LEGISLATIVE ASSEMBLY

Wednesday 26 March 2014

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

The Speaker read the Prayer and acknowledgement of country.

DISTINGUISHED VISITORS

The SPEAKER: I welcome to the public gallery the Rt Hon David Carter, Speaker of the House of Representatives of New Zealand, and Mary Harris, Clerk of the House of Representatives of New Zealand. They have visited the Federal Parliament and will be visiting the Parliament of New South Wales over the next two days.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

DRUG COURT LEGISLATION AMENDMENT BILL 2014

Bill introduced on motion by Mr Greg Smith, read a first time and printed.

Second Reading

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [10.10 a.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Drug Court Legislation Amendment Bill 2014. The bill implements reforms recommended by the statutory review of the legislation governing the Compulsory Drug Treatment Correctional Centre. The Compulsory Drug Treatment Correctional Centre [CDTCC] is the first, and so far the only, correctional centre of its kind in Australia. Established in 2006, the Compulsory Drug Treatment Correctional Centre is a correctional centre designed specifically to target long-term drug-dependent offenders who have failed past treatment in voluntary drug and alcohol programs in either correctional centres or in the community, or who have never accessed treatment. The compulsory drug treatment program offered at the Compulsory Drug Treatment Correctional Centre targets up to 100 recidivist male offenders with long-term drug dependency and an associated life of crime and imprisonment. It is a treatment and rehabilitation program of judicial care, stabilisation, case management, educational and vocational support, and rehabilitation and supervision intended to manage offender risk and meet offender need.

The statutory objectives of the compulsory drug treatment program include providing drug-related offenders with a comprehensive treatment and rehabilitation program with judicial supervision. It also provides effective treatment for their drug dependency to eliminate illicit drug use while in the program and reduce the likelihood of relapse on release. Further, the program is intended to promote the reintegration of offenders into the community and to prevent and reduce crime by reducing their need to resort to criminal activity to support their dependency. Offenders on the compulsory drug treatment program are supervised by the Drug Court of New South Wales.

Eligible offenders are referred by sentencing courts to the Drug Court so that it can consider whether to make a compulsory drug treatment order. Before making an order, the Drug Court must refer the offender to its multidisciplinary team for assessment as to the offender's eligibility and suitability for compulsory drug treatment detention. If suitable, a compulsory drug treatment order can be made in relation to the offender, including a structured individual personal plan that will be closely monitored by Compulsory Drug Treatment

Correctional Centre staff and the Drug Court and revised where necessary. The program is divided into five stages, including three custodial stages, and is expected to take approximately 18 months to three years to complete, depending on the offender's individual sentence.

The compulsory drug treatment program and the Compulsory Drug Treatment Correctional Centre are key components of this Government's ongoing strategy to tackle the problem of illicit drugs in the community and to reduce the level of reoffending. By breaking offenders' addictions and providing them with the skills to successfully reintegrate into the community, the program helps the State's most desperately entrenched criminal addicts take personal responsibility to lead productive, crime-free and drug-free lives. The program has been independently evaluated by the Bureau of Crime Statistics and Research [BOCSAR]. The Bureau of Crime Statistics and Research review made positive findings regarding the Compulsory Drug Treatment Correctional Centre meeting its aims of effectively treating drug dependency and promoting the reintegration of participants into the community.

The Compulsory Drug Treatment Correctional Centre and the compulsory drug treatment program are supported by legislation. Section 106Z of the Crimes (Administration of Sentences) Act requires that the program and its legislative provisions be reviewed to determine whether any amendment is required, and for a report on the review to be tabled in Parliament as soon as practicable after its completion. The statutory review was completed by my department and tabled in Parliament on 29 October 2013. The overwhelming response from stakeholders indicated support for the continued operation of the compulsory drug treatment program. The review concluded that the policy objectives of the program and its underpinning legislation remain valid. The review made 12 recommendations to clarify aspects of the legislation to better achieve the program's policy objectives, and to make the program available to a greater number of eligible and suitable participants. Nine of the recommendations were legislative and the three remaining recommendations relate to administrative aspects of the program.

This bill implements the legislative recommendations of the review. I will now outline the key features of the bill. Schedule 1 amends the Drug Court Act 1998. Item [1] amends the definition of "eligible convicted offender" in section 5A to change the maximum sentence length for which an offender can be referred to the program. The review noted that the Compulsory Drug Treatment Correctional Centre has been unable to operate at full capacity since its commencement and gave particular consideration to the criteria for entry into the program. At present, people will be eligible for the program only if they have been sentenced to full-time imprisonment and the unexpired non-parole period on that sentence is, at the time the Drug Court is determining whether to make a compulsory drug treatment order, no more than three years, and at the time that the sentence imposed was at least 18 months.

Limiting eligibility to those offenders who have three years or less left on their non-parole period has meant that many offenders referred to the program run out of time to complete its three custodial stages prior to becoming eligible for parole. Placing an upper limit for eligibility based on the total sentence, rather than the non-parole period, should help to address this issue. Judge Dive, the senior judge of the Drug Court, advocated for such a reform in his submission to the review. The review concluded that an upper limit of six years on the unexpired total sentence, determined at the time the sentence was imposed rather than at the time eligibility is being assessed, would be a more appropriate restriction on eligibility. No change is made to the required minimum sentence length.

Requiring the lower and upper limits of the sentence to be considered from the same point, being when the sentence was imposed, will significantly reduce complexity in determining eligibility. The increase in the maximum sentence is expected to increase the volume of eligible offenders, but will not change the offences that are eligible for the program. People serving sentences for offences of murder, sexual assault, firearms matters and commercial supply of prohibited drugs will remain ineligible, as is made clear by the amendment at schedule 1 [4]. Schedule 1 [2] removes the mandatory requirement that an offender must have been convicted of at least two offences in the last five years to be eligible for the program. When the Compulsory Drug Treatment Correctional Centre legislation was introduced in 2004, the requirement was that the offender had to have been convicted of at least three offences in the previous five years. This was amended in 2006 to implement the less stringent requirement of two prior convictions.

The review noted that one of the statutory objects of compulsory drug treatment is to provide rehabilitation for drug-dependent persons who "… repeatedly resort to criminal activity to support that dependency". Recidivist offenders are the intended target of the program. Examples were, however, provided to the review by the Senior Judge of the Drug Court indicating that the recidivism criterion has excluded otherwise

appropriate and suitable offenders from participating in compulsory drug treatment. The review concluded that relying on a specific number of convictions in a fixed period to indicate recidivism may not reflect the realities of a drug-dependent lifestyle.

However, in order to ensure that recidivist offenders remain the target of the program, the recidivism criterion is to be replaced with a mandatory requirement that, when assessing suitability, the Drug Court's multi-disciplinary team must consider the offender's history of prior criminal offending related to long-term drug dependency and lifestyle. Item [8] of schedule 1 makes an amendment to section 18E (2) of the Act to implement this. It will allow more flexibility to admit recidivist offenders who may not have had two convictions within the previous five-year period. Items [3], [5] and [6] of schedule 1 implement a recommendation of the review to provide the State Parole Authority with power to refer offenders whose parole has been revoked on a sentence that was previously the subject of a compulsory drug treatment order back to the Drug Court to assess whether they should be subject to a new compulsory drug treatment order.

In particular, new section 18BA will impose a requirement on the State Parole Authority, when it revokes parole on a sentence that was previously the subject of a compulsory drug treatment order, to consider whether or not the offender is still an eligible convicted offender and, if so, to refer the offender to the Drug Court to determine whether a compulsory drug treatment order should be made in relation to the balance of parole period. This is essentially the same obligation that section 18B imposes on all sentencing courts when sentencing offenders at first instance.

Item [3] makes a consequential amendment to section 5A to provide that the restrictions it imposes on sentence length, which I have already outlined, will not prevent an offender referred under section 18BA being eligible for the program. These offenders will not need a minimum of 18 months to run on their sentence in order to be eligible, noting that they will previously have completed part of the program and may therefore not need as long to finish it. The upper limit of six years will still apply as the offender will have to have met that criterion before receiving his or her original compulsory drug treatment order. The other eligibility criteria will also still apply and the offender will have to be assessed again by the multi-disciplinary team.

Item [6] of schedule 1 amends section 18C of the Act to provide that if an eligible convicted offender is referred to the Drug Court under new section 18BA, the court may make another compulsory drug treatment order in relation to the offender. Significantly, it requires the court to consider the circumstances which led to revocation of the offender's parole and any offences committed by the offender either while he or she was serving the original sentence in compulsory drug treatment or while on parole. This provides an important safeguard which will allow the court to exclude offenders whose behaviour whilst originally on the program, or whilst out on parole, renders them unsuitable for further participation in it.

Item [4] of schedule 1 makes amendments to the eligibility criteria relating to firearm offences as recommended by the review. Existing section 5A (2) provides that a person is not an "eligible convicted offender" if he or she has been convicted at any time of a firearms offence. This means that if an offender is referred for assessment in relation to a matter involving a firearm or has any conviction for an offence involving a firearm, no matter the circumstances or age of the conviction, he or she will be automatically ineligible for the program. This exclusion reflects the seriousness with which firearms matters are regarded and, along with the other exclusions, operates to prevent potentially dangerous offenders from entering the program. The review did not recommend any change to allow offenders who are serving a sentence for a firearms matter to enter the program and these offenders will remain excluded from the program pursuant to the remade section 5A (2) (a).

However, the review considered that the application of the firearms restriction to historical convictions is operating too broadly and resulting in otherwise appropriate offenders being excluded from the program. The review noted the matter of *The Queen v Paton* which considered the eligibility of an offender who, as a juvenile, had been sentenced for a firearms offence involving an airgun more than 20 years prior to coming before the Drug Court. The offender had received a $50 fine for the offence. He had no offences on his adult criminal record that would have excluded him from the program and was otherwise suitable and appropriate to participate in it. But for the fact that no conviction had been recorded in relation to the juvenile matter, the firearm restriction would have excluded the offender from the program automatically.

The review therefore recommended reform of the historical firearms restriction. In new section 5A (2) (b) (iii) the bill amends the restriction so that it will render an offender ineligible if he or she has a prior conviction for any offence involving the violent use of a firearm. This will ensure that offenders who commit

dangerous firearms offences are excluded from compulsory drug treatment while providing more flexibility in relation to other types of firearm offenders. The review recommended the introduction of a further safeguard in relation to this change, being a mandatory requirement for the multi-disciplinary team to consider an offender's history of committing offences involving weapons or violence when assessing his or her suitability for the program. It is noted that the extension of the criteria to weapons, not just firearms, will allow the multi-disciplinary team to consider a broader range of prior offences rather than just firearms matters. This amendment to section 18E of the Act is implemented by item [7] of schedule 1 to the bill.

Item [9] of schedule 1 amends section 18G of the Act to provide that the making of a compulsory drug treatment order operates to suspend any entitlement of the eligible convicted offender to be considered for parole. This is intended to address an anomaly identified by the senior judge of the Drug Court in his submission to the review relating to the treatment of parole for offenders on the program. Where an offender is sentenced to a total term of three years imprisonment or less with a non-parole period, section 50 of the Crimes (Sentencing Procedure) Act 1999 requires the court to make a parole order. Existing section 18G (b) of the Drug Court Act cancels such a parole order once a compulsory drug treatment order is made.

However, where a sentence exceeds three years, and a non-parole period is set, the sentencing court does not make an order under section 50. Instead, pursuant to section 137 of the Crimes (Administration of Sentences) Act, the parole authority has to consider parole at least 60 days prior to the offender's parole eligibility date being the expiration of their non-parole period. There is no provision in the Drug Court legislation suspending or cancelling that requirement. Offenders on the compulsory drug treatment program are therefore being treated inconsistently with regard to parole, depending on the length of their sentence. The existence of a parole eligibility date for offenders serving sentences greater than three years may impact on how an offender perceives his or her compulsory drug treatment program particularly if, as is often the case, parole is refused by the Drug Court to allow the offender to continue on the program. The review considered that it was appropriate to align the parole consideration requirements in relation to all offenders subject to a compulsory drug treatment order. Item [9] of schedule 1 implements this reform.

Item [10] of schedule 1 removes the word "administrative" from section 29 (2) (a) of the Act to make clear that the functions that can be exercised by the Drug Court Registrar are not solely administrative functions. This reform is consistent with similar provisions conferring functions on registrars in other courts. Items [11] and [12] of schedule 1 contain savings and transitional provisions. It is noted that the reforms to the definition of "eligible convicted offender" in section 5A will apply only to offenders sentenced after its commencement. The reforms relating to consideration of parole under section 18G will apply to compulsory drug treatment orders made after the bill's commencement.

Schedule 2 makes amendments to the Crimes (Administration of Sentences) Act 1999 consistent with the recommendations of the review. Items [1] and [2] of schedule 2 make amendments which will allow the director of the Compulsory Drug Treatment Correctional Centre to direct an offender to regress to an earlier stage of the program if they are satisfied that the offender has failed to comply in a serious respect with one of their program conditions. In many instances regression between stages is an obvious and necessary response to a breach of the program, yet under the existing provisions a regression decision can only be made by the Drug Court. This means that a great deal of administrative effort is required for the director to prepare reports and for the Drug Court to consider those reports.

Under new section 106MA, the director will be able to direct that the offender regress to a lower stage of the program for a specified period. The provision incorporates safeguards recommended by the review. Regression directions will not exceed three months. Further, when the director makes a regression order, he or she will have to notify the Drug Court within seven days of the direction. The offender will be able to apply within 14 days to the Drug Court for a review of the direction. On such a review the Drug Court, if satisfied of the failure on the balance of probabilities, will be able to confirm or set aside the direction or vary its term. These reforms ensure that the director of the Compulsory Drug Treatment Correctional Centre can respond quickly to a breach of the program's conditions while maintaining appropriate Drug Court oversight of the director's decision.

Item [1] of schedule 2 makes a consequential amendment removing the requirement for the Commissioner of Corrective Services to advise the Drug Court of a sanction issued under section 106I if the sanction constitutes a decision to regress the offender under new section 106MA. There will be a requirement to notify the Drug Court of a regression decision under new section 106MA in any event. Item [3] of schedule 2 makes an amendment to section 106Q, which governs revocation of a compulsory drug treatment order. The

amendment will clarify that the Drug Court can revoke an offender's order if, on the advice of the director of the program, it is of the opinion that the offender is likely to make further progress on their program. Submissions to the review noted that the current specified grounds for revocation in section 106Q may be too narrow. Particular concern was expressed about the ground of failing to comply with the program which requires that the failure be serious in nature and that the Drug Court be satisfied that the offender is unlikely to make further progress. Some concern was expressed that the limited scope of this ground for revocation may lead offenders to think they need to deliberately breach a condition to effect termination.

While section 106Q presently allows revocation for any other reason that the Drug Court sees fit, the review noted that this ground may be interpreted narrowly given the specific and targeted nature of the other grounds for revocation. On that basis, the review supported providing an explicit discretionary ground for the Drug Court to revoke the offender's program where there are limited prospects of the offender making further progress. Items [4] and [5] of schedule 2 make minor amendments to section 106W of the Act to clarify that a court which imposes a sentence on an offender that is to be served concurrently or partly concurrently with the sentence that is the subject of a compulsory drug treatment order is required to refer that sentence to the Drug Court so that it can consider whether or not to make a compulsory drug treatment order in relation to that sentence. This obligation will apply to sentences imposed before and after the making of the compulsory drug treatment order where some portion of the sentence will be served concurrently with the sentence which is the subject of the order.

The senior judge of the Drug Court and the former Director of Public Prosecutions raised concerns about the operation of this provision in their submissions to the review. In particular, it was noted that the provision currently only allows a sentence to be referred if it is imposed after an offender receives their compulsory drug treatment order. This creates difficulties where a sentence is imposed prior to the offender's referral to the program or where a sentence is imposed while the offender's suitability for the program is being assessed but prior to a compulsory drug treatment order being made. The review recommended amendments to make it clear that sentences imposed prior to the referral to the Drug Court can also be referred. The amendment will achieve this goal.

Item [6] of schedule 2 amends section 137 to allow the State Parole Authority to consider an offender's parole less than 60 days before their parole eligibility date where the Drug Court has revoked their compulsory drug treatment order. This is a complementary amendment to the parole reforms I have already noted. Section 137 presently requires that parole be considered at least 60 days before the eligibility date. However, pursuant to proposed section 18G (d) the requirement to consider parole will be suspended while a compulsory drug treatment order is in place. This would prevent an offender whose compulsory drug treatment order is revoked within 60 days of their parole eligibility date from having parole considered until after the eligibility date. The reforms to section 137 will ensure that this can occur.

Item [2.2] makes an amendment to the Crimes (Administration of Sentences) Regulation 2008 to provide that where the Drug Court has revoked a compulsory drug treatment order this can constitute circumstances of manifest injustice for the purposes of section 137B of the Act. Section 137B allows for parole to be considered at any time after an offender's parole eligibility date has passed if circumstances of manifest injustice exist. This amendment ensures that if an offender's entitlement to parole is suspended by the making of a compulsory drug treatment order, and the order is subsequently revoked after the offender's parole eligibility date has passed, parole can still be considered for the offender. If this amendment were not made, offenders would need to wait at least 12 months from their parole eligibility date before parole could be considered.

This Government considers the compulsory drug treatment program to be a valuable tool in the battle to break long-term drug dependency that leads to recidivist offending. By not only addressing addiction issues but also arming offenders with skills to reintegrate successfully into the community, the program is a holistic sentencing option that is future-oriented and aims to achieve long-term and lasting benefits for the offenders, the community and the State of New South Wales. However, as noted by the review, there are areas in which the program could be improved. I am confident that the provisions contained in the bill not only will improve the processes of the Compulsory Drug Treatment Correctional Centre but will allow a greater number of eligible offenders to enter the program and to benefit from its tried and tested processes. I commend the bill to the House.

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

CHILD PROTECTION LEGISLATION AMENDMENT BILL 2013

Second Reading

Debate resumed from 25 March 2014.

Ms MELANIE GIBBONS (Menai) [10.40 a.m.]: I speak in support of the Child Protection Legislation Amendment Bill 2013. As deputy chair of the Committee on Children and Young People I have a strong interest in this area and I understand the difference this bill will make. I am pleased that the Minister for Family and Community Services is in the Chamber to hear debate on this bill.

The amendments to the legislation aim to address many issues that, over the past few decades, have plagued child and protection services in New South Wales. Extensive consultation and careful drafting took place over a 12-month period before this bill was introduced. These reforms contain a suite of policy and legislative amendments that create permanency for children who cannot live, and may never be able to live, with their birth family. This is a very important and sensitive topic that can have an impact on children not only now but over the course of their lives. Too many children in out-of-home care are likely to experience placement breakdowns and multiple placements during their childhood, which can have a detrimental effect on them for the rest of their lives. A child's upbringing can even have an impact on how they raise their own children.

The principles of the bill reflect the Government's belief that, ideally, a child should live safely at home with his or her parents. Alongside this, community services will work with families to help them change their behaviour and to ensure they provide a safe and happy environment in which to bring up children. The detrimental effects of growing up in the care system are widely reported and are not new to those working in the field. If living with their immediate family is not a possibility, the next best place for the child would be with family or kin, so they are still in a long-term, safe and nurturing environment. Where this option is also not a possibility then open adoption should be considered and pursued as a means of providing for the safety, welfare and wellbeing of the child.

It is important to ensure that we are able to provide children with long-term, safe, nurturing, stable and secure environments through permanent placement. These amendments support a more streamlined pathway to open adoption where that is in the best interests of the child. The amendments will help to ease the ever-spiralling cycle of disadvantage, poverty and abuse for far too many children and young people in New South Wales. Through this process, stability in placements is established as early as possible by providing a single, streamlined process for carers who can be authorised as both foster carers and prospective adoptive parents.

It is important to note that the process for adoption has changed. Adoption now only occurs as open adoption where a child has the right to know and remain in contact with their birth parents. That is vastly different from a decade ago. This change does, however, provide a sense of stability for the child and a sense of belonging in their new family. Research suggests that adoption provides higher levels of emotional security and a greater sense of belonging and general wellbeing than long-term foster care. Where there is no realistic chance of a child being reunited with their birth family, allowing them to live in a number of temporary care situations can be damaging. The instability of those arrangements prevents a child from being able to form proper attachments, which are critical for their healthy development.

Where adoption is not appropriate or in the best interests of the child, guardianship orders can enable permanency for a child. This is particularly important where adoption may not be culturally accepted, such as for Aboriginal families. To keep families together where it is in the best interests of the child, we need effective early intervention services. For children in care, working to find them a stable, permanent, loving home for life is the best chance these children have to take up opportunities that others take for granted.

Another important amendment to the bill is the extension of the time frame for parent responsibility contracts from six months to 12 months. This increase provides parents with additional time to demonstrate a change in their parenting behaviour. New tools are also being introduced to foster the change in parents' behaviour. These are critical to ensure that the welfare of children is at the heart of decision-making, and they provide the best chance for a safe home life for all children. The new tools provide a framework for caseworkers to actively engage with parents, where in the past caseworkers may have been thwarted by a parent's reluctance or inability to see and utilise the services they need. The new tools afford parents an opportunity to take the first steps to change the way they deal with their children and the chance to engage with the services they need. This means they are more likely to have their children remain in their care.

Ensuring a child has a safe and permanent home should be the top priority of all involved in the upbringing of the child. International and Australian evidence has shown that participating in programs and providing parents with tools, including those that are compulsory, can reduce the risk of harm to a child. Studies have shown that children and young people in out-of-home care have a higher rate of health, dental, developmental, behavioural and emotional problems than those in the general population. The costs for a community looking after a child in care over the child's lifetime are staggering. A child in care may require regular health interventions, may have low self-esteem and/or challenging behaviours, may enter the juvenile justice system, may struggle to form healthy relationships, and, in the future, may have children who themselves end up in the care system.

The Coalition Government recognises the need for the care system; however, it is not the ideal environment in which to place more children. One of the biggest problems of the care system currently is the lack of permanency it offers children. The lack of a permanent home leads to uncertainty and added anxiety for children. The bill will address this lack of permanency. As all parents know, having a child is a huge responsibility, and society places great value on this role. But with this value also come consequences if parents fail to adequately keep their children safe. Some parents need additional support to be able to accept and handle the responsibility of parenthood. The amendments in this bill aim to provide support to these parents to provide a safe, nurturing and loving home for their children. This bill aims to build on the success of the reforms introduced by the Coalition Government to date. I thank the Minister for Family and Community Services for her work on this bill. I know the hard work and the heart she has put into the bill; I have seen it firsthand. I commend the bill to the House.

Ms CARMEL TEBBUTT (Marrickville) [10.47 a.m.]: I speak to the Child Protection Legislation Amendment Bill 2013. The object of the bill is to amend the Children and Young Persons (Care and Protection) Act, the Adoption Act and the Child Protection (Working with Children) Act and other legislation to implement reforms that will promote good parenting and increase parental responsibility for children and young people; achieve greater permanency for children and young people in out-of-home care; create a more responsive and child focused system; and improve the transparency and accountability of child protection services. These are laudable aims and no doubt would have broad support. However, the real question for the Government and the Minister is whether these legislative changes will deliver those outcomes.

Children and young people who come into contact with the child protection system are some of the most vulnerable children in the State. The statistics are well known but it bears repeating that, according to many social and economic indicators, these children fare more poorly than other children and young people. Tragically, this impacts on the ongoing quality of life for these children. Child abuse and neglect and experiencing things that no child should have to experience have a long-term effect on the victims and, in the future, on their children; it is intergenerational. There is also an enormous cost for the State because of the need for health, justice and social services. For both individuals and the community a lot rides on getting reforms in this area right.

I am proud of Labor's record in government in this area. While I do not intend to provide chapter and verse the last 25 years of policy in this area, it is a fact that when Labor came to government in 1995 we inherited a demoralised and depleted child protection system which had seen a quarter of its front-line offices closed and caseworker numbers slashed. It took Labor years to undo some of this damage and rebuild the child protection system in New South Wales. I am proud of the reforms that Labor introduced, including those introduced in 2002 when I was the Minister. Those reforms included more than $1 billion in additional funding over four years, 875 new caseworkers, and additional funding for early intervention and out-of-home care services. I am also proud of the reforms introduced by my colleague Linda Burney when she was the Minister, including the Keep Them Safe action plan in response to Justice James Wood's report. These worthwhile reforms, which were accompanied by significant additional funding, made a difference but they did not solve all of the problems in this fraught area—no government can.

It is easy for the current Minister to try to lay the blame on previous Ministers for the dysfunctionality in our society that manifests itself through the child protection system. As members well know, this is an extremely complex and difficult area of public policy and at least part of the answers and solutions lie in policy and reforms that are outside the scope of the child protection system. Perhaps the O'Farrell Government would have more credibility in this area if it allocated just a fraction of the additional funding to this portfolio that previous Labor Ministers were successful in obtaining. Before someone from the Government benches jumps up and responds with the tired old phrase that it is not about throwing money at the problem, in reality, at least in part, the solution in this area is resources—namely, resources for more caseworkers, for more family support

services, for access to quality child care and for better housing, mental health and drug and alcohol services. Often, but not always, these issues are ever-present in families who come into contact with the child protection system.

The number of children entering out-of-home care is too high. We need to do all we can to reduce that number through early intervention and family support services. If a child or young person is required to come into care, they need and deserve stable placements. The Minister's desire to achieve greater permanency for children and young people in care is understandable. Labor in government also pursued a number of reforms to achieve greater stability and permanency in placements. It makes sense that a child who has been traumatised as a victim of abuse or neglect and removed from his or her home should not have to again suffer through numerous placements. Numerous placements mean having to become familiar with new carers, new schools, new friends and new neighbourhoods. For children and young people who already have attachment issues, this can just be all too hard.

Unfortunately, all too often this stability is not provided in the current system for a number of reasons, including breakdown of placements because the needs of the child are too great for the foster carer; foster carers do not get the support they need; there is not enough clarity as to the long-term care responsibilities; the casework is not up to scratch; the list goes on. What is not clear to me is that changing the hierarchy between adoptions and placing the young person under the responsibility of the Minister will achieve greater stability of placements. I do not believe that the Government has made the case that its legislative changes will achieve this and that increasing the ability to adopt will lead to greater stability in placements.

If the Government really wanted to see an increase in the number of adoptions, why did it cut the post-adoption allowances from $16,000 to $1,500 per year, which will make it even harder financially for those foster carers considering adoption? The existing hierarchy strikes a careful balance between restoration and adoption and the current legislative framework already provides for adoption from out-of-home care. It is not only Labor that has expressed concern about the potential impact of many of the changes proposed in this bill. Many concerns are held about this bill. For example, a Community Legal Centres NSW paper raised the issue of legislative time frames. It said, "Rigid time frames will disproportionately affect vulnerable parents, particularly mothers who have experienced trauma such as intergenerational trauma and postnatal depression or are in custody."

Legislative reform on its own will never be enough in this area of policy. The Minister spoke about the bill helping to improve parenting capacity but that will not occur if the services are not available and if parents cannot access the support they need. The Minister needs to assure the House that women experiencing domestic violence will be able to access housing support if needed, that family support, drug and alcohol and mental health services will be available, and access to preschool and childcare will be improved. The Minister has said an additional $35 million will be provided for support but that is a drop in the ocean in terms of what is needed. Caseworker vacancies continue to remain unfilled as a means of meeting the Government's imposed savings requirements. Government figures for the December quarter show that 234 positions, or 11 per cent of caseworker vacancies, remain unfilled. The proportion of children being seen is falling and too many children at risk of significant harm are not receiving a face-to-face child protection service.

As I said at the outset, all of us want more support for responsible and good parenting, greater stability for children and young people who cannot live with their parents, and a more responsive child protection system. However, I am not convinced that the reforms proposed in their current form and the resources provided by the Government are adequate to achieve these goals. As the shadow Minister has foreshadowed, the Opposition will be moving amendments in the other place to address some of these inadequacies and to ensure that the bill achieves its stated objectives. I do not believe that the bill can achieve this in its current form.

Mr BRUCE NOTLEY-SMITH (Coogee) [10.55 a.m.]: I speak in support of the Child Protection Legislation Amendment Bill 2013. The bill amends the Children and Young Persons (Care and Protection) Act 1998, the Child Protection (Working with Children) Act 2012 and the Adoption Act 2000. The bill makes a number of necessary changes to strengthen the protections afforded to some of our community's most vulnerable people. It addresses longstanding problems within our child protective services, with an emphasis on providing long-term stability for children engaged by the Department of Family and Community Services. I was alarmed to hear that the number of children in out-of-home-care increased from 14,667 to 18,169 between 2008 and 2012—an overall increase of 23.9 per cent. It is clear that moving children from home to home will have a detrimental effect on their social wellbeing and this can manifest itself in various ways in adulthood, including lower socioeconomic expectations. I note that the Government

achieved a reduction to 0.7 per cent in the growth rate for out-of-home care in the last financial year, but the Government wants that rate to be further substantially decreased. The bill aims to equip caseworkers from the Department of Family and Community Services with a better framework within which to achieve long-term solutions with parents.

Currently parent responsibility contracts can be entered into for up to six months when it is identified that a parent is not taking appropriate responsibility for the safety of their child, and when a contract breach is filed in the Children's Court it automatically means that a child is considered to be in need of protection by the department and is put into out-of-home-care. This bill recognises that permanency may take more than six months to achieve. The current framework does not leave much room for parents to get their act together for the benefit of their child and the bill addresses that imbalance. For example, renewed and strengthened parental responsibility contracts can now be in force for 12 months—extended from six months. The legislation also removes the automatic presumption that a child is in need of care and protection if a contract breach notice is filed in the Children's Court. This will give caseworkers more room to work with parents to create the best possible home environment for children and a better chance of permanency and long-term stability with their own parents. The bill also creates the new "parent capacity order" which requires:

> A parent or primary caregiver of a child or young person to attend or participate in a program, service or course, or engage in therapy or treatment aimed at building or enhancing his or her parenting skills.

This will help parents take responsibility for keeping their children safe and give them more opportunity to improve their capacity to care for their children. It will prevent children from being forced into the so-called revolving door of out-of-home-care and the potential instability which accompanies that. The New South Wales Government wants the placement of a child in out-of-home care to be a last resort, after attempts to foster genuine partnerships with families are exhausted and it is clear that out-of-home-care is in the best interests of the child.

Where out-of-home care is deemed necessary, the bill provides better safeguards to avoid the revolving door often experienced by children in out-of-home care. Ideally, the best place for children to live is at home with their parents in a stable environment. If this is not possible, then the next best place is with another family member or a suitable person. The bill clearly recognises that in situations where the birth parent is not a suitable carer, a relative such as the child's grandparent, aunt or uncle, could be the next best chance for the child to have a stable home life. Where it becomes necessary for a child to be placed in out-of-home care, the bill streamlines and simplifies the process for carers to adopt the child.

The bill enables the authorised carers of a child who is in out-of-home care to be invited to apply to adopt the child and be assessed as suitable to adopt the child. The legislation thereby enables the dual authorisation of a carer as the authorised carer as well as the prospective adoptive parent. This will make the process of finding a permanent home for the child—whether it is a relative, unrelated carer, or foster parent—as smooth and efficient as possible. It will give the child the best possible chance of having a stable home life, rather than getting stuck in a revolving door.

This historic legislation is about more than ensuring that children remain with their birth parents where possible or, where necessary, providing children with the most stable carer. It is also about giving children a better chance of succeeding in school and preventing them from getting stuck in a cycle of poverty and disadvantage. It will help promote social inclusion from the stage in one's life where a sense of social inclusion matters most—in the formative childhood years. The bill legislates for more early intervention options for the Department of Community Services, such as parent capacity orders and the provision of a simple six-month window of opportunity to enable parents to get their act together. Where that does not occur, the bill provides for the out-of-home carer—whether that is a relative or foster parent—to more easily adopt the child and provide him or her with the kind of stability and love the child deserves. These measures aim to keep families together and enable new ones to more easily be formed for the benefit of the child.

I note that this legislation is in response to the 2012 discussion paper, "A Safe Home for Life", which stressed the importance of stability in the upbringing of a child and highlighted the flaws in our child protection services. This legislation also has been developed in extensive consultation with stakeholders. I thank the Hon. Pru Goward, the Minister for Family and Community Services, for bringing this important bill before the House. She was left with a difficult job. In 2011 Labor left the highest number of children in out-of-home care in Australia—17,900 children. When Labor left office just one in five children and young people subject to a risk of significant harm report were seen by a caseworker, despite the injection of $1.5 million in an attempt to clear up the problem. The Auditor-General reported that as at 30 June 2010 caseworker positions stood at

497 under Labor. The Labor Party asserts that the figure now stands at 11 per cent but that is still 9 per cent better than under Labor. Caseworkers are now seeing 27 per cent of children who are reported as at risk of significant harm compared to 21 per cent under Labor in 2010.

The Minister is delivering on the recommendations of Justice Wood in improving out-of-home care services and outcomes for children through the transition of out-of-home care to non-government organisations. This is an important bill. It is evidence that the New South Wales Government is committed to improving lives through strengthening our child protection services. I commend the Child Protection Legislation Amendment Bill 2013 to the House.

Mr NICK LALICH (Cabramatta) [11.04 a.m.]: I make a brief contribution to this important debate on the Child Protection Legislation Amendment Bill 2013. The bill seeks to make amendments to the Children and Young Persons (Care and Protection) Act 1998, the principal Act, the Adoption Act 2000, the Child Protection (Working with Children) Act 2012 and other legislation to implement miscellaneous reforms relating to the protection of children and young people. The stated objectives of this bill are to:

(a) promote good parenting and increase parental responsibility for children and young persons, and

(b) achieve greater permanency for children and young persons in out-of-home care, and

(c) modernise and create a more responsive and child focused system, and

(d) improve the transparency and accountability of child protection services.

These are objectives that I can wholeheartedly embrace. Children are our most vulnerable group in society and I cannot think of anything more important than the protection of children. I am pleased to say that Labor has a proud history of doing whatever it can to protect vulnerable children. Under the previous Labor Government, we introduced a large number of reforms which have gone a long way to improving the lives of children in New South Wales. Labor introduced a raft of new programs that were designed to give children the best start in life and to promote good parenting. It was under a Labor Government that we saw the biggest investment in early intervention and prevention services. International research and evidence overwhelmingly concludes that those programs and services have had significant benefits for families.

In 1999 Labor established Families NSW, which has helped improve early intervention for postnatal depression and other mental health issues through initiatives such as the SAFE START program. It was Labor that implemented home visits for newborns through Families NSW. This is an invaluable service for new mums whereby a midwife visits families to check on the mother and baby and to ensure that the new mum has knowledge of the support services that are available.

It was Labor that established the Brighter Futures early intervention program in order to provide more support to vulnerable families by giving them access to services, such as quality child care, case management, parenting programs and home visits. These services are focused on building children's abilities, skills and resilience. Labor also proudly introduced the positive parenting program known as Triple P. Triple P is an effective, evidence-based parenting program, backed up by more than 40 years of ongoing research. It gives parents simple and practical strategies to help them confidently manage their children's behaviour, prevent the development of problems and build strong, healthy relationships.

In government, Labor consistently built and developed the capacity of the child protection system—a big challenge after the Greiner Liberal Government's heartless and unrelenting attacks on the system which left countless children in New South Wales defenceless. In 2002, Labor invested $1.2 billion to massively expand child protection services. Compare that to the miserly $35 million funding that came with the announcement of this bill. Following the Special Commission of Inquiry into Child Protection Services, Labor implemented significant reforms to the child protection system. Through our Keep Them Safe action plan, we laid out long-term reforms to change the culture of the child protection system. At its heart, Keep Them Safe was a plan to get communities, the non-government sector and government agencies to work together to protect children and address the growing pressures on the system. Without the changes and investment attached to Keep Them Safe, the Department of Family and Community Services would be in a much weaker position today.

I want to address the issue of permanency planning and adoption. We all know that children thrive on stability, routine and permanency. However, I am very cautious about a one-size-fits-all approach to adoption. I know that, whether it is foster care or adoption, the key to the stability of children and young people in care is love and support. That is why the former Labor Government ensured that carers who adopted their foster

children were able to keep their allowance to pay for children's support services. But under this heartless Liberal Government this allowance has been reduced from $16,000 a year to a measly $1,500. This does not bode well for the security of adoptions, as children and carers will struggle with less support.

The child protection system is again under immense pressure. There is increasing demand for out-of-home care, more children at risk, massive funding cuts, major restructuring and chronic caseworker vacancies. In real recurrent terms, last year the O'Farrell Government reduced spending on child protection by a whopping $49 million. The Government has failed to fill caseworker positions with more than 200 positions still vacant since 2012. Warning signs that the O'Farrell Government is letting down the children of New South Wales include: 1,133 young Aboriginal children have not been placed according to the Aboriginal placement principle; and lower participation rates and intensive family support and falling numbers of families in Brighter Futures. Essentially, that amounts to more children at risk and danger.

I am all for more transparency and accountability but the bill is very flaccid in this area, beyond the examination of child deaths known to the Department of Family and Community Services. To improve transparency and accountability, we need a Minister who knows her portfolio and is able to provide answers to simple questions about which the public has a right to know—for example, how many caseworker vacancies. We need a government that has a plan or even a policy to prevent the abuse, neglect and harm to our children. Unfortunately, we have a government that is hell-bent on cutting funding to child protection. We have a government that does not have a clue about how to stop children from entering the system. I fear for the vulnerable children of New South Wales under the O'Farrell Government.

Mrs ROZA SAGE (Blue Mountains) [11.10 a.m.]: I speak in debate on the Child Protection Legislation Amendment Bill 2013. As a mother and grandmother, the wellbeing of children is very near to my heart. Any sensible legislation that improves the lives of children should be applauded. This legislation aims to provide a safe home for life for these children. Unfortunately, a safe home is not the reality for some children because a minority of parents are unable or, more the case, unwilling to adequately care for their children. All too often they too have had dysfunctional childhoods.

This bill is a result of a discussion paper released at the end of 2012 on proposed reforms to child protection. There were many contributions to the discussion paper. This legislation has four main intentions: to promote good parenting and increase parental responsibility for children and young persons; to achieve greater permanency for children and young persons in out-of-home care; to modernise and create a more responsive and child focussed system; and to improve the transparency and accountability of child protection services. In my previous profession as a dentist I saw firsthand the wonderful job that carers, whether foster carers or kinship carers, do for their young charges. Since being the member for Blue Mountains I have seen even more examples of such dedication and devotion. Unfortunately, I have also seen the results of poor parenting resulting in children having to be separated from their biological parents. Many of these parents were or still are substance abusers and/or had mental health issues. I have also seen the unfortunate consequences of the biological mother's substance abuse whilst pregnant.

Many of the kinship carers and foster carers I personally know look after children with a disability, often intellectual, and also with challenging behaviours. I pay tribute to the care and dedication the carers display. They often have to fight for their children against a seemingly too difficult bureaucracy. It is not an easy job. Often the biological parents of these children also have come from dysfunctional families and did not have a role model on which to base good parenting skills. One of the most heartbreaking examples I witnessed was after the birth of my first grandchild, who was in the neonatal intensive care unit having contracted pneumonia. In one of the other humidicribs was a very sick little newborn baby who had been born to one of the prisoners at the nearby low-risk correctional facility. Mum was in hospital but very rarely visited her baby and when she did there was little or no interaction. It was very sad to see.

Many organisations provide support to at-risk families and individuals by helping to instil effective parenting and building cohesive, functional families. In the Blue Mountains a wonderful organisation called Mountains Outreach Community Services runs among many of its programs a Parenting Young group at Lawson. Other equally dedicated organisations include Blue Mountains Family Services and Gunedoo at Katoomba, which is a part of Gateway Family Services at Blaxland. All these organisations work together and in cooperation provide a very valuable service network to support families that need extra support.

The promotion of good parenting as part of this legislation includes the provision of expanding the parent responsibility contracts to expectant parents whose unborn child has been the subject of a prenatal report.

This is a sensible and practical way of trying to prevent child protection issues before they develop. The old adage that prevention is better than the cure rings loudest in those circumstances. I am told by those working in this sector that enhancing and building parenting skills can mean all the difference to a child and family in achieving a positive future. It is more cost effective from financial, emotional and societal aspects to address potential issues in identified at-risk families than to make repairs to traumatised or abused children later in life. The abuse and neglect suffered by children will haunt them for the rest of their lives.

A large number of jail inmates have a background of childhood neglect or abuse. The parent responsibility contracts will now be used in early intervention programs and their duration will be extended from 6 months to 12 months. Family group conferencing will be an obligation to consider before taking a parent to court. Removal of children should be the last resort and that is why every support is given to help at-risk families. This legislation also will ensure greater permanency for children and young persons in out-of-home care. Giving children the assurance of a permanent, safe, stable, nurturing environment is the best investment we as a society can make in our children.

Proposed new section 10A (3) sets out a preferred hierarchy of permanent placements. First preference is with parents; second is for guardianship by a relative, kin or other suitable person; third, except in the case of Aboriginal and Torres Strait Islander children, is for adoption; and, lastly, under the parental responsibility of the Minister. The fostering and out of-home--care reforms this Government is delivering as part of the recommendations of Justice Woods' royal commission, the out of-home-care services are being transitioned to non-government organisations. This need was vividly demonstrated to me by one family I had dealings with, where a young couple wanted to foster their nieces and nephews. Previously, under the Department of Family and Community Services they experienced very poor interactions with caseworkers and management but upon the change to a non-government organisation the interaction was markedly different.

Adoption has been a very topical issue of late, especially overseas adoption. The reason is that adoption within Australia is so difficult that people find it easier to seek to adopt from overseas. This legislation will streamline adoption to make it easier. It will introduce a hierarchy to ensure that children who cannot stay safely at home or with extended family are considered for open adoption before long-term foster care. Schedule 2.1 amends the Adoption Act 2000 in a number of ways, including to allow the Children's Guardian to accredit non-government organisations to provide adoption services; to enable such organisations to be accredited through a single process; to simplify procedures to enable the authorised carers of a child who is in out-of-home care to be invited to apply to adopt the child and to be assessed as suitable to adopt the child; to enable a birth parent who has not consented to the adoption of a child to be given the opportunity to participate in the adoption plan of their child; and to require prospective parents and any adults residing with them to have a Working With Children Check.

I will share a real-life story of a foster mum who is an absolute saint. She has given me permission to share her story, although I have changed names. She also expressed to me the utter frustration of other foster carers who, in her words, are tearing their hair out trying to get past the bureaucracy to adopt their children. They are eagerly anticipating this bill to make adoption easier. Denise has fostered many children and has managed to adopt two of her foster children but she was denied the same opportunity with another whom she was keen to adopt. The difference was the caseworkers. During the first adoptions she had caseworkers who went above and beyond their duty to assist in the adoptions. In the other instance the caseworker did not have the same determination to assist her.

Denise was given charge of Sally when Sally was only a baby. Sally had an intellectual disability and severe epilepsy. Her mother died when she was very little and there was no trace of her father. Denise applied to adopt Sally when Sally was seven years old. The only remaining relatives were not close and were keen to see Sally adopted. The caseworkers and staff had a meeting with Denise and informed her it was a straightforward adoption. However, it never happened. Denise was told they did not have the resources and then they did not have time. At that time Denise had some personal family issues so she was unable to pursue the adoption in her usual doggedly determined way. Sally continued to live with Denise. Both were silent and bided their time until Sally turned 18 when she was able to determine that she would continue to live with Denise. Sally is now 20. She has severe epilepsy and is in and out of hospital and she has the intellectual age of an eight-year-old child. Denise is determined that Sally will lead the full and rich life she deserves. They were the fallout of a system that failed them. Denise expressed to me the hope that with this new legislation other families will not have to go through the ordeal they went through. There are many stories such as this.

Carers provide a close and loving relationship to their charges. Many of the foster carers I know look after children with physical, emotional and psychological problems, often stemming from drug-abusing

biological mothers. Another foster mother I know has three children in her care. These children have a range of disabilities, with one boy being non-verbal; that is, he is unable to communicate through language. She has looked after these children long term and is fiercely protective of them. [*Extension of time agreed to.*]

Often the foster carers are the only parents these children know. A child's healthy mental and psychological development is related to a stable, loving, nurturing environment. In many instances the foster carers want to adopt the children and the children want to be adopted. The children want to belong; they want to have a home. This is what I have heard from the children. For instance, in the Nepean Blue Mountains Local Health District the number of children in out-of-home care is 1,231 while the number of adoptions from out-of-home care was two. This is not exactly the huge numbers Opposition speakers would lead one to believe.

