26 August I attended the opening of the Wilberforce Youth and Community Centre. I acknowledge Elizabeth Palmer, a young lady who recognised some of the problems facing Wilberforce youth and who put up her hand to work hard to implement a youth and community centre for them. I think it will be successful and I look forward to supporting her in whatever capacity I can. On 31 August I attended the opening of the refurbishment of the Wisemans Ferry Medical Centre. I acknowledge Lois Casserly, a tireless community worker in that area who, as president of the Sunshine Club, works hard to raise funds for any facilities that need upgrading. She did not miss out on the upgrade of the medical centre that houses a couple of doctors. Once again, Bernie Treibe from the Bendigo Bank, Galston, chipped in and provided funding. I acknowledge the wonderful contribution of the Bendigo Bank to our local community.

On 3 September I attended a Pitt Town Progress Association meeting to discuss the ongoing issue of the Pitt Town bypass—I think we are getting closer to reaching a resolution. I acknowledge the hard work of president Harvey Reid, and executive committee members Lola Johnstone and Judy Newland, who from time to time invite me to discuss issues pertaining to that section of the electorate. On 8 September the Seventh Day Adventist Church, Galston, invited me to its Spring Festival Day, which I always enjoy attending. Richard Young always puts on a wonderful floral display; it is a sight to see. This year the festival was held on the day of local government elections. We attended church and delivered a psalm for the gathering. On 9 September the Orange Blossom Festival held its annual Kenthurst street parade. I acknowledge the work of the people of Kenthurst Rotary and its president David Gadiel who work hard for the Kenthurst area. Sadly, this parade is the only one still operating across the electorate.

At night I attended the Youth Film Festival, an innovation of the Hawkesbury-Hills Uniting Church and the Rouse Hill Town Centre which sponsor children from different schools to put together a short film. I was one of the judges who voted for the best film of the many we saw. The winner came from the Ku-ring-gai electorate which reminded me that he lives just down the road from a family with a very prominent name—the O'Farrell family—so everyone can have bad luck in their lives. On 14 September I attended the North Richmond Bendigo Bank Tenth Anniversary. I acknowledge Trevor Hitchcock, chair of the Hawkesbury Community Financial Services board of directors for it is great work. Once again the Bendigo Bank has provided an enormous amount of funding for the local community. I commend it and all the events that took place in the Hawkesbury electorate.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.15 p.m.]: Obviously the member for Hawkesbury has a busy schedule attending many places in his electorate. Listening to him was like walking down memory lane as I lived in Cattai for many years. He mentioned Maroota, Macquarie Park at Windsor, Wilberforce Youth and Community Centre, Wisemans Ferry Medical Centre, Pitt Town bypass—which has been on the agenda for a long time—and Galston, Kenthurst and North Richmond, which are all familiar to me. Over the past few months the member for Hawkesbury has serviced his community in a number of areas. I commend him for the great job that he is doing.

RELIGIOUS FREEDOM

Mr ROBERT FUROLO (Lakemba) [12.15 p.m.]: Once again I bring to the attention of the House an issue of significance to many people in my electorate. Previously, I have discussed the electorate profile prepared by the Parliamentary Library based on Australian Bureau of Statistics census data. One data set contained in the Lakemba electorate profile is religious affiliation. Compared with the New South Wales average of 3.2 per cent of the population, in the Lakemba electorate the percentage of people who identify Islam as their religion is 24.4 per cent. Not surprisingly, last weekend's events have had and will continue to have a huge impact on my community. Like the leaders of the Islamic community who strongly condemned the weekend violence, I join the Premier and the Leader of the Opposition in making it clear that violent protests, for any reason, have no place in New South Wales or Australia.

I recognise the right of Australians to express their views and to protest in our free and democratic society. I recognise the right of all Australians to voice their support for or objections to government decisions. That is one of the freedoms we hold dear, but these freedoms do not extend to mob violence or hate-filled incitements. There is no place and there can be no place for this behaviour in our peaceful society. Sadly, the broader community's anger at last Saturday's events will be felt by families in my community for weeks, months and possibly years to come. The resentment and hostility towards the handful of people who deliberately incited aggressive and violent behaviour will be felt by the thousands and thousands of Muslims in my community who abhor and condemn this behaviour.

Once again, these hardworking families of Islamic faith, who are peaceful and committed to the Australian way of life, will be the victims of anti-Islamic taunts and retribution. These actions will further marginalise those who all too often are made to feel isolated from the broader Australian society and could be a disaster for the peaceful and harmonious society we all strive to achieve. Many commentators suggest that the motivation of some instigators of the weekend's violence was to further isolate the Australian Muslim community from the broader community for their own twisted agenda. I cannot claim to know what was in the minds of those who perpetrated these events, but the effect is as clear as day. Some in the media and broader community will use these events to ratchet up their bigoted, ignorant and hostile views of the broad Islamic community. In turn, this will lead to an escalation of anti-Islamic sentiments, which in turn will lead to more people feeling alienated in their own country. This would be the worst outcome possible.

As community and civic leaders, we need to send a clear message: The weekend's events are not acceptable and they are not in any way indicative of the vast majority of Australian Muslims. We cannot and must not confuse a small group of troublemakers with the views of the broader Muslim community. We must not let these actions undermine the peaceful, respectful and tolerant nature that has made Australia the successful, diverse and welcoming country that it is. I acknowledge and welcome the voices of Australia's Islamic leaders, including the Islamic Council of New South Wales, the Lebanese Moslem Association, the Australian Islamic Mission, the United Muslim Women Association Inc., and the Office of the Mufti of Australia, all of whom have condemned the violence. At this difficult time their leadership is essential, as is the guidance of our political leaders who must ensure these events are not an excuse to vilify decent, peaceful and hardworking Australian Muslims. Too much is at stake if we do not stand up on this issue.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.20 p.m.]: I reaffirm the sentiments expressed by the member for Lakemba. There is no place in Sydney, New South Wales, or Australia for violent protests of the type that we saw last Saturday. There is no room for mob violence in our society. I acknowledge those responsible Islamic leaders who condemned this violence.

TRIBUTE TO MAYOR BOB DOWLING

Mr ANDREW GEE (Orange) [12.20 p.m.]: Today I pay tribute to Bob Dowling, Mayor of Cabonne Council, at the end of his term of office. Although Mayor Dowling served as mayor for the past two years, he spent only one term on Cabonne Council before retiring at the time of the council elections on 8 September. As councillor and as mayor he served the people of Cabonne with distinction. His record is enviable and the way in which he represented the people of Molong and towns and villages in the Orange electorate such as Cumnock, Manildra, Cudal, Canowindra and Eugowra was exemplary. Mayor Bob Dowling made a big difference by developing team work between councillors and council staff and also by building strong relationships with the community.

Even though his time as mayor was relatively short, the impact Mayor Dowling had on people's lives will be remembered for a long time. Mayor Dowling forged a close working relationship with council staff and ratepayers and worked also with members of the New South Wales Government in the best interests of the people of Cabonne. During the current financial year a record \$16 million will be spent upgrading roads in the Cabonne Council area—a proud achievement of Cabonne Council. The recent completion of the widening of the shoulders on the Cudal to Canowindra road in the Orange electorate is a fine testament of the work of Cabonne Council.

For many years Manildra, Cudal, Cumnock and Yeoval in the Orange electorate have been waiting for town sewerage schemes. In July this year the New South Wales Government provided an interest subsidy to Cabonne Council that enabled essential funds to be borrowed to complete the \$17.2 million project. This project is a fine example of the hard work of Mayor Dowling and the New South Wales Government for the good of the people and the council. The completion of a \$16.3 million project resulted in the opening of Waluwin Community Centre—Australia's first fully integrated and highly commended primary health and community care centre. The adoption of the local environmental plan and village settlement strategies was another achievement, as was the continuation of the major timber bridge replacement program. By the end of the 2012-13 financial year, Cabonne Council will have replaced 56 of its 59 timber bridges with concrete structures.

Mayor Dowling also oversaw the awarding of a contract to remediate the former Molong gasworks site, the completion of the new State Emergency Service building in Canowindra, and \$1.7 million was allocated to redevelop Canowindra swimming pool in addition to upgrades to other council swimming pools in the Cabonne area. Cabonne Council spent \$2.7 million for water supply projects under Mayor Bob Dowling's guidance, which include reservoir upgrades and environmental flow works in Molong Creek. In recent years Eugowra and Molong have been severely affected by floods. Hundreds of thousands of dollars have been spent on flood mitigation work and \$330,000 has been spent on other floodplain projects. In addition, many villages and community improvement and enhancement projects have been completed and additional funds have been allocated to upgrade and maintain the council's 11 cemeteries.

Despite the large investment in council infrastructure it is a tribute to Mayor Bob Dowling that Cabonne Council remains financially strong at a time when many councils are struggling with their finances and might have to amalgamate to overcome funding crises. The people of Cabonne are richer for Bob Dowling's term on council. Bob and his wife, Alex, have been tireless in their support for the communities of Cabonne. Mayor Dowling was an outstanding mayor and advocate for the people of the Central West and we will miss him. I congratulate Bob and Alex Dowling on a job well done.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.24 p.m.]: As Minister for Local Government I join the member for Orange in thanking former mayor of Cabonne, Bob Dowling, for his wonderful contribution to his local community. The member for Orange said that many things happened during Bob Dowling's time as mayor, including road upgrades, swimming pool upgrades and an improved water supply. It is a tribute to Bob Dowling that so much happened while he was serving on Cabonne Council. On behalf of the New South Wales Government I thank Mayor Bob Dowling for his contribution to his local community and I wish him well in his retirement.

PROSTATE CANCER

Mr TIM OWEN (Newcastle) [12.25 p.m.]: From time to time I have been called a little prick and on occasions I have taken offence, but over the weekend I was proud to be classed as a little prick. I joined a group of Novocastrian motorcyclists who took part in the first leg of the Little Pricks Motorcycle Ride. The Little Pricks Motorcycle Ride, an initiative of the Hunter Prostate Cancer Alliance, coincides with Prostate Cancer Awareness Month. The purpose of this ride is to raise awareness of the devastating effects of prostate cancer and how people throughout the region can access the free information and counselling service of the Hunter Prostate Cancer Alliance [HPCA]. As patron of that organisation I was proud to assist in its awareness campaign to bring this important issue to people's attention.

On 15 September we grabbed people's attention when with a thunderous roar Harley-Davidsons left the Newcastle foreshore, waved off by the Newcastle community. Local identities and riding enthusiasts, including Knights captain Kurt Gidley, Marc Glanville and Gary Leo, and the Old Boars Motorcycle Club as well as the mobile information unit of the Hunter Prostate Cancer Alliance started the ride with me. Many of the riders are currently still on the road as part of a nine-day adventure around the Hunter and New England region. Our first stop was a visit to Maitland Hospital and we then went on to Hunter Valley Gardens. Before long we were greeted in Singleton by members of the local Men's Shed for lunch and a presentation. We then headed up the highway to Muswellbrook where we visited the local hospital before being met in Scone by the local Men's Shed for a dinner presentation.

With a heavy heart I said farewell to members of the group on Sunday morning as they got on their bikes to weave their way through the Hunter, New England and the Central West. I would have loved to have stayed with them for the duration of the ride, but my parliamentary commitments prevented me from doing so. Since Sunday, which is just over four days, the group has visited many towns, including Merriwa, Gulgong, Dubbo, Narromine, Warren, Gilgandra and Coonabarabran. Today the group will visit Narrabri and Moree. Over the next five days the group will stop at other townships including Goondiwindi, Inverell, Glen Innes, Armidale, Tamworth, Gloucester, Forster Tuncurry, Medowie and Williamtown, to name but a few.

Speaking on the topic of the Little Pricks Motorcycle Ride, Cary Lee, chief executive officer, Hunter Prostate Cancer Alliance, said he was excited by the opportunity to take the prostate cancer awareness message to more remote communities in New South Wales. For four years the Old Boars Motorcycle Club has supported the Prostate Cancer Alliance and has dedicated club rides to prostate cancer awareness. Dale Woods, club president and prostate cancer survivor, jumped at the opportunity to be involved in the ride and intends to make it an annual event. Also involved are community groups such as Men's Shed, Lions and Rotary clubs as well as other motorcycle clubs, which are helping to spread the message and organise local social events at each stop. Mr Woods said:

Although the reason we are riding is because of a very serious health issue, we intend the ride to be a lot of fun and we encourage everyone in the communities we visit to get involved and say g'day.

I thank and commend these organisations, all those who took part in the Little Pricks Motorcycle Ride and all those behind the scenes who made the ride possible. Prostate cancer is a serious issue with 19,403 men in Australia being diagnosed with the disease each year. Early detection is vital to providing the best chance of survival, and that is why this ride is so important. If we encourage men, especially those aged 50 years and over, to go to the doctors regularly and get checked, the health of our nation will dramatically improve. Last year I was proud to announce that the New South Wales State Government committed \$150,000 each year for the next three years—a total of \$450,000—to assist the Hunter Prostate Cancer Alliance to continue its great work in the local community. The Hunter Prostate Cancer Alliance continues to put to good use every dollar that is received. This ride is but one example of why its service is so important to the community that it represents. I look forward to welcoming home the Little Pricks to Newcastle this Sunday and I encourage all male members of Parliament to lead their constituencies by example by ensuring they are regularly screened for prostate cancer.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.29 p.m.]: I thank the member for Newcastle for drawing the attention of the House to the Little Pricks Motorcycle Ride for Prostate Cancer Awareness which originated in Newcastle and wound a path through the Hunter, New England and Central West. The member joins an increasing number of men our age who are aware that prostate cancer is a big issue for men's health in this country. As the member indicated, 19,403 men in Australia are diagnosed with prostate cancer each year. If memory serves me correctly more men die of prostate cancer now than women die of breast cancer, which should make a lot of men, particularly those 50 and beyond, aware of the need to have a check-up and make sure they are not at risk from prostate cancer.

WOLLONGONG ELECTORATE EVENTS

Ms NOREEN HAY (Wollongong) [12.30 p.m.]: I congratulate the member for Newcastle for speaking, as I have previously done, on the issue of prostate cancer. It is interesting that there is a Little Pricks Motorcycle Ride for Prostate Cancer Awareness taking place. I assure the member for Newcastle that I would never have called him a little prick. I inform the House today about two outstanding events that took place in my electorate of Wollongong over the past weekend. The first event was at the George Cross Falcons Hall in Lake Avenue, Cringila. I was honoured to be invited by the club President, Mr Louis Parnis, to officially open the new extensions. The George Cross Falcons Club was built in 1951 to serve the Maltese community, which arrived in the Illawarra to work predominantly at the steelworks. In 2011 the George Cross Falcons Club celebrated its sixtieth anniversary. It has served the Maltese community as a place to welcome ministers, clergyman and others that have travelled to Australia from Malta to meet Maltese migrants to Australia.

The George Cross Falcons Club members are proud of a great committee that understands the importance of solidarity. The club boasts a large painting of Malta harbour and Wollongong scenes on the front wall of the premises and on the other side of the building there is a huge steel ship with a Maltese family representing migration to the Illawarra. I encourage people to visit the George Cross Falcons Club in Cringila to appreciate all that the club has achieved under the leadership of Mr Parnis, his committee, previous leaders and life members. They are to be congratulated on their dedication to ensuring the success of the club over the years and its celebration of the Maltese culture in Australia.

I am pleased to have provided help and assistance to the George Cross Falcons Club in obtaining funding for the renovation of the amenities block, air-conditioning, solar panels on the roof, a carport to protect the bocce players from the sun and carpet outside for bocce. I congratulate the Maltese community in the Wollongong electorate and the Illawarra and commend them on a thoroughly enjoyable evening. Special mention must be made of George Bartolo, Father Leonard Testa, Sister Grace Cini, Sister Ambrose and Sister Rita—it was lovely to see them all.

On Sunday I attended the Our Lady of Victories ceremony at St Francis of Assisi Church in Warrawong. The service commenced with a procession of Our Lady around the surrounding streets of the church. The parishioners praying the Holy Rosary in the procession were accompanied by the Wollongong brass band. The first priest for St Francis of Assisi Catholic Church in Warrawong, Father Victor Bonello, started this great cultural tradition. He was originally from Gozo, the second largest island in the Maltese archipelago, and his church in Gozo was dedicated to the nativity of Mary. The Maltese in Warrawong have always celebrated this event as their national feast day, providing the Maltese people with a yearly focal point and connection between their national identity and Catholic faith.

The sense of community was almost overwhelming. I saw many of the people who attended the opening of the extension to the George Cross Falcons Club the previous night and once again they welcomed me with open arms. Monsignor Paul Ryan, parish priest of Port Kembla Catholic church, celebrated mass with Father George Condoakala, assistant priest, Lumen Christi Catholic Parishes Wollongong, and Maltese Chaplain for the Wollongong Diocese, Warrawong priest-in-residence Reverend Father Leonard Testa, Order of Friars Minor Conventual, and Warrawong parish priest Father Emmanuel Gatt, Order of Friars Minor Conventual. The Franciscan Sisters of the Heart of Jesus attended from both Warrawong and Port Kembla parishes. I commend the Our Lady of Victories committee on their outstanding work—particularly Anthony Scerri, secretary, and Lucy Bonanno for organising the event.

Living in such a diverse multicultural society it is important that we remain aware of cultural differences and see them as a source of enrichment. I look forward to attending this celebration for many years to come. One of the fantastic things in the Wollongong electorate is the multicultural community that originated in the early 1950s and helped to build the Illawarra and Wollongong. They provided such wonderful opportunities for those migrants who came later—such as me—and now my children. We are the beneficiaries of this wonderful community of migrants. I place on record my thanks to the migrant community.

PACIFIC HIGHWAY UPGRADE

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [12.35 p.m.]: I am 100 per cent committed to the people of the Tweed. Saturday 22 September marks a historic event: It is the official completion and community celebration for the famous Sextons Hill Pacific Highway upgrade. I spoke of the Sextons Hill upgrade in my inaugural speech in 2007. I know many North Coast National Party members have campaigned

long and hard for that upgrade. This Saturday will see the completion of the \$359 million upgrade. It was jointly funded by the State and Federal governments. The upgrade covers 2.5 kilometres from the northern end of Barneys Point Bridge to the southern end of the Tweed Heads bypass.

The upgrade features a six-lane carriageway with posted speed limits of 100 kilometres per hour, the use of the present Pacific Highway as a local access road, connection of south-facing ramps at Barneys Point bridge with a southern interchange roundabout, realignment of Laura Street to meet Short Street and the Pacific Highway in a four-way intersection with traffic lights, a new northern interchange with north-facing ramps connecting Darlington Drive intersection to south-facing ramps connecting directly into Minjungbal Drive, extension of Minjungbal Drive passing below the proposed upgrade and connecting to Darlington Drive, improvements to Wilson Park which will provide greater access to all areas—The Nationals campaigned for the creation of the sporting facilities and community area in that park—and the realignment and upgrade of the existing coastal cycle and pedestrian route through Banora Point that will provide a connection between east and west Banora Point.

Recently the project received the International Erosion Control Association Premier Award for 2012. The features that contributed to this achievement include a triple-stack design which helps to treat water from road surface runoff, a clean-water pipe under a sediment basin, a vegetated biofiltration channel that treats road surface runoff while conserving space and a sediment capture system which sees site water treated before being released into the natural drainage lines. Those environmental features will result in a reduced impact on water quality and flow for flood risk resulting in the achievement of positive environmental outcomes for sustainable reuse of materials. Improved road safety will reduce the number of road deaths occurring on the Pacific Highway. During the last 15 years there have been over 500 casualties and deaths on the Pacific Highway. The bypass improves access to and from the Pacific Highway for local traffic and creates an uninterrupted highway flow.

It would be remiss of me not to acknowledge the Tweed Business and Residents Focus Group Incorporated. The group has included members such as John Sweeny, Rory Curtis, former police inspector Rod Bates, Mike Allen and Kathryn Miles from the Tweed City shopping centre. They have been actively involved in robust debate with the former Roads and Traffic Authority. That debate always put the locals and their way of life first. The group considered the effect on local businesses of a major highway transecting the centre of town. The Tweed Business and Residents Focus Group attended many community consultative meetings and pushed hard to represent their members. The Banora Point and District Residents Association incorporated secretary, Pat Tate, has actively participated in community discussion. Her husband, Ray Tate, passed away some time ago. The planning involved for this road has extended over 15 years. Ray was a strong advocate for the local people and I paid tribute to him recently when the southbound lane was opened. That recognition was well deserved.

It would be remiss of me not to mention the recent announcement made by the Federal Leader of The Nationals, Warren Truss, about the 80-20 per cent Federal-State funding arrangement. Members on this side of the House have campaigned long and hard about that issue. Many of my colleagues whose electorates encompass the Pacific Highway have seen carnage on the highway over the years and have worked hard to have that funding arrangement reinstated. It was gratifying to hear Saturday's announcement: we appreciate the support of our Federal Nationals colleagues in achieving that goal. The Pacific Highway is a major piece of national infrastructure that many thousands of people travel on every day.. As politicians we must keep them as safe as possible. Once again, I am 100 per cent for the Tweed and 100 per cent for the Banora Point upgrade.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.40 p.m.]: This private member's statement is proof of the 100 per cent dedication of the member for Tweed to his electorate and his commitment to improving local roads. I have driven through the Sexton Hill upgrade, which he fought for since 2007 and which was achieved with both State and Federal funding. It is a great improvement to the local road system. It makes it much easier for me to get to the airport and it will reduce traffic congestion. I was interested to hear about the environmental benefits that will be enjoyed as a result of recycling water and reducing run-off. The upgrade will allow motorists to drive from Ewingsdale through to Brisbane on a dual carriageway. Like the member for Tweed, I welcome the Federal Nationals announcement on Saturday that the Coalition will revert to the 80-20 per cent Federal-State funding arrangement for the upgrade of the Pacific Highway.

CENTACARE NEW ENGLAND NORTH WEST

Mr RICHARD TORBAY (Northern Tablelands) [12.41 p.m.]: We hear much these days about the difficulties people experience in locating the support services they need in times of crisis, and particularly when

they confront mental health and relationship problems. That is definitely an issue in rural and remote areas. I was pleased to meet recently with a group from New England Centacare North West, which provides social support services across the New England and north-west area. Centacare is linked with the New South Wales Catholic Social Services Network, which operates throughout the State and the Australian Capital Territory. Centacare New England North West, with Fergus Fitzsimons as chief executive officer, provides a range of services within the Armidale diocese. It started in Tamworth in 2001—and I note that the member for Tamworth is in the House—and since then offices have also been established in Armidale, Inverell, Moree, Narrabri and most recently in Walgett in July last year.

This not-for-profit organisation operates in the health, welfare and community service sectors and is one of the largest providers of social services in the New England and north west. It supports people throughout the northern statistical division regardless of race, age, gender or religious denomination. The list of services it provides includes psychological support, counselling—including gambling counselling—mediation, parenting and family relationship education courses, mental health programs for children, young people, adults and carers and personal helpers and mentors programs. The Centacare New England North West team of psychologists, mentors and educators also travel to provide valuable services to clients and community members in remote locations. The team includes an Aboriginal liaison officer and a cultural and linguistically diverse liaison officer who provide additional support to members of the Aboriginal and multicultural communities.

In 2011-12 Centacare's services were accessed by 2,320 people, and so far during July and August this year 476 people have utilised its services. A range of programs is also available for children from the age of five through to people aged over 80. The organisation assists people from all walks of life and incorporates a wide range of professions. The clientele and partners are diverse and range from community members in remote areas such as Boggabilla and Toomelah to doctors and mental health professionals who regularly refer clients to its programs. It also includes a family law pathways network group for professionals affiliated with the Family Law Court, including magistrates. Centacare New England North West employs more than 60 staff spread throughout the organisation's service provision area. In Tamworth and the surrounding area it provides psychological and counselling services and a free family mental support service offering parenting programs and mediation through the Family Relationship Centre.

Mr Kevin Anderson: It is very highly respected.

Mr RICHARD TORBAY: Yes, it is. Centacare New England North West will also lead the Headspace program that will begin operating from Tamworth in January next year. The centre's office in Armidale offers a broad range of psychological and counselling services, parenting programs and mediation. It is also contracted to provide an employee assistance program to the staff of the University of New England. Personal helpers and mentors programs are offered in Moree and Narrabri and the Inverell centre offers psychological and counselling services, parenting programs and mediation through the Family Relationship Centre. The personal helpers and mentors program is also available in Walgett, but any of the programs can be accessed at all sites. Funding for the service is provided by the State and Federal governments and the Armidale Diocese Catholic Schools Office. As a result of that support Centacare has become a one-stop shop that can provide a vast range of services to local communities at little or no cost.

Centacare is part of a network of 31 agencies of Catholic Social Services in New South Wales and the Australian Capital Territory. This central body provides a forum through which member agencies and their practitioners can collaborate, share expertise and respond to State-based issues. The 31 agencies collectively are the largest employers of social welfare providers in New South Wales and offer an extensive range of community support programs in aged care, children's services, disability services, drug and alcohol services, emergency relief, employment services, family and relationship services, financial counselling, foster care, gambling counselling, housing, mental health services, residential care, school counselling, therapy services, youth services and refugee services. I draw the attention of the House to one such agency, Maronite Care, which raises awareness of the Maronite community and which does a fantastic job in providing counselling and support for adolescents and women. Its wellbeing program is highly regarded. I commend Centacare to the House.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.46 p.m.]: I thank the member for Northern Tablelands for drawing the attention the House to the wonderful work done by Centacare in New England and the north-west of the State. As he indicated, Centacare, which receives State, Federal and Catholic Church funding, offers a wide range of social services. It is great to hear that thousands of people are being assisted. I know from experience that it delivers vital services in our community for a fraction of the cost incurred by other organisations in this field.

ST GEORGE HOSPITAL EMERGENCY DEPARTMENT

Mr MARK COURE (Oatley) [12.47 p.m.]: As a member of the O'Farrell Government I am committed to rebuilding New South Wales. The Labor Government delivered 16 years of neglect and economic mismanagement while community needs were ignored. We experienced declining health and infrastructure standards and declining communities, which were left with nothing but broken promises. On election, the O'Farrell Government recognised the urgent and growing need for improved health care services in the St George area. The emergency department of the St George Hospital was dealing with more than 62,900 patients. I understood the necessity for reform and I am proud to deliver it for the St George community.

I recently announced with the Premier and the Minister for Health that the Government would invest \$35.5 million in a new emergency department for the hospital. The Government will provide five resuscitation bays, 14 paediatric treatment spaces and a 34-bed adult acute treatment area. It will also deliver a 12-bed emergency medical unit for short-stay admissions, two safety assessment rooms and a new six-bed psychiatric emergency care centre. This Government has also made the hospital more accessible to individuals and families by providing the eight-space, off-street ambulance drop-off zone that was urgently required. The Kensington Street entrance to the emergency department at St George Hospital now has a four-bay emergency drop-off space for ambulances—doubling its capacity.

Moreover, because the O'Farrell Government is forward thinking and proactive, it has secured opportunities for further progress. I have ensured that we have the potential to provide six additional floors for more projects at the new in Gray Street site. I am committed to researching new initiatives and my partnership with the Minister for Health. This Government will provide the best standard of health care possible in the St George region. It is only through understanding that reform is not a one-off promise, but a continuing process, that we can ensure New South Wales remains a leader in health care. I am passionate about continuing to secure that reform for my community. It is a passion for this process that has also resulted in this Government committing a further \$8 million for a specialist mental health unit at St George Hospital.

ACTING-SPEAKER (Mr John Barilaro): Order! The member for Wollongong will allow the member with the call to be heard in silence.

Mr MARK COURE: In south-eastern Sydney the redevelopments I have worked hard to secure over the last 16 months are a first for the area. In an ageing population we understand the unique nature of the needs and concerns of New South Wales communities. Therefore, we are providing improved assessment, treatment and recovery services to patients who are aged 65 years and over requiring subacute mental health care. We are doing this by providing 16 new beds, an activity room, a lounge and dining rooms in the new mental health unit. We have also ensured patients can access the rehabilitation services they require by delivering a secure courtyard for outdoor therapy. By providing space, the services, the modernisation and reform our communities deserve, this Government already has secured a positive future in health care for this State, and in particular the St George Hospital. As part of a Liberal Government committed to empowering individuals and nurturing families, I am pleased to be delivering on my commitments as a community-focused local member.

I commend the Government and in particular the Minister for Health for their achievements so far. I look forward to working with the record 4,475 more nurses we have appointed across New South Wales so far to provide a more sustainable future for patients, families and those who care for them. Without the commitment of talented, trained and passionate professionals to provide care for those who require it, the outcomes we envisage cannot be reached. Therefore, I commend these individuals and look forward to providing further opportunities for talented medical professionals to work to deliver on the goals we have set together. I look forward to ensuring that the extent of this reform continues to grow at St George Hospital. As a Government that delivers we have the capacity to provide the highest standards of health care at St George Hospital. We can deliver the most well-trained professionals and I am proud to be part of a Government that is dedicated to ensuring that New South Wales fulfils this potential and that our State is number one again.

MATTHEW PEARCE PUBLIC SCHOOL THIRTIETH ANNIVERSARY

Mr DAVID ELLIOTT (Baulkham Hills) [12.52 p.m.]: It is with great pleasure that I acknowledge the tremendous contribution that the students and staff of Matthew Pearce Public School have made to the people of Baulkham Hills over the past 30 years. It was a real honour for me last week to attend Matthew Pearce for its thirtieth anniversary assembly and celebration. Over the years Matthew Pearce has grown from humble beginnings in a largely rural district back in 1982—before the member for Castle Hill was even born—into an

important centre for education in the ever-growing Hills shire. Over the years Matthew Pearce has been responsible for shaping the lives of children in Baulkham Hills, and many of them continue to live and work in the Hills shire.

Matthew Pearce should be particularly commended for its history of academic excellence, with success well and truly above State and regional averages in both literacy and numeracy. Perhaps the best illustration of this is the fact that enrolments at Matthew Pearce have continued to grow, so that now the school has more than 1,000 students. It is great to see a school such as Matthew Pearce not only excelling academically but also encouraging its students to have a balanced approach to education. I am sure all members agree that it is vitally important that school students develop their skills and talents not only in the classroom but also across a range of other pursuits and extracurricular activities. To this end, Matthew Pearce is notable for the success of its students in school bands and performing arts, with particularly impressive results in public speaking and debating.

Over the past 30 years Matthew Pearce Public School has become a much-loved and crucial community institution, a real focal point for the community. The Matthew Pearce Parents and Citizens Association should be acknowledged for the tremendous effort that it has made to create a vibrant school community. More broadly, Matthew Pearce Public School is an active participant across all facets of the wider community. Matthew Pearce has played a major and positive role in the development of Baulkham Hills over the past 30 years, something that continues to this very day. It would be almost impossible to imagine Baulkham Hills without the tremendous contribution that has been made by the students of the Matthew Pearce Public School.

I commend all parents, staff and students of Matthew Pearce Public School, including former students, who have been so instrumental in the creation of a school that truly is a model for the entire State. The school represents public education at its very finest. One can always tell a successful school when real estate agents use as a selling point that a house is in the school catchment area, which is the practice of real estate agents in my electorate. I am certain that this history of success and community engagement will go from strength to strength over the coming years. I wish Principal Kim Fawcett, staff and students at Matthew Pearce all the very best for the future and wish Matthew Pearce Public School a very happy thirtieth birthday.

PARLIAMENT OF NEW SOUTH WALES ABORIGINAL ART PRIZE

Mr KEVIN ANDERSON (Tamworth) [12.56 p.m.]: On Friday 14 September I had the pleasure of attending the opening of the 2012 Parliament of New South Wales Aboriginal Art Prize at the Tamworth Regional Art Gallery. We were privileged to see this exhibition on this special occasion as it was on a regional tour. This was the first time it had toured Tamworth on its journey around New South Wales before arriving at Parliament House on 4 October 2012. The Tamworth Regional Gallery is a world-class facility that delivers a varied exhibition program each year. This particular gallery was established in 1919 and is one of the oldest regional galleries in New South Wales. In 2004 it underwent a major revamp to become a large, modern multipurpose facility. The gallery is currently under the direction of Sandra McMahon.