The bill is something that foster carers in particular are crying out for. It gives more certainty to our children because they should be put at the centre of any child protection legislation. In the numerous discussions I have had with Minister Pru Goward, who is at the table, she certainly puts the child first and I thank her so much for her work in the area of child protection and for bringing the legislation to this place. I commend the bill to the House.

Mr ALEX GREENWICH (Sydney) [11.22 a.m.]: It is simply heartbreaking that children continue to suffer from neglect, harm and abuse in modern-day Australia. In the vast majority of cases I believe their parents want to properly care for them but are unable to due to factors such as addiction, mental health, intellectual disability and domestic and family violence. Intergenerational disadvantage may have left them without the skills and knowledge required to raise children. Department of Family and Community Services workers and the courts have a difficult job making decisions about the welfare of children in situations of severe disadvantage.

The aim of the Child Protection Legislation Amendment Bill 2013 is to help ensure that those decisions are in the best interests of the child. The bill includes a range of changes, many of which will improve child protection in this State, including provisions to engage parents at the prenatal stage, defining reportable deaths and ensuring they are reported to the Minister and Parliament, and a legislated hierarchy of permanent placement principles for Aboriginal and Torres Strait Islander children. However, I am concerned that the bill could create poor outcomes for vulnerable and disadvantaged families, particularly Aboriginal and Torres Strait Islander families, culturally and linguistically diverse families, victims of domestic violence, parents with disabilities, parents in regional, rural and remote areas and parents in prison. Community Legal Centres NSW and the Indigenous issues committee of the Law Society of New South Wales argue that additional protections are needed to avoid negative impacts and ensure the best interests of affected children.

Legislated time frames are inappropriate for helping families provide a functional environment for their children. Each family is unique, often with a complex web of issues and problems. The inflexibility will likely make parents feel disenfranchised and powerless. We need to provide families with a system that is able to work with their specific needs and weaknesses. Community Legal Centres NSW is concerned that the most vulnerable parents will be affected by proposed rigid time frames for determining whether a child is to be restored, particularly mothers who have experienced trauma or are in custody. It rightly points out that trauma takes time to overcome and is different for each individual, depending on the circumstances.

Contact orders have been limited to a 12-month maximum and there is concern that contact between parents and children beyond this period could be denied because the courts will only be able to hear cases of disagreement when there is a significant change in circumstances. This test may not be achieved if there is tension between biological, foster and adoptive parents, the Department of Family and Community Services and the non-government organisations working with parents. Having a parent-child relationship is a basic human right and should only be denied if it is unsafe. I am concerned that imposing parent responsibility contracts on an expectant mother who is the victim of domestic violence could see her being held responsible for not leaving a violent situation if she does not leave the relationship in the contract set time frame. When a woman leaves, her risk of violence is at its greatest, which will affect the timing of her decision. In most cases, mothers who are victims of domestic violence love and want to protect their children and should not lose them.

I am concerned that simultaneous assessment for the authorisation of carers of their suitability as prospective adoptive parents will discourage carers from working towards restoration of children to their biological parents. This should be the initial aim of all foster care situations, with adoption only considered when there is no realistic possibility of restoration. Parent capacity orders will include obligations on parents and I am concerned that if there are legislative requirements that they are realistic and achievable given a

parent's circumstances. It is essential that parents have access to the services and programs they need before any consideration of removal is given and this must be a legislated requirement. To ensure that parents understand and effectively engage in developing realistic agreements and contracts, it is important that they have access to free, independent legal advice before signing, and this should be provided in the Act.

The bill includes specific provisions so that Aboriginal and Torres Strait Islander children will be put up for adoption only as a last resort, which I understand has widespread support. However, I share concerns that the Department of Family and Community Services will need to establish ways to identify Aboriginal and Torres Strait Islander children, particularly when both parents have not identified as such. Furthermore, the definition of "kin" that the department will use is too broad to ensure that Aboriginal and Torres Strait Islander children get placed in the care of someone within their community who has an Aboriginal and Torres Strait Islander community connection. I understand that the Minister is aware of these concerns and I request that she address them in her speech in reply. In conclusion, I acknowledge the many loving and passionate foster parents in the electorate of Sydney who do an amazing job.

Ms NOREEN HAY (Wollongong) [11.27 a.m.]: I make a brief contribution to debate on the Child Protection Legislation Amendment Bill 2013. Those of us who take a keen interest in child protection will know that Government members have a standard modus operandi when it comes to community services. In the Illawarra Shoalhaven local community services district 3,088 children and young people at risk of serious harm were not seen by child protection caseworkers in 2012-13. At the same time local caseworker vacancies are running at 2 per cent, although that is down from 7 per cent in the previous three months. Close to my electorate in southern New South Wales caseworker vacancies are running at 31 per cent.

It is inexcusable to have these caseworker vacancies while children and young people in need are not being seen. At the same time the Government seems intent on making life difficult for foster carers. Fostering is a rewarding experience but it is incredibly hard at times. Many foster children are deeply traumatised by their early life experiences. The risk of their not completing school, falling behind in numeracy and literacy benchmarks or experiencing unemployment in early adulthood is very real. We should be supporting foster carers and the children in their care. What the Government should not be doing is cutting foster allowances, as it did in 2012 with cynical cuts designed to drive down the cost of out-of-home care services. Every dollar spent on supporting children in care and supporting foster carers to raise happy, healthy and adjusted children is sound investment in the future.

The Minister talks much about the need to increase adoption rates for out-of-home care but at the same time she cut post-adoption support allowances. The post-adoption allowance was cut from $16,000 per annum to $1,500. This will make it difficult for long-term foster parents who hope to adopt the child in their care and exposes a furphy in relation to the Government's supposed commitment to assisting those who find their support allowances have been cut absolutely to the bone post adoption. Many working families in the Illawarra are foster parents and they do an amazing job that is second to none. They have the patience and the temperament to take in children and give them a home. Many have had children in their care for the majority of those children's lives. They are foster carers because they believe all children deserve a second chance. These are working families and they need the support of government if they are to make ends meet, particularly at a time of rising cost of living and household bills.

If we cannot support those who are nurturing our future through these young people it does not bode well for the path this country is following. Buried deep in this bill is an amendment to section 161 of the principal Act dealing with financial assistance for children and young people in out-of-home care. It confers the power to redefine out-of-home care for the purpose of financial assistance. Why? What purpose does this amendment serve? What plan does the Government have to change the financial support for the most vulnerable children in our State? In the last financial year $49 million in real terms was cut from the Community Services budget. In 2012, at a time when caseworker vacancy rates in Wollongong were more than 20 per cent, the Minister stated that "vacancies go up and down as they always have". It is clear that the modus operandi of this Government is to cut the support and services available to the most vulnerable in our community and that will always be the case with this Government.

Mr CHRIS PATTERSON (Camden) [11.32 a.m.]: I thank the Minister for introducing the Child Protection Legislation Amendment Bill 2013. Protecting our children is of the utmost importance, whether it is our own children or the Government protecting those who, for a variety of circumstances, are unable to live with their birth parents. Recent figures have shown that in the four years to June 2012 there was a 23.9 per cent increase in the number of children and young people in out-of-home care arrangements, which is simply not

acceptable. All our children deserve to be brought up in a stable and safe home. I say they "deserve" it because it is their right, and Parliament must take every opportunity to ensure that every child is raised in a safe and stable home environment.

Too many children in out-of-home care are likely to experience serious and detrimental effects from growing up in the care system that are often induced by multiple placements. In the long term they are more likely to perform poorly at school, experience homelessness, struggle to find and retain employment, take solace in drugs or alcohol, or become involved in crime. The social and economic costs of continuing the status quo are simply unacceptable. One essential problem with the care system is the lack of permanency it offers a child and this, in turn, leads to uncertainty and anxiety. We need to start acting on what is important and in the best interests of the child and ensure that children are placed in permanent arrangements with a family who offers a healthy, happy and stable environment for them to grow and develop.

Belonging to a family is something we took for granted, as our own children often do. It is unfortunate that so many children do not experience the feeling of belonging to a family. Providing stability to these children will give them the same opportunities and chance at success as those children who come from a loving and stable environment. I cannot stress strongly enough that it is the role of government, the Minister and every member in this Chamber to do everything we possibly can to provide these children with the same opportunities and chance to succeed that every child should have. Every child who comes from a loving and stable environment takes such opportunities for granted. It is not their fault that some children do not have a stable home.

The bill stipulates a new hierarchy of permanency within the Children and Young Persons (Care and Protection) Act 1998, with family restoration as the first option, in recognition of the primacy of family preservation. But when this is clearly not in the best interests of the child consideration is to be given to placing a child in the long-term guardianship of a relative or kin, followed by open adoption and, as a last resort, parental responsibility is placed with the Minister. For New South Wales this is a significant and somewhat controversial change in the way we care for children who are unable to live at home. Critically, it prioritises open adoption over placing children in care. This new policy direction is bold and challenges the way we currently do things. I note that some members opposite agree the adoption of children is by far the best option for children who cannot remain with their families.

Sadly, for a long time open adoption has had negative connotations; it has been associated with secrecy, stigma and abusive practices. Today open adoption embraces the value of a child's cultural and racial heritage, and children are encouraged to retain emotional and genetic links with their birth family. Many older citizens who were adopted years ago are now seeking their birth families, with wonderful outcomes. It is considered that adoption provides higher levels of emotional security, through conferring a sense of belonging and general wellbeing, than does long-term fostering. We have also introduced measures to simplify and speed up the adoption process. I commend the Minister for that reform because too often many good people looking to adopt children were put off by bureaucracy, red tape and misunderstanding of children's needs, which meant a slow and tedious process and not enough adoptions of vulnerable children.

The bill will simplify the process and ensure that children in need are placed with caring, loving, stable families. This new legislation will allow for faster open adoption of children in out-of-home care faster and will streamline the process of assessing authorised carers and prospective adoptive parents. Another notable feature of the permanency reforms is the introduction of guardianship orders. Guardianship orders provide a stable and self-supporting relative and kinship placement where there is no realistic possibility of restoration. The concept of providing permanency to children who cannot live at home is not entirely new but needs to evolve and be refreshed to remain relevant in today's society. Abused and neglected children deserve a home within a safe and healthy family environment.

These permanency reforms will ultimately help us to reach our goal to provide a safe and stable home for children who cannot live with their birth families. All children are our future and it is important to give them opportunities they may not have been afforded previously. This bill will ensure that that happens. These reforms enshrine those principles in legislation. In doing so, they clearly spell out the options that are available to those who are responsible for making decisions about a child's future. As I said, our children are our future. Our vulnerable children deserve the same opportunities as those living in loving, stable and healthy environments. I sincerely commend the Minister for her work and the fortitude she has shown in introducing this bill. Without taking ownership of the current problems and amending the legislation nothing will change. I also commend the Minister for being such a great friend of Camden. It is wonderful to see her in Camden nearly every weekend. She is always welcome.

I know the Minister would want me to thank her extremely hardworking staff. I acknowledge Simon Fontana, her chief of staff; Prue Gusmerini, who is an outstanding deputy chief of staff and policy director; community services adviser Anne King; and media adviser Nick Tyrrell. I would not normally digress to mentioning people's better halves but I must acknowledge Nick's better half, Kristina Cimino, who is Minister Berejiklian's parliamentary liaison officer. I have worked with her very closely and she does an outstanding job for the Minister. I also acknowledge women's adviser Keri Ahmet, housing adviser Kristin Pryce, parliamentary adviser Matt Versi, private secretary Gabrielle Bietola and officer coordinator Makaela O'Rourke. I commend the Minister and implore members to support this overdue and much-needed legislation. I commend the bill to the House.

Mr KEVIN ANDERSON (Tamworth) [11.41 a.m.]: I support the Child Protection Legislation Amendment Bill 2013. The object of the bill is to promote good parenting and increase parental responsibility for children and young persons, achieve greater permanency for children and young persons in out-of-home care, modernise and create a more responsive child-focused system, and improve the transparency and accountability of child protection services. As chair of the Committee on Community Services I commend the Minister for Family and Community Services, who is the Chamber, for her work to increase transparency and accountability not only in child protection services but also throughout the Family and Community Services portfolio. A vast amount of services now come under the portfolio's umbrella. On a daily basis Department of Family and Community Services workers deal with a raft of serious issues, including disability services, out-of-home care and child protection. This amendment bill puts the child and the services first rather than tying up the processes in bureaucracy and red tape. It will provide the best outcome for individuals who need assistance, protection, care and love.

The Committee on Community Services recently conducted an inquiry into how government can provide better front-line services. The inquiry looked at how the funds allocated to non-government organisations can be used to increase services on the front line so that they can be accessed by those who need them most. In November 2013 the committee handed down its final report. The inquiry's terms of reference included examining the devolution and outsourcing of housing, disability and home care service delivery from the government sector to the non-government sector with reference to a number of factors. This comes down to front-line services and the mechanisms through which governments can fund services closer to home. That has been done since the early days of service provision but it is only more recently that the human services delivery environment has changed. It has moved apace and now constitutes a significant part of the work of non-government service providers. Delivering front-line services to those who need them most is particularly relevant to the child protection legislation that we are discussing today.

In its final report on outsourcing community service delivery the committee decided that a review of the current outsourcing system in the area of human service delivery was timely in order to assist service providers prior to the system being bedded down and developed more extensively. As part of the inquiry process the committee conducted extensive consultations with the non-government organisation sector, service recipients and government funding agencies contracting out services. The committee's consultation process, involving four days of public hearings and inspections of urban and rural service organisations, identified many issues of concern to clients, providers and funders. Many of these related to the lack of collaborative consultation, the absence of comprehensive and consistent data on which to base decisions, and issues surrounding accountability, workforce capacity, equity and access to services across the State. Services had fallen down in earlier years but the situation is now being rectified.

The bill enables adoption by people who have the capacity to share their love and care and provide a foundation from which a young person can achieve whatever they wish to achieve. That is integral to our mantra of government: working for the people, not the people working for government. A major change to existing arrangements that the committee recommended constitutes a fundamental reordering of the current piecemeal approach to outsourcing and the way in which we do business on the front line. It involves the creation of a New South Wales office for non-government organisations in the human services sector. The establishment of an office specifically dedicated to coordinate local activities across the sector will facilitate consultation between funding agencies and service providers, and assist with policy development, future planning, capacity building and information provision.

The committee also recommended that there be greater consistency in the processes involved in applying for and awarding contracts for services. A mechanism for achieving better integration of contract requirements will be created through the establishment of an interagency working group to investigate the true cost of providing services, improving services to remote and regional areas, the appropriateness of contract

duration and the renewal of funding agreements. In essence, that means it will be easier to do business with this Government. That includes easing the path for people in appropriate circumstances who have the will and desire to adopt and care for children. The inquiry into outsourcing community service delivery and making it easier to do business with government was certainly a Broad Church. The committee members believe our reforms build on the earlier recommendations in our interim report, which should be read in conjunction with the final report.

It is important to stress that government still has a role to play in being the funder and provider in communities where it is seen as the provider of last resort. The committee acknowledges that this is essential in those circumstances. While non-government organisations can provide those services, the Government still has a significant role to play. However, we need to look closely at being the funder and provider. I thank the committee members who were keen to work together on this inquiry: Tony Issa, the member for Granville; Barbara Perry, the member for Auburn; Anna Watson, the member for Shellharbour; and deputy chair Kevin Connolly, the member for Riverstone, worked hard to ensure that the report we produced was consistent with our aim, which is to make it easier for the community to work with government. The Government works for the people, not the other way around.

We are about improving quality of life for all, and this Government does business by considering the service recipients. The findings and recommendations in the report are geared towards that goal. We should look at enhancing the current delivery system to provide greater certainty for clients, service providers, funders and those looking to work with government. Our Government has a community service obligation to be ever vigilant and to stay focused on providing the best possible service to those in need. That is particularly relevant in relation to the Child Protection Legislation Amendment Bill 2013. We aim to care for children and to help them have every opportunity to thrive and survive. In some instances children are born into a world where they will not get that opportunity. This is regardless of background, as in some instances our background it is not as we would want it to be.

As parents and those who adopt children, we have an obligation to provide the very best environment for young people to thrive and survive. That environment comes through education and guidance. Children are little sponges who soak up everything you say and do—how you walk, talk and conduct yourself in life. We must try to connect young people with those who can give them a foundation for life. Many people are crying out to be parents but have been confronted by a brick wall of red tape, which has caused them much heartache. I commend the Minister for her work on the Child Protection Legislation Amendment Bill 2013 and for her vision, foresight and passion in trying to provide a better life for young people in our society. I commend the bill to the House.

Mr GARRY EDWARDS (Swansea) [11.51 a.m.]: I speak in support of the Child Protection Legislation Amendment Bill 2013, which was introduced by the Minister for Family and Community Services, the Hon. Pru Goward. I thank the Minister for being in the Chamber today. This historic bill contains a suite of amendments to the Children and Young Persons (Care and Protection) Act 1998 that will create permanency for more than 18,000 children in out-of-home care in New South Wales and change the way that child protection services are administered. For too long, many children in State care have experienced the pain and uncertainty of failed placements and, for some, abuse. These young people often fail to break free from the cycle of disadvantage and poverty later in their lives. In the long term, they are at a greater risk of homelessness and drug and/or alcohol abuse, and their children are in turn often subjected to similar risks, resulting in obscene levels of monetary as well as emotional costs not only to our present-day communities but also quite likely to generations to come.

This bill establishes a new hierarchical system within the Children and Young Persons (Care and Protection) Act 1998 by establishing family restoration as the first option, but when that option is clearly not in the best interests of children, consideration is to be given to placing children in the long-term guardianship of a relative, then open adoption and, as a last resort, giving parental responsibility to the Minister. The Government acknowledges that keeping families together where possible is the most desirable outcome for vulnerable children. There is a genuine commitment to engagement with families who have been identified as failing to provide adequate care and protection for their vulnerable children. The amendments in this bill provide caseworkers with a range of tools to assist parents who have disengaged from available support. These tools include modified parental responsibility contracts and stand-alone parenting capacity orders.

With early intervention services, families are given opportunities to change their behaviour. However, in many cases children simply cannot be left with their birth family because, due to varied circumstances, a

stable home life is simply impossible. If it is in the best interests of the child, permanency can be achieved by placement with another family member, long-term carer or adoptive parent. Importantly, the amendments in the bill prioritise adoption over placing children in care, and research supports this outcome. Evidence suggests that adoption leads to greater levels of belonging and general wellbeing than does long-term fostering. Young people require proper attachments during critical years for healthy development, and this bill rightly establishes the importance of adoption as the preferred option before State care. The priority in all cases is to establish a stable and safe environment for the child. Protecting the welfare of our children is paramount. It is an obligation we all share, and this bill will deliver greater protection and security for many children who would otherwise have continued to suffer under a system that has been broken for far too long.

I listened to all previous speakers who addressed this bill. I must say that, given this area of government can be, and often is, a highly emotive area, I have found some comments by members of the Opposition to be highly offensive to this Government, to me as a member of Parliament, to the Minister and to the community. For 16 years those opposite had the opportunity to look after innocent victims but failed to do so. It is unacceptable for Opposition members to attack the Minister for attempting to put in place protection provisions for the most vulnerable in our society. I find such behaviour totally offensive. Having said that, I commend Minister Goward for her initiative in bringing forward this bill to protect the most vulnerable in our communities, and I commend the bill to the House.

Mr GREG PIPER (Lake Macquarie) [11.57 a.m.]: After some consideration, I have decided to support the Child Protection Legislation Amendment Bill 2013. I do so in good faith, accepting the Government's assurances that its intentions are to promote good parenting, strive to keep families together where possible and, most importantly, place the rights and interests of the child foremost in any negotiations about their future. Much of the resistance to this bill stems from the provision for open adoption and the reasonable fear and suspicion that any policies around adoption inevitably evoke. It is true there have been too many unfortunate instances in our country's history of forced adoption that has been to the detriment of both birth parents and their children. This shameful catalogue includes, of course, the Stolen Generations of Indigenous children and the forced removal of babies from young unmarried mothers between the 1950s and 1970s. In September 2012 in this House the Premier and the Minister delivered a powerful apology to those affected by these past misguided practices.

I understand the reluctance of some to countenance any child protection legislation that advocates adoption, given this background and the horrific stories of forced separation and, in many cases, cruelty subsequently suffered by children who went into State or adoptive care. But it is important to bring perspective to this debate and realise that the children we are talking about who are likely to be eligible for adoption under this legislation represent only a small percentage of the 18,000 New South Wales children in out-of-home care. They are the ones for whom the highly likely alternative outcome is a childhood in foster care, often being shuffled through multiple homes.

I, too, was concerned about the prospect of imposed adoptions under this legislation and I sought a briefing from the Minister's office to clarify some matters around the proposed laws. I was informed that the number of children likely to become eligible for adoption annually under this legislation was likely to be no more than 200 or 300. Indigenous children will not be considered for adoption as it is not culturally appropriate. Open adoption will only become an option when all other means of safely placing children with immediate or extended family have been exhausted. We know that some foster children can move through many placements before they reach the age of 18. As a result of this unsettling existence they often face difficulties forming normal attachments to others, they fall behind in their education and social development and, perhaps saddest of all, never feel as if they truly belong anywhere or to anyone.

It is an unfortunate reality that sometimes the most dangerous place for children to live is with their own parents. Whether by abuse or neglect, they suffer greatly when parents do not or cannot accept the responsibilities that come with having children in their care. However, by legislating to better facilitate open adoption in preference to long-term foster care, the Government should not abrogate its responsibility for the child. As the member for Auburn pointed out, putting children with adoptive families will not automatically resolve the problems and issues those children carry as a result of their troubled family situations prior to adoption. In many cases these children will be damaged and they will have high needs. We must ensure that adequate support is available to their new families and, indeed, to those children themselves, to ensure they adapt as smoothly as possible to their new situation. This may be by way of restoring post-adoption allowances or by providing free access to medical, psychological and other services for a time after adoption, but these adoptive families must be actively supported.

I am encouraged by the stated emphasis in this bill on early intervention but I also acknowledge the representations of interest groups who have stressed that resources must be available to make these provisions effective. I acknowledge too the concerns that have been raised by interest groups and the Opposition about the imposition of legislative time frames for decision-making in relation to the suitability of parents to care for their children in the long term. It has been argued that time frames are too rigid and decisions should be made on a case-by-case basis. It is my understanding that there will be some flexibility within these time frames to accommodate irregular situations and special circumstances.

Legitimate concerns have also been expressed about victims of domestic violence and the need to better ensure mothers in this unfortunate situation are not punished for not acting in a protective manner by removing their children from that environment. I understand that a number of amendments will be moved in the upper House to address the concerns I have just outlined, and it will be interesting to see what those amendments propose. This is an emotive area and supporting this bill involves something of a leap of faith—and I acknowledge that the Minister is in the Chamber—but I believe that the Government has the best interests of children at heart. Indeed, I cannot imagine that anyone in this House would not want the best for the children who will be directly affected by this legislation.

The Opposition has rightly raised the issue of resourcing and made the point that these reforms will be doomed to failure if appropriate funding is not available to allow them to be implemented properly. It is incumbent on the Government to ensure the money is available to secure the futures of our most vulnerable children. Child protection, in particular, is an area where I believe we should be able to work together in a cooperative manner, and the nature of the partisan adversarial debate that characterises so much of the business of this House should be able to be set aside. I have nothing but high regard for any Minister, including the current Minister for Family and Community Services, who takes on such a role. Family and community services is an area that can be heartbreaking, but at the same time it can be very rewarding when positive changes are made to the lives of those who would otherwise have been destined to generational abuse, neglect, misery and, unfortunately, occasionally death.

This legislation will not resolve all problems; there will always be failures in a system that involves many people. What the legislation will do, however, is allow for decisive and more timely intervention in conjunction with the consideration of the judicial system. As any reasonable person would expect, if systemic or obvious flaws become evident they should be addressed. On balance, this bill provides more tools to support children at greatest risk in our State. That is the bottom line and I therefore support the bill.

Mr DAVID ELLIOTT (Baulkham Hills) [12.04 p.m.]: I support the Child Protection Legislation Amendment Bill 2013. I congratulate the Minister for Family and Community Services on this legislation. As a father of two children and being very lucky to represent a reasonably affluent part of Sydney, the only gut-wrenching part of my job occurs when I have to speak to people who need representations made to the Department of Family and Community Services. The Minister has done such a fantastic job that she should be made a Dame, now that the Prime Minister has restored the honour. Unfortunately, since she sought her position she would probably be excluded from consideration. I do not believe that, in politics, one could ever be rewarded enough for being the Minister for Family and Community Services; and I thank the Minister on behalf of the many members of Parliament who have to, unfortunately, make representations on behalf of people facing crises who need the intervention of the Department of Family and Community Services.

Madam Acting-Speaker, I need to correct you, with respect. When you spoke in debate on this bill in your capacity as the member for Wollongong you said that there were a number of vacancies in the Illawarra Shoalhaven district. You were quite right; there are a number of vacancies, but only two. There are two vacancies out of 107 positions, according to the December dashboard statistics for Community Services. Two vacancies out of 107 positions is not a significant number—it is less than 2 per cent—and those two positions may be vacant for any number of reasons. In a perfect world those 107 positions would be filled, but if the only criticism made of the Minister today in relation to this legislation is that there are two vacancies in the Illawarra-Shoalhaven district, I doubt the Minister needs to worry too much about the Opposition's criticism. The Opposition's amendments to this bill are surprising. For the Opposition to sit and read this legislation—

Ms Pru Goward: They didn't.

Mr DAVID ELLIOTT: Indeed. For the Opposition to even consider amendments suggests to me that it has read the bill. If the Opposition is not blocking the legislation and is only amending it then that suggests to me that the Opposition agrees with it. One would hope that any established political party would address

amendments with consideration. If the Opposition has read the bill, has agreed to amend the bill and is suggesting that it will support the bill with those amendments, it begs the question: Why did the former Government not do it in the 16 years it was in power? Why does the Opposition believe that this legislation is good now in 2013 but that it was not good for the 16 years Labor was on the Treasury benches?

In addressing this legislation we have to acknowledge that there has been a legacy of failure when it comes to looking after the State's most vulnerable children. The amending legislation seeks to address the past failures in child protection services in New South Wales. Too often children are left to fight for themselves without good parenting or parental responsibility. Too often we have failed to provide permanency for children. Too often we have ignored the child in developing child protection legislation. This bill provides caseworkers with a new set of tools which should prevent the cycle of disadvantage, penalty and abuse before intrusive State intervention is required as a last resort. Renewed and strengthened parent responsibility contracts and the new parent capacity orders provide caseworkers with a process to engage parents, where in the past parents have been reluctant or unable to seek the services they need. The parent responsibility contract is a great example of the Government's commitment to early intervention—intervention before a child is even born—and giving expectant parents a clear idea of their responsibilities.

Research shows that some programs—such as the Triple P, Positive Parenting Program, for parents who are at risk of maltreating their children—can be effective in improving parental attitudes and parenting skills and in increasing parenting efficiency and reducing child behavioural problems. There are some parents who do not take part in this type of support—they refuse to engage in or to continue to engage in the programs—and they place their children in harm's way. While we give parents extra chances, their children suffer. We eventually need to remove children and add them to those already in out-of-home care. This is not what we want. The number of children and young people in out-of-home care increased from 14,667 at 30 June 2008 to 18,169 at 30 June 2012—an overall increase of 23.9 per cent. Labor left the highest number of children in out-of-home care in Australia. The O'Farrell-Stoner Government has reduced the rate of growth of out-of-home care to just 0.7 per cent in the last financial year. As at 30 June 2013 there were 18,300 children and young people in out-of-home care. This is a result of the exceptional work of the Minister, who has one of the hardest jobs in the State. Caseworkers are now seeing more children—up from 21 per cent in 2010 when Labor was in government to 27 per cent under the Coalition.

Children and young people in out-of-home care often fail to receive permanent homes but instead enter the revolving door of out-of-home placements. The bill provides strategies to ensure that children have a permanent home—the best way to give children the best possible chance in life. The bill introduces a more streamlined pathway to open adoption, if that is considered to be in the best interests of the child. There will be a single streamlined process where carers will be able to gain authorisation as foster carers and adoptive parents, allowing children to establish stability in placement as early as possible. It is unacceptable for the social and economic costs of the status quo to continue. Adoption aims to ensure that children gain a sense of belonging. Everyone—especially children—needs to feel a sense of belonging. It is part of our culture. Although adoption is now open it is agreed that a child has the right to know and to remain in contact with their birth parents.

In cases where the child's best interests are unable to be catered for with adoption, new guardianship orders will enable permanency to occur. This will probably occur in the case of Aboriginal families, who are disproportionately represented in the child protection system and where adoption is not accepted culturally. New guardianship orders will provide Aboriginal children with a sense of permanency and, more importantly, belonging. The bill should promote parental responsibility and permanency for children in out-of-home care and it should improve the transparency and accountability of child protection services. Importantly, the system will become more child-focused. Whilst more needs to be done, the bill builds on the success of previous reforms.

This bill is not the sort of legislation members of Parliament seek to speak on; it is forced upon us. Government is not in the business of legislating for children. The role of government is to provide an environment where children are best protected and this legislation provides for that. This legislation is an important part of rehabilitation for young people who are vulnerable. We have said before that things such as abuse, domestic violence and child neglect are not relevant to people's socioeconomic standing. This issue affects every member of this Chamber and has done for many years. The legislation is essential if we are to provide children with the best possible options for a safe and secure life. I commend the Hon. Pru Goward, the Minister for Family and Community Services, and Minister for Women, for having the vision and commitment to introduce this important reform. I commend the Child Protection Legislation Amendment Bill 2013 to the House.

Mr JOHN FLOWERS (Rockdale) [12.14 p.m.]: I support the Child Protection Legislation Amendment Bill 2013 and commend the Minister for bringing this important legislation before the House. The object of the bill is to amend the Children and Young Persons (Care and Protection) Act 1998, the principal Act, the Adoption Act 2000, the Child Protection (Working with Children) Act 2012 and other legislation to implement miscellaneous reforms. Those reforms relate to the protection of children and young persons and are intended to promote good parenting, increase parental responsibility for children and young persons, and achieve greater permanency for children and young persons in out-of-home care. The purpose of the bill is to modernise and create a more responsive and child-focused system and improve the transparency and accountability of child protection services.

In November 2012, the Minister for Family and Community Services released a discussion paper, "Child Protection: Legislative Reform" to the public for feedback. The discussion paper proposed 29 legislative and practice changes to improve the child protection system, reduce the number of children and young people at risk of significant harm and provide permanency and a home for life for those children who cannot live at home safely. Over 230 submissions were received in response to the discussion paper. Each contribution was important and individual submissions were reviewed as a means of protecting the child. Decision-making was ultimately based on what is in the best interests of the child. The Department of Family and Community Services also coordinated face-to-face consultations across New South Wales. The bill has been developed in response to the feedback received through these processes. The principles of the bill reflect this Government's belief that ideally a child will live safely at home with his or her parents. Unfortunately not every child has this opportunity. Some children, through circumstances beyond their control, need special care and protection. This legislation addresses those basic requirements.

The New South Wales Government is committed to real reform of the New South Wales child protection system to make long-term improvements to services and lives. Too many children and young people in care are experiencing a revolving door of placements, which impacts on their development, schooling, health and general wellbeing. Aboriginal and Torres Strait Islander children and young people continue to be significantly over-represented in the care system. New South Wales needs a contemporary child protection system that is more flexible and better able to respond to the corrosive effects of intergenerational abuse, drug and alcohol addiction and chronic violence in the home as well as geographic disadvantage.

The New South Wales Government is committed to repositioning the child protection system to put families—not systems—at the centre of attention. Since the Coalition Government came to power in 2011, we have made changes to reduce reliance on the statutory child protection system to help vulnerable families. We have developed a culture of continuous learning and improvement in Family and Community Services practice and a commitment to evidence-based, sustainable solutions. New South Wales continues to invest heavily in early intervention programs such as Families NSW and Brighter Futures—which is now delivered by the non-government sector—to divert families to services earlier. Mona Luxton and pastors Andrew and Mary Ann Harper of the Bay City Community Support Centre in Rockdale are already using programs such as Brighter Futures. Mona Luxton was the Rockdale 2013 Woman of the Year.

This bill offers a unique opportunity to redefine the provision of child protection services and to stop the ever-spiralling cycle of disadvantage, poverty and abuse for too many children and young people in New South Wales. The amendments to be enacted by this bill reflect a genuine commitment to engage and work with parents in order to help them to protect and take proper care of their children. Without compromising the safety of children, the bill will provide families with every chance to get it right. However, where this is not possible, the bill provides that those children who come into care will have the opportunity for a permanent, stable and secure home for life, which we know is so important in helping children achieve their potential—at school, in their relationships, and over the course of their lives. Whether permanency is achieved through placement with relatives, with a long-term carer, or an adoptive parent, will depend on the circumstances and, above all else, on what is in the best interests of the particular child. The proposals concurrently approve a person to be both a long-term foster carer and adoptive parent, and seek to make finding permanent homes for children who cannot live with their birth parents as smooth and efficient as possible.

Governments in the past have tried to improve the child protection system in this State. Yet the number of children in care continues to rise and, tragically, children still die in terrible circumstances. Protecting and promoting the welfare and wellbeing of our children is a fundamental responsibility of our society. We have a moral obligation to give this issue the attention and the resources it requires. These reforms will build a solid foundation to reduce the number of children and young people at risk of harm. Children in care are significantly more likely to perform poorly at school, require health interventions, have low self-esteem and/or challenging

behaviours, enter the juvenile justice system, struggle to form healthy relationships and have children who, themselves, end up in the care system. The costs for the community over their lifetime are potentially staggering.

This Government commends the work of caseworkers, who are now seeing more children, up from 21 per cent in 2010 to 28 per cent now. More needs to be done; this bill aims to build on the success of our reform to date. Effective early intervention services to help keep families together and, for children in care, working towards finding them a stable, permanent, loving home for life are the best chances these children have to take up opportunities that other children take for granted. We are fortunate in New South Wales to have such a dedicated, caring and thoroughly effective Minister for Family and Community Services in Pru Goward. I congratulate her on her outstanding efforts to date. I support the Minister wholeheartedly in bringing forward this bill and will look forward to its enactment and implementation.

Mr TONY ISSA (Granville) [12.21 p.m.]: I am pleased to support the Child Protection Legislation Amendment Bill 2013. It is common knowledge that children are unable to protect themselves and it is the responsibility of the community at large to provide that protection and to ensure that our children will be able to grow in a safe secure environment. I strongly support this bill. As a father of four children and also a grandfather of four, it is on a personal level my top priority to ensure the safety of my children and my grandchildren and all children within our communities. I also believe it is the top priority of every family to ensure that their children can enjoy their childhood in a safe and secure environment. As all members may be aware, childhood experiences impact tremendously on young adults.

Today this Government is taking the step to further ensure child protection and it is for that reason the Minister for Family and Community Services has introduced the Child Protection Legislation Amendment Bill 2013. Many of my constituents have commended the Minister. After 12 months of extensive discussions the Minister introduced the bill in relation to which more than 230 submissions were received in response to the consultation request. Submissions were received from individual community members, child protection caseworkers, children in care, care leavers, universities and other research bodies and also from our non-government partners that deliver services to children and families, child protection and other related peak organisations, the courts and all relevant agencies across the New South Wales Government.

In 2011 New South Wales had the highest number of children in out-of-home care in Australia. According to the Australian Institute of Family Studies website the number of children in out-of-home care has risen every year for the past 10 years. In 2003 New South Wales had 8,636 children in out-of home-care. In 2012 that figure almost doubled to 17,192 children. These statistics are very alarming as I am sure all members are aware of the tragic stories that have emerged about children who were known to the department before their death. This amendment to the legislation is in the best interest of the child and provides protection to children.

The principal objective of the Child Protection Legislation Amendment Bill 2013, as I said, is to provide safety for children, because a child ideally should be able to live safely at home with his or her parents. Community Services will work alongside the family to help and encourage them to change in order to provide the safest possible environment for their children. If a child cannot live safely at home, the next place for them is with extended family or kin. If families or kin are unable to assist or take care of the child then open adoption for the child should be determined.

I bring to the attention of the House that in 2011 the good Minister requested her department to prepare a yearly document to report the deaths of children that were known to the department. This was very important as it will ensure the child protection Bill has the highest level of transparency now and will continue to do so into the future. As a representative of a low socioeconomic community I can say that this bill helps a great deal those many struggling families who have domestic violence disputes that impact greatly on their children. I acknowledge the hard work of the Department of Family and Community Services and its dedication and commitment to provide great support to many people in the community. I am positive that the department will continue to provide the help and support needed for parents as this bill helps parents to take responsibility for keeping their children safe and I am positive that most parents, if not all, would be more than willing to accept assistance from the department in order to do so.

This bill will modify parent responsibility contracts to extend them from six to 12 months, which will give parents more time to display a change in their behaviour. The welfare of the child has always been at the core of any decision-making that will give the best chance to provide them with a safe home for life. When I came to Parliament House today I had the privilege to speak to parents and citizen association parents who

commended the Minister for Family and Community Services for her hard work in this area and many other areas. I am pleased to bring to the attention of the Government that they call her the Minister for all families in New South Wales. I commend this bill to the House. I congratulate the Minister on her new title.

Mr CLAYTON BARR (Cessnock) [12.28 p.m.]: The Child Protection Legislation Amendment Bill 2013 seeks to amend the Children and Young Persons (Care and Protection) Act 1998, the principal Act, the Adoption Act 2000, the Child Protection (Working with Children) Act 2012 and other legislation. Of all the things that come before this Parliament it is unlikely that any will be more important than a bill such as this one that is designed to protect our children. Ideally, this would be an area of public service where politicians of all persuasions could agree and work together; where we could strive to seek out and implement the best research and best practice; where we, on both sides, could accept that this policy area should not be a playground for political point scoring. Ideally, the Minister would not refer to the previous Minister as the "failed former Minister" and outside politics in a tit for tat would not refer to her as "Cruella" or some other unfortunate term. But unfortunately this is not, and is unlikely to ever be, the case in the New South Wales Parliament.

The ultimate victims are indeed the children, their families and the thousands of caseworkers trying to do their very best every day. The Child Protection Legislation Amendment Bill 2013 has a raft of initiatives and policy changes listed in its many sections and subsections. Indeed, as I read the bill I placed ticks beside many of the elements in the bill. There is much in the bill that could result in fruitful outcomes for children. I note also that the shadow Minister has foreshadowed a range of amendments that will make a potentially good bill even better. Making this bill better, identifying areas of concern and trying to achieve the best possible outcome is the space from which I make my contribution to the debate today.

It is incredibly difficult for us to sit in this House and speak of dysfunctional families because most members in this Chamber, not all but most, have had comparatively fortunate upbringings. Those of us who have the privilege of being in this place are quite high-functioning adults. That makes it incredibly difficult for us to legislate for the needs of those less capable and less fortunate. It is impossible for me to understand what makes a person starve a child, sexually abuse or bash a child, lock a child in a cupboard or out of the house, burn cigarettes into the skin of a child, leave a child at home unsupervised, fail to bath and clothe a child or, indeed, not love a child. But for some people this is the norm and sadly for some children this is the norm.

As a former teacher in the town in which I was born and bred and continue to live I have had the opportunity to see intergenerational abuse and neglect. I have taught students who were being raised in a home of neglect, abuse and dysfunction. I now see those same former students—adults now—with children in tow, essentially exhibiting the same lack of parenting skills. Their children look ragged and dishevelled; they are dirty and unkempt. They have their mother or father swearing at them and abusing them. The great struggle for us in this House is to understand that for these people—people I have known now for more than 20 years, generations of the same families—this is all normal. This neglect and abuse, according to them and their life experience, is exactly what parenting should look like. This is the challenge.

Many parents whose children are at risk either do not register their responsibility to be a better parent or do not know how to be a better parent. The Minister would no doubt agree that this is exactly why parental responsibility contracts and parent capacity orders are so important. To finish my reflections on the children I once taught who are now struggling parents, I say to the Minister that the heavy stick of expectation and direct consequence imposed by high-functioning, albeit well-meaning, schoolteachers failed these people. They could not cope with the one-size-fits-all school environment. The system failed them. Their memories of the institutional and draconian approach are all bad and now in parenting they will be forced into the same corner. They will be forced to accept their own incompetence and then be expected to suddenly and quickly adopt a model of high-functioning parenting. Dare they fail this impossible and unachievable test they will, as a consequence, likely have their children taken away from them.

I do not accept that forcing parents into these measures—making it mandatory—will bring about the change and epiphany of responsibility that the Minister is hoping to achieve. However, I do support the Minister's intent and sentiment. I want these struggling families to have assistance and aid in identifying a better way, a better life and a better style of parenting. We do need to be explicit in what we ask of them and we need to be determined in the support that we offer to help them get there. Indeed, this opportunity already exists and is in the toolbox of our caseworkers. It is a fact that caseworkers use this approach sparingly. I am not in a position to say exactly why that is, but I suspect and worry that it might have something to do with the paperwork and being anchored to a desk instead of going out into the field.

Going forward, my concern is exactly this. I would hate to think that caseworkers will be more focused on documents and paperwork instead of getting out in the field. However, putting aside my concerns for the lifetime of failure experienced by many of these parents, so long as caseworkers are properly resourced and families properly supported, this model could potentially work. But again I repeat— so long as it is resourced. Another element of the bill that could be improved is the absence of intent to conduct an annual review when it is determined that the placement is safe and secure. That is covered under item [81] of schedule 1 to the bill which inserts new subsections into section 155 (3) of the Children and Young Persons (Care and Protection) Act 1998.

We must learn from history. Our country and our people have some instances of the worst possible neglect and abuse of children in places and spaces that were, at that time, deemed safe and secure. I refer to the influx of immigrants after the Second World War and the abuse that so many of these children were exposed to while in various forms of institutional care. I refer to that dark piece of history repeating itself after the Vietnam War and to the current royal commission that is highlighting the abuse in religious institutions, I refer to the Stolen Generation and I refer to the abuse that occurred at the hands of the Scout movement and the Salvation Army, all places that were deemed to be safe and secure. I urge the Minister to review section 155 (3) in a bid to ensure that we do not repeat the mistakes of our past.

I refer also to new section 79B (4) and I urge the Minister to provide adequate resourcing so that parents at risk of losing their child will be provided in every instance with access to legal support or opinion. Of course, that means it would be free and provided by the State because it is unreasonable that these struggling and dysfunctional families would have access to the funds required to pay for legal assistance or would have the capacity to source legal aid. The Minister may seek to respond to my concerns on this matter during her speech in reply. Another area of concern is the expectation that a child of 12 years of age is able to give consent. This could force children into a position where they are forced to desert or betray someone they love. I give the example of a 12-year-old child in a loving foster carer arrangement for some significant time where a strong, loving bond may have formed. The child is given the opportunity to return to his or her birth parents. What does the child do? Does the child turn his or her back on the loving environment in which he or she has lived or on the birth parent? This is a difficult situation in which to put a 12-year-old child and one that child will undoubtedly wrestle with.

New section 91C could also be amended or altered in a minor way. Illiterate parents will be unable to read or understand parent capacity orders. This bill specifically refers to a written application of a parent capacity order. Again I ask the Minister to highlight the resources that will be made available to accommodate the needs of illiterate parents in this section of the bill. Finally, I refer to my concern about a domestic violence situation where a mother and child may have been removed from a violent husband. The husband potentially could come around to the house, bash or abuse the mother and that would be deemed to be in breach of the court order. I ask the Minister to clarify that matter in her reply.

I appreciate that the Minister has been present in the Chamber for the entire debate and I respect her enormously for that. The issue is about trying to make life better for children. I do have concerns about the capacity of people in the community to do the right thing and I worry that we are taking a stick approach rather than a carrot approach. However, I appreciate the Minister is seeking to make changes to improve the situation and I believe that comes from a good space. The Opposition will move amendments in the other place to make a good bill better and I hope those amendments receive bipartisan support.