The 2012 Parliament of New South Wales Aboriginal Art Prize is coordinated by the Campbelltown Art Centre. It was wonderful to be part of the opening last Friday night. I note that the member for Campbelltown, the opal of the south west, is in the Chamber to hear about this wonderful program coordinated by the Campbelltown Art Centre. Aboriginals born in or living as residents in New South Wales were eligible to enter this year's contest. First prize will be \$40,000, awarded to the finest example of contemporary Aboriginal art and judging will take place in Parliament House when the exhibition completes its tour of regional New South Wales.

The winner of last year's prize was Leanne Tobin with her magnificent painting *Defending Country*. We look forward to seeing who will take out the \$40,000 prize this year. One fellow in the running for that is Adam Hill, an Aboriginal artist who came to Tamworth to be our guest speaker last Friday and who gave a special speech. We wish him every success. He is joined by Aboriginal artists from our region: Terry Allen, Graham Blacklock and Warwick Kean. We wish them every success as the exhibition tours New South Wales. They await the news of who will take first prize with great anticipation. This is not only about the first prize of \$40,000; it is about having their work on show and having some of the finest Aboriginal art in the State travelling throughout New South Wales.

On the night we were entertained by Lauren-Jade Ryan, who performed a number of songs on ukulele. It was spectacular to hear this young lady sing and play the ukulele. She did the old song *Stand By Me*, which

was covered by John Lennon, in English and in language. Her performance was breathtaking and hearing it in language gave me goosebumps. Everybody present seemed to be awestruck by her talent. Tamworth has amazing talent, which is why we are the country music capital of Australasia. Lauren's performance with the ukulele was outstanding.

The Tamworth Regional Gallery also played host to Len Waters, who gave the welcome to country. I had the pleasure of talking to Len. Len recognised the Toomelah mission truck in a painting by Kathleen Richardson. He told me he was born in Toomelah, and as a child he used to ride in the tray of the red truck depicted in the painting when his parents would travel to and from the nearest town, such as Boggabilla or Goondiwindi, to get the groceries. Paintings such as that touch people in many different ways. Len was thrilled to see the painting of the truck that he travelled in as a child in and around Toomelah. I also pay tribute to the friends of the gallery who do an outstanding job with the catering of functions and fundraising and are heavily relied upon to meet and greet guests. Margaret Vickery is the president of the Friends of the Tamworth Regional Gallery. I congratulate Sandra McMahon and I wish all the artists the very best in the 2012 Parliament of New South Wales Aboriginal Art Prize. It was a privilege to be able to hold the event in Tamworth.

BENDIGO BANK, NORTH RICHMOND BRANCH

Mr BART BASSETT (Londonderry) [1.01 p.m.]: Last Friday evening more than 300 people attended a function at the Hawkesbury Race Club to celebrate the tenth anniversary of the North Richmond Community Bank, a branch of Bendigo Bank. Special guests included the member for Hawkesbury, Mr Ray Williams, and Hawkesbury Mayor Kim Ford. With its origins on the Bendigo goldfields in the 1850s, the Bendigo Bank has emerged as a bank for the local community. It supports local commerce and small businesses and encourages communities to prosper and grow both socially and economically. Since the North Richmond branch of Bendigo Bank was opened by the former Hawkesbury mayor, the late Dr Rex Stubbs, in September 2002, it has offered a wide range of services to the community.

During the past 10 years, the North Richmond Community Bank has continuously supported the community, with more than \$5 million being reinvested back into the Hawkesbury community, including more than \$850,000 in donations given to local charity and community groups and more than half a million dollars paid in dividends to shareholders, all of whom are local residents. The Bendigo Bank has played a very significant role in the development and enhancement of services and business facilities in the Hawkesbury. The North Richmond Community Bank branch was the result of 18 months hard work by a dedicated steering committee of local residents and businesspeople who led the drive to return branch banking to their community. Following the closure of other banks, this community west of the Hawkesbury River was left without adequate banking services.

At the time, I ran a local small business in the Hawkesbury and was vice-president of the Hawkesbury City Chamber of Commerce. The chamber and its members were pleased to assist the steering committee, who turned the concept of a local community bank from a dream into reality. Local business and community leaders came together and resolved to establish a steering committee, with the late Robert "Bob" McCallum elected as the interim chair. Bob was a retired businessman who was active in community life and after building up a successful business specialising in electronics and sound technologies came out of retirement to give something back to the community. Bob was an Englishman and while always a gentleman he would never take no for an answer. He kept pushing onwards until the objectives were reached and the bank was established.

Bob was supported by a dedicated and professional group of community-minded men and women. I acknowledge the original steering committee members: Bob Brierley, Kathy MacManus, Frank Swaverly, Janice Svenson, Trevor Hitchcock and Geoff Orchard—all of whom were inaugural directors—Don Shaddick, who was inaugural company secretary, Peter Mortimer and David Balantyne. Trevor Hitchcock is still serving on the board and took over from Bob McCallum as the chair. Trevor is supported by deputy chair Phil Isaacs, Lesley Carbery, company secretary, and directors Bill Kerr, Martin Burton and Bob Peirce. I also want to thank and acknowledge the two branch managers: Denise Handcock, the original manager who managed the bank to its success and retired only last year; and current manager Tony Weller. Both have given great service to the bank.

Establishing a Bendigo Bank branch was not an easy task and I give credit to the steering committee whose passion, drive and dedication saw the community raise the capital necessary to establish the bank. Today, on the tenth anniversary of the North Richmond Community Bank branch of the Bendigo Bank, I pay tribute to the many individuals who worked so hard back then to establish this bank, which has contributed so much to the

Hawkesbury community. In 2006 the bank made its first profit which enabled it to reinvest the money back into the local community. Staff at the North Richmond branch of the Bendigo Bank also contribute to the community in a number of ways, including voluntary work in their own time to assist many community events.

This year one staff project was to facilitate the cardiopulmonary resuscitation training of 24 mothers at the local community centre. This event was so successful that another is planned for later in the year. Hawkesbury Community Financial Services also supports staff contributions by covering wages to enable staff to assist community causes, such as Meals on Wheels deliveries, from time to time during working hours. Other groups that the bank has supported include: the Kurrajong and District Community Nursing Home, North West Disability Services, the Elizabeth Street Extended Hours Pre-School, Kurrajong North Public School, the Hawkesbury Youth Landcare Group, the Hawkesbury Nepean Pipe Band, local Rotary Club initiatives relating to mental health and graffiti removal, local Rural Fire Service brigades and many other local sporting, cultural and community-based charities and causes. I commend the North Richmond Community Bank for its fantastic job in proudly serving the Hawkesbury Community for 10 years. I look forward to working with the bank and staff well into the future.

SWIMMING POOL SAFETY

Mrs TANYA DAVIES (Mulgoa) [1.05 p.m.]: I congratulate the Minister for Local Government, Mr Donald Page, and the O'Farrell Government on their action to protect toddlers from harm in backyard pools by introducing new legislation to ensure backyard pools comply with regulations. There are approximately 340,000 backyard swimming pools within New South Wales. Whilst swimming pools offer exercise and enjoyment, they also can be a silent killer if young children are not constantly supervised and pool fencing is non-compliant. It is unacceptable that New South Wales is over-represented in statistics on national backyard swimming pool drownings. On average six children drown in private swimming pools in New South Wales each year. This figure has remained constant over the past 15 years. Last week the Minister for Local Government announced a plan to introduce this legislation, stating:

... children's safety is paramount and very young children are most at risk. Every child drowning is a tragedy to families and communities, not least because it is preventable through ensuring responsible supervision and complaint barriers.

Such tragedy was brought to my attention by Kelly Taylor, a resident of Queensland. Whilst on a holiday to visit her family in New South Wales, Kelly rented a holiday home where her two-year-old son Jaise lost his life after drowning in a pool that had a non-compliant pool fence. Kelly shared her personal and painful story in the hope that governments would change legislation to ensure Jaise's death was not in vain. She said:

Jaise drowned in NSW at a rental property in which relatives were able to rent. Little did they or myself know that the pool in their yard was a killer which robbed me of my son and our family ...

That day lives with my every breath, every day of my life and has further traumatised my daughters ...

I speak for the safety of children, the safety of the community and most of all my campaign as personal and raw as it has been is now a partial reality that Jaise's story has been heard. His death will not be in vain and I ask the NSW Parliament to make a mention of Jaise's Law in regards to pool safety and rental properties compulsory certification and public pool register in his memory and I will continue with this to save more children's lives.

Together the Parliament, the community and tragic stories such as my son's death can help save others the pain and anguish that I now have to suffer every day because I visited your state on holidays and went to a house with a non compliant rental pool property. Jaise should still be here if people, builders and councils would have upheld the laws in which they were bound by.

I just wish everyday that my son Jaise was still here with me, these laws when passed will show that my son's death wasn't in vain and I hope and know that future lives will be saved.

Kindest Regards,
Kelly Taylor—Jaise's Mummy

Andrew and Katherine Plint, the founders of Hannah's Foundation, began a national day of drowning prevention awareness and support after the drowning death of their daughter Hannah on 4 October 2007. That day is dedicated to remembering loved ones lost to drowning and as a day of awareness to prevent such needless loss of life. The incidence of drownings is preventable with full-time supervision and compliant barriers. The proposed legislation is not and will not replace the absolute necessity for constant supervision of babies, toddlers and young children around pools or bodies of water, including melted ice in eskies after a party or the water in nappy buckets.

I urge all caregivers to ensure constant supervision of children at all times—not just in the spring and summer seasons when swimming tends to be more popular but all year round. I also urge pool owners to

embrace this legislation and ensure their pool infrastructure is compliant. Having met Kelly Taylor and having worked with her and the Minister for Local Government over the past 12 months to strengthen the pool fence compliance legislation, I consider today a great day because we are changing the legislation to ensure, as much as governments can, that our children are safe and protected. Legislated measures cannot take the place of a caregiver's constant supervision. When using the word "supervise" I like to refer to the phrase "use your super eyes" to remind people to watch toddlers and young children. I thank the Minister for Local Government and the Government for introducing the proposed legislation and I commend the bill to the House.

CAMDEN ATHLETIC CLUB

Mr CHRIS PATTERSON (Camden) [1.10 p.m.]: Today I speak about the Camden Athletic Club. I had the privilege of opening the 2012-13 athletics season on Friday 7 September, and I was amazed at the number of children who attended. Last year the club was the recipient of \$20,000 funding from the 2011 Community Building Partnerships program, and I am pleased to report to the House that the works to upgrade and make the kitchen in the clubhouse compliant are due for completion in a matter of weeks. Reverend Keith Brodie began the Camden Athletic Club in 1931 at its current location of Onslow Park, which was donated in 1882 by Elizabeth Macarthur-Onslow in memory of her late husband.

The athletics club temporarily closed during World War II, but after the war the club provided runners for the torch relay for the 1956 Melbourne Olympics between Camden and Picton. Runners were eligible for the relay only if they could run a six-minute mile, unlike the torch relay for the 2000 Olympics when a former member of this place, the late Dr Liz Kernohan, ran with the torch. I am sure Liz was happy that the six-minute mile restriction had been lifted because she may have pulled up just a little short. Camden Athletic Club also has produced Olympic champions such as Bronwyn Eagles, my wife's cousin, who has successfully competed in the Olympics and World Championship competitions. Little Athletics, as it is known today, was the idea of Trevor Billingham, which he came up with after three young boys turned up to an athletics meet in Geelong in 1963 only to be told they were too young to compete.

Trevor Billingham saw the need for young boys and girls to take part in athletics and in 1964 Little Athletics began. At a phenomenal rate athletic clubs throughout Australia took up the idea and we now have some 700 competitors in Camden. It is one of the biggest Little Athletics groups in New South Wales, and I can sincerely say that the fantastic committee that runs this club sets the standards for others to aspire to. Friday nights in Camden is competition night and it is wonderful to see so many children enjoying such a wonderful sport. Little As, as it is affectionately called, nurtures and encourages children of all ages and enables them to compete in all track and field events and competitions within the clubs, with the goal of competing at district, State and national competition levels. Participation is what sport is all about and Little Athletics certainly encapsulates that aim.

Georgia Mair, Tiarne Waights, Will Grabowski, Brooke Campbell, Cameron Lawrence, Olympia Plummer, Jack Edgington, Claudia Berry, April Bruce, Renee Fassolis, Hanna Wright, Emily Yorkston, Joshua Azzopardi, Vincent Hreszczuk, Ryan Johnston, Bethany Perkins, Matilda Offord, Nathan Campbell, Jessica Elguindy, Samantha Kavanagh, Ivy Eagles, Emma Houghton, Carly Ison, Kristy Jackson, Morgan Kitchener, Taylah Nasko, Bess Platt, Chantelle Salmon, Brooke Wilkins, Connor Dymond, Andre Pearce, Cameron Powe, Tania Fassolis, Samantha Jackson, Tom Paparo, Nathan Rao and Mark Stewart did Camden Little As proud by competing at this year's State Little Athletics carnival.

I would like to acknowledge the committee at the Camden Athletic Club who, along with many volunteers, put so much time and effort into the club. The committee comprises: the president, Shane Perry; the vice-president, Andrew Hreszczuk; the secretary, Frances Perry; the treasurer, Estrella Pearce; and the registrar, Veronique Jackson. The club's website and Tiny Tots coordinator is Katherine Perkins, the equipment committee member is Michael Shanahan, the championships committee member is Jim Fassolis, the supervisors coordinator is Norm Campbell, and the canteen coordinator is Amanda Waights.

Without this hardworking committee and the many volunteers it takes each week to get the competition going, the Camden Athletic Club would not exist. Little As is vital to our children and young athletes who want to have fun, make friends and compete and, hopefully, to see their dream realised by one day going to an Olympics to represent their country. The parents, aunties, uncles and grandparents give up a considerable amount of their time to allow the children to participate in all sports, and I commend the athletes' families and friends for this invaluable support. Although the kids might not often say it, I know they appreciate the support very much. On behalf of the Camden community I thank the many sponsors of the club:

McDonald's Macarthur, Lifestyle and Sports Physiotherapy, McGrath Builders, Cedarwood Homes and the mighty helpful Mitre 10 all contribute time and money to Little As, and I commend them for their wonderful efforts.

REDFIELD OLD BOYS RUGBY CLUB

Mr DOMINIC PERROTTET (Castle Hill) [1.15 p.m.]: On Saturday I had the honour and pleasure of watching the Redfield College Old Boys Rugby Club contest two toughly fought New South Wales Suburban Rugby Union grand final matches in what was an historic day for the club. In the second grade Noice Cup, the Old Boys team was narrowly beaten 31-28 in extra time, with the opposition kicking a penalty goal in the dying minutes to seal the win. In the first grade Jeffery Cup, the undefeated minor premiers, Redfield, won a physical contest 14-10 against Sydney Harlequins, sealing the team's third premiership in a row. The first grade team celebrated another milestone on Saturday, notching up its fiftieth consecutive win. With the team remaining undefeated since early 2010, it has built up one of the largest winning streaks ever seen in New South Wales Suburban Rugby.

The season's efforts by the two teams also won the club the David Swan Shield, which is awarded to the most successful club in the fifth division. The day, hosted by Macquarie University, was a wonderful spectacle of grassroots sport and a huge crowd was in attendance. Dan Ginnane and the *Triple M* commentary team were also in attendance, and the family atmosphere around the ground was something to behold. At the beginning of this year I was given the honour of being made the first patron of Redfield College Old Boys Rugby Club. Having played in the team in its formative years, it still amazes me to see how far this team has come over 10 years. I remember pulling on the fabled Redfield jersey many years ago while the Old Boys was still in its infancy. As we were in a sixth division Suburban Rugby competition, the games were fairly low on skill but extremely high on physicality.

The club operates out of Redfield College in Dural and came from very humble beginnings. Established in 2002 by a number of the college's old boys wishing to continue playing rugby with their mates and lifetime club member Anthony Montgomery, the team initially struggled to get off the ground. It was not uncommon for Monty to make desperate calls on a Friday night to anybody he could think of to pull on a jersey to play the next morning. As would be expected, the Old Boys often suffered huge losses of up to 100 points during those turbulent formative years.

In the past few years the club has seen a surge in interest and numbers. Now boasting two teams in the fifth division of Suburban Rugby, the Redfield Old Boys has 50 committed players on its roster. Saturday's achievements are testament to not only the hard work and dedication of the players and coaches but also all the work which goes largely unnoticed that is undertaken by numerous members, volunteers and supporters of the club. It was with great pride that I stood watching the two games from the sideline on Saturday. The second grade team never gave up against a far more intimidating opponent and the first grade team showed poise and humility in victory.

The Redfield Old Boys Rugby Club epitomises the great values that can be brought out on and off the sporting field. Born out of mateship and the common bond of sport, the Old Boys is an extremely tight-knit unit. Made up almost exclusively of ex-students of Redfield College, the club has undergone an enormous transformation in culture and ethos. In the days when I used to line up for the team, it was all about going out and having a bit of fun with some old school mates. The club has not lost this vision but has expanded on it with a more professional edge. On Saturday the bonds of mateship and unity were clearly evident, captured in moments such as when members of the second grade team hauled their exhausted bodies off the ground in the one hundredth minute of the game to bring down yet another opponent who weighed 20 kilograms more. To see 15 men playing with their heart and soul, not for themselves but for the man standing beside them, was truly inspiring.

However, the strong bonds of mateship are not the only qualities that Redfield boasts. There is a deep family tradition that runs through the club, harking back to the days when my brother Charles Perrottet and I were hanging off the sides of the scrum. The club boasts no less than 12 sets of brothers playing across the two teams—a record that surely no other rugby club in New South Wales could hope to match. This year saw four of my own brothers pulling on the fabled Redfield Old Boys jerseys, with club co-founder and current captain Charles Perrottet leading the first grade team to the premiership. Yet this notion of brotherhood transcends its traditional meaning. Everyone who pulls on the Redfield Old Boys jersey instantly gains 14 other brothers for 80 minutes, and this idea of kinship is what has made the Old Boys one of the most successful clubs in the New

South Wales Suburban Rugby Union competition. Indeed, the club has adopted an unofficial motto that sums up this notion: *Frater qui adiuvatur a fratre quasi civitas firma*, which means "A brother held by a brother is like a walled city."

In alphabetical order, the members of the Division 5 David Swan Shield club championship teams of Redfield Old Boys are: brothers Alex and Daniel Abrams; Sam Adeloju; brothers Andrew and Martin Ash; Roy Atherton; Matthew Beard; brothers Tom and Will Boneham; brothers Charles, Patrick and Sebastian Burfitt; brothers Josh and Keiran Byrne; Damien Casey; brothers Anthony and Damian Cox; Michael Dale; brothers James and Pete Doherty; Matt Donnelly; brothers Ben and Oliver Foxe; Bernardo Gutierrez; Thomas Hambrett; Nathan Khoury; Matt Lawler; Stephen Henderson; Raphael Lambert; Rowan Light; Paul Limbers; Andrew Pedroso; James Moore; Adrian Parker; brothers Charles, Gabriel, Julien and Oliver Perrottet; Michael Quinn; Sam Shearer; Dominic Smith; brothers Dominic and John-Paul Sorbara; James Summerhays; Edwin Sugiaman; Henry Treloar; brothers Tommy and John Tudehope; brothers John and Tom Wall; brothers Andrew, James and Joe Watson; Marty Wijangco; and Joe Williams.

My congratulations also go to the coach and management. Coach Julian Whealing took control of the team after suffering an Achilles injury, which ruled him out of play for two seasons. Julian has done a fantastic job with the team and his first season as coach has been extremely successful. Matt Aldous, Matt Wall and Tommy Tudehope have been able assistants and sacrificed an enormous amount of time for the team. Club manager and founder Anthony Montgomery has been a selfless servant to the Redfield Old Boys Rugby Club for 10 years, and without his efforts the club would not exist today. I also acknowledge Gerard Abrams who has served as president of the club for five years and I congratulate him on his 21 years of service. I congratulate all team members and members of management on their hard work and dedication throughout the season. I look forward to many more successful seasons for the Redfield Old Boys Rugby Club.

RAINBOW CLUB AUSTRALIA

Mr MARK SPEAKMAN (Cronulla) [1.20 p.m.]: Today I update the House on the recent developments of Rainbow Club Australia. One of the best things about being a member of Parliament is being able to meet and help those who give tirelessly of their time, and often money, to work for community groups and charities. As a patron, together with Paralympian Louise Sauvage, of the not-for-profit Rainbow Club Australia, I was thrilled when Mr Andrew Constance, Minister for Disability Services, recently announced a \$250,000 one-off grant to Rainbow Club Australia. The Rainbow Club organisation was founded in the Sutherland shire by Ron Siddons, MBE, in 1969.

Rainbow Club Australia is now the umbrella organisation for 16 Rainbow clubs in New South Wales and two in Victoria. Each club provides a swimming program for children whose disabilities prevent them from attending mainstream learn-to-swim schools. For example, for an autistic child the noise and number of children in a pool during mainstream classes—where there are multiple classes and many children in each class—may be distracting or overwhelming for them; or a child may require more individual supervision because of his or her physical disability and will not progress at the same rate as his or her peers in mainstream classes. A staggering 470 children and young people with disability are now offered personalised swimming lessons each week by Rainbow clubs.

Swimming is central to the Australian culture, and the confidence that this organisation gives to children with disabilities enables them to partake in the types of water-based enjoyment that many of us take for granted. The confidence gained as a result of these swimming lessons benefits the children and their families inside and outside the pool. The clubs utilise local pools and offer a tremendous support network for the parents of children with disability who can prosper in recreational opportunities tailored to their individual needs. In New South Wales there are 16 Rainbow clubs at Blacktown, Bondi, Buxton, Campbelltown, Cronulla, Epping, Goulburn, Lindfield, Liverpool, Orange, Revesby, Sutherland and Warringah, as well as clubs at Newington College, the YMCA Cook and Phillip Aquatic Centre and the YMCA Ian Thorpe Aquatic Centre.

The O'Farrell Government's \$250,000 grant will give more children with disability access to swimming lessons. It will allow Rainbow Club Australia to cut waiting lists in its current clubs, look to establishing new clubs and invest in the future of the charity generally. The grant announcement was made by Minister Constance at a Rainbow Club session at the Cook and Phillip Aquatic Centre. Also present at that announcement was Alexandra Finley, President of Rainbow Club Australia, the members for the electorates of Campbelltown and Davidson and me. Last Saturday I once again visited my local Rainbow club in Cronulla. The club meets each

Saturday at Taren Point Swim School. I was joined by founder Ron Siddons, board member John Taplin and Keith Ward, Deputy Chairman of Cronulla Sutherland Leagues Club. The Sharks have provided generous support to this organisation through ClubGRANTS, and I thank them for their ongoing generosity.

Earlier this year Rainbow Club Australia held its annual major fundraiser, the Malabar Magic Ocean Swim. The member for Maroubra fired the starting gun and I was a highly inauspicious competitor. Next year the event is to be held on 17 February and it has been renamed Murray Rose's Malabar Magic Ocean Swim, in honour of the late Murray Rose, a former patron and Olympic great. As I said earlier, one of the best things about being a member of Parliament is being involved with charities such as Rainbow Club Australia. This organisation does terrific work in boosting the confidence of children in the water, and this increased confidence can assist them in their day-to-day activities. A lot of hardworking people are involved in this fantastic charity. I commend Rainbow Club Australia to the House.

ST GEORGE WILDLIFE INFORMATION, RESCUE AND EDUCATION SERVICE

Mr JOHN FLOWERS (Rockdale) [1.25 p.m.]: Today I inform the House about an extraordinary group of volunteers in the St George region: the Wildlife Information, Rescue and Education Service [WIRES] south branch. Recently I had the pleasure of meeting Donna Rundle of Monterey, a volunteer at that branch. Donna is a remarkable woman. She gives so much of her time to the needs of others, including the care and protection of injured wildlife. Her love of animals and display of compassion for the welfare of injured animals is unmistakably obvious and her commitment to the cause is remarkable. If all WIRES volunteers are like Donna, then injured animals in New South Wales are in good hands.

It may surprise members from regional electorates to learn that Rockdale has a large wildlife population. Rockdale electorate, which covers Wolli Creek to the north, Bardwell Valley to the west and beautiful Botany Bay on the eastern coast, has many local animal habitats. In particular, it has a large local population of pelicans—as any resident of Brighton would be aware—many of which have been rescued by WIRES. The volunteers of WIRES south branch—approximately 60 carers—are responsible not only for the St George shire but also for the southern Sydney region, including parts of the electorate of Heathcote.

The WIRES group, which is the largest wildlife rehabilitation organisation in Australia, was established in 1985. The volunteers of WIRES rescue and rehabilitate native animals. To date, the work of these volunteers has been extraordinary. For example, in 1992 some 14,000 animals were rescued across the State; in 1997 some 38,000 were rescued; and by 2009 the figure had jumped to 75,000. With more volunteers, more animals are saved. The volunteers of WIRES are well trained and well equipped to deal with the injuries they encounter. An impressive initiative of this organisation is that new members are paired with a buddy, which allows them not only to learn from experience but also to share ideas.

Donna's stories allowed me to appreciate the commitment of these volunteers. They were an important reminder of the crucial role volunteers play in local communities. They do a remarkable job. Thankfully, they do not do it alone: support is provided by local veterinarians, businesses, the RSPCA, New South Wales government departments and local councils. This cooperative spirit is based around the mutual understanding that vulnerable animals require protection. I will briefly share with the House some information I learnt from Donna and from reading WIRES literature. For example, WIRES advises: If one should come across a native animal in distress one should gently cover the animal with a towel in an escape-proof box. It is important not to alarm the animal as it can lead to further distress and, further, even death.

Place the box in a warm, dark and quiet room; the animal will then feel secure. Call WIRES on 13000 WIRES or 1300094737. Do not attempt to handle or feed the animal while waiting for the arrival of a WIRES volunteer as this can cause undue stress to the animal. Alternatively, people can take the injured animal to their local veterinarian, who will care for it until a WIRES volunteer arrives. It was a pleasure meeting Donna Rundle and an absolute delight to learn about the work performed by her and her fellow volunteers at the WIRES south branch. These people take time out of their lives—whether day or night—to look after injured native animals. In our busy lives it is often easy to forget that people such as these WIRES volunteers exist, but they do. Our society would be the poorer without them.

Private members' statements concluded.

[Acting-Speaker (Mr John Barilaro) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

ASSENT TO BILL

Assent to the following bill was reported:

Crimes Amendment (Cheating at Gambling) Bill 2012

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

Mr BARRY O'FARRELL: I inform the House that the Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services will answer questions directed to the Minister for Primary Industries, and Minister for Small Business, who is absent from the Chamber today.

QUESTION TIME

[Question time commenced at 2.20 p.m.]

KINGS CROSS LATE-NIGHT TRANSPORT SERVICES

Mr JOHN ROBERTSON: My question is directed to the Premier. Given the consensus among police, patrons, residents, the Australian Hotels Association, the member for Sydney and the Federal member for Wentworth that the best way to address weekend violence in Kings Cross is to introduce trains between 1.44 a.m. and 5.14 a.m. from Kings Cross station, why will the Premier not introduce those trains?

Ms Noreen Hay: Just resign.

Mr BARRY O'FARRELL: The member for Wollongong suggests that I should resign. Members opposite will not get rid of me that easily. The member for Wollongong and I and cockroaches have something in common.

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

Mr BARRY O'FARRELL: It is interesting that a former Labor transport Minister asked that question. How many train services did Labor operate from Kings Cross between 1.45 a.m. and 5.15 a.m. for 16 years?

Government members: Zero.

Mr BARRY O'FARRELL: Exactly. Rather than the made-for-television moments that might satisfy the Fairfax cub reporters in the gallery, the Government is working with the City of Sydney on a response to Kings Cross that will have an impact. To directly answer the question of the Leader of the Opposition, the advice we have from police—the advice that police again gave at today's briefing—is ensuring that we have adequate bus transport between Town Hall and Kings Cross and Central Station and Kings Cross. On the surface transport is better able to be responded to in the event of any security concerns for those businesses. Members opposite should think about it. If something goes wrong on surface transport, police are more able to respond than if that violence occurs on a rail system in a tunnel.

The SPEAKER: Order! The member for Maroubra will come to order. I call the Leader of the Opposition to order. The Premier has the call.

Mr BARRY O'FARRELL: Members opposite can continue to try to score political points, but we are seeking, with the City of Sydney, to put in place a plan of management for Friday and Saturday nights that will ensure that people can go to Kings Cross—an area that should be a vibrant entertainment centre—and know that they can have a safe, fun night out. We are putting in place additional transport, additional police and tougher restrictions on licensed premises. We are introducing measures to ensure that not only will a sobering-up centre be trialled—

Mr John Robertson: Point of order—

The SPEAKER: Order! The member for Canterbury will come to order. What is the member's point of order?

Mr John Robertson: It relates to Standing Order 129, relevance. The Premier will not introduce the trains because he was chief of staff—

The SPEAKER: Order! As I am sure the Leader of the Opposition knows, that is not a point of order. I call the Leader of the Opposition to order for the second time. The Premier has the call.

Mr BARRY O'FARRELL: I must ask the Treasurer to do a costing because it appears now as though the Labor Party's only policy delivered since the last election campaign is for the restoration of late night train services across the whole of Sydney. By contrast to the 15- or 30-minute service that the Leader of the Opposition is proposing across the whole of Sydney, we are going to put in place an eight-minute service between Kings Cross and Central.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr BARRY O'FARRELL: An eight-minute frequency. If a person wishes to go to Central station, he or she will have to wait only for up to eight minutes at the bus stop before a bus will arrive to take that person to Central. If one wants to travel to Town Hall, the service will take 15 minutes. What is provided at Town Hall and Central Station that will connect for these night revellers? The NightRide rail service. If travellers are catching the very late service, they will get to Central Station in time to catch the train services that resume just after 5 o'clock. The Government is behaving in a responsible manner; it is putting together a suite of options in order to ensure that people can experience a safe night out at Kings Cross. Every measure the Government is taking is a new measure. Those opposite did nothing about this issue for 16 years except to engage in much huffing and puffing and wringing of hands. This is a record that I am happy to talk about every time the Leader of the Opposition asks me a question on the matter.

Mr Michael Daley: Point of order: Where are your sobering-up centres?

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

Mr MICHAEL DALEY: Where are your sobering-up centres? Are they part of the announcement?

The SPEAKER: Order! The member for Maroubra will address his remarks to me and not to the Premier. I call the member for Maroubra to order. There is no point of order.

Mr BARRY O'FARRELL: I can see that the Opposition tactics team is operating well because the announcement today did include the sobering-up centre the member opposite is asking about. This is the usual hopeless behaviour from the Opposition. Is it any wonder that the odds on the member for Heffron becoming Leader of the Opposition are firming as the days go on?

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

ANTI-ISLAMIC FILM PROTEST

Mr TONY ISSA: My question is addressed to the Premier. What is the latest on the impact of the riot in Sydney's central business district on Saturday?

Mr BARRY O'FARRELL: I thank the member for Granville for his question about an event that shocked all of us. I am sure that everyone was appalled by the images on television and the photographs in our newspapers of those ugly events on Saturday afternoon—a violent protest erupting in this city in the middle of the afternoon, during the peak shopping period. I struggled, as did others, to come to grips with the fact that the images I was seeing were of Sydney. They looked more like images taken in Egypt or Syria or in one of those places overseas where mob violence is regrettably the norm and not the exception. The chants, the signs, the violence used against police, were all abhorrent and unwelcome. I condemn those responsible in the strongest possible terms.

I am pleased to advise the House that last night a young man who is alleged to have maliciously damaged a police car was charged by police. He brings to seven the number of people charged so far for offences committed during that protest. Also last night the mother of a young child who was featured in an image beamed around the world—a child being photographed holding a sign encouraging the beheading of an individual—presented herself to the police station. I am told that the police have visited her home today and that Community Service officers will also be contacting her today. Officers attached to Strike Force MacAllister are painstakingly working to analyse the images, the information and the intelligence relating to this riot. I have spoken with the Commissioner of Police many times about Saturday's violent protest. I know police share the community's outrage and will leave no stone unturned as they seek to bring those responsible to justice.

It is important to note that those responsible were not under the influence of drugs or alcohol. The decisions they made were conscious and deliberate decisions. And I say to the member for Sydney, that is the

difference between what happened on Saturday, in the middle of this city—her city—and what happens in Kings Cross when people under the influence of alcohol and drugs cause trouble. Saturday's violence was the direct result of the decisions and actions of extremists. Saturday's violence must not be allowed to tarnish the reputation of this city's Muslim community or the contribution it has made and continues to make to this State. Members of the Muslim community are just as outraged and angry about Saturday's violence and the attacks upon police as the rest of the community. Since Saturday leaders of the Islamic community have publicly and forcefully condemned the actions of those responsible. They have collectively done so again today. I thank them for their leadership and for their efforts to ensure that there will not be a repeat of Saturday's events.

We live in one of the most successful and freest democracies in the world. Arguably we live in the world's most successful multicultural society. For 224 years migrants from 200 different nationalities have come to these shores and contributed to the success of our nation. Those people have helped to set the trajectory leading to the prosperous future to which we all aspire. Their heritage is welcome; their hatreds are not. I was disturbed to read that 13 days ago, in the other place, a member of the Labor Party sought to bring those hatreds into this Parliament when the Hon. Shaoquett Moselmane raised in the upper House the issue of the Iraq War and urged that George Bush and Tony Blair should be tried as war criminals. That is the sort of hatred and tension that leads to these situations and it ought to be condemned by every member opposite. This is not the Federal Parliament; this is not a place to discuss foreign affairs—as much as the member for Liverpool would like it to be.

We should be doing all we can as citizens of this State and as representatives of this State to ensure that the harmony that exists in this State is retained. Speeches like that of the Hon. Shaoquett Moselmane do completely and utterly the opposite. A right to protest does exist in this country but it comes with a responsibility to do so peacefully and in accordance with the law. Any repeat of last Saturday's events will be strongly met by a police response. Police know they have the full support of this Government to deal with violent protest wherever it occurs across the State and with whoever is responsible. The events of Saturday were a blight upon this city, and they must not be allowed to be repeated. With the efforts of the police those responsible will be brought to justice.

EDUCATION FUNDING

Ms CARMEL TEBBUTT: My question is directed to the Minister for Education. Given that schools across New South Wales are getting ready for the implementation of new syllabuses in years K-10—

Mr Chris Hartcher: New syllabi.

Ms CARMEL TEBBUTT: No. There has been a debate about that and it is not correct.

The SPEAKER: Order! That is not a debate we will have in this Chamber.

Ms CARMEL TEBBUTT: Can the Minister guarantee that his funding cuts will not impact on curriculum support for teachers?

Mr ADRIAN PICCOLI: We have a national curriculum that will begin to be implemented in New South Wales in 2014. I have been unashamed in my support of the Board of Studies and the strong work done by the New South Wales Department of Education and the non-government sector for what is a high quality curriculum in New South Wales. I can say without any doubt that the New South Wales curriculum is indeed the best of any State curriculum in Australia. The Higher School Certificate is an accreditation that is undertaken in other countries around the world, such as in Hong Kong, where students sit precisely the same exams as those sat by year 12 students in New South Wales.

Those exams are then marked in New South Wales and students in Hong Kong receive the New South Wales Higher School Certificate. That is the kind of esteem in which the New South Wales Higher School Certificate and our broader curriculum is held both in Australia and around the world. I have been a very strong defender of standards in New South Wales. I give credit to the previous Minister with regard to the national curriculum negotiations that were undertaken over the past few years. There is a significant change as we move towards the national curriculum and we are certainly going to give schoolteachers every support we can to make sure—

Ms Carmel Tebbutt: So will you guarantee—

Mr ADRIAN PICCOLI: The member will just have to stay tuned. I cannot make all our announcements in one week; I would not know what to do with myself in other weeks. Be aware that I am very conscious of the need, as are the Department of Education and the Board of Studies, to support teachers and schools and obviously students—

The SPEAKER: Order! The member for Wollongong will come to order.

Ms Linda Burney: Point of order: My point of order relates to relevance. The question was very clear and asked the Minister to guarantee, in light of his announced funding cuts, that the syllabuses would not be affected.

The SPEAKER: Order! The Minister is being relevant. There is no point of order.

Mr ADRIAN PICCOLI: The syllabuses—or syllabi—are not affected. Those for the first four subject areas in the national curriculum have already been completed. They are out there ready for schools to implement in 2014. The New South Wales Government made a decision to postpone their implementation until 2014 so that our schools are ready for the national curriculum. Other States are beginning next year. They have a different system. They do not have syllabuses like we do here in New South Wales. The national curriculum is a vast improvement on what a number of other jurisdictions currently have. That is not the case in New South Wales. We have always provided enormous amounts of support to schools through the Board of Studies, which is doing a fantastic job, and we will continue to do that.

The SPEAKER: Order! The member for Marrickville will cease interjecting.

Mr ADRIAN PICCOLI: For the benefit of the member for Marrickville I can guarantee that students in New South Wales are much better off under a Liberal-Nationals Government than they ever were under a Labor government, and all Coalition members are very proud of that.

Dr Andrew McDonald: Point of order: My point of order relates to Standing Order No. 52, and it is about noise. I think the Minister said that the education system has never been better off under a Liberal Government. I do not know whether he actually said that. Can he please repeat it for Hansard?

The SPEAKER: Order! The member for Macquarie Fields is not quoting the correct standing order. There is no point of order. I caution the member for Macquarie Fields against misusing the standing orders.

Mr ADRIAN PICCOLI: As I said, no-one is more conscious than I am of making sure that we support schools, and particularly teachers, in the implementation of the national curriculum. We have had to make tough decisions; the kinds of tough decisions that the previous Government refused to make. As I said last week—

Ms Linda Burney: We can't hear you.

Mr ADRIAN PICCOLI: —we have had to clean up the mess left by Labor. The member should open her ears. We had to clean up Labor's mess. I refer to the Rozelle metro. What could we have done with that \$500 million? This is Labor's mess.

The SPEAKER: Order! The member for Keira will come to order.

Mr ADRIAN PICCOLI: The Solar Bonus Scheme was Labor's mess—\$1.7 billion. Does that figure sound familiar? Members opposite refused to keep their eyes on that and we are cleaning up their mess.

KINGS CROSS ALCOHOL- AND DRUG-RELATED VIOLENCE

Ms GABRIELLE UPTON: My question is addressed to the Premier. What is the Government doing to clean up Kings Cross?

Mr BARRY O'FARRELL: I thank the member for Vaucluse for her question and her keen interest in this area. Today I joined the Minister for Transport, the Minister for Hospitality, the Minister for Police and the Commissioner of Police to announce the New South Wales Government's contribution to the Kings Cross Plan of Management, which is being worked on with the City of Sydney. The joint goal of the City of Sydney and the

New South Wales Government is for a plan of management to deliver a comprehensive response to help improve behaviour at Kings Cross. More police, better transport, tougher restrictions on licensed venues, precinct-wide bans for serial offenders and the use of drug detection dogs form the basis of our plan to tackle alcohol- and drug-fuelled violence and antisocial behaviour at the Cross. It is a comprehensive package, it is a tough package and it is a package that sends a simple message to offenders: Clean up your act or get cleaned out.

The tragic death of Thomas Kelly affected all of us and we owe it to his memory to ensure that we do everything we can to clean up the Cross and ensure that it remains a safe, vibrant entertainment precinct for Sydneysiders and visitors alike. From 28 September extra police patrols will operate under Operation Rushmore to help clean up troublemakers at Kings Cross. We are also expanding the use of drug detection dogs. They will now be able to patrol Kings Cross without police needing first to obtain a warrant. These extra drug detection dog powers will be expanded right across the rail network. We have listened to concerns about the need for improved transport. The package includes extra buses, security guards on taxi ranks and a trial of pre-paid taxis—a concept that also is being trialled on the Central Coast as we speak.

Evidence suggests a number of incidents occur when people are trying to get home, so part of our response will see the introduction of bus services from Kings Cross to Central every eight minutes and to Town Hall every 15 minutes between 1.00 a.m. and 5.00 a.m. We propose to introduce linked identity scanners to licensed premises. This means that if a person is ejected from one venue, he or she can be banned from all other venues in the precinct that night or for longer periods if warranted. The new technology has operated successfully in Newcastle, Fortitude Valley in Queensland, Geelong and a number of Sydney hotels. In line with our election commitment, a sobering-up centre will be trialled in the Kings Cross precinct. In addition, the area covered by the precinct—

The SPEAKER: Order! The member for Macquarie Fields, the member for Toongabbie and the member for Cabramatta will cease interjecting, arguing and shouting.

Mr BARRY O'FARRELL: There is lots of space for the member for Canterbury. In addition, the area covered by the precinct in the Kings Cross Liquor Accord will be expanded to take in around 100 extra licensed venues in Potts Point and Elizabeth Bay. The current ban on new liquor outlets will be extended for a further three years under the accord until Christmas Eve 2015. I do not think anyone could argue that we need more places to drink at Kings Cross. A new category of small bar liquor licences will be created that will limit venues to 60 patrons or less and prohibit gaming machines. The tough new measures announced today are in addition to those announced in this place last month, and they included bans on drinks served in glass after midnight and stricter controls for closed circuit television and incident registers. They are in addition to the proposals coming from the City of Sydney for the plan of management.

On Friday and Saturday nights, with regard to the service of alcohol, the sale of shots and doubles will be banned after midnight, no-one will be able to purchase more than four drinks at a time and two responsible service of alcohol marshals must be on duty in all venues. The Minister for Health also announced an alcohol education campaign targeting binge drinking and the risks associated with excessive alcohol consumption. The New South Wales Government will continue to work with the City of Sydney on the final plan of management for the Kings Cross precinct. I want the community to be proud of this plan. It is a whole-of-government response. I thank the Ministers and agencies involved. It is a strong response to a difficult problem that has been some time in the making. I look forward to working with the City of Sydney to implement this and the wider and finalised broader plan of management.

EDUCATION FUNDING

Mr MICHAEL DALEY: My question is directed to the Treasurer. Does your Government support expanding the GST to cover education?

Mr MIKE BAIRD: I love it that the member for Maroubra obviously lives in his own universe. Members opposite do not care about finances. If they want to talk about the GST, I suggest that they read the member for Maroubra's reply to my budget speech. Members will recall that he said that "another myth this Government likes to peddle is that it is receiving less GST". New South Wales will receive more than \$5 billion less in GST payments over the next four years. I realise that the member for Maroubra lives in his own universe, but if he listens to some of the State Labor Treasurers and looked at their budgets, he might get an understanding of what they are talking about. In South Australia, Jack Snelling says that total taxation—

Mr Ryan Park: Point of order: My point of order relates to Standing Order 129. On this side of the Chamber this is an important issue about—

The SPEAKER: Order! I imagine it is, and therefore Opposition members should have listened. What is the member's point of order?

Mr Ryan Park: We are not talking about the South Australian Premier and the South Australian budget. This is about whether the Treasurer will guarantee—

The SPEAKER: Order! I understand the point of order. At the moment the Treasurer is being relevant to the question asked. The member will resume his seat.

Ms Noreen Hay: Point of order—

Mr MIKE BAIRD: You asked a question. Do you want an answer or not?

Ms Noreen Hay: Madam Speaker, you have ruled on this on previous occasions. When the member for Keira was taking his point of order, the Treasurer failed to resume his seat.

The SPEAKER: Order! I did not notice that. Had I done so, I certainly would have directed the Treasurer to resume his seat. I remind the Treasurer that if a member is given the call to take a point of order while he is answering a question, he should resume his seat.

Mr MIKE BAIRD: I thank the member for Wollongong for her contribution. I thank the member for Keira for his point of order also, but I remind him that the member for Heffron is not here today, so there is no need to try to impress him. Whether or not this is about the South Australian Treasurer, the fact is that the South Australian budget overview—not the details—shows that GST revenues have been revised down by more than \$2.8 billion since the 2011-12 budget. Tasmania's budget overview—again not the details of that budget—shows that Tasmania lost \$1.8 billion of expected GST revenue. In Victoria, GST and stamp duty has fallen by—

Mr Michael Daley: Point of order: I did not ask for a geopolitical lecture. I asked a simple question.

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

Mr Michael Daley: It relates to Standing Order 129. Does the Treasurer want to put GST on education or not? Come clean. He should stop this spiel and tell us what he wants to do with GST.

The SPEAKER: Order! The member for Maroubra will resume his seat. I have already ruled that the Treasurer is being relevant to the question asked. The Treasurer has the call.

Mr MIKE BAIRD: The GST revenue is falling across the country, and the only people who do not acknowledge that are the members of the Opposition. This Government is making responsible decisions to look after the long-term future of education in this State. By having smaller head offices we have more teachers on the ground and behind the gates. But the Opposition says, "No, we are not doing that." Let us look at what happened between 2011 and 2012 and I will give some examples. Rouse Hill High School now has nine more teachers; Chatswood High School has eight more teachers.

Mr Michael Daley: Point of order: This is an opportunity for the Treasurer to rule this out. I want him to answer the question.

The SPEAKER: Order! The standing orders do not give me the power to direct the Treasurer how to answer the question. The Treasurer has the call.

Mr MIKE BAIRD: The O'Farrell-Stoner Government is proud to make decisions to look after the long-term interests of this State and that will also put more nurses, teachers and police on the ground.

PACIFIC HIGHWAY UPGRADE

Mr ANDREW FRASER: My question is directed to the Deputy Premier. Can the Deputy Premier outline recent developments regarding the upgrading of the Pacific Highway?

Mr ANDREW STONER: I thank the member for Coffs Harbour for his question; there has never been a more passionate campaigner for the Pacific Highway. This Liberal-Nationals Government is committed to boosting infrastructure delivery across our State. We know that transport infrastructure is the key to unlocking productivity improvements in our economy and to also delivering safer travelling conditions. This is especially true for the Pacific Highway upgrade. This Government has long advocated for the completion of the upgrade, and State governments of both political persuasions have called on the Commonwealth to stay the course and see the project delivered under the existing 80-20 funding arrangement. This Government was disheartened earlier this year when the Gillard Federal Labor Government decided to slash its future funding contribution from 80 per cent to just 50 per cent to complete the Pacific Highway upgrade. That decision effectively ripped a massive \$2.3 billion out of future funding. Thankfully all is not lost. There has been movement at the Commonwealth level and I am happy to inform the House that sanity may soon prevail once more in the nation's capital.

Mr John Robertson: Not if Barnaby Joyce gets there.

The SPEAKER: Order! The Leader of the Opposition will come to order. He is already on two calls to order and is about to be placed on three calls to order.

Mr ANDREW STONER: The Leader of the Opposition really should not lead with his chin. In June this year, the Premier and I called on the Commonwealth to transfer the funding set aside for the Parramatta to Epping Rail Link to the Pacific Highway upgrade. As usual, the Federal Labor Government did not help New South Wales. On the weekend, the leader of the Federal Nationals and shadow Minister for Infrastructure and Transport, Warren Truss, announced that a future Federal Coalition Government will provide \$5.6 billion to complete the duplication of the Pacific Highway and restore the 80:20 funding partnership with New South Wales. This announcement will see an additional \$2.08 billion on top of the \$3.56 billion already on the table from the Commonwealth, and it will get the Pacific Highway upgrade completion back on track.

The SPEAKER: Order! I call the Leader of the Opposition to order for the third time.

Mr ANDREW STONER: This is wonderful news from the Federal Liberals and Nationals who are genuinely interested to get the Pacific Highway upgrade finished as soon as possible. The New South Wales Business Chamber has welcomed the pledge from the Federal Opposition, declaring this as a victory for common sense. In stark contrast, the Gillard Federal Labor Government has consistently refused to release this money, despite the New South Wales Government making it clear that our transport infrastructure priorities are the Pacific Highway and the North West Rail Link, and despite Infrastructure Australia identifying the upgrade of the Pacific Highway as a national priority that will deliver economic benefits of \$1.50 for every \$1 spent. Members opposite supported the Federal Labor Government's decision to cut its contribution to the Pacific Highway upgrade from 80 per cent to 50 per cent. Shame on them.

The SPEAKER: Order! The member for Lakemba will come to order.

Mr ANDREW STONER: The Independent member for Lyne, Robert Oakeshott, also supported the Federal Labor Government's decision. That is unbelievable. After selling his soul to Labor and The Greens—

The SPEAKER: Order! Members will come to order.

Mr ANDREW STONER: —he had the gall to support Julia Gillard and Anthony Albanese's decision to rip \$2.3 billion out of the budget for the Pacific Highway upgrade. Rather than welcoming the commitment made by Tony Abbott and Warren Truss, he was on ABC 702 this morning espousing his alternative policy and saying that he would start to push on a full list of transport user charges, including tolling and congestion charges. Can members believe that? It is clear that, as Warren Truss said over the weekend, every day that Robert Oakeshott and Tony Windsor keep the dysfunctional Federal Labor Government in office is a day more—

Mr Clayton Barr: Point of order: Relevance—

The SPEAKER: Order! The Deputy Premier was being relevant to the question asked. The question was about the Pacific Highway.

TAFE FEES

Ms LINDA BURNEY: I direct my question to the Treasurer. Given that last year he promised to drive down the cost of living, why is he now forcing school leavers and mums who are trying to get back into the workforce to pay 9.5 per cent extra to attend TAFE?

Mr MIKE BAIRD: This Government is doing a lot about the cost of living, and that has been acknowledged. One of the critical issues left in turmoil by members opposite was the electricity businesses in this State, but this Government has done a great deal to address that problem. In answer to the member's question, the Government is making a number of difficult decisions that it knows are not popular. Members on this side of the House understand that, but we are focused on looking after the long-term interests of this State.

The SPEAKER: Order! The member for Wollongong, the member for Cessnock and the member for Fairfield will cease arguing across the Chamber.

Mr MIKE BAIRD: The O'Farrell Government is more interested in looking after this State's long-term interests than pushing aside the difficult decisions and pretending they do not exist. This Government is not deferring them to a future estimates process or making other stakeholders deal with them. Members on this side of the House are determined to be responsible with this State's finances and to make responsible decisions to take care of its long-term interests. That is what responsible governments do. They do not mercilessly avoid difficult decisions, rack up debt and leave it to someone else to address. That was the Labor Government's strategy.

Ms Linda Burney: Point of order: What will the Treasurer say to Maitland, Wagga Wagga, Murrumbidgee, Port Macquarie—

The SPEAKER: Order! The member is not articulating a point of order. She will resume her seat. I call the member for Canterbury to order for the second time. She is close to being placed on three calls to order.

Mr MIKE BAIRD: The Government has looked carefully at TAFE fees across the country and our fees are below the national average. Yes, the Government is making tough decisions. They are not easy to make, but we are making them in the long-term interests of the State. Whether it relates to the Department of Education and Communities, NSW Health or any other department, the O'Farrell-Stoner Government has a very simple policy: It wants smaller head offices and more people on the front line. How many times must I say that? I will say it every day of the week if members opposite want me to.

The SPEAKER: Order! Some Opposition members will find themselves out of the Chamber if they continue to interject.

Mr MIKE BAIRD: This Government believes in delivering better services and that is what is happening—it is delivering more police officers, more nurses and more teachers. While the O'Farrell-Stoner Government is in power that is what the people of this State will get. They will get more nurses—

Ms Linda Burney: Point of order: So I assume you have—

The SPEAKER: Order! The member for Canterbury will resume her seat. If the member continues to take points of order without referring to the standing order that has been allegedly breached, she will be ejected from the Chamber for her disruptive and unparliamentary behaviour.

Mr MIKE BAIRD: I said that the Government will not apologise for making tough decisions today to look after the long-term interests of this State. Government members are happy to talk about those decisions in this place. The Labor Government avoided Parliament when it made difficult decisions. It was happy to pursue the gentrader transaction, but what did the Auditor-General said say about the process in which it engaged? He said that by pursuing that transaction and shutting down Parliament the Labor Government took close to \$2 billion from the people of New South Wales. Members opposite demand fiscal responsibility despite the fact that they avoided making difficult decisions when they were in office. The O'Farrell-Stoner Government will look after the long-term interests of this State and allow transactions to be scrutinised by the Parliament. We will not avoid Parliament because responsible governments do not do that.

GLEBE ISLAND EXHIBITION CENTRE

Mr JOHN SIDOTI: I direct my question to the Minister for Planning and Infrastructure. What arrangements has the Government made to ensure that Sydney continues to attract valuable tourism and exhibition investment while delivering a new world-class convention, exhibition and entertainment facility?

The SPEAKER: Order! The member for Maroubra and the member for Canterbury will come to order.

Mr BRAD HAZZARD: I thank the member for his question and his profound understanding of the good that business can do for this State and its economy. I announced yesterday that the State Government would be providing interim entertainment, convention and exhibition facilities at Glebe Island. It is interesting that whilst the Government is trying to drive the economy forward and to provide the necessary convention and exhibition space, the Leader of the Opposition stated in a press release dated 18 September:

Opposition Leader John Robertson has slammed Premier O'Farrell over his announcement today that millions will be spent on temporary convention facilities at Glebe Island...

He went on to ask:

How can the Premier justify spending millions on a temporary exhibition facility?

The SPEAKER: Order! The member for Marrickville will come to order.

Mr BRAD HAZZARD: My answer to the Leader of the Opposition is: It is about the economy, stupid. He should remember those words.

The SPEAKER: Order! I remind the Leader of the Opposition that he is already on three calls to order. I call the member for Fairfield to order.

Mr BRAD HAZZARD: I also point out that—

The SPEAKER: Order! I call the member for Fairfield to order for the second time.

Mr BRAD HAZZARD: —a community leader stated that the decision to build a temporary exhibition facility will mean that Sydney does not have to give up exhibitions, which attract visitors who stay in hotels, eat in restaurants, shop and visit attractions. He went on to say that it will ensure that the State has the capacity to grow the lucrative business events market into the future and also shows that the O'Farrell Government is taking the sector seriously. Who do members think said that? It would appear to be someone with a strong Coalition background. But, no, it was none other than one of Bob Carr's staffers, Michael Egan—who also had the enviable task of being the master of ceremonies at the Leader of the Opposition's wedding. It is good that some people actually understand that it is about the economy, stupid. Patricia Forsythe from the Sydney Business Chamber said:

I am disappointed that the NSW Opposition cannot see the economic value of upgrading Sydney's premier convention exhibition space. The NSW Opposition is trying to turn the much-needed upgrade of the Sydney Convention Exhibition Centre precinct into a political circus. The investment will generate significant returns to the New South Wales economy and boost jobs in the service economy. The Opposition is missing the big picture.

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

Mr BRAD HAZZARD: The Opposition is missing the big picture entirely. Members might remember John O'Neill made a report that the former Labor Government put quietly in a bottom drawer because the Labor Party would not release it. The report highlighted the need for updated and upgraded exhibition and convention space.

The SPEAKER: Order! The member for Marrickville will cease interjecting.

Mr BRAD HAZZARD: In the process, as has been identified on a number of occasions, the economy lost somewhere between half a billion dollars and three quarters of a billion dollars over five years—money that could have gone into education, health and all those things that business brings to the State.

The SPEAKER: Order! The member for Toongabbie will come to order.

Mr BRAD HAZZARD: This Government is committed to ensuring that it will have a new entertainment and convention centre. In the meantime, Glebe Island Expo will be set up in temporary facilities and will have about 15,000 square metres of exhibition space in high-quality, fully serviced, air-conditioned pavilions. It will provide an extra 10,000 square metres when necessary for larger exhibitions and trade shows. The facility will operate alongside existing port uses. Once the new facility is built, the Sydney Ports

Corporation will be able to expand its port operations on the site, fulfilling the bay's precinct task force terms of reference, which recognised that Glebe Island and White Bay will be used for ongoing and future port-related uses. There is no question that to get the economy moving we needed a change of government. We now have a Coalition Government that is determined to get the economy of this State moving so that we can deliver those things that are needed by the community in the areas of education, health and roads. If the former Labor Government had continued in office we would have absolutely zilch.

EDUCATION FUNDING

Mr GUY ZANGARI: My question is directed to the Treasurer. Given last year the Treasurer promised to drive down the cost of living, why has he slashed funding for non-government schools, forcing them to increase fees for thousands of families in New South Wales?

Mr MIKE BAIRD: We have had a couple of chances to talk about this matter today, and I am happy to do it every day of the week if the Opposition wants. We have said consistently that responsible governments take the tough decisions and they look after the long-term interests of this State. Labor is not very good at that, but we live within our means and we do not spend money we do not have.

The SPEAKER: Order! I warn Opposition members that if they continue to interject they will find themselves out of the Chamber.

Mr MIKE BAIRD: That does not seem to be in the mantra of those opposite. I am aware of an article in relation to non-government schools in the Port Macquarie area. The local paper said that the Catholic schools acknowledge that within their head office arrangement they are going to absorb the education costs, so no fee increases. This Government obviously encourages that and it is doing so with its public schools. We are putting teachers on the ground and we are bringing back head offices because we do not have the money.

Mr Guy Zangari: Point of order: My point of order is relevance under Standing Order 129. The question asked specifically about the slashing of funding to non-government schools and the Treasurer is not answering that question.

The SPEAKER: Order! There is no point of order. The member for Fairfield must not have been listening to the Treasurer's answer to take such a point of order. The Treasurer is being relevant to the question asked.

Mr MIKE BAIRD: It is not the first time, Madam Speaker. Members opposite should think about the high horse they have hitched outside before they talk about finances in this Chamber; it is incredible.

Mr Nathan Rees: You are a Trojan horse.

Mr MIKE BAIRD: The member for Toongabbie does not like to talk about history, but it is very relevant today. We are all used to getting a budget at the beginning of the year. What do we do with it? We have to stick to the money we have been given. If State Labor had done that in its 16 years—

Mr Guy Zangari: Point of order: Once again my point of order is relevance under Standing Order 129. The Treasurer is referring to State Labor. My question related to non-government schools and the increase in fees in schools in my electorate of Villawood, Yennora and—

The SPEAKER: Order! I heard the member's question. The member for Fairfield will resume his seat. There is no point of order. The Treasurer is being relevant to the question asked.

Mr MIKE BAIRD: He is going well, but I remind the member for Fairfield that Ron is not here. Send him a tape. If the former Labor Government had stuck to its budget what would be in the State coffers? Just by sticking to its budget, we would have \$20 billion that could be put towards the needs of this State. The fiscal strategy of those opposite is pretty simple: They want more infrastructure, they want the triple-A credit rating, they do not want to borrow, they want no increase in taxes, and they oppose every single option that the O'Farrell-Stoner Government has put forward to live within its means.

Their very simple message is: Hello magic, here is the pudding. That is the fiscal strategy of the Opposition in this State. The Leader of the Opposition thinks he is going to go to the next election and run

against the Premier. If he wants to be taken seriously on matters of finance, he should bring forward a plan. He should tell us how he will deal with \$10 billion because if he gets rid of the triple-A credit rating he will have to find almost \$4 billion. While putting more resources into the front line, the O'Farrell-Stoner Government is absolutely determined to take the decisions that are not easy and not popular in order to look after the long-term interests of this State.

DUBBO BASE HOSPITAL REDEVELOPMENT

Mr TROY GRANT: My question is addressed to the Minister for Health, and Minister for Medical Research. Will the Minister update the House on the planned redevelopment of Dubbo Base Hospital and the Government's commitment to patients in rural and regional New South Wales?

Mrs JILLIAN SKINNER: Yesterday morning I had the pleasure of visiting Dubbo and joining the excellent member for Dubbo for the unveiling of design plans for the \$80 million Dubbo Base Hospital redevelopment.

The SPEAKER: Order! There is too much audible conversation in the Chamber.

Mrs JILLIAN SKINNER: This one of the numerous projects being funded out of the record \$1.16 billion allocated to Health infrastructure in this year's budget, that is, \$4.7 billion over the next four years. The Dubbo project is one that Labor promised but never delivered, just as it promised to deliver hospitals throughout country New South Wales in Port Macquarie, Tamworth, Wagga Wagga, Bega, Parkes, Forbes, and not to mention—

Dr Andrew McDonald: Point of order: It is on relevance under Standing Order 129. Parkes or Forbes have not had a brick laid and the Minister is misleading the House.

The SPEAKER: Order! The Minister is being relevant to the question asked. This is not the time for the member for Macquarie Fields to argue with her on the merits of her answer. There is no point of order.

Mrs JILLIAN SKINNER: I think the member for Macquarie Fields is on very shaky ground: When he was the Parliamentary Secretary for Health he ran around the State pretending to announce funding for these types of projects when there was absolutely nothing there.

[Interruption]

As the member for Wagga Wagga said, not a cent was allocated. The member for Dubbo knows that nothing, nada, nix was allocated.

The SPEAKER: Order! The member for Cessnock will come to order.

Mrs JILLIAN SKINNER: What did the member sitting next to the member for Macquarie Fields, the former Minister for Health, provide?

Government members: Nothing.

Mrs JILLIAN SKINNER: Absolutely nothing. This Government is on track to deliver. Yesterday I was thrilled to be at Dubbo along with members of the local health district board and members of the Dubbo Health Council, as well as many doctors, nurses and allied health professionals. This Government is working with them all to deliver the best possible care for the people of Dubbo. I also congratulate Health Infrastructure and the architects and others who were involved in coming up with the plans. It was a wonderful and interactive presentation.

The SPEAKER: Order! The member for Macquarie Fields will come to order.

Mrs JILLIAN SKINNER: The community flyer put out by the member for Dubbo is available as part of an interactive walk through, which enables people to see what is proposed in this redevelopment—for example, six new operating theatres, a new maternity ward, an extended day surgery unit and other facilities. The work is expected to commence in the next few months. First, there will be an extension to the car park—something those on the other side never did properly—followed by the installation of underground cables, including wiring to

service the state-of-the-art information technology centre to be included in these new facilities. The construction work will commence next year and is expected to be ready for occupation at the end of 2014, which has been well received by local clinicians. I quote from the flyer put out by the member for Dubbo which states—

[Interruption]

Those opposite might laugh but the comments of Dr Mark Rice, head of the department of surgery at Dubbo Base Hospital are included in the flyer of the member for Dubbo, which states:

Our patients will benefit from this but it is something that doctors, nurses and all the staff will be looking forward to.

Dr Andrew McDonald: Point of order: My point of order relates to relevance under Standing Order 129. The doctor involved is in breach of the ministerial code of conduct for making political comment.

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

Mrs JILLIAN SKINNER: The member for Macquarie Fields has a very odd understanding of the ministerial code of conduct. Dr Rice said that doctors, nurses and others are welcoming this project. He said:

It has been a long time coming but we are seeing progress, and that is something that instils confidence in the future.

That is not a breach of any code of conduct. As I have said, many new services will be included in this redevelopment. *[Extension of time granted.]*

As the member for Dubbo is very interested in this issue, I could go on quoting the wonderful comments in this flyer which I recommend to all members. This flyer will be circulated to every person in the Dubbo electorate. The member for Wagga Wagga produced a similar newsletter, as no doubt have all members in electorates that have been ignored and abandoned for so long and that will now be beneficiaries of the Coalition Government's investment in Health. This is in addition to an \$18.3 billion record Health budget this financial year, including growth funding for every local health district to accommodate increased costs. The nursing workforce has also increased by 2,900 since the Coalition Government came into office—in fact, 2,475 nurses were promised over four years. The Government is ahead of time. It promised extra doctors and it has met its obligation to place all the interns this year. We also have a record number of additional support staff.

The SPEAKER: Order! The member for Macquarie Fields will come to order.

Mrs JILLIAN SKINNER: The former Labor Government got rid of nursing positions. It promised funding of hospitals yet it did not deliver; it promised to deliver extra surgeries yet it did not deliver; and it stopped doctors from placing people on hospital waiting lists. The former Labor Government did not care for patients. It ignored the cries of doctors and others such as those at Dubbo Base Hospital who desperately want their hospital. I am happy to place on the record how thrilled those clinicians and others are about this redevelopment, which will benefit both patients and staff. I thank the member for Dubbo for his wonderful representation of his constituency.

Question time concluded at 3.15 p.m.

LEGISLATION REVIEW COMMITTEE

Report

Mr Stephen Bromhead, as Chair, tabled the report entitled, "Legislation Review Digest No. 25/55", dated 18 September 2012, together with the minutes of the committee meeting regarding Legislation Review Digest No. 24/55, dated 18 September 2012.

Report ordered to be printed on motion by Mr Stephen Bromhead.

PETITIONS

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

Pets on Public Transport

Petition requesting that pets be allowed on public transport, received from **Ms Clover Moore**.

Walsh Bay Precinct Public Transport

Petition requesting improved bus services for the Walsh Bay precinct, and ferry services for the new wharf at pier 2/3, received from **Ms Clover Moore**.

Pet Shops

Petition opposing the sale of animals in pet shops, received from **Ms Clover Moore**.