Mr ANDREW ROHAN (Smithfield) [12.38 p.m.]: I speak in support of the Child Protection Legislation Amendment Bill 2013 following the Government's substantial effort in identifying methods of maintaining the most fundamental socioeconomic unit to a well-functioning society—families. The three key areas of the bill include promoting good parenting and increased parental responsibility for children and young persons, providing a safe and stable home for children and young people in care, and creating a child-focused system. Due to time constraints I will direct the attention of the House to the first two points.

I turn to the first of those key areas: promoting good parenting. I am the proud father of two sons, both of whom, I might boast, have succeeded academically and emotionally and lead stable, well-rounded lives. I am also the proud grandfather of one. As any good parent knows, the first and foremost responsibility of parents is to provide an enduring, safe, supportive and stable household. The principal Act acknowledges this by supporting parents to accept their responsibilities through increased parental capacity and accountability. The use of parent responsibility contracts extends section 25 of the principal Act to maintain consistency for prenatal reports. An extension of the contract period to 12 months after registration at the Children's Court will streamline the provisions in section 38A.

The introduction of the parent capacity order enables a parent or primary caregiver to attend or participate in a program, service or course aimed at building or enhancing their parenting skills. To balance interests, expectations and risks, this order is only made if the Children's Court is satisfied of an identified deficiency in the parenting capacity of the parent or primary caregiver that has the potential to place the child at risk of significant harm. If the parent or primary caregiver is unlikely to engage in the required program voluntarily, it is reasonable and practicable to require compliance with the order. It may also apply if a prohibition order is found to have been breached under section 90A of the principal Act. Prior to an application for an order, alternative dispute resolution processes will be utilised, including family group conferencing, to enable a decision that is in the best interests of the child. I now move to point two of the key areas: providing a safe and stable home for children and young people in care. The briefing paper by Lenny Roth titled, "Permanency planning and adoption of children in out-of-home care", No. 03/2013, stated:

> According to the 2007 paper by Osborn, Delfabbro and Barber, the evidence suggests that placement instability in out-of-home care is likely to have significant effects on the current and long term well-being of children. A 2007 study of young people referring care in New South Wales found that stability and, more importantly, a sense of emotional security were highly significant predictors of young people's outcomes four to five years after leaving care.

Due to the short time available, I will conclude by congratulating the Minister on introducing these necessary reforms and I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) [12.42 p.m.]: I will contribute briefly to the second reading debate on the Child Protection Legislation Amendment Bill 2013. I heartily endorse the bill and congratulate the Minister on introducing positive change in a crucial area. I recognise the inherent goodwill of members when they speak about an issue such as this. Every member shares a concern for children and wants the best outcomes for them, particularly vulnerable children who are in domestic settings that are not supportive of their welfare. I am a little disappointed that some Opposition members used much of their time speaking in this debate as a point-scoring exercise.

There are two themes to the bill that are critical: promoting permanency in the life of a child and promoting timeliness in achieving that permanency. Those two matters are fundamental to achieving the best outcome for a child. My parents adopted two of my sisters and a brother. Life for them changed because my parents were generous, committed and had the capacity to provide for them; not everybody is so fortunate. Life is mixed and we all go our separate ways, but I am convinced that many more children who are in out-of-home care and not receiving the benefit of having a family should be able to do so. Many couples wish to give that care to children, and it is the role of government to put the two together.

I was distressed to hear the member for Cessnock talking about intergenerational disadvantage and dsyfunction, which we all know exists in families, but not providing a solution. In fact, the member for Cessnock argued against an active solution. We have not currently balanced out-of-home care as against adoption. It is not a reasonable or sensible balance. There are thousands of children in out-of-home care and only dozens of adoptions per year. To underline the urgency of this situation I will quote a simple statistic. In 2011 and 2012 there were more children known to the Department of Family and Community Services who died than children known to the Department of Family and Community Services who were adopted. I am not blaming any government, Minister, person or department for that, but it is a fact, a horrifying fact, and we need to act. I commend the Minister for the bill.

Mr JAI ROWELL (Wollondilly) [12.45 p.m.]: This bill is truly historic and I am pleased to lend my support to it. I acknowledge the Minister for Family and Community Services who is present in the Chamber during this debate. For too long we have been failing hopelessly when it comes to addressing the needs of vulnerable children. The number of children and young people in out-of-home care increased from 14,667 as at 30 June 2008 to 18,169 as at 30 June 2012, an overall increase of 23.9 per cent. Many speakers have contributed to the second reading debate. Due to time constraints, I am not able to place on record some of the details I wanted to touch on today. I do want to place on record the importance of these reforms being put into legislation. I commend the bill and the Minister for Family and Community Services for introducing it to the House.

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [12.46 p.m.], in reply: I first address the concerns raised by the Opposition. I am pleased that the member for Canterbury yesterday recognised that we need to be of assistance, to add value and to be positive.

Sadly, she then quoted from a couple of international studies on adoption, rehashed a few old arguments and did very little to advance this debate. It is difficult to tell whether the member has even read the bill. The reforms are about being positive and adding value. The bill will provide assistance and support for good decision-making through parent responsibility contracts and parent capacity orders.

By taking a strength-based and parent accountability approach, our caseworkers will be better able to articulate to parents what they need to do to better support their children and keep them safe. The member for Canterbury has criticised the adoption reforms. Her remark describing the reforms as "a cost-saving exercise in place of restoration" was paltry and a sad reflection upon the member. For goodness sake, we are talking about giving a child a home. This issue cannot be reduced to that level of argument. I can only conclude that the member did not read the bill or is not capable of understanding the moral urgency. The hierarchy in this bill clearly states that restoration is the first choice and that family placement is the next option for exploration.

Only after a court has determined that a child cannot live safely in either of those situations and needs to be in care until the age of 18 will open adoption be considered. Long-term foster care is the last option. I repeat that it will be considered. Those opposite scaremonger and misconstrue the aims of this reform, which are to consider the needs of each child and support them to have a safe home for life. Those opposite continue to twist the true meaning of the bill and in doing so play politics with children's lives. The Government has stated clearly that parent capacity orders will be made only where a service is available. To say otherwise reflects the poor understanding of those opposite.

We need to support parents so that they have access to services. This bill talks about the supports that will be available. I announced a package of $35 million to support the reform. I have stated, and it is clear in the report titled "A Safe Home for Life", that a parent capacity order will not be made unless a service is available. The Opposition has further stated that the Government has cut payments and support to adoptive parents. This Government continues to provide support to adoptive parents. The Government funds the Post Adoption Resource Centre to provide support, and parents receive an annual payment of $1,500 to assist them. I stress that adoptive parents do not adopt for money; they adopt to create a family, and where children have special needs that is clearly recognised.

Opposition members have also criticised the alleged lack of accountability and transparency. I am surprised by that criticism because members opposite were the ones who failed the transparency and accountability test in government. For three years this Government has published the annual child death report, which is something Labor never did.

Dr Andrew McDonald: We published and created it.

Ms PRU GOWARD: No, you did not. I have also published the caseworker dashboard, which provides information on caseworker strength and face-to-face assessments on a regional basis. That again is something members opposite never dared to do, probably because in the year before they left office the Auditor-General reported that there were 497 caseworker vacancies and they were seeing only 21 per cent of children. So much for Labor's transparency. Currently, 27 per cent of children are being seen. In response to issues raised about the roles of parent responsibility contracts and parent capacity orders I will further outline the policy context for these caseworker tools. I cannot emphasise enough that this Government believes that, ideally, kids should be raised by their parents wherever possible. That is clearly enshrined in the new permanent placement principles. The role of parent responsibility contracts [PRCs] and, in more serious circumstances, parent capacity orders [PCOs] is to make every attempt to help parents create a safe and caring home in which to raise their children.

The bill makes parent responsibility contracts more appropriate for early intervention work. The bill extends the time frame of parent responsibility contracts from six months to 12 months to allow parents greater opportunity to complete a program or course to demonstrate abstinence and/or change their behaviour. This represents a significant opportunity for parents to change. An issue that has impacted on the take-up of parent responsibility contracts in the past is that a breach of the contract results in an automatic presumption by the court that a child is in need of care and protection. Members opposite need to understand that that is the current situation. Currently, parents are often too afraid to enter into a parent responsibility contract. They might be advised by their lawyer that it increases the risk of their child being removed if they fail to meet the contract's terms. By removing this automatic and serious consequence of a breach, as we have in this bill, we have repositioned parent responsibility contracts as a strength-based tool that encourages parents to voluntarily engage with services for the benefit of the child.

The bill also extends the scope of parent responsibility contracts to enable them to be applied to the parent of an unborn child. The purpose of this is again to enable support services to work with a parent earlier to help them address any issues that may place their baby at risk once he or she is born. In so doing, we will reduce the likelihood of the need for statutory intervention in relation to the baby at birth. It is important to emphasise the voluntary nature of parent responsibility contracts. Parents must need and want to make a change in the first instance. Despite an obvious need for change and the possibility of the removal of their children, some parents seem unable to initiate the changes to keep their children safe. To help caseworkers address this situation, the bill also introduces a new tool, the parent capacity order.

Like the contracts, the purpose of an order is to engage parents with the support services they need to keep their children safe. However, unlike parent responsibility contracts, this new tool is court ordered; participation is not voluntary. It may be considered when a parent responsibility contract or other early intervention strategy has failed to engage the parents and it can be used either prior to or after a child has been brought into care. When it is still safe for a child to remain at home, parent capacity orders are effectively the last opportunity for parents to improve their parenting before statutory intervention, but it is another tool and another step. When a child has already been brought into care, a parent capacity order may provide an opportunity for a parent to work towards the restoration of their child.

As I said, we are well aware of the need to ensure that the services a parent needs in order to change are readily available. Without providing services we would be setting up parents to fail. No contract will be finalised nor order made unless the services to support them are in place. That is this Government's and my solemn pledge. We have committed additional funding. One proposal that has drawn the most attention is the Government's decision to promote open adoption as a permanent placement option for children in out-of-home care. We need to change the culture of fear that permeates adoption and promote the possibility of modern, open adoption. Doing this will give more—not all—children and young people the stability they deserve and futures they can look forward to. These reforms facilitate the removal of current unnecessary barriers to adoption, particularly for those caring for a child in out-of-home care.

Where restoration to a child's parent is not possible, new guardianship orders will enable children to be placed with relatives or kin, or another suitable person when that is more appropriate. In particular, it is envisaged that guardianship orders will be available for Aboriginal children. A guardianship order is intended to provide a child with long-term stability and their carer with the confidence to plan for the care of the child to adulthood. Guardianship orders will only be available where the court has found that there is no realistic possibility of a child being restored to their parents. The court must be satisfied that the prospective guardian will be able to provide a safe, nurturing, stable and secure environment. The order allocates parental responsibility to a carer until the child reaches 18 years and therefore gives that carer all of the duties, powers, responsibilities and authority which by law a parent would have in relation to a child. Unlike adoption, a guardianship order does not affect the parentage of the child.

In addition to promoting permanency, the legislative reforms seek to promote timeliness in achieving that permanency. The restoration of a child safely to his or her parents is our ideal outcome, but in attempting to achieve this we must ensure that the child does not end up lingering between their birth parents and the out-of-home care system for extended periods. Known in the literature as "drift in care", the move from placement to placement or in and out of care is a most destructive aspect of our out-of-home care system. I was pleased that members opposite acknowledged that. Drift in care acts to undermine a child's self-esteem, sense of worth and belonging and cognitive and emotional development. It denies them a sense of real security. It can result in disrupted schooling and medical care and, importantly, it can disrupt their friendships and relationships with significant people in their lives. Often, children who have come into care are already dealing with complex difficult issues and the last thing they need is multiple moves. Preventing this is the purpose of legislating for a time frame within which the court needs to make a decision about whether restoration is possible. The time frame is within six months if a child is less than two and within 12 months for a child above the age of two.

There is no inconsistency between the reforms on parent responsibility contracts and the mandatory time frames for decisions on restoration—not adoption. Parent responsibility contracts are tools that can be used by caseworkers in their work with parents to try to prevent the need to remove the child or young person from their care. They are primarily used with families where there is a high likelihood that the children can remain in their family, and the extension in times allows for more substantial work to occur that will be longer lasting. The proposed introduction of mandatory time frames for decisions on restoration only applies to cases that are before the court because the child or young person has already been removed. I know that issues have been raised in relation to these time frames. I emphasise that the time frames in the bill are not arbitrary. They take into

account what we know about the importance of attachment theory, particularly in the case of very young children; the adverse impact of ever-extended periods of insecurity for children and young people at risk; and, as I mentioned earlier, the increasing likelihood of drift in care as decision-making is put off.

The Government is conscious that every family has its own circumstances, challenges and particular types of disadvantage. Therefore, the bill gives the court discretion to defer a decision about restoration if it considers it appropriate and in the best interests of the child or young person. This bill is about the best interests of the child or young person. The ongoing relationship between the child in out-of-home care and their parents is likely to be a critical factor in the development of a child's identity, their understanding about belonging and why they have come to live away from their birth parent. Its inclusion in the principles of the administration of the Children and Young Persons (Care and Protection) Act 1998 reflects its importance.

The changes in the bill seek, beyond the short term, to keep contact arrangements in the domain of families and caseworkers, and outside the court except when necessary. Contact should, in the first instance, be about what is in the best interests of the child. Over the course of childhood, the contact needs of a child are likely to vary, sometimes quite dramatically. Factors that might influence these needs and the child's best interests could include the child's age; the child's relationship with his or her birth parents prior to care and the way in which the relationship develops after the child has come into care; the attitude of a birth parent to contact; and the contact experience of the child, be that adverse or positive and affirming. Moreover, as children mature, they will clearly have their own views on the frequency of the contact they have with their birth parents, and possibly a growing desire to have these heard and acted on.

Ideally, as contact is an issue that can cause distress for birth parents and carers alike, it should be managed as informally as possible. Under the proposals in this bill, on final orders, where it has been established that there is no realistic possibility that a child could be restored to his or her parents, the Children's Court may make contact orders for an initial period of 12 months. The court may make a further contact order on application by parties or others only when there has been a significant change in any relevant circumstances. Amendments will encourage the use of alternative dispute resolution in the management of contact arrangements, including family group conferencing, in which we have great faith. The court may order parties to attend alternative dispute resolution to resolve disputes about contact. Significantly, wherever agreement can be reached, contact orders will be able to be varied by written agreement registered with the Children's Court.

I make a final observation about domestic violence and the importance of providing appropriate support to victims, so often women and children. This legislation will enable us to order and design support for these victims, which might include ordering the abusive partner to undergo therapy or some form of counselling or support. If the abusive partner declines to do that, we are at liberty to have him removed from the home so that the victims can remain safe. Far from being onerous, these new arrangements enable us to work more extensively and intensively with a family experiencing domestic violence than is the case at the moment.

Ms Linda Burney: That is not in the bill.

Ms PRU GOWARD: Young women in my electorate have had their children removed almost overnight in cases where there is domestic violence. Yes, there can be some attempt at support, but at the moment they do not have to provide support to a woman in those circumstances. However, they remove children they believe to be at risk. Under arrangements in the bill, we have more tools to work with families where there is domestic violence. The legislative amendments made law by this bill are part of a wide-reaching, robust reform program that includes the transfer of the management of out-of-home care to the non-government sector, culture change across Family and Community Services, improved community services through the implementation of a new practice framework, Practice First, and the localisation of services. The reforms are needed and timely, and this Government believes they will make a real difference to the children and young people of New South Wales and their families.

I thank all those who have contributed to this debate. It is gratifying to see that people care deeply about children and are anxious to ensure that this robust, effective and critical debate is taken seriously. We know from practice and an extensive body of research that bringing a child into care as we currently do does not always guarantee good life outcomes for that child in the medium or longer term. Over the course of their lives, children who have spent time in care are much more likely to experience disadvantage, homelessness and unemployment. At times they end up struggling as parents. That is what these reforms are meant to change. They are meant to make these children's lives better and to break the cycle of disadvantage. I thank all those involved in the reform process and in the preparation of this bill. In particular I acknowledge the hard

work and dedication of our foster carers and the community services caseworkers, who work hard every day to make a difference to the lives of vulnerable children, young people and their families. 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 Ms Pru Goward agreed to:

That this bill be now read a third time.

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

ACTING-SPEAKER (Ms Melanie Gibbons): Order! It being before 1.15 p.m., community recognition statements will be proceeded with.

COMMUNITY RECOGNITION STATEMENTS

NSW SENIORS WEEK LOCAL ACHIEVEMENT AWARDS

Mr GREG PIPER (Lake Macquarie) [1.04 p.m.]: It was my pleasure this week to present 2014 Seniors Week Local Achievement Awards to a diverse and energetic group of 13 wonderful people from the Lake Macquarie electorate. Receiving recognition were: Roger Easton of the Toronto Chamber of Commerce, Geoff Thornley of Toronto Sailability, Barry Hangar of the Martinsville Rural Fire Service, Margaret Howse on behalf of Southlakes Carers, Margaret Berghofer of the Lake Macquarie and District Historical Society, Karen Lizasoain from Grandparent as Parents a Second Time, Audrey Sergeant of Booragul Community Singers, Jim Williams from Morisset Lions Club, Ron Tozer on behalf of the Westlakes Seniors Computer Club, Robyn Gill of Coal Point Landcare, Sister Helen-Anne Johnson of Mum's Cottage at Holmesville, Bruce and Dorothy Murray from Lakeside Retirement Village at Bonnells Bay and Islay Mahony of Wyee Point for her volunteer work with special needs children and the elderly. I congratulate all award winners and thank them for the valuable work that they do in our community.

WOLLONDILLY NATIVE BUSHLAND REJUVENATION

Mr JAI ROWELL (Wollondilly) [1.05 p.m.]: I acknowledge the owners of Wellington Park Beef in Picton, Mrs Georgie Kennett and Mr Jamie McLaughlin, who have joined the Greater Sydney Local Land Services to rejuvenate native bushland on their property. The land services provide agricultural advice and management strategies to landholders. To date more than 750 native plant species have been planted, with a five-year plan to have a balance between rejuvenated bushland and cattle grazing. This is the start of a program to develop ecologically sustainable farming in the Wollondilly region. I commend Mrs Kennett and Mr McLaughlin for their efforts and the community work that they do.

JIM FRASER, FOOTBALL HALL OF FAME INDUCTEE

Mr RICHARD AMERY (Mount Druitt) [1.06 p.m.]: I am pleased to have the Parliament recognise International Goalkeeper Academy director Mr Jim Fraser, who has been honoured by the Football Federation of Australia by being inducted into the Football Hall of Fame. Mr Jim Fraser, now of the Blacktown International Sports Park situated in Rooty Hill, is a former Socceroo, who played 10 games for the national side. Being inducted into the Football Hall of Fame last year not only is a much-deserved recognition for Jim Fraser but also shows the quality of the people working in our local area to promote the game of football and give the up-and-coming generation of football players the knowledge that they are in the midst of and being trained by the best-qualified persons. I congratulate Jim Fraser on being inducted into the Football Hall of Fame. The sport and our area are proud of his achievement.

TAMWORTH SERVICE NSW CENTRE

Mr KEVIN ANDERSON (Tamworth) [1.07 p.m.]: I inform the Parliament of the excellent work of Tamworth's Service NSW Centre. Manager Sam Smith and her team provide the very best service, and it is a pleasure for customers to do business at any time. Congratulations.

TEAM AUSTRALIA BASEBALL

Mr BARRY COLLIER (Miranda) [1.07 p.m.]: I ask all members to join me in acknowledging the outstanding achievements of baseball's Team Australia at the Sydney Cricket Ground last week. Before the opening games kicking off the United States Major League Baseball season, the Los Angeles Dodgers and the Arizona Diamondbacks each took on the Australians. On Thursday evening, Team Australia was narrowly defeated 4 to 2 by the Dodgers. On Friday night Team Australia came out swinging, humbling the $110 million Diamondbacks with an emphatic 5 to 0 win in front of a crowd of just over 16,900. I know members on both sides of this House will join me in congratulating all members of Team Australia and their coach, John Deeble, on this truly fantastic achievement which, no doubt, will encourage and inspire baseball players, young and old, their clubs and officials and their supporters Down Under.

JOHN AND TERRI AYLIFFE BOOK LAUNCH

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [1.08 p.m.]: I recognise Pittwater authors John Ayliffe and Terri Ayliffe and congratulate them on the publication of their book, *Icons: A celebration of Sydney's far northern beaches*. John's text provides a fascinating and thoroughly researched account of the heritage and character of this beautiful part of the New South Wales coast, while Terri's photography serves as a breathtaking and insightful partner to the text. The combination of their work is seamless and engaging, and it demonstrates Mark Twain's observation that Australian history reads like the most impossible lies, yet they are all true. I also recognise Peter Montgomery, AM, proprietor of Jonah's Whale Beach, who not only acted as patron of this important book but also serves as custodian of a landmark that itself is an icon of Sydney's northern beaches. Peter is an iconic sportsman and son of Sydney's northern beaches.

BANKSTOWN BASKETBALL ASSOCIATION FIFTIETH ANNIVERSARY

Ms TANIA MIHAILUK (Bankstown) [1.09 p.m.]: Last Saturday I attended the fiftieth anniversary gala dinner of the Bankstown Basketball Association held at the Bankstown Sports Club. The "Bruins", as they are more commonly known, participate in the NSW Waratah Basketball League. In their fiftieth year the Bruins continue to represent the elite arm of more than 3,000 junior players with pride and distinction. I was honoured to be invited to the occasion by the general manager of the Bankstown Basketball Association, Mr Alex Bacic, and I recognise the continued efforts of Mr Bacic and the board of directors, including the president, Tracey Lopez.

NSW POLICE RSL SUB-BRANCH

NOREEN TAIT, NSW SENIORS WEEK AWARD

Mr DAVID ELLIOTT (Baulkham Hills) [1.09 p.m.]: The NSW Police RSL Sub-Branch held its annual general meeting on 20 March 2013. I congratulate the elections of Mervyn Morgan as president, Lionel Kellock as senior vice president, Greg Coulter as junior vice president and Reg White, from Baulkham Hills, as secretary-treasurer. I wish all members of the new executive the greatest success over the next three years, including during the Centenary of Anzac next year. Furthermore, I recognise Noreen Tait, to whom I presented a NSW Seniors Week award. The award acknowledges Mrs Tait's selfless dedication to the community. Mrs Tait has helped residents of Warrieanda Retirement Village, volunteering as a seamstress and as an event coordinator for the past 14 years. It is just another example of the great community spirit that exists in my electorate.

DONG TAM YOUTH ASSOCIATION

Mr GUY ZANGARI (Fairfield) [1.10 p.m.]: On 30 January 2014 I had the privilege to attend and take part in an eye-dotting ceremony at the Dong Tam Youth Association, Fairfield. The eye-dotting ceremony breathes life into the lion by dotting the eyes, the ears and the horn and from the back of the head to the tip of the tail. I congratulate the Dong Tam Youth Association and its supporting community members for hosting a remarkable display of acrobatics, martial arts and lion dancing. It was a truly memorable night that I will never forget and I thank the association for the kind invitation and for giving me the honour to participate on such a

special occasion. I also commend Trung Ly and Maria Tran for their ongoing commitment to further the association's community development and participation and for their dedication to mentoring the young community members in the association.

FRED SELIGMANN, CRONULLA LOCAL ACHIEVEMENT AWARD

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.11 p.m.]: I congratulate Mr Fred Seligmann of the Shire Woodworking Club on his recent receipt of a NSW Seniors Week Local Achievement Award for Cronulla. Mr Seligmann has produced more than 1,000 units of tables and chairs, together with furnished large dolls houses, for disadvantaged children for more than 15 years. This repeated dedication has meant that charities such as the Sydney Children's Hospital at Randwick, Sutherland Hospital, Project Youth Miranda and Sutherland Shire Family Services at Jannali have benefited greatly from his efforts.

FILMMAKER MARIA TRAN

Mr NICK LALICH (Cabramatta) [1.12 p.m.]: One of Cabramatta's young rising stars, Maria Tran, has been busy working behind the scenes and in front of the camera for an upcoming ABC television series called *Maximum Choppage*. As the show's executive producer, extras casting coordinator and stunt double, Maria has been instrumental in ensuring that young local talent have an opportunity to be part of this production and that Cabramatta has a starring role. While the production was filming on a street in Cabramatta I was able to catch up with Maria, the star of the series, Lawrence Leung, and many of the local talents working on this exciting new show. *Maximum Choppage* will screen on the ABC later this year, and it is sure to be a wonderful success. I congratulate Maria on the great work she is doing to give Cabramatta's young talent an opportunity to work in the television industry and on showcasing Cabramatta as a film destination.

MELANIE SYMONS, NATIONAL FUTSAL CHAMPION

Mr ADAM MARSHALL (Northern Tablelands) [1.12 p.m.]: I commend Glen Innes teenager Melanie Symons, who is making her mark on the international sporting stage in the game of futsal. Last year Melanie was selected for the Australian under-15s futsal team which competed at the National Futsal Championships in Brazil. The team came second, which was an impressive effort for a group of 12 girls who only met each other at the tournament. Melanie is now working towards selection for a tour of the United Kingdom in October this year and is currently preparing to compete in the regional futsal competition. I congratulate Melanie on her achievements so far and wish her all the very best in her efforts to qualify again for the 2014 Australian team.

GARY NEWMAN, HUNTER REGION PRIMARY SCHOOLS SPORTS ASSOCIATION LIFE MEMBERSHIP

Mr STEPHEN BROMHEAD (Myall Lakes) [1.13 p.m.]: I inform the House that Gary Newman, a teacher at Wingham Brush Public School, has been awarded life membership of the Hunter Region Primary Schools Sports Association in recognition of his outstanding and long contribution to sport at school, zone, regional and State levels. Gary Newman coached the boys New South Wales Primary Schools Sports Association [NSWPSSA] touch team in 2011 and 2012 and has been heavily involved in the operations of the Manning Primary Schools Sports Association. He has convened zone cross-country, touch and soccer events for many years.

PIP JOB, RURAL WOMEN'S AWARD

Mr ANDREW GEE (Orange) [1.14 p.m.]: I congratulate grazier and environmental advocate Pip Job on being the winner of the 2014 Rural Industries Research and Development Corporation [RIRDC] NSW/ACT Rural Women's Award. Pip, who is from Cumnock and is also the chief executive officer of Little River Landcare Group, took out this great award at a gala dinner at New South Wales Parliament last night. Pip is a valued member of the Cumnock and Yeoval community and everyone in the district is very proud of what she has achieved. Congratulations to Pip Job on this wonderful recognition of her work.

MACARTHUR ROTARY POLICE OFFICER OF THE YEAR AWARD

Mr JAI ROWELL (Wollondilly) [1.14 p.m.]: I recognise Senior Constable Scambary, a fantastic police officer in the Wollondilly area who recently won the Macarthur Rotary Police Officer of the Year award for all his hard work as a youth liaison officer. I also congratulate Constable Doug Brennan, who was named Probationary Constable of the year. These two constables are doing outstanding work in our area.

PAL INTERNATIONAL SCHOOL

Mr NICK LALICH (Cabramatta) [1.15 p.m.]: Since it was founded in 2013 as Australia's first Buddhist High School, the PAL International School has become very important to the Buddhist community, especially to the people and families in my electorate of Cabramatta. The school is providing quality education to young people in the area while also helping them build a love for learning and life, inner harmony and peace, and the skills to handle life's challenges. These are invaluable lessons that will help these young people become good citizens and good community leaders. I take this opportunity to congratulate the principal, Panha Pal, and the PAL School community on its achievements in only its first year and I wish the school all the best for the future.

BETTY POSTLE, MONA VALE LOCAL ACHIEVEMENT AWARD

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [1.15 p.m.]: Today I recognise Mrs Betty Postle of Mona Vale who recently was recognised with a Local Achievement Award as part of NSW Seniors Week. Mrs Postle is a registered nurse and midwife—a position she has held for 45 years—and she operated a nursing home for a long time in her native England. She is now forging a new vocation in grief counselling through her blog "GriefandSympathy". I thank her for her work and for her dedication to others.

GOSFORD CITY COUNCIL NSW SENIORS WEEK

Mr CHRIS HOLSTEIN (Gosford) [1.16 p.m.]: Today I acknowledge Gosford City Council's outstanding contribution to NSW Seniors Week, holding more than 50 events, many of them at no cost to our seniors. The local government area activities for NSW Seniors Week included garden tours, library activities, tours, cruises, concerts, photography competitions, first aid courses, cardiopulmonary resuscitation [CPR] lessons, sporting events and national park tours. Seniors in Gosford really know how to live life.

RETIREMENT OF ROBIN MIDDLETON

Mr STEPHEN BROMHEAD (Myall Lakes) [1.16 p.m.]: Today I inform the House that after 41 years as a teacher, Robin Middleton, principal of Tinonee Public School, retired in January 2014. Robin began her teaching career in 1972 at a four-teacher school in Mathoura, near the Victorian border. After three years she moved to a larger school in Deniliquin and then to her home town of Temora where she started her family. Robin later moved to the mid North Coast and taught at Old Bar Public School, Chatham Public School—where she was promoted to assistant principal—and Wingham Public School. In 2006 Robin moved to Tinonee Public School and has been principal for the past year. At Tinonee Public School Robin established the school band and as principal she worked to maintain the strong links the school has with the community in Tinonee. Robin was determined to keep Tinonee in the public profile and to give its students just as many opportunities as those living in larger towns such as Taree and Forster-Tuncurry. In retirement Robin intends to maintain close links with school education and has three grandchildren who will be attending Tinonee Public School in 2014.

ORANGE NSW SENIORS WEEK LOCAL ACHIEVEMENT AWARDS

Mr ANDREW GEE (Orange) [1.17 p.m.]: I draw the attention of the House to the fact that two people in the Orange electorate received NSW Seniors Week Local Achievement Awards at a ceremony in my office. June Hutchison from Wellington received her award for her valuable service to the Red Cross in the area over many years, and Lucinda Lancaster from Orange received her award for all the work she does with the Uniting Church and UnitingCare. I congratulate these very worthy recipients of NSW Seniors Week Local Achievement Awards.

TRIBUTE TO LISA REED

Mr ADAM MARSHALL (Northern Tablelands) [1.18 p.m.]: I commend long-time *Glen Innes Examiner* manager Lisa Reed, who this week is vacating her chair at the *Glen Innes Examiner* and moving west to Moree to take up the reins of the Moree *Champion*. Lisa's first exposure to the newspaper industry was in the late 1970s with an after-school job at the Condobolin *Lachlander*. In her quarter of a century in the newspaper game Lisa has experienced the progression from hot metal to paste-up, to digital newspaper production, and a lot more in between. Lisa's commitment to the community and her inexhaustible energies have taken her down many different paths and she is always to be found either volunteering for or coordinating community events and charity fundraisers. Glen Innes' loss is Moree's gain and I wish Lisa all the very best in her new home and every success in her new managerial position at the Moree *Champion*.

NATIONAL CATHOLIC SCHOOLS WEEK

Mr NICK LALICH (Cabramatta) [1.18 p.m.]: Recently I had the pleasure of visiting Our Lady of Mount Carmel Primary School for its National Catholic Schools Week celebration, and what a wonderful day it was. Hundreds of parents were there to see their children perform in the assembly and to enjoy a picnic lunch with their children and school community. It was great to see the playground covered with colourful picnic blankets and families enjoying quality time together. I was also given a tour of several classrooms and was impressed by the school's facilities and quality teaching. I congratulate the principal, Debbie Heckenberg, and her dedicated team of teachers and staff on the wonderful job they are doing educating children in the Cabramatta electorate.

AUNTY FRANCES BODKIN, WOMAN OF THE WEST AWARD

Mr JAI ROWELL (Wollondilly) [1.19 p.m.]: I congratulate Aunty Frances Bodkin, who recently won the University of Western Sydney [UWS] Woman of the West award. I have known Aunty Frances for a long time. She is a fantastic community member who is always donating her time for good causes.

TUNCURRY LAWN BOWLER SARAH BODDINGTON

Mr STEPHEN BROMHEAD (Myall Lakes) [1.19 p.m.]: I inform the House that Tuncurry lawn bowler Sarah Boddington will be representing New South Wales at the Australian Sides Championships in Burnie in Tasmania this month. The 2014 New South Wales team is one of the strongest ever to represent the State, with all 12 players, including Sarah Boddington, having played at international level. Sarah is the youngest member of the team at just 21 years of age and has been a member of the senior side for four years. She is hoping to achieve a personal milestone during the event when she chalks up 50 caps for New South Wales.

THE HAZELTON STORY BOOK LAUNCH

Mr ANDREW GEE (Orange) [1.20 p.m.]: I draw the attention of the House to the fact that this Saturday there will be a book launch at the Orange Aero Club. *The Hazelton Story*, written by Mr Denis Gregory, is the story of Hazelton Airlines. Max Hazelton is an aviation pioneer in the Orange district. He will be present at the launch. Those in attendance will include members of the Orange Aero Club, together with Dick Smith. Max Hazelton was the founder of Hazelton Airlines in Orange and a pioneer of regional aviation. Hazelton Airlines ultimately became Rex Airlines. Max Hazelton has made an invaluable contribution to regional aviation, linking our regional areas to the metropolitan areas. For that he has been a true pioneer. I pass on the congratulations of the House to aviation pioneer Max Hazelton.

Community recognition statements concluded.

[*Acting-Speaker (Ms Melanie Gibbons) left the chair at 1.21 p.m. The House resumed at 2.15 p.m.*]

DISTINGUISHED VISITORS

The SPEAKER: I welcome to the Speaker's gallery the Rt Hon. David Carter, Speaker of the House of Representatives of New Zealand; Ms Mary Harris, Clerk of the House of Representatives of New Zealand; and Mr Martin Welsh, Consul General for New Zealand. I welcome Mr Alby Schultz, a former member of the Legislative Assembly who served as the member for Burrinjuck from 1988 to 1998. He also served as the Federal member for Hume in the House of Representatives between 1998 and 2013. I also welcome the Hon. Jeff Johnson, MP, Minister for Education, Alberta, Canada, guest of the Minister for Education and member for Murrumbidgee.

AUSTRALASIAN STUDY OF PARLIAMENT GROUP SEMINAR

The SPEAKER: I remind members that tomorrow the New South Wales Chapter of the Australasian Study of Parliament Group is holding a seminar entitled "Parliamentary Privilege: Recent case studies in NSW and New Zealand" at 1.00 p.m. in the Macquarie Room. This seminar will be addressed by our distinguished visitors from New Zealand. I encourage all members to attend.

BUSINESS OF THE HOUSE

Notices of Motions

Private Members' Business Notices of Motions (for Bills) given.

QUESTION TIME

[*Question time commenced at 2.22 p.m.*]

WALLARAH 2 COAL PROJECT

Mr JOHN ROBERTSON: My question is directed to the Premier. Will the Premier stop the Wallarah 2 coalmine from going ahead as he promised to do in Opposition by supporting laws being introduced by Labor?

Mr BARRY O'FARRELL: The Treasurer makes a very good point. We do know that the only employment policy announced by the Leader of the Opposition in three years was an end to the coal industry in New South Wales. He wants to throw out of jobs hardworking people in the Hunter Valley and other parts of the State where employment relies upon the coal industry, a coal industry that has been in New South Wales since Bass saw those magnificent cliffs at Coalcliff. Indeed, coal exports from this colony, as it then was, to India was one of the things that kept the early colony alive in the late 1790s.

Mr Richard Amery: Tony Abbott wants to make it a colony again.

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

Mr BARRY O'FARRELL: I understand that the member for Mount Druitt was an eye witness to those events.

Mr Richard Amery: I took the photo!

The SPEAKER: Order! The member for Mount Druitt did not take the photograph.

Mr BARRY O'FARRELL: But that should not stop us from acknowledging that the coal industry has been a significant contributor not just to employment and economic growth but also to the competitive advantage that New South Wales and Australia enjoys because of the quality of coal that exists in New South Wales.

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

Mr BARRY O'FARRELL: Coalmines will be developed in a way that is responsible and safe, and that continues to enjoy the support of the broader community. We came to office promising to end part 3A of the planning system. On 4 April 2011 we committed ourselves to introducing legislation to end part 3A and put in place a regime for the assessment and determination of major projects.

Mr John Robertson: Point of order: My point of order is relevance under Standing Order 129. The question was about Wallarah 2 and whether the Premier is going to keep his promise—no ifs, not buts—to stop it from proceeding.

The SPEAKER: Order! The Premier is being relevant to the question asked. There is no point of order.

Mr BARRY O'FARRELL: On 16 June 2011 the Minister for Planning and Infrastructure introduced legislation into this Chamber to repeal part 3A and put in place a new major projects assessment scheme.

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

Mr BARRY O'FARRELL: That legislation passed the Parliament, from memory, on 22 June. On 1 October it came into operation. It introduced the concepts of State significant developments and also State significant infrastructure.

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

Mr BARRY O'FARRELL: It gave additional powers and resources to the Planning Assessment Commission because of the expanded role it was going to have under the new major assessment and determination regime.

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

Mr BARRY O'FARRELL: On the same day a new State and regional development State environmental planning policy came into practice that again demonstrated that coalmines would be major developments for the purpose of State significant developments and as a result they would go to the Planning Assessment Commission for determination on the basis of economic, environmental and social merit.

Ms Linda Burney: Point of order—

The SPEAKER: Order! The Leader of the Opposition will put his prop away.

Ms Linda Burney: The answer is clearly that he will not keep his promise. I ask that you bring him back to the leave of the question.

The SPEAKER: Order! There is no point of order. The member for Canterbury will resume her seat. The Premier has the call.

Mr BARRY O'FARRELL: From 1 October 2011 projects like this will be decided at arm's length on the basis of their merit—environmental, economic and social—by the Planning Assessment Commission. We were influenced in making that decision. I declare that up-front. We were influenced by the corruption and rottenness of Labor Ministers under the former Government—Labor Ministers—

The SPEAKER: Order! The Leader of the Opposition will come to order. I call the member for Canterbury to order for the first time.

Mr BARRY O'FARRELL: Since this Government was elected, the Minister for Planning and Infrastructure has not approved a single coalmining proposal. All decisions, a total of 17, on coalmining applications are to be made by either the Planning Assessment Commission or the Department of Planning and Infrastructure. That stands in stark contrast with the actions of the former Government, where the Minister determined—

Mr John Robertson: Point of order: My point of order is relevance under Standing Order 129. The Premier can answer this very simply. He did talk about influence and we know where the influence came from for this decision.

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

Mr BARRY O'FARRELL: The influence was the man who put the Leader of the Opposition into his job; the man who put the wind under the wings of the Leader of the Opposition. His name allegedly is the honourable Eddie Obeid.

PETROLEUM EXPLORATION LICENCES

Mr THOMAS GEORGE: My question is addressed to the Premier. How is the Government introducing transparency into the allocation of petroleum exploration licences?

Mr BARRY O'FARRELL: I thank the member for Lismore for his question and his strong interest in this issue, an interest shared by a number of members across the Chamber from different parts of the State, including the member for Wollondilly and the member for Heathcote. They are concerned to ensure that New South Wales has a safe, productive and environmentally responsible gas industry. When we came to office we discovered that petroleum exploration licences had been handed out like confetti across New South Wales, with virtually no oversight and clearly no thought. Those opposite granted exploration licences that stretched from

Palm Beach to Cronulla, from Bondi Junction to St Marys—absolutely incredible in terms of their size and their scope. Labor also announced the drilling of exploration drill holes in inner city St Peters, only seven kilometres from where we currently stand.

Over 16 years in government the Labor Party handed out 39 petroleum exploration licences with little or no thought to the areas they covered or the communities that were affected. In contrast, this Government has introduced not a single petroleum exploration licence for coal seam gas. Even more telling, in the light of revelations unearthed by the Independent Commission Against Corruption, is how many of the 39 petroleum exploration licences granted by the Labor Party were issued by Ministers Eddie Obeid and Ian Macdonald. Was it 10 per cent?

Government members: No.

Mr BARRY O'FARRELL: Was it 25 per cent?

Government members: No.

Mr BARRY O'FARRELL: Was it 50 per cent?

Government members: No.

Mr BARRY O'FARRELL: The fact is that three-quarters of the petroleum exploration licences were granted by Eddie Obeid—the Leader of the Opposition's best mate—and Ian Macdonald. This Government supports growing the gas industry where it is responsible, safe and appropriate to do so. Those opposite had no such belief. Did Labor have any issue granting PEL 458, covering 270,000 hectares of the City of Newcastle and its surrounds? The answer clearly was no. I ask the member for Wollongong: Did Labor have any issue granting PEL 442, covering 37,500 hectares around Wollongong and its surrounding suburbs? The answer clearly is no. Did Labor have any issue with granting PEL 463, covering 283,000 hectares of the greater Sydney metropolitan area? And the answer again is clearly no.

Since coming to office and discovering the mess left by Labor the Government has worked hard to get the balance right and has introduced the toughest coal seam gas regulatory regime anywhere in the nation. It has introduced the aquifer interference policy to protect water supplies and it has banned the use of BTEX [benzene, toluene, ethylbenzene, xylene] chemicals to prevent damage to the environment. The Government has put in place two-kilometre exclusion zones around villages, suburbs and towns across New South Wales. It has instituted the well integrity code of practice to ensure the use of the world's best practice drilling techniques when it comes to gas exploration.

The Government has introduced the strategic land use policy to safeguard the environment and balance its coexistence with other land usages. It has established critical infrastructure clusters to protect prime agricultural land, created the Office of Coal Seam Gas to properly regulate and oversight natural gas operations, and commissioned the New South Wales Chief Scientist to investigate and report on coal seam gas activities. All these actions are the hallmarks of a responsible Government acting in the best interests of the State. Today it has gone further: The New South Wales Liberal-Nationals Government, through the hardworking Minister for Resources and Energy, has taken the next step in ensuring accountability and transparency in the allocation of the State's natural resources. It is all very well for the member for Wollongong to interject on a hardworking Minister, but what did the member do when her colleagues Eddie Obeid and Ian Macdonald provided petroleum exploration licences covering her city, towns and suburbs irrespective of the needs of the community?

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

Mr BARRY O'FARRELL: The Government will introduce further transparency in the allocation of natural resources by introducing a freeze on the processing of new petroleum exploration licence applications across this State. The six-month freeze will allow the Government to conduct an audit of existing petroleum exploration licences and pending applications, and put in place a new thorough regime for assessment and allocation of any future licences. Not only will this process reflect the best practice we demand of the natural gas industry, it will also reflect the expectations that the people of this State have towards the use of our natural resources. [*Extension of time granted.*]

The Government is taking decisive action to ensure the State's resources are developed for the people of New South Wales and not for the benefit of Labor members of Parliament, their cronies and their union

mates. It gives me no pleasure—those opposite will not continue to laugh—to inform the House that in 2002 the former Labor Government allowed companies applying for each of these petroleum exploration licences across New South Wales to pay only $1,000 for the privilege.

Government members: Shame.

Mr BARRY O'FARRELL: That is less than Ian Macdonald spent on his average lunch. It is utterly incredible. The Minister for Resources and Energy is raising that figure to $50,000. This Government is acting in the best interests of the people of this State. It is delivering transparency and accountability in government—something those opposite refused to do. It is ensuring that the State's gas industry operates in a responsible and safe manner for the benefit of the current population and future generations.

AUSTRALIAN WATER HOLDINGS

Ms LINDA BURNEY: I direct my question to the Premier. In May 2011 he met with Nick Di Girolamo and the former Minister for Finance about Australian Water Holdings. Will the Premier explain to the House why he asked for Sydney Water to stop the public tender and start a new process overseen by Kevin Young, despite the fact he did not start with Sydney Water for a further two months and Kerry Schott was still the managing director?

Mr BARRY O'FARRELL: I have to say I missed the question—but I have got the answer. That will be recorded as the worst question I have heard in 19 years in this House. Along with the Treasurer, I am still not sure where the question mark went. I have the answer because I used it earlier in the week. I sense boredom from the 20 members opposite, so I have a new quote. Let me start with the original quote. On Monday a week ago, when the Independent Commission Against Corruption inquiry started, counsel assisting the Independent Commission Against Corruption made an opening statement. Over a number of inquiries he has shown himself to be an honest, direct and forthright protector of the State's interests. Counsel assisting stated:

> Commissioner, we have looked carefully at the activities of Mr O'Farrell and Mr Pearce and we have found no evidence to implicate either in any corruption.

Further:

> It was an established fact that despite the political pressure which was brought to bear by Australian Water Holdings the bureaucrats and the politicians did not give way.

Whatever the member for Canterbury was saying in that long-winded and indecipherable question, the fact is that there has been a statement from council assisting the Independent Commission Against Corruption. If a vox populi were held in Macquarie Street inquiring of people, "Who knows more about corruption: New South Wales Labor or the Independent Commission Against Corruption?", I accept it might be 50:50. On the one hand, we have a department that investigates corruption and, on the other hand, we have an organisation mired in corruption for far too long. However, if we asked people on the street, "Who is best qualified to assess corruption?", the Independent Commission Against Corruption would win every time. That is the significance of the statement by counsel assisting. To come to what I suspect the member for Canterbury—

Ms Linda Burney: Point of order: The Premier might think he is a comedian, but he is not. The question was about the public tender and why Kevin Young was asked, when he was not working there, to take over the tender when Kerry Schott was still the managing director. Do you want me to make it clearer?

The SPEAKER: Order! There is no point of order. The Premier has the call.

Mr BARRY O'FARRELL: I am the Premier of the State—you are the joke.

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

Mr BARRY O'FARRELL: I predict that by the end of the day that will be deemed a sexist comment. Yesterday counsel assisting, Mr Watson, SC, was speaking to the then chairman of Sydney Water appointed by those opposite. In February 2012 a board that was still dominated by appointees of the former Labor Government made the decision on this matter. Yesterday two interesting questions were asked of Tom Parry, former chairman of Sydney Water, by counsel assisting. First:

> And was there any inappropriate pressure placed on you by Mr Pearce one way or the other?

Mr Parry answered:

None at all.

Further:

And any inappropriate pressure to do a deal beneficial to Australian Water Holdings?

Mr Parry answered:

None at all.

PETROLEUM EXPLORATION LICENCES

Mr GARETH WARD: My question is addressed to the Minister for Resources and Energy, and Special Minister of State. Will the Minister inform the House how the Government is ensuring the best practice standards for the State's natural gas?

Mr ANTHONY ROBERTS: I thank the member for his question and for his interest in this matter. Members of the Liberal-Nationals Coalition came to office with a commitment to clean up the mess left by Labor, and we are delivering. We committed to bringing transparency and openness to resource extraction in this State and to ending Labor's practice of flogging off the State's natural resources to its mates and business partners. We are delivering on both of those commitments. The O'Farrell-Stoner Government has introduced the most comprehensive regulatory regime for natural gas extraction in the Commonwealth, but it is not stopping there. Today the Premier announced a freeze on the processing of new petroleum exploration licence applications [PELAs] in New South Wales and an audit of all existing licences and pending applications. We are sending a clear message that only reputable operators are wanted in this State. As the Premier stated, effective immediately, the petroleum exploration licence application fee will rise from $1,000 to $50,000. Labor may have had no concern about selling Sydney, Newcastle or Wollongong for $1,000 but this Government will not allow it.

The announcement today follows action taken to target operators that have not met the conditions of their coal seam gas exploration licences and proponents that have submitted deficient applications. This morning I announced that five petroleum exploration licence applications that were lodged by Grainger Energy in November 2013 have been refused. Grainger Energy, which has one owner-director, was formed just six days prior to lodging its application. It has no history of conducting petroleum exploration activities and has submitted a manifestly deficient application. The Government has issued a show cause notice to Leichardt Resources as to why its three petroleum exploration licences near Moree, Nowra and Bylong should not be cancelled. A petroleum title may be cancelled on a number of grounds, including contravention of conditions, failure to use the title area in good faith for the purpose for which the title was granted and for contraventions of the Act. Leichhardt Resources has 21 days to respond. This sends a strong message that this Government takes compliance with licence conditions seriously. The Government is acting to remove individuals or companies that do not have the financial security or industry expertise to meet its best-practice standards for the coal seam gas industry.

It gives me no pleasure to say that under Labor it was far too easy for speculators and cowboys to be granted petroleum exploration licences over large areas of land with little regulation and oversight. The former Government's practice of handing out petroleum exploration licences for an initial application fee of just $1,000 with minimal scrutiny of the applicant meant that almost anyone could become the owner of a petroleum exploration licence without having to demonstrate their industry experience or financial security. These people could then hold an exploration licence across a large area of land and place unnecessary and understandable stress on many communities. The Government will continue to take a responsible approach to the natural gas industry that is based on science and fact. We will continue to act in the best interests of the people of this State. Most importantly, we will continue to do so in an open, transparent and accountable manner. The contrast with members opposite is crystal clear: They failed and we will continue to deliver.

TAFE NSW

Mr RYAN PARK: My question is directed to the Minister for Education. In February 2011 the Minister signed the TAFE pledge to guarantee funding, increase teaching positions and ensure affordable access to TAFE. Will the Minister keep the commitment he made in the pledge by reversing his cuts to funding and staff numbers and reversing his massive fee increases, or is the Minister's word simply not worth anything?

Mr ADRIAN PICCOLI: I welcome the question from the member for Keira and congratulate him on being appointed to the position of shadow Minister for Education a fortnight ago. It is great news. Everyone in the Labor Party—even Ryan Park—gets a prize. In the couple of weeks the member has been the shadow Minister he has certainly tried his best. On Sunday we made a great announcement about dress codes for teachers. It was warmly received by parents, teachers, principals and even the Teachers Federation. The only critical voice we heard all day belonged to the member for Keira.

Mr Ryan Park: Point of order: My point of order is relevance under Standing Order 129. The Minister is a minute into his answer. My question was not about dress codes; it was about TAFE.

The SPEAKER: Order! I uphold the point of order. The Minister will return to the leave of the question.

Mr ADRIAN PICCOLI: I have just spent a minute congratulating the member on his fine performance. He said that the Government introduced the dress code to distract public attention from the Gonski funding reforms. He was trying to imply that Liberal and Nationals members were seeking to distract people from praising them for signing up to the Gonski reforms when they visit their local government and non-government schools. He thinks we want people to stop praising us for that. I assure the member for Keira that when members visit schools now they will be praised for signing up to Gonski and for the dress code. There is such a good story about TAFE in New South Wales. It is unfortunate that members of the Labor Party and The Greens continue to trash its reputation. Last year the South Western Sydney Institute was named Large Training Provider of the Year. Last week in Port Macquarie I announced the TAFEnow project that North Coast TAFE is involved with. It is doing great work modernising TAFE so that it can deliver for students and employers. The TAFEnow project is designed to allow TAFE to deliver more flexibility through the provision of more online courses and subjects.

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

Mr ADRIAN PICCOLI: TAFEnow will allow TAFE to keep pace with the private sector. I know it is difficult, but Labor members and The Greens need a reality check about the delivery of vocational education and training in this State. If we keep the TAFE system the same as it was in the 1960s and 1970s it will be overwhelmed by private providers.

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

Mr ADRIAN PICCOLI: TAFE will be overwhelmed not only by domestic private providers but also by international companies that are coming to New South Wales and Australia and delivering vocational education and training online with much more flexibility and relevance for students. Of course from time to time we stop the delivery of certain TAFE courses. That has always happened. Presumably there is now less demand for courses in typewriter repair, despite the needs of the member for Mount Druitt. We have a greater need for information technology courses.

Mr Kevin Anderson: Hospitality.

Mr ADRIAN PICCOLI: And hospitality courses. This is about ensuring we stop doing things we do not need and start to deliver in a more flexible manner the things that trainees and employers want. We have made no secret about the changes to TAFE. Eighteen months ago we made announcements about budget measures. We have made no secret about it because we need to make TAFE relevant and modern. TAFE has the strongest brand of any training provider in this State and it has a great advantage over its competitors. But as a responsible Government we must ensure that taxpayers' dollars are spent as effectively as possible when providing training. Our line of sight is directly on the people we train. This is not about simply protecting TAFE; we must ensure that we are delivering for TAFE and vocational education and training students across the State. The Government is doing that. [*Extension of time granted.*]

I welcome the extension of time because when the member for Keira was appointed two weeks ago I had my office dig around and I have a folder that mysteriously arrived on my desk.

Mr Guy Zangari: Point of order—

The SPEAKER: Order! The member for Keira will come to order. The member for Fairfield rises on a point of order but I did not hear the exchange.

Mr Guy Zangari: I refer to Standing Order 129, relevance. The folder, and what is in it, has nothing to do with TAFE resources.

The SPEAKER: Order! I cannot rule on the point of order because all I heard was the member for Keira interjecting. That is why members should come to order. There is no point of order.

Mr ADRIAN PICCOLI: I have been advised that the member for Keira was appointed more than two weeks ago. Nobody had noticed, least of all me as I thought he had been shadow Minister for longer than that. I offer my apologies to the member for Keira. He asked for the extension of time—and if you step in the ring you are fit. A few years ago the member for Keira wrote a fascinating letter.

Dr Andrew McDonald: Point of order: The extension of time was requested in order to seek extra information about TAFE cuts. The Minister has moved well away from that subject, and I ask you to draw him back to the leave of the question.

The SPEAKER: Order! I am sure that the Minister will return to the leave of the question.

Mr ADRIAN PICCOLI: When he was a schoolteacher the member for Keira wrote a letter to the Director General of Education, and the director general of TAFE. The letter began, "Dear Ken, My name is Ryan Park"—so he got the first few words right.

The SPEAKER: Order! The member for Keira will come to order. This is not a debate.

Mr ADRIAN PICCOLI: I will run out of time unless I am granted a further extension, but I am sure we will have another opportunity to talk about the letter in much more detail. [*Time expired.*]

The SPEAKER: Order! The member for Keira will resume his seat. He should sit still.

EDUCATION SERVICES

Mr TONY ISSA: I enjoyed listening to the previous answer and I address a further question to the Minister for Education. How has the Government worked to improve education services over the past three years?

Mr ADRIAN PICCOLI: Although I am tempted to continue to read the letter to Ken Boston—

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

Mr ADRIAN PICCOLI: —it was a pleasure for me to be in the electorate of Granville this morning, at Granville Public School, seeing the great work being done there. It is one of the 229 schools that are part of the Empowering Local Schools National Partnership begun by the previous Government. It is also involved in the Local Schools, Local Decisions reforms that this Government introduced two years ago today. The school is doing great things with the additional flexibility it has been given. I also had the chance to meet today with the Hon. Jeff Johnson, MLA, who is in the gallery. He is Minister of Education in Alberta, Canada, and chair of the Council of Ministers of Education in Canada. I recognise our friends in Canada, one of the best-performing countries in education. We look to the work that Canada does in informing us about the changes we need to make in New South Wales in order to stay competitive in a world environment where education is increasingly important.

Part of our initiative is the Local Schools, Local Decisions reforms that we announced two years ago to give schools greater flexibility in the use of resources. We recognise that every one of the 2,200 public schools in this State is different—whether in Port Macquarie, Bondi, Granville or Broken Hill. They have different student cohorts and therefore need the power to do things differently to cater for those differences. It was fantastic to see the reforms introduced by the Granville Public School under the powers the Government has given it. The school has appointed an additional assistant principal who mentors team teachers and plans collaboratively with early career teachers in years 1 and 2, with a focus on literacy, numeracy and classroom management. We have talked often about quality teaching and teacher equality under other reforms we have introduced, such as Great Teaching, Inspired Learning. I saw at Granville Public School today the effect of the flexible arrangements and of taking the additional resources provided through the resource allocation model and the extra dollars as a result of signing up to the Gonski reforms. I saw the extra dollars and extra flexibility focused on teacher quality at Granville Public School.

I saw a teacher who graduated only last year from Macquarie University—a targeted graduate—being mentored by an experienced teacher, who has taught for 20 years and met the Highly Accomplished teacher standard. New teachers are getting the start in their careers that they need. It is great to see our reforms taking effect in the classroom. At the weekend we introduced a dress code for teachers as part of rewriting the code of conduct for public education. We are midway through rolling out the Literacy and Numeracy Action Plan, and many electorates have benefited from that program. Every Student, Every School supports students with disabilities through a more effective and targeted way of allocating resources. Regardless of whether they represent rural and remote electorates, members are concerned about bridging the gap between the performances of metropolitan students and rural and remote students. Our blueprint for action is underway, with virtual selective high schools, student wellbeing reforms and additional investment.

Connected Communities is going along very well in some challenging communities. We are able to invest additional dollars as part of the Gonski reforms. We have 50 additional student support officers to provide assistance to counsellors in schools across New South Wales. All these reforms have been delivered by the New South Wales Government. It has been an incredible three years since this Government was elected, and that is why every Coalition member can walk into their local schools, government and non-government, and be congratulated for the attention and effort that we have put into schools across the State.

ITALIAN MINISTERIAL CONSULTATIVE COMMITTEE AND MR NICK DI GIROLAMO

Mr GUY ZANGARI: My question is directed to the Minister for Citizenship and Communities. Will the Minister confirm he wrote a letter to remove Nick Di Girolamo from the Italian Ministerial Consultative Committee only after he was asked a question in this place on 6 March 2014?

The SPEAKER: Order! Members on both sides of the House will come to order. The member for Keira will come to order. I have told him to sit still. I feel sorry for the member for Liverpool and the member for Auburn who must sit next to the member for Keira.

Mr VICTOR DOMINELLO: I have been informed by the chairs of the Italian Ministerial Consultative Committee that Mr Di Girolamo attended the inaugural meet and greet, as did approximately 50 members of the Italian community at the time. He was invited to attend the inaugural meeting of the Italian Ministerial Consultative Committee as he was the chairman of the Italian Chamber of Commerce at that time. Since then he has not participated in any of the four subsequent meetings of the Italian Ministerial Consultative Committee.

The SPEAKER: Order! The member for Macquarie Fields will come to order. The member for Fairfield asked the question and I am sure that he is interested in the answer.

Mr VICTOR DOMINELLO: I advise the House that before the commencement of the Independent Commission Against Corruption's current public inquiry, I took measures to have Mr Di Girolamo removed from the Italian Ministerial Consultative Committee until proceedings are finalised and the findings are known.

HEALTH SERVICES

Mr GEOFF PROVEST: My question is addressed to the Minister for Health, and Minister for Medical Research. How has the Government improved the delivery of health care in New South Wales in the three years since the last State election?

Mrs JILLIAN SKINNER: I thank the wonderful member for Tweed for that very appropriate question given Tweed Hospital is one of the outstanding performers in the State, with 83.9 per cent of the hospital's emergency patients seen within four hours. That is a fantastic result. Tweed Hospital has wonderful staff and a fantastic local member. That story is replicated in emergency departments throughout our hospitals.

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

Mrs JILLIAN SKINNER: Let us compare the hospital system of three years ago with today's system. In our emergency departments under Labor—

The SPEAKER: Order! The member for Macquarie Fields will come to order. I call the member for Macquarie Fields to order for the second time.

Mrs JILLIAN SKINNER: This is about patients being seen in emergency departments within four hours. Under Labor, in the October to December quarter 2010, 59 per cent of patients were seen within four hours.

The SPEAKER: Order! I call the member for Macquarie Fields to order for the third time. He will come to order when directed to do so.

Mrs JILLIAN SKINNER: In October to December 2013, under this Government, 70 per cent of patients were seen within four hours. It went from 59 per cent to 70 per cent—a marked improvement thanks to the wonderful work of our doctors and nurses and the climate that we created by devolving responsibility and giving them a greater say in what happens. Let us examine what happened with elective surgery. For the most recently published quarter, 99 per cent of urgent patients—who are supposed to be seen within 30 days—were seen on time. In the last quarter under Labor, 93 per cent of urgent patients were seen on time. Under this Government, 97 per cent of semi-urgent patients—who are supposed to be seen within 90 days—were seen on time; under Labor, it was 91 per cent. The results are similar for non-urgent patients: 95 per cent compared with 91 per cent. I know those opposite do not care about patients and they do not care that there have been improvements—

[*Interruption*]

They are like a bunch of unruly schoolkids.

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

Mrs JILLIAN SKINNER: We are treating more patients than ever. We have seen more than 180,000 emergency department presentations, we have promised 13,000 additional elective surgeries and we have delivered 16,000 extra elective surgeries in the past three years—and we have another year to go.

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

Mrs JILLIAN SKINNER: There were more than 100,00 more hospital admissions in 2012-13 than in 2011—that is bigger than the crowds who attended the two Major League Baseball matches at the Sydney Cricket Ground last weekend and it is as big as the crowd at the Sydney Olympic Games closing ceremony. I keep hearing the budget mentioned. In its last budget in 2010-11 Labor provided $16.4 billion for the total Health budget. In our current budget, $19.1 billion has been provided. Any suggestion of cuts is absolute rubbish.

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

Mrs JILLIAN SKINNER: The current Health budget provides $17.9 billion for the recurrent budget and $1.2 billion for the capital budget—a 15 per cent increase in the three years since Labor was on this side of the House.

The SPEAKER: Order! There is too much audible conversation in the Chamber. Opposition members will come to order. The member for Kogarah will cease interjecting.

Mrs JILLIAN SKINNER: Somebody asked about nurses. I will tell the House about nurses.

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

Mrs JILLIAN SKINNER: Since March 2011 we have employed an additional 4,100 nurses—that is head count—2,800 full-time equivalent nurses—

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

Mrs JILLIAN SKINNER: The shadow Minister for Health agrees. The House should note that the shadow Minister is nodding, but he claims it is his doing. The reality is that this has happened since we have been in office. I was not aware that the Labor Party had been in office for the past three years. Now we have 47,500 nurses, by head count, working in the New South Wales hospital system, and they contribute wonderfully to the health care of people in this State. Our nurses and doctors are doing a marvellous job. In the

past three years 1,400 additional full-time equivalent doctors and 960 new interns have been appointed—that is a record number starting in our hospitals this year. Let us look at some of the new policies. Some $200 million has been allocated each year for medical research under our 10-year plan, plus $70 million over four years to implement some of our new commitments. These include the Office of Health and Medical Research, funding for new medical devices, increased funding for the Medical Research Support Program and for the Biobanking Strategy. [*Extension of time granted*.]

There is so much to tell about what has happened but I can hear the member for Wagga Wagga telling me not to speak of all the new initiatives. I could go on and on, but I will turn to capital works. Blacktown Mount Druitt Hospital—the biggest build in this State—was ignored for 16 years under Labor, and who is the member for Blacktown? It is the Leader of the Opposition.

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

Mrs JILLIAN SKINNER: Under Labor, no money was spent on Blacktown Mount Druitt Hospital—our biggest hospital rebuild. Wagga Wagga Hospital, our biggest country build, has had some fantastic work done.

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

Mrs JILLIAN SKINNER: Work was promised for years and years but nothing happened under Labor. Campbelltown Hospital—

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

Mrs JILLIAN SKINNER: Members in electorates in that part of Sydney will confirm that the Campbelltown Hospital build can be seen on the skyline from far and wide, and it is much appreciated by people in that area. In Hornsby, Lismore, Kempsey, Dubbo, Parkes, Forbes and Tamworth many new hospital builds are underway. Furthermore, we have provided planning money to begin the second stage of those upgrades. We have planning money for Dubbo Hospital, for Blacktown Mount Druitt Hospital, for Campbelltown Hospital, for the Central Coast, for Westmead Hospital and for many others. I am very proud of what our administration has achieved in the past three years, which is in stark contrast to Labor's record. I was asked a question on ABC Central Coast radio last week. The journalist said, "We are not getting the same complaints from doctors, Minister. What have you done? Have you put them on the team?" Yes, I have given them the ability to find solutions to the problems they face. [*Time expired.*]

COWPER STREET GLEBE HOUSING PROJECT

Mr JAMIE PARKER: My question is directed to the Minister for Family and Community Services. Is it reasonable that close to 200 public housing residents from Cowper Street, Glebe, were evicted and promised the right to return yet more than three years after the demolition of all the homes the site remains empty?

The SPEAKER: Order! Members will come to order.

Ms PRU GOWARD: The Cowper Street project in Glebe was mismanaged from the start. Labor used this development as a smoke and mirrors cover-up of its decision to sell properties in Millers Point.

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

Ms PRU GOWARD: Labor demolished existing social housing properties in Glebe and did not replace them.

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

Ms PRU GOWARD: This was Labor's idea for relocating tenants in Millers Point.

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

Ms PRU GOWARD: As usual, Labor did not do its homework before it made that announcement. Demolition of the properties at Cowper Street was approved before there was even an approved plan for the

redevelopment of that site. For three years we have been working to get it back on track after that very poor start. The development will now deliver around 495 units as a mix of private, affordable and social housing units in the inner-city area. I am pleased to advise the House that the project is back on track. The stage one development application for the site was approved in August this year. My department is progressing the design of the civil engineering works for the site and is expected to launch the civil works development application with the City of Sydney shortly—and I trust that we can count on the support of the member for Sydney and his friend the Lord Mayor. All going well, work may be able to commence by the end of 2014.

More time and work are needed to see this project completed, but we are determined to finish it and fix the mess that Labor left, which is another example of its bungling. It will be noted that the Opposition has been too frightened to ask a question in this place about Millers Point. They are happy to whip up fear across New South Wales, pretending that they support vulnerable families while at the same time advocating the Government spend millions of dollars on a few heritage homes on the waterfront—the very properties those opposite started to sell off. Labor knew back then that these properties were too expensive for the social housing system to maintain and that is what Cowper Street was all about. But what are they doing today? They are living up to Paul Keating's prediction when he said of the member for Blacktown that he could never govern conscientiously with "a soul so blackened by opportunism."

Mr John Robertson: I have a soul.

Ms PRU GOWARD: I hope you have a soul somewhere in there. Today's Labor Party is still ensuring that the people of New South Wales know that their party cannot be trusted to govern for the whole State. Again, they are putting political opportunism ahead of finding vulnerable families badly needed public housing. Those opposite are putting million dollar heritage homes in Millers Point ahead of the 57,000 families on the public housing waiting list.

Between 2008 and 2011, in Lake Macquarie, Labor sold off more than 250 public housing properties. In the same period in Wollongong they sold more than 150 public housing properties. What about the Leader of the Opposition's electorate? How many properties did they sell off in his electorate? In their last three years they sold off a grand total of more than 360 public housing properties in Blacktown. Labor is clearly out of touch with working families across the State. Because those opposite prefer to support inner city residents and oppose the interests of their own, thousands of people are on waiting lists in their electorates.

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

Ms PRU GOWARD: Members opposite were not just insincere—they flat-out lied about Millers Point. Their Minister for Housing, David Borger, said in the *Sydney Morning Herald* in 2008, "This is a one-off; we are just selling these 16."

The SPEAKER: Order! The Leader of the Opposition will refrain from making inappropriate comments.

Ms PRU GOWARD: They guaranteed that they were selling just 16 properties, but did they sell only 16 properties? No, they switched housing Ministers a couple of times—the pea and thimble trick—and eventually ended up with Frank Terenzini, the last Minister for Housing. He was another Labor luminary who said—six months before the election—that a further 20 properties would be marketed to continue the successful 99-year lease sales program. Anyone in this House who has any doubt about Labor's commitment in Millers Point should know the truth. [*Time expired.*]

NATIONAL TELEVISION AND COMPUTER RECYCLING SCHEME

Mr BRYAN DOYLE: My question is addressed to the Minister for the Environment, and Minister for Heritage. What is the Government doing to solve the issue of legacy waste stockpiles in New South Wales created by the National Television and Computer Recycling [NTCR] Scheme?

Ms ROBYN PARKER: I thank the member for his question and for his interest in recycling, particularly in his area. Together we visited a waste recycling facility which is run by a social enterprise that employs a number of people who otherwise would not have employment—people with a disability and others who may have difficulty finding work. Those people are finding meaningful work in the recycling of e-waste. The National Television and Computer Recycling Scheme was created by the Gillard Government in 2011. It has noble aims—

Mrs Barbara Perry: That's right.

Ms ROBYN PARKER: Yes, that is right—noble aims—but did they get it right? No, the Gillard Government did not. I will tell you the rest of the story. Everyone in this House would agree that a scheme that promotes the recycling of old televisions and computers and which gives employment opportunities to people with a disability is a good idea. It delivers on the triple bottom line; it is good for the environment; it is good for the economy; and it is good for the community. Facilities like the EcycleIT operation in the electorate of the member for Campbelltown employ and empower some of the most disadvantaged people in the community. When we visited there I met Vanessa and some of the other employees who found meaningful work and were really excited about the job they were doing. They should be excited because their facilities were established by charities, with the encouragement of the then Federal Government, to participate in the new recycling sector which has grown rapidly as a result of the National Television and Computer Recycling Scheme.

These facilities play a particularly important role in the recycling of old televisions. Units are taken apart safely and hazardous cathode ray tubes are separated and processed appropriately. It is good work which gives the employees pride, skill and a pay cheque. The demand for this work has been exacerbated by the digital television switch-off in Sydney in December 2013 which affected 1.7 million households. There has been a surge in old analogue televisions being discarded and facilities such as EcycleIT have been overwhelmed. Indeed, 85 per cent of all e-waste received at recycling facilities is television screens. The New South Wales Government supported the National Television and Computer Recycling Scheme when it was developed by Kevin Rudd and Julia Gillard because it aimed to promote recycling and could create jobs in disadvantaged parts of our community. However, the implementation of the National Television and Computer Recycling Scheme did not match the rhetoric. Much like the pink batts Home Insulation Scheme, the scheme was set up by the Commonwealth with insufficient checks and balances to ensure that e-waste collected under the scheme—which consumers have paid for—is being recycled.

The former Federal Labor Government was on notice at the time and one report that it commissioned said "The biggest governance risk will be to ensure that the progressive development of e-waste recovery and recycling capacity keeps pace with progressive increase in e-waste recycling demand". What did Kevin Rudd and Julia Gillard do? Absolutely nothing. It is the same waste we saw with other schemes such as the Building the Education Revolution scheme. Charities that have gone into recycling businesses in good faith are being left with large amounts of hazardous waste—an issue which is exactly what the system was set up to fix.

As the member for Campbelltown knows, New South Wales is faced with an immediate problem of 5,000 tonnes of old cathode ray tubes containing high amounts of lead which, if not processed correctly, can be hazardous to human health and the environment. Social enterprises such as Mai-Wel in my Maitland electorate and EcycleIT are being crushed under what is almost a toxic mountain of e-waste. Of the approximately 250 employees in the recycling industry, Mai-Wel, for example, provides 33 jobs and EcycleIT employs another 30 people. I met with committed and industrious employees and have seen the wonderful service they provide. Unless urgent action is taken to assist facilities to properly process the 5,000 tonnes of toxic cathode ray tube waste, there is an immediate risk that these jobs will go—a great loss for people like Vanessa. The New South Wales Government will do what it can to support the disability enterprises that trusted that the Gillard Government knew what it was doing when it set up the scheme but the fact remains that the Federal Labor Government mandated the digital television switchover that has created a huge surge in e-waste. [*Extension of time granted*.]

One would think that members of the Opposition would want to know about this—particularly when it deals with vulnerable people who may lose their jobs. The fact remains that the Federal Government needs to be part of the solution of a problem created by the last Federal Government. We are asking the Commonwealth to become part of the solution so that the social enterprises employing some of the most disadvantaged people in New South Wales may be assisted. Hundreds of jobs could be lost and New South Wales could be left with a mountain of toxic waste as a result of a bungled national scheme. I call upon the Prime Minister, the Federal Minister for Communications and the Federal Minister for the Environment to urgently address the problem, to contribute to funding a solution to clear the backlog of cathode ray tube toxic waste that we have in New South Wales and to ensure that it gets recycled. Then we can work together to get the parameters of the scheme right and to make sure it meets community demand.

Question time concluded at 3.18 p.m.

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) [3.20 p.m.]: I move:

That standing and sessional orders be suspended at this sitting to:

(1) Permit the taking of community recognition statements for a period of up to 20 minutes following the conclusion of the matter of public importance.

(2) Provide for the House to adjourn, without motion moved, at the conclusion of community recognition statements.

I indicate to members that this afternoon we will deal with Government Business. Debate on the State Revenue Legislation Amendment Bill 2014 will be followed by the Courts and Other Legislation Amendment Bill 2014 and, depending on time, we may deal with the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 and other business. The dinner break will occur at 6.30 p.m. and the House will resume at 7.00 p.m. when private members' business will commence. I expect it to continue until about 7.40 p.m. Thereafter we will deal with Government Business; the length of time will depend on progress of the legislation I have mentioned. We will then deal with the matter of public importance at the conclusion of which there will be 20 minutes of community recognition statements.

[*Interruption*]

In response to interest from my colleagues opposite, I advise that community recognition notices will begin at approximately 8.30 p.m.

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

Motion agreed to.

LEGAL AFFAIRS COMMITTEE

Inquiry

Mr Bryan Doyle, as Chair, informed the House that, pursuant to Standing Order 299 (1), the Legal Affairs Committee had resolved to conduct an inquiry into debt recovery in New South Wales, the full details of which are available on the committee's home page.

COMMITTEE ON ECONOMIC DEVELOPMENT

Report

Mr David Elliott, as Chair, tabled report No. 2/55, entitled "Skill Shortages in NSW", dated March 2014.

Ordered to be printed on motion by Mr David Elliott.

PETITIONS

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

Pet Shops

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

Same-sex Marriage

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

Container Deposit Levy

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

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Public Services

Ms MELANIE GIBBONS (Menai) [3.22 p.m.]: My motion that deserves priority states:

That this House notes the Government is returning quality services to the people of New South Wales with:

(1) More than 4,000 new nurses, with patients being treated quicker in emergency departments.

(2) More than 5,000 new transport services, being supported by the rollout of the Opal card.

(3) More than 500 new cops on the beat, with more powers to help police get on with the job of front-line policing.

(4) Leading the way in service reform by being the first State to sign up to Gonski and the National Disability Insurance Scheme.

My motion should be accorded priority because it is important for government to return quality services to the people of New South Wales, something that the other side was unable to deliver for 16 years to the people of New South Wales.

The SPEAKER: Order! Government members will come to order. We do not need a chorus.

Ms MELANIE GIBBONS: Since coming to government on this day in 2011 the Coalition has worked hard to improve services provided to the people of New South Wales through an increase in the number of nurses, new transport services and the Opal card. The Government has increased also the number of police on the beat and given them more powers to enable them to get on with the job of front-line policing. A reduction in red tape and paperwork also has freed officers to be out on the streets rather than in an office, behind a desk or on a computer. This Government was also the first State Government to sign up to the Gonski reform, ensuring that every child has access to the best possible education, regardless of where they live, the income of their family or the school they attend.

This Government also signed up to the National Disability Insurance Scheme giving people with a disability the freedom to choose their own support, which is very important. My motion deserves to be accorded priority because I am sick of the misinformation being spread by those on the other side. They would have us believe that when they were in government they did everything they could possibly do to provide quality services to the people of New South Wales. The voters saw through that three years ago today. Now they are in opposition they are in the game of spreading misinformation and attempting to play down the great work that this Government has been able to carry out.

I am not going to let that happen. This motion should be accorded priority so that we can put on the record the changes we have made to hospitals, transport, education and the Police Force. The people of New South Wales need to hear about the more than 4,000 new nurses and midwives in their hospitals. They need to hear about the changes the Government has made to ensure that they are seen more quickly and spend less time in emergency departments. The people of New South Wales need to hear about the additional 500 transport services this Government is providing and how the Opal card can benefit them in terms of lower fares and travel rewards and no longer needing a paper ticket.

This motion should be accorded priority so that the people of New South Wales can hear about the 500 new police that are on the streets helping keep the community safe. They also need to hear about the education reforms that this Government has put in place because these reforms work. This is an opportunity for members to vote and to once again show how the New South Wales Liberal-Nationals Government is working to make this State number one again.

Jobs and Services

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.25 p.m.]: My motion deserves priority because the one thing with which I agree with the member for Menai is that it is three years today since the last election result. And what a miserable three years it has been for the people of New South Wales. In this Chamber we listen to the Treasurer blow his own trumpet and talk about how many jobs he has created but he does not say that there are 37,600 fewer jobs in New South Wales today than there were on this day three years ago.

The SPEAKER: Order! Government members will cease interjecting. The Leader of the Opposition has only three minutes to argue why his motion should be accorded priority.

Mr JOHN ROBERTSON: He does not talk about the fact that unemployment in New South Wales has gone from 5 per cent on this day three years ago to 5.8 per cent. The Government does not talk about the $3 billion cuts to health services and to our hospitals.

Government members: Rubbish.

Mr JOHN ROBERTSON: I hear them saying "rubbish". We have the longest waiting times in emergency departments in places such as Campbelltown and the longest waiting times for surgery in hospitals across the State, but we hear self-praise from those opposite. Self-praise is no praise and if that is all they can get after three years it is a pretty sad state of affairs. This Government has cut 800 positions from TAFE, including teachers. Courses are being closed. We saw a pathetic performance by the Minister for Education who in seven minutes could not explain what is going on in TAFE with job cuts, fee increases and the non-delivery of courses that are absolutely critical if we are going to have the skills that are needed to grow the economy in New South Wales.

The SPEAKER: Order! There is too much audible conversation in the Chamber. The Leader of the Opposition has the call.

Mr JOHN ROBERTSON: They are closing courses that would ensure people were able to transition to new employment in areas where jobs are marching out of New South Wales, such as Orange, where more than 500 jobs are disappearing and TAFE is being cut back.

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

Mr JOHN ROBERTSON: There are places in Bathurst losing jobs, such as Simplot, which is losing more than 100 jobs. The member for Bathurst is silent. He is invisible in his electorate. When people turn up outside his office he locks the door and hides.

The SPEAKER: Order! Government members will come to order. I call the member for Dubbo to order for the second time.

Mr JOHN ROBERTSON: He moved his office out of government offices because it was too close to public servants and they could come and knock on his door and say, "I want to talk to you about the job cuts in Bathurst." After three years of this Government all we get in this place are members opposite singing their own praises but out on the streets people are saying, "We are not getting what we voted for from this Government." We are getting cuts and our hospitals are getting worse. We are getting more congestion.

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

Mr JOHN ROBERTSON: The train services are not getting better despite the protestations of the Minister for Transport. This motion deserves to be accorded priority so we can debate the real issues that matter to the people of New South Wales.

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

The House divided.

Ayes, 60

Mr Anderson	Mr Grant	Mr Rohan
Mr Aplin	Mr Gulaptis	Mr Rowell
Mr Ayres	Mr Hartcher	Mrs Sage
Mr Bassett	Mr Hazzard	Mr Sidoti
Mr Baumann	Ms Hodgkinson	Mrs Skinner
Ms Berejiklian	Mr Holstein	Mr Smith
Mr Bromhead	Mr Humphries	Mr Souris
Mr Brookes	Mr Issa	Mr Speakman
Mr Conolly	Mr Kean	Mr Spence
Mr Constance	Dr Lee	Mr Stoner
Mrs Davies	Mr Maguire	Mr Toole
Mr Dominello	Mr Marshall	Ms Upton
Mr Doyle	Mr Notley-Smith	Mr Ward
Mr Edwards	Mr O'Dea	Mr Webber
Mr Elliott	Mr Page	Mr R. C. Williams
Mr Evans	Ms Parker	Mrs Williams
Mr Flowers	Mr Patterson	
Mr Fraser	Mr Perrottet	
Mr Gee	Mr Piccoli	*Tellers,*
Ms Gibbons	Mr Provest	Mr Cornwell
Ms Goward	Mr Roberts	Mr J. D. Williams

Noes, 23

Mr Barr	Ms Hornery	Mr Rees
Ms Burney	Mr Lynch	Mr Robertson
Ms Burton	Dr McDonald	Ms Tebbutt
Mr Collier	Ms Mihailuk	Ms Watson
Mr Daley	Mr Park	Mr Zangari
Mr Furolo	Mr Parker	*Tellers,*
Mr Greenwich	Mrs Perry	Mr Amery
Ms Hay	Mr Piper	Mr Lalich

Question resolved in the affirmative.

FREE MEAT WEEK

The DEPUTY-SPEAKER (Mr Thomas George): Order! I have an important announcement. This week is Free Meat Week and tomorrow a barbecue will be held in the Speaker's Garden at which members can enjoy produce from the country and thank the member for Murray-Darling for organising the event.

PUBLIC SERVICES

Motion Accorded Priority

Ms MELANIE GIBBONS (Menai) [3.38 p.m.]: I move:

That this House notes the Government is returning quality services to the people of New South Wales with:

(1) More than 4,000 new nurses, with patients being treated quicker in emergency departments.

(2) More than 5,000 new transport services, being supported by the rollout of the Opal card.

(3) More than 500 new cops on the beat, with more powers to help police get on with the job of front-line policing.

(4) Leading the way in service reform by being the first State to sign up to Gonski and the National Disability Insurance Scheme.

Let us start by putting some facts on the table. As much as the Opposition bleat and carry on, this Government is returning quality services in health, transport, education, policing and disability to the State. In NSW Health

hospitals and health services, there are now more than 47,500 nurses and midwives. Since March 2011 the Government has recruited approximately 4,100 additional nurses and midwives. This equates to a full-time equivalent increase of more than 2,800 nurses and midwives in our health services. This is well above the commitment the Government made of 2,475 over the term. This year alone 1,800 new graduate nurses and midwives have been recruited to New South Wales hospitals. This is more than in any other State or Territory.

The additional nurses and midwives have assisted in reducing hospital waiting times, with the result that patients are being treated quicker than ever before. Patients are now spending less time in emergency rooms and making quicker transition to the wards, which means better care of the sick and injured. In 2013 the Government introduced the Whole of Hospital Program to improve bed management in wards so patients can leave the emergency department earlier. The program was rolled out to 23 hospitals and most hospitals saw a dramatic increase in the number of patients leaving the emergency department within four hours through discharge, admittance or transfer to another hospital. This improvement came despite the number of patients presenting to New South Wales emergency departments growing by 2.3 per cent in the six months to December 2013.

In January 2013 at Liverpool Hospital, my local hospital, 43.8 per cent of patients were treated within four hours. By December 2013 that increased to 67.3 per cent of patients being treated within the same time frame, an improvement of 23.5 per cent. Our hospitals are important and so are the people who work in them. I still do not understand why the former Government in its redevelopment of Liverpool Hospital only built a ramp to the new car park. It obviously thought it was okay for staff to risk parking fines or to leave a patient's bedside to move their car. Who just builds a ramp? This Government completed the project and removed the car parking waiting list for staff. An investment of $29 million in car parking at Liverpool produced 900 car parking spaces. It is not difficult to realise that correlates to more car parking for patients and visitors. This Government makes a difference, not just provide a ramp to nowhere.

Across the board there has been a massive increase in the Health budget. It was increased by 5.2 per cent last year, amounting to nearly $18 billion in total. Despite what the Opposition promotes, there has been no reduction in the Health budget. It is a record Health budget that has been put to use to provide fantastic services in New South Wales. In the area of transport, there are an additional 2,700 weekly services under the State's first integrated transport timetable. The new timetable delivered 1,000 extra train services a week, 1,700 extra bus services and 55 extra ferry services. These are all services that customers have been crying out for. They provide extra frequency of services and greater capacity for those using public transport.

The Government did not stop with trains. It also added more than 1,700 extra bus services a week, including 800 in peak times. Customers are able to download apps to their smartphones or use the internet to plan their trip on public transport. Within three years of the New South Wales Liberal-Nationals Government taking office it has honoured its commitment to introduce the Opal card for all train and Sydney Ferry customers. The previous Government spent more than a decade talking about electronic ticketing but failed to deliver anything for customers. There is so much more to say and I look forward to speaking again to this motion.

Dr ANDREW McDONALD (Macquarie Fields) [3.43 p.m.]: Governments that are in trouble have their backbenchers introduce pompous, self-congratulatory motions such as this to promote themselves in the House. They do so to distract the people of New South Wales from what is going on in the State. In this case the people of New South Wales are interested in the provision of services and Independent Commission Against Corruption investigations involving Senator Sinodinos, Mr Di Girolamo and Australian Water Holdings. The truth is out there and some members opposite will soon feel the warm breath of the Independent Commission Against Corruption on their neck. It is all about truth and the member for Menai cannot handle the truth.

The member for Menai claimed that nothing happened at Liverpool Hospital for the 16 years Labor was in government. In fact, the hospital was rebuilt not once but twice. Are things better now? When the Australian Medical Association asked doctors this question, only 7 per cent of doctors working in the NSW Health system felt that things were better under a Liberal-Nationals government, 54 per cent said things were worse and 38 per cent said things were the same. According to the Garling report, New South Wales runs one of the world's better health systems. In 2014 the New South Wales health system remains one of the world's better health systems. It is time to tell the truth about the health system rather than rely on self-congratulatory spin.

The national emergency access targets were introduced by the previous Labor Government for good reason: to drive whole-of-hospital reform. The 70 per cent rate in the last quarter is not a bad result, even though

it is short of the 71 per cent promised by the Minister and still short of targets reached prior to 2008. Although there has been an improvement, we are not back to the levels seen in this State prior to 2008. In health we have the longest waiting times for elective surgery in Australia. The Minister has moved a motion congratulating herself on the improvements made in emergency departments but there has been complete silence on the greatest threat to emergency departments, which is the $6 Medicare co-payment.

Mr Kevin Anderson: Labor.

Dr ANDREW McDONALD: I note the interjection by the member for Tamworth. What does the member for Tamworth think of a $6 Medicare co-payment? It will cripple the emergency department in Tamworth because it is seriously oversubscribed due to a lack of general practices in the area. That is the greatest threat to the health system but the House has not heard a word from the Minister about it. The car parking situation at Liverpool is better than it was but it is ridiculously expensive. The Minister has not publicised the provision of parking relief for the large number of people who are eligible. They have not been told about it. Where is the memorandum to car park users that Centrelink recipients are entitled to concessional car parking? This concession has been deliberately hidden.

None of the money collected for car parking returns to Liverpool Hospital. The deal with Wilson Parking results in people in the public hospital paying a fortune for parking, but none of the revenue is returned to Liverpool Hospital. The greatest threat is the threat of privatisation. The proposed northern beaches hospital will have no staff employed by NSW Health. The tender, which will be announced in March, will result in profits for the successful company but not one employee will be employed by NSW Health. Therefore, control of this private provider in the health system will be impossible. The contract will be locked in and unchangeable. [*Time expired.*]

Mr KEVIN ANDERSON (Tamworth) [3.48 p.m.]: Just prior to making this contribution to debate I had to leave the Chamber to put on my footy boots because this is a free kick. This motion is an opportunity to showcase what the Government has been doing for the past three years. I note the member for Macquarie Fields was floundering during his contribution. He is a good fellow who does great work in paediatrics and the health sector in general, but he was obviously finding it difficult to scrounge up some bad news. He was getting his information from the Labor textbook.

The Government is boosting front-line services by employing more than 5,000 additional nurses, doctors, teachers and police and providing more than 5,000 new transport services. The Government is leading the way in being the first State to agree to the Gonski national education reforms. I remember when that debate was taking place and everybody, including Labor members, wore "Give a Gonski" T-shirts. The New South Wales Government did give a Gonski and signed up to the funding reforms. That disappointed Labor members enormously because it took away their fight. They had nothing on which to attack us because we signed up to the Gonski reforms and got the best State deal out of the Federal Labor Government.

We signed up to the Gonski reforms because we knew how important they were to students. Labor members also knew how important they were but they groaned when our Minister for Education, Adrian Piccoli, had the foresight to sign the agreement. The reforms will include funding of $30 million over four years to attract and retain quality teachers and school leaders in remote and rural schools and $15 million over four years to support student wellbeing and establish specialist centres. The list goes on. On the topic of rural and regional transport, the chief executive officer of NSW Trains will visit Tamworth on Friday to look at how we can further improve public transport in this great State. Whether the front line relates to police, education, health, you name it, we are delivering. We are doing what we said we would do. This Government works for the people, not the other way round.