Container Deposit Levy

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

Cooks River Sewage Flows

Petition requesting the limitation of sewage flows into the Cooks River such that levels of E. coli and other human pathogens are reduced below safe levels for swimming and boating activities, received from **Ms Linda Burney**.

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

Tweed Byron Local Area Command Centre

Petition requesting that the development of the Tweed Byron Local Area Command Centre not proceed in the coastal residential village of Kingscliff and the reinvestigation of suitable sites previously identified that facilitate police and better service the expanding population in the communities of the Tweed-Byron area, received from **Mr Geoff Provest**.

The Clerk announced that the following Minister had lodged a response to a petition signed by more than 500 persons:

The Hon. Robyn Parker—Rose Bay Promenade Heritage Listing—lodged 14 August 2012 (Ms Gabrielle Upton)

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (General Notices) Nos 433, 439, 443, 450, 452, 455, 456, 460, 465 and 468 lapsed pursuant to Standing Order 105 (3).

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Kings Cross Alcohol- and Drug-related Violence**

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [3.17 p.m.]: My motion proposed for priority reads:

That this House supports the action the NSW Government is taking to address alcohol and drug-related violence in Kings Cross.

The motion deserves priority because alcohol and/or drug-related violence in Kings Cross has sent shockwaves through the New South Wales community. It has shown human nature at its worst and it has deeply saddened us. It has exposed those who, drunk and/or drugged, have inadvertently or intentionally harmed innocent people, forever changing the lives of those victims, their families, friends and communities. Kings Cross, a vibrant part of Sydney enjoyed by residents, visitors and tourists and located close to my electorate of Vaucluse, is a magnet for a good night out. People, whether young or old, tourists, our brave police and residents of Kings Cross should not fear for their lives because of alcohol and/or drug abusers.

The O'Farrell Government is determined to clean up Kings Cross. As the Premier said, "It is clean up or clear out." The Government will be tough on those who harm innocent people such as young Thomas Kelly,

about whom we spoke earlier today, whose sudden death on an innocent night out shocked us all. His death was not the first death from alcohol and/or drug-related violence but arguably it was the most tragic. Thomas's death brought into stark focus an issue that has been on the table for a long time. But where have Opposition members been? Those opposite say it is an issue—in fact, they repeated that statement earlier today. Everyone knows it is an issue but that is not enough. That is not showing governance or leadership and that is not what the New South Wales community deserves. Labor was in government for 16 years. Why did it let the issue get to such a level that it requires the O'Farrell Government to act comprehensively? I do not think Labor members have a proper or acceptable answer for the community in New South Wales.

Thomas Kelly's shocking death led the Government to conduct an urgent review of the safety of the golden mile, as we call it, and to the Premier's announcement at midday today of a comprehensive set of strategies and a joint plan of management. I strongly welcome that plan. We have talked to the senior leadership in police, transport, health, liquor and the City of Sydney, and we have heard their views. The best solution is a comprehensive one about which the Premier spoke today—high-visibility policing, extra night-time buses, taxi marshals and identification scanners. Our plan is a strong one: it is well thought out. That is the way the Government does things. It is not a knee-jerk reaction. It is not built for the media for today's or tomorrow's headline. This motion should be accorded priority. Alcohol and drug-related violence is serious. [*Time expired.*]

Education Funding

Ms CARMEL TEBBUTT (Marrickville) [3.20 p.m.]: The following motion should be accorded priority:

That this House calls on the O'Farrell Government to reverse its \$1.7 billion funding cut to New South Wales public schools, Catholic schools, independent schools and TAFE colleges.

This motion should be accorded priority because all members in this House have had three days—

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the Leader of the Opposition that he is already on three calls to order.

Ms CARMEL TEBBUTT: All members have had three days in their electorates to talk to the teachers, principals and parents in their local schools and to gauge the view of their local communities about the Government's education cuts. I spent the past few days visiting schools in my electorate, and I know many other members in this House have done so also. I am sure all members, particularly the members opposite, would welcome the opportunity to clearly demonstrate to their local communities that they oppose these cuts by voting to debate this motion. That is why the motion should be accorded priority. Members in this House need the opportunity to show their local communities what they think about these funding cuts and that they oppose the cuts.

Many members have spoken out about the funding cuts. When they have gone into their local communities and talked to their local papers and schools and principals they have said, "No, I don't support these funding cuts." They have been very vocal. They have railed against the cut and they have invoked the spirit of Menzies. They have told anyone who will listen how angry they are and how terrible the cuts are; but when they come into the Chamber they do not vote against the cuts. Today we are giving those members yet another opportunity to do so. This motion should be accorded priority because members have had the weekend in their electorates and they have another opportunity to demonstrate to their local communities that they oppose these cuts.

What did the member for Drummoyne say about the funding cuts? He said, "You just don't cut education." He should vote with us if that is what he really thinks. What did the member for Baulkham Hills say? He went on about his support for non-government schools and his own experiences. He should join us and show that he supports the motion. The member for Bathurst was on local radio blaming Labor for these cuts. Again, he can show his support by voting to debate this motion. The member for Penrith, the member for Riverstone, the member for Coojee, the member for Granville and the member for Mulgoa, who are all on the public record, should vote with us. [*Time expired.*]

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

The House divided.

Ayes, 60

Mr Anderson	Mr Fraser	Mr Rohan
Mr Annesley	Mr Gee	Mrs Sage
Mr Ayres	Ms Goward	Mr Sidoti
Mr Baird	Mr Grant	Mrs Skinner
Mr Barilaro	Mr Gulaptis	Mr Smith
Mr Bassett	Mr Hartcher	Mr Souris
Mr Baumann	Mr Hazzard	Mr Speakman
Ms Berejiklian	Mr Holstein	Mr Spence
Mr Bromhead	Mr Humphries	Mr Stokes
Mr Brookes	Mr Issa	Mr Stoner
Mr Casuscelli	Mr Kean	Mr Toole
Mr Conolly	Dr Lee	Ms Upton
Mr Constance	Mr Notley-Smith	Mr Ward
Mr Cornwell	Mr O'Dea	Mr Webber
Mr Coure	Mr Owen	Mr R. C. Williams
Mrs Davies	Mr Page	Mrs Williams
Mr Dominello	Ms Parker	
Mr Doyle	Mr Patterson	
Mr Edwards	Mr Perrottet	<i>Tellers,</i>
Mr Elliott	Mr Piccoli	Mr Maguire
Mr Flowers	Mr Provest	Mr J. D. Williams

Noes, 22

Mr Barr	Dr McDonald	Ms Tebbutt
Ms Burney	Ms Mihailuk	Mr Torbay
Mr Daley	Ms Moore	Ms Watson
Mr Furolo	Mr Parker	Mr Zangari
Ms Hay	Mrs Perry	
Ms Hornery	Mr Piper	<i>Tellers,</i>
Mr Lalich	Mr Rees	Mr Amery
Mr Lynch	Mr Robertson	Mr Park

Pair

Ms Hodgkinson

Mr Hoenig

Question resolved in the affirmative.**KINGS CROSS ALCOHOL- AND DRUG-RELATED VIOLENCE****Motion Accorded Priority****Ms GABRIELLE UPTON** (Vaucluse—Parliamentary Secretary) [3.32 p.m.]: I move:

That this House supports the action the Government is taking to address alcohol and drug-related violence in Kings Cross.

This Government is determined to clean up Kings Cross. It is determined to bring an end to the type of alcohol and drug-fuelled violence that tragically claimed the life of Thomas Kelly in July this year. This Government is determined to make Kings Cross a place not to be feared but a safe place where the community can have a good night out. The Government recognises that Kings Cross raises particular challenges and it is committed to delivering the comprehensive suite of actions announced by the Premier today. Those actions are aimed at reducing the antisocial behaviour in Kings Cross that flows from alcohol and drug-related violence. The Government has already delivered a range of actions to combat alcohol-related violence and antisocial behaviour across New South Wales. Two of those actions involve the expanded move-on powers for police and the three strikes legislation for licensed venues.

On 15 August the Government announced a number of proposed tough new conditions for Kings Cross pubs, bars, nightclubs and restaurants following an audit of all premises in the Kings Cross Precinct Liquor Accord. Premier Barry O'Farrell recognised that the audit made a compelling case for dramatic change and the Government is acting comprehensively. Changes in licence conditions in Kings Cross mean that on Friday and Saturday nights shots, doubles and ready-to-drink beverages containing more than 5 per cent alcohol will not be sold after midnight. After midnight no-one will be able to buy more than four alcoholic drinks at a time. These changes will mean that on every night of the week glasses, glass bottles and glass jugs will be banned after midnight. Venue managers must immediately notify police of any violence causing injury and they must preserve the crime scene. These are important measures.

Today the Government announced a joint plan of management, building on its actions to date, to deliver a tough and comprehensive approach to cleaning up Kings Cross. The plan includes the following measures. In the lead-up to summer and during the summer period the NSW Police Force, through Operation Rushmore—supported by a number of government agencies and the City of Sydney—will target alcohol-related crime, antisocial behaviour and violent behaviour in public spaces in Kings Cross. Drug dogs will patrol Kings Cross streets, without police first needing to obtain a warrant. For the first time drug dogs also will be able to be used on all metropolitan and intercity train lines without a warrant. The use of identification scanners, which have been successfully used in Newcastle, will be introduced across the area of the Kings Cross Precinct Liquor Accord so that when a person is ejected from one venue he or she will be barred from all venues in that precinct.

The Leader of the Opposition spoke about the need for more police on the streets. After 16 years of Labor's fudging of the figures this Government is getting on with the job of returning record numbers of police to the front line. Police numbers in New South Wales are at record strengths across the State. Due to the efforts of the Government, 16,016 officers are now in action in New South Wales. I turn to another aspect of the integrated plan that was announced today. In question time today the Leader of the Opposition repeated his request for transport for Kings Cross revellers on Friday and Saturday nights. This Government is taking the necessary action that Labor failed to take. Today it announced that additional taxi marshals will commence work on Friday 28 September at the start of the October long weekend, with a pre-paid taxi trial to commence by the end of October.

Traffic changes will make it easier for taxis and buses to get in and out of Kings Cross and for passengers to access public transport services. Additional late night bus services to the city will enable travellers to link up with existing NightRide services. The freeze on new liquor outlets in Kings Cross will be extended to 24 December 2015, with legislation to be introduced later this year. The area covered by the Kings Cross Precinct Liquor Accord will be extended to Potts Point and Elizabeth Bay. The Minister for Health also announced an alcohol education campaign targeting binge drinking. This Government recognises the enormous challenges it faces and it is committed to acting on them. Through the joint plan of management announced today this Government has taken strong and comprehensive action to address violence [*Time expired.*]

Mr NATHAN REES (Toongabbie) [3.37 p.m.]: I lead for the Opposition in broad support of this motion but I will outline some of the Opposition's misgivings about it. I take the member for Vaucluse to task on a couple of her inaccurate assertions. When the member for Maroubra left the position of Minister for Police 16,200 police were employed in New South Wales—a higher number than is employed today. The Government's claim that it will inject 550 police into the NSW Police Force over the four-year period of this Government will not keep pace with population growth: 800 police will need to be employed to do that. That means that in real terms police numbers are dropping in this State. The member for Vaucluse said also that the Opposition, when in government, had done nothing about the Kings Cross issue, which is palpably false.

When I was Premier Labor introduced mandatory lockouts, listed 50 of the most violent venues in New South Wales, introduced the three strikes policy, the requirement to have food at venues and the requirement for plastic glasses. One would not get any of those measures from an outfit in which the Australian Hotels Association has a Premier on speed dial. A former official of the Liberal Party of New South Wales is now the chief executive officer of the Australian Hotels Association. I welcome the Government's announcement relating to increased police numbers in Kings Cross provided it means that 50 additional police officers are not waiting at home on call but are working on the streets of Kings Cross. This Government has refused to countenance further lockouts in licensed venues. This will contribute to 20,000 to 30,000 people descending on the streets of Kings Cross at the same time.

The glaring fault in the Government's plan for dealing with Kings Cross is its inadequate attention to transport. A single train can move 1,000 people but the bus option requires 20 buses over an hour to get close to that figure. Think about the danger to the bus drivers when each of those buses has 50 souped-up individuals on board. Clearly, on occasion the driver is going to come under attack from some of those characters. In contrast, it would be very easy to have transit officers on each of the carriages of a train at Town Hall or Central. That would greatly remediate, if not eliminate, the potential for danger.

The Government has resurrected the longstanding promise to introduce drunk tanks—the sobering-up centres. They are going to pour these drunks into a sobering-up centre. I will be very interested to see the development approval process for that. No-one will want it anywhere near them. No policeman and no registered nurse who has had thousands of dollars worth of taxpayers' money put into their training will want to babysit drunks on Friday, Saturday and Sunday nights. That is what that proposal will amount to. Last week we saw a stunt out the front of Parliament House at which the Commissioner of Police and the Premier showed off a fleet of shiny new police cars. Today we have this exercise in blatant spin. These actions point to one factor: With more than 100 shootings across the Sydney metropolitan area over the past 12 months, crime finally is showing up when the Government goes polling.

That is what is happening. Instead of dealing with issues on the streets of south-western and western Sydney and coming to grips with the organised crime gangs that are wreaking havoc in those streets, the Government is giving us more of this spin cycle: shiny police cars out the front last week and now a half-baked attempt to wind up some of the criminal activity and drunken violence that exists in Kings Cross. We do not know when any of this is going to commence; we do not know when these drunk tanks are going to start; we do not know how the Government is going to staff them; we do not know who is going to fund them. It is incumbent on the Government to come back to the Parliament in six to 12 months time and say, "Guess what? We got it wrong. We failed. These police would be better off on the beat; these nurses would be better off in the health system."

Yet again the Government is late to the party, no pun intended. This Government has finally adopted our approach of putting more police on the beat in Kings Cross in the same manner as it was late to come to consorting laws and as it was dragged kicking and screaming to act against motorcycle gangs. The poor Attorney General copped the humiliation of all humiliations when he had to adopt word for word the amendment suggested by the Opposition in relation to outlawing motorcycle gangs and organised crime. This Government fails to recognise the seriousness of criminal activity in New South Wales, whether it occurs in Kings Cross or Cabramatta or any other part of western and south-western Sydney. It is too little too late. We hope these proposals work for the Government and we support the motion. We will be delighted to see the Government update the House later in the year.

Mr BRUCE NOTLEY-SMITH (Coogee) [3.42 p.m.]: We certainly know now where the Opposition stands on support for the NSW Police Force: it does not publicly support the Police Force. To say that last week's unveiling of the new cars out the front of Parliament House was a stunt is a downright disgrace. The fact is that this is a whole-of-government response to the alcohol- and drug-related violence issues that have been going on for many years in Kings Cross. It has taken this Government to stand up and have the guts to do something about it. It is a targeted response and an intelligent response. It uses the latest technology of identity scanners. It puts police where they are desperately needed and it gives police the powers they need to make a difference. It also gives powers to police to exclude troublesome persons from that precinct altogether. Importantly, we need the police numbers in order to be able to allocate them to hot spots around this State. We now have the required police numbers to do the job. We made a commitment to increase police numbers and New South Wales now has a record number of police—16,016—as of last week.

The Opposition when in government used to fudge the figures for the operational strength of local area commands. Of the 80 local area commands across New South Wales, 76 now have over 90 per cent operational strength. That was an election promise we made and we have delivered on it. That excludes the fudged figures the Labor Party used when in government. They included in operational strength officers on long-term sick leave, extended leave, maternity leave, leave without pay and suspended or external secondment. It was a lie and they continue the lie. They are not supporting police. Police need the support of this House to get on with the job and clean up the drug-related violence in Kings Cross. The measures outlined today include Operation Rushmore, which will target alcohol-related crime and antisocial behaviour, identity scanners, the sobering-up centre—I hope it is big enough to accommodate all the Opposition members—taxi marshals and pre-paid taxis. This Government has the guts, the intelligence and the commitment to get on with the job.

Mr RICHARD AMERY (Mount Druitt) [3.45 p.m.]: I join with the member for Toongabbie in responding to the Government's motion congratulating itself on a number of reforms that it says will clean up Kings Cross. Many people have heard that said down through the ages: We are going to clean up Kings Cross. The House will of course recognise that any bucket of water to put out the fire is welcome but the reality is that, whilst all these provisions should be part of a program, they obviously do not go far enough. The key point made by the member for Toongabbie was the lack of a transport component in this reform. I will give the House a little history lesson.

In the early 1990s the then Liberal Government was confronted with a very similar issue. Maybe the amount of alcohol consumed was less and maybe some of the social issues were different, but there was one fundamental similarity: there was violence in Kings Cross and the metropolitan area late at night and on late-night trains. The Government's reaction, under Minister Bruce Baird, to address violence on late-night trains was to abolish the trains. He did not provide more resources to curb the violence; he abolished the trains. It has never been the same since. Police Ministers down through the ages have asked police what the Government could give them as part of a suite of street powers to arrest people, hold them and lock them out of places. The response has always included restoring the late-night trains. That is the key that is missing from this program announced by the O'Farrell Government.

I understand that the Premier was chief of staff to the former transport Minister, so it is no wonder he is reluctant to go back on his own policy. All of these moves are aimed at reducing the number of alcohol shots consumed but we are dealing with a different generation. People not only go out to get drunk, they also get drunk and then go out. They drink large amounts of alcohol and cause all sorts of problems that we see in the media every night. Of course we welcome all changes and new reforms, but the Government should be urged to reintroduce late-night trains that are fully staffed by railway police. That would resolve most of the problems. [*Time expired.*]

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [3.48 p.m.], in reply: I welcome the contributions from the member for Toongabbie, the member for Coogee and the member for Mount Druitt to debate on this motion accorded priority. From the comments of the member for Toongabbie it is obvious that he did not take particular note of the motion before the House. The motion is about Kings Cross, not about drug and alcohol-related violence in western Sydney. The announcement today was about a strategy relating to Kings Cross. As to the member's comments, the difference between what may or may not have been undertaken by the former Government over the past 16 years and this Government's actions is that this is a comprehensive strategy; it is not a strategy about just transport or police or using information technology to tag people causing trouble who may move between venues.

I will again go through the elements of the strategy. In relation to transport, there will be available additional night-time buses from Central and Town Hall and taxi marshals will be on the ground in Kings Cross. Police will be able to use drug-detection dogs with greater ease and authority without a warrant. This measure will help support police. There will be an expansion of the liquor accord from Potts Point to Elizabeth Bay, with a freeze on new liquor outlets within the expanded precinct over the next three years. As to the health aspects of the comprehensive strategy, the Minister for Health announced the release of alcohol education campaigns that will target binge drinking amongst our young people.

This Government is talking about a comprehensive strategy focused on Kings Cross, which I welcome not only as a member of Parliament who represents an area located a few kilometres from Kings Cross but also as a mother of a teenage son and as a local resident. These measures are a starting point for the work to be done to finalise the plan of management. When the Premier announced this plan today, we also heard from senior leadership in police and the Minister for Transport. Further, there has been liaison with authorities in the liquor, gambling and racing sectors and the City of Sydney council. I also thank the member for Mount Druitt. I am glad he recognises the merit in the proposal. I thank the House for the opportunity to talk about this important initiative which will keep people safe in our community.

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

Motion agreed to.

The DEPUTY-SPEAKER (Mr Thomas George): Debate on the motion accorded priority having concluded, the House will now consider government business.

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

Mr MIKE BAIRD (Manly—Treasurer, and Minister for Industrial Relations) [3.53 p.m.]: I move:

That this bill be now read a second time.

I am pleased to introduce the Industrial Relations Amendment (Industrial Representation) Bill 2012. This bill proposes to make amendments to the eligibility provisions applying to industrial organisations in the Industrial Relations Act 1996. Industrial organisations may be associations of employers or associations of employees. The latter is usually referred to as unions. Registered organisations have the right to represent the industrial interests of their members. They also have obligations, which encourage the responsible management and democratic control of these bodies. The purpose of these amendments is to provide greater choice for particular groups of employees—junior doctors and paramedics in the health industry—about the organisations they want to join and which organisation has the right to represent their industrial interests.

I put on the record that the Government had wanted the amendments to go much further and to provide choice and competition in relation to the organisations that all employees can join and that represent their industrial interests. However, those in the other place narrowed the scope of the amendments. Most amendments now only apply in relation to applications made within the next 12 months by two named organisations: the Emergency Medical Services Protection Association [EMSPA] and the Australian Salaried Medical Officers Federation [ASMOF]. While it is disappointing that the principle of choice was not enacted, the Government is pleased that at least some employees, if they want to join a union, will have some choice in the union they can be represented by. The current eligibility provisions in the Industrial Relations Act 1996 have been in place, largely unchanged, since the Act was first made in 1996.

Indeed, many of the provisions of the 1996 Act were carried forward from its predecessor, the Industrial Relations Act 1991. Broadly speaking, those provisions are intended to create a situation where only one organisation is eligible to represent employees in a single occupational group. Overlapping coverage and the subsequent competition between organisations is neither supported nor encouraged under the current Act. The aim of this arrangement is to provide representational stability and continuity at the workplace. However, even the best intentions can have unforeseen consequences. The danger in institutionalising monopoly coverage is that of all monopolies: the danger of organisations losing touch with their clients and becoming unresponsive to their needs. In this case, the usual remedy is the best one, creating an environment where healthy competition keeps representative organisations closely in touch with their clients' needs.

The bill puts to an end the notion, at least in the health sector, that if there is already an organisation to which employees can conveniently belong then no other organisation has the ability to represent them. Even if there is an organisation to which junior doctors or paramedics belong, with these amendments it will be possible for the other two named organisations to make applications to the Industrial Registrar to be eligible to cover those employees. Provisions of this kind have existed in the Federal jurisdiction for well over a decade. In that time a number of cases have been decided where overlapping coverage has been awarded and operated. There have been few, if any, related demarcation disputes.

As such, this bill represents a significant departure from the existing approach to industrial coverage of workplaces and/or classes of employees. Instead of an exclusive coverage approach, overlapping coverage will be possible in relation to the particular classes of employees specifically identified by the amendments made in the other place. I turn now to the elements of the bill. The first means by which the bill provides for freedom of choice is by making amendments to the criteria for registration of an organisation. Section 218 currently provides for an organisation to satisfy a number of requirements in order to be granted registration. In particular, the current section 218 (1) (m) permits a new organisation to be registered only if there is no other industrial organisation to which the members might conveniently belong.

The amendments as agreed to in the other place change the criteria for registration, but only in the limited case of the two organisations, the Emergency Medical Services Protection Association and the Australian Salaried Medical Officers Federation, and only where these organisations make their applications within 12 months of assent to the legislation. For all other organisations the requirements will remain as they are currently expressed in section 218, except in one respect. The only amendment that has been made to the general criteria for registration is that in future any organisation seeking coverage of employees will also need to

satisfy the Industrial Registrar that the organisation is free from control by or improper influence of an employer or an employer association. This amendment is not limited to the two organisations to which the other amendments apply.

The amendment provides that if there is an existing organisation to which members of the applicant organisation might belong the existence of that other organisation will only prevent registration of the applicant if the existing organisation is one to which the members could more conveniently belong and is one that can more effectively represent those members. In the present case it is clear that neither the paramedics nor the junior doctors are of the view that their current union, the Health Services Union, is effectively representing them. Alternatively, a new organisation may be registered if the Industrial Registrar accepts an undertaking from the body that is appropriate to avoid demarcation disputes that could otherwise arise from an overlap of the membership rules of two organisations.

In circumstances where a registered organisation breaches a demarcation undertaking the proposed new section 244A provides an important safeguard. The amendment gives the Industrial Registrar the power to alter the rules of the organisation that gave the undertaking and remove the overlap and thus remove the power of the organisation to represent that particular class or group of employees. In addition to the above described requirements, in deciding whether to accept an application for registration the Industrial Registrar will also have to have regard to the resources and representative infrastructure of the applicant organisation.

Freedom of choice will also be enhanced by making amendments to the eligibility rule provisions in the Act. The proposed section 245 amendments are similar in nature to the criteria for registration amendments; that is, they are intended to provide paramedics and junior doctors with greater choice of representation. The proposed section 245 (3) amendments will mean that the Industrial Registrar must not consent to an alteration of the eligibility rules of an organisation where there is another organisation to which those persons could more conveniently belong and which would more effectively represent junior doctors and paramedics. However, as with the amendments dealing with the registration of a new organisation, the Industrial Registrar is given the discretion to accept an undertaking from the organisation seeking the rule change that it would avoid demarcation disputes that might arise from the overlap. The acceptance of such an undertaking can then be the basis of consent to the rule change.

The Industrial Registrar may refuse to consent to an alteration of rules if it would contravene an agreement or understanding to which the organisation is a party dealing with its right to represent a particular class or group of employees. However, it should be noted that the intention of this provision is not to permit existing agreements for exclusive coverage to thwart the broad purpose of this bill and act as an obstacle to overlapping coverage. It would be inconsistent with Parliament's intention in enacting this legislation for any such agreements made under the previous legislation to operate as an obstacle to a relevant rule alteration. I hasten to add that decisions about this issue will, of course, depend on the relevant facts and circumstances of each case and the exercise of the commission's discretion. Section 294 is to be amended by inserting a new subsection (3) that sets out the circumstances in which the commission can make a demarcation order. Such an order must not be made unless the commission is satisfied that the conduct, or threatened conduct, of an organisation, or an officer, employee or member of the organisation, is preventing, obstructing or restricting the performance of work or is likely to have that effect.

New subsection (4) provides that the commission will be required to have regard to a number of matters in considering whether to make a demarcation order. These include the wishes of the affected employees, the effect of any order on the operations of an employer, any agreement relating to industrial representation, the consequences of not making an order and any other order made by the commission in relation to another demarcation dispute applicable to the organisation that are relevant. These requirements are modelled on their equivalents in the fair work legislation, which, as noted earlier, have been operating effectively for some time. When significant changes to legislation such as this are made the Minister may intervene in the first relevant matter or matters with the purpose of assisting the commission in construing the purpose and intended operation of that legislation. I will consider doing so as and when such cases arise.

As originally introduced in the other place, this bill was designed to provide choice of representation for all employees in the workplace. As amended in the other place and now introduced in this place, the bill has a more limited effect. It provides such choice for paramedics and junior doctors only. In providing that extra degree of choice, competition between organisations could arise, but the Government is confident that the bill provides adequate safeguards to ensure that competition is not unrestrained and will not lead to damaging demarcation disputes between organisations. If there is to be competition between organisations, it must be

competition between organisations that are capable of representing their members, responding to their needs and delivering what they want. I understand that the Opposition will support the bill and I commend it to the House.

Mrs BARBARA PERRY (Auburn) [4.04 p.m.]: The Industrial Relations (Industrial Representation) Bill 2012 is designed to amend the Industrial Relations Act 1996 to enable industrial representation of the same classes or groups of employees or of bailees of contractors by one or more industrial organisation or association of contractors subject to safeguards relating to demarcation disputes. The Opposition recognised some problems when the bill was introduced on 6 March and it subsequently proposed two sets of amendments; one addressed the impact on the transport industry and the other dealt with protections. The Hon. Adam Searle called them "consumer protection provisions". Other amendments were moved by The Greens. We are now debating the bill as amended by the upper House, which the Opposition supports because the amendments improve it. Members of the Opposition in the other place spoke at length about the amendments during the second reading debate and expressed their concerns about the bill's impact on the transport industry.

Members on both sides of the House have received representations from the Transport Workers Union, Veolia and the Australian Road Transport Industrial Organisation, which is one of the leading transport industry groups, expressing strong objection to the changes that affected their industry. The Opposition moved amendments to prevent unnecessary complication and disruption in the transport industry. The industry's objections were put very succinctly by the Transport Workers Union in a letter sent to every member of Parliament. It indicated that its primary concern was that the legislation would make negotiations on every industrial instrument under chapter 6 untenable. The Australian Road Transport Industry Organisation also pointed out that the initial bill would have resulted in increased workplace disruption through the introduction of multiple union workplaces, increased competition and disputes between unions. It could also have led to protracted and complex objection applications for the registration of drivers' and carriers' associations.

This legislation is being rushed through the Parliament; it was certainly rushed through the upper House. Despite the Government's views about industrial issues—and they are well known—it should have consulted the relevant stakeholders. It clearly did not. Why did that not happen? Regardless of its ideology, a responsible government consults all stakeholders, and that includes unions. We are painfully aware of the Government's attitude to industrial matters in this State, but surely equity and fairness for workers is above politics. Governments have a responsibility to talk to all industry stakeholders and clearly that did not happen on this occasion. In fact, the bill was introduced in the other place on 6 March and debate was resumed only last week. Nevertheless, the Opposition is pleased that the Government has accepted the amendments moved in the other place.

The Opposition was concerned to ensure that yellow dog unions were not established. As the Hon. Adam Searle stated, the original bill did not include a provision similar to that in the Fair Work (Registered Organisations) Act 2009 ensuring that the representative union or association of employees is free from control or improper influence of an employer or an organisation of employers. What happened in the other place is on the record and I do not need to examine the amendments in detail. The Opposition's amendments also dealt with the structure of applicant organisations. Those amendments, which were referred to as the "consumer protection provisions", dealt with concerns raised about new entrants and new unions and criteria that the registry must consider, including the resources and representative infrastructure of the applicant organisation.

In fairness, the Opposition believes that this is a much-improved piece of legislation. At the heart of everything this Government does, including industrial relations, it is about saying that advocacy is not important and cost-cutting is much more important. That is very different to being creative with well thought out policy that recognises that the States are meant to be in the business of service delivery. As a Liberal member—some Liberal member, who was not named—said to Sean Nichols and Anna Patty for their article on education cuts on 15 September, "It's hard to turn this into an education policy when it is, in fact, budgetary policy". This Government has taken heed of the initial haste with which this legislation was introduced and has conceded that these amendments make it a better piece of legislation for workers in this State. The Opposition continually sees a need to educate this Government on so-called policy-on-the-hop, which is what happens all the time. The real world really requires the Government to look at the implications of what it is doing, whether it is in education, the foster care allowance or industrial relations legislation. I commend the bill as amended in the Legislative Council to all members of this Chamber.

Mrs JILLIAN SKINNER (North Shore—Minister for Health, and Minister for Medical Research) [4.11 p.m.]: I support the Industrial Relations Amendment (Industrial Representation) Bill 2012. I advise the

member for Auburn that this bill was not introduced with haste by the Minister for Finance and Services, the Hon. Greg Pearce, in the Legislative Council on 6 March; it was introduced after much discussion in the community and negotiation with stakeholders, including workers. I am sure the member for Auburn would hope that we did consult with those workers. As the Minister said at the time, the legislation was introduced as a result of claims by some members of the New South Wales workforce that they felt they were being denied a proper voice by their industrial representation by the Health Services Union.

I am astonished that the member for Auburn is defending the Health Services Union, particularly its representation of junior doctors and paramedics who are targeted by this bill. This bill will provide greater choice of industrial representation for junior doctors and paramedics in our public health system. The changes will allow the Australian Salaried Medical Officers' Federation to seek coverage of junior doctors in NSW Health. It will also allow the Emergency Medical Services Protection Association to progress its application for coverage of paramedics in the Ambulance Service. The legislation will provide the Industrial Relations Commission with discretion to alter an existing association's eligibility rules or register an association even when there are other registered associations to which relevant employees could conveniently belong, in order to deliver that choice for junior doctors and paramedics.

The suggestion of the member for Auburn that this legislation does not provide choice or uphold the wishes of people in the workforce in New South Wales is simply wrong. This Government consulted far and wide with these valued members of the health workforce. This choice of industrial representation has previously been unavailable as the Industrial Relations Commission granted registration only if there was no other registered organisation to which employees could conveniently belong. The legislation is the result of representations and consultation with stakeholders seeking the opportunity to provide greater choice of industrial representation.

When I was shadow Minister for Health for many years, before I became the Minister for Health, I had many meetings with junior doctors—doctors in training as they are sometimes known—and paramedics who pleaded with me to support this kind of choice for those members of the workforce. They formed the Emergency Medical Services Protection Association because they were disillusioned by their representation by the Health Services Union. I am astonished that the Opposition has delayed the passage of this legislation by six months and denied those valued members of the health workforce the opportunity to have their choice of union representation. I am pleased that this legislation has gone through the Legislative Council. I note that the Australian Medical Association, which thought it had a deal with the Labor Party about amendments some months ago, was betrayed. When this Government said it would support the amendments the Labor Party backed off on the amendments that it had promised.

There has been an inordinate delay, which has prevented this freedom of choice for far too long. I am pleased that on 13 September, the day after this bill passed through the Legislative Council, Dr Tony Sara, Chief Executive Officer of the Australian Salaried Medical Officers' Federation, Dr Kathryn Austin, Chair of the Doctors-in-Training Committee, Dr Michael Steiner, immediate past President of the Australian Medical Association and Ms Fiona Davies, Chief Executive Officer of the Australian Medical Association were in my office to celebrate the passage of this legislation despite its inordinate delay. On 13 September 2012 the press release of the Australian Medical Association stated:

AMA (NSW) is very grateful to the O'Farrell Government for introducing and passing legislation allowing junior doctors and paramedics a choice of union.

The legislation, which last night passed the Upper House, gives them an escape from the neglect and exploitation of the Health Services Union.

"Junior doctors and paramedics through the State will be very grateful to the Government for passing this legislation," AMA (NSW) President, A/Prof Brian Owler, said.

"This is something AMA (NSW) has been campaigning on for a long time and our junior doctors will be very grateful that they will be able to choose an effective industrial advocate after languishing in the iron grip of the HSU for decades.

"Both junior doctors and paramedics have needed much better representation than what they have received but up until now they have been unable to vote with their feet.

None of this would have been possible without the work of AMA (NSW) staff and representations; my predecessor and direct past president, Dr Michael Steiner; NSW Premier Barry O'Farrell; Health Minister, Jillian Skinner; and Minister for Finance and Services, Greg Pearce," A/Prof Owler said.

That press release was issued at the tail end of many press releases and commentary by not only the Australian Medical Association but also by paramedics through the Emergency Medical Services Protection Association,

members of which rallied outside this Parliament in June. They called for this legislation that had been stuck in the Legislative Council to be passed. Mr Wayne Flint, Vice-President of the Emergency Medical Services Protection Association said:

Freedom of choice give us a voice is the slogan we have chosen for this march because when it comes to industrial representation we don't have either ...

The HSU has long been an ineffective union for both junior doctors and paramedics but the law says it's the only union for us ...

What paramedics and junior doctors really need is industry-specific representation which the HSU could never hope to provide, even if wasn't embroiled in a scandal ...

On 13 March the Australian Medical Association Doctors-in-Training Committee Chair Dr Kathryn Austin said:

The current furore surrounding HSU East is only serving to distract it from the hugely varied needs of the many professions it represents.

Junior doctors and paramedics would be better served by unions specific to their needs that aren't distracted by unfavourable media attention.

The amendment the Government has put before parliament will free both paramedics and junior doctors from the monopoly of the HSU and have great flow on effects for patients.

Hear, hear to Dr Kathryn Austin, to the Emergency Medical Services Protection Association and to all those who have worked so hard to support the Government, particularly the Hon. Greg Pearce and the Minister for Industrial Relations who spoke about this legislation a short while ago. I strongly support this legislation; I always have. I condemn the Labor Party for delaying the passage of this legislation and for denying junior doctors and paramedics the opportunity for freedom of choice for far too long.

Mr MIKE BAIRD (Manly—Treasurer, and Minister for Industrial Relations) [4.19 p.m.], in reply: I thank all members for their contribution to this debate. In particular, I note the comments of the member for Auburn in her shadow ministerial capacity. I refute the comments of the member for Auburn that cost-cutting is more important in relation to this bill. The O'Farrell-Stoner Government is interested in this State living within its means. With a sustainable budget the Government has the capacity to look after communities and the services for those most vulnerable. In response to the member's comments, I argue that there is a strong link between the two. The bill was originally envisaged and introduced by the Government to provide wider choice for employees about the organisation to best represent his or her workplace interests. It is worth summarising again this wider application, which is difficult to argue against. How can one be against the principle of providing choice to employees as to what industrial organisation he or she might join?

Those on this side of the House are proud to support the option of choice rather than to be dictated to about which union one must join and why. The bill was also intended to harmonise the relevant provisions of the legislation with the corresponding Federal provisions, which have been in place for a considerable time. The Government was not successful in that regard. Those in the other place have seen fit to amend the bill to make it more narrowly focused and thus dilute its original aims. The bill focuses on two specific organisations: the Emergency Medical Services Protection Association and the Australian Salaried Medical Officers Federation. Those two organisations will, for a 12-month period from the date of assent of the bill, be able to apply for overlapping coverage with the Health Services Union—the organisation that currently has the right to represent those relevant employees.

In recent times the employees concerned—namely, junior doctors and paramedics—have made clear their dissatisfaction with the service provided by the Health Services Union, but they have been unable to effectively remedy the situation. The bill will change that and, depending on the action those organisations take in the Industrial Relations Commission, will finally provide a real choice of representation to junior doctors and paramedics. The Government's intention was to provide similar opportunities and choices for all New South Wales employees. Such opportunities and choices have been available in the various Federal systems that have existed since 1996 without any major difficulties. While the bill does not go as far as I have articulated, it does deliver the right outcomes for at least two groups of employees that have been rightly demanding change for a long time. That is something the Government wholeheartedly supports, and 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 returned to the Legislative Council without amendment.

CRIME COMMISSION BILL 2012

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [4.23 p.m.]: I move:

That this bill be now read a second time.

When this Government was in opposition, we committed that if elected we would ensure that an independent inquiry into the Crime Commission was conducted. We did as we promised. I am pleased to deliver my second reading speech on the Crime Commission Bill 2012. This bill does two things: it implements the recommendations of the Patten report and it re-enacts the New South Wales Crime Commission Act 1985, making the legislation modern and up-to-date. Following the sentencing of the former Assistant Director of the Crime Commission, the Government established the Special Commission of Inquiry into the New South Wales Crime Commission. David Patten was appointed to conduct the inquiry. Mr Patten was the Deputy President of the Administrative Decisions Tribunal. He had also been an acting judge of the Supreme Court and a judge of the District Court. I thank Mr Patten and his team for his rigorous, well thought out and hard work in this inquiry. The Patten inquiry examined the structure, procedures, accountability and oversight of the New South Wales Crime Commission.

The report of the Special Commission of Inquiry into the New South Wales Crime Commission by Mr David Patten was handed down on 30 November 2011. Mr Patten found that overall the New South Wales Crime Commission was performing its duties effectively and lawfully, and that it should continue to do so. Credit must be given to the men and women of the New South Wales Crime Commission who work tirelessly to catch the worst criminals Australia has to offer. Often the work they do goes unreported and is not publicly acknowledged. They work in the background, but they achieve phenomenal law enforcement outcomes for this community. However, the Crime Commission has been operating for more than 20 years without review and as a result of the inquiry Mr Patten made 57 recommendations to improve the structure, oversight, accountability, and powers and procedures of the Crime Commission. The Crime Commission Bill 2012 implements the vast majority of these recommendations and brings the legislation underpinning the Crime Commission into modern times.

The bill strengthens the accountability of the Crime Commission to limit corruption. This includes increased oversight and management of the Crime Commission, a stronger independent management committee, oversight by a parliamentary joint committee, scrutiny of an independent inspector and improved procedures relating to employment, management and human resources handling. I will explain these new initiatives in detail. The bill amends the Act to ensure that the management committee of the Crime Commission is more independent, transparent and effective. The management committee will consist of an independent chairperson appointed by the Minister, the Commissioner of Police, the chair of the Board of the Crime Commission, the commissioner and the Chief Executive Officer of the Ministry for Police and Emergency Services.

The primary function of the management committee is to refer matters to the Crime Commission for investigation, to make arrangements for task forces to assist the commission and to review and monitor the work of the commission. The management committee will also be able to require the internal audit and risk committee to provide it with reports. The management committee will play the integral role of gatekeeper for the commission. I turn now to the Office of the Inspector. The next level of oversight this bill adopts is the establishment of an Inspector of the Crime Commission. The role of the inspector will be to audit the operations of the commission to ensure compliance with the law, assess the effectiveness and appropriateness of its procedures, and deal with complaints of misconduct and conduct amounting to maladministration.

The inspector will be a completely independent person who will have the real time power to audit every facet of the commission's operations, to have immediate access to the commission's records and staff, to spend time at the commission's offices and to be an independent person with whom concerns and complaints about the

commission can be raised. The role of the inspector will complement the existing role of the Police Integrity Commission. However, investigations and preliminary investigations where no complaint has been received will not be able to be pursued by the Police Integrity Commission without the consent of the Crime Commission inspector. I should note that the bill was amended in the other House to give the inspector a right to make reasonable use of the services or staff or facilities of the Police Integrity Commission.

To be clear, the inspector already had this power under the bill as proposed. I refer members to clause 66 (2) (a) of the bill, which makes clear that the inspector may make use of any staff or facilities of any government agency. The Police Integrity Commission is a government agency. While I think the amendment was a matter of semantics, in this instance the Government was prepared not to oppose it. I am confident that the scrutiny of the Crime Commission by the inspector will ensure that any corruption is minimised and, if it does develop, is discovered quickly.

I turn to discussing the joint parliamentary committee. The top tier of accountability comes from the oversight of what is called the Committee on the Office of the Ombudsman and the Police Integrity Commission, which this bill names the Committee on the Office of the Ombudsman, the Police Integrity Commission and the Crime Commission. The role of the joint committee will be to have oversight of the commission and the inspector. The joint committee will not, however, be authorised to reconsider a decision of the Management Committee, litigation subject to the approval of a court under the Criminal Assets Recovery Act 1990 or operational decisions or procedures in relation to a particular reference or investigation. Instead, the joint committee provides high-level accountability to minimise the opportunity for corruption at all levels.

I turn now to the internal structures. Perhaps the more important oversight changes are those that will be occurring with the Crime Commission. Two full-time assistant commissioners will be appointed; one will be a retired or former judge of an Australian court or qualified for appointment to a superior court of Australia. The commission will also hold formal and minuted meetings to evaluate the relationships with all human sources at least every six months and review any payments to human sources. The commission will also put in place procedures for complaints made by legal practitioners and any complaints that are made against the commissioner. While these two changes are not legislative, they will further assist in the provision of the increased accountability of the Crime Commission. There will also be an increased requirement for transparency for all staff of the Crime Commission. All staff will need to obtain Commonwealth security clearances.

The Commonwealth security clearances will be a rigorous vetting process of the commission's staff. This is an important step to ensuring that only the most trustworthy applicants are able to be employed by the commission. In addition, all new staff will be required to provide a full employment history, which will be verified. Perhaps most importantly, all staff will be required to disclose personal particulars and financial information. This information will need to be verified and updated when there is a significant change in circumstances. I say that perhaps this is one of the most important reforms as it is thought that one of the reasons a former senior officer of the Crime Commission committed the crime he did was due to financial difficulties he had as a result of a gambling habit. These amendments would allow such problems to be quickly identified. All recruitment will be done on the basis of selection on merit and policies developed for managing unsatisfactory performance.

I turn to considering the removal of ordinary police powers. At the heart of the Crime Commission's criminal investigatory work is the work that it does pursuant to references from the management committee. Currently the Crime Commission Act provides that the management committee is not to refer a matter to the commission for investigation unless it is satisfied that ordinary police methods of investigation into the matter are unlikely to be effective. This requirement emphasised what police could not do rather than what the commission could do in the public interest. Many of the powers and techniques of the Crime Commission are currently used in situations where methods that are now, in a modern law enforcement agency, considered ordinary police methods. The major exception is the commission's power to compel witnesses to attend hearings and answer questions. However, the great majority of the commission's investigations do not make use of this power.

The Crime Commission often works in conjunction with the NSW Police Force as it is the most effective investigative approach, rather than because the methods used by police have failed or are unlikely to succeed. This bill adopts a new approach. It takes a positive formulation of the commission's capacity, rather than a negative formulation of the capacity of the Police Force. This bill amends the Crime Commission Act to provide that the management committee may refer a serious crime concern to the Crime Commission for

investigation and removes the ordinary police method requirement. Patten considered amending the Crime Commission Act to provide that the management committee may refer a serious crime concern to the Crime Commission for investigation, but on balance was not persuaded.

However, the Government's view is that allowing the management committee to make references on the basis of a serious crime concern will enable the Crime Commission's expertise to be effectively used for the best interests of the community. The bill, therefore, amends the Crime Commission Act to allow references on the basis of a serious crime concern but also provides accountabilities and limitations to the broader reference power. A "serious crime concern" is defined to include any circumstances implying, or any allegations, that relevant offences of a particular type or class are being, and are likely to continue to be, committed in an organised, systemic or sustained way so as to have, or be likely to have, a significant impact on the community, or to involve, or be likely to involve, substantial proceeds of criminal activity.

Further, the bill amends the Crime Commission Act to prevent the management committee from referring matters relating to a relevant criminal activity or a serious crime concern to the commission for investigation unless it is satisfied that the use of the commission's functions may be necessary to fully investigate the relevant criminal activity or serious crime concern; the investigation of the relevant criminal activity or serious crime concern by the commission is in the public interest; and the relevant criminal activity or serious crime concern is sufficiently serious or prevalent to warrant its investigation by the commission. This formulation ensures that the Crime Commission's powers and expertise are able to be utilised through appropriate references from the independent management committee.

I turn now to the Criminal Assets Recovery Act. The Crime Commission does a significant amount of work under the Criminal Assets Recovery Act, confiscating up to \$20 million in criminal assets per year. However, there has been a recent decline in confiscation orders and this is directly related to the decision of the *New South Wales Crime Commission v Cook*, which required the court to examine evidence where the settlement involves legal expenses. If the principle of the Cook decision were extended to all confiscation settlement agreements, as recommended by Patten, this may result in a further reduction in annual confiscations. This legislation overcomes the Cook decision by clarifying the role of the court in issuing consent orders for confiscation under the Criminal Assets Recovery Act. It provides the court with the discretion to determine if it gives consideration to the matters it otherwise may have in making a consent order.

Particularly, the court has the discretion not to consider the matters contained in the section of the Criminal Assets Recovery Act that addresses restrictions on payment of legal expenses from restrained property. However, to ensure that Crime Commission settlements are held to high levels of accountability, as was the intention of the Patten report, additional safeguards for confiscated proceeds settlements have been introduced. The bill provides that the management committee may develop a binding set of guidelines detailing the steps required before a settlement is reached, including full justification for allocation of legal costs. In addition, the bill provides that the Criminal Assets Recovery Act be amended to require the Commissioner of the Crime Commission to certify to the Supreme Court, in respect of every application for confiscation orders by consent, that the guidelines have been adhered to.

Any proposal for settlement would therefore have to be approved by the commissioner. Confiscation of the proceeds of crime is a vital deterrent when dealing with organised crime. This bill will ensure that criminal assets are forfeited in an efficient and effective manner. I turn to the subject of drug trafficking. This bill also removes drug trafficking from the objects of the New South Wales Crime Commission Act 1985. However, drug trafficking will remain part of the objectives of the Crime Commission because it is part of organised and other serious crime, which will remain in the objects of the Crime Commission Act. The issue of the relevance of drug trafficking as an object of the Crime Commission Act was considered by Patten to be outside his terms of reference. However, Patten noted that should the Act be further amended in the future, consideration should be given to this point.

I add that when the commission was originally created, it was called the State Drug Crime Commission Act. It has always been envisaged that the Crime Commission's focus should be on serious and organised crime. Drug trafficking was the principal activity of organised crime; however organised crime is now becoming increasingly diverse. The 2011 Organised Crime Threat Assessment [OCTA] undertaken by the European Police Office [Europol] noted that, "Organised crime is changing and becoming increasingly diverse in its methods, group structures, and impact on society." The Organised Crime Threat Assessment highlights:

That criminal groups are increasingly multi-commodity and poly-criminal in their activities, gathering diverse portfolios of criminal business interests, improving their resilience at a time of economic austerity and strengthening their capability to identify and exploit new illicit markets.

The Australian criminal environment reflects these international experiences and the objects of the Act should allow for a flexible and responsive Crime Commission. The bill also modernises the Crime Commission Act, largely drawing from the structure of the Police Integrity Commission Act 1996. I am confident that our reforms get the balance right. These reforms will ensure that there is stringent accountability and oversight of the Crime Commission whilst enabling the Crime Commission to complete its work in an ethical, effective and efficient manner. I commend the Crime Commission Bill 2012 to the House.

Mr NATHAN REES (Toongabbie) [4.42 p.m.]: I lead for the Opposition in debate on the Crime Commission Bill 2012, which the Opposition will not be opposing. As the Attorney General outlined, the purpose of this bill is to re-enact the New South Wales Crime Commission Act 1985 which, in its initial form, was an outcome of the New South Wales drug offensive and initially was aimed at illicit drug trafficking, distribution and importation. Its remit has expanded since that time and this is a timely review, being the first review in 20 years. The bill amends the Criminal Assets Recovery Act 1990 to make consent orders effective for terms of agreement negotiated between the commission and persons whose interest in property is subject to a confiscation order under that Act, without being required to take into account the restrictions on payment of legal expenses set out in the Act.

The Act is widened to emphasise the commission's role in combating all organised and other serious crime and not simply the reduction of the incidence of illegal drug trafficking, as was its initial purpose. The functions of the commission will be expanded to cover relevant criminal activity in relation to any offence punishable by imprisonment for life or a term of three or more years, or a serious crime concern involving the committal of such offences on an organised, systemic or sustained basis. The commission is to be restructured as a statutory corporation with no members, all the functions of which will be exercisable by the Commissioner for the Crime Commission. Provision is made for the appointment of an Inspector of the New South Wales Crime Commission who will have similar powers of scrutiny of the commission and its officers as the Inspector of the Police Integrity Commission has with respect to that commission and its officers.

The management committee will consist of five, instead of four, members. It will include the chief executive officer of the Ministry for Police and Emergency Services instead of the Minister for Police. One of the members will be an independent chairperson who must be a former judge of the Supreme Court of a State or Territory or the Federal Court or a former justice of the High Court. The committee will be given powers to refer matters relating to serious crime concerns for investigation. The prohibition against the management committee referring a matter to the commission for investigation unless it is satisfied that ordinary police methods of investigation are unlikely to be effective will be removed and replaced. The new test will require the commissioner to consider whether the use of powers of the commission appears necessary to fully investigate the matter concerned, whether it is in the public interest for the commission to investigate the matter and whether the relevant criminal activity or serious crime concern is sufficiently serious or prevalent to warrant investigation. Explicit in this is that justice not only needs to be done but also needs to be seen to be done, and the provision makes that clear.

The management committee is required to review references on a regular basis and is given expanded powers to approve and set guidelines with respect to the exercise of functions by the commission, including guidelines and the negotiation of terms of consent orders. The principal functions of the commission will be to investigate matters relating to relevant criminal activity or a serious crime referred to the commission by the management committee; to assemble evidence that would be admissible in the prosecution of a person for a relevant offence arising out of any such matter and to furnish that evidence to the Director of Public Prosecutions; to furnish evidence obtained in the course of its investigations to the Attorney General or to the appropriate authority in the jurisdiction concerned; and to reinvestigate matters relating to any criminal activity that were the subject of a police inquiry and to furnish its findings to the committee, together with any recommendation as to the action the commission considers should be taken in relation to those findings.

A provision in the bill will provide investigatory technological and analytical services to such persons or bodies as the commission sees fit. Explicit in the bill is that approval of the management committee must be provided in order for the commission to work in cooperation with such persons or authorities of the Commonwealth, State or another State or Territory as the commission considers appropriate. In recent times we have seen any number of examples of organised crime operating across jurisdictional boundaries and that clearly is an improvement on the existing capacity of the Act. Explicit in clause 36 (5) is the capacity for a warrant to be issued under that clause that "authorises the arrest of the witness and his or her being promptly brought before the Commission and detained in a prison or elsewhere for that purpose until released by order of the Commissioner".

On the face of it, this is a pushing of the envelope. It is an open-ended expansion of an existing capacity to retain a witness for the purpose of questioning. I foreshadow that Opposition members—and I suspect Government members—will be keen to keep an eye on that. This clause must not be used as an open-ended invitation to lock up people without charge. The bill makes provision in clause 38 (1) for a witness who has been in that situation to seek a review by the Supreme Court. Clause 38 subclauses (1) and (2) state:

- (1) A witness who has not been released by the Commissioner under section 36 (5) or whose release under that subsection is subject to one or more conditions may apply to the Supreme Court for a review of the decision not to release or failure to release the witness or of the terms of one or more of those conditions.
- (2) The Supreme Court may affirm or set aside a decision by the Commissioner not to release the witness or any condition imposed by the Commissioner on the release of the witness.

Five years ago this amendment would have been countenanced by the Labor Government only as an anti-terrorism or national security measure. However, the Opposition recognises that organised crime has sought to spread its tentacles across every jurisdiction in Australia and understands the rationale and purpose behind the amendment. Notwithstanding that, the Opposition will maintain a close watch to ensure it is not abused. I note also that proposed section 40 makes specific mention of religious confessions. A person who is or was a member of the clergy of any church or religious denomination is entitled to refuse to divulge that a religious confession was made or the contents of a religious confession made to the person when a member of the clergy.

That proposed section does not apply if the communication involved in the religious confession was made for a criminal purpose. The new constitution of the management committee—an independent chairperson, the Commissioner of Police, the chair of the board of the Australian Crime Commission, the commissioner and chief executive of the Ministry for Police and Emergency Services—is an improvement on the existing structure. It will facilitate and enhance cross-agency and cross-border collaboration. As the Attorney General said, this Act has not been amended or reviewed for some 20 years. It is a timely review and the Opposition will not oppose it.

Dr GEOFF LEE (Parramatta) [4.50 p.m.]: I support the Crime Commission Bill 2012 and commend both the Minister for Police and Emergency Services, the Hon. Mike Gallacher, who introduced the bill in the other place and the Attorney General, the Hon. Greg Smith, for introducing the bill to this House. I also commend the member for Toongabbie and the Opposition for their support for the bill. I am sure both sides support the good work of the Crime Commission to date in tackling organised and serious crime, which as the member for Toongabbie alluded to has spread its tentacles far and wide throughout society. The New South Wales Crime Commission is a statutory corporation established in 1985 under the Crime Commission Act. It began life in 1986 following the appointment by the Governor of its first members. It has six members including the commissioner, who is appointed by the Governor, and any assistant commissioners who may be appointed.

The principal functions are to investigate matters relating to a relevant criminal activity referred to the commission by the management committee; to assemble evidence that would be admissible in the prosecution of a person for a relevant offence arising out of any such matters and to furnish any such evidence to the Director of Public Prosecutions. It has the ability to review a police inquiry, make reports on organised crime and make appropriate recommendations for changes to State laws as required. We propose to change those laws in this legislation. The management committee presently consists of the Minister for Police and Emergency Services, the Hon. Mike Gallacher, the Commissioner of Police, Mr Andrew Scipione, APM, the chairman of the board of the Australian Crime Commission and the Commissioner of the New South Wales Crime Commission. We propose to change that to a better and more independent structure.

The commission works closely with other government departments—it does not work in isolation—to carry out its duties and achieve its objectives. They include the NSW Police Force, the Australian Crime Commission, the Australian Federal Police, the Independent Commission Against Corruption, the Police Integrity Commission and other law enforcement agencies. The commission also has a close working relationship with its management committee, the Director of Public Prosecutions and other State and Commonwealth government agencies.

The Crime Commission has four objectives: The first is to identify high-level organised crime figures and their associates and to conduct effective criminal investigations with a view to apprehension of those persons. The second is to identify persons who have gained substantial financial benefit from criminal activities, to identify the benefits acquired and confiscate assets and return the proceeds to the Crown. This is an important power. It enables the Crime Commission to hit organised crime where it really hurts, by seizing the proceeds of

crime and inhibiting the growth of crime. The third corporate objective is to ensure that investigations are carried out utilising the most advanced technological facilities. The fourth corporate objective is to administer the New South Wales Crime Commission Act and the Criminal Assets Recovery Act effectively, while managing the organisation responsibly and equitably, and use public resources for maximum public benefit.

I think everyone would agree it is important for any government agency to act effectively and responsibly and to use public assets for public benefit. The bill addresses a pre-election commitment made by this side of the House to hold an inquiry—the Patten inquiry—into the New South Wales Crime Commission. The outcome of that inquiry was that the Crime Commission was found to perform its duties effectively and lawfully. I am sure credit must be given to the staff who are dedicated to catching some of the worst criminals in Australia. The Crime Commission Act has not been changed for some 20 years and this is an appropriate time to review not only the Act but also to look at the 57 recommendations from the Patten inquiry. The bill adopts the majority of those recommendations and seeks to modernise the legislation that underpins the NSW Crime Commission.

The new provisions include a change to the structure of the management committee to ensure it is more independent, transparent and effective. The main change will be to have an independent chairperson appointed by the Minister. The management committee will also include the Commissioner of Police, the chair of the board of the Crime Commission, and the commissioner and chief executive officer of the Ministry for Police and Emergency Services. The primary function of the management committee is to refer matters to the Crime Commission, as the Attorney General stated. The objectives of the management committee will be to refer matters for investigation, to make arrangements for task forces that need to be developed, to review the work of the commission and to ensure audit and risk conditions are properly managed.

There will be a second level of oversight through the establishment of the Inspector of the Crime Commission. This is another important step. The inspector will have access to real-time data to complete ongoing audits to ensure that the functions of the commission are carried out independently and fairly. It will complement the Police Integrity Commission and it is a great step forward in increasing the speed of investigation and decreasing the potential for corruption within the commission. The bill also creates a third level of oversight of the commission. It will be accountable for looking at the overall operation of the Crime Commission. This committee will be renamed the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission. It is an important final step in the oversight of the Crime Commission.

The bill also seeks to amend the Act to deal with procedures such as complaints by legal practitioners or complaints against the commissioner. It will provide a streamlined and clear process for doing that. Importantly, we will be able to examine the recruitment and selection to the commission of appropriate staff to ensure that we have the most trustworthy staff. It will ensure that we update information based on the specific characteristics of individuals to ensure that we have the right people. As the member for Toongabbie said, it is important not only for justice to be done but also for justice to be seen to be done. I acknowledge that Opposition members are prepared to support this bill, which was introduced as a result of the Patten inquiry. The bill will update legislation that underpins the Crime Commission and is a positive step forward for New South Wales.

Mr PAUL LYNCH (Liverpool) [5.00 p.m.]: I will refer to several aspects relating to the Crime Commission Bill 2012. As the member for Toongabbie said, the Opposition does not oppose the bill. I am particularly supportive of some aspects of the proposed legislation. The object of the bill is to repeal the current provisions of the New South Wales Crime Commission Act, to re-enact it in a modernised form and, in so doing, to implement certain recommendations of a report of a special commission of inquiry. The object of the bill also is to amend the Criminal Assets Recovery Act to overturn the Supreme Court decision of the *New South Wales Crime Commission v Cook* [2011] NSWSC 1348.

The genesis of this legislation is to be found in the conviction of Mark Standen of serious criminal behaviour. While serving as Assistant Commissioner of the Crime Commission, he was involved in serious criminal behaviour to finance an unsustainable lifestyle and a gambling habit and to provide money for himself. In retrospect, it is extraordinary that his behaviour had not attracted earlier attention and that Australian authorities had to be alerted to it by overseas agencies. That is relevant not just because of the prurient interest or because it generated so many headlines; it is relevant because it took an event of that magnitude to compel an inquiry into the Crime Commission. I have always been amazed at the level of bipartisan adulation visited on the Crime Commission. It took something of the enormity of the Standen affair to provoke an inquiry into the commission to fracture that adulation. The inquiry was not about the whole of the Standen affair; it was about much narrower issues that gave rise to this legislation.

The inquiry, which is known as the Patten inquiry, was named after its author David Patten. Mr Patten had been exposed to the Crime Commission in some of his previous work, including his inquiry into the conviction of Phuong Ngo. The Patten inquiry was established under special commissions of inquiry legislation and its report was handed down on 30 November 2011, but not all of it was publicly available. It strikes me as a comprehensive piece of work. It did not inquire more broadly into Standen and his activities, though I note at paragraph 225 the commission was allowed only a short time frame for the inquiry. I wish to mention several aspects of accountability of the commission dealt with in this bill. Jurisdiction of the Police Integrity Commission had previously been extended to the Crime Commission. This bill additionally creates a position of inspector of the New South Wales Crime Commission. At paragraph 265 the Patten inquiry notes:

The conduct of Mr Standen, the matters raised in the Project Rhodium Report, some aspects of the evidence which emerged during the public hearings in Operation Wirjana (even though no report has been made upon such evidence), information which I have gained in the discussions referred to earlier and the various submissions made at the inquiry persuade me that existing accountability mechanisms have indeed proved to be inadequate for such a complex and powerful agency as the Commission.

The report notes overwhelming, although not unanimous, support for the appointment of an inspector. Commissioner Patten notes that the examples of disputes between the Police Integrity Commission and its inspector in New South Wales and other issues in Queensland and Western Australia suggest that there can be problems with such arrangements. Much depends on the personalities of those involved. He recommends the establishment of the position of inspector, which I think is the correct conclusion. He recommends that the qualifications of the inspector be left open rather than prescribing that that position necessarily be filled by a senior lawyer.

The report has some interesting and useful commentary about the possible relationship between the Police Integrity Commission and the Crime Commission inspector—something that might be further explored in due course by a parliamentary committee. At paragraph 275 the report makes recommendations about amendments to the Police Integrity Commission Act, which leads to the issue of the oversight of the Crime Commission by a parliamentary committee. I welcome the implementation of this proposal—something that is unequivocally recommended by the Patten inquiry. At paragraph 279 the report states:

In my opinion particularly because of the nature of the extraordinary powers the Commission is entitled to exercise, both in the investigation of crime and in its function of recovering the proceeds of crime, some direct oversight by Parliament is particularly desirable.

The report noted near unanimous support for some form of direct parliamentary oversight among those to whom Commissioner Patten spoke. The report noted the opportunity for the annual report of the Crime Commission to be discussed by a parliamentary committee, which seemed to be particularly important in light of the decreasing detail over time in the commission's annual reports. It will be an independent body to which the Crime Commission inspector can report, just as the Independent Commission Against Corruption and Police Integrity Commission inspectors report to their committees. The recommendation provides for a similar committee jurisdiction as exists in the Independent Commission Against Corruption and the Police Integrity Commission. In short, there will be no involvement in or review of operational matters by the committee, which is exactly as it should be. The Patten report seems to suggest that the previous Crime Commissioner, Philip Bradley, argued against the institution of parliamentary oversight. Paragraph 280 of the report states:

Mr Bradley accepted that parliamentary oversight of the Commission would create a perception of greater transparency, but suggested that many State parliamentary committees were used to embarrass Ministers by examining public servants and that many members of such committees did not bring a lot of expertise to their roles.

I am not sure whether Mr Bradley has had a lot of experience before parliamentary committees. In November 2005 Mr Bradley appeared before the Committee on the Office of the Ombudsman and the Police Integrity Commission, which I chaired, which was inquiring into section 10 (5) of the Police Integrity Commission Act. At that committee hearing Mr Bradley answered questions that I asked about the parliamentary oversight of the Crime Commission. His view of parliamentary committees is probably jaundiced by the fact that he demanded at that time that photographs not be permitted to be taken of him, which was contrary to the committee's usual practice. The committee acceded to his request but received a formal written protest from the press gallery. When I asked Mr Bradley about the desirability of a parliamentary oversight committee for the Crime Commission he said:

Without any disrespect to oversight committees, you understand, I think we do pretty well without one. But I am very aware of the importance of perceptions in these areas and I think that respectable arguments could be made for both positions. I only wish that respectable arguments would be made, rather than some of the hysteria that I have been obliged to read.

He agreed that it would not be the end of the world if a parliamentary oversight committee were instituted for the Crime Commission. His position was slightly more balanced than one might have got from reading the Patten report. While his view was not the same as mine, he conceded arguments for both sides. Of course, since that evidence was given we have had the Standen affair. In light of that, it is hard to maintain that the Crime Commission was doing well. There was a fair bit of justifiable hysteria about Standen. Patten seems to recommend a standalone committee to oversee the Crime Commission, which is not what this bill does. However, the proposals in this bill are entirely reasonable and I suspect that they would pose no difficulties for Patten.