Ms TANIA MIHAILUK (Bankstown) [3.51 p.m.]: We have heard a few fairytales in this debate. The member for Tamworth and the member for Menai seemed to be reading out of their large collection of Golden Books. Let me straighten out the facts. In 2011 the Government came to office and promised that New South Wales would be number one again. By 2012 it had a new slogan, which was: Live within our means. Let us not forget how the Treasurer came out and versed the backbenchers on that new slogan. The Government now has another slogan for the next election, which is: This is as good as it gets.

Government members are now saying this is as good as it gets. A total of 3,500 job cuts in the health sector, 2,500 job cuts across TAFE and the education sector and 1,000 job cuts in the rail safety and

maintenance sector are as good as it gets under an O'Farrell Government. Let us talk about reductions in ambulance response times, reductions in acute emergency beds and blowouts in elective surgery waiting times. At Bankstown Hospital people are waiting 349 days for urgent elective surgery. I am delighted that members opposite mentioned Gonski, because I must remind them of one significant thing: Abbott's plan is only for a guaranteed $980 million over four years, not the $3.8 billion over six years that was originally agreed to. Let us hope the O'Farrell Government makes it clear to Abbott that there should be $3.8 billion in funding because there has been no commitment made to the $2.8 billion in year five and year six. Members opposite know that the Government is not committed to the final $2.8 billion that we expected under the Gonski reforms.

Let us turn to transport and look at the cuts to the East Hills, Inner West and Blue Mountains rail lines. Blue Mountains Grammar had to change its school start and end times because it was told it had to work with the train timetable the Government was giving it. It is now bad luck that when travelling in peak hour to the Blue Mountains people can no longer stop at Granville or Westmead. The member for Menai mentioned lower train fares. The member needs a reality check. MyZone 1, 2 and 3 fares have all increased.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Bankstown that she should address her comments through the Chair.

Ms MELANIE GIBBONS (Menai) [3.54 p.m.], in reply: I will make my speech in reply at a regular volume because the Chamber has microphones that work very well. The member for Bankstown said we needed a reality check. That is a good suggestion because the members opposite are spreading so much misinformation. On the third anniversary of the election it is time to explain how well the Government is working and the big and small things it is doing to make New South Wales number one again. We heard today about the introduction of phone cases for Opal cards. That is a little helpful thing and it is a great idea. The money from the sale of that merchandise will go to fund network improvements. The Opal card is a brilliant Government initiative.

The Government is on target to deliver on its election commitment of recruiting 859 additional police officers by 2015. In fact, since December 2011 we have recruited an additional 505 police officers and opened seven new police stations. That is a great reality check. In addition, an audit of police resources has seen some 300 probationary constables deployed to regional New South Wales. I am sure the member for Tamworth is pleased about that. The audit also led to the reduction of red tape and paperwork for front-line police, which will save up to 375,000 hours of police time over the next decade. I also like that reality check.

The Government has instituted a range of reforms including giving police greater search powers to target criminal hangouts and illegal firearm possessions. We have amended the Summary Offences Act relating to intoxicated and disorderly behaviour and expanded police move-on powers. The police can now move on an individual instead of only three or more people as required under the old law. A new traffic and highway patrol command has been established with 100 additional highway patrol officers, 50 new vehicles and improved traffic technology. That was part of our election and budget promises and we have delivered. New South Wales was the first State to sign up to the Gonski national education reforms. It is an historic agreement that will benefit more than 1.1 million students across the State. The reforms will deliver an additional $5 billion to our schools, which highlights the Government's commitment to delivering a world-class education system. The Government is also committed to increasing choice and control for people with disabilities.

The National Disability Insurance Scheme [NDIS] will increase funding for people with disabilities from $2.7 billion to $6.4 billion and benefit around 140,000 people in New South Wales. That is a dramatic increase on the 95,000 people we currently assist. The National Disability Insurance Scheme will assist people to choose their own supports and increase employment opportunities with the creation of as many as 25,000 new jobs. I commend the Government for the great work it has done since 2011 to improve services and make New South Wales number one again.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 61

Mr Anderson	Mr Grant	Mr Roberts
Mr Aplin	Mr Greenwich	Mr Rohan
Mr Ayres	Mr Gulaptis	Mr Rowell
Mr Bassett	Mr Hartcher	Mrs Sage
Mr Baumann	Mr Hazzard	Mr Sidoti
Ms Berejiklian	Ms Hodgkinson	Mrs Skinner
Mr Bromhead	Mr Holstein	Mr Smith
Mr Brookes	Mr Humphries	Mr Souris
Mr Conolly	Mr Issa	Mr Speakman
Mr Constance	Mr Kean	Mr Spence
Mrs Davies	Dr Lee	Mr Stokes
Mr Dominello	Mr Maguire	Mr Stoner
Mr Doyle	Mr Marshall	Mr Toole
Mr Edwards	Mr Notley-Smith	Ms Upton
Mr Elliott	Mr O'Dea	Mr Webber
Mr Evans	Ms Parker	Mr R. C. Williams
Mr Flowers	Mr Patterson	Mrs Williams
Mr Fraser	Mr Perrottet	
Mr Gee	Mr Piccoli	*Tellers,*
Ms Gibbons	Mr Piper	Mr Cornwell
Ms Goward	Mr Provest	Mr J. D. Williams

Noes, 21

Mr Barr	Mr Lynch	Ms Tebbutt
Ms Burney	Dr McDonald	Ms Watson
Ms Burton	Ms Mihailuk	Mr Zangari
Mr Collier	Mr Park	
Mr Daley	Mr Parker	
Mr Furolo	Mrs Perry	*Tellers,*
Ms Hay	Mr Rees	Mr Amery
Ms Hornery	Mr Robertson	Mr Lalich

Question resolved in the affirmative.

Motion agreed to.

The DEPUTY-SPEAKER (Mr Thomas George): Order! It being after 4.00 p.m., the House will now deal with Government business.

STATE REVENUE LEGISLATION AMENDMENT BILL 2014

Second Reading

Debate resumed from 29 May 2013.

Mr MICHAEL DALEY (Maroubra) [4.09 p.m.]: I lead for the Opposition in debate on the State Revenue Legislation Amendment Bill 2014. I state at the outset that the Opposition does not oppose the bill so my comments, accordingly, will be brief. I thank the Minister for Finance and Services, who is in the Chamber, for the briefing that he arranged for me yesterday with the relevant officials and staff members. It certainly clarified a few questions I had in respect of the legislation. The bill has been hanging around for some time after notice of its introduction was given in this place in May last year. At that time I received some very strong representations in respect of the legislation from the Property Council of Australia, which was concerned about certain new sections that will amend the Duties Act—principally, new section 8 (1) (d) and new section 9B, which relate mostly to the treatment of duty on the transfer of options. I note that the departmental staff advised me yesterday that the Minister intends to move some amendments to the bill today in relation to that matter and other issues, and it will be the subject of a later bill.

I will therefore confine my remarks to what I understand to be the balance of the bill. The bill makes amendments to several Acts: the Duties Act 1997, the Land Tax Management Act 1956 and the Taxation

Administration Act 1996. It makes several amendments to the Duties Act, the most significant being the extension of the exemption for transfer of relationship property upon the breakdown of a marriage or de facto relationship to provide consistency with the Family Law Act 1975. We agree with that amendment. Other provisions in the Duties Act are amended relating to self-managed superannuation funds and the extension of the meaning of "related persons" to trustees and beneficiaries of a discretionary trust, which is a concessional and anti-avoidance provision—as are most of the bill's provisions.

I note that the bill contains not only anti-avoidance provisions that tighten the meanings of certain provisions and their application in relation to duties and the like, but also some concessional provisions. However, the advice I received in the briefing yesterday is that the bill is expected to be relatively revenue neutral. The bill makes several amendments to the Land Tax Management Act 1956. First, it makes a minor amendment to extend an existing exemption for charitable institutions to include other wholly charitable bodies, including companies, incorporated associations and societies. Secondly, the principal place of residence exemption is to be extended during an owner's temporary absence, to remove an anomaly. Thirdly, the bill simplifies the exemption for two principal places of residence when an owner buys a new residence by removing the requirement to sell the current residence within 12 months. The Opposition welcomes that clarification.

Fourthly, the bill updates the definition of "rural land" for the purposes of the primary production exemption, to reflect changes in terminology used in environmental planning instruments. Fifthly, the bill clarifies the circumstances in which a unit trust is eligible to obtain the benefit of the tax-free threshold. We welcome that provision. Sixthly, the bill limits the concessional treatment of life estates, other than those created by a will, to combat land tax minimisation arrangements. Lastly, the bill makes statute law revision amendments to the exemption for land used for child care services. We welcome those amendments. In relation to the Taxation Administration Act 1996, the bill strengthens provisions requiring directors and former directors of companies to pay unpaid tax. I will not go into those provisions in detail. I conclude my remarks at this point but after the Minister has moved the amendments if I feel it is necessary I will make further comments on behalf of the Opposition at the appropriate time.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [4.14 p.m.]: I speak in support of the State Revenue Legislation Amendment Bill 2014. Among other things, the bill will amend the Land Tax Management Act 1956. The first set of amendments to that Act deals with specifying additional rules that a unit trust has to comply with to be treated as a fixed trust for land tax purposes. Trusts are subject to land tax. If a trust satisfies the definition of a "fixed trust", the trust receives the tax-free threshold but the beneficiaries of the trust are also taxed as secondary taxpayers, with their individual liability reduced by a proportion of the tax paid by the trustee to avoid double taxation. The beneficiaries of discretionary trusts and most unit trusts do not meet the definition of "owner" for land tax purposes and have often been used to minimise or avoid tax. To combat this, these types of trusts are classified as "special trusts". Special trusts cannot claim the tax-free threshold.

A unit trust will meet the definition of a "fixed trust" only if the trust deed contains clauses that are specified in the Act. These clauses make it clear that the beneficiaries—the unit holders—fall within the definition of "owner" of the trust land. The current definition of "fixed trust" is complex, resulting in a significant number of objections against assessments being issued. This complexity also reduces the level of voluntary compliance with the legislation, resulting in high administrative costs for the Office of State Revenue. The amendments clarify the definition of "fixed trust" to require a trust deed to contain several overriding provisions in relation to the rights of unit holders with regard to entitlement to the capital and income of the unit trust.

The second set of amendments to the Land Tax Management Act 1956 updates and clarifies various land tax exemptions. The first of those exemptions relates to charitable institutions. A charitable institution is exempt from land tax if it is wholly charitable—that is, the land, or any income generated from the land, must be used for the charitable purposes of the institution. A recent decision of the former Administrative Decisions Tribunal highlighted an inconsistency in the legislation in that a charitable trust that was not an institution was not entitled to the exemption even if all the assets and income must be used for charitable purposes. The bill will amend the Land Tax Management Act 1956 to extend the current exemption to include any corporate body, society, institution or other form of charitable body that is carried on solely for charitable purposes and not for the pecuniary profit of members. This aligns the land tax exemption with a similar exemption in the Duties Act 1997.

The second of the land tax exemptions that will be updated and clarified relates to primary production. Land tax legislation provides an exemption for rural land if the dominant use of the land is primary production.

The current definition of "rural land" is land that is zoned rural, rural residential or non-urban under a State, regional or local environmental planning instrument or land that the chief commissioner is satisfied is rural land if the land is not within a zone under a planning instrument. But the definition has some uncertainties. Planning instruments often permit primary production on land even though the zone does not contain any of the words specified in the land tax definition. Further, rural residential zoning has been replaced by large lot residential zoning. The amendments re-define "rural land" to include large lot residential land and land on which primary production is permitted under a planning instrument. However, it will exclude land that may be subdivided for residential, business, commercial or industrial purposes.

A third exemption that will be updated and clarified relates to child care services. From 1 January 2012, a new national law commenced operation under the Children (Education and Care Services) National Law (NSW). It replaced the licensing processes for child care services with provision for approval of providers and services, and certification of supervisors of services. The amendments are consequential on the commencement of the national law. Land will be exempt if it is used solely to provide an approved education and care service, including family day care services, but the exemption will not apply to office premises unless they are located on the same premises as the child care service.

I have dealt with two areas of amendment under the Land Tax Management Act 1956—namely, additional rules for unit trusts to comply with, and the updating and clarification of various land tax exemptions. A third area of amendment is changes to land tax rules for life estates to prevent avoidance practices. The amendments clarify aspects of current legislation that make a director or former director of a corporation liable for unpaid corporate tax debts, unless action to rectify the debt is commenced within a period specified by the chief commissioner in a compliance notice served on the director or former director. The amendments also make it clear that if the failure to pay the unpaid corporate tax debt is not rectified, the liability of the director or former director will include interest and penalty tax that accrues after the compliance notice is served. The amendments will require the chief commissioner to issue a notice of assessment to the director or former director if the debt is not rectified by the date specified in the original compliance notice.

Under existing legislation, the liability is rectified under the following circumstances: the company pays the debt; winding up of the company commences; the company is placed under administration; or the director took all reasonable steps to ensure the failure to pay the tax was rectified. A director or former director is also excused from paying the debt if the inability to take rectification action was due to illness or other misfortune. A person who holds a life interest in land is deemed to be the owner of land for land tax purposes. Anyone holding the remainder or reversionary interest is currently excluded from liability for land tax. Traditionally, life estates have been created by the will of a testator wishing to ensure that a particular beneficiary has the guaranteed use of a property until the beneficiary dies. The property then passes to someone else. There has been a recent and significant growth in the number of life estates created by other means as a way of avoiding or reducing land tax. The life estate continues until it is surrendered by the life tenant or until the death of a specified natural person.

A life estate can be created over land owned by a company or a special trust. If the legal owner of land is a company or special trust and the life tenant lives in the property, the land qualifies for the principal place of residence [PPR] exemption. This is contrary to the general rule that when a company has an ownership interest the land does not qualify for the principal place of residence exemption. The creation of a life estate over land owned by a special trust can also allow a trustee to avoid the flat rate of tax that applies to such trusts. The amendments will combat these avoidance practices by deeming the registered owner of the land and the owner of the life interest to be joint owners of the land. The principal place of residence exemption will no longer be available if the registered owner is a company or a special trust. Special trusts will not be able to use the creation of a life estate to gain access to the tax-free threshold. The amendments will not affect life estates created by a will where the life estate is granted to a natural person whose life is also the subject of the life estate.

The fourth area of amendment under the bill to amend the Land Tax Management Act 1956 is the simplification of the land tax concession that applies where a person acquires a new principal place of residence. A landowner can claim the principal place of residence exemption for two properties for one tax year if a new residence is purchased within the six months before the taxing date for the tax year with the intention that the new residence will be occupied as a principal place of residence and the existing residence has not sold prior to the taxing date. The owner must sell their existing home by 30 June of the tax year and must occupy the new residence by the following 31 December. The chief commissioner may extend the time by which the former residence is sold if there are delays in selling a property. The amendment removes the requirement that the former residence must be sold. The concession will continue to apply for only one tax year. This will simplify

administration as the chief commissioner will no longer be required to determine whether the owner has sold the former residence and it will remove the need for landowners to seek an extension of time to sell. The amendment will also remove pressure on landowners to sell their former residence if, for example, there is a downturn in the housing market.

The fifth area of amendment to the Land Tax Management Act is the simplification of the land tax concession that applies when a person is absent from his or her principal place of residence. An owner may be absent from their principal place of residence for up to six years but still retain the principal place of residence exemption, provided the property is leased for no more than six months a year. Owners may retain the exemption if they are absent from their home when taking long-term holidays or if they have taken up employment opportunities elsewhere for an extended period. However, the property owner cannot live in another property they own and retain the exemption on their former residence.

An anomaly in the legislation has been identified whereby the exemption can be denied to a person if the owner does not occupy another residence on the taxing date. This can happen if they are travelling or are living in a caravan, boat, hotel or other temporary accommodation that is not regarded as the owner's principal place of residence. The amendment resolves the anomaly by removing the requirement that an absent owner live in another property as their principal place of residence on the taxing date to qualify for the exemption on their vacant former residence. As well as the amendments I have outlined, the bill will amend the Taxation Administration Act 1996 to make further provision for the liability of directors for unpaid corporate tax. I anticipate that other speakers will deal with that topic. I commend the State Revenue Legislation Amendment Bill 2014 to the House.

Mr DAVID ELLIOTT (Baulkham Hills) [4.23 p.m.]: I speak in favour of the State Revenue Legislation Amendment Bill 2014. The bill and the amendments seek to develop clarity in the Land Management Act 1956, the Taxation Administration Act 1996 and the Duties Act 1997 amendments. The amendments will allow for greater consultation with industry. This Government understands the need to consult with industry and I am happy to see that further consultation. The amendments will not impose retrospective tax liabilities—I will always argue against retrospective taxation noting that it is akin to mugging.

The amendments in the Taxation Administration Act 1996—directors' liability or unpaid corporate tax debt—make it clearer that directors of a corporation must take action to rectify unpaid corporate debt. If failure to pay the unpaid corporate tax is not rectified or if action to rectify an unpaid corporate debt is commenced within a period specified by the chief commissioner in a compliance notice served on the director or former director, the director's or former director's liability will include interest and penalty tax that accrues after the compliance notice is served. If, by the date specified in the original compliance notice, the debt is not rectified, the chief commissioner will issue a notice of assessment to the director. Of course, a liability can be rectified if the company pays the debt, the company is placed under administration, the director took all reasonable steps to ensure the failure to pay tax was rectified, or the director was unable to take action due to illness or other misadventure.

The amendments to the Duties Act create consistency with the Family Law Act 1975 by extending the exemption for transfer of relationship property upon the breakdown of a marriage or de facto relationship. Finally, I will speak about some of the amendments to the Land Tax Act. There are many so I cannot deal with them all, but I am sure that other members will speak to them. The amendments bring consistency by extending the land tax exemption for charitable institutions to any form of charitable body, such as companies, incorporated associations and societies, which corrects inconsistencies identified by the Administrative Decisions Tribunal. It is only just that a body that uses all its assets and all its income for charitable purposes should receive a tax exemption, regardless of its structure.

The bill removes the requirement that an absent owner live in another property if they have a temporary absence from their principal place of residence. This corrects an anomaly in legislation where the exemption on land tax can be denied if the owner of the property is not living in another property. However, there are many reasons why a person could be away from their home and not residing elsewhere, such as elongated travel abroad or working in another city for extended periods, where they may be accommodated in a hotel, a caravan, or a boat. The bill exempts land used solely to provide approved education and care services, including family day care services. This exemption does not apply to office premises, unless they are on the same premises as the child care service. The bill and the amendments make many common-sense changes to the legislation. It demonstrates the O'Farrell Government's commitment to good governance. I commend the Minister and I commend the State Revenue Legislation Amendment Bill 2014 to the House.

Mr GARRY EDWARDS (Swansea) [4.27 p.m.]: I speak in support of the State Revenue Legislation Amendment Bill 2014. The bill clarifies both the liability and the exemption provisions in relation to duties and land tax and includes measures to protect the land tax revenue of New South Wales. The bill amends the Taxation Administration Act 1996 and the Land Tax Management Act 1956, an Act that details criteria for exemptions from land tax—one of those exempt categories being charitable organisations. As noted in the second reading speech on the bill last year, a recent decision of the Administrative Decisions Tribunal highlighted an inconsistency in the legislation in that a charitable trust that is not an institution is not entitled to the exemption, even if all its assets and income must be used for charitable purposes. As part of the bill a charitable institution is exempt from land tax if it is wholly charitable—that is, the land or any income generated from the land must be used for the charitable purposes of the institution. The amendment will extend the current exemption to include any corporate body, society, institution or other form of charitable body and aligns the land tax exemption with a similar exemption in the Duties Act.

The bill also simplifies the exemption for two principal places of residence—that is, when an owner buys a new residence by removing the requirement to sell the current principal place of residence within 12 months. A landowner can claim the principal place of residence exemption for two properties for one tax year if a new residence is purchased within the six months before the taxing date for the tax year, with the intention that this new residence will be occupied as a principal place of residence and the existing residence has not sold prior to that taxing date. Currently, the legislation mandates that the owner must sell their existing principal place of residence by 30 June of the tax year and must occupy the new residence by the following 31 December. The chief commissioner may extend the time by which the former residence is sold if, for whatever reason, there are delays in selling a property, such as a market downturn. This amendment will simplify administration as the chief commissioner will no longer be required to determine whether the owner has sold the former residence and will remove the need for landowners to seek an extension of time from the commissioner to sell.

The bill extends the principal place of residence exemption during an owner's temporary absence to remove an anomaly. An owner may be absent from their principal place of residence for up to six years but retain the principal place of residence exemption provided the property is leased for no more than six months per year. Owners may retain the exemption if they are absent from their home when taking long-term holidays or if they have taken up employment opportunities elsewhere for an extended period. However, the property owner cannot live in another property they own and retain the exemption on their former principal place of residence. An anomaly in the legislation was identified where the exemption can be denied to a person if the owner does not occupy another residence on the taxing date. This can happen if they are travelling or are living in a caravan, boat, hotel or other temporary accommodation that is not regarded as the owner's principal place of residence.

The bill makes a number of amendments to the Land Tax Management Act, including clarifying the circumstances in which a unit trust is eligible to obtain the benefit of the tax-free threshold, limiting the concessional treatment of life estates other than those created by a will, to combat land tax minimisation arrangements, and making statute law revision amendments to the exemption for land used for child care services. I commend the Minister for Finance and Services for bringing forward these initiatives, and I commend the bill to the House.

Mr ANDREW CONSTANCE (Bega—Minister for Finance and Services) [4.33 p.m.], on behalf of Mr Mike Baird, in reply: I thank members for their contributions to debate on the State Revenue Legislation Amendment Bill 2014, particularly the members representing the electorates of Maroubra, Cronulla, Swansea and Baulkham Hills. The Government is committed to having best-practice revenue laws. The State Revenue Legislation amendment Bill 2014 includes amendments to the Land Tax Management Act 1956 to address issues that have been identified as a result of decisions of the Administrative Decisions Tribunal and the courts. The amendments to the exemption provisions for principal residences and charities will simplify administration and improve the fairness of existing concessions.

There are also land tax amendments that will close loopholes that have involved the use of unit trusts and life estates to avoid or reduce land tax contrary to the policy intent of the legislation. The amendments to the Taxation Administration Act will clarify existing provisions that require directors and former directors to ensure their companies meet their corporate tax liabilities or become liable for the debt themselves. These provisions are similar to Federal tax legislation. I thank the commissioner and his team for their work in relation to this legislation. There has been further consultation and I foreshadow that amendments will be moved. Ultimately,

I recognise the work that has been done to protect the sanctity of the revenue base—to keep it intact—given the importance of providing much-needed funding to essential services and infrastructure across the State. 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.

Consideration in detail requested by Mr Andrew Constance.

Consideration in Detail

The DEPUTY-SPEAKER (Mr Thomas George): Order! By leave, I will propose the bill in groups of clauses and schedules.

Clauses 1 and 2 agreed to.

Mr ANDREW CONSTANCE (Bega—Minister for Finance and Services) [4. 35 p.m.], by leave: I move Government amendments Nos 1 to 8 on sheet C2014-022D in globo:

No. 1 Pages 3 and 4, schedule 1 [1]–[4], line 2 on page 3 to line 26 on page 4. Omit all words on those lines.

No. 2 Pages 4 and 5, schedule 1 [6], line 31 on page 4 to line 2 on page 5. Omit all words on those lines.

No. 3 Page 5, schedule 1 [10] and [11], lines 27–35. Omit all words on those lines.

No. 4 Pages 6 and 7, schedule 1 [13]–[15], line 19 on page 6 to line 2 on page 7. Omit all words on those lines.

No. 5 Pages 7 and 8, schedule 1 [16], line 24 on page 7 to line 5 on page 8. Omit all words on those lines.

No. 6 Page 8, schedule 1 [16], lines 15–17. Omit all words on those lines. Insert instead "amendment made by the amending Act to Chapter 4.".

No. 7 Page 8, schedule 1 [17], lines 18–22. Omit all words on those lines.

No. 8 Page 9, schedule 1 [20], lines 6–25. Omit all words on those lines.

I move the amendments to the bill, as circulated. The amendments will remove four provisions from the bill to allow for further consultation with industry and professional bodies. These are amendments to the landholder duty provisions relating to primary production land, mining interests and a general discretion of the Chief Commissioner of State Revenue. Amendments concerning transfers of options are also to be removed pending further consultation. I acknowledge that the shadow Treasurer has indicated the Opposition will support the amendments. It will give us more time to consult on those elements of the bill.

Question—That Government amendments Nos 1 to 8 [C2014-022D] be agreed to—put and resolved in the affirmative.

Government amendments Nos 1 to 8 [C2014-022D] agreed to.

Schedule 1 as amended agreed to.

Schedules 2 and 3 agreed to.

Consideration in detail concluded.

Third Reading

Motion by Mr Andrew Constance, on behalf of Mr Mike Baird, agreed to:

That this bill be now read a third time.

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

COURTS AND OTHER LEGISLATION AMENDMENT BILL 2014

Second Reading

Debate resumed from 5 March 2014.

Mr PAUL LYNCH (Liverpool) [4.38 p.m.]: I lead for the Opposition in debate on the Courts and Other Legislation Amendment Bill 2014. The Opposition does not oppose the bill. The bill is part of the traditional legislative amendment and review process that has been used by all governments of all persuasions. It avoids the more complex, complicated and less efficient procedure of introducing separate bills for what are comparatively quite minor amendments. The bill makes a number of amendments to various pieces of legislation. The amendments include a provision to allow various annual reports to be tabled when the House is not sitting. This includes reports under the Anti-Discrimination Act, the Inspector of Custodial Services Act, the Professional Standards Act, the Public Defenders Act and the Workplace Surveillance Act.

This provision already exists in a multitude of other Acts and reports. It is a matter of frustration for chief executive officers and Ministers not to be able to table reports when they are ready merely because the House is not sitting, especially if a time frame is involved. I remember that difficulty when I was a Minister and, indeed, I remember arranging a similar piece of legislation during the time of the previous Government. It has always struck me as passing strange that there is not a broad provision allowing reports generally to be tabled out of session rather than having to specifically amend each piece of legislation. I am sure someone somewhere out there has a powerful reason for this not to occur but the process does seem unnecessarily cumbersome.

The bill also contains amendments relating to justices of the peace. One amendment will provide a practical measure to smooth the reappointment of justices of the peace. I apprehend that need has been created by the move some comparatively little time ago for fixed-term appointments of justices of the peace. Because so many started at about the same time their renewal will occur at the same time, generating a potential bottleneck to process applications. These amendments seem to deal effectively with that problem. There are also provisions relating to the Attorney General temporarily suspending justices of the peace and sensible provisions excluding justices of the peace from the record-keeping requirements of the State Records Act. I suspect the alternative would be horrendous.

Another provision fixes an unintended consequence of the 2013 amendment to the Industrial Relations Act. It means a former member of the Industrial Relations Commission who is allowed to continue hearing part-heard matters and who was president does not continue to exercise the functions of the president. Whilst the Attorney did not put it as bluntly as this in the second reading speech I understand that is to ensure that in a three-member panel two people will not exercise the functions of the president. Other miscellaneous amendments relate to a report about an investigation of a complaint against a judicial officer being given to the complainant and the officer, provisions for superannuation of judges and acting judges, the taking of oaths, declarations and affidavits overseas, the provision of information to the Bureau of Crime Statistics and Research, qualifications of commissioners of the Land and Environment Court concerning matters under the Aboriginal Land Rights Act and the application of stay of execution processes in the Supreme Court.

Finally, the time within which the State Coroner is required to give an annual report on deaths in custody to the Attorney General is extended by two months. As the Attorney noted in his second reading speech, that is a matter of some interest to him and me. In 2011 he tabled that report but a suppressed name was made very public. More time might avoid such an embarrassment in the future. The Opposition does not oppose the bill.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [4.42 p.m.]: I support the Courts and Other Legislation Amendment Bill 2014, which will amend a number of Acts to improve the efficiency and operation of our courts as well as the operation of various agencies within the Department of Attorney General and Justice. The bill contains a number of miscellaneous amendments of that kind. The first set of miscellaneous amendments is in schedule 1 to the bill and relates to annual reports. These amendments will enable annual reports under the Anti-Discrimination Act 1977, the Inspector of Custodial Services Act 2012, the Professional Standards Act 1994, the Public Defenders Act 1995, and the Workplace Surveillance Act 2005 to be tabled out of parliamentary session. That is a common process under other Acts.

Schedule 2 to the bill contains a second set of amendments that relate to justices of the peace. The amendments will provide for the reappointment and suspension of justices of the peace and provide that the

office of justice of the peace is not a public office under the State Records Act 1998. The Justice of the Peace Act 2002 will be amended to allow regulations to be made to provide for the extension or shortening of the term of office for particular justices of the peace. The Government contemplates that will be used to ensure that the workload of processing appointments and reappointments of justices of the peace is more evenly spread. The proposed amendments will also provide for the suspension of a person from the office of justice of the peace if that person is charged with certain offences or if there are circumstances in which the person can be removed from office or other circumstances prescribed by regulations made under the Act. Schedule 2 will also amend the State Records Act 1998 to provide that the office of justice of the peace is not a public office for the purpose of that Act and therefore is not subject to the records management responsibilities under that Act.

The third set of amendments relate to judicial officers under schedule 3. Schedule 3.1 will amend the Industrial Relations Act 1996 to clarify that a former president of the Industrial Relations Commission of New South Wales who continues to deal with matters relating to proceedings that have been heard or partly heard cannot exercise the functions of the president, nor is the former president taken to be the president. Schedule 3.2 will amend the Judges' Pensions Act 1953 to take account of the increase in the superannuation guarantee from 9 per cent to 9.25 per cent on 1 July 2013. Schedule 3.3 will amend the Judicial Officers Act 1986 to require the Conduct Division of the Judicial Commission to provide a report to the Judicial Commission of how it has dealt with a complaint about a judicial officer that has been referred to it. The Judicial Commission will have to give a copy of the report to the judicial officer concerned and may give a copy of the report, or a summary of the report, to the complainant unless the Conduct Division has notified the Judicial Commission that this should not occur. The amendments will also provide for regulations to contain provisions of a savings or transitional nature.

The fourth set of amendments appears in schedule 4 and relates to consular officers. Schedule 4 will amend the Oaths Act 1900, the Conveyancing Act 1919 and the Powers of Attorney Regulation 2011 to expand the class of persons who are to be Australian consular officers for the purposes of some of the provisions of those Acts and regulation. Australian consular officers now include those employees of the Commonwealth or of the Australian Trade Commission who have been authorised by the Secretary of the Commonwealth Department of Foreign Affairs and Trade. That means that oaths, declarations or affidavits can now be taken or made before any such person for the purposes of the Oaths Act 1900 and any such person can verify certified instruments under the Conveyancing Act 1919 or the Powers of Attorney Regulation 2011.

Finally, schedule 5 contains four sets of amendments. Schedule 5.1 will amend the Coroners Act 2009 to extend by two months the period within which the State Coroner is in each year to make an annual report to the Attorney General containing a summary of the details of the deaths or suspected deaths that have occurred in custody or as a result of police operations. Schedule 5.2 will amend the Court Suppression and Non-publication Orders Act 2010 to permit the disclosure of information to the Bureau of Crime Statistics and Research despite the existence of a suppression order under that Act. Schedule 5.3 will amend the Land and Environment Court Act 1979 to provide that a commissioner can hear matters under the Aboriginal Land Rights Act 1983 if the commissioner has suitable knowledge of matters concerning land rights for Aborigines and qualifications and experience suitable for the determination of disputes involving Aborigines.

Schedule 5.4 will amend section 69C of the Supreme Court Act 1970, which deals with stay of execution of conviction, order or sentence pending review. The amendment will make it clear that section 69C (2) applies to stay the execution of a sentence and to stay the execution of an order. The amendment to that subsection also provides that an apprehended violence order is not stayed. Section 69C will also be amended to clarify that a reference in that section to a person who is in custody includes a reference to a person who is the subject of an intensive correction order or home detention order. As I stated at the outset, the object of the bill is to amend a number of Acts to improve the efficiency and operation of our courts and the operation of various agencies within the Department of Attorney General and Justice and for those reasons I support the bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [4.48 p.m.]: I support the Courts and Other Legislation Amendment Bill 2014 and commend the Attorney General, and Minister for Justice, for bringing forward this very important legislation. The purpose of the bill is to make miscellaneous amendments to legislation affecting the operation of New South Wales courts and other legislation administered by the Attorney General, and Minister for Justice. The bill is part of the Government's regular legislative review and monitoring program. It

amends a number of Acts to improve the efficiency and operation of New South Wales courts as well as the operation of various agencies within the Department of Attorney General and Justice. The objects of the bill are as follows:

(a) to permit annual reports under the *Anti-Discrimination Act 1977*, *Inspector of Custodial Services Act 2012*, *Professional Standards Act 1994*, *Public Defenders Act 1995* and *Workplace Surveillance Act 2005* to be laid before a House of Parliament when the House is not sitting.

(b) to provide for the re-appointment and suspension of justices of the peace and to provide that the office of justice of the peace is not a public office under the State Records Act 1998,

(c) to clarify that the former President of the Industrial Relations Commission is not taken to be the President when continuing to deal with matters that have been heard, or partly heard,

(d) to set out the circumstances in which a report about an investigation of a complaint against a judicial officer is to be given to the judicial officer and to the complainant,

(e) to make provision for an increase in the superannuation guarantee from 9 per cent to 9.25 per cent with respect to the pensions of judges and acting judges,

(f) to permit oaths, declarations and affidavits to be taken or made before certain employees in Australian overseas posts and for such employees to be able to verify or certify instruments,

(g) to extend by two months the time within which the State Coroner is required to give an annual report on deaths in custody to the Attorney General,

(h) to permit information to be disclosed to the Bureau of Crime Statistics and Research despite the existence of a suppression order,

(i) to provide for the qualifications required to be held by commissioners of the Land and Environment Court with respect to matters under the Aboriginal Land Rights Act 1983,

(j) to clarify the application of a provision of the Supreme Court Act 1970 that stays the execution of sentences.

I will now look at those provisions in greater detail. Schedule 1 amends the Anti-Discrimination Act 1977, the Inspector of Custodial Services Act 2012, the Professional Standards Act 1994, the Public Defenders Act 1995 and the Workplace Surveillance Act 2005 to allow annual reports to be tabled in Parliament when Parliament is not sitting. Schedule 2.1 amends the Justices of the Peace Act 2002 to permit regulations to be made to provide for the extension or shortening of the term of office of particular justices of the peace. It is envisaged that this will be used for the purpose of ensuring that the workload of processing appointments and reappointments of justices of the peace is more evenly spread. It should be noted that there are currently more than 90,000 justices of the peace in New South Wales.

Dr Geoff Lee: Ninety thousand?

Mr STEPHEN BROMHEAD: Ninety thousand. The proposed amendments also provide for the suspension of a person from the office of justice of the peace. The member for Parramatta should consider that in detail. Further, the bill allows for the suspension of a person from the office of justice of the peace if the person is charged with certain offences, or if there are circumstances in which the person may be removed from office or in other circumstances prescribed by regulations made under that Act. The proposed amendments also provide for regulations under the Justices of the Peace Act 2002 to contain provisions of a savings or transitional nature consequent on the enactment of that Act or any Act that amends that Act, including the proposed Act.

Schedule 2.2 amends the State Records Act 1998 to provide that the office of justice of the peace is not a public office for the purposes of that Act and is therefore not subject to the records management responsibilities under that Act. Schedule 3.1 amends the Industrial Relations Act 1996 to clarify that a former president of the Industrial Relations Commission of New South Wales who continues to deal with matters is not taken to be the president. Schedule 4 states:

> Schedule 4 amends the *Oaths Act 1900*, the *Conveyancing Act 1919* and the *Powers of Attorney Regulation 2011* to expand the class of persons who are to be Australian Consular Officers for the purposes of certain provisions of those Acts and Regulation. Australian Consular Officers now include those employees of the Commonwealth or of the Australian Trade Commission who have been authorised by the Secretary of the Commonwealth Department of Foreign Affairs and Trade. This means that oaths, declarations or affidavits can now be taken or made before any such person for the purposes of the *Oaths Act 1900* and any such person can verify or certify instruments under the *Conveyancing Act 1919* or the *Powers of Attorney Regulation 2011*.

Schedule 5 states:

> Schedule 5.1 amends the *Coroners Act 2009* to extend, by 2 months, the period within which the State Coroner is in each year to make an annual report to the Attorney General containing a summary of the details of the deaths or suspected deaths that have occurred in custody or as a result of police operations.
>
> Schedule 5.2 amends the *Court Suppression and Non-publication Orders Act 2010* to permit the disclosure of information to the Bureau of Crime Statistics and Research despite the existence of a suppression order under that Act.

The Legislation Review Committee looked at that issue.

Dr Geoff Lee: A good committee.

Mr STEPHEN BROMHEAD: I acknowledge the interjection by the member for Parramatta. It is a great committee and the hardest working committee in Parliament.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Self-praise is no recommendation.

Mr STEPHEN BROMHEAD: The committee looked at the issue and whether it trespassed on personal rights and liberties under section 8A of the Legislation Review Act. The committee noted the public interest in maintaining statistics relating to the criminal justice system and therefore made no further comment. This part of the bill was inquired into by the Legislation Review Committee, which has the role of looking at whether or not legislation brought before Parliament infringes on human rights. The committee looked at it, highlighted it, but determined not to refer it to Parliament for consideration because of the public interest in ensuring that crime statistics are up to date for the people of New South Wales and they know exactly what is going on in so far as law and order and criminal statistics are concerned. As I stated earlier, I commend the Attorney General. This is important legislation and I commend the bill to the House.

Mrs ROZA SAGE (Blue Mountains) [4.57 p.m.]: I will make a brief contribution to debate on the Courts and Other Legislation Amendment Bill 2014. As the previous eloquent speakers have already stated, this bill makes miscellaneous amendments to court-related legislation and other legislation that is administered by the Attorney General. Numerous pieces of legislation are being amended but I will talk about schedule 2, which amends the Justice of the Peace Act 2002 and the State Records Act 1998. The aim of this part of the bill is to: First, enable the Attorney General to temporarily suspend a justice of the peace where it is unclear that they are fit to practice; secondly, enable regulations to be made to extend or shorten the term of office of a justice of the peace to ensure that the process of reappointment can be managed more efficiently; and, thirdly, exclude justices of the peace from mandatory record-keeping requirements contained in the State Records Act.

Justices of the peace provide an important function in our society. I came to understand and appreciate this as a member of Parliament. Previously I had not needed to use a justice of the peace for witnessing documents but certainly in my office now we have numerous requests each day from those wanting us to witness important legal documentation. These documents can include affidavits and statutory declarations. They are important legal documents that can be tendered in a court of law so it is important that the justice of the peace is of impeccable character. This amendment will go a long way to ensuring that. When people approach my office seeking to become a justice of the peace a lot of paperwork is involved in the application. I like to meet the candidate face-to-face so that I know a real person is associated with the paperwork. Most of the potential justices of the peace who ask a member of Parliament to witness their paperwork are required to apply for work-related reasons.

Dr Geoff Lee: What sort of work do they do?

Mrs ROZA SAGE: It is funny that the member for Parramatta should ask. I have noted that a lot of applications come from people who work in funeral parlours and funeral directors because they need to witness cremation certificates. Other justices of the peace act in a voluntary capacity in service to the community. There are some justices of the peace in the Blue Mountains but they are hard to find, and that has led to a number of requests being made at my office for justice of the peace services. There is a justice of the peace at the post office but they are often too busy and send many people to our office to have documents witnessed.

There are 90,000 justices of the peace in New South Wales. One of the amendments in this bill seeks to exclude justices of the peace from the record-keeping requirements of the Act. That reflects the fact that most justices of the peace are volunteers. In order to ensure that we recruit enough justices of the peace we have

removed the onerous paperwork requirements to encourage more people to volunteer for the role. Another amendment enables reappointments of justices of the peace to be distributed over a longer period. The appointments of a large number of our 90,000 justices of the peace will expire between June 2014 and February 2017. It will cause an administrative nightmare if they must all be reappointed immediately. The amendment will allow the expiry date to be set at no more than 12 months earlier or up to two years later than the current five-year term.

As I said, it is important that justices of the peace are of good character because they witness legal documents. An amendment in the bill will allow the Attorney General to temporarily suspend a justice of the peace in circumstances where it is unclear whether he or she is fit to continue performing his or her function. The amendment also contains a safeguard to ensure that if a justice of the peace exercises their function while suspended such witnessing or certifying of a document will maintain the validity of the document. That cannot be challenged unless the person relying on the document knew or ought reasonably to have known that the justice of the peace was suspended. These seemingly minor amendments are important to the efficient working of our community, courts and legal system. I commend the bill to the House.

Dr GEOFF LEE (Parramatta) [5.04 p.m.]: I support the Courts and Other Legislation Amendment Bill 2014. The bill makes miscellaneous amendments to court-related legislation and other legislation that is administered by the Attorney General. It is great to see you in the Chamber, Mr Assistant-Speaker, because I know you and the other members present are very interested in this bill. The member for Orange cannot wait to make his contribution to this debate but he will have to wait his turn. As the member for Blue Mountains said in her eloquent contribution, this bill amends provisions relating to justices of the peace. The member spoke about the important functions performed by justices of the peace and how we must look after them as a Government. In Parramatta people can obtain the services of a justice of the peace at the Parramatta Justice Precinct, which is the second-largest justice precinct in Australia. Of course, all courts must give people fair and just access to the judicial system. I support the recent media speculation and discussion about establishing a permanent Supreme Court in Parramatta.

I support the proposal because approximately one in every 11 Australians lives in greater Western Sydney and a permanent Supreme Court located in Parramatta would give those residents better access to the court. I also support it because it is unfair that the more than 250,000 small businesses and larger businesses in Western Sydney have to travel 25 kilometres into the city to attend the Supreme Court. It will avoid or minimise the cost individuals and businesses face when travelling to and from the Sydney central business district and travel time will be reduced for Western Sydney litigants. I support the establishment of a permanent Supreme Court at Parramatta not only because it will improve access for residents and businesses but also because it will be a catalyst for growth of the Parramatta Justice Precinct. Phillip Street in Sydney is already packed with barristers chambers. More barristers locating in Western Sydney will drive growth in associated supporting industries and the colocation of talent across multiple industries will drive competition and innovation within the precinct.

The establishment of a permanent Supreme Court in Parramatta will assist in the decentralisation of government services from the Sydney central business district and support jobs growth in Western Sydney. Last week the Premier made a fantastic announcement that 3,000 public servant positions had been recommended for future transfer to the river cities of Parramatta, Penrith and Liverpool. Parramatta featured highly, as it should as the capital of Western Sydney. The final reason why I support a Supreme Court at Parramatta is that the University of Western Sydney has a strong presence in the precinct. Through events such as Law Week and its legal clinics the university provides opportunities for law students to gain valuable practical experience to qualify for the bar. Having a Supreme Court in the area would give those students the opportunity to gain valuable work experience and it would be an incentive for law graduates to stay in the area. It would be a catalyst for business. Research tells us that people who study in areas such as Parramatta or Western Sydney are likely to look for a job and live in the area, thereby avoiding the brain drain to the Sydney central business district.

I am not the only one calling for the establishment of a permanent Supreme Court in Parramatta. An industry group called Access to Justice for Western Sydney also is calling for it. I am proud to be part of the group and regularly attend its meetings. The group is supported by a number of organisations, including Parramatta City Council, the Parramatta and District Law Society, the University of Western Sydney Law School, the Sydney Business Chamber (Western Sydney), the Whitlam Institute, the Parramatta Chamber of Commerce, Champion Legal, de Vries Tayeh and Deloitte Australia. There is momentum for change. It is not only law firms calling for a permanent Supreme Court in Parramatta; other industries also want it because they can see spinoff benefits.

The group gives four reasons for the establishment of a permanent Supreme Court in Parramatta. The first reason is the size of greater Western Sydney, which has nearly two million people and is expected to grow by a million over the next 20 years. It has about 250,000 businesses with a gross regional product of around $90 billion. It is a vibrant business hub, having about one-third of the State's businesses. Secondly, the Parramatta Justice Precinct has modern facilities. Currently, numerous District Court cases are being heard at Parramatta while the Penrith courts are being refurbished. In time, we hope the District Court will move back to Penrith which will alleviate some of the pressure. We have a great court system.