This bill institutes parliamentary oversight jurisdiction by giving oversight to an existing parliamentary committee. The Committee on the Office of the Ombudsman and the Police Integrity Commission will now be called the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission, which is entirely sensible. The committee historically has done some good and useful work, usually on a bipartisan basis, and generally was less susceptible to the broad criticisms that Bradley made of parliamentary committees. In recent times the committee has had added to its jurisdiction the Inspector General of Corrective Services and the Information and Privacy Commissioner. [*Extension of time agreed to.*]

It is only a minor point but at some stage it might be appropriate to have a broader, more generic title for the committee. The Patten report also recommended changes to employment procedures for the Crime Commission, which has been made glaringly necessary by the example of Standen. I again quote from former Commissioner Bradley's evidence to the parliamentary committee hearing to which I have previously referred. When I asked him about suitability checks on former police coming to work for the commission, he said:

Currently we have two former NSW police officers and two former Federal police officers working with us. Each of those was well known to me before they joined the commission, and in the case of all of them, were well known to other senior people within the organisation. I know it does not sound a particularly rigorous method of checking on suitability but I find it to be the most reliable.

History has established that that method was anything but reliable and it certainly was not rigorous. In his second reading speech in the other place the Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council said—and I think the attorney said in this Chamber—that there would be an increased requirement for transparency for all Crime Commission staff. Some of the measures referred to by the Minister do not appear to be in the bill and presumably will be administrative procedures that obviously will attract parliamentary committee interest. Another area of interest in this bill relates to the criminal assets recovery function of the Crime Commission and how much of those assets can be retained by alleged criminals. This area of commission activity has attracted considerable public and media interest and was the focus of what I regard as legitimate interest by the Police Integrity Commission.

One of the terms of reference for Patten was whether the Crime Commission was complying with the Criminal Assets Recovery Act and whether the terms of that Act continue to be appropriate. The report notes considerable controversy relating to the provision of money, out of property restrained, for reasonable living expenses and reasonable legal expenses. There are significant restrictions on the provisions for meeting reasonable legal expenses under section 16A of the Act. The commission's 2010-11 annual report records \$28,706,485 in realisable confiscation orders made since 1990. In a large proportion of cases, when agreement was reached between the commission and the putative criminals, consent orders were entered into, with the court merely receiving a copy of the agreement. As Commissioner Patten noted at paragraph 128, controversy arose over conflicts of interest. He stated:

There is thus a danger that a negotiated settlement leading to the making of consent orders will give rise to the perception that the criminal aspects of the matter and the wealth of the suspected criminal have both been used as "bargaining chips" in the negotiation. There are suggestions that criminals have "bought" freedom to continue their criminal activities.

The report noted that such proceedings were perceived by some as a tax on organised crime. According to Patten, in the past financial year 98 out of 100 cases settled, thus, with consent orders and without the court's scrutiny. The commissioner noted at paragraph 132 some cases where the allowance for the legal costs of defendants appeared, on their face, excessive. He also noted consent orders providing for costs paid to the commission at the standard rate of 15 per cent of the value of the assets retained. The commissioner noted at paragraph 131 there was no statutory warrant for this practice, that it did not relate to actual costs and that it was possibly unlawful. The commissioner noted legal doubts over the procedure of consent orders.

Shortly before his report was completed, Justice Hall handed down his decision in *New South Wales Crime Commission v Cook*. This established that orders under section 10B (3) (h) could not be made by consent.

The court would have to satisfy itself as to the requirement contained in section 16A (1). The inquiry concluded that the Crime Commission had not been complying with the legislation. Patten concludes that the Crime Commission should retain its role under the Criminal Assets Recovery Act. There is an important extra recommendation at paragraph 148:

I do however recommend that the court have a more defined role and that the legislation be strengthened so that except with the approval of the court, there may not be any compromise or settlement of proceedings under the CAR Act.

In answer to concerns that this lengthens proceedings, legal expenses applications may well be able to be dealt with expeditiously by a solicitor's affidavit. Patten also recommended protocols and procedures for the commission to demonstrate the separation of its investigative role from its criminal assets recovery role. The bill explicitly rejects Patten on judicial oversight of recovery proceedings and explicitly overturns *New South Wales Crime Commission v Cook*. There is some irony in this, given Justice Hall's extensive pre-judicial experience in inquiry work, as counsel assisting, as inquirer and as a writer on the topics of inquiries.

The bill offers no real substantive justification for this except that it may "result in a further reduction in annual confiscations". In itself that strikes me as inadequate as a basis on which to reject a recommendation in a report that is otherwise adopted; that is, we will lose a bit of money. It has been a matter of controversy to date and I suspect that this bill will ensure that it continues to generate controversy. If there were criticisms that proceedings would be slowed down by implementing Patten's recommendation, there would be ways to deal with that. It is an aspect that will continue to produce controversy and we will be watching it with some considerable interest. Having said that, the Opposition does not oppose the bill.

Mrs ROZA SAGE (Blue Mountains) [5.14 p.m.]: I support the Crime Commission Bill 2012. The New South Wales Crime Commission in its current form is a statutory corporation established through the New South Wales Crime Commission Act 1985. The commission comprises one or more members, the commissioner and any number of assistant commissioners. The commissioner is appointed by the Governor, and the Governor, with the concurrence of the commissioner, appoints one or more assistant commissioners. The primary objective of the Crime Commission is to reduce the incidence of illegal drug trafficking and organised and other crime.

The commission has several functions: It can investigate matters relating to a relevant criminal activity referred to it by the management committee; it can collect evidence permissible in the prosecution of a person for a relevant offence arising out of such matters and to provide that evidence to the Director of Public Prosecutions; it can review a police inquiry into matters relating to any criminal activity that has been referred by the management committee and provide its findings to the committee with any recommendations as to the actions the commission should take regarding these findings; it can provide reports on illegal drug trafficking and other organised crime and recommend changes to the legislation; and it can provide investigatory, technological and analytical expertise to persons or bodies as the commission sees fit.

The Crime Commission management committee comprises four members, including the Minister for Police and Emergency Services, the Police Commissioner, the Chairman of the Board of the Australian Crime Commission and the Commissioner of the New South Wales Crime Commission. Their role is primarily to refer matters to the commission for investigation, to refer for review police matters related to criminal activities, to arrange for police task forces to assist the commission to carry out investigations, generally to monitor the work of the commission and to give approvals for the dissemination of intelligence and information to entities the commission thinks appropriate. That is the situation at present.

It has been more than 20 years since the commission has been reviewed and much has changed in policing in the ensuing years. Of course, this all came to a head with the high-profile arrest and sentencing of the former Assistant Director of the Crime Commission, Mark Standen. The Government commissioned an inquiry into the commission by former Judge David Patten, and the vast majority of his 57 recommendations are incorporated in this bill. The bill updates and modernises the legislation, making it more consistent with the Police Integrity Commission Act 2005. The Patten inquiry examined the structure, procedures, accountability and oversight of the New South Wales Crime Commission.

This bill will strengthen the commission's accountability in limiting corruption. Some of the accountability measures include oversight by the parliamentary Joint Committee on the Office of the Ombudsman and Police Integrity Commission, the creation of the Office of the Inspector of the New South Wales Crime Commission, the appointment of an independent chair of the management committee in place of the Minister for Police and Emergency Services and various internal audit and anti-corruption measures. I will deal briefly with some of those oversight measures.

The bill ensures that the management committee is more transparent, independent and effective. It is appropriate that the Minister for Police and Emergency Services is at arm's length from decisions relating to law enforcement and operations targeting offenders. As such, this bill provides that the chairman of the management committee must be independent of government and appointed on merit with relevant qualifications. That is a very sensible measure. The bill creates an Inspector of the Crime Commission to provide another level of oversight. The inspector will audit the commission to ensure compliance with the law and assess the effectiveness of the complaints handling procedures. The inspector will receive complaints and concerns about the commission. He also will have access to the commission's records and staff in the face of any audit undertaken. This will ensure the commission's accountability. The inspector will be working in tandem with the Police Integrity Commission.

To expedite Crime Commission settlements and to ensure that settlements have a high degree of accountability, the bill requires the management committee to develop a binding set of guidelines for the commission detailing the steps required before a full settlement is reached. The Crimes Assets Recovery Act 1990 will thus be amended to require the commissioner to certify to the Supreme Court in relation to every application for confiscation order by consent that the guidelines have been adhered to. This amendment will decrease the time and costs involved in settling these matters so that the confiscation of the proceeds of crime will be a real and effective deterrent. It will also achieve an accountable settlement process that retains the efficiency of the civil scheme.

In regard to the commission's investigatory function, it is proposed that the New South Wales Crime Commission will be able to investigate a matter when it is in the public interest to do so. This will mean that the commission can use its resources in the most effective way possible. This bill will improve the governance and overall management of the Crime Commission and will ensure transparency and accountability in the processes it undertakes. As well as pulling the commission into our modern policing world, these measures will help to rebuild the reputation of excellence that the recent events have tarnished. I commend the bill to the House.

Mr NICK LALICH (Cabramatta) [5.20 p.m.]: I will make a brief contribution to the Crime Commission Bill 2012. The purpose of this bill is to re-enact the New South Wales Crime Commission Act 1985 to implement certain recommendations of the Special Commission of Inquiry into the New South Wales Crime Commission and for other purposes. For the past 27 years the New South Wales Crime Commission has led the fight against organised crime, serious crime and criminal organisations. The Crime Commission, which was established pursuant to the Crime Commission Act 1985 by then Labor Premier the Hon. Neville Wran, came into being after a number of royal commissions—including the Woodward royal commission, which was held from 1977 to 1979, and the Costigan royal commission, which was held from 1980 to 1984—into criminal activities that are usually linked with organised crime.

The Crime Commission has two primary objectives: first, to reduce drug trafficking; and, secondly, to reduce the incidence of organised crime. The commission also has five principal functions, which are: to investigate matters relating to a relevant criminal activity referred to the commission by the management committee for investigation; to assemble evidence that would be admissible in the prosecution of a person for a relevant offence arising out of any such matters and to furnish any such evidence to the Director of Public Prosecutions; to review a police inquiry into matters relating to any criminal activity referred for review to the commission by the management committee, and to furnish its findings to the Committee together with any recommendation as to action the commission considers should be taken in relation to those findings; to furnish in accordance with the New South Wales Crime Commission Act 1985 reports relating to illegal drug trafficking and organised and other crime which include, where appropriate, recommendations for changes in the laws of the State; and to disseminate investigatory, technological and analytical expertise to such persons or bodies as the commission thinks fit.

As members know, the commission plays a very important role in the protection of this State against criminal enterprise. This legislation is a result of the Special Commission of Inquiry into the New South Wales Crime Commission, led by retired Supreme Court judge, Mr David Patten. The inquiry looked into the structure, accountability, oversight and procedures used by the commission. This bill has two objectives: it implements the recommendations of the Patten report; and it re-enacts the New South Wales Crime Commission Act 1985, making the legislation modern and up to date. It is worth noting in this Chamber that the Patten report found that overall the commission was undertaking its duties effectively. I join with the Minister for Police and Emergency Services in congratulating the hardworking men and women of the New South Wales Crime Commission who tirelessly work to break down criminal organisations and enterprise so that New South Wales is a safer place for all of us to live.

The Patten report made 57 recommendations that mainly related to structure, governance, oversight and procedure. The bill hopes to strengthen accountability for the New South Wales Crime Commission and by doing so eradicate future corruption by any rogue officers. The Government has suggested that the new structure of the management committee of the New South Wales Crime Commission will have greater independence. The members will consist of the Commissioner of Police, the Chief Executive Officer of Police and Emergency Services, the Chair of the Board of the Crime Commission and an independent member appointed by the Minister. The Government's rhetoric is that this position is independent and should not be a member of Parliament because of political persuasions. But when one realises that this "independent" member of the committee is directly appointed by the Minister, it is hard to see how it can be truly independent. The appointment will be the call of the government of the day, but to describe it as independent could be construed as misleading.

This bill also creates an Inspector of the Crime Commission to audit the operations of the commission, ensure compliance with the law and assess the effectiveness and appropriateness of its procedures in dealing with complaints of misconduct and conduct amounting to maladministration. In other parts, the bill creates procedures for legal complaints against the Commissioner of the Crime Commission and renames the existing Committee on the Office of the Ombudsman and the Police Integrity Commission to the Committee on the Office of the Ombudsman, the Police Integrity Commission and the Crime Commission. I conclude by saying that I applaud the consistent hard work of the men and women of the New South Wales Crime Commission. The eradication of organised crime is not an easy task and takes years of painstaking surveillance and other police work. On behalf of my community in Cabramatta and the people of New South Wales, I acknowledge and thank the Crime Commission staff for their hard work and sacrifice. The Opposition supports this bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [5.25 p.m.]: I will make a brief contribution to the Crimes Commission Bill 2012. The commission was formed well over 20 years ago. Following the arrest and prosecution of Mark Standen, a former Assistant Director of the New South Wales Crime Commission, a review of the Crime Commission was initiated in 2011. A commission review took place and the outcome was the Patten inquiry, which reviewed structure, procedures, accountability and oversight of the commission. The review made 57 recommendations to modernise the commission and limit corruption. In order to improve oversight of the commission, this bill amends the Act so that the management committee is made more independent and transparent by the election of an independent chairperson, who is not a member of Parliament. In this way, the commission will benefit from the independence of the chairperson, who will be selected because of his or her qualifications.

An Inspector of the Crime Commission will be established to audit the operations, thereby ensuring compliance with the law and the ongoing effectiveness and appropriateness of procedures. This independent inspector will have complete access and real-time power to audit every facet of the operations. As well, concerns regarding the commission may be raised with the inspector. A joint committee will be established to have oversight of the commission and the inspector. This committee, which will be known as the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission, will provide high-level accountability to minimise the opportunity for corruption at all levels. Two full-time assistant commissioners will be appointed. A six-monthly formal and minuted meeting will take place in order to evaluate payments to and relationships with human sources. Provisions will be made for legal practitioners to lodge complaints against the commission.

The provisions of this bill will increase the requirements of transparency for staff and Commonwealth security clearances will ensure that only the most trustworthy are employed by the commission. The bill removes the term "ordinary police method". Recognising the capacity of the NSW Police Force and the extent of this modern law enforcement agency, the bill aims to take a positive formulation of the commission's capacity rather than a negative formulation of the capacity of the Police Force. Therefore, the management committee may now refer a crime to the commission for investigation without the "ordinary police method" requirement. The bill limits the management committee's power to refer an issue to the commission unless it is satisfied that the commission's functions are entirely necessary, it is in the public's interest and it is serious enough to warrant investigation by the commission.

In order to remain flexible and responsive, in response to the changing face and environment of organised crime and criminal groups this bill removes drug trafficking from the objectives of the Crime Commission Act. However, drug trafficking will remain part of the commission's objectives because of its inherent role within organised and serious crime, which is the main focus of the commission. In ensuring

criminal assets are able to be forfeited in an efficient manner, this legislation clarifies the role of the court in issuing consent orders for confiscation under the Criminal Assets Recovery Act. For example, the court has discretion to not consider the matters contained in the section of the Criminal Assets Recovery Act that address restrictions on payment of legal expenses from restrained property. To maintain accountability, however, guidelines will be set out by the management committee and additional safeguards for confiscated proceeds settlements will be introduced.

Furthermore, this bill amends the Act so that the commissioner will be required to certify to the Supreme Court that these guidelines have been followed in respect of every application for confiscation by consent. Therefore, any proposal for settlement will have to be approved by the commissioner. The commission has done some great work and it has had hardworking and dedicated staff. Unfortunately, the Mark Standen issue brought that into question. The Patten inquiry was extensive; hopefully its report will help to improve the transparency and capability of the commission. It would be remiss of me not to applaud the hard work of previous commission staff and to thank them on behalf of the people of New South Wales. Members understand the complexity and the amount of work required to be done in an effort to tackle organised crime.

Recent statistics of the Bureau of Crime and Statistics and Research indicate that 15 of the 17 major offence categories have remained stable or fallen and the number of drive-by shootings remains stable. Operation Spartan is working in conjunction with Strike Force Kinnarra on the investigation and prevention of shootings, especially those related to outlaw motorcycle gangs. The law restricting the sale of ammunition and the strengthening of offences relating to drive-by shootings and the modernised gang crime consorting laws make it easier for police to break up criminal gangs. The Minister for Police and Emergency Services and his hardworking staff have contributed to these outcomes. The Coalition has delivered more anti-organised crime measures since coming to office than any previous Government. I also offer my thanks to the Commissioner of Police and the Attorney General for the part they have played in this legislation. I commend the bill to the House.

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

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [5.34 p.m.]: I move:

That standing and sessional orders be suspended to permit consideration on Wednesday 19 September 2012, during government business, of the first two General Business Notices of Motions (General Notices) listed on the *Business Paper* and ready to proceed.

Last week I indicated to members that this Thursday 20 September 2012 the House will be considering an apology to those who were subject to forced adoption practices. The consideration of that apology will occur on Thursday morning when the House usually deals with private members' notices of motions. The Government anticipates the time committed to that important task will be the equivalent of dealing with two General Business notices of motion. If members are confused about what is being proposed, last week the Government anticipated it would take up the time of one General Business notice of motion, but we have now determined that it is reasonable and appropriate to deal with two General Business notices of motion. I anticipate those motions will be General Business notices of motions No. 470 in the name of Mr Andrew Rohan and No. 471 in the name of Ms Sonia Hornery. The Government anticipates the House will deal with those General Business notices of motion at approximately 11.30 a.m. on Wednesday 19 September 2012.

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

Motion agreed to.

TRANSPORT ADMINISTRATION AMENDMENT (COMMUNITY ROAD SAFETY FUND) BILL 2012

Message received from the Legislative Council returning the bill without amendment.

CRIME COMMISSION BILL 2012**Second Reading****Debate resumed from an earlier hour.**

Mr GUY ZANGARI (Fairfield) [5.35 p.m.]: The Crimes Commission Bill 2012 introduces the recommendations of the Patten report, which looked into accountability issues in the New South Wales Crime Commission. The commission was originally created with the objective of reducing the incidence of illegal drug trafficking and incidences of organised crime in New South Wales. Mr David Patten conducted the inquiry, which analysed the statutory mandate of the New South Wales Crime Commission and its operational structure, accountability and oversight procedures to ensure that its undertakings and the actions of its officers were within the scope of its statutory mandate. Importantly, the Patten report, which was handed down on 30 November 2011, found no evidence of any staff member of the commission or their associates being involved in or having been involved in any criminal activity or serious acts of misconduct not already known to the commission.

In other words, the incident that sparked the inquiry was isolated and not systemic to the commission and the hardworking men and women who have dedicated their professional lives to making our community a better place in which to live. The inquiry found, in the words of the commissioner, "that the existing accountability mechanisms for the commission are inadequate". This legislation seeks to correct that inadequacy. The bill, according to the Hon. Michael Gallacher, the Minister responsible for it, implements the majority of the recommendations contained in the Patten report and aims to bring the current statutory framework underpinning the commission into modern times.

The Patten report recommended the following changes to the management committee of the Crime Commission: the Minister no longer be a member of the commission; an independent part-time chairperson and the permanent head of the Ministry for Police and Emergency Services be added as management committee members; the independent chairperson be a retired judge or former judge of an Australian court and that he or she be appointed for a relatively short fixed period, such as three years; and the management committee be given the power to obtain independent legal advice at the expense of the commission. Those recommendations from the Patten report are included in the bill.

The bill provides an updated outline of the powers and role of the management committee. According to the Minister, the primary function of the management committee is to refer matters to the Crime Commission for investigation, to make arrangements for task forces to assist the commission, and to review and monitor the work of the commission. This bill also seeks to establish the position of the Inspector of the Crime Commission. The office is intended to enhance the accountability and oversight protocols already in place. Section 62 of the bill outlines the principal functions of the inspector as follows:

- (a) to audit the operations of the Commission for the purpose of monitoring compliance with the law of the State,
- (b) to deal with ...complaints of abuse of power, impropriety and other forms of misconduct on the part of the Commission or officers of the Commission,
- (c) to deal with ... conduct amounting to maladministration (including, without limitation, delay in the conduct of investigations and unreasonable invasions of privacy) by the Commission or officers of the Commission, and
- (d) To assess the effectiveness and appropriateness of the procedures of the Commission relating to the legality or propriety of its activities.

Section 62 (2) gives the inspector the discretion to exercise functions at the request of the Minister in response to a complaint made to the inspector or in response to a reference by the relevant joint committee or agent of a government agency. In short, the inspector acts as an ombudsman over the activities of the New South Wales Crime Commission. This legislation also puts in place procedures to deal with complaints from established stakeholders relevant to the Crime Commission or allows for such procedures to be developed. It makes appropriate changes that are intended to address the issues raised by the court's decision in the *New South Wales Crime Commission v Cook*.

The bill affects the duties of the members of the Crime Commission under the Criminal Assets Recovery Act. Essentially, it seeks to create guidelines that officers will have to take into consideration when a settlement to a matter involves the payment of legal expenses, complemented by amendments to the Criminal Assets Recovery Act that require the Commissioner of the Crime Commission to certify to the Supreme Court

that the said guidelines have been met. Furthermore, the bill will remove drug trafficking as one of the objectives stated in the Crime Commission Act by ensuring that it remains one of the objects of the Crime Commission. I do not oppose the bill.

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

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Valedictory Speech

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [5.40 p.m.]: I move:

That standing and sessional orders be suspended to:

- (1) permit the interruption of the business before the House at 12.30 p.m. on Thursday 20 September 2012 for the giving of a valedictory speech by the member for Sydney; and
- (2) provide a time limit for the valedictory speech of 15 minutes with a five minute extension.

Last week I indicated to the House that the member for Sydney would be giving her valedictory speech on Thursday this week. I indicated also that the House will try to accommodate the member for Sydney with regard to the final speech she will present to the Parliament. I anticipate that the House will agree to the motion.

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

Motion agreed to.

CRIME COMMISSION BILL 2012

Second Reading

Debate resumed from an earlier hour.

Mr STEPHEN BROMHEAD (Myall Lakes) [5.41 p.m.]: I support the Crime Commission Bill 2012. The bill seeks to implement a number of the recommendations outlined in the Patten report and the re-enactment of the New South Wales Crime Commission Act 1985 to modernise the legislation. When in opposition, the current police Minister indicated that when in government he would seek to ensure that an independent inquiry into the Crime Commission was conducted. Following the sentencing of the former Assistant Director of the Crime Commission, the Government established the Special Commission of Inquiry into the New South Wales Crime Commission.

Mr David Patten was appointed to conduct the inquiry. Mr Patten was the Deputy President of the Administrative Decisions Tribunal and had worked as a judge in both the Supreme Court and the District Court. The Patten inquiry examined the structure, procedures, accountability and oversight of the New South Wales Crime Commission. The report of the Special Commission of Inquiry into the New South Wales Crime Commission by Mr David Patten was handed down on 30 November 2011. The Crime Commission had been operating for more than 20 years without review. That is interesting.

Mr Troy Grant: How long?

Mr STEPHEN BROMHEAD: It has been operating for 20 years without review. Guess what? The Labor Party was in government for 16 of those years. For 16 years Labor did not have its hands on the levers. It is another example of Labor's incompetence. Looking at the WorkCover debacle, the Chief Executive Officer of WorkCover, Greg McCarthy said, "Nobody in the Labor Government had their hands on the levers. Nobody was accountable. Nobody was doing anything. It was negligence." This is another example of Labor incompetence—a series of incompetent police Ministers, like so many other Ministers in the former Labor Government. We had 16 years of incompetence.

Mr Troy Grant: There were nine police Ministers.

Mr STEPHEN BROMHEAD: There were nine police Ministers in that time, and not one of them thought that there should be a review of the Crime Commission. Mr Patten made 57 recommendations about strengthening the accountability of the Crime Commission. If there had been a review, as there should have been during those 16 years, it would have looked at accountability systems and the like, and the Mark Standen situation may not have occurred if better accountability had been implemented. Members understand the problems with the Crime Commission. It has taken the current Commissioner of Police and the Government to introduce what the Labor Government should have done time and again prior to this in so many different government departments.

The bill adopts a number of the recommendations and in so doing seeks to strengthen the accountability of the Crime Commission to limit corruption. The bill includes increased oversight and management of the Crime Commission, a stronger independent management committee, oversight by a parliamentary joint committee, scrutiny of an independent inspector and improved procedures relating to employment, management and human resource handling. The bill implements the majority of the recommendations—only nine of the 57 recommendations are not adopted in full—as well as updates and modernises the legislation so that it is more consistent with the Police Integrity Commission Act 2005.

The bill implements significant accountability measures to provide oversight of the Crime Commission. These include oversight by the parliamentary joint Committee on the Office of the Ombudsman and the Police Integrity Commission, creation of the Office of the Inspector of the New South Wales Crime Commission, an independent chair of the management committee—a former judge in place of the police Minister—and various enhanced internal audit and anti-corruption measures. Currently, all settlements must be approved by consent orders issued by a Supreme Court judge. The case of *New South Wales Crime Commission v Cook* in 2011 found that the court is required to examine the evidence where the settlement involves legal expenses. The Patten report recommended that this principle be extended so that the Supreme Court must approve all settlement or compromise of proceedings under the Criminal Assets Recovery Act 1990.

Requiring the court to look behind all settlement agreements would increase the time and cost of obtaining an order under the Criminal Assets Recovery Act 1990, leading to fewer proceeds of crime being confiscated and being a less effective deterrent. Ensuring that Crime Commission settlements are held to high levels of accountability, the bill requires the Crime Commission's management committee to develop a binding set of guidelines for the commission detailing the steps required before a settlement is reached, including full justification for allocation of legal costs. The Criminal Assets Recovery Act will be amended to require the commissioner to certify to the Supreme Court for every application for confiscation orders by consent that the guidelines have been adhered to.

In addition, documentation setting out how the guidelines have been applied in each settlement matter under the Act must be retained by the New South Wales Crime Commission and be available to the Inspector of the New South Wales Crime Commission on request. This will achieve an accountable settlement process that still retains the efficiency of the civil scheme. The bill removes the threshold that matters can be referred to the Crime Commission only if ordinary police methods cannot be used. Given the advancement in police methods, this threshold is no longer useful. Instead, the New South Wales Crime Commission will be able to investigate a matter when it is in the public interest for it to do so, ensuring that the commission's resources are used in the most effective way.

The objects of the bill are to re-enact in modernised form the New South Wales Crime Commission Act 1985 so as to, first, implement certain recommendations contained in the report of the Special Commission of Inquiry into the New South Wales Crime Commission of 30 November 2011 in whole or in part and to make other modifications; secondly, to repeal the New South Wales Crime Commission Act; and, thirdly, to amend the Criminal Assets Recovery Act 1990, first, to overcome the decision in *New South Wales Crime Commission v Cook*, to which I referred earlier; secondly, to provide that such consent orders may not be made if the Commissioner for the New South Wales Crime Commission has certified that guidelines with respect to the negotiation of terms of agreements with respect to the making of consent orders set by the New South Wales Crime Commission management committee have been complied with; and, thirdly, to enable the Supreme Court to direct the New South Wales Trustee and Guardian to pay certain legal expenses incurred in respect of proceedings for the confiscation orders in stages.

In re-enacting the New South Wales Crime Commission Act, the bill makes a number of changes and additions to the provisions of that Act. I will go through some of the main changes. The object of the bill is to widen and to emphasise the commission's role in combating all organised and other serious crime and not

primarily the reduction of the incidence of illegal drug trafficking, as in the former New South Wales Crime Commission Act 1985. The functions of the commission are expanded to cover relevant criminal activity in relation to any offence punishable by imprisonment for life or a term of three or more years, or for a serious crime involving the committal of such offences on an organised, systematic or sustained basis. The commission is restructured as a statutory corporation with no members, all the functions of which are exercisable by the Commissioner of the New South Wales Crime Commission.

A person may be appointed as a commissioner only if he or she has special legal qualifications as defined in the bill. Provision is made for the appointment of two or more full- or part-time assistant commissioners, at least one of whom must have such special legal qualifications. Provision is made for the appointment of the Inspector of the Crime Commission, who will have similar powers of scrutiny of the commission and its officers as does the Inspector of the Police Integrity Commission with respect to that commission and its officers. The joint committee, known as the Committee on the Office of the Ombudsman and Police Integrity Commission, is to be renamed the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission.

That joint committee will have the power to veto the appointments of the commissioner and the inspector, and the power to oversight the exercise of functions by the commissioner, the inspector and the management committee. The management committee will consist of five, instead of four members. One member will be the Chief Executive Officer of the Ministry for Police and Emergency Services instead of the Minister for Police and Emergency Services, and another will be an independent chairperson who must be a former judge of the Supreme Court of the State or Territory or the Federal Court, or a former justice of the High Court. The management committee is given the power to refer matters relating to serious crime concerns as defined in the bill to the commission for investigation.

The prohibition of the New South Wales Crime Commission Act against the management committee referring a matter to the commission for investigation unless it is satisfied that ordinary police methods of investigation are unlikely to be effective is removed and replaced with a new test requiring the commission to consider whether use of the powers of the commission appear necessary to fully investigate the matter concerned, whether it is in the public interest for the commission to investigate the matter and whether the relevant criminal activity or serious crime concerned is sufficiently serious or prevalent to warrant investigation. This is an excellent piece of legislation. It is something that those opposite should have introduced during their 16 years in office; that they did not do so is another example of their incompetence. They were paralysed and unable to accomplish anything. I commend the Crime Commission Bill 2012 to the House.

Mr RICHARD TORBAY (Northern Tablelands) [5.51 p.m.]: I support the Crime Commission Bill 2012 and I commend the Minister on its introduction. In 2011, following the sentencing of the former Assistant Director of the Crime Commission—Mr Mark Standen—the Government honoured a pre-election commitment and commissioned an inquiry into the affairs of the New South Wales Crime Commission. The Crime Commission had been in operation for more than 20 years without review. There was no doubt that the inquiry was needed to instil confidence in the community and that it was overdue. Retired Supreme Court Justice David Patten, Commissioner of the Special Commission of Inquiry into the New South Wales Crime Commission, handed down his report on 30 November 2011 in which he detailed 57 recommendations suggesting extensive changes to the New South Wales Crime Commission, including to its governance structure, internal auditing, anti-corruption measures and oversight. All but nine of those recommendations are implemented in this bill.

The bill implements accountability measures to provide oversight of the Crime Commission, including: oversight by the Parliamentary Joint Committee on the Office of the Ombudsman and Police Integrity Commission; creation of the Office of the Inspector of the New South Wales Crime Commission [OINCC]; and an independent chair of the management committee—a former judge—in place of the Minister for Police and Emergency Services. This bill also removes the old threshold that matters can be referred to the Crime Commission only if ordinary police methods cannot be used. Instead, the Crime Commission will be able to investigate a matter when it is in the public interest to do so. Another key reform is that commission staff are to be subject to a Commonwealth security clearance. Opposition and crossbench members with whom I have spoken are supportive of the bill. The Legislation Review Committee has raised concerns in relation to restricting a person's choice in legal representation, self-incrimination issues and other matters. There has been media interest in the non-adoption of a key recommendation concerning more oversight powers in settlements.

The Patten report recommended that the Supreme Court approve all settlement or compromise of proceedings under the Criminal Assets Recovery Act 1990. The Government decided that the requirement to

look behind all settlement agreements would increase the time and cost of obtaining an order under the Criminal Assets Recovery Act 1990, and would therefore lead to fewer proceeds of crime being confiscated—a less effective deterrent. This bill requires that the Crime Commission's management committee produce a binding set of guidelines to ensure Crime Commission settlements are held to high levels of accountability. The Greens proposed six amendments, of which one was agreed to. That amendment gives the inspector the right to make reasonable use of the services of the staff or facilities of the Police Integrity Commission. I welcome these reforms by the Government. They seek to strengthen the accountability of the New South Wales Crime Commission, which has been disgraced by a number of scandals in recent years. I commend the Crime Commission Bill 2012 to the House.

Mr TONY ISSA (Granville) [5.56 p.m.]: I support the Crime Commission Bill 2012. Recent shootings in my electorate of Granville have highlighted the urgency for the Government to introduce measures to deal with crime more effectively on all levels. The Crime Commission Bill 2012 ushers in an era of transparency and makes sweeping reforms to the operation of the Crimes Commission. The bill implements a vast majority of recommendations made by an inquiry led by the Deputy President of the Administrative Decisions Tribunal, Mr David Patten. It increases oversight and management of the Crime Commission by providing a stronger, more independent and transparent management committee that monitors misconduct risks and employees' relationships with informants.

A parliamentary joint committee will now have oversight of the commission and a new independent integrity inspector will oversee the commission. The inspector will audit the operations of the commission to ensure compliance, which will complement the role of the Police Integrity Commission. This will minimise corruption. The parliamentary joint committee will, in turn, have oversight of the commission and the inspector. These measures will provide a higher level of accountability and oversight and will make the commission more transparent and temper its power. Transparency provides an incentive for decision-makers to act in a spirit of compliance and to accept that there are consequences for decisions, and that those consequences will be in full view of committees and bodies that will hold them accountable to the public. The Government will not blind itself to the frailties that exist in the human character by ignoring that corruption is possible in its agencies and statutory bodies. As Charles Colton said:

No man is wise enough, nor good enough to be trusted with unlimited power.

I commend the Government for tackling head on the questions raised about the New South Wales Crime Commission after the sentencing of the former Assistant Director of the New South Wales Crime Commission last year. To further advance the goals of the commission, two full-time assistant commissioners will also be appointed. To ensure that only the most trustworthy of staff are employed, vigorous human resource checks will take place, including rigorous Commonwealth security clearances, verified full employment history checks, and the disclosure of personal particulars and financial information.

The independent management committee also will now be able to refer any of its serious crime concerns to the commission for investigation without impediment and without the need to satisfy the requirement that it do so unless it is satisfied by "ordinary police methods". It is a matter of public interest that the independent management committee be able to effectively make referrals on crimes that will significantly impact on the community, which highlights the New South Wales Government's zero tolerance for crime and absolute commitment to reduce crime. To prevent the power being used for anything other than the public interest, referral can only be made when the committee is satisfied that the use of the commission's functions may be necessary to fully investigate the relevant criminal activity or serious crime concern and that it is of such a serious and prevalent nature as to warrant investigation.

The community was pleased to hear that the Crime Commission itself was not immune to investigation over the past few years. The New South Wales Government heeded the call of the people that action be taken and is responding to that duty with this bill. It is a responsibility that we do not feel we can afford to ignore and hence is why the measures introduced in the Crime Commission Bill are necessary. No agency should be untouched by modernisation and evolution, especially law enforcement agencies. The economic and social health and vibrancy of our community depend on support for efforts to increase oversight, accountability and transparency in our crime-fighting agencies. I commend the bill to the House.

Mr GLENN BROOKES (East Hills) [6.01 p.m.]: The community is understandably concerned about serious crime in New South Wales. The community understandably wants to see those people who commit serious crimes caught and locked up. Understandably, the community has an expectation that this Government

will do all within its power to fight organised crime and to get illegal drugs off our streets. The objective of the Crime Commission Bill 2012 is to allow for a flexible and responsive Crime Commission that has a modern focus and will deliver a service that meets the community's expectations regarding organised crime. The Crime Commission was established by an Act of the New South Wales Parliament in 1985 and commenced operation in 1986. Some of the more important actions of the Crime Commission are to investigate relevant crime activity, to gather evidence that can be used by the Director of Public Prosecutions to put people on trial for an offence, and to make recommendations for changes to the State law relating to illegal drug trafficking as well as organised and other crimes.

As the objectives of the commission are to reduce the rate of illegal drug trafficking and to reduce the level of organised and other crime it is alarming that the Crime Commission has been operating for more than 20 years without review. Given that unacceptable situation, this Government has made good on its commitment given before 2011 and has conducted an independent inquiry into the Crime Commission. As a result of that special inquiry, 57 recommendations have been made to improve the structure, oversight, accountability, powers and procedures of the Crime Commission. Those 57 recommendations represent long-overdue changes and through the Crime Commission Bill 2012 the vast majority of the recommendations will be implemented. The bill also will bring the Crime Commission into modern times while at the same time strengthening its accountability to limit corruption.

The Government is committed to protecting the welfare of its citizens but that objective can only be fulfilled if the organisations created to provide that protection are independent, transparent and effective. For that reason, it is correct that the Hon. Mike Gallacher, Minister for Police and Emergency Services has taken steps to ensure that the chairperson of the management committee of the Crime Commission is independent of government and cannot be an elected member of Parliament. Without doubt, the Minister made the right decision when he took steps to ensure that the Minister for Police could no longer be the chairperson of the management committee. However, to ensure that the best person is chosen for the job it is equally correct that the Minister for Police retains the right to select the chairperson of the management committee.

The Crime Commission Bill 2012 will establish the position of the Inspector of the Crime Commission. That position will be completely independent and have real-time powers to audit and assess the commission's records and staff. Additionally, with the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission providing top level accountability and oversight, the opportunity for corruption at all levels will be minimised. By increasing the accountability and transparency of the Crime Commission, the New South Wales Government is ensuring that only the most trustworthy people are able to be employed within that organisation. In so doing, the Government has also ensured that the Crime Commission's goal of catching criminals and getting illegal drugs off our streets is able to be more easily achieved.

As I have already stated, the objective of the Crime Commission Bill 2012 is to allow for a flexible and responsive Crime Commission that has a modern focus and will deliver a service that meets the community expectations of reducing organised crime and getting illegal drugs off our streets. The Hon. Michael Gallacher, Minister for Police and Emergency Services, is to be commended for making good on a commitment he gave to ensure that an independent inquiry into the Crime Commission was conducted. The Minister also is to be commended for introducing this bill and providing a framework that will allow the hardworking men and women of the New South Wales Crime Commission to catch Australia's worst criminals. I am happy to commend this bill to the House.

Mr MARK SPEAKMAN (Cronulla) [6.08 p.m.]: I support the Crime Commission Bill 2012. The bill implements the recommendations of the Patten report and re-enacts and modernises the New South Wales Crime Commission Act 1985. After the sentencing of a former Assistant Director of the Crime Commission, the New South Wales Government established the Special Commission of Inquiry into the New South Wales Crime Commission. The report of that special commission by Mr David Patten was handed down in November 2011. He found that overall the New South Wales Crime Commission was performing its duties effectively and lawfully, and that it should continue to do so. But the Crime Commission is now more than 20 years old and has never been reviewed systematically.

Mr Patten made 57 recommendations to improve the structure, oversight, accountability, powers and procedures of the Crime Commission. The Crime Commission Bill 2012 implements the vast majority of these recommendations. The bill strengthens the accountability of the Crime Commission to limit corruption. This includes increased oversight and management of the Crime Commission, a stronger independent management committee, oversight by a parliamentary joint committee, scrutiny of an independent inspector and improved

procedures relating to employment, management and human resources handling. I will go through each of the improved areas of oversight for the Crime Commission under this bill. The first is the management committee. The Crime Commission Bill will ensure that the management committee of the Crime Commission is more independent, transparent and effective than it is at the moment.

The management committee will consist of an independent chairman appointed by the Minister, the Commissioner of Police, the chair of the board of the Crime Commission, the commissioner and the chief executive officer of the Ministry for Police and Emergency Services. The management commission's primary role will be to refer matters to the Crime Commission for investigation, to make arrangements for task forces to assist the commission and to review and monitor the work of the commission. The Minister for Police and Emergency Services previously chaired the management committee of the Crime Commission. The chairperson of the management committee will now be independent of government, cannot be a member of Parliament and must be selected as chairman by the Minister of the day because of his or her qualifications.

The second improved oversight of the Crime Commission is the establishment of the Office of the Inspector of the Crime Commission. The inspector will audit the operations of the commission to ensure compliance with the law and assess the effectiveness and appropriateness of its procedures in dealing with complaints of misconduct and conduct amounting to maladministration. The inspector will have real-time power to audit the commission's operations, to have immediate access to the commission's records and staff, to spend time with the commission's officers, and to be an independent person with whom concerns and complaints about the commission can be raised. This role will complement that of the Police Integrity Commission, but investigations and preliminary investigations where no complaint has been received will not be able to be pursued by the Police Integrity Commission without the consent of the Crime Commission inspector.

The third level of oversight is that the top tier accountability will come from parliamentary oversight. The current Committee on the Office of the Ombudsman and Police Integrity Commission will be renamed the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission. The joint committee will have oversight of the commission and the inspector. The joint committee, however, will not be authorised to reconsider a decision of the management committee, litigation subject to the approval of the court under the Criminal Assets Recovery Act 1990, or operational decisions or procedures in relation to a particular reference or investigation. Instead, the joint committee will provide high-level accountability to minimise the opportunity for corruption at all levels.

The fourth level of oversight is that two full-time assistant commissioners will be appointed, one of whom will be a retired or former judge of an Australian court or qualified for appointment to a superior court of Australia. The commission also will hold formal and administrative meetings to evaluate the relationships with all human resources every six months and review payments to human resources. The core of the commission's criminal investigatory work is the work that it does under reference from the management committee. At the moment, the Crime Commission Act provides that the management committee is not to refer a matter to the commission for investigation unless the management committee is satisfied that ordinary police methods of investigation into the matter are unlikely to be effective.

This emphasises what police cannot do rather than what the commission can do in the public interest. Many of the powers and techniques of the Crime Commission are currently used in situations where methods are now in a modern law enforcement agency and considered to be ordinary police methods. The main exception is the commission's power to compel witnesses to attend hearings and to answer questions. Most of the commission's investigations do not make use of this power. The Crime Commission often works in conjunction with the NSW Police Force as it is the most effective investigative approach rather than because the methods used by police have failed or are unlikely to succeed.

The bill adopts a new approach. It takes a positive formulation of the commission's capacity rather than a negative formulation of the capacity of the NSW Police Force. The bill will amend the Crime Commission Act to provide that the management committee can refer a serious crime concern to the Crime Commission for investigation, thus removing the ordinary police method requirement. A serious crime concern is defined to include any circumstances implying or any allegations that relevant offences of a particular type or class are being or are likely to continue to be committed in an organised, systemic or sustained way so as to have or be likely to have a significant impact on the community or to involve or be likely to involve substantial proceeds of criminal activity.

The bill also will amend the Crime Commission Act to prevent the management committee referring matters relating to a relevant criminal activity or a serious crime concern to the Crime Commission for

investigation unless the management committee is satisfied that the use of the commission's functions may be necessary to fully investigate the criminal activity or serious crime concern, the investigation of the relevant activity or serious crime concern by the commission is in the public interest and the relevant crime committee or serious criminal activity or serious crime concern is sufficiently serious or prevalent to warrant its investigation by the commission. This formulation will ensure that the Crime Commission's powers and expertise can be utilised through appropriate references from the independent management committee.

The bill also removes drug trafficking from the objects of the Crime Commission Act, but drug trafficking will remain part of the objectives of the Crime Commission. That is because drug trafficking is part of organised crime and other serious crime and will remain in the objectives of the Crime Commission Act. It has always been envisaged that the Crime Commission's focus should be on serious and organised crime, and drug trafficking was the principal activity of organised crime, although organised crime is now becoming increasingly diverse. To summarise, the bill improves the procedures and management of the Crime Commission for more effective law enforcement and anticorruption measures and, importantly, introduces a number of oversights and safeguards to ensure that the Crime Commission adheres to its proper roles and procedures, and acts fairly and appropriately. It strikes an appropriate balance. I commend the bill to the House.

Mr JOHN SIDOTI (Drummoyne) [6.16 p.m.]: I support the Crimes Commission Bill 2012—important legislation that is the result of an exhaustive inquiry by Mr David Patten into the New South Wales Crime Commission. The inquiry examines the structure, procedures, accountability and oversight of the New South Wales Crime Commission. Mr Patten's report was handed down on 30 November last year. The New South Wales Crime Commission was established in 1985 as the State Drug Crime Commission. Former Commissioner Phillip Bradley was appointed commissioner in 1989. It is interesting to note that the Crime Commission had been operating for more than 30 years without review. This review was long overdue.

In drafting this legislation the Government adopted the vast majority of the 57 recommendations that resulted from the inquiry. One of the recommendations from that inquiry suggested that the commission's accountability mechanisms should be overhauled. The Government responded to those recommendations and this bill provides for a comprehensive strengthening of the accountability provisions in existing legislation. Last year a jury found the former assistant director of the New South Wales Crime Commission guilty of plotting to import millions of dollars worth of drugs into Australia. It was clear that he had used his position to help dodge Customs. It was not just Mark Standen that the courts found guilty; the trial brought into sharp focus serious questions about the commission and its accountability. Provisions are included in the proposed legislation to ensure that a management committee of the Crime Commission is more independent, more transparent and more effective.

Instead of trying to ignore the shortcomings of the Crime Commission on the very day that Mark Standen was found guilty, this Government announced a complete overhaul of the Act through the Standen inquiry. The bill strengthens the accountability of the Crime Commission to limit corruption and includes increased oversight and management of the Crime Commission, a stronger independent management committee, oversight by a parliamentary joint committee, scrutiny of an independent inspector and improved procedures relating to employment, management and human resource handling, which will now be set in law. Importantly, the management committee of the commission will consist of an independent chair appointed by the Minister for Police, the Commissioner of Police, and the commissioner and chief executive officer of the Ministry for Police and Emergency Services. When introducing the bill, the Minister for Police and Emergency Services stated categorically that the role of the management committee is to refer matters to the Crime Commission for investigation and to make arrangements for task forces to assist the commission and to review and monitor the work of the commission.

To highlight the impartiality of the management committee, the Minister for Police and Emergency Services chaired the committee. The Hon. Mike Gallacher believed—and I support him—that it was inappropriate for a member of Parliament to chair a committee that was expected to make in-depth law enforcement decisions relating to operations targeting offenders. As such, the bill proposes that the chair of the committee be independent of government and chosen by the Minister of the day based purely on qualifications and experience. The bill further provides for the next level of oversight to establish a position of Inspector of the Crime Commission. The inspector will play an important role in the administration of the commission and will have authority to audit the operations of the commission to ensure that it is complying with the law. That person will further deal with complaints of misconduct and will have access to records and staff to follow up those complaints.

The inspector's role will complement the role of the Police Integrity Commission. However, if no complaint has been received, the Police Integrity Commission will not have power to pursue it without the consent of the Inspector of the Crime Commission. I believe the bill has the potential to minimise the level of corruption we have witnessed. The establishment of a joint parliamentary committee will ensure oversight of the commission. It will provide a high level of accountability to minimise the opportunity for corruption at all levels. This bill amends the Crime Commission Act 1985 to provide that the management committee may refer a serious crime concern to the Crime Commission for investigation.

The Government supports allowing the management committee to make references on the basis of a serious crime concern to enable the Crime Commission to be used in the best interests of the community. One important facet of the legislation is that drug trafficking is removed from the objects of the Crime Commission Act. However, it will remain part of the objectives of the Crime Commission Act. This Government believes that drug trafficking is a key part of organised crime and that the Crime Commission must focus on serious and organised crime. Part of that commitment is a review of staff appointments and a stricter vetting process prior to appointment. New staff will be required to provide a full employment history.

All staff will need to obtain a Commonwealth security clearance and they also will be required to disclose personal particulars and financial information. It is essential that when a commission such as this is dealing with highly sensitive material its staff members are subjected to a thorough background check. The bill also contains provisions dealing with procedures for complaints lodged by legal practitioners because the Government believes that they will improve the commission's accountability requirements. I congratulate the Minister for Police and Emergency Services and the Attorney General on this legislation and I believe the changes will ensure that confidence is restored in the commission. I commend the bill to the House.

Mr JOHN FLOWERS (Rockdale) [6.24 p.m.]: It is my pleasure to join my colleagues in supporting the Crime Commission Bill 2012. In particular, it is important to acknowledge the Minister for Police and Emergency Services in the other place and the Attorney General for their commitment to this legislation and for a strengthened and accountable Crime Commission. By way of background, on 30 November last year former Judge David Patten handed down his report on the Crime Commission following the sentencing of a former Assistant Director of the Crime Commission. As the Minister for Police and Emergency Services said, the Patten inquiry examined the structure, procedures, accountability and oversight of the commission. Each of the 57 recommendations in the report is designed to improve the overall management and good governance of the commission. It is without doubt something that all members would acknowledge as an important aim of the inquiry.

The Crime Commission Bill 2012 implements the majority of the report's recommendations and it modernises the legislation so that it is more consistent with the Police Integrity Commission Act 2005. I will deal with the New South Wales Crime Commission management committee, which is outlined in the bill. The management committee will consist of five members: an independent chairperson appointed by the Minister, noting that this person will be selected because of his or her qualifications and will not be a member of Parliament; the Commissioner of Police; the chair of the board of the Australian Crime Commission; and the commissioner and the chief executive officer of the Ministry for Police and Emergency Services.

The bill outlines the management committee's principal functions as follows: to refer matters relating to relevant criminal activities to the commission for investigation; to refer matters relating to serious crime concerns to the commission for investigation; to refer to the commission for reinvestigation police inquiries into matters relating to any criminal activities; to deal with complaints of abuse of power, impropriety and other forms of misconduct on the part of the commission or officers of the commission; to deal with conduct amounting to maladministration by the commission or officers of the commission; and to assess the effectiveness and appropriateness of the procedures of the commission relating to the legality or propriety of its activities.

The parliamentary joint committee will minimise the opportunity for corruption to take place. The bill includes the functions of the joint committee, which include: to monitor and review the exercise by the commission, the management committee and the inspector of their functions; to report to both Houses of Parliament with such comments as it thinks fit on any matter appertaining to the commission, the management committee or the inspector or connected with the exercise of their functions to which, in the opinion of the joint committee, the attention of Parliament should be directed; to examine each annual and other report of the commission and of the inspector and to report to both Houses of Parliament on any matter appearing in or arising out of any such report; to inquire into any question in connection with its function that is referred to it by both Houses of Parliament and report to both Houses on that question.

As is evident, the joint parliamentary committee serves an important role and will be thorough in its work to ensure the highest level of accountability and transparency. It is also worth recognising that the commission will be more transparent than ever before with new requirements for staff. This will ensure that only the most trustworthy of staff are employed. One such measure is that staff will need a Commonwealth security clearance. Additionally, new staff will be required to provide their full employment history prior to being employed by the commission. Staff also will be required to disclose their personal particulars and financial information and to keep the commission informed of any changes to their circumstances. All these steps are necessary to deliver a fully transparent and accountable commission. The Crime Commission Bill 2012 ensures that the commission is a strong, modern and effective body. It will have well-defined functions and will be accountable and transparent. This Government is committed to fighting organised crime and a focused, reformed Crime Commission is necessary to achieve that end. I commend the bill to the House.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [6.30 p.m.], in reply: I thank all those members who made important contributions to debate on the Crimes Commission Bill 2012, including members representing the electorates of Toongabbie, Parramatta, Liverpool, Blue Mountains, Cabramatta, Tweed, Fairfield, Myall Lakes, Northern Tablelands, Granville, East Hills, Cronulla, Drummoyne and Rockdale. I understand that concern has been raised about the Minister for Police and Emergency Services no longer being chair of the management committee. There are arguments for and against having the Minister for Police and Emergency Services as a member and chair of the management committee. But obviously the government of the day has an interest in ensuring that such a powerful and important agency is using its powers and resources appropriately.

Some risk is attached to having a politician involved in decisions concerning law enforcement investigations. I am sure that all those Ministers who held those positions in the past behaved impeccably as chairs or members of the management committee. However, it became messy when the Standen allegations were made and ultimately charges were laid against him. It became difficult when political issues were raised in this House and questions were asked about whether a royal commission or special commission of inquiry be appointed or an investigation be conducted to establish whether Mr Standen had used information from which to profit criminally. It is appropriate for this Government to take a step back and to ensure oversight of the commission by people who are independent, impeccable and not part of the political process. Why take the risk of incurring allegations of improper involvement in sensitive investigations?

This Government believes—and Mr Patten agreed—that the Minister should be at arm's length from the workings of the Crime Commission and its management committee, and that an independent chair should be appointed from the retired judiciary. The Government will be represented on the management committee by a senior public servant—the chief executive officer of the Ministry for Police and Emergency Services. Over the years I worked in law enforcement as well as being a prosecutor. I worked with Bill Job, the first active chair of the Crime Commission, who later became a judge; Barry Thorley, a former judge; and Phillip Bradley, all of whom gave sterling service and were outstanding leaders.

Over the years the commission played a crucial part in law enforcement—in helping to solve crimes that were almost unsolvable. I recall that the commission played a vital role in an investigation into the murder of politician John Newman by Phuong Ngo, who is now serving a life sentence in Goulburn's Supermax prison. I am sure that with Sydney's terrible scourge of drive-by shootings the commission is playing, and will continue to play, an important role in using its compulsive powers to get people who are reluctant to speak to assist in its inquiries. I am confident that this bill gets the balance right between accountability and allowing the Crime Commission to get the job done. 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 Greg Smith agreed to:

That this bill be now read a third time.

Bill read a third time and returned to the Legislative Council without amendment.

BUDGET ESTIMATES AND RELATED PAPERS**Financial Year 2012-13****Debate resumed from 6 September 2012.**

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [6.35 p.m.]: As the member for Dubbo I take great pride in speaking in this budget take-note debate. I thank and congratulate the Premier and Cabinet on delivering a budget this year in testing and trying circumstances not of their own making but something that they inherited. The budget will set up this State, honour this Government's commitments and keep faith with those who voted for the Liberal-Nationals Coalition to serve them and return this State to prosperity. I will commence my contribution by taking the unusual step of quoting from the inaugural speech of an Opposition member, the member for Heffron, who said:

As Santayana said, "Those who cannot learn from history are doomed to repeat it." We on this side of the House know the past all too well. The people of New South Wales passed their judgment and that is why we now sit on this side of the Chamber. New governments always begin their term spending time throwing blame. In my view, it has now reached an age when that time has passed. There are huge issues to be addressed and that is what Government should be about: looking to the future, planning for the future and acting for the future.

The member for Heffron, who has been a member of this House for only a short while, described the course that the Treasurer, Premier and Cabinet set for this Government and this State to pursue. We are well aware that big issues have to be tackled and that the long-term strategic planning we undertake and the decisions that we make today across all government portfolios will place us in a better position for the future. The member for Heffron outlined exactly what this Government is doing but I differ from him in that Liberal-Nationals members made election commitments to deliver honest and transparent government. We said that we would consult with the community and take on the responsibility of delivering services for the people of New South Wales, which is not an easy task.

Government members outlined to their electorates the basis on which they had to make tough but necessary decisions. I have no doubt that over the past few weeks our commitments have been tested in the community. No member of this Government takes any pleasure from making tough decisions that impact on our communities, but we are aware of our responsibilities and what we were elected to do. We will not let our communities exist in a false utopia by funding unsustainable programs, projects and programs that fail in the future, which for far too long was the *modus operandi* of Opposition members. I am not blaming the former Labor Government for any of these failures; I am simply placing those facts on the record. This Government is tackling the hard issues of inefficiency and duplication as the community no longer wants to see waste in this State.

The Government is targeting and tackling waste. It has quarantined and protected front-line services because in the lead-up to the election the community said, "If you are elected to government we want you to protect and look after our police, nurses and teachers." We are doing that. The community also said, "If you are elected to government we want you to invest in infrastructure." In my electorate we had nine years of broken promises in relation to the delivery of hospitals. I note that the shadow Minister for Health is in the Chamber; he was the Parliamentary Secretary for Health at that time. My electorate has had a gutful of broken promises.

The people of this State want an honest government that will say, "This is our capacity and this is the way we are going. This is why we need to do it and this is how it will be done." Not every decision the Government makes will be popular or welcomed. The member for Heffron said that we must learn from the past, otherwise we are doomed to repeat it. Members on this side of the House have learnt from the past. We must communicate our capacity to deliver the reforms and services that the people of this State expect, demand and deserve. On winning office the O'Farrell Government faced the reality of a cook-the-books \$5.6 billion black hole, but it has stuck to its election commitments and delivered from day one.

The electorate of Dubbo is a great example. In question time today the Minister for Health spoke about the commencement of the Dubbo Base Hospital redevelopment, which was promised in the Government's first budget. For nine years the former Labor Government promised \$22 million in forward estimates but it never delivered. For years the Minister for Health and the Minister for Roads and Ports in the other place had fought hard for this to happen, and despite the tough economic situation it was delivered on day one by the O'Farrell Government. In a little under four weeks time the first sod will be turned on that site. The member for Mount

Druitt often chastises the Government and says, "You guys must be getting upset; no concrete is being laid." I invite the member for Mount Druitt to join me for a cup of tea at Dubbo and to witness the concrete being poured. He will then see what real government is about.

Real government is also about having the courage and the ticker—which was lacking in the Opposition for the 16 years it was in office—to make the tough decisions. Those opposite governed for themselves, not for the greater good. What I witnessed over the past 16 years and what the New South Wales community suffered in that time was nothing short of cowardice from those opposite. They did not make any decision that did not suit their political purpose. Regional New South Wales was abandoned and those charged with providing services across the State, such as the Department of Primary Industries, police and health professionals, had to do so with one hand tied behind their backs. Those bodies were set up to deliver services, but there was often duplication between departments. Those in the field were screaming out for things to be done better. I know because I was one of them.

For years, as a human resources manager for police, I begged the former Government for more police resources in the regions. There was a funnelling effect caused by pork-barrelling, with front-line services going to Labor seats and not where they were needed. Three times my organisation gave those opposite the opportunity to embrace a workforce allocation model. The models would have assisted us to determine the pressure points and where to deploy the finite resources of policing. Did they ever adopt one of those models? No, they rejected them because the evidence showed that the resources should go to regional New South Wales, not to Labor seats. It is interesting to note that the member for Toongabbie, the shadow Minister for Police, has chastised the Government about the lack of police resources in western Sydney. The former Labor Government had the opportunity to address that issue. The workforce allocation model, the constables' allocation model and the police allocation model gave those opposite every opportunity to address it, but they never had the courage.

That is the platform that was left to this Government. I am not laying blame; I am making a statement of fact. The Ministers on this side of the House are courageous; they are making the tough but necessary decisions. The community is not surprised by our decisions because they were forecast in the Treasurer's Budget Speech, which we are now debating. The O'Farrell Government has stepped up to the plate. We understand that we will be criticised but we will not govern to address one issue or to satisfy one interest group. We will not be dictated to by the unions of this State. The O'Farrell Government is prepared to make long-term strategic plans, which have been thoroughly researched and widely consulted on, in the best interests of the economy of the whole State. In his inaugural speech the member for Heffron said:

On my election on 25 August 2012 I said, and I restate for the benefit of the House, that there are a number of issues that concern the electors of Heffron. Whether it is gridlock in the road system, the inefficiencies of public transport, the quality of maintenance in public housing, the quality of law enforcement, cost of living, availability of car parking—all those issues can be grouped together as quality of life and the need to improve it. That is where people are coming from. I said then, and I say again, that people are looking to their elected representatives to care, and to care about their quality of life. People do not believe politicians have a magic wand. People do not, as a prerequisite, even want to agree with the government of the day. What they want is leadership. They want to be inspired. They want genuine hope for the future. I see my role in this place as working towards these aims and aspirations.

That short paragraph shows more ticker and leadership from the member for Heffron than that shown by the Leader of the Opposition in 20 months in this House. The O'Farrell Government has inherited the issues of concern mentioned by the member for Heffron and they are represented across the State. They are the same issues of concern in the electorates of Port Stephens, Myall Lakes, Clarence, Mulgoa, Bathurst and Monaro; they are same issues of concern everywhere. The Government cannot say that everything is fine and we live in utopia. But we will move forward from this endless, unsustainable mechanism. The Government has ongoing challenges to meet. If we do not acknowledge that, we are only fooling ourselves—and the Government is not in the business of fooling itself. The O'Farrell Government is here to govern.

Over the next two years the Government will continue the fabulous work that the Premier, the Deputy Premier, the Treasurer and the Cabinet have undertaken to make New South Wales number one again. The people of this State must remember that it is not in the interests of all to support our actions. Some want to demean every decision the Government makes. We have already heard rampant ravings from those with special interests. The Government already has been vindicated on many of its decisions. The unions, who have been scaremongering on various issues, have been proved wrong time and again. The Government has the opportunity to continue to engage with communities, particularly in regional New South Wales. That type of engagement has not occurred before.

The Government has the opportunity to deliver services in a most efficient and effective manner. No longer will there be a duplication of services. The State has one wallet and the fractured Federal Government is

sucking money out of that wallet. The State also has to meet the demands of local government and the demands imposed by the former Labor Government over the past 16 years to fulfil a false utopian vision of government programs. I will inform the House of some of the commitments that were made in the lead-up to the election that have been honoured in my electorate, for which I thank the Government. Funding of \$31.5 million has been provided for local roads, including the Mitchell Highway, as well as \$1.4 million for improved traffic flow and the removal of the notorious black spot at Ballimore. An amount of \$400,000 has been allocated for road widening and repairs on Main Road 347 from the Bogan River to Trangie Road and \$500,000 for the realignment of the Newell Highway at Trewilga.

Some \$800,000 has been allocated for pavement rebuilding on the highway north of Forbes. The Minister, the Hon. Duncan Gay, should be congratulated. With the cooperation of Parkes Shire Council, he has come good and provided funding to finish sealing Tony McGrane Way. In this budget \$700,000 has been allocated, and \$700,000 was allocated in the previous budget. This is a classic example of the Government getting on with the job. Tony McGrane Way, which is named after one of my predecessors, the late Tony McGrane, a former member for Dubbo, links Narromine to Tullamore. The road has been sealed. However, for some reason the Labor Government sealed all but seven kilometres of the road. The unsealed seven kilometres is not at the start of the road or exactly in the middle; it is simply seven kilometres of unsealed road three-quarters of the way down the road in two separate pieces. I do not understand it.

People in those communities and the road users, including grain trucks, travelling caravaners and the like, have a perfect opportunity to reduce the traffic volume on the Newell Highway by using this road, but they will not use it if it is only partially sealed. For the life of me I cannot understand why a government would seal 96 kilometres of a road and leave seven kilometres unsealed. What was the Labor Government thinking? Where was the long-term strategic planning in that nonsense? It is disgraceful to do that to a road that is named in honour of a former member of this House. But the problem is being rectified. The sealing of the road will be completed by December, and the people in that community are grateful to Minister Gay for that.

I turn now to infrastructure. North Dubbo's struggling stormwater infrastructure will get \$1.5 million from the Government's Local Infrastructure Renewal Scheme. The councils in my electorate were yahooping and celebrating because the Government devolved responsibilities to local government without any support from the State Government to help invest in infrastructure. The Minister for Local Government, and Minister for the North Coast has delivered for my electorate through the budget, and I thank him on behalf of the communities of Dubbo and Parkes, which are both beneficiaries of that wonderful project. The Government has provided \$16,500 for a flood mitigation project for Cookamidgera, which has a population of about 22. For 15 years the community of Cookamidgera has been regularly washed away because of a deviation in the river caused by a deluge of rain and floodwaters. For 15 years they asked for \$15,000 to fix the problem so that the community would not be washed away. For 15 years they could not get \$15,000 out of the Labor Government.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Dubbo does not require any encouragement from Government members.

Mr TROY GRANT: The Government and the Premier could not leave the situation as it was. So they provided the funding and the problem is no longer an issue. The people of Cookamidgera no longer live in fear that their community will be washed away. In the past whenever it rained it cost the council and residents hundreds of thousands of dollars to repair the damage. What were the members opposite thinking for 16 years? They were not thinking because they did not care about regional New South Wales. [*Extension of time agreed to.*]

I turn now to Police and Emergency Services. The budget provides an allocation of \$178 million to employ additional police as part of the Government's commitment to increase authorised police numbers by 400 by June 2014. As I alluded to earlier, I was a human resources manager for the NSW Police for five years. We could not get a cracker out of the Labor Government. Each time police resources were allocated they were sent where they did not need to go. They could have been combating organised crime in western Sydney but they were never sent there because that was not politically convenient for members opposite. A new police station for Parkes was an unfilled promise, but it will now become a reality. Members opposite promised funding for the Parkes police station, which was terrific, but they offered only half of it. What good is half a police station to anyone?

The Hon. Michael Gallacher has delivered; the sod has been turned. For the benefit of the member for Mount Druitt, wherever he is—he is probably somewhere with a nanny wrap-around amendment and a cold cup

of tea—more concrete is being laid in Parkes. I invite the member for Mount Druitt to visit Parkes. I will shout him a cup of tea and show him what real government and delivery of infrastructure is about. I turn now to tourism. I thank the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts for his investment in the Dubbo electorate through the budget. Taronga Western Plains Zoo, which is an iconic, wonderful, world-leading conservation and tourist attraction in Dubbo—we are blessed to have it located in Dubbo—will use part of the \$6.4 million for construction and restoration projects within the zoo. The zoo is expanding its capacity for tourist accommodation inside the zoo to give them an experience that is unheard of outside Africa. It is a wonderful initiative.