The Federal Family Court facility in Parramatta is not being used in its entirety. I understand discussions between the State and Federal governments are in progress about sharing and fully utilising these modern facilities. Thirdly, because of the volume of the court work originating in the region, much of the court work in the Sydney central business district comes from Western Sydney. If these cases were heard locally, costs would be reduced for businesses and individuals. Fourthly, the excellent law chambers and barristers in the Western Sydney region would like to practise close to where they live and build businesses in the area.

Support has come also from a coalition of businesses. I have spoken to the Attorney General's office about locating a permanent Supreme Court in Parramatta. When the Attorney General was in Parramatta for a Sydney Business Chamber luncheon on 7 March he announced that the Chief Justice will list the Court of Criminal Appeal and three judges to sit in the Parramatta Justice Precinct for two weeks in July and August. The Attorney General said:

> This is an important first step, and the fact that Chief Justice Bathurst himself is coming to preside over part of the sittings shows how important he thinks this move is.
>
> We already have a strong presence for the District and Local Court, especially in hearing criminal matters, in Sydney's West, and I would like to see more civil cases heard there.

He then made some nice comments about Parramatta. With Chief Justice Bathurst coming to Parramatta, I call on the Attorney General and the Chief Justice to establish a permanent Supreme Court in Western Sydney.

Mr GREG APLIN (Albury) [5.14 p.m.]: While the Courts and Other Legislation Amendment Bill 2014 brings together a number of housekeeping matters for our legal system, specific elements of the bill impact on the operations of our electorate offices. In particular, I focus my comments on the amendments relating to the Justices of the Peace Act 2002. One of the functions of all State members of Parliament is to work within their electorate to facilitate the recruitment and development of Justices of the Peace. It is certainly an aspect of my regular work that is worthy of attention and encouragement.

It makes great sense to deal with this early, as this bill envisages, to better handle the volume of expired terms and reappointments which will reach a peak between October 2016 and February 2017. The bill raises indirectly the role of members of Parliament in monitoring justices of the peace who have been denied renewal. While I, as a local member, vet the application of a person to become a justice of the peace, I am not automatically or systematically notified of bankruptcy, offences or investigations that might lead to the cancellation or denial of renewal of that person's status as a justice of the peace. Occasionally this issue surfaces in my office.

For example, one justice of the peace was denied renewal because he had committed an offence of not storing his firearm correctly. He was licensed to have that firearm. The offence he committed is an offence for good reason, but I query whether the review process operates with sufficient flexibility to catch and remove undesirable officers while investigating and retaining the services of those who deserve, on all the facts and their merit, to continue their valuable community service as a justice of the peace. I found out about his removal from office after the event. I argue that it would be helpful to the Minister and his department, as well as to my electorate, for members to be kept in the loop on matters involving our local justices of the peace. It would also put us in a better position to manage the concerns of those affected.

This bill provides for the introduction of powers of suspension to be utilised by the Attorney General where it is unclear whether a particular justice of the peace remains fit to continue performing his or her official functions. There is a role for local members in providing community feedback on the performance of a justice of the peace and of any matters relevant to the consideration of suspension and removal from office. Again, the justices of the peace in my electorate do not submit their renewals through my office. The renewals go straight to the Attorney General; we are not involved.

Among my staff are two justices of the peace and I have had cause to develop office policies about this aspect of service to the community. While most members of the public who come to my office seeking the assistance of a justice of the peace want to complete one document—a statutory declaration, a seniors card application or various forms—some arrive with a raft of documents pertaining to their employment, business or complex personal arrangements, for example, building companies and people with immigration papers. This can be a significant drain on staff resources who otherwise would be attending to matters at the counter or on the telephone.

Sometimes in my area we have a shuffling of justice of the peace responsibilities between the police station, my office, the office of the Federal member and the courthouse. One response has been to encourage individuals or employees of businesses who are willing and suitable to become a justice of the peace. I note that in Queensland, for example, justices of the peace promote sessions in shopping centres and malls where people can bring their documents to be witnessed. Signs are placed around the mall advising of the availability of a justice of the peace between certain hours at a particular location. This is a practical way of getting people to access a justice of the peace to witness their documents and also to publicise the work and special role of justices of the peace in our communities.

I thank the volunteers who perform these tasks. I ask the Government to clarify a number of issues surrounding justices of the peace and perhaps develop a more modern and interconnected program that includes providing information to local members where it is relevant to their electorate. The office of a justice of the peace remains a critical and valuable role within our electorates. The matters contained in this bill are positive steps in keeping this office relevant and accountable. I support the bill before the House.

Mr JOHN FLOWERS (Rockdale) [5.19 p.m.]: I speak in support of the Courts and Other Legislation Amendment Bill 2014 and I commend the Attorney General, and Minister for Justice for his ongoing dedication to improving the administration of justice in this State. The objects of the bill are to permit annual reports under the Anti-Discrimination Act 1977, the Inspector of Custodial Services Act 2012, the Professional Standards Act 1994, the Public Defenders Act 1995 and the Workplace Surveillance Act 2005 to be laid before a House of Parliament when the House is not sitting; to provide for the reappointment and suspension of justices of the peace and to provide that the office of justice of the peace is not a public office under the State Records Act 1998; to clarify that the former President of the Industrial Relations Commission is not taken to be the president when continuing to deal with matters that have been heard, or partly heard; and to set out the circumstances in which a report about an investigation of a complaint against a judicial officer is to be given to the judicial officer and to the complainant.

Further objects of the bill are to make provision for an increase in the superannuation guarantee from 9 per cent to 9.25 per cent with respect to the pensions of judges and acting judges; to permit oaths, declarations and affidavits to be taken or made before certain employees in Australian overseas posts and for such employees to be able to verify or certify instruments; to extend by two months the time within which the State Coroner is required to give an annual report on deaths in custody to the Attorney General; to permit information to be disclosed to the Bureau of Crime Statistics and Research despite the existence of a suppression order; to provide for qualifications required to be held by commissioners of the Land and Environment Court with respect to matters under the Aboriginal Land Rights Act 1983; and to clarify the application of a provision of the Supreme Court Act 1970 that stays the execution of sentences.

The purpose of the bill is to make miscellaneous amendments to legislation affecting the operation of New South Wales courts and other legislation administered by the Attorney General, and Minister for Justice. The bill is part of the Government's regular legislative review and monitoring program. It amends a number of Acts to improve the efficiency and operation of New South Wales courts as well as the operation of various agencies within the Department of Attorney General and Justice.

In relation to other amendments, schedule 5 deals with a number of minor amendments to various Acts. Schedule 5.1 amends the Coroners Act 2009 to extend by two months the period within which the State Coroner is in each year to make an annual report to the Attorney General containing a summary of the details of the deaths or suspected deaths that have occurred in custody or as a result of police operations. As the end of the reporting period is 31 December, this means that the deadline for the report is 1 March of each year. The annual report must then be tabled within each House of Parliament within 21 days. This deadline places an unreasonable deadline on the Coroner's Court as it is extremely difficult to prepare the report by 1 March each year. The amendment provides a deadline for the provision of the deaths in custody and police operations annual report that is more practicable for the Coroner's Court to comply with, being no later than 1 May each year.

Schedule 5.2 amends the Court Suppression and Non-publication Orders Act 2010 to permit the disclosure of information to the Bureau of Crime Statistics and Research despite the existence of a suppression order under that Act. The amendment will authorise the release of data to the Bureau of Crime Statistics and Research for the purpose of ensuring complete outcome statistics concerning the New South Wales criminal justice system. Schedule 5.3 amends the Land and Environment Court Act 1979 to provide that a commissioner can hear matters under the Aboriginal Land Rights Act 1983 if the commissioner has suitable knowledge of matters concerning land rights for Aborigines and has qualifications and experience suitable for the determination of disputes involving Aborigines.

Any such commissioner who has no other qualification that would permit the person to be appointed as a commissioner may only exercise functions under the Land and Environment Court Act 1979 in relation to proceedings under the Aboriginal Land Rights Act 1983. In the way in which the Land and Environment Court Act is currently drafted, commissioners must have the required qualifications when they are appointed to the court. If commissioners gain the required qualifications after they join the court, they still cannot hear matters under the Aboriginal Land Rights Act, even though they are qualified to do so.

To ensure that all commissioners who are appropriately qualified can hear these matters, schedule 5.3 to the bill amends section 32A to enable commissioners to exercise functions under the Aboriginal Land Rights Act if, in the opinion of the chief judge, the commissioner has the required qualifications. Schedule 5.4 amends section 69C of the Supreme Court Act 1970 in relation to stay of execution of conviction, order or sentence pending review to make it clear that section 69C (2) applies to stay the execution of a sentence and to stay the execution of an order. However, it is unclear whether the section currently operates to stay apprehended violence orders.

To clarify this, schedule 5.4 to the bill amends section 69C to specify that the section does not stay the operation of an apprehended violence order and that a reference to a person who is in custody includes a person who is the subject of an intensive correction order or a home detention order. The amendments in the bill will assist the courts and other agencies within the Department of Attorney General and Justice to perform their work more efficiently. I commend the bill to the House.

Mr RICHARD AMERY (Mount Druitt) [5.27 p.m.]: I make a few comments in debate on the Courts and Other Legislation Bill 2014. I will not go through the overview or the explanatory note, which has been read into *Hansard* by previous speakers. Bills such as this, introduced by the Attorney General, come before the Parliament on a regular basis to tidy up and make a number of changes to a wide variety of laws in the State. The large number of amendments does not justify individual bills being brought before the Parliament; therefore, these matters are cobbled together in a bill such as this and statute law revision bills and so on. Agreement is generally reached that anything contentious that would be opposed by either side of Parliament is withdrawn and dealt with individually.

I do not intend to speak on every change to the bill but one aspect I will address is in relation to schedule 2, which relates to the role and powers of the Attorney General in the appointment and suspension of people who hold the office of justice of the peace. In my time in this Parliament the role of justice of the peace has become far more widespread within the community. At one time very few people would turn up at an electorate office seeking to have documents signed by a justice of the peace, but I have noticed a gradual increase. Some years ago the three staff in my office, who share two positions, all became justices of the peace to meet the increasing demand for documents to be signed by a justice of the peace, such as passport applications and legal documents.

Solicitors are referring their clients to justices of the peace outside their office to witness documents. Even banks, which require a number of documents to be signed by a justice of the peace, do not supply their own justice of the peace. This has put more pressure on members' electorate offices with people coming in seeking the services of a justice of the peace. In my constituency, electorate office staff were being tied up for most of the day on justice of the peace matters. It became such a problem that I organised a community meeting involving the Federal member, Blacktown City Council, the library and the Local Court to prepare a community roster so that the role of the justice of the peace could be shared amongst those organisations throughout the working week.

As part of that community roster I volunteered my office staff to be available to perform the role of justice of the peace for two days per week, Tuesday and Thursday. The office of the Federal member and the council, through the local library, provide the service on another weekday each and the Mount Druitt courthouse

also provides the service. From time to time a service is also provided by the family centre next door and individuals have been encouraged to seek the role of a justice of the peace. The bill, on page 6, sets out the circumstances under which a Minister may suspend a justice of the peace from office, such as when a justice of the peace has committed an offence under certain sections or in response to a complaint. The Attorney General can withdraw the office of justice of the peace if a person has been involved in inappropriate behaviour or has committed an offence.

More and more people are coming to my office seeking the signature of a justice of the peace on a document which my experienced staff have detected would be improper for them to sign. Many people attempt to have documents signed incorrectly and not in accordance with the rules. Pressure can be put on a justice of the peace to sign documents that he or she considers to be inappropriate. I recognise that some people may try to have documentation signed in order to make false claims or to print false documents. It is important that justices of the peace are properly trained in the role and duties of office. If there is a security breach or other problems arise as a result of a document being improperly signed, a justice of the peace must be able to show that he or she operated honestly and that any errors or false documentation were unknowingly authorised.

There are those in the community who hold the office of justice of the peace who may not be diligent in dealing with such matters. The bill clarifies the circumstances under which the Minister has the power to suspend or withdraw the commission of justice of the peace where it is clear that a person has committed an offence or any other circumstances prescribed by regulation. These vague and open-ended references give the Minister broad authority to cancel the licence of a person who holds the office of justice of the peace who is found not to be performing his or her duties correctly and who may be contributing to identity fraud or documentation fraud. It is an important area of public administration.

I commend my office staff for the great work they do for the local community in performing the duties of justice of the peace. I know from listening to their conversations with people at the counter that they are diligent in checking the identity of the person whose signature is being witnessed and that the documentation is correct. Justices of the peace must be provided with as much training as possible, particularly when they first take up that role. We must make sure that they are properly trained and understand their obligations under the legislation. As the bill states, any inconsistency or problem in the way justices of the peace conduct their duties could result in the suspension of that role. I commend the Courts and Other Legislation Amendment Bill 2014 to the House. As I said, most of the matters in the bill are procedural but I wanted to raise the provisions in relation to justices of the peace.

Mr ANDREW GEE (Orange) [5.34 p.m.]: I support the Courts and Other Legislation Amendment Bill 2014. I thank the member for Mount Druitt for his contribution—the new, kinder, gentler member for Mount Druitt. I support the bill because it is one to get legal hearts racing. I note that my good friend the member for Myall Lakes is fully supportive of this bill.

Mr Stephen Bromhead: Sixteen years.

Mr ANDREW GEE: Sixteen years, as the member for Myall Lakes says. If a legal titan such as the member for Myall Lakes supports this bill, then we can be assured it is good legislation. He is, of course, a titan not only in the law but in nursing, policing and law enforcement.

Mr Greg Piper: Rugby is his big thing.

Mr ANDREW GEE: He is a titan in rugby and also a titan in law. He is the original quadruple threat. If the member for Myall Lakes likes the bill, then I like it too. I am sure that the member for Swansea, who is experienced in the conveyancing field, also supports the bill. The member for Drummoyne has been very chirpy in his support of the bill; he is another titan. One of the aspects that this bill deals with is the tabling of annual reports. The process of the tabling of such documents is the formal presentation of documents to Parliament. The primary object of tabling is to provide an account to Parliament of the executives' activities. As members know, it is an important procedure that provides a primary source of information for members and also places information on the public record. It is an important link in the process of ensuring accountability and openness of government. As an old tabler of great repute, Mr Assistant-Speaker, I know that this bill is of particular interest to you.

Under specific legislative provisions, some annual reports can be tabled out of session in either House of Parliament. Statutes such as the Annual Report (Departments) Act 1985 and the Annual Reports (Statutory

Bodies) Act 1984 also contain general deeming provisions for out-of-session tabling. However, some annual reports within the Attorney's ministerial responsibility are not regulated by these Acts and cannot be tabled out of session. The Legislative Council standing orders provide for out-of-session tabling but Legislative Assembly standing orders are silent on that point. These amendments will unify and standardise the tabling provisions for all annual reports that fall within the ministerial responsibility of the Attorney General, including annual reports in relation to the Anti-Discrimination Board, the Inspector of Custodial Services, the Professional Standards Council, the Public Defenders Office, and—of particular interest to the member for Tweed—workplace video surveillance.

It is interesting to note that out-of-session tabling probably was not explicitly contemplated for annual reports because annual report provisions were not common when many of these Acts were originally drafted. The amendments follow standard provisions found in many other Acts. This will provide consistency across the statute books. A consistent rule for tabling annual reports in both the Legislative Assembly and the Legislative Council will make the administrative process more efficient for both the Office of the Attorney General and for the hardworking staff in the Legislative Assembly tabling office, and they certainly are hardworking. The amendments also will improve public access to information, especially if there is a finding or recommendation that should be made public.

The legislation also deals with justices of the peace, and the member for Mount Druitt spoke eloquently about the work his office undertakes in that regard. The member for Blue Mountains spoke of the wideranging services that justices of the peace provide, and mentioned in particular that many undertakers in her area seek to become justices of the peace. Applicants encompass a wide range of professions. A staff member who works in my office, the great Don Mahoney, who is an international dog judge, is also a justice of the peace. Justices of the peace in electoral offices perform valuable work. Currently, more than 90,000 justices of the peace in New South Wales are volunteers and do not receive any payment. As we have heard, they are people of good standing in the community who are trusted to be honest, careful and impartial.

A justice of the peace undertakes a wide range of duties. They used to have lifetime appointments but that changed with the Justice of the Peace Act 2002. They now hold office for five years but may apply to be reappointed when their term of office expires. The vast majority of justices of the peace who apply to be reappointed receive a new term. However, because of the way the terms of appointment have been timed in the past a large number of justices of the peace will need to apply for reappointment at the same time over the next few years. For example, it is expected that in October 2015 almost 12,000 justices of the peace will apply for reappointment. During the previous peak in 2010 the justice of the peace section of the Department of Attorney General and Justice took on two additional staff, but there were still lengthy delays.

The Government wants to make sure that there are no delays in processing reappointment applications. As we have said, justices of the peace provide a valuable service and the amendment will allow the terms of appointment to be staggered across a more reasonable time frame. It is expected that approximately 38,000 justices of the peace will have their terms extended by up to two years. The Government does not intend to shorten anyone's term of office. The amendment is a sensible way to ensure that public sector resources are used efficiently. I mentioned at the outset that the bill will set legal hearts racing, including many in the Orange area. They include local barristers and the hardworking team at William Owen Chambers in Orange: Bill Walsh, a founding member of those chambers; Duncan Brakell, a relative newcomer to Orange but who is doing an outstanding job for his clients; Joe Dalzell, AM; and Ian Nash, a public defender.

Many solicitors will also welcome these reforms. I do not speak for them today but I mention some of the solicitors who work very hard to help ensure the administration of justice in Orange. They include: David Ironside, who is a well-respected member of the legal profession in Orange; John Carpenter; Anthony Short and George Blackwell from Blackwell Short; Amarle Dent; Graham Billing from Graham Billing and Co; and Chris Messenger and Christine Messenger from Messenger and Messenger. I also mention the team at Baldock Stacy and Niven—in particular, Dick Niven, Jim Prosser-Fen, Justine Ringbauer and Meaghan Denholm. I could name many others but time does not permit me to do so.

I also take this opportunity to acknowledge the good work of Nick Sandrejko, a former officer with the Department of Attorney General and Justice. I understand that he worked on this bill, as well as other courts and miscellaneous provisions bills, prior to moving on to other endeavours. This kind of work is vital to ensuring the good administration of government in New South Wales and deserves acknowledgement. I know Mr Sandrejko will be listening and watching as I speak so it is only appropriate that we doff our hats to him today. As I have

said, this bill makes a positive contribution to the administration of justice in this State. It will help our justices of the peace in their valuable work, whether they are in electoral offices, funeral parlours or anywhere else. I commend the bill to the House.

Mr GREG PIPER (Lake Macquarie) [5.44 p.m.]: I too contribute to debate on the Courts and Other Legislation Amendment Bill 2014. Many members may not have considered this legislation to be particularly riveting or sexy but the member for Orange has probably changed their opinion with his stirring contribution, for which I congratulate him. I am sure that it is likely to receive some media coverage—Quentin Dempster will be poring over *Hansard* and seeking out the video of proceedings. I will limit my contribution to the bill's amendments relating to justices of the peace. My office deals with many local justice of the peace applicants. Two of my staff members are justices of the peace and I am sure all members appreciate that the demand for their services in the local community impacts on the resources of the office, as the member for Mount Druitt mentioned. I am cognisant of that fact, and when there are opportunities to do so I draw on other resources.

I note from the information provided with the bill that there are 90,000 justices of the peace in New South Wales. While that seems like an extraordinary number, obviously many of them are in work-related areas and probably have a limited role in the field. However, others seek the office of justice of the peace for community reasons and are much more active across a wide range of areas. I regularly process justice of the peace nominations from people in my electorate and I feel a responsibility to meet them in person whenever possible. It is good to have a feel for why they wish to become a justice of the peace and perhaps be able to guide them to source advice in developing their knowledge through avenues other than just the official handbook.

The handbook is the source of technical information and legal obligations for a justice of the peace but the requirements of the role sometimes go beyond that. There are also practical supports for justices of the peace that I have identified locally through associations. When I was mayor, and certainly now as a member of Parliament, I had quite a bit to do with the Northern NSW Federation of Justices of the Peace, Westlakes, which meets at Toronto, and also the Morisset branch of the NSW Justices Association, of which I am probably the most recent member having joined only in the past few months. Those organisations give a great deal of their time and skill to their community, witnessing documents and offering allied advice. They also support and assist the professional development of others, particularly new justices of the peace.

I certainly have some sympathy and support for the amendments in relation to suspending a person from the office of justice of the peace in cases where a person has been charged with certain offences or in other circumstances as prescribed by regulations under the Act. I have sought advice about what the provision means; it is quite broad. One hopes that nearly everyone becomes a justice of the peace for the right reasons. However, I imagine there are some who seek the office for the wrong reasons and who abuse their position and we must be able to deal with them. Other people may undergo changes in their life, whether it is to do with mental health issues or other character changes. In my electorate—unfortunately too close to me for my comfort—there is a person who seems to fit that description. I will not give too much away about his identity but if needs be I will seek assistance from the Department of Attorney General and Justice.

This person has a wicked manner. About 12 months ago he left a message on my mobile phone that I will place on the record. Part of it related to a council matter in which I had no input. He said, "Greg, I've just … (inaudible) to the blokes that you can stick your effing green bin up your arse; you can tell those sluts of things in the office to stick their protocol up their arse and learn some manners, the same as you, you prick of a thing!" Those words are not normally used in this Chamber and they are certainly not normally used on my phone either. I found that incredibly offensive. I have placed that phone message on the record because I think it goes to the character of the person. If it had been a one-off incident concerning something that was going on that day perhaps it could have been accommodated, but it was not a one-off incident. Unfortunately, it is an all too common event; the abuse has occurred in public and in the company of my grandchildren, at which I take great offence. I think there is a limit to what can be done because I have not been willing to take legal action, but it begs the question as to how we deal with people who exhibit this type of behaviour. I am pleased that this bill gives the Attorney General greater scope to act. With that brief—and I hope enlightened—contribution, I commend the bill to the House.

Mr JONATHAN O'DEA (Davidson) [5.51 p.m.]: I speak in debate on the Courts and Other Legislation Amendment Bill 2014, particularly as it relates to justices of the peace, or JPs as they are commonly known. Schedule 2 amends the Justices of the Peace Act 2002 and State Records Act 1998 to enable the Attorney General to temporarily suspend justices of the peace when it is unclear whether they are fit to practise.

It further enables regulations to be made that extend or shorten the term of office of justices of the peace to ensure that the process of reappointment can be managed more efficiently. It also excludes justices of the peace from the mandatory record-keeping requirements contained in the State Records Act 1998.

Justices of the peace are unique in our community. They play an important role in facilitating the smooth execution of certain legal requirements. They do not get paid for their services. In fact, they are prohibited from receiving payment yet their volunteer work can facilitate instant closure on a range of issues. This is particularly important in the commercial world, where the signing of documents may need to be witnessed to finalise a particular transaction. Indeed, the two main functions of a justice of the peace are to witness the signing of documents, such as affidavits and statutory declarations, and to certify copies of documents. Some of these documents may be required in court proceedings. Others may be needed for people to access benefits or to meet their legal responsibilities. Of course, I am not telling the Assistant-Speaker anything new because he is a justice of the peace.

People applying to become justices of the peace must be Australian citizens, at least 18 years of age, registered on the State electoral roll and nominated by a member of the Legislative Assembly or the Legislative Council. So members in this place have a significant responsibility in that process. Applicants must be of good character and must establish that their appointment is required for reasons relating to the person's employment or to fulfil a community-based need for the appointment. The test of good character includes an assessment of any criminal history, the applicant's honesty, integrity and capacity to act impartially, and they must conduct themselves in a way that does not bring the office of justice of the peace into disrepute. Some may ask how the Assistant-Speaker got to be a justice of the peace, but we all know that he is of impeccable repute.

There are almost 2,000 justices of the peace with registered postal addresses in the postcodes that, fully or in part, cover my electorate of Davidson. I have met many of them, particularly those who apply to become justices of the peace for the first time. It is my practice to interview them as part of assessing a justice of the peace application for potential endorsement. It also gives applicants an opportunity to provide direct feedback on possible issues of concern within the New South Wales Government's jurisdiction. The role of a justice of the peace has evolved over many centuries and continues to do so, as the legislation before Parliament attests. History tells us that in 1195 Richard I—the Lionheart—commissioned certain knights to preserve the peace in unruly areas. Under the title of "keepers of the peace", they were responsible to the king for ensuring the law was upheld and the king's peace was preserved.

In 1327 King Edward III, by way of legislation, introduced the peace officer to deal with minor offences. This allowed judges the time to deal with more serious offences. By 1361 these peace officers were allowed to use the title "justice" and so over the years they became known as justices of the peace, combining the two notions of justice and peace officer. The role evolved gradually and spread to the colonies. In 1788 Governor Arthur Phillip of the new colony at Sydney Cove was also a justice of the peace and had the power to appoint judges and justices of the peace. Since then further changes have been made to the laws governing justices of the peace, leading us to the amendments before the House today. I commend those amendments and the bill to the House.

Mr ANDREW CORNWELL (Charlestown) [5.57 p.m.]: I, too, take great pleasure in supporting the Courts and Other Legislation Amendment Bill 2014. I shall outline for the House the salient features of the bill. The objects of the bill are as follows. First, it permits annual reports under the Anti-Discrimination Act 1977, Inspector of Custodial Services Act 2012, Professional Standards Act 1994, Public Defenders Act 1995 and Workplace Surveillance Act 2005 to be laid before a House of Parliament when the House is not sitting. This is a simple amendment that seeks to drive efficiencies within organisations. The second object is to provide for the reappointment and suspension of justices of the peace and to provide that the office of justice of the peace is not a public office under the State Records Act 1998. Third, the bill clarifies that the former President of the Industrial Relations Commission is not taken to be the president when continuing to deal with matters that have been heard, or partly heard.

Fourth, the bill sets out the circumstances in which a report about an investigation of a complaint against a judicial officer is to be given to the judicial officer and to the complainant. Again this is a simple administrative amendment. Fifth, the bill makes provisions for an increase in the superannuation guarantee from 9 per cent to 9.25 per cent with respect to the pensions of judges and acting judges. Sixth, the bill permits oaths, declarations and affidavits to be taken or made before certain employees in Australian overseas posts and for such employees to be able to verify or certify instruments. Seventh, the bill extends by two months the time

within which the State Coroner is required to give an annual report on deaths in custody to the Attorney General. This is a sensible amendment, given the sensitivity and complexity of issues surrounding a death in custody.

The bill also permits information to be disclosed to the Bureau of Crime Statistics and Research despite the existence of the suppression order. This is a sensible amendment that will improve data collection within New South Wales. The bill also provides for the qualifications required to be held by commissioners at the Land and Environment Court with respect to matters under the Aboriginal Land Rights Act 1983. The bill clarifies the application of a provision of the Supreme Court Act 1970 that stays the execution of sentences. By way of background, the purpose of the bill is to make miscellaneous amendments to legislation affecting the operation of New South Wales courts and other legislation administered by the Attorney General and Minister for Justice, the Hon. Greg Smith. The bill is part of the Government's regular legislative review and monitoring program. It amends a number of Acts to improve the efficiency of New South Wales courts as well as the operation of various agencies within the Department of Attorney General and Justice. I draw the House's attention to clause 1, which sets out the short title of the proposed Act. Clause 2:

> … provides for the commencement of the proposed Act on the date of assent to the proposed Act, except for amendments to the *Judges' Pensions Act 1953* which are taken to have commenced on 1 July 2013.

It relates to the increase in superannuation. Schedule 1 relates to amendments relating to annual reports and states:

> **Schedule 1** amends the *Anti-Discrimination Act 1977*, the *Inspector of Custodial Services Act 2012*, the *Professional Standards Act 1994*, the *Public Defenders Act 1995* and the *Workplace Surveillance Act 2005* to permit the annual report that is required to be prepared under each of those Acts to be laid before a House of Parliament when the House is not sitting.

This is a sensible administrative amendment that will improve the efficiency and processes of government. The schedule further states:

> This is consistent with the process under the *Annual Reports (Departments) Act 1985* and the *Annual Reports (Statutory Bodies) Act 1984* which cover a significant number of annual reports required to be prepared by Government departments and statutory bodies.

Schedule 2.1 amends the Justices of the Peace Act 2002 to:

> … permit regulations to be made to provide for the extension or shortening of the term of office of particular justices of the peace. It is envisaged that this will be used for the purpose of ensuring that the workload of processing appointments and re-appointments of justices of the peace is more evenly spread …
>
> The proposed amendments also provide for the suspension of a person from the office of justice of the peace if the person is charged with certain offences, or if there are circumstances in which the person may be removed from office or in other circumstances prescribed by regulations made under that Act. The proposed amendments also provide for regulations under the Justices of the Peace Act 2002 to contain provisions of a savings or transitional nature consequent on the enactment of that Act or any Act that amends that Act (including the proposed Act).

It would be remiss of me not to mention that 18 months ago I, with the member for Swansea and the member for Lake Macquarie, attended the 100th anniversary celebration of the Lake Macquarie Justices of the Peace Association. It was a tremendous evening. The Lake Macquarie Local Area Commander, Superintendent Craig Rae, spoke and gave us a fantastic insight into the role that the police play in our region and the interface between police and justices of the peace. It was an entertaining and enlightening evening. The club was packed with justices of the peace from Lake Macquarie, and I commend the local justices of the peace and the staff at Club Macquarie for a fantastic evening. Once again, Club Macquarie did not let the justices of the peace down. Returning to the bill, schedule 3 makes amendments relating to judicial officers. The bill states:

> **Schedule 3.1** amends the *Industrial Relations Act 1996* to clarify that a former President of the Industrial Relations Commission of New South Wales who continues to deal with matters relating to proceedings that have been heard, or partly heard, cannot exercise the functions of the President and nor is the former President taken to be the President.

Schedule 3.2 amends the Judges' Pensions Act 1953 to take account of the increase in the superannuation guarantee from 9 per cent to 9.25 per cent on 1 July 2013. I am sure our colleagues in the judiciary are delighted with that amendment. Schedule 3.2 further states:

> The proposed amendments allow for future changes to the superannuation guarantee to be taken into account without the need for further amendment to that Act.

This is a sensible change and will prevent the superannuation changes becoming a political football in the future. I commend the Attorney General for his foresight with that amendment. Schedule 3.2 concludes:

> The proposed amendments also provide for regulations under the *Judges' Pensions Act 1953* to contain provisions of a savings or transitional nature consequent on the enactment of that Act or any Act that amends that Act (including the proposed Act).

Schedule 3.3 amends the Judicial Officers Act 1986:

> … to require the Conduct Division of the Judicial Commission to provide a report to the Judicial Commission of how it has dealt with a complaint about a judicial officer that has been referred to it. The Judicial Commission must give a copy of the report to the judicial officer concerned and may give a copy of the report (or a summary of the report) to the complainant unless the Conduct Division has notified the Judicial Commission that this should not occur. The proposed amendments also provide for regulations under the Judicial Officers Act 1986 to contain provisions of a savings or transitional nature consequent on the enactment of that Act or any Act that amends that Act (including the proposed Act).

That is a glimpse through the window at some of the important amendments in the bill. I acknowledge the great work of the Attorney General with regard to the new Newcastle courthouse development. It is a brilliant $94 million development in the city that will provide fantastic facilities for all the legal officers in town, and we are looking forward to its completion. I thank the House for its indulgence and I take great pleasure in supporting the bill.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [6.07 p.m.]: I speak briefly to the Courts and Other Legislation Amendment Bill 2014. Having been in the chair for much of the debate, I was reminded of the importance of the role of justice of the peace. When I first came into this place some 23 and a bit years ago, some members of this House said, "There is a great way to get supporters within your electorate: make them a justice of the peace and they will vote for you all the time". I thought that was a cynical approach to appointing justices of the peace within the local community. I ignored that advice and over the years, like the member for Davidson, I have interviewed every person wishing to become a justice of the peace.

During that time I have refused only two applications. One was a woman who was having an argument with her neighbour about a tree growing over her fence. She believed if she was a justice of the peace she could dictate to the neighbour what happened with the tree. The second applicant drank regularly at the Toormina Hotel—in fact, I do not think he did much else other than drink at the Toormina Hotel. I was advised that while chatting to one of the other bar flies he was told that if he became a justice of the peace he could have a business card made with "J.P." on it, post nominal. He thought at his stage in life it was a good idea to become a justice of the peace and have cheap business cards made to hand around the bar at the Toormina Hotel. I advised him that he was not an appropriate person to become a justice of the peace. It is an extremely important role.

Thirty-eight years ago I lived in Moree, where I knew a fellow by the name of Jim Cook—I do not know whether he is still alive. He was the secretary of Pitt and Son grain company. Jim used to dread football games between Narrabri and Moree because there were many fights, not necessarily on the field but in the crowd and off the field after the game. Neville Pepper was a circuit judge who ended up coming to Coffs Harbour. Neville was a great bloke. He lived in Inverell and would come to the court at Moree as part of his regular schedule. The police often arrested a large number of people after the melee on the hill during or post the games between Narrabri and Moree. As a result, the cells were full and they needed someone to bind the offenders over, sentence them to the rising of the court, fine them $10 for unruly behaviour or impose whatever sentence was appropriate.

On a Monday morning poor old Jim Cook would hide from the police in the huge old safe in the Pitt and Crane building. He was probably one of the few justices of the peace who was handy to the court since our offices were opposite the courthouse. The police knew his hiding spot. They would find him and take him to the courthouse where he would spend the next three hours sentencing people to fairly menial sentences on the advice of the police prosecutor. At the back of the police watch-house there was the best veggie garden you have ever seen because most offenders were directed by the police to look after the garden and maintain the courthouse and police grounds in an immaculate condition. Whilst it is normally the job of justices of the peace to sign documents, they can be seconded to a court. When a serious crime has been committed somewhere that a judge is not available we may read in media reports that the offender has been bound over by the justice of the peace until such time as the court again sits.

In 2002 in this House we made the sensible decision to make justice of the peace tenures expire after five years. I think I spoke in that debate. We introduced that measure because the families of many justices of the peace who had passed away had never thought to cancel the justice of the peace authority or advise the Attorney General's office. Legislating for five-year renewable appointments was an important move then as are the amendments now to suspend justices of the peace for a period of up to 12 months or extend their term for up to two years. I commend the Attorney General on this legislation. His experience in working at the Department

of Public Prosecutions and seeing so many issues in law has led to him taking a diligent approach to legislation across the board. He is probably one of the busiest Ministers in this place. I commend him for his diligence in ensuring that New South Wales legislation is kept up to date.

Like the member for Charlestown, I thank the Attorney General for the justice centre in Coffs Harbour. I invite him to visit any time he wants. Part of the roof is now on. I spoke to Crown Project Services representatives this week and they tell me that the rest of the roof will go up next week. I hope to visit the site then. Costing in the vicinity of $70 million to $80 million it is a phenomenal centre. It will give the judges, who are mentioned in this bill, as well as the employees of the court and the police officers a place in which they will be proud to work. If judges continue to swear in justices of the peace in their chambers they will be far better chambers than the little box the Attorney and I visited when we were last there. I commend the bill to the House and I commend the Attorney for his diligent work in his arduous position. I trust he will attend the opening of the new justice centre at Coffs Harbour.

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [6.13 p.m.], in reply: I thank members representing the electorates of Liverpool, Cronulla, Myall Lakes, Blue Mountains, Parramatta, Albury, Rockdale, Mount Druitt, Orange, Lake Macquarie, Davidson, Charlestown and Coffs Harbour for their contributions to this debate. Before concluding I will address some matters that members have raised. The member for Parramatta spoke at length about the need for a permanent Supreme Court in Parramatta. We are listening to the call and doing our best, but it is not easy to deliver because there are only a certain number of courts and the District Court judges who are at the precinct at the moment have plenty of work. We will improve the situation by holding Court of Criminal Appeal hearings at Parramatta in July and August. It is hoped that the court will conduct more hearings at the site and that from time to time a single judge hearing will be conducted.

Comments were made about justices of the peace. Some members said that they receive a lot of requests from constituents and people outside their electorates who want statutory declarations and other documents witnessed. The word "inundated" was used. I am surprised to hear that, because we appoint many justices of the peace each month. Today I think I signed off on 154 applications for the Governor to consider, which seems to be about the weekly number we receive. We suspend or delete the rank of only a very small number of people in comparison. Nevertheless, we will look into the situation to see if we can improve it. Perhaps we can make more use of groups such as the Justices Association to arrange for some of their members to witness more documents. Some justices of the peace attend weekly at shopping centres and other places to witness documents and we may be able to better coordinate that service to reduce the flow of requests being made to members' offices.

The tabling amendments in this bill are more relevant to the Legislative Assembly in that it does not have an equivalent to Legislative Council Standing Order 55; however, I take this opportunity to thank the wonderful staff in both table offices. I especially thank Jenny Lamont in the Legislative Assembly table office and Allison Stowe in the Legislative Council table office for their hard work and dedication. This bill contains miscellaneous amendments arising from the regular review of courts-related legislation and other legislation administered by the Department of Attorney General and Justice. The amendments contained in the bill will help to ensure that the legislation administered by the Attorney General continues to be as effective as possible. The amendments will also ensure that courts and other agencies within the portfolio of the Attorney General continue to operate efficiently.

The Parliamentary Secretary and member for Wagga Wagga reminds me that one reason why extra work may have flowed to parliamentary offices is that places that were previously government offices, such as post offices, are often now private franchises. Maybe they are encouraging customers to go to their local member for justice of the peace services. In addition, many people used to have their documents witnessed at banks. These days many banks do not have resident managers and may not have a resident justice of the peace. These are changing times and although we have about 90,000 justices of the peace many of them are appointed to assist in the businesses in which they work. We will look at what we can do to ensure that justices of the peace are available and that their presence and willingness to assist is made known to members of the public. 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 transmitted to the Legislative Council with a message seeking its concurrence in the bill.

PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (FRESH START SUPPORT) BILL 2014

Second Reading

Debate resumed from 6 March 2014.

Mr MICHAEL DALEY (Maroubra) [6.19 p.m.]: I lead for the Opposition in debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014. Despite the recent crowing of the Treasurer, this Government is not doing well when it comes to employment. I hear laughter from the member for Drummoyne, but I remind him of a couple of vital statistics. When this Government came to power in March 2011 the unemployment rate was 4.9 per cent and it is now at 5.8 per cent. It has risen by nearly a full point in three years and from 5.3 per cent to 5.8 per cent in just the past year. That unequivocally means there are more unemployed people now than there were when this Government came to power. That is not a good situation, particularly for those unfortunate people who are unemployed. It is not good enough to say, "We are doing better than any other State. We are going badly but others are going more badly." That does not mean the Government is doing well.

There has been a rise in unemployment and the closure of some significant companies in New South Wales and we have heard the rhetoric of the Premier and the Treasurer that jobs growth is and will remain one of the goals of the Government. However, this bill was introduced on 6 March. It is now 26 March and we have probably had a dozen sitting days since the bill was introduced. Despite that this bill has languished behind a great many inconsequential bills on which speaker after speaker has commented, sometimes ad nauseam. If this bill were a priority, it would have been brought on with haste, but it has taken 20 days to get here. The Opposition will not oppose the bill. We do not oppose measures to foster employment growth, limp-wristed though they may be. This Government can introduce the measures inherent in this bill with the comfort of knowing that its predecessor, in 2011, was a failure that cost the Government next to nothing. This bill will follow in those footsteps as it is paying lip service and is just a legislative stunt to enable the Premier and the Treasurer to say they are doing something about employment growth and looking after people who lose their jobs. The reality is far from that.

This bill amends the Payroll Tax Rebate Scheme (Jobs Action Plan) Act 2011 which was passed in the Legislative Assembly on 14 June 2011. This bill, like its predecessor, is said to be an incentive for employers. Under the predecessor Act, the Government legislated to provide a payroll tax rebate to employers of up to $4,000 per full-time employee and that has been increased to $5,000. There were conditions for the payment of the rebate. It was paid only for the creation of a new job—that is, a new full-time equivalent position. Part-time employees attracted a pro rata rebate. In addition, the employee had to be employed for a minimum of two years. The rebate was paid in two parts: $2,000 on the first anniversary of the creation of a new position and another $2,000 on the second anniversary.

The scheme was legislated to end on 30 June 2013—that is, it had a two-year legislative life. However, because it was a failure, it was extended to 30 June 2015 in the 2014 budget. It received the legislative equivalent of life support. It went the same way as regional relocations—and what a flop that has been—and Waratah bonds, until compulsory acquisition clauses relating to Chinese immigrants were introduced to try to prop up that flop with other government-introduced schemes. When the Government introduced the scheme in 2011 it announced it would provide a rebate for the first 100,000 jobs created, certain that this goal would be met within two years, but it was not picked up by business. As at June 2013 only 20,000 applications had been received. The Government tried to give money to businesses and it could not even do that successfully. After two years, only 20,000 out of 100,000 free gifts of up to $5,000 were taken up—Government members cannot even give cash away. At the end of January 2014 only 41,000 applications had been received. The Government had legislated with the intention of giving 100,000 rebates in two years but after 2½ years was not even at the halfway mark. What a flop; what a failure.

The Fresh Start Support Scheme will provide an additional $1,000 payroll tax rebate to employers when they hire a worker made redundant after 1 January 2014. The former worker must have been working at a "designated employer". It is amazing that what constitutes a "designated employer", which is at the heart of the legislation, has not been fully worked out. The Premier has introduced in great haste legislation to curb alcohol-fuelled violence, but the Treasurer, in the three years he has had to think about this legislation, has not come up with a definition of a designated employer. In his second reading speech the Treasurer said:

> A regulation will be tabled shortly that outlines guidelines for defining a designated employer and the definition of a redundancy.

Not even a redundancy has been worked out, yet that speech was made on 6 March. These two vital definitions have not been determined. Let us hope that before the end of this debate the Treasurer introduces a Government amendment to put some legislative certainty onto the skeleton of the bill. The Treasurer also said:

> Key issues the Government will consider in determining whether an employer should be listed as a designated employer are whether the scale of retrenchments from the employer will cause significant disruption to an industry or region, or whether the employer operates in a specialised field with employees who have limited opportunities for re-employment in that or another field. A numerical test of 100 or more employees made redundant from a business in a metropolitan area during a 12-month period or 50 or more employees made redundant from a business in a non-metropolitan area during a 12-month period will automatically be taken to have satisfied the designated employer criteria.

Apart from that, there is no definition of "designated employer". The nonsense inherent in this bill was also in the Act, and that is that most businesses in New South Wales will not get the rebate. In fact, 90 per cent of businesses in New South Wales will not get any money under the Act or this bill because they do not pay payroll tax. There are 640,000 businesses in New South Wales that will not get any relief under this stunt of a scheme.

At the heart of the scheme is this problem: If someone takes on an employee at, say, $50,000 with on-costs, whether or not they have been made redundant, would a one-off gift from the Government be an incentive? Members do not have to take my word for it. Members can take the word of businesses in New South Wales who have not taken up the scheme and they can also take the word of the NSW Business Chamber, which said in a submission to the 2011-12 budget:

> Feedback from our members has overwhelmingly indicated that the current Scheme is ineffective and is not providing employers with any significant incentive to take on additional staff. We understand that take up has been running at about 50% of the expected rate,—

It was not; it was running at about 20 per cent—

> —assuming this remains the case we estimate that closure of the Scheme to new entrants from 1 July will free up around $310 million from the initial $400 million commitment.

The NSW Business Chamber gave examples of where it would rather see the money applied. This Government is cutting $1.6 billion from education, so there is no help for kids at school—in fact, the Government is a hindrance when it comes to getting a job when they leave school; and if people are unlucky enough to find themselves out of work there will be no jobs plan, no additional investment in research and development, no strategic partnerships with businesses, universities and industries and no innovation plans. To top it all off, the Government is gutting TAFE, just as it is doing with education.