Another initiative is the assistance provided by Destination NSW in terms of a wonderful new strategic plan. Destination NSW is a long-term thinking organisation, an arm of government that can think about the needs of communities. The Inland Film Festival was launched in Dubbo a couple of weeks ago. That was never heard of in the days of Labor. The Labor Government would not think of holding the premiere of an Australian film in Dubbo and that it would be embraced by the people of Dubbo. P. J. Hogan, the renowned director of movies such as *Muriel's Wedding*, launched his latest movie, *Mental*, in Dubbo. In my humble opinion I think *Mental* will go straight on the Australian film classics list. It is as good as, if not better than, the *Castle*. The red carpet was rolled out and more than 400 people attended the film premiere in a 450-seat capacity venue. The first 50 seats were not filled because they were too close to the screen; otherwise the venue would have been full.

That is the sort of investment, strategy and thinking required by government which was absent for too long. Regional New South Wales and the people of the Dubbo electorate paid the price for too long. It is not good enough. It will change. We will do more. We need to do more. We know we have to do more but we can only do what we are capable of doing. We will make decisions in full consultation, with the best interests and long-term planning of this State at heart. We do not want to make tough decisions, but we have the courage to do so. Members opposite showed nothing but cowardice. They should hang their heads in shame because they left a difficult legacy and the Coalition and the people of regional New South Wales have to pick up the pieces.

We will pick up those pieces and in time people will look back on the decisions of the Premier and his team as being real game changers for this State. I have every confidence in the Treasurer, who has laid out a plan. To use his language, we need to take bitter medicine now for our long-term health. He has mapped out a plan so that we can maintain our triple-A credit rating and still invest in critical infrastructure in our communities, which was ignored for so long. We have an opportunity to reform the way the State Government delivers services, whether it be in policing or other services. We have had the Parsons report and the ministerial audit of police resources and we now have opportunities to do things better in policing.

I turn now to Health. The Minister for Health has put in place local health districts making local decisions. In Local Schools, Local Decisions, the Minister for Education has the courage to let schools make decisions. He trusts them. We trust our communities. We trust people to make the decisions that impact and affect them the most, and they now have the capacity to do so. We have reinstated the 110 kilometres an hour speed limit on the Newell Highway. I thank the Minister for Roads and Ports for that. That stopped about 40 phone calls a day coming into my office. I appreciate that commitment, which was well received. I turn to Primary Industries. As promised, we have had the Ryan review to look at the Livestock Health and Pest Authorities, bodies associated with the catchment management authorities, agriculture extension and the like.

We have opportunities across all government portfolios to do things better, more sustainably and in the long-term interests of this State. That is the Government's job. That is the job that the people of New South Wales gave us on 26 March. We are committed to that job and we will do it with courage and conviction. We will communicate, which did not happen under Labor. We will consult to ensure that everybody gets a say in important decisions that impact on them. The Long Term Transport Master Plan is another example. The plan is on exhibit to give people an opportunity to express their views to the Minister for Transport and the Minister for Roads and Ports. The Strategic Lands Policy is the first policy where any forethought has been given to vital strategic regional land use. The Government is now protecting our aquifers and assessing the agricultural impacts of any resource opportunities that may be available. The Minister for Resources and Energy is exploring, looking for opportunities in relation to uranium. The Government is not afraid to take those issues to the community and to engage in the necessary discussions.

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

PACIFIC HIGHWAY UPGRADE**Matter of Public Importance**

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [7.00 p.m.]: Once again I speak on the issue of funding for the Pacific Highway. Today I bring good news to the House, that is, that the Hon. Warren Truss and the Leader of the Opposition in Canberra have given a guarantee that the \$2.1 billion that has been put forward by the Labor Government in Canberra as the panacea for all transport ills between Parramatta and Epping—something that no-one in this Government or in that region really wants—will be transferred to the Pacific Highway upgrade when the Coalition wins government at the next Federal election. I am amazed at the comments that have been made by the member for Page, the Hon. Janelle Saffin, and the member for Lyne, the Hon. Robert Oakeshott since that announcement. Both are condemning the announcement. The Pacific Highway runs through their electorates.

There was yet another accident on that road today at Telegraph Point. I am unsure whether anyone was killed but people were injured in that accident. Yet again, another serious accident has occurred on the road, which has been labelled by people in my electorate as the "black ribbon of death". In May respondents to a survey by the NRMA identified the Pacific Highway as the worst road in New South Wales. That is especially so in the Urunga area where a young child was killed in January this year after a drunk driver ran into a heavy vehicle and forced that vehicle off the road and into a house where the 11-year-old boy was sleeping. We have had enough tragedy on the Pacific Highway. We ask for a cooperative arrangement and support from the Opposition for this announcement by the Hon. Warren Truss to transfer that \$2.1 billion to fund the Pacific Highway upgrade. We ask that the money be transferred now so that the funding starts flowing and the upgrade can be fast tracked. Janelle Saffin said in the media today—

Mr Stephen Bromhead: She is useless.

Mr ANDREW FRASER: As the member for Myall Lakes says, she is useless.

Mr Robert Furolo: Point of order: My point of order relates to reflections on another member.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Coffs Harbour has every right to reflect on members outside this Chamber and certainly on members from other parliaments. There is no point of order.

Mr ANDREW FRASER: I thank Lead Foot for his interjection. Janelle Saffin said that the Pacific Highway will not be completed until 2020. The truth finally comes out—from a government backbencher who is trying to retain her seat, yet refuses to support the Federal Coalition and the Coalition in New South Wales to apply that funding to the Pacific Highway. That \$2.1 billion is not needed or wanted by the people of Sydney. Then there was the hypocrisy of Mr Robert Oakeshott, the member for Lyne.

Mr Stephen Bromhead: Another useless member.

Mr ANDREW FRASER: Absolutely useless. The majority of the highway in his electorate was completed by a Coalition Government before he even thought about running for Parliament. Vast tracts of the four-lane road were completed by a Coalition Government when Wendy Machin was the member. Yet he says that we ought to have a congestion tax or toll. I ask him to tell us and the public where the congestion tax and tolls should be applied.

Mr Matt Kean: Hasn't he taxed us enough?

Mr ANDREW FRASER: As the member for Hornsby said, has he not taxed us enough? Mr Oakeshott put his hand up for the carbon tax, which will hurt country people like there is no tomorrow. Electricity prices are already going up because of the carbon tax. Mr Oakeshott wants to dictate from his green crossbench what we should be doing to save lives and stop people being maimed on the Pacific Highway. I challenge those opposite and the Federal Labor Government to support the announcement of the Federal Coalition to transfer this funding to the Pacific Highway upgrade.

Mr ROBERT FUROLO (Lakemba) [7.05 p.m.]: We all want the Pacific Highway to be completed as quickly as possible. It is disappointing to be discussing this issue once again. The power to finish the Pacific Highway upgrade and to deliver on the project that so many people have talked about for so long is in the hands

of those opposite. Before the election they promised to have this road constructed by 2016. Let me refer to the facts. There is no 80-20 funding agreement; there is not now, there was not before and there never has been. How do I know? Between 1996 and 2007, \$3.8 billion was spent on the Pacific Highway. Of that \$3.8 billion, \$1.3 billion was provided by the Federal Liberal—

Mr Andrew Fraser: Point of order. My point of order is that on Wednesday 23 May 2012, in a Senate Committee, there was an admission that the split, whilst those opposite were in government, was 80-20 and I can provide the document.

The SPEAKER: Order! That is a debating point. There is no point of order.

Mr ROBERT FUROLO: Between 1996 and 2007, \$1.3 billion was provided by the Federal Liberal Government for the Pacific Highway and \$2.5 billion was provided by the State Labor Government, a 33 per cent to 66 per cent split. The Kempsey bypass is a project that was 100 per cent funded by the Federal Labor Government. It is time to put an end to the lie about the 80-20 split because it is not true. The Liberal-Nationals promised to complete the Pacific Highway by 2016, but what have they done? They have talked, whinged and complained about it but they have not stumped up with the money. Once again we see an example of this Government saying one thing before the election and doing the opposite after the election.

The facts are that the Federal Labor Government has committed \$4.1 billion to upgrading the Pacific Highway. Let me compare and contrast that with the \$1.3 billion provided by John Howard during his time in office. In the short time the Federal Labor Government has been in power, \$4.1 billion has been spent on the Pacific Highway, with a further \$3.56 billion committed to the upgrade. How much money has this Government committed to the Pacific Highway since it took office? Not nearly enough and not enough to have the job completed by 2016. Of course, we have heard an announcement from Mr Warren Truss regarding the Federal Nationals commitment to the Pacific Highway upgrade and we all welcome any additional commitment of money to finish this road. But what does his commitment to redirect the funding from the Parramatta to Epping railway line mean? It means that between now and 2016 an extra \$67.9 million will be made available to upgrade the Pacific Highway. That works out at less than 1 per cent of the cost of finishing this road.

The member for Coffs Harbour talks about 80:20 and 50:50 splits, or whatever figures he wants to pull out of the air and claim as the new law. Mr Warren Truss, the Federal Nationals spokesman for infrastructure, has committed less than 1 per cent additional funding to the Pacific Highway. You call this a solution? You call this an answer? Government members should hang their heads in shame. I do not know whether to laugh or cry. They are here once again thumping the table about the Pacific Highway and crying tears about the Pacific Highway but when they have an opportunity to do something about it they squib it. They walked away. There is \$3.56 billion on the table today, here and now, available to spend on the Pacific Highway.

How much money have those opposite committed to this? This says to me that they have no money, no heart, no ticker and no commitment to this project. They are all words and no action. When members opposite were in opposition what did they say? They said, "Elect us and we will get the job done by 2016." Who was that? It was Andrew Stoner. Who is he? He is the Leader of The Nationals in New South Wales. He obviously has no power in this Government because he cannot get any money for this project. Those opposite are all words and no action. The Coalition said, "Only the NSW Liberals and Nationals are committed to completing the upgrade of the Pacific Highway by 2016." Apparently those words mean nothing. No-one believes them anymore— [*Time expired.*]

Mr CHRISTOPHER GULAPTIS (Clarence) [7.10 p.m.]: Mr Acting-Speaker—

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Coffs Harbour will come to order. I know the member has a history of taking these matters into his own hands but I ask him to remain silent.

Mr Robert Furolo: Point of order: The peanut gallery—

ACTING-SPEAKER (Mr Gareth Ward): Order! That is not a point of order. The member for Lakemba will not commence a point of order by offending other members of this House. The member for Lakemba will resume his seat.

Mr CHRISTOPHER GULAPTIS: I have just lost 30seconds of my time.

ACTING-SPEAKER (Mr Gareth Ward): Order! The Clerk will reset the clock.

Mr CHRISTOPHER GULAPTIS: Thank you, Mr Acting-Speaker. As the member for Clarence, I welcome the announcement last weekend by the Federal Coalition that it would divert funding from the Parramatta to Epping rail link towards completion of the Pacific Highway duplication. This is great news for Clarence because we are the last link in the duplication program and this funding commitment by the Federal Coalition puts us back on track. The communities of the North Coast can clearly differentiate between Labor and the Coalition at the upcoming Federal election. Yesterday in the Federal Parliament the member for Page, Janelle Saffin, asked a dorothy dixer about the Pacific Highway. She followed this up with a supplementary question:

Minister, you raised the Parramatta to Epping Rail Link in your answer. Can you please outline why it is important for the Government to also invest in our cities?

That is the difference between The Nationals and Labor, our first priority is to the regions. The sitting Labor member, Janelle Saffin, would rather defend the funding for the Parramatta to Epping rail link while Kevin Hogan, The Nationals candidate, paid his own way to Canberra to meet with the Federal Nationals to convince them to prioritise the funding for the Pacific Highway duplication. That is the sort of commitment you want from a local member.

ACTING-SPEAKER (Mr Gareth Ward): Order! I call the member for Lakemba to order.

Mr CHRISTOPHER GULAPTIS: In today's *Australian Financial Review* there is a story that says Janelle Saffin and three other Labor members of Parliament have tackled the Federal Treasurer about the Government's big spending policy announcements and cuts to the Federal public service. Guess what the concerns of the member for Page are? They are cuts to the foreign aid budget. I say to the member for Page: What about fighting for something in your electorate like the Pacific Highway instead of the Parramatta to Epping rail link and what about fighting for the Pacific Highway instead of foreign aid funding? Keep your eye on the ball because we are doing it tough right here in your backyard.

This will be the single biggest investment in the history of the seat of Clarence. We have more than 140 kilometres of highway duplication in our electorate. The cost of a second bridge at Harwood will be more than \$600 million alone. At a time when the region is doing it tough this is a very suitable time to inject some real stimulus funding into a real infrastructure project, not Labor's Building the Education Revolution rubbish. The announcement by the Federal Coalition of an additional \$2.1 billion towards the Pacific Highway duplication almost restores the funding to the 80:20 split that was in place when the New South Wales Coalition won government last year. This is a real win on a number of fronts—for motorists and for the transport industry, and a great boost for local jobs. This will result in a huge investment in Clarence.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [7.13 p.m.], in reply: Once again I am disappointed by the contribution of members opposite, especially the member for Lakemba. He advised us today that the \$2.1 billion promise from the Prime Minister, Julia Gillard, on the Parramatta to Epping rail link is now only \$67 million a year.

Mr Robert Furolo: Point of order: The \$67.9 million that I was referring to—

ACTING-SPEAKER (Mr Gareth Ward): Order! That is not a point of order. The member for Lakemba will resume his seat. I remind members that if they take a point of order it must relate to the standing orders and not be a debating point.

Mr ANDREW FRASER: The member has reminded us yet again with his inane interjection in the form of a point of order that \$67 million per year is the amount Julia Gillard has committed to the Parramatta to Epping rail link. That scares me because we were utilising the figure she put forward of \$2.1 billion. I am going to ring Warren Truss tomorrow to tell him he had better double-check it because I think Janelle Saffin is using the same figure. It is either yet another Labor lie on the basis of the \$67 million or it is a Labor lie about the \$2.1 billion. I do not know which it is. I remind the member for Lakemba that in the Senate committee on 23 May, these figures were put forward:

Urunga duplication, \$60 million project, Commonwealth contribution \$54 million, a 90-10 split; Bulahdelah bypass, \$315 million project, Commonwealth contribution \$303 million, 96-4 split; Ballina bypass, \$640 million project, Commonwealth contribution \$450 million, 70-30 split; Devil's Pulpit upgrade, \$77 million project, Commonwealth contribution \$62 million, 80-20 split.

It has been shown historically that the Federal Government has contributed to these road projects, whilst Labor was in power in New South Wales, on an 80:20 basis. All we are saying is that this is an important national highway, on which people have been killed at the rate of more than one a week on average over the past 10 years, and we want it fixed. The Federal Coalition is saying to the people of New South Wales it will take away the \$2.1 billion, if it is a true figure, and apply it to the Pacific Highway. I have always said the 2016 deadline is not attainable.

Mr Robert Furolo: Of course it is attainable if you put up the money.

Mr ANDREW FRASER: It is. The member opposite says the figure is \$2.1 billion and if it is there it takes the amount up to \$5 billion. We put the extra money on the table in the last budget and the one before that. I want to see this road fixed. I want people to stop being killed and maimed on this stretch of road.

Discussion concluded.

PRIVATE MEMBERS' STATEMENTS

VIETNAM WAR

Ms SONIA HORNER (Wallsend) [7.18 p.m.]: It is difficult to fathom that it has been 50 years since the Vietnam War began. Australia's involvement in the Cold War era military conflict from 1962 to 1975 saw approximately 60,000 Australians, including ground troops and personnel from the Air Force and Navy, serve in combat. Some 521 soldiers were killed in action and more than 3,000 soldiers suffered horrific injuries. We know why Australia became involved in this conflict so I will draw attention to the soldiers who displayed bravery, honour, mateship and tenacity during those difficult times. Out of the 60,000 Australian soldiers who fought in the war 19 young men from the Hunter died in battle. Three of these soldiers have stories that resonated with me.

What differentiated Private Stephen Warwick Dickson, Private James Michael Houston and Second Lieutenant Terrance Edward Langlands was that they originated from Wallsend. Private Dickson served in the 7th Battalion, Royal Australian Regiment, and was in Vietnam for just over three months. He was only 21 when he was killed in a mine explosion in Vietnam's Phuoc Tuy Province on 6 June 1970. Second Lieutenant Langlands was one of 1,500 National Service officer graduates from the Officer Training School in Sydney posted to Vietnam. He served in the 1st Battalion, Royal Australian Regiment, as a platoon commander. On 24 November 1968, aged 23, he suffered two gunshot wounds during enemy contact and was consequently killed in action. Private Houston was part of the 6th Battalion, Royal Australian Regiment. He was regrettably one of the many married men who were forced to leave loved ones behind. After only 72 days of service, Private Houston died on 18 August 1966 at the young age of 22. He was killed in action whilst fighting in a particular battle that holds significance for our nation.

The Battle of Long Tan saw 108 Australian and New Zealand soldiers fight in an imbalanced encounter with the opponents holding an advantage of more than 2,000 Vietnamese and Viet Cong troops. The battle ensued at a rubber plantation in the vicinity of the village of Long Tan and resulted in 18 Australian soldiers being killed in action. Subsequently, 18 August each year was known as Long Tan Day, which commemorates those who had fallen during the battle. Eventually all Vietnam veterans embraced the day as one to honour the service of all men and women who served in the war. One of the Hunter Valley's most renowned military historians, Mr David Dial, deserves thanks for providing his invaluable information to my office about the Vietnam War. Mr Dial's passion is commemorating Australian soldiers who have served in battle. He has spent countless hours and personal resources to compile databases.

The conflicts of the South African Boer War and the First World War have been scrutinised under his investigative eye. He has recorded the names and enlistment dates of more than 10,000 Hunter Valley men and women who served in the two conflicts. According to Mr Dial, as with past traditions of commemorating the two world wars, it is important to recognise the service and sacrifice of those Australian men and women who served their nation in the Vietnam War. Many of the young men were conscripted national servicemen. Mr Dial's efforts were recognised with the honours of a City of Newcastle Service award, an Order of Australia Medal, and a Centenary Medal. I further acknowledge his work.

Mr Dial has personally thanked me for my continued support of his ongoing research and commemoration of the Hunter Valley men and women who served Australia. I now thank him for his efforts in

verifying and recording these significant aspects of our nation's history. We should all take a moment to reflect on the sacrifices of those who have served in war. Private Dickson, Private Houston and 2nd Lieutenant Langlands were men from Wallsend. No doubt there were men like these three from all our electorates, men who most definitely deserve a moment's pause for thought.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [7.23 p.m.]: This year marks the fiftieth anniversary of the Vietnam War. As those of us in this House know, we currently have Australian troops serving overseas. Unfortunately, there is loss of life. I praise the member for Wallsend for bringing this matter to the attention of the House. We need to be able to treat those returned servicemen and women with the respect they deserve. They sacrifice their lives for the protection of our lifestyle. I, too, have been to Long Tan and have seen the fine contribution that the returning Vietnam vets make. I am very proud to be Australian, but I am also very proud of the fine men and women of the Australian Defence Force.

MYALL LAKES ELECTORATE EVENTS

Mr STEPHEN BROMHEAD (Myall Lakes) [7.24 p.m.]: I advise the House of the number of functions I attended this past weekend. On Saturday I went to the Manning Valley Historical Society at Wingham for the centenary celebrations and the country launch of a book entitled *Vision Splendid*, which celebrates Dr John Flynn, the founder of the Australian Inland Mission, which later became The Royal Flying Doctor Service. I congratulate the president of the society, Barbara Walters. Later that same day I went to Coomba Park to officially open the chicken coop of Rick and Pauline Bushell. It is a phenomenal feat of architecture that houses their chickens. I then attended the Coomba Park Aquatic Club ball to help raise funds for the club's storage shed. The club has a fleet of a dozen boats that are used to teach children to sail.

Between \$8,000 and \$10,000 was raised at the ball. I congratulate the Coomba Park Aquatic Club president, Stuart Silver; the Secretary, Ron Storey; the Treasurer, Chris Hutchison; and the organiser for the night, Bill Cook, who did a fantastic job gathering all the prizes. The Mayor of Great Lakes, Jan McWilliams, was also in attendance. On Sunday I attended an event in Kimbriki, which was organised by the Kimbriki Progress Association. The association has had its tennis court resurfaced at a cost of \$28,000. The Community Building Partnership program contributed \$15,000 and the community raised the balance of the funds. Five generations of the Polly family have been involved in the Kimbriki Tennis Club.

On the day, four generations were present: Toby Polly, who is 92 years of age; his son; his grandson; and his great-great grandson, Toby Polly junior, who had the glory of having his photograph taken by the *Manning River Times* to highlight the tennis court and the small clubhouse, which is the centre of the Kimbriki community. The \$15,000 funding provided by the Government under the Community Building Partnership program became \$28,000 worth of work. When money is given to community groups, they achieve so much more with the addition of volunteer labour and donations of money and materials. That is particularly evident in regional New South Wales where communities do not have the infrastructure and the facilities of metropolitan areas. They were just a few of the functions I attended on the weekend and I congratulate all those people involved.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [7.29 p.m.]: The member for Myall Lakes is active in this Chamber and in his local community, which is the sign of a good member. The member for Wallsend—the Acting-Speaker—and I both arrived in the class of 2007. In my time in this place, I have never heard of a member opening a chicken coop. That is a first for this Chamber. The hardworking member for Myall Lakes deserves a great deal of credit for attending the functions at the aquatic club in Wingham and the celebration of Kimbriki's tennis club. We can learn a lot from the hardworking member of Myall Lakes, who understands his local community.

ANTI-ISLAMIC FILM PROTEST

Ms TANIA MIHAILUK (Bankstown) [7.30 p.m.]: Today I join with political leaders of all persuasions across the State, Islamic community leaders and the broader community in condemning the violent community protest that took place on Saturday 16 September, which left police officers and civilians injured and a number of individuals in custody. As the House is aware, the police were forced to use capsicum spray, tear gas and the Police Dog Squad as they fought a five-hour running battle with at least 200 demonstrators who were protesting against an anti-Islamic fringe film that has enraged the Muslim community. The United

States-made *Innocence of Muslims*, which ridicules the prophet Mohammad, has been denounced by governments around the world since its release last week on the internet. Last night the Prime Minister, Julia Gillard, condemned the Sydney violence that occurred two days ago. The Prime Minister stated:

Violent protest is never acceptable—not today, not ever.

The Federal Leader of the Opposition, Tony Abbott, agreed. He stated:

Violence is never, never acceptable. Yes people have a right to peaceful protest but the kind of violence we saw in Sydney today was completely, utterly, absolutely unacceptable.

The New South Wales Premier, Barry O'Farrell, condemned the protest on Saturday 16 September. He stated the following day:

We've got 200 different nationalities in this city but what we saw yesterday was the unacceptable face of multiculturalism.

The New South Wales Leader of the Opposition, John Robertson, condemned the violence. He stated:

While I respect that people have the right to protest, it should never involve violence like we saw yesterday.

He also stated that those involved were "not reflective of the views and attitudes of the mainstream Australian Muslim community". He went on to state:

There can be no justification for the violence we saw on the streets of Sydney, and in particular the behaviour directed at our police officers.

The crowd carried horrific signs with slogans, such as, "Behead all those who insult the prophet" and "Our dead are in paradise, your dead are in hell." I am particularly concerned that a minor, a child, was seen carrying such a slogan. Undoubtedly the police share the community's concerns about the level of violence. I support their efforts in bringing the culprits to justice. Today I take this opportunity to remind the broader community that our Islamic community leaders condemn the violence and also are sickened by the riot. It is encouraging that the Islamic community is publicly and forcefully condemning the violence. The United Muslim Women's Association issued a statement which unequivocally condemned the use of violence. The association stated:

There is no doubt that many members of the wider Australian public would be anxious and uncomfortable about the views expressed by some of the protestors, views which are at odds with their beliefs and values. We would like to reiterate that those views are equally abhorrent to the majority of Australian Muslims and we ask that you understand that the protestors represent a very very small fraction of the community.

I commend Mr Samir Dandan, the President of the Lebanese Muslim Association, for his comments this morning. He stated:

The Muslim community values the religious freedom that exists in Australia and supports all efforts to promote respectful coexistence.

This radical element does not exist in Australia and the Islamic organisations will not allow for such activity to take place, because at the end of the day the only community that will be tarnished by that exercise is the Australian Muslim community.

It's not in our best interests and it's not in the interests of this country that has harboured so many refugees that come out of Muslim countries.

It's in everyone's best interests to ensure that no such activities take place.

Undoubtedly the film is highly offensive, absurd and antagonistic. But until last Saturday's riot, I, along with the majority of the broader community, had not seen the film or was even aware of its existence. Unfortunately, such violence only spurs racists in our community. As Peter FitzSimons stated in his open letter in Sunday's *Sun-Herald*, such appalling action gives ample fuel to every racist in the country, which will affect badly the hundreds of thousands of peaceful and law-abiding Islamic Australians. I remind the House and all Australians that the vast majority of Australian Muslims certainly would condemn the unnecessary violence.

I reiterate that, as the member for Bankstown, I join political, community leaders and the broader community in condemning the violent and sickening protest. Such behaviour is utterly unacceptable and should never be tolerated. This nation has been built on the back of more than 200 cultures blending together to create our Australian identity. All political and community leaders must now begin the task of mending the deep rift

this riot has caused to Australia's ethos and identity. The actions of a few should not, nor will they, destroy our shared values, our nation's ideals or, most importantly, our aspiration to continue to be a country that values peace and harmony above all else.

AUBURN AND HOLROYD STATE EMERGENCY SERVICE UNITS

Mr TONY ISSA (Granville) [7.35 p.m.]: Today I was honoured to represent the Minister for Police and Emergency Services at the opening of the State Emergency Service building for the Auburn and Holroyd units and accept a commemorative pin, which I wear with great pride. It is with great pleasure and admiration that I commend the tireless effort of the Holroyd and Auburn State Emergency Service units for providing the community with invaluable assistance during natural disasters, particularly earlier this year during heavy rain and wet conditions that prevailed for months. It is difficult to imagine that approximately 70 per cent of New South Wales was recently flood impacted, or at risk of being flood impacted. I have seen footage and witnessed firsthand New South Wales State Emergency Service members volunteering their time in dangerous and rough conditions to fill sandbags, issue safety warnings, evacuate residents in harm's way, put tarpaulins over roofs and pitch in to help clean up the devastation left in the wake of a flood or storm.

I am touched to thank in this House all the members of the Auburn and Holroyd State Emergency Service units who selflessly give their time and hard work to help others in real need. While not the largest unit, the Holroyd State Emergency Service has been very active in assisting not only the local community but also parts of New South Wales on a larger scale. In times of disasters in regional and country New South Wales, the Holroyd State Emergency Service unit has been well represented in the State Emergency Service teams that provide assistance. Many people—including me—speak a lot about community spirit and ways that we can build it. The Holroyd State Emergency Service unit is an example of people in the community who are ready and willing to drive the activities that make a difference. Those people are the unsung heroes and need our support. There is no question that the people of this State, and indeed this nation, know that they can depend on the men and women in orange for help and protection.

Importantly, I acknowledge the families and employers of the State Emergency Service crews because, without their constant support, State Emergency Service personnel would be unable to fulfil their role as proud members of the New South Wales State Emergency Service and provide a level of security to our communities against the adversity caused by floods and storms. I congratulate the Auburn and Holroyd State Emergency Service units separately for the official opening of the new State Emergency Service Auburn unit and the State Emergency Service Holroyd unit's new facility, which will surely help to further strengthen their capability. Both those New South Wales State Emergency Service units have worked hard on fundraising activities, along with the support of the Auburn and Holroyd city councils and the New South Wales Government, to be able to achieve this wonderful new facility.

Before the opening of this facility, the Holroyd State Emergency Service was operating out of a rundown house that had a leaking ceiling and carpet mould, and yet they did a good job under those adverse conditions. That just shows that they were spending more time out in the community than inside. Now they are housed in a \$1.8 million facility. The local controller for the Holroyd State Emergency Service unit, Mr Ray Gatt, and for the Auburn State Emergency Service, Ms Kathy Garancsi, and the regional controller for the Sydney western region, Mr Peter Cinque, are examples of management personnel whose commitment to excellence is unsurpassed. Today I thank them and their dedicated teams.

The Holroyd and Auburn State Emergency Service units are an integral part of the local community. As with all volunteer organisations, the State Emergency Service is always in need of people who are interested in offering their time and expertise to contribute to the community. All volunteers are trained to national standards in a wide range of skills, including first aid, storm damage and general rescue. I encourage members of the Granville electorate to contact their local offices and offer their support. On behalf of the New South Wales Government and the people of New South Wales, I express great pride in the State Emergency Service and great appreciation of the work State Emergency Service units provide for our communities.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [7.40 p.m.]: I endorse the comments made by the hardworking member for Granville in support of the fine men and women of the State Emergency Service units in his electorate. I am sure the new \$1.8 million facility for the Auburn and Holroyd units will feature prominently in the development of those units and future operations of the State Emergency Service in his electorate. It is quite amazing that as I speak Sydney is being lashed by fairly severe storms, accompanied by heavy rain, lightning and strong winds. Volunteers put their lives at risk. Like the member for Granville, I pay

tribute to the friends and families of State Emergency Service volunteers who watch their loved ones go out to protect our community. As I have often said at State Emergency Service functions, it is a debt that we as a community find extremely hard to repay.

BANKSTOWN CITY COUNCIL

Mr GLENN BROOKES (East Hills) [7.41 p.m.]: Now that the local government elections have been held I will take a few moments to reflect on my time as a councillor on Bankstown City Council. I am pleased with what I have been able to achieve not only for the south ward community but also for the entire Bankstown community since I took office in September 2004. I started my term as a councillor when Bankstown was celebrating its silver jubilee, and what a year it was. It was a period during which we enjoyed many events celebrating the city's history. I attended my first council strategy workshop in 2005, at which I pushed for a more business-like approach to council's management and administration and an emphasis on fiscal responsibility, accountability and balanced decision-making. In that regard, I am proud that I have left my post with the council financially sound and in the black.

I doubt that there is anyone in this House who does not know that I have always believed that as elected representatives we have a responsibility to encourage business activities and investment not only to foster local employment but also to attract new residents who want to settle in the local area and to build a future in our community. Given that, I am proud to say that during my term as a councillor, millions of dollars have been spent on the improvement of the Bankstown central business district, including the long-awaited underpass and the bus interchange and plaza upgrades. I am also proud of the town centre improvements in Sefton, Chester Hill, Greenacre, Yagoona, Revesby and Padstow, and more long overdue improvements will be delivered this year in Panania.

The council has advocated for an improved but balanced transportation network for the M5, Henry Lawson Drive, Davies Road, Stacey Street and the airport. The Bankstown Business Advisory Centre has been established and council has achieved the best result in more than a decade for the average time taken to determine development applications. Council will also host a business roundtable to engage and inform local business. These works and projects have contributed to the growth of the local Bankstown and East Hills economy—an economy that now has an estimated gross regional product of \$6.8 billion and business turnover of \$20.9 billion.

During my eight years on council more than \$288 million has been spent on capital works and I am pleased to say that \$26 million has been spent in my south ward. While I was a councillor Bankstown City Council set itself a goal of zero debt by 2018. I am pleased to advise the House that last year for the first time the council did not have to borrow any money to pay for its day-to-day operations. Without doubt, that is one of the reasons that the people of the Bankstown local government area have enjoyed minimal rate increases. I leave my post on Bankstown City Council with a record number of infrastructure projects having been completed. It is a long and impressive list that will continue to serve the East Hills community for many years.

During my time as a councillor on Bankstown City Council I achieved a great deal for the ward I represented. Now as a member of the New South Wales Parliament for the electorate of East Hills—the first member of the Liberal Party to represent that electorate—I look forward to doing much more for the community that I have been elected to serve. I extend my congratulations to the three Liberal councillors who have been re-elected. I also take great pride and pleasure in congratulating Mr Jim Daniels, who replaces me as the representative for the south ward. I look forward to working with all the councillors for the benefit of the community.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 7.46 p.m. until
Wednesday 19 September 2012 at 10.00 a.m.**