If people were unlucky enough to have been made redundant and they wanted to retrain and re-skill, they used to have the opportunity to go to TAFE. But this Government is gutting TAFE. Eight hundred staff positions are being made redundant and will be shed from TAFE, and TAFE fees are rising. With this bill the Government is saying that it will throw the promise of $1,000 at a small number of businesses in New South Wales—whose identities it does not yet know because it has not worked that out—as an incentive to employ people who have been made redundant.

It demonstrates what I always say about conservative governments—the Tories in New South Wales and Australia: When it comes to the little guy, when it comes to ordinary people, they are never viewed as individuals and they are never treated with empathy; they are just treated as economic units. Look no further than this bill for justification for that mantra that I have repeated for many years and, hopefully, will get the opportunity to repeat for decades more to come.

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

[*Acting-Speaker (Mr Gareth Ward) left the chair at 6.33 p.m. The House resumed at 7.00 p.m.*]

ACTING-SPEAKER (Mr Gareth Ward): Order! It being 7.00 p.m. the House will proceed with private members' statements.

PRIVATE MEMBERS' STATEMENTS

NORTH WEST WIRADJURI LANGUAGE AND CULTURAL NEST

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [7.00 p.m.]: Tonight I will speak on the North West Wiradjuri Language and Cultural Nest. Gulbarra Ngurambang-ga, yuwin-dhu Troy Grant. Ngadhu banhi-gu gulbarra Wiradjuri mayiny-galang. Ngadhu banhi-gu gulbarra Gadigal mayiny-galang Eora ngan.gu Ngurambang-ga nginha ngan girra Dhurinya gayi-dhi. I have just spoken an acknowledgment to country in the Wiradjuri language. I said: I am named Troy Grant. I would like to acknowledge the Wiradjuri people. I would like to acknowledge the Gadigal people of the Eora nation whose traditional special country we are in, in this assembly meeting place being held on.

The Wiradjuri nation expands from the Blue Mountains in the east, to Hay in the west, north to Nyngan and south to Albury. It has been described as the land of three rivers—the Wambool, later known as the Macquarie; the Kalare, later known as the Lachlan, and the Murrumbidgee or the Murrumbidjeri. This has been the home of the Wiradjuri nation for more than 40,000 years. In any culture, language forms the foundation of a community. It is how we communicate and how our history is shaped, with stories told and customs and knowledge passed from generation to generation. Language is the way in which our communities evolve.

To secure this vital language and its ties to its history and people and in recognition of the importance of language for future generations, the Minister for Aboriginal Affairs, the Hon. Victor Dominello—who has joined me in the Chamber tonight—launched in Dubbo the State's first Aboriginal language and cultural nest as part of the New South Wales Government's opportunity, choice, healing, responsibility, empowerment [OCHRE] reforms. These reforms are responding specifically to the wishes of the Indigenous community in determining future Indigenous policy and service delivery.

The North West Wiradjuri Language and Cultural Nest is aimed at fostering the language and inspiring the community to take pride in and cherish its heritage in order to meet this goal. This initiative is possible because of the wonderful work of a number of individuals over the years in preserving and nurturing this language, such as Uncle Stan Grant and locally Dianne McNaboe, together with many others. Currently eight primary schools and five high schools in the Dubbo electorate teach Wiradjuri as part of the school curriculum. The Charles Sturt University offers a graduate certificate in Wiradjuri Language, Culture and Heritage—Ngiyambalgarra and Dubbo electorate schools have introduced language to students at a young and impressionable age as a core part of the start of their learning life.

Ngiyambalgarra offers students across the nation an opportunity to learn about and speak Wiradjuri and to understand the links between language, culture and heritage and provides a process to rebuild Australia's Indigenous nations and work within the Wiradjuri community. The North West Wiradjuri Language and Cultural Nest offers an opportunity to the broader community to access this language and to deal with any learning gaps in existing pathways. The concept of the nest is designed to improve knowledge of and competency in local Aboriginal languages and, importantly, to secure the future of the language. It will help strengthen Aboriginal identity, pride and community resilience and make a significant contribution towards lifting school attendance and retention rates among Indigenous students.

We are blessed to have a strong and vibrant Indigenous culture in the region and I am confident that the depth of understanding and appreciation for the different languages, their history and significance will intensify as a result of this nest and the important work it will do in the years ahead. The nurturing of that interest in young Indigenous Australians will ensure that the rich culture survives and future generations will stay connected to heritage and reflect on that opportunity with pride. I congratulate and thank the Minister on his support for the Indigenous nation and community in my electorate and thank and pay my respects to the many individuals responsible for securing and promoting the Wiradjuri language. Mandaang guwu ngaanha-gu. Thank you for listening.

Mr VICTOR DOMINELLO (Ryde—Minister for Citizenship and Communities, and Minister for Aboriginal Affairs) [7.05 p.m.]: This is an historic occasion. It is the first time in this Parliament that Aboriginal language has been spoken. It is a powerful symbol because this is the oldest Parliament in Australia. The

community of Dubbo and particularly the Wiradjuri community should be congratulated on embracing this language and culture nest and on ensuring and preserving for generations to come their wonderful culture and language.

I commend the member for Dubbo. He is a member who wears his heart and soul on his sleeve and a person who is passionate about the Aboriginal community. Even before he came into Parliament he did great work in partnership with the community through the Indigenous Police Recruitment Our Way Delivery [IPROWD] project. Now we have the opportunity, choice, healing, responsibility, empowerment [OCHRE] initiatives coming through Dubbo and in particular the Wiradjuri nest and opportunity hubs. Some men have the ability to change minds but only great men have the ability to change hearts. The member for Dubbo is a great man.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I add my congratulations for and appreciation of the member for Dubbo. As occurred in Dubbo, Lismore held a ceremony for the Bundjalung people. We were also very pleased to have the Minister for Aboriginal Affairs attend in Lismore on that occasion.

PRINCES HIGHWAY UPGRADE

Mr GARETH WARD (Kiama) [7.06 p.m.]: As members will be aware, I use this Parliament on every occasion possible to raise issues important to my electorate. There is none more important than the Princes Highway. Having grown up in my electorate, I have seen all too often loss of life and injury on the Princes Highway and I have attended too many funerals of people I have known who have lost their lives on the Princes Highway. One of the reasons I stood for Parliament was that I was not satisfied with the former Government's lack of commitment to regional New South Wales, particularly in relation to the Princes Highway.

This evening I want to update the House on the improvements that are being made to the Princes Highway. At Gerringong a $329 million investment is being undertaken by Fulton Hogan. When I was the Liberal candidate for Kiama concerns were raised by Darrell Clingan, president of the South Precinct Committee at Gerringong, that there were not appropriate service lanes on the highway. I took up the fight. The shadow Minister at the time, Andrew Stoner, said we would undertake a review when elected. We did that review and those lanes were added to ensure that there was direct highway access for school buses as well as local residents. I am proud of this major achievement—the largest single investment in the Princes Highway to date.

However, that is being eclipsed by the announcement that Fulton Hogan has been awarded the preferred tenderer status for the Berry bypass, a $510 million project. This has been something people have talked about since 1955. If it is completed in accordance with the time frame that has been laid out by the Government it will be delivered in 2018—63 years later. This project will provide for a bypass of Foxground and Berry. I have been delighted to be involved in many changes to this project, which include moving the bypass further away from the township of Berry, as well as the lowering of the bridge over Broughton Creek. The bypass will provide the access and road safety to the South Coast that residents want and demand.

At South Nowra a $62 million major investment and exceptional improvement to the highway is almost complete. I commend my friend and colleague the member for South Coast for her ardent advocacy over many years in this place. In fact, whilst travelling south during the holiday period I noticed a marked improvement in holiday traffic. I am very pleased that that investment will open up a renowned bottleneck. It is important to mention the other issues on the Princes Highway. The Shoalhaven River Bridge has been in existence for 133 years. It was built as a railway bridge for trains to cross the river. Of course, that never came to pass. Today approximately 55,000 vehicles on average cross the Shoalhaven River but the bridge was not built to withstand those vehicles.

The member for South Coast and I have come to this place and argued for funds for the necessary studies that need to be done to upgrade the Shoalhaven River Bridge. To their great credit, the Federal Government and the Federal member for Gilmore, Ann Sudmalis, have fought for funds to supplement that work. I look forward to seeing the studies completed so that we can get on with the job of lobbying for the money that is required to upgrade that bridge. I call on the Minister for Roads and Ports to include in that feasibility study a further rail crossing of the Shoalhaven River at some stage in the future. I certainly hope that is considered. I come from an electorate that was once represented by George Fuller, a former Premier and member for Kiama. He was the man who enacted the Harbour Bridge Act 1922, a man of great vision, particularly when it came to building the State.

Mr Christopher Gulaptis: Just like the member.

Mr GARETH WARD: I acknowledge the interjection from my friend the member for Clarence. But I could not attest to having nearly as much vision as Mr Fuller did or, indeed, the member for Clarence. Mr Fuller had vision in relation to infrastructure for the future of the State. I would like to think that in a small way arguing for those projects is my contribution to the State as the local member for Kiama. I believe the F6 is an important project but I will always advocate for projects in my electorate first. I acknowledge that the 20,000 people who travel from the Illawarra to Sydney and return every day need the F6 extension. I will continue to take up the fight in this Parliament for that project and I look forward to other members supporting it.

To date, no Illawarra Labor member has supported the petition that we have circulated. I note the member for Wollongong is in the Chamber and the opportunity rests with her to circulate the petition and support us. Finally, the Albion Park Rail bypass is something that was ignored by those opposite for 16 years. They think the traffic congestion started on 26 March 2011. We will continue to do the work that needs to be done to upgrade roads in my electorate, which they failed to do.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.11 p.m.]: I am absolutely thrilled that the member for Kiama is such a strong advocate for the community he represents. The member for Kiama has represented the community of Kiama not only as a member of Parliament but also when he was in local government—at which time I knew him, for the benefit of the member for Wollongong. It is great to have infrastructure spend across this State. There is record spending in regional parts of New South Wales, including on the Princes Highway. This Government takes a whole-of-State approach. The member for Kiama is a strong advocate on behalf of his community, whether it is in relation to road safety improvements or improved travel times. He is getting on with the job and we are seeing real results. Roads in his electorate have received record funding after waiting 60 years. It is a great to have a member of Parliament who is making sure action is taking place in his electorate.

SERVICE FOR THE TREATMENT AND REHABILITATION OF TORTURE AND TRAUMA SURVIVORS

Mr GUY ZANGARI (Fairfield) [7.12 p.m.]: Two major events were celebrated in 2013 to mark the twenty-fifth anniversary of the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors [STARTTS]. On Wednesday 9 October 2013 I attended the STARTTS Refugee Ball at Cockle Bay Wharf and on Friday 6 December 2013 I attended the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors twenty-fifth anniversary celebrations at the Paradiso in Fairfield. It was my pleasure to attend and show my support for those who provide ongoing support and care to those who are vulnerable and in dire need throughout this State.

The Service for the Treatment and Rehabilitation of Torture and Trauma Survivors has been providing an invaluable service to the people of New South Wales for the treatment and rehabilitation of torture and trauma survivors for more than 25 years, and it shows no signs of slowing down. The services it provides are unparalleled and the positive impact it has had on so many lives can only be described as immeasurable. The Service for the Treatment and Rehabilitation of Torture and Trauma Survivors has several offices located through the State, including at Auburn, Liverpool, Blacktown, Coffs Harbour, Wagga Wagga and Newcastle. Its head office is located in my own backyard, Carramar.

For more than 25 years the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors has been going beyond making a simple connection and trying to find a quick fix for any client who walks through its doors. The Service for the Treatment and Rehabilitation of Torture and Trauma Survivors has described its mission as "going beyond helping people overcome specific symptoms; it involves overpowering them to regain control of their internal resources, to reclaim their lives and their future, to transform horror into hope". That is a true reflection of what it achieves for those who turn to it for help.

I had the opportunity at the anniversary celebrations and the gala ball to meet with some of the individuals who turned to the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors during their time of need. Their stories were truly inspiring. How these individuals from all over the globe have managed to overcome such adversity through the help of the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors was truly remarkable. To hear their stories was an experience in itself. It is truly an eye opener to see individuals who have gone beyond their personal limitations, overcome their demons and

ultimately regained their capacity to live to their true potential by becoming a contributing member of society and subsequently giving their family every opportunity to excel in life—an opportunity they thought they would never have.

The remarkable work that the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors contributes to our community was complemented by the large turn-up of supporters during its twenty-fifth anniversary celebrations. It is no mystery as to why so many people turned up to support it. I was joined at the celebration by Her Excellency Professor Marie Bashir; my colleague Mr Paul Lynch, the member for Liverpool and shadow Attorney General; Uncle Des Dyer; and a number of refugee community leaders, associated groups and their colleagues and guests.

I am happy to inform the House that the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors was a successful recipient of funding through the Community Building Partnership program and received $20,000 for the upgrade and refurbishment of its client access area in its Carramar office. Any country with a refugee program needs front-line support services such as the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors and we are privileged to have it working tirelessly in our local area. It has been an absolute honour and a privilege to work with and support the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors over the years, and I sincerely hope to continue working closely with it for many more years to come.

CLARENCE ELECTORATE FLYING FOX COLONIES

Mr CHRISTOPHER GULAPTIS (Clarence) [7.17 p.m.]: I inform the House about the ongoing conflict of flying fox colonies in urban areas in my electorate of Clarence. In my hometown of Maclean this conflict has been ongoing for decades. In Maclean it was exacerbated when the local high school was built sometime in the 1960s at the end of a cul-de-sac with a cemetery on one side and a couple of acres of remnant rainforest on the other. Flying foxes began roosting in the adjoining rainforest and thus the ongoing conflict with the school population began.

Various management strategies have been used over this time, with varying degrees of success. During the 1980s the Maclean council employed a ranger to disperse the flying foxes with a shotgun. This was certainly successful, as the flying foxes dispersed very quickly. A few rounds let loose at the early arrivals soon sent the message that they were not welcome and the rainforest remained flying fox free for the rest of the season. As environmental legislation tightened and shooting flying foxes was banned dispersal was achieved by using noise and smoke. The council ranger would fire up a lawn mower without a muffler and light a few fires to remind the flying foxes that they were not welcome. This too was successful and the school and rainforest were reprieved whilst this program was in place. But it was not long before this practice also was outlawed, and the welcome sign was put out for the flying foxes. They returned in their tens of thousands and like the hippies at Woodstock they were noisy and smelly, partied all night and left a mess everywhere they went.

It was not long before the rainforest was overrun with flying foxes and bat faeces rained from the sky on the school students every time the flying foxes were disturbed. Life at the school became a nightmare for all, with the noise and stench of 60,000 to 80,000 bats literally metres from classrooms whilst year 12 students were studying for their Higher School Certificate in the hot steamy North Coast weather. The rainforest, which had been revived through a Commonwealth bicentennial grant of $88,000 in 1988 and used by the school population for external studies, was decimated by the heavy population of flying foxes overloading branches. The overstorey was stripped bare and the understorey was overrun with weeds. The integrity of this small remnant rainforest was destroyed by the overpopulation of bats.

The students also were fed up with their unacceptable learning environment and in 1999, or thereabouts, went on strike. At the time I was president of the Maclean High School Parents and Citizens Association and vividly remember these events. It took nearly 12 months to develop a dispersal plan because the environmental laws again had been strengthened. It required funding from the Department of Education and Training, approval by the State environment department and the supervision of a wildlife expert. The State Government had negotiated to purchase hundreds of hectares of swampland some few kilometres from Maclean and the plan was to disperse the bats from the rainforest and high school and herd them into the swamp.

With an army of volunteers, under the supervision of wildlife expert Dr Chris Tidemann, it took less than a few hours a day for a week to move the bats out of the rainforest and school grounds. We cheered the victory and pursued the bats towards their new home only to be prevented by State environment officers from

continuing the dispersal through the suburbs and onto their paradise because the licence to disperse was restricted to the school grounds only. The restrictions of the licence meant that the bats relocated off school grounds and into the adjoining neighbourhood where they have roosted for over 10 years and have made the lives of the residents a living hell.

Every day since this time the residents have endured thousands of bats defecating on their roofs, washing, cars and paths and everything within bombing range. Residents cannot open windows during the hot steamy summer months because of the noise and stench. They cannot move because they cannot sell their houses and their health and wellbeing have suffered as a result of this living nightmare. This conflict of bats and humans in an urban area has been ongoing for decades.

It is incumbent on government departments to provide management strategies to alleviate the problems caused by wildlife infestations when residents cannot take action because of restrictive legislation. Government departments are the wildlife experts and they are responsible for developing strategies. The strategies employed should be determined by the severity of the infestation. A heavy bat infestation close to human habitat means a high priority strategy should be employed. Priority must be given to humans when the bats roost in an urban environment and pose a risk to human health and wellbeing.

WOLLONGONG PUBLIC HOUSING

Ms NOREEN HAY (Wollongong) [7.22 p.m.]: I speak in this place today following an absurd proposal made recently by a Wollongong city councillor. This councillor—a first timer, I might add—has decided that it would be beneficial to sell off waterfront Housing NSW properties on Cliff Road, Wollongong, Hill 60 at Port Kembla, and Bellambi Point. He feels that these locations would be better utilised as private housing and, according to the *Illawarra Mercury*, plans to urge the council at a meeting next month to write to the New South Wales Government about selling the properties. They will not be writing to me as the elected representative for the State electorate of Wollongong because they know the response they would get.

Mr Paul Toole: What?

Ms NOREEN HAY: This is clearly a stunt, member for Bathurst. It is an old political ploy. Because there is not a local Liberal member of Parliament to put forward the proposal, a local Liberal councillor is being used so that the Government can turn around and say that it delivered on it. The proposal will not be delivered on and it will open people's eyes to the Government's games and show them that the Government is not to be trusted when it comes to social housing.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Wollongong will direct her remarks through the Chair.

Ms NOREEN HAY: I am referring to my notes.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member was pointing across the table—

Ms NOREEN HAY: I am not.

ACTING-SPEAKER (Mr Gareth Ward): —and gesticulating in the direction of Government members.

Ms NOREEN HAY: I am just reiterating a point. I will not be closed down. I am criticising the local council for not getting on with the job of local government and involving itself in State representative matters without talking to the elected representatives. I will not stand by and allow housing tenants to be used as political pawns by the likes of some Liberal local councillors. In my view, the suggestion to sell off any public housing is outrageous, particularly when the stock is not being replenished. Every property sold off privately means another family will need alternative housing. Some residents of houses being sold in suburbs such as Unanderra, Berkley and Mount Kembla in my electorate have lived in those houses for over 20 years. They have raised families and looked after those properties as if they were their own, but their needs have been disregarded.

Money is not being reinvested nor is the stock being replenished. If councillors want to be involved in the matter, perhaps they should ask the Government to reinvest and replenish the stock. The former Federal and

New South Wales Labor governments invested $2.9 billion to deliver 9,000 social housing properties in New South Wales. This is in stark contrast to the O'Farrell Government, which cut $42 million from the budget for public housing maintenance, cut $22 million from the budget for new public housing and built 1,000 fewer new properties than in the previous year. The O'Farrell Government's own figures show it has assisted 1,563 fewer households in public housing compared to the previous year and the number of eligible families waiting for social housing has increased to 57,000—shame on Government members!—2,000 more families than last year.

By 2016 it is forecast that 86,000 families will be stuck on the waiting list for social housing. The O'Farrell Government's poor record of assisting people in housing is confirmed by a report of the Auditor-General released in July last year, which shows that the O'Farrell Government is selling more public housing than it is building and the capital expenditure of the Land and Housing Corporation is forecast to fall from $390 million in 2012 to $209 million in 2017. After three years in office the O'Farrell Government still has not developed a long-term strategy to meet the increasing demand for social housing in New South Wales. Having a social and economic mix in Wollongong has always worked. It dissuades an elitist attitude and recognises that despite financial status a good neighbour is a good neighbour.

I refer to local community opposition and the snobbery of people to the proposal to build an over-55s Housing NSW complex in Market Street, Wollongong—basically in the heart of the central business district. I lobbied long and hard to see this project go ahead and, as far as I am concerned, it has been a huge success. There is no doubt that Wollongong City Council has an important role to play in local governance and I suggest councillors represent their constituents in local government matters, such as the maintenance of Lake Illawarra. Have members seen Wollongong Mall recently or heard about the 34 people on the citizens panel who made outrageous suggestions about closing libraries and the like? Do they know that Wollongong council is proposing a 21 per cent increase in rates?

Mr Paul Toole: Point of order: I ask that the member for Wollongong, who has outlined various facts and stated figures, present those in a document to the Parliament.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Wollongong must table the document or provide verification of the document from which she was citing public housing figures. Can the member do that?

Mr John Sidoti: She made it up.

Ms NOREEN HAY: Yes, I can provide the information from which I drew the figures.

ACTING-SPEAKER (Mr Gareth Ward): Order! To which document did the member for Wollongong refer?

Ms NOREEN HAY: They were from a whole host of documents.

ACTING-SPEAKER (Mr Gareth Ward): Order! I will seek advice from the Clerk on the matter. The member's time has expired.

Ms Noreen Hay: You guys have opened up a can of worms here. You had better have documents for everything.

ACTING-SPEAKER (Mr Gareth Ward): Order! The member for Wollongong will resume her seat.

BATHURST ELECTORATE INFRASTRUCTURE

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.27 p.m.]: Tonight I speak about two wonderful initiatives in my electorate. The first relates to the Lithgow intensive learning centre at Lithgow Correctional Centre and the second initiative relates to spending undertaken through the Department of Sport and Recreation. The New South Wales Government has made significant investments in the electorate of Bathurst. It is pleasing that the Government continues to invest in projects which were neglected for so many years.

We are creating an environment of support from the Government for these community groups. The Lithgow Intensive Learning Centre was initiated by the New South Wales Government. The Lithgow

Correctional Centre received a refurbishment of $650,000, and I thank the Attorney General for the work that has occurred within that facility. The Lithgow Correctional Centre has always delivered nationally accredited basic and vocational education to inmates through courses delivered by TAFE teachers. However, we have not been able to offer an intensive full-time learning program to a large number of inmates. A group of inmates who were previously able to access education only on a part-time basis are now able to attend a full-time intensive learning program five days a week.

The purpose of the Lithgow Intensive Learning Centre is to maximise the effects of education on inmate learning and employment outcomes upon release. The program focuses on employability and problem-solving skills as well as on literacy and numeracy. The goal is to improve outcomes for our target students who have low literacy and numeracy skills. This gives them an effective opportunity to reintegrate into the community and reduces the likelihood of reoffending. This model is based on the John Morony intensive learning centre model, which was successful in generating pro-social and cooperative behaviours and attitudes in participants and achieving a high rate of certificate completions.

The extensive education building upgrade at Lithgow provides five new classrooms; a larger, improved inmate library; five new interview rooms; a new education office; an extended officers' station; improved security cameras; and a new computer laboratory. The building can now be separated into three separate learning areas to cater for different learning environments and for separate groups of inmates who cannot mix. Three new smart boards have been installed in the classrooms. The smart boards offer a fun, interactive workspace and allow for group learning. The building has benefited from enhanced policies and procedures implemented by the New South Wales Government. Three additional teaching positions have been created at Lithgow Correctional Centre and I am pleased to report that, at full capacity, it will allow 40 students to participate at any time.

I thank the Minister for Sport and Recreation for the latest round of sport and recreation grants delivered to my community. The announcement of these grants is most welcome. Some of the groups have been doing it hard for a number of years—any funds they raise usually come from cake days or raffles. I applaud the Government for assisting community groups. There were six recipients of facilities grants in my electorate. The Lithgow Hockey Association received $23,320 towards an upgrade of the Glanmire Oval hockey complex. When I spoke with Hockey Australia representatives they were absolutely thrilled with the announcement because the oval is in a state of disrepair and requires a fair bit of work. The Minister made the announcement when he was in Lithgow on 10 March for the community Cabinet.

The Napier Street toilets and amenities block in Blayney will receive $24,000 from the Government and the Blayney Shire Council will provide the balance of the funding to improve that important facility. The amenities block is used by many recreational sportspeople, including soccer and cricket teams. A crowd of 30-plus people attended for that announcement by the Minister. Oberon Council will receive $15,000 to develop a fitness trail in its park, the Bathurst Cycling Club will receive $25,000 to build a clubhouse, the netball association will receive $2,500 to upgrade the public address system, and netball coaches will also receive $1,300. The Government is supporting sporting groups and working with councils to ensure they get the best bang for their buck in delivering important services to their communities.

BLUE MOUNTAINS COMMUNITY EVENTS

Mrs ROZA SAGE (Blue Mountains) [7.32 p.m.]: Tonight I inform the House of various events that have taken place recently in the Blue Mountains electorate. Netball is an extremely popular game in the Blue Mountains, with the strong Blue Mountains Netball Association including players from the mid to the lower mountains. I was pleased again to be invited to the opening of the season last Saturday, along with my colleague the Hon. Stuart Ayres and Federal member for Macquarie, Louise Markus. The centre of Blue Mountains netball is at the Lapstone netball courts in the Penrith electorate, with the majority of players and clubs coming from the Blue Mountains electorate. There are eight clubs in the competition: Springwood, Mid Mountains, Blue Mountains Grammar School, Blaxland Redbacks, Blaxland-Warrimoo, Faulconbridge, St Finbar's and Lapstone-Glenbrook.

The traditional march past was a riot of colour and unbridled enthusiasm to begin the season. Faulconbridge, in their new, bright canary yellow uniforms, certainly stood out, as did the Blaxland Redbacks team, with their red and black balloons and their appropriately attired puppy mascot. The Federal member, the mayor and I were given the unenviable task of judging the best team in the march past. This was indeed one of the most difficult decisions I have had to make, but we decided unanimously that the Blaxland Redbacks were

the winners of the march past for 2014. The proceedings were very ably conducted by president Jenny Walker and secretary Lyn Silk. Present also were some life members of the club: Denise Thrift, Carmel Higgins, Val Mullett and the Blue Mountains Woman of the Year, Colleen Kime. The weather was perfect and the atmosphere was electric with excitement as the games began.

Another female organisation I strongly support is the Girl Guides. In the Blue Mountains there are four units, an upper mountains Katoomba unit, Hazelbrook Lawson, Winmalee Springwood and Mount Riverview. Last weekend I visited the Hazelbrook Lawson Guides for their annual general meeting. It was lovely walking up the new steps funded by a Community Building Partnership grant. The floors had been restored, polished and insulated since my last visit and the guide hall looked a treat. The gardens are also being developed and the physical site is now very much improved. Acting district leader Diane Strahan gave an overview of the unit and leader Sue Bell gave a report detailing the activities the girls have undertaken. It was heartening to see that the number of guides had remained stable, with a few older girls moving to higher levels. Guiding is a great way for girls to engage with activities that promote life skills, give a moral and ethical grounding and encourage personal confidence and leadership skills. There is a saying, "Once a Guide always a Guide", and I have seen this borne out as young girls transition through the levels to become adult leaders and lifelong supporters.

Mr Paul Toole: Were you ever a Guide?

Mrs ROZA SAGE: No. This past weekend I was delighted to visit one of my furthest-flung townships, Mount Wilson. This is one of my favourite areas in the electorate, which has a small but very self-sufficient and self-reliant community. I attended the Mount Wilson Progress Association meeting to hear about its great work. The community was severely impacted by the State Mine fire, with their small township hosting many fire trucks and crews from near and far during the fires last October. There was much discussion of those events, especially the way that the community rallied around, making new friendships and discovering previously hidden strengths. The Mount Wilson hall was the epicentre of activity, being used as a mess hall. By all accounts it was extremely well run and provided an abundance of hot meals for the weary firefighters.

There was talk of the way the Mount Wilson Progress Association and the Mount Wilson Rural Fire Service provided meals. They had such a well-organised hall it looked like a wedding reception and the firefighters said they wanted to visit Mount Wilson again. President Richard Beattie gave a thorough report of the association's activities, as did Treasurer Libby Raine. Other committee members present included Vice President Alison Halliday, Secretary Moira Green, and committee members Brian Abrahams, Peter Laving, Ted Griffin and Bill Ryan. The highlight of this calendar year will be the inaugural Mount Wilson Festival on 26 April, which, if the initial discussion is any indication, should be a fantastic day. I have already put it in my diary. Members may not be aware that Mount Wilson was used as a set for *The Great Gatsby* movie. A lot of history is associated with the town, and Nobel literature prize recipient Patrick White lived there as a young boy. It is a lovely place to visit.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [7.37 p.m.]: I commend the member for Blue Mountains for her hard work. Her electorate neighbours my electorate of Bathurst and I can attest to how hard she works representing her constituents and local communities. People in my electorate continually sing the praises of the member for Blue Mountains for working so well with all community groups. I know the member was a netballer in her younger days, and it is important that she promotes a healthy and active lifestyle to young women. Although the member was not a Girl Guide, it is important to mention the Girl Guides and the leadership skills that the program develops. I also recognise the progress association and all the wonderful community groups that contribute so much to the area. It is terrific that the member for Blue Mountains highlights the contributions of these groups for members to appreciate.

CO.AS.IT SYDNEY ITALIAN LANGUAGE AND COMMUNITY SERVICES

Mr JOHN SIDOTI (Drummoyne) [7.38 p.m.]: It gives me great pleasure to talk about a wonderful organisation that is dear to my heart. Co.As.It has been servicing the Sydney Italian community for some 40 years. It was established with the main aims of promoting Italian language and culture in New South Wales and assisting the growing number of Italian immigrants. Over the years Co.As.It has become a lot more than that and has expanded from its early core areas of responsibility, being education and community services. It now offers language classes to adults and children during and after school, and provides Italian language resources via its Italian multimedia resource centre. It also runs a bilingual school and business classes, language certification and professional development opportunities for teachers.

Co.As.It provides a wide range of community services, from youth and family services, to mental health services and problem gambling services. It is also operates the Italian Bilingual School in Meadowbank in the electorate of the Minister for Citizenship and Communities. At the primary school the New South Wales curriculum is delivered in both Italian and English. I have had the pleasure of visiting the school on several occasions. It is an absolutely fantastic facility. Last week Co.As.It organised a number of events throughout Sydney as part of Seniors Week, and I attended a gathering of more than 350 guests at Burwood RSL Club. The event featured performances by two wonderful entertainers whom I remember fondly from my youth. In particular, I remember Tony Pantano performing at a number of weddings that I attended as a child. He is an international artist from Melbourne and performed a number of his hits at the Seniors Week event.

ACTING-SPEAKER (Mr Gareth Ward): Order! I ask that Hansard not record the song that the member for Murray-Darling is singing.

Mr JOHN SIDOTI: I thought it was a dog being put down.

ACTING-SPEAKER (Mr Gareth Ward): That would be less painful.

Mr JOHN SIDOTI: The second entertainer was Claudio Sandrelli. They put on a great show. I had the pleasure of attending the event with the member for Strathfield, the Federal member for Reid, Craig Laundy, and the Minister for Ageing and Disability Services, the Hon. John Ajaka. The Minister delivered a speech that was warmly received by the Italian community. I know that Co.As.It members were extremely happy when he presented a cheque for $1,000 to go towards the cost of the event. It was a fantastic evening. Co.As.It continues to provide many valuable services, which are outlined on its website. It runs a Buon Appetito walking tour around the Leichhardt area that explores the traditions of Italian food and cuisine. It also runs an Italian heritage walking tour during which the history of Leichhardt as a working class suburb and how it became known as Little Italy is explained. Co.As.It also runs a fantastic cultural centre and it fundraises extensively through major events. The next fundraising event will be a black tie ball, which will be held on Friday 16 May. The funds raised at the event will go to carers in the community. I commend the work of the organisation. Long live Co.As.It.

Private members' statements concluded.

ACTING-SPEAKER (Mr Gareth Ward): Order! Private members' statements having concluded, the House will now consider Government business.

PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (FRESH START SUPPORT) BILL 2014

Second Reading

Debate resumed from an earlier hour.

Mr JOHN SIDOTI (Drummoyne) [7.43 p.m.]: I support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014. Before the dinner break the member for Maroubra made a few misleading comments. In fact, I question some of the figures he put before the House, but that is a story for another day. His contribution was not delivered properly—I heard him say the word "flop" about 20 times. Unfortunately, the member is not in the Chamber now. This is an effective bill. Since coming to office nearly three years ago, the Government has delivered on its key election promise to create more jobs for this State through a payroll tax rebate. I am proud to be part of a reformist government that has created more than 109,000 new jobs in New South Wales, which represents the highest rate of jobs growth in the country. We also have the lowest unemployment rate in the country. In the past month nearly 14,000 new jobs have been created in New South Wales.

Payroll tax rebates have a lot to do with the latest data showing that approximately 46,418 applications had been received to February. Only last week I received positive news from the Treasurer that our rate of jobs growth is second only to that of Western Australia. The latest Australian Bureau of Statistics figures released last week reveal that the New South Wales unemployment rate is running at about 5.8 per cent and the national rate at about 6 per cent. That means New South Wales has the lowest unemployment rate in the country, with 13,900 new jobs created across the State in the last month alone. Our record in job creation is fantastic. That is probably why the member for Maroubra kept referring to the Treasurer, the Premier and the Government

crowing about the figures. We are proud of the figures and we cannot understate our pride. This good news is set against a backdrop of the New South Wales unemployment rate being higher than the national rate for 90 per cent of Labor's time in government. We have been able to create so many jobs because we made it a priority.

On attaining office in 2011, one of the Government's first acts was to introduce the Payroll Tax Scheme (Jobs Action Plan) Bill 2011. This legislation delivered on so many levels. It offered incentives for businesses to employ more staff by providing a payroll tax rebate of up to $4,000 per full-time employee. When that legislation was introduced in June 2011, many businesses welcomed the opportunity to employ people without paying payroll tax. For years, payroll tax was seen as a major stumbling block to businesses employing extra people and as an impost on their ability to make their businesses viable. In 2011 the legislation enabled 40,000 new jobs to be created in non-metropolitan New South Wales and about 60,000 in metropolitan areas. With more than 91,000 jobs created as a result of the legislation, it is safe to say it has been a resounding success.

The legislation before Parliament today builds on the Government's commitment to create more jobs and rebuild the New South Wales economy. The Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 builds on the current scheme while retaining its key provisions. The proposal in the Fresh Start Support scheme is to provide an additional $1,000 payroll tax rebate to employers when they hire a worker made redundant by a list of designated employers after 1 January 2014. As per the previous legislation regarding payroll tax rebates, the position must be a new job and result in an increase in the number of the employer's full-time employees. Under this legislation the $1,000 additional payroll tax rebate under the Fresh Start Support scheme will be paid on the first anniversary of the employment of the new employee. With the additional $1,000, the rebate will increase to a possible maximum of $6,000 for those employees formally employed by designated employers.

Eligible employers will receive a $3,000 rebate of payroll tax on the first anniversary of employment of the relevant employee, being $2,000 under the existing scheme with the additional $1,000 under Fresh Start Support, and $3,000 on the second anniversary. The New South Wales Government understands the impact of job losses on individuals and their families. The member for Maroubra touched on this issue, and I hope to find common ground with him on it. Not having a job is not pleasant and that is why employment in New South Wales is critical. As members of Parliament, the best thing we can do is encourage the creation of employment and make people self-sufficient. We will only have a truly sustainable economy when we do that. Under this legislation businesses that employ workers who have lost their jobs through large-scale restructuring will be provided with a $6,000 payroll tax rebate.

Under the guidelines of the Fresh Start Support scheme, an employer who makes 100 or more employees redundant in metropolitan areas, or 50 in non-metropolitan areas, can be listed as a designated employer. Former employees of designated employers will be able to activate the $1,000 supplement once they have been hired by a new employer. Recently we have seen large-scale redundancies at companies such as Qantas and Alcoa. People hiring those people will have access to the $1,000 payroll tax break. This approach will help provide employment for retrenched workers and will also assist in creating employment opportunities and growth in regional communities. To be eligible for the payroll tax rebate under the Fresh Start Support scheme, an employer must employ a worker who has been made redundant between 1 January 2014 and 30 June 2015. The work done by the redundant employee must be performed in New South Wales. Under the provisions of the legislation before the House, the scheme will be closed to new applicants from 30 June 2015. This is consistent with the existing scheme. However, the Government is prepared to reconsider this as circumstances develop. I note that State Cabinet met in Lithgow—was it last week?

Mr Paul Toole: It was 10 March.

Mr JOHN SIDOTI: I thank the member for Bathurst for that assistance. Cabinet announced that retrenched workers from Downer EDI and Simplot would attract a payroll tax rebate for any new employers who hire them under the Fresh Start Support scheme. That is fantastic news, and the member for Bathurst concurs.

Mr John Williams: He would buy into anything.

Mr JOHN SIDOTI: As long as he does not sing. This is a great incentive for those companies that wish to grow and create more employment opportunities, particularly in regional areas. I represent a

metropolitan electorate, but I have great respect for country areas and the wonderful work done in rural New South Wales. Downer EDI and Simplot are based in Bathurst, and I am glad the member for Bathurst is in the Chamber. Those companies recently announced large-scale job losses of more than 50 positions due to restructuring. It is envisaged that the legislation will provide some hope for those workers and other workers in rural areas across New South Wales. The member for Murray-Darling is in the gallery singing. The member for Myall Lakes is also here, as are the members for Coogee and for Kiama—love is in the air.

The Government is convinced that this legislation will improve employment opportunities for many workers who have been retrenched through no fault of their own. Regulations to support the bill will outline the guidelines that define a "designated employer" and give the definition of a "redundancy". We need incentives to encourage employers to hire more staff and we believe that so far this scheme has worked. For workers made redundant, the Fresh Start Support scheme will give them a job along with their dignity. It will give employers a reason to keep employing, and will offer security and create confidence in the future of this State. I commend the bill to the House.

Mr ALEX GREENWICH (Sydney) [7.53 p.m.]: I support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014, which will extend the payroll tax rebate to new jobs filled by former employees with limited opportunities for re-employment who lost their job in large-scale retrenchments that disrupted an industry or region. Eligible employers will get the rebate under the existing scheme, plus an additional $1,000 rebate for two years. My work in recruitment before becoming the member for Sydney gave me an understanding of how many employers operate. In my experience, employers can disregard applicants who have been retrenched or who have had a break in their career. At times, employers are not flexible enough to give a chance to a candidate who does not have specific experience in the relevant field. Employers can be risk averse, and this can make it difficult for some candidates with potential to get their foot in the door.

At the same time, employers often look for value for money. Incentives to hire someone through payroll tax concessions can encourage the creation of new jobs and employment of people whom an employer would not have considered otherwise. The decline in Australian manufacturing is leaving unemployed large numbers of workers who may not be suited to new, emerging jobs such as those in the digital economy. The bill will encourage employers to be innovative and to create opportunities for former factory workers. In a similar plight and on a similar scale are carers, parents returning to the workforce and mature-age workers. We need more people in the workforce to grow our economy and we must not overlook the need for incentives to help return those groups to paid employment.

Carers often give up employment because it is too difficult to juggle work with caring duties. Carers help feed, bathe, dress, administer medication and provide emotional support to the young, frail and those with a disability or mental, terminal or chronic illness. While their work saves the New South Wales health system about $10 billion a year, their own health, economic and social advancement suffer and they are at risk of poverty in later years. Nearly 5.5 million Australians between 15 and 65 years of age have caring responsibilities, most being women, who comprise 92 per cent of primary carers of children with a disability and 70 per cent of parents. Data from the Workplace Gender Equality Agency shows that women's labour force participation rate is only 58.9 per cent compared with 71.8 per cent for men. Some 58 per cent of mothers of children aged zero to four years are employed, compared with 94.2 per cent of fathers. Only 23.7 per cent of mothers of children aged zero to four years work more than 35 hours per week.

Australia is behind in employing women aged 55 to 64 years. Data from the Diversity Council of Australia and the Human Rights Commission shows that only 53.8 per cent of this group work in Australia; in New Zealand that figure is 68.9 per cent; in Switzerland it is 61 per cent; in Denmark it is 56 per cent; and in Canada it is 55.3 per cent. The commissioner said that gross domestic product would rise by 4 per cent if Australia increased its mature age participation rate to that of New Zealand. The bias towards full-time work discourages carers, parents and mature age workers from returning to the workforce, which means that our economy fails to maximise its productivity and a large portion of the population misses out on the benefits of paid work. The numbers are significant and on a par with numbers from industries that are winding down such as manufacturing. Payroll tax concessions for hiring these workers could encourage employers to create new jobs that provide more flexible working hours needed by carers, parents and mature age workers.

I have asked the Treasurer to extend payroll tax rebates to employers hiring carers, parents returning to the workforce and mature age workers. I ask the Treasurer to investigate the viability of this proposal and to

address it in his reply. Payroll tax has often been considered a tax on employing additional staff, and it is encouraging to see this Government creatively using it to incentivise employment of groups in need. I hope this trend continues. I commend the bill to the House.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [8.00 p.m.]: It gives me pleasure to speak on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014. This side of the House is committed to assisting workers who have lost their jobs through restructures by giving businesses an incentive to employ them. Everyone in this House understands, particularly the Treasurer and the Cabinet, which is why this scheme that has been implemented, that the impact of a job loss on any family can be detrimental. We should do what we can to support those workers in seeking employment opportunities.

This side of the House is very proud to be supporting the tens of thousands of jobs that are being created across New South Wales. These are not only the jobs that have been created through our Payroll Tax Rebate Scheme but also the jobs that have been created through our record infrastructure spend across all electorates in the State. We support those projects that are shovel-ready. I have seen such projects in my electorate where local contractors have been awarded work that will ensure that they retain the people they employ in that particular field.

The Coalition went to the election in 2011 saying that we would create 100,000 new jobs. We have exceeded that already by creating 109,000 new jobs in this State. New South Wales has the lowest unemployment rate in Australia. This follows a decade under the Labor Government during which New South Wales had the lowest employment growth of any State. We heard businesses crying out for something to happen. This side of the House is ensuring that we support businesses and those workers who have been retrenched as a result of restructures across this State. These are generous rebates. We know they are succeeding because of the size of the uptake that we have already seen from businesses across the State.

Mr Clayton Barr: Where?

Mr PAUL TOOLE: I hear the member for Cessnock say "Where?" He will be very interested to see the success of these rebates in his electorate. Very shortly I will talk to him about some of the successes and the employment opportunities that have been created not only in my electorate but also in other parts of New South Wales. This bill will provide a $6,000 payroll tax rebate to businesses that employ workers who have recently lost their jobs through large-scale restructures. The bill demonstrates that the New South Wales Liberal and Nationals Government remains committed to making New South Wales the first place in which to do business. We are absolutely determined to support workers by giving them opportunities for new employment when redundancies take place. We are backing our businesses by providing an incentive, through payroll tax rebates, to create and grow long-term sustainable jobs.

In the middle of last year—although we probably heard it five years earlier—we heard about the 170 jobs at Simplot. We heard that Simplot was thinking about downsizing and then we heard that it was talking about closing. This had been going on for quite a number of years. Simplot is famous for producing the Chiko Roll and it is the last remaining Australian-based large-scale grower and processor of vegetables for the retail market. Simplot is also known for brands such as Birds Eye, Edgell, Leggos, John West and Lean Cuisine. I was thrilled that the Deputy Premier, the Treasurer and the Premier sat down with NSW Trade and Investment and said, "Let us see what we can do to support this business." The Government offered a very large assistance package to Simplot; the managers of the Bathurst plant were thrilled with the support given by the New South Wales Government. The support we were going to provide involved payroll tax rebates and the significant savings would ensure that the plant could continue to operate and be viable.

Mr Clayton Barr: It's not big enough.

Mr PAUL TOOLE: I hear the member for Cessnock harping away over there. He says it was not big enough. It is hypocritical for him even to open his mouth. Simplot put out a media release in October following the announcement in August of the New South Wales Government's very generous offer. The media release said that Simplot had reviewed its operations and it was going to downsize its plant. Out of 170 workers it was going to displace 110. The media release said:

> …closure of both plants due to their unsatisfactory financial performance and challenged all related stakeholders to collaborate to find ways to reduce the cost of doing business …Simplot has been forced to make a commercial decision …
>
> A number of long standing suppliers to Simplot, along with the NSW Government and the Bathurst Local Council, were the standout exceptions to the lack of offer of financial support.

We hear the Leader of the Opposition harping away about Simplot, but he conveniently forgets that this media release sang the praises of the Government's package. [*Extension of time agreed to*.]

This is a very important matter because members opposite harp on and do not tell the truth. Another company, Downer EDI, was doing a lot of work repairing locomotives in the Bathurst area and it employed 98 people at its plant. That company also made a commercial decision. So we had two companies announcing at about the same time that they were downsizing or closing. Following hard work by the Deputy Premier and advice from NSW Trade and Investment, we contacted Downer EDI, which said, "We do not want any Government support. We are moving to Cardiff and therefore we are not interested in talking about any packages." Yet about a month later the Leader of the Opposition tried to stir it all up and said that the Government should be doing more. He conveniently forgot that the company, as a commercial operation, completely rejected any offer of assistance.

That did not stop NSW Trade and Investment though because we continued to encourage it to look at opportunities to provide that support. We have continued to do that through job transfers and by looking at employment opportunities within the local area. The scheme is an extension of the Jobs Action Plan. The Jobs Action Plan was established in 2011 and was a commitment that started on 1 July with a $4,000 payroll tax rebate. It was then increased to a $5,000 rebate and now—through the Fresh Start Support scheme—it has increased to $6,000. I hear the member for Cessnock whingeing and whining and saying that it has not created jobs. I give him an example—I could give an example from the member's electorate, but I will refer to the Bathurst electorate, where 66 new businesses have relocated.

Mr Clayton Barr: None of them qualified.

Mr PAUL TOOLE: The member opposite says that they did not qualify. Once again I have information of which the member is not aware—66 new businesses created 518 new positions. The scheme is benefiting electorates across New South Wales: Bathurst has 28 new businesses; Blayney, two; Oberon, three; the mid-west, 24; and Lithgow, nine. These are employment opportunities that have been created by this Government by encouraging an environment that allows businesses to grow and expand.

It is said that not enough is being done. We created an environment through our infrastructure spend to encourage investment that stimulates growth and creates jobs in our local communities. Whilst we are seeing some changes in some companies, we are also creating a stronger environment for businesses to be able to expand and invest. In my Bathurst electorate investment is strong, with a multimillion-dollar company investing nearly $30 million. The company is Masters Home Improvement and 150 jobs have been created through the construction process and 110 new jobs created now that the company is up and running. We should not forget existing businesses. Grainforce—an existing business—has created 80 additional positions. Friskies, near Blayney, has created another 80 jobs. It is not only through the Payroll Tax Rebate Scheme that we are seeing increased employment but further job opportunities are also being created through the environment that the New South Wales Government has implemented.

The Leader of the Opposition, John Robertson, came to Bathurst and said that people could turn away from the area. Well, the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 will make sure that we keep those workers within our electorates. My office has already had approaches about the bill because there are Downer EDI employees that local companies want to employ. Rodney Graham, the owner of RCG Locksmiths, wants to employ a former Downer EDI employee. He is waiting for this bill to go through and then he will be able to claim the $6,000 payroll tax rebate for that employee.

The Leader of the Opposition also talked about the Energy, Vision and Opportunity Cities [Evocities] program. I do not know if he has any understanding of the Evocities program. I was involved in that program when it was first set up. It targets regional cities. The Leader of the Opposition says that we are not doing enough. The Evocities program supports this Government through our Regional Relocation Grant plan. Jobs are advertised on their website and Evocities congratulates the Government on what it is doing. The O'Farrell-Stoner Government is doing a good job. The New South Wales Business Chamber in its media release the other day said:

> The O'Farrell Government has done an excellent job in restoring accountability. NSW has a government that will deliver on its promises.
>
> The Premier and his team can be very proud of their achievements over the past three years. NSW is firmly on the path to a prosperous future but as is always the case, there are challenges that we need to meet head on.

The Government is creating an environment that encourages continued strong investment across our electorates. The Government understands that we need to give workers who have been retrenched through restructures the best opportunity to seek out further employment.

[*Business interrupted.*]

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Divisions and Quorums

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [8.15 p.m.]: I move:

> That standing and sessional orders be suspended to provide that until the rising of the House, no divisions be conducted or quorums be called.

For the information of members, there will be one more speaker from the Opposition, the member for Cessnock, on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill. At the conclusion of his speech the bill will be adjourned to a future day and the House will proceed to the matter of public importance. Immediately thereafter the House will deal with community recognition statements.

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

Motion agreed to.

PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (FRESH START SUPPORT) BILL 2014

Second Reading

[*Business resumed.*]

Mr CLAYTON BARR (Cessnock) [8.17 p.m.]: The Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 is a bit like a crocheted rug after all the add-ons it has suffered. The Government came up with the Payroll Tax Rebate Scheme because, as part of the DNA of a Coalition government, it says: In the Government coffers there is all this taxpayer money—it is juicy, fat, fresh and wonderful and we have to figure out a way to get it into the hands of our private business donors; how can we do that? So the Government comes up with something called a Payroll Tax Rebate Scheme because it does not have a genuine process for creating jobs.

Interestingly, the first $4,000 per employee scheme was going to be available for about two years and for the first 100,000 jobs created. At the end of that first two-year period only 20,000 applications had been received. In essence, it is an 80 per cent failure rate but a 20 per cent success rate. I acknowledge the 20 per cent success rate because, in the sphere of creating and generating jobs, any progress is good. I recognise that 20,000 applications have been received for the creation of new jobs, but that figure is well below the original intent of the scheme.

As everyone in the Parliament should be aware, part of the reason for that very small number is the fact that the Payroll Tax Rebate Scheme is available to only the 10 per cent of businesses that are large enough to qualify. In fact, 90 per cent of businesses do not qualify for the scheme. That is about 650,000 small businesses across New South Wales that cannot access the cash grab—the taxpayer-funded cash cow. If one is a Coalition member, one needs to quickly get that money into the private sector and give it to one's mates who might have given a donation in the lead-up to the most recent election.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member for Riverstone will come to order.

Mr CLAYTON BARR: The program was increased from $4,000 to $5,000 and, at the end of January 2014 there were 41,000 applicants. We are still about 59,000 applicants short and still not quite at 50 per cent success rate. We have gone well beyond the original two-year time frame that we thought we would have and it has not quite been the success that we intended, so we are going back to the cash cow to milk it bit more to give

money to our private sector mates. We will add another $1,000 to it so they can now get $6,000. Very importantly, I will read what the NSW Business Chamber said when commenting on the Payroll Tax Rebate Scheme:

> Feedback from our members has overwhelmingly indicated that the current scheme is ineffective and is not providing employers with any significant incentive to take on additional staff. We understand that take up has been running at about 50% of the expected rate, assuming this remains the case we estimate that closure of the scheme to new entrants from 1 July will free up around $310 million from the initial $400 million commitment.

It was not running at about 50 per cent; it was closer to 40 per cent. Indeed, freeing up some of the money that was allocated to that program would make sense. If that were done we might be able to start generating, creating or building the capacity for some jobs in some other sectors. The member for Bathurst had the opportunity to speak shortly before me. I always enjoy listening to his contributions. I know his preference is to avoid talking about the big issues, but he cannot avoid speaking about Downer EDI at Bathurst. There is also a Downer EDI plant in the Hunter. The success of the Downer EDI model over the past decade or more can be attributed to the fact that New South Wales Government historically, only under Labor, purchased trains from Downer EDI or asked it or United Group Limited at Broadmeadow-Newcastle, another great company, to manufacture trains.

They manufactured trains ready for the New South Wales rail network because the former Labor Government purchased rolling stock. Since the Coalition Government was elected to government there have been no new purchases, no new contracts or any ongoing refurbishment of existing rolling stock.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I call the member for Bathurst to order.

Mr CLAYTON BARR: A Labor Government created a space for creating jobs in the manufacturing industry around trains and rolling stock and the Coalition has removed that opportunity and capacity for jobs. I acknowledge that the member for Bathurst had one of the biggest swings in Australia.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member for Cessnock has the call.

Mr CLAYTON BARR: He had one of the biggest voting swings in Australia to win his seat. I will provide some early information about the polling.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member for Dubbo will come to order.

Mr CLAYTON BARR: The poll indicates that the member for Bathurst may well see the biggest outgoing tide in the history of Australian politics.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I call the member for Dubbo to order. I remind him that he is on two calls to order.

Mr CLAYTON BARR: I refer to the second reading speech of the Treasurer of this great State. He said that the $6,000 available under the Payroll Tax Rebate Scheme must apply to a person who has been made redundant. Incredibly he said "made redundant from a … designated employer". One wonders who is a designated employer. What do they look like? How do we discern whether they are a designated employer? On 6 March the Treasurer said he would table that shortly and provide guidelines. Twenty days later when this legislation about jobs is finally being debated we still do not have a description of a designated employer.

The Treasurer also said, "A regulation will be tabled shortly that outlines guidelines for defining a designated employer and the definition of a redundancy." As this legislation is being debated we do not know what is a designated employer or the definition of a redundancy in order to qualify for the $6,000 package. Because only 10 per cent of businesses will qualify for this redundancy we also have to acknowledge and recognise that 90 per cent of businesses will not qualify. We do not have a designated employer. We do not have a definition of redundancy but 90 per cent of small businesses, in particular, 650,000, will not qualify for the money that is available. The Government talks about creating jobs in New South Wales but it is in the process of completely disassembling TAFE by removing 26 permanent teachers from the Western Institute.

Mr Paul Toole: From where?

Mr CLAYTON BARR: The member for Bathurst keepings interjecting. He should remember that in 12 months he must face his constituency and his present polling is very grim.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member for Cessnock has the call. Government members will come to order.

Mr CLAYTON BARR: How are redundancies and TAFE linked? The reality is that people who have been made redundant need skills and training to get another and to do that they need access to training at TAFE. The suggestion now is that potential new employers will take on somebody and retrain them through TAFE. That $1,000 will be incentive to put their employee through TAFE. We know that changes to TAFE under Smart and Skilled mean that a course that once cost between $500 and $1,500 will now cost between $8,000 and $1,800. The incentive is to give an employer $1,000, but the Government will charge them $18,000 to retrain someone. Is that an incentive to employ someone? [*Time expired.*]

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

ACTING-SPEAKER (Ms Melanie Gibbons): Order! It being before 9.45 p.m., the matter of public importance will be proceeded with.

PURPLE DAY

Matter of Public Importance

Ms ANNA WATSON (Shellharbour) [8.27 p.m.]: It is a pleasure to have a conversation about the importance of Purple Day. Purple Day is an international grassroots effort dedicated to increasing awareness about epilepsy. On 26 March annually, people in countries around the world and on all continents, including Antarctica, are invited to wear purple and host events in support of epilepsy awareness. I note that it is symbolic that both sides of the House come together to note the significance of Purple Day. Purple in itself is a mixture of the colours red and blue. So it is fitting that with the profound social, physical and psychological consequences that epilepsy can have on a person, with the stigma and exclusion people with epilepsy can face, we come together in this place in unity and harmony and in purple to reduce this stigma and break down barriers associated with living with epilepsy, by raising public and professional awareness.

Purple Day has given thousands of people with epilepsy the strength, courage and pride to stand up and speak about epilepsy. It is through sharing our stories that we can better understand and connect with each other, and come together as a closer community. I pay tribute to Cassidy Megan who created the idea of Purple Day in 2008, motivated by her own struggles with epilepsy. She said she was scared to have it, embarrassed, and she was afraid to tell people about her condition because she thought they would make fun of her. So Cassidy's goal became to get people talking about epilepsy in an effort to dispel myths and importantly let those with seizures, especially kids, know that they are not alone. Today we join in those efforts to spread awareness and our support for those affected by epilepsy—a chronic neurological condition that causes disruptions of the normal electrochemical activity of the brain, resulting in seizures.

Under certain circumstances anyone can have a seizure. Approximately one in 10 of us will experience a seizure at some point in our lifetime but when the seizures are unprovoked and recurrent it is epilepsy. It requires self-management and conscientious behaviour to keep under control day to day, including through medications and being aware of triggers of seizures such as physical or emotional stress, lack of sleep, missing meals, and drugs and alcohol. It is a constant monitoring and balancing exercise for those living with the condition. Epilepsy is not rare. Nearly 800,000 people in Australia will be diagnosed with epilepsy at some stage in their life. This is among an estimated 50 million people who currently have the condition worldwide. It is more than three times as common as multiple sclerosis, Parkinson's disease and cerebral palsy.

It is important to note that epilepsy is not a barrier to personal achievement. Most people with epilepsy have the same range of abilities and intelligence. Although a significant number of people with learning difficulties and/or intellectual disability have epilepsy, it does not mean that people with epilepsy necessarily have learning difficulties or an intellectual disability. It is believed several notable people in history—Julius Caesar, Socrates, Vincent Van Gogh, Charles Dickens and Thomas Edison—had epilepsy. Currently, people such as our own Hugo Weaving, singer and songwriter Neil Young and actor Danny Glover, who coincidentally is well known for his role as Albert Johnson in the movie *The Colour Purple*, all have epilepsy. It is no barrier to a healthy, happy and successful life.

It is also not necessarily a lifelong disorder. Some childhood epilepsies are outgrown and more than 70 per cent of people with epilepsy become seizure-free with medication, many within five years of diagnosis.

Although there is no known cure for epilepsy, the majority of people can be successfully treated with medications and sometimes complementary therapies such as diets. Sometimes surgery is also an option. We hope with all the advancements in medical research and technologies that new and more effective treatment—or, better yet, a cure—is found for epilepsy. In the meantime, increasing public awareness about epilepsy and advocating for patients and families remain critical for improving the quality of lives for people with epilepsy.

Epilepsy is a disorder about which a lack of information and misinformation is common among the general population. Increasing awareness is important because it can make school, work and life for people with epilepsy much easier and more productive. We as members of Parliament and representatives of our communities will do all we can to support our constituents living with epilepsy and join them in raising much-needed awareness and education, both today on Purple Day and beyond.

Mr DAVID ELLIOTT (Baulkham Hills) [8.32 p.m.]: Purple Day aims to develop much-needed awareness of epilepsy. The World Health Organization notes that epilepsy is the world's most common serious seizure condition. It is estimated that nearly 800,000 people will be diagnosed with epilepsy at some point and that over 225,000 people are living with epilepsy. Each year 25,000 people in Australia are diagnosed with epilepsy and an estimated 2.4 million new cases are registered. Epilepsy is the term used for a broad range of neurological conditions marked by two or more unprovoked seizures. Medication is successfully used to manage the control of seizures in about 70 to 75 per cent of cases.

Medical refractory epilepsy, or intractable epilepsy, is the term used for patients whose epilepsy does not respond to anti-epileptic drugs. Complex epilepsy is a term currently used to define cases of diagnostic uncertainty or treatment failure. The NSW Complex Epilepsy Service was established in 2009 as a formalised statewide network for epilepsy. The aim was to improve capacity for comprehensive assessment and management for people living with complex epilepsy. The service comprises three adult services providing comprehensive assessment and management for complex epilepsy at Royal Prince Alfred, Prince of Wales and Westmead hospitals and two paediatric services at the Randwick and Westmead campuses of the Sydney Children's Hospital network.

It is important that we break the social stigma about epilepsy, as many people with epilepsy live long, happy, successful lives. The stigma of epilepsy can isolate those, especially children, who suffer from it. The only complete nut job who had epilepsy was the Roman Emperor Caligula. He notably led Roman legions to the English Channel to pick up seashells, and it was clear that epilepsy was the cause. But Hugo Weaving, Martin Kemp of Spandau Ballet, Bud Abbott of Abbott and Costello, Vladimir Lenin, Tony Greig, Susan Boyle and Julius Caesar all suffered from epilepsy. I think Purple Day is an illustration of the remarkable achievement of those with epilepsy as it was started by a nine-year-old girl, Cassidy Megan from Nova Scotia, who was afflicted with epilepsy.

Purple Day is about getting people to talk about epilepsy and providing solidarity for those who suffer seizures. Anxiety disorders and depression are very common in people with epilepsy and altered brain activities can lead to depressive moods. It is important to provide those with epilepsy with the support they need. Anyone can suffer from a seizure given the right circumstances, so I do not understand why we discriminate against those who experience seizures slightly more often, especially as seizures can be effectively managed with medication. Many organisations provide support for people with epilepsy and many of them use Purple Day to raise awareness. Epilepsy Action Australia provides support for those with epilepsy by undertaking research and advocacy and providing many services to people with epilepsy, as well as delivering important community education programs.

Epilepsy Australia is the national coalition of Australian Epilepsy Associations. It provides counselling, information and other support to those who are living with epilepsy. It raises awareness of epilepsy and seizure disorders through many different avenues, including media campaigns and events such as Purple Day. It promotes research and ensures the needs of all people with epilepsy are met and produces information so that all can better understand epilepsy and its management. To mark Purple Day 2014 and raise funds the Prince of Wales Hospital set up a stall manned by staff at the High Street entrance foyer today where several items were sold. This included cupcakes made by the epilepsy unit staff, badges, pens, ribbons, silicon wristbands, purple elephants and key rings. Brochures and first aid sheets from Epilepsy Action and Epilepsy Australia were also available. This was the second year the stall has been held and while a total count for today has not been finalised, it appears that this year has been more successful than ever.

Management options for epilepsy include neurosurgery. Complex epilepsy can be difficult to manage and usually has a significant impact on the quality of life of sufferers, their family and carers. Service

enhancements from 2009-10 have enabled the establishment of increased capacity for comprehensive assessments and multidisciplinary support for people with complex epilepsy, with capacity for cross-appointments and collaboration regarding the most complex cases. Epilepsy can be associated with a high level of cognitive morbidity, in particular memory deficits, language difficulties, executive problem-solving and decision-making dysfunction, which can have a profound impact on patients' everyday functioning and their psychological wellbeing.

Even among those whose disease is well controlled, many may go through extended periods when their epilepsy is unstable and their health, employment, emotional wellbeing and daily lives can be disrupted. For many people with epilepsy, even those with good seizure control through medication, the unpredictable nature of their seizures means they find it very difficult to live normal everyday lives. People with epilepsy are more likely to be at risk of unemployment and underemployment in comparison to people with other chronic illnesses. Purple Day is helping to provide much-needed awareness of the condition of epilepsy and breaking down the social stigma that has been associated with epilepsy.

Ms TANIA MIHAILUK (Bankstown) [8.37 p.m.]: I contribute to this matter of public importance on Purple Day. Purple Day is a worldwide event dedicated to raising awareness about epilepsy. Purple Day was founded as an initiative in 2008 by nine-year-old Cassidy Megan of Nova Scotia in Canada. Lavender is the internationally recognised colour for epilepsy and the day was named Purple Day for that reason. Epilepsy is a condition that many members of the community, including those in my electorate of Bankstown, live with every day. The wider public should not be afraid of epilepsy. However, there are several misconceptions about epilepsy. For example, epilepsy is not contagious nor is it a disease. Epilepsy is a neurological condition of the brain.

Nationwide approximately 225,000 Australians are living with epilepsy, with this number increasing by 25,000 diagnoses each year. The World Health Organization has stated that epilepsy is the world's most common serious brain disorder. Presently there is no cure and it is a condition that must be managed day to day. For these reasons we should not be afraid to have an open discussion about increasing awareness about epilepsy. Most individuals who have been diagnosed with epilepsy live normal everyday lives. Individuals can use a wide range of anti-convulsion and other medications to monitor and control the severity or frequency of seizures. Most people with epilepsy continue, though, to live fulfilling lives. The condition does not prevent them starting a family, playing sport or being productive in the workforce.

However, I raise awareness of severe cases of epilepsy that have a devastating impact on the lives of individuals, their carers and their families. Dravet syndrome is an incurable form of epilepsy that differs from patient to patient. Children with this syndrome may experience multiple and prolonged sudden seizures. Their development, language, speech and movement are all constrained. Their immune system is weakened and in some instances these children are unable to consume food. Individuals with this severe form of epilepsy face a high incidence of sudden unexplained death in epilepsy.

I commend the work of the Dravet Syndrome Foundation and its president Lori O'Driscoll. The foundation, run entirely by volunteers, is dedicated to raising research funds. Another key organisation raising awareness of epilepsy is Epilepsy Action Australia. Since 1952 Epilepsy Action Australia has provided a range of services, including patient and community education, seizure management planning, emergency medication training, hospital clinics, case management and training workshops. Epilepsy Action Australia is the main advocate of Purple Day. I applaud the hard work of the entire board, including Chief Executive Officer Carol Ireland, for its efforts in raising funds and building awareness for people living with epilepsy. I commend the member for Shellharbour for raising this significant matter of public importance. Purple Day is a worthy cause and also is important to increase awareness of epilepsy.

Ms ANNA WATSON (Shellharbour) [8.40 p.m.], in reply: I thank the member for Baulkham Hills and the member for Bankstown for their contributions on this important issue. As the member for Baulkham Hills informed the House, 25,000 new cases of epilepsy are diagnosed each year. That is an enormous figure when compared to other diseases in our society. The social stigma that attaches to this disease is horrific. Imagine for a moment a nine-year-old girl having to go to school suffering with seizures. What would that bring to that little person's life? She would have to explain to other kids what is going on and we all know how cruel kids can be at times. Communities across New South Wales and the nation would benefit from a campaign to educate people about epilepsy, how to recognise it and how to deal with it when we see someone having a seizure.

Members must take the message to their communities that people with epilepsy can have very bright futures and live in the hope that they also can lead a normal life with the right medication, diet and care. This

disease is often accompanied by psychological issues and more often than not those issues will require treatment. The member for Bankstown and I both spoke of Cassidy Megan in our contributions to this debate. She is the nine-year-old girl who started this worldwide campaign for epilepsy awareness. Once we understand that one in 10 people will suffer from this hideous condition, we realise that possibly 10 members of this Parliament have suffered some sort of episode or seizure.

The member for Dubbo raises his hand. When we consider it in those terms—that 10 members of this Parliament in the lower House have suffered some sort of seizure—that is a very high number. I ask members to reflect on how many people it takes to care for those with epilepsy. I pay tribute to and acknowledge all the carers, wonderful doctors, nurses and medical staff who continue to assist sufferers of this disease. I acknowledge and pay tribute to all the scientists and others who are continually looking for a cure. Although there is no cure at the moment, hopefully in the near future a cure will be found for this condition and those afflicted by it will be able to live normal lives.

Discussion concluded.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The matter of public importance having concluded, and pursuant to the earlier resolution, the House will proceed with community recognition statements.

COMMUNITY RECOGNITION STATEMENTS

JESMOND LIONS CLUB

Ms SONIA HORNERY (Wallsend) [8.43 p.m.]: In just a month the hardworking members of Jesmond Lions Club raised $5,483 for their pet project, transplant organ research. In December last year, the club held barbecues and gift-wrapping stalls at shopping centres to collect money for the transplant program. The club also continues to hold its popular lucky number stands. I acknowledge Les Brown for his contribution in coordinating this fun fundraising event last year. Jesmond Lions are a powerhouse club. I cannot wait to see what they have planned for the rest of the year.

KATIE HARDYMAN, MUSICIAN AND SONGWRITER

Mr STEPHEN BROMHEAD (Myall Lakes) [8.44 p.m.]: I recognise a talented magnificent young woman from the Manning Valley Katie Hardyman. Katie Hardyman is a musician and songwriter and her song "So Beautiful" has won second place in the pop category at the Indie International Songwriting Contest in the United States of America. When asked about her inspiration for the song she said, "This song is for dad, my hero." The other song she entered in the competition, "Snowflake", was placed ninth overall in the instrumental category. She credited the guitarist, another Manning local, Matty Zarb for that place.

MERLENE MILLSON, COMMUNITY SERVICE AWARD

Mr RICHARD AMERY (Mount Druitt) [8.45 p.m.]: I ask the Parliament to note the excellent work of Merlene Millson, who has been recognised for her volunteering efforts for the Mount Druitt community, especially in her role with the Mount Druitt Legal Centre. On 11 March I attended a community breakfast at Mount Druitt TAFE where a number of women were recognised for their community work. At this event, Merlene Millson was awarded the Coral McLean award for community service by the Federal Member for Chifley, Ed Husic. The late Coral McLean was an extremely well-regarded community member, so well regarded that a special community service award was named in her honour. Congratulations to Merlene Millson and thank you for your efforts.

CAMP QUALITY ESCARPADE

Mr JAI ROWELL (Wollondilly) [8.45 p.m.]: From 18 to 25 October the Courageous Corey Community Car will take part in Camp Quality's biggest fundraiser, the annual Camp Quality EsCarpade. The car's name is in memory of Corey Lake who passed away last October at the age of 13. The drivers behind this event are Corey's parents, David and Jo Cox. I have had the honour and privilege to meet them. They run fantastic awareness programs and spend time in the community helping others. I recognise the Picton Rotary Club; Darryl, Jack and Corey from JJ Performance Smash Repair; Eye 4 Design; Visual Communications;

Vards Graphics; TJM Australia; Tahmoor Signs; Sports Magic; Jewellery on Argyle; Deals Direct; Bob Jane; Custom Built Frames and Trusses; Swimart; Argyle Hair Design; Wingham Frames and Trusses; and Derks Produce. I commend the event to the House.

TRIBUTE TO VISSA EASAN VELUPILLIA

Mrs BARBARA PERRY (Auburn) [8.46 p.m.]: It is with deep sadness that I pay tribute to the life of Vissa Easan Velupillia, born 26 November 1963 in Jaffna, Sri Lanka, who was tragically stabbed outside his Pendle Hill real estate office on 13 March 2014. Vissa is husband to Shanika, who is four months pregnant with the couple's first child, father to Lachlan; a brother, being one of four boys and four girls; an uncle and the son of Saraswathy and Sellaiah Velupillia. Sadly, Vissa's mother, Saraswathy, passed away in 2001.

Sellaiah or Velu, as Vissa's father is affectionately known, is an extraordinary man who lives in the Auburn community, and he is a dear friend. Velu is a compassionate, giving person who volunteers his time to support others. His advocacy and work for the Sri Lankan community and Auburn Tamil Society were recognised in 2010 by the presentation to him of a NSW Seniors Week Achievement Award. It is clear that in Velu, Vissa had a wonderful father and great role model.

Whilst visiting the family on the weekend it was no surprise when Velu fondly talked of Vissa's gentleness, kindness and compassion to others. Velu told me that the night before Vissa's death members of the family were at the Westmead temple for a special festival. Faith is at the centre of this family and a strong belief in God and goodness. May this faith bring them comfort and peace in the days ahead. Vissa will be missed but never forgotten and always loved.

KEITH WATTS, GLENN INNES SWIMMING COACH

Mr ADAM MARSHALL (Northern Tablelands) [8.47 p.m.]: I pay tribute to Glen Innes swimming coach Keith Watts, who goes out of his way to encourage and support the district's swimmers. Keith has been running informal stroke correction classes on a Sunday morning at the Glen Innes pool. His class has grown to attract up to 45 children in one session. He does not charge for the classes and there is no discrimination over club affiliations or levels of experience. Mr Watts also coaches children from 6.30 a.m. and again on Wednesday afternoons from 5.00 p.m. Local parents appreciate the knowledge and expertise that Mr Watts and his assistant Ann-Maree Whitehead bring to the local pool to support young swimmers. Well done, Keith.

LEICHHARDT WOMEN'S COMMUNITY HEALTH CENTRE FORTIETH ANNIVERSARY

Mr JAMIE PARKER (Balmain) [8.48 p.m.]: I bring to the attention of the House that in 1974 on International Women's Day the Leichhardt Women's Community Health Centre formally opened, specialising in providing for the health needs of women. I acknowledge that it celebrates its fortieth anniversary as the first women's health centre in Australia, closely followed by many other necessary and wonderful women's services, Leichhardt Women's Community Health Centre continues to tackle important women's issues and is working towards building an environment that is safe for all and ensures everyone can reach their potential.

I congratulate the manager, Roxanne McMurray, the entire team past and present and all the committed and caring workers at Leichhardt Women's Community Health Centre on their fortieth anniversary and thank them for their vital ongoing support and service provision to the local community. Well done to everyone involved and happy fortieth anniversary.

DUBBO SENIOR CITIZEN OF THE YEAR EDWIN "TED" MORTIMER

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [8.49 p.m.]: I congratulate the Dubbo 2014 Senior Citizen of the Year, Mr Edwin "Ted" Mortimer. Ted is a worthy recipient of the award, which was presented to him during recent Seniors Week celebrations. Presented by the mayor, the award acknowledges the hard work and tireless contribution Ted has made to the community. Ted volunteers his time to a number of sporting clubs, not-for-profit groups and individual members of the community. I congratulate Ted on his award and thank all senior citizens across the Dubbo electorate for the important role they play in our community and the valuable contribution they make. Seniors Week is all about celebrating and acknowledging the great work and support provided by our senior citizens across the State. I hope it continues for many years to come.

BONNYRIGG INDO-CHINESE ELDERLY HOSTEL

Mr NICK LALICH (Cabramatta) [8.50 p.m.]: I was honoured to again be invited to speak at the recent annual fundraising dinner for the Indo-Chinese Elderly Hostel. The hostel is a charitable organisation that provides accommodation and care to older people from South East Asian and Chinese backgrounds. Managed by the Love the Elderly and Children Foundation, the hostel in Bonnyrigg opened in October 2003 and currently accommodates and cares for more than 80 residents.

With the support of all who attended the dinner on 15 March at the Marigold Restaurant in Sydney more than $50,000 was raised for the hostel. I thank Mr Henry Tang, President of the Indo-Chinese Elderly Hostel, the board of trustees and the staff for the great care they provide to their residents. I congratulate them on organising a successful fundraising dinner.

BILL COLLINGBURN, YAMBA WELDING AND ENGINEERING

Mr CHRISTOPHER GULAPTIS (Clarence) [8.51 p.m.]: I congratulate Bill Collingburn on 40 years of business success in the Yamba area. As a young marine engineer, Bill moved to Yamba and started his business Yamba Welding and Engineering, which has developed from servicing trawlers to building fishing trawlers, fire trucks, police vessels and marine rescue boats. Yamba Welding and Engineering employs 18 local people, including two apprentices. In addition, it has two subcontractors who work on a regular basis.

The workers build high-quality boats for a number of government organisations including NSW Fisheries, Marine Rescue NSW, the Northern Territory Police Force and the Queensland national parks department. They also build landing barges and rigid inflatables and are currently building a prototype for Sea Ski Pty Limited, which is a boat that runs on skis. Yamba Welding and Engineering is a highly skilled business that has trained many local apprentices. It is a valued employer and has contributed significantly to our local economy. I wish Bill many more years of business success.

OUR LADY OF THE ROSARY CATHOLIC PRIMARY SCHOOL FAIRFIELD

Mr GUY ZANGARI (Fairfield) [8.52 p.m.]: On Friday 28 February I visited Our Lady of the Rosary Primary School, Fairfield, to present certificates of leadership to student leaders. Environment, sporting, classroom achievement and library monitoring awards were also presented at the assembly. The Our Lady of the Rosary community come together during their weekly Friday assemblies where they recap recent activities and highlight upcoming events. I congratulate the students on their outstanding behaviour and high level of engagement during the assembly.

I also was given the privilege of presenting happy birthday stickers to students celebrating their birthdays. I say well done to all students who received awards on the day. I thank the school for its kind invitation, in particular the Principal, Brother Nicholas Harsas, Assistant Principal Mr Brendan O'Connor, the teachers and students.

TACKING POINT SURF LIFE SAVING CLUB

HASTINGS RELAY FOR LIFE

Mrs LESLIE WILLIAMS (Port Macquarie) [8.53 p.m.]: Port Macquarie and Hastings clubs fared well at the recent New South Wales Surf Life Saving titles and a group of our young people returned with excellent results. In the under 15s and open section young gun Ryan Carroll took out the silver medal, Lachlan Harris and Hunter Leishman secured bronze in the board relay and Samantha Broomby won bronze in the female Ironperson event. I congratulate the Tacking Point Surf Life Saving Club and its brilliant young athletes and their coach Dave Rickwood on their success at the New South Wales Surf Life Saving titles.

The Hastings Relay For Life committee works tirelessly each year to ensure that the relay event runs smoothly. This year's event, which was held on the weekend, was no exception. The committee comprises 20 people but I especially acknowledge Chairman Warden Mersey, Deputy Chair Dione Edwards, Secretary Tracey Pascoe and Marketing Coordinator Kellie Seymour. This year almost 950 people participated in the relay with 70 teams walking around Stuart Park in Port Macquarie for 24 hours. In doing so they helped to raise around $100,000. That is a magnificent effort. I know work has already started on next year's event to raise even more money to help the Cancer Council fund services and undertake much-needed research to help cure cancer.

CRONULLA LOCAL WOMAN OF THE YEAR DR KAREN CRAWLEY

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [8.54 p.m.]: The Cronulla Local Woman of the Year is Dr Karen Crawley, about whom I have previously spoken in this House. The Premier presented Dr Crawley with her award earlier this month at my Cronulla electorate office. Sean Murray, Chief Executive Officer of the Australian Mitochondrial Disease Foundation, writes:

> Karen has made an outstanding contribution to the AMDF over the last five years. She has provided invaluable medical, practical and emotional support to sufferers of mitochondrial disease and their families through the AMDF Helpline, raised a significant amount of money for the cause, helped raise awareness of the disease and been involved with many other aspects of the organisation.

The Australian Mitochondrial Disease Foundation plans to host another information stand at the Parliament of New South Wales this year during Global Mitochondrial Disease Awareness Week from 21 to 27 September.

LIFESTART CHILDREN'S CHARITY

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [8.55 p.m.]: I recognise the work of Lifestart, a community-based charity that provides early childhood intervention services to families and children living with disabilities and developmental delays through the composition and delivery of individual family service plans that set goals for children and their families to reach together. I note the wonderful work of the staff and the leadership and guidance provided by Chairman Bruce Corlett and Chief Executive Officer Suzanne Becker.

I particularly recognise all those participating in the annual Kayak for Kids along a spectacular 18-kilometre course from Blues Point to Clontarf. I am looking forward to joining my friend and Lifestart Director, Craig Petty, for what promises to be a great day. I encourage everyone to donate generously to this magnificent cause.

CENTRAL WEST ELDERS OLYMPICS

Mr ANDREW GEE (Orange) [8.55 p.m.]: I draw the attention of the House to the overwhelming success of the pilot program of the Central West Elders Olympics held in Orange recently. I congratulate Sandra Kilby, the Orange coordinator, and Lynda Botwell and Neil Ingram from Orange City Council. I also acknowledge the Orange Local Aboriginal Land Council, the Orange Aboriginal Medical Centre, Orange City Council, Orange Community Training and Education, Youth Connections, Ric and Vics Engraving, and the Orange Men's Shed. I congratulate everyone involved in this worthwhile program that looks set to return next year.

MOUNTAIN SIDE MEATS NATIONAL SAUSAGE KING CHAMPIONS

Mr GARETH WARD (Kiama) [8.56 p.m.]: I acknowledge local butcher Nathan Alcock and his team from Mountain Side Meats in Shoalhaven Heads on their recent success at the National Sausage King finals held at Cyprus Lakes in the Hunter Valley. The team took out the national gold in the gourmet section with their satay, macadamia and fresh coriander creation and gained a second with their lamb sausages which included a mix of coconut, curry and coriander.

I congratulate Nathan's dedicated team, which includes butchers Kory Edwards and Nick Martin and apprentices Brady Harris Monteith and Joshua Parker. It is a fantastic result that has generated a lot of interest in the local community. The team came very close to success last year, which made this year's result even more significant. Once again I congratulate Nathan, Kory, Nick, Brady and Joshua on their outstanding achievements to date.

JOINING FORCES INITIATIVE

Mr ANDREW ROHAN (Smithfield) [8.56 p.m.]: On Tuesday 10 December 2013 I was pleased to join the Hon. Victor Dominello, Minister for Citizenship and Communities, at McCarthy Memorial Park in Smithfield to launch the Joining Forces initiative. The initiative is designed to encourage multicultural communities to sell badges for Sydney Legacy during badge week and poppies during Remembrance Day each year. Its purpose is to create awareness and promote the Anzac spirit within multicultural communities.

I thank Bill Newall, President of Smithfield RSL Sub-branch, and Mr Colin Evans, Chairman of Smithfield RSL Club, for joining us for the occasion. I especially thank Andrew Condon, Chief Executive Officer of Sydney Legacy, for working with the New South Wales Government and the New South Wales RSL to create this initiative. It gives me great joy to see the Government and different cultures joining together to create a harmonious balance of multiculturalism in our society.

SYRIAN ARMENIAN RIGHTS

Mr JONATHAN O'DEA (Davidson) [8.57 p.m.]: I recognise the substantial number of Armenians in the Davidson electorate who contribute positively and constructively to our society. Some of my constituents have recently raised concerns about reported various ongoing attacks by Al-Qaeda-affiliated foreign fighters targeting the civilian population in the predominantly Armenian region of Kessab in Syria. Churches, homes and livelihoods have reportedly been destroyed and people have been taken hostage, forcing the population to flee to neighbouring towns. Common among the innocent civilians targeted are the descendants of Armenians who settled in the local towns after escaping from the Ottoman Turkish authorities between 1915 and 1923. I recognise and endorse the view of people in my electorate that the international community should assist to cease any human rights violations in Syria.

NEWCASTLE CITY PINK UNDER-11 CRICKET TEAM

Ms SONIA HORNERY (Wallsend) [8.58 p.m.]: One need only look at my previous statements to see how big a fan I am of the involvement of girls and women in sport. I am thrilled to see that an all-girls cricket team reached the final of a boys' competition. Newcastle City Pink played the Wests White in the under-11 division three final. Though the Pink did not win this time around I am glad that the team led by coach Tom Anderson, whose daughter plays for the side, was such a success. I congratulate the girls on a stellar season.

WINGECARRIBEE ADULT DAY CARE CENTRE

Mr JAI ROWELL (Wollondilly) [8.58 p.m.]: Recently I had the privilege to visit the Wingecarribee Adult Day Care Centre in Bowral, a local, not-for-profit service providing social opportunities and outings in a group setting for frail and aged people, and people with dementia. On the day I was hosted by the hardworking Helen Denning, the service manager, and her team, who do an excellent job. I met clients and was thoroughly impressed by this fantastic service. The day ended with me singing with the group, which was fantastic. I congratulate our local heroes.

CABRAMATTA POLICE CITIZENS YOUTH CLUB HARMONY DAY CELEBRATIONS

Mr NICK LALICH (Cabramatta) [8.59 p.m.]: I had the pleasure last week of attending the Harmony Day event at the Police Citizens Youth Club in Cabramatta. I enjoyed watching the great line-up of entertainment and visiting the stalls that showcased the rich cultural diversity of the Cabramatta community. The highlight for me was the display by African drummers and dancers, and music by local young people. I was thrilled that so many people, especially young people, were there to take part and celebrate their local community. I congratulate the Fairfield Migrant Resource Centre, the Cabramatta Community Centre and the Cabramatta Police Citizens Youth Club on organising the event. I also thank everyone behind the scenes—the staff and volunteers—who worked hard to make Harmony Day such a great success.

NORTHERN TABLELANDS LOCAL LAND SERVICES BOARD

Mr ADAM MARSHALL (Northern Tablelands) [9.00 p.m.]: I congratulate three new members of the Northern Tablelands Local Land Services board. Nullamanna farmer David Worsley and Walcha sheep and cattle graziers Ross King and Tim Norton were successful from a field of 28 candidates. They will join the chair, Hans Hietbrink, and appointed members Maria Woods, Grahame Marriott and Leanne Savage. I wish David, Ross, Tim and the entire board every success in dealing with the challenges of their new roles.

PATRICIAN BROTHERS ST PATRICK'S DAY MASS

Mr GUY ZANGARI (Fairfield) [9.00 p.m.]: On 17 March 2014 I attended the St Patrick's Day mass at Patrician Brothers College, Fairfield. The mass was co-celebrated by Father Terry, Father Pat and Father Oscar. At the conclusion of the mass, service awards were given to teachers who had had more than 20 years of service at the school. Congratulations to the 21 teachers who received the special service awards as well as to the year 7 house captains, who were presented with their badges. I also congratulate the students from years 7 to 11 who received the prestigious Breastplate of St Patrick Awards for the 2013 academic year.

GRAFTON LITTLE ATHLETICS CLUB

Mr CHRISTOPHER GULAPTIS (Clarence) [9.01 p.m.]: I offer my congratulations to competitors from the Grafton Little Athletics Club who participated at the recently conducted New South Wales State championships. Liam Bloomer, Sarah Harre, Erica Tillman, Megan Tillman, Andrew Durrington, Brooke Sullivan, Grayson Reimer, Blake Robinson, Damian Duroux, Blade Pacey and Bethany Hickey qualified for the championships following successful results at the North Coast Regional Championships held in Lismore in early February. The athletes competed in various disciplines, including 100 metres, 200 metres and 400 metres sprints, 1,500 metres and 3,000 metres distance events and discus, high jump, long jump and triple jump. It is always encouraging to see sportspeople from rural and regional New South Wales excelling at local and regional events, and gaining the opportunity to shine at State championships. I wish the Grafton Little Athletics Club continued success in the future.

MANILDRA MILL 2 MILL RIDE

Mr ANDREW GEE (Orange) [9.02 p.m.]: I draw to the attention of the House that 43 cyclists recently set out from the Manildra Group plant in Bomaderry on the 643 kilometres, four-day Mill 2 Mill ride to Manildra. The event was well organised by MSM Milling Director Pete Mac Smith. The goal was to raise $100,000 to be split between two charities. Bob and Pete Mac Smith make a valuable contribution to the economy of the Central West. I mention sponsors Graincorp, Manildra Group, MSM Milling, East Coast Stockfeeds, Organic Crop Protectants, Growgate Limited, Staminade, KFC and Ron Boulton Cycles.

MOTOCROSS CHAMPION MEGHAN RUTLEDGE

Mr JAI ROWELL (Wollondilly) [9.02 p.m.]: I congratulate 18-year-old Picton local Meghan Rutledge on her outstanding start to the 2014 Women's Motocross World Championships. Mad Meg, as she is known, won the first round of the championships in Qatar, with a dominant lead of 17 seconds on her opponents. Making this all the more impressive, Meghan did this with a broken ankle. The next round in the championships is on 13 April, and I wish Meghan the best of luck.

WALLSEND *MY KITCHEN RULES* COMPETITORS

Ms SONIA HORNERY (Wallsend) [9.03 p.m.]: I invite the House to celebrate the success of Wallsend electorate *My Kitchen Rules* contestants Carly Saunders and Tresne Middleton in their latest adventure on the reality television series. Carly and Tresne have made headlines this week by revealing their romantic relationship, and I wish them every success in the future. They are not only role models for all of us who love to cook but for young women and for same-sex couples in the search for equality. Good luck, girls. I look forward to hearing of your success along the way.

WARIALDA HIGH SCHOOL STUDENT REPRESENTATIVES

Mr ADAM MARSHALL (Northern Tablelands) [9.03 p.m.]: I acknowledge Warialda High School's Student Representative Council for 2014. Captains Maddison Rose and Thomas Waller and vice-captains Jasmine Hunt and Riva Brown will lead the school, with Taylah McClymont as secretary, Maddison Smith-Connolly as treasurer and Beatrice Waller as publicity officer rounding out the executive. Gemma Hawkins and Richard Jane are the Kakadu House Captains, Tahlia Stevens and Kodie Hardy are the Kosciusko House Captains and Sarah Weatherall and Matthew McRae are the Uluru House Captains. The year 10 house vice-captains are Jessica Andrews and Jordan Clarke for Kakadu, Rosie Blessington and Mark Parkes for Kosciusko, and Claudia Cush and Jack Mead for Uluru. The junior student representatives are James Gilmour and Jai Hardy for year 9; Jessica Hall, Nicholas Monk and Holly Phillips for year 8; and Charlie Cush, Tye Smith and Emma Weatherall for year 7. I congratulate all the Warialda High School leaders this year and wish them all the best in carrying out their very challenging duties in 2014.

Community recognition statements concluded.

The House adjourned, pursuant to resolution, at 9.04 p.m. until Thursday 27 March 2014 at 10.00 a.m.